

MFC plays bait-and-switch on commercial fisherman definition

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The North Carolina Marine Fisheries Commission's quarterly meeting in Wrightsville Beach on Wednesday and Thursday was full of controversy, but it was the approval by a majority to ask Gov. Roy Cooper to consider replacing all nine members immediately that left heads spinning at the Blockade Runner Resort.

After being blind-sided earlier in the day by a previously-unseen proposal on how to change the eligibility requirements for a standard commercial

fishing license, the request was a rare win for the commission's commercial industry representatives.

Just before adjourning Thursday afternoon, commissioner Janet Rose of Currituck, who represents the commercial industry, presented a motion to send a letter asking Gov. Roy Cooper "to examine the current membership of this commission and, if need be, make changes to ensure this commission functions as intended."



Rose

Rose was referring to the imbalance of recreational members who, in addition to filling seats designated for recreation, also hold the at-large seats meant to be filled by consumers or other general members of the public.

The day before, Jerry Schill, director of Government Relations for the N.C. Fisheries Association, cited data during the public comment session that the board has been one-sided for nearly all of the last three decades, but the current commission is the worst he has seen.

"You should all resign immediately and allow Gov. Cooper another shot at it," Schill said. "Or allow the General Assembly to fix what the governor has messed up."

Many who have long bemoaned that the makeup of the commission does not reflect the intention of the 1997 Fisheries Reform Act, which required a balance of membership between commercial and recreational interests and inclusion of other residents, were shocked when the request passed on a 5-4 vote.

The motion was seconded by recreational member Cameron Boltes of Washington, who was just appointed by Cooper and was attending his first meeting.

Boltes and Mark Gorges, a recreational fisherman filling an at-large seat, voted with Rose, chairman Sammy Corbett and Allison Willis, who are also other commercial members.

Transparency appeared to take a holiday Thursday morning when the board was to discuss the issue of defining a commercial fisherman, as the original proposal from a three-member committee tasked with creating a recommendation was never discussed.

Division of Marine Fisheries liaison Nancy Fish began the presentation by briefly describing past efforts to create a definition of a commercial fisherman.

She noted that out of approximately 150 comments received on the committee's recommendation, about 136 opposed the submitted definition and the remaining comments either supported or didn't state a position.

Dozens more gave their thoughts on the proposal during the public comment session Wednesday afternoon.

"I must admit I was taken aback when I first learned of this proposal being considered by the commission and can think of no legitimate purpose for its consideration that could lead to a positive outcome for those individuals who supplement their incomes or retirement through commercial fishing," said Rep. Bob Steinburg, R-Edenton, who also serves on the Atlantic States Marine Fisheries Commission.

"This proposal seems to suggest a punitive action against an industry that has endured much over the last 30 years," Steinburg said.

After briefly discussing why only three commissioners were on the committee, chairman Corbett said it was clear that 99 percent of the fishermen were opposed to committee's recommendation.

Public comments on the issue were accepted the night before and addressed the recommendation that had been advertised.

"Now, we can try to come up with something," said Corbett.



Kornegay

But before the discussion of the panel's recommendations could begin, Pete Kornegay of Camden, a retired fisheries biologist just appointed to the scientist seat, presented an entirely different document that he said was created by the North Carolina Wildlife Federation.

He previously was hired to review the federation's controversial Sound Economy Plan and to speak in public in support of it.

The document presented Thursday, which laid out an entirely new list of requirements to be eligible for a commercial license, had not been previously shared with the full commission or its legal counsel.

Commission attorney Philip Reynolds quickly noted that the issues contained in the document were different from what the committee, which was composed of Corbett, recreational member Chuck Laughridge and former scientist Mike Wicker, had been tasked with.

One of the items stated that to hold a commercial fishing license, one must first obtain a crew license and work for three years in that capacity.

“These issues are different from the committee’s charge,” said Reynolds. “You can’t require effort from the past.”

Reynolds also noted that the issues were different and far reaching. “I’m not prepared to comment on this at this time,” Reynolds said.



Corbett

Corbett also objected because the N.C. Wildlife Federation’s proposal included major changes to the recreational fishing license but recreational fishermen had not been given an opportunity to comment on it.

Kornegay said that he had discussed the plan with Laughridge and made a motion to adopt that was seconded by Laughridge.

“The committee met to discuss definition of commercial fishermen and this has nothing to do with that,” Corbett objected.

On at least two occasions, Division of Marine Fisheries staff suggested that some changes could be made by rule instead of sending the motion to the General Assembly to set into statute, but those recommendations were ignored.

The motion passed 5-4, with recreational fisherman Brad Khory voting against along with Corbett, Rose and Willis. The changes, which still have to gain the approval of the General Assembly before they can go into effect, include:

- Develop a new commercial fishing license based on criteria to qualify current commercial license holders. Current license holders must demonstrate a minimal level of participation in the fishery as reported by landings (1,000 pounds of seafood products) or effort (15 trips) through the DMF trip ticket program during any two out of five continuous calendar years.
- Only allow license transfers or assignments to members of the immediate family or corporation of a licensed commercial fisherman.
- Create a Crew license for individuals to apprentice with commercial fishermen for three years after which time they would be eligible to purchase a standard commercial fishing license. The annual fee for the Crew license would be \$100.

- Cap the pool at 100 and establish a new pool to receive licenses that are not renewed each year. Any non-renewed licenses would be transferred into the new pool and used to fill new commercial fishing license demand for qualified applicants. Inactive licenses may be reactivated for a fee.
- Inactive Standard Commercial Fishing Licenses that do not have requirements set forth by the legislature would go back into a special pool and these licenses may be reissued to the original holder without going through the Eligibility Pool.
- Create a Heritage Standard Commercial Fishing License that families may want to maintain that are inactive that may be maintained for \$100 per year and may be reissued one time to a family member without going through the Eligibility Pool or any of the requirements listed above. If reissue is not wanted, a one-time fee of \$100 will retire that license number.
- Graduation or completion of work at community colleges offering a commercial fishing program will be recognized as having served an apprenticeship eligible for an Eligibility Pool license.

All references to recreational licenses including the prohibition of gill nets allowed to those with a Recreational Commercial Gear License were removed, as was a provision to allow commercial fishermen to use hook-and-line in an effort to “expand opportunities.”

Initially, the proposal called for limiting only one license per commercial fisherman, however, after discussion about why some fishermen need multiple licenses, that was deleted.

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