

Rubey Dyer

700 N.E. Maine Fisheries Commission

This proposed requirements for commercial license is totally ridiculous, unfair and prejudiced against small license holders.

The small fisherman has always depended on outside income for his livelihood. You can not put a monetary number on what our income should be, due to fishing or otherwise, we pay our license fees like everybody else while we wait for the fish habitat to re-generate, so we can make more money fishing, we try to abide by the Maine Fishing Rules, and some-times they are just plain ridiculous.

If you are going to pull our license, you should compensate our income accordingly, buy our boats, nets and pay us \$10,000 income yearly - kinda like they do farmers putting their land in the Soil Bank - Think about this!

You want to charge us \$100.00 to retire our license - How ridiculous is this! It seems, you want to put us out of business and make us pay for it!

Mr. Commissioners, think once about how we small license holders feel! Compensate us for a charge! Totally discouraged, R. Dyer

v. We apologize

8, Swansboro, N.C.-7

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13-5335

SAVE Fisheries comment is sought

The N.C. Marine Fisheries Commission is accepting public comment on five recommended changes to the commercial fishing license structure it plans to further discuss at its February meeting.

"Nothing here is etched in stone," said commission Chairman Sammy Corbett.

He did say the MFC committee has voted to recommend the full commission begin deliberations with the following proposed requirements for holding a standard commercial fishing license:

- Must have 50 percent of earned income from the Trip Ticket Program as in the Fisheries Reform Act of 1997. There is already a statutory precedent for

Bart not be!

unfair

ber of Commerce.
at (910) 326-1174.

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operation, business, etc. doing business in North Carolina.

(The commission can decide if these first three items are stand-alone or a combination thereof.)

- Inactive Standard Commercial Fishing Licenses that do not have any of the above with a three-year running average would go back into a special pool and these licenses may be reissued to the original holder subject to commitment to one or more of the first three without going through the eligibility pool.

- Create a "heritage standard commercial fishing license that families may want to maintain that are inactive. The license 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 1, 2 and 3 requirements listed above. If the re-issuance of the license is not wanted, a one-time fee of \$100 will retire that license number.

The proposals would require legislative approval.

Anyone wishing to comment on the proposals may do so at the commission's meeting on Feb. 14 at 6 p.m. The meeting will be at the Blockade B...

inappropriate

change!



RESOLUTION 2018-02

OPPOSING ANY CHANGE IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage, and culture and represents a crucial component of the economy for Dare County and other coastal communities; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

WHEREAS, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."

NOW THEREFORE BE IT RESOLVED that the Town of Manteo Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

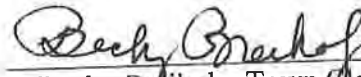
AND BE IT FURTHER RESOLVED that the Town of Manteo Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 7th, day of February, 2018.



Bobby Owens, Mayor

ATTEST:



Becky Breiholz, Town Clerk





TOWN OF KILL DEVIL HILLS

Post Office Box 1719, 102 Town Hall Drive
Kill Devil Hills, North Carolina 27948
252-449-5300
www.kdhnc.com

February 7, 2018

Mayor
SHEILA F. DAVIES, PhD

Mayor Pro Tem
MIKE HOGAN

Commissioners
TERRY L. GRAY
BRANDI H. RHEUBOTTOM
JOHN L. WINDLEY

Town Manager
DEBORA P. DIAZ

Assistant Town Manager
SHAWN R. MURPHY

Town Clerk
MARY E. QUIDLEY

Town Attorney
CASEY C. VARNELL

North Carolina Marine Fisheries Commission
c/o Nancy Fish
N.C. Division of Marine Fisheries
3441 Arendell Street
Morehead City, NC 28557

Dear Commission Members,

At its January 31, 2018, meeting, the Kill Devil Hills Board of Commissioners adopted the following resolution:

Resolution Opposing Any Change in the Definition of a Commercial Fishing Operation

A copy is included for reference. Thank you for your continued service to the citizens of Kill Devil Hills and North Carolina.

Sincerely,

Sheila F. Davies, Ph.D.,
Mayor

Encl.

c: Dare County Board of Commissioners
file



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

RESOLUTION OPPOSING ANY CHANGE IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage, and culture and represents a crucial component of the our Outer Banks economy, and other coastal communities; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

WHEREAS, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that “no changes are needed to the existing definition.”

NOW THEREFORE BE IT RESOLVED that the Kill Devil Hills Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Kill Devil Hills Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 31st day of January, 2018.



SEAL

A handwritten signature in cursive script that reads "Sheila F. Davies".

Sheila F. Davies, Ph.D.
Mayor

ATTEST:

A handwritten signature in cursive script that reads "James Michael O'Dell".

James Michael O'Dell
Deputy Town Clerk

Marine Fisheries Advisory Board

Jonathan Robinson, Chairman

John T. Salter

Jess Hawkins

William Rice

Allyn B. Powell

Bradley Styron

Leslie "Sonny" Davis

Kelth Mason

Ron McPherson

Thomas Carl McArthur, Jr.



February 8, 2018

Mr. Sammy Corbett, Chairman
N.C. Marine Fisheries Commission
3441 Arendell Street
Morehead City, NC 28557

Dear Mr. Corbett:

The Carteret County Marine Fisheries Advisory Committee met on today's date to discuss fisheries issues. One item of great concern, not only to our Committee, but also for our Commissioners, the citizens of our County, and most importantly to our commercial fishermen, is the effort underway by the Marine Fisheries Commission to change the definition of a commercial fishing operation.

As you are well aware, the definition of what constitutes commercial fishing and who may engage in a commercial fishing operation is outlined in our State Statutes. The proposed changes being considered which requires those holding commercial fishing licenses have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year, would negatively impact an industry that already suffers due to government overregulation. The North Carolina Constitution gives citizens the right to choose and pursue a means of livelihood; it is a personal right and liberty. There is no other occupation in our State which dictates a percentage of income or minimum income requirement.

The Marine Fisheries Commission tasked a Fishing License Review Taskforce to study the definition in October of 2010; their final report clearly recommended that no changes were needed to the existing definition. It should also be noted that the State undertook an extensive study in the 1990's which encompassed the number of licenses issues, structure, and what the license division should look like.

Mr. Sammy Corbett
Page 2 of 2
February 8, 2018

I have enclosed a copy of a Resolution adopted by the Carteret County Board of Commissioners at their meeting on February 7, 2018, outlining their opposition.

Any change in the definition of a commercial fishing operation would have a harmful effect on a hard-working group of North Carolinians who struggle to responsibly provide for their families. On behalf of those fishermen, the Marine Fisheries Advisory Board strongly opposes any change in the definition.

Sincerely,



Jonathan Robinson, Chairman
Carteret County Marine Fisheries Advisory Board

/rbh

copy: Governor Roy Cooper
Senator Thom Tillis
Senator Richard Burr
Representative Walter Jones
Representative Pat McElraft
Senator Norman W. Sanderson

Board of Commissioners
Mark Mansfield, Chair
Robin Comer, Vice-Chair
Bob Cavanaugh
Jimmy Farrington
Jonathan Robinson
Bill Smith
Ed Wheatly



County Manager
Tommy R. Burns

Clerk to the Board
Rachel B. Hammer

RESOLUTION

OPPOSING ANY CHANGE IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage and culture and represents a crucial component of the economy of Carteret County and other coastal communities; and

WHEREAS, according to the North Carolina Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000.00 and the income impact of employed commercial fishermen is \$166,066,000.00; and

WHEREAS, the right to choose and pursue a means of livelihood is a property right and a personal liberty guaranteed by Article I, Section 1 of the Constitution of North Carolina; and

WHEREAS, the definition of what constitutes commercial fishing and who may engage in a commercial fishing operation has been established by the General Assembly in the General Statutes of North Carolina, Sections 113-168, 113-168.1, 113-168.2, 113-168.3 and 113-169.2; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000.00 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, no other job, occupation or employment pursued as a means of livelihood in this State requires a percentage of income or minimum income requirement or level of participation in order to pursue that job, occupation or employment; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes sever quotas and unnecessary restrictions on fishing seasons, limits and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."

WHEREAS, any action of the Marine Fisheries Commission to consider changes in the definition of commercial fisherman would not have a rational, real or substantial relation to the public health, morals, order, or safety or the general welfare of society and would interfere with an individual's inalienable right to the fruits of one's labor in violation of the Constitution of the State of North Carolina.

NOW THEREFORE BE IT RESOLVED that the Carteret County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Carteret County Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

ADOPTED, this the 7th day of February 2018.

Mark Mansfield

Mark Mansfield
Chairman

Rachel Hammer
Rachel Hammer
Clerk to the Board of Commissioners



Feb. 2018 Public Comments

My handouts are graphs of the commercial and recreational catches of finfish that you manage. It is undeniable that the resource is overfished and trending to a point no return. River herring has reached that point.

Let's look at the facts:

Commercial catch without menhaden down 65% since 1980's
Recreational catch down 48% since 2000's

These facts come from your 2017 DMF License and Statistics Annual Report. The report's 395 pages contains all the data needed to manage our resource but must be used if needed change is to happen!

I have three inputs:

First:

Tell us the truth about the stock status based on science and eliminate the current designations, viable, recovering, concerned, depleted. These descriptions are influenced by politics and not solely based on science. Speckled Trout is the best example of a stock status lie. How in 2015 can the speckled trout rating go from depleted, your lowest rating to viable, your highest rating in one year,

Just tell us how a fish population is trending and at what rate.

Second:

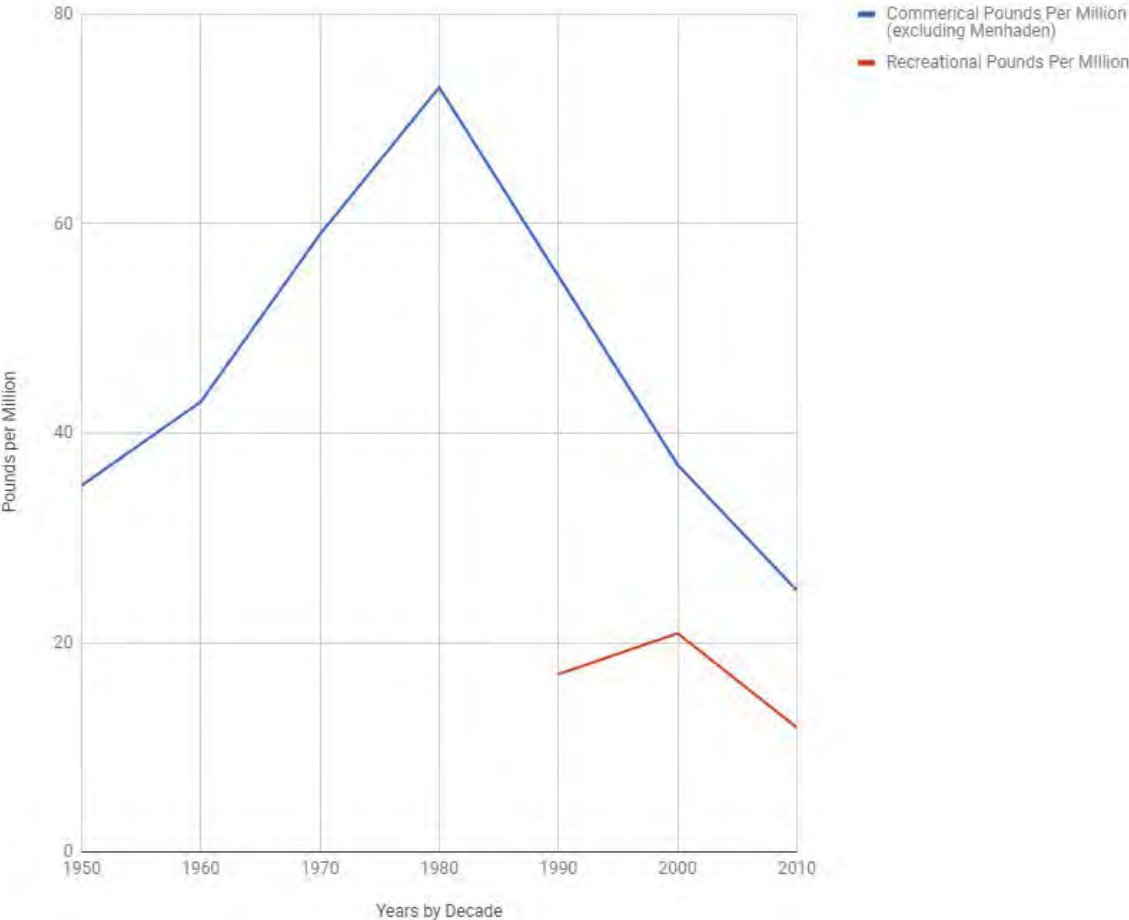
Only give commercial license to true commercial fishermen. Other states have figured this out. It's time to act.

Finally:

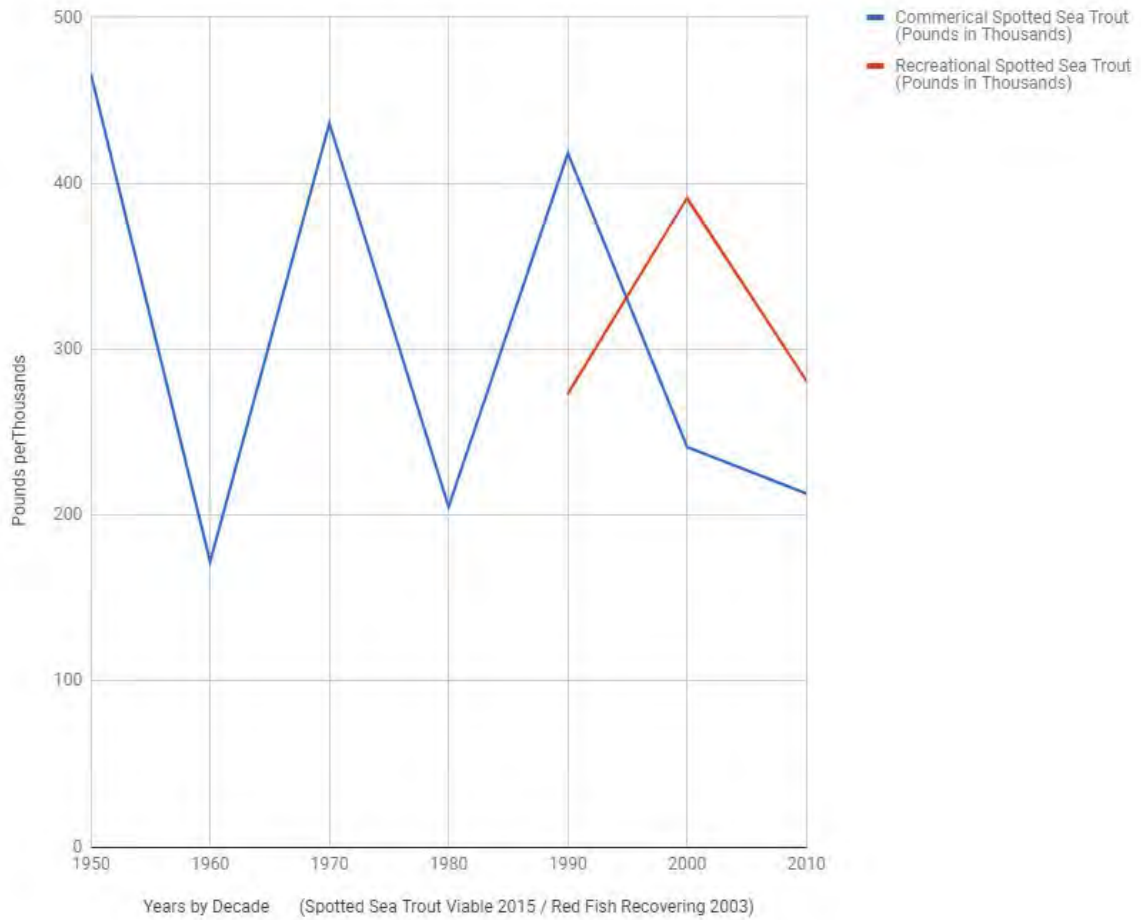
I believe you have to change from managing the catch to managing the resource. Manage for sustainability and then growth. Is that not what you volunteered for? The resource?

Ron McCoy
Hampstead, NC

AVERAGE RECORDED COMMERCIAL AND RECREATIONAL FINFISH CATCH BY DECADE
2017 Division of Marine Fisheries License and Statistics Annual Report



AVERAGE RECORDED COMMERCIAL and RECREATIONAL Spotted Sea Trout CATCH BY DECADE 2017 Division of Marine Fisheries License and Statistics Annual Report



To whom it may concern;

I am opposed to all these new regs.I am 69 years old and have made 100% of my living as a commercial fisherman for over 40 years.The last few years I have not crabbed(my main income).the reason? THERE IS NO MARKET.I have sold crab bait to the crabbers in this area for about 15 years to about 12-15 crabbers.The last 2 years i have sold none.The reason? THEY HAVE NO MARKET. They are catching crabs in virginia and maryland,enough to kill our markets.These new regs give no consideration to this fact(which i know you are aware of),these regs also give no consideration to ageing.I would still like to crab when the market is better,not crab 400 traps only to break even or go in the hole every day.these new regs would be very unfair to older fishermen in my position who still want to supplement their income if its worth crabbing.Dont kick me out of something i did most of my life.

Thank you,
Ralph W. Lewark
173 Lewark Lane
Knotts Island, North Carolina 27950
252 429-3233

①

1/22/18

TO WHOM IT MAY CONCERN,

IN REGARDS TO THE IMMEDIATE AND CONTINUAL JOSTLING BY SPECIAL INTEREST GROUPS TO RENDER N.C. COMMERCIAL FISHERMEN AN EXTINCT SPECIES, I WOULD RESPECTFULLY REQUEST TO HAVE THESE COMMENTS SUBMITTED TO THE COMMISSION.

AS A FORMER "FULLTIME" N.C. COMMERCIAL FISHERMAN HAVING HAD TO TEMPORARILY ABANDON THIS LIFESTYLE AND MEANS OF SUPPORTING MY FAMILY DUE TO EXTREME DIFFICULTIES IMPOSED BY EVER CHANGING REGULATIONS AND ALSO THE EVER CHANGING NATURE OF THE BUSINESS ITSELF, I WOULD LIKE TO THANK NCDENR AND NCDMF FOR REASONABLE EFFORTS TO SUSTAIN COMMERCIAL FISHING AND THE MEN AND WOMEN WHO CHOOSE THIS INDUSTRY AS THEIR LIVELIHOOD. MOST COMMERCIAL FISHERMEN WILL AGREE THAT WE HAVE TO PROPERLY MANAGE THIS LOVED AND NEEDED RESOURCE. INFORMATION FROM SCIENTIFIC STUDY AND THE AGE OLD INGREDIENT OF COMMON SENSE WILL ALLOW NCDENR AND NCDMF TO CONTINUE WORKING TOGETHER WITH N.C. COMMERCIAL FISHERMEN IN ORDER TO NAVIGATE THROUGH THE STORMS AND THEREBY WEATHER THE DIFFICULTIES THIS INDUSTRY AND RESOURCE FACES.

FOR YEARS I HAVE PAID THE STATE OF NORTH CAROLINA ALL FEES ASSOCIATED WITH LICENSE AND PERMITS NECESSARY TO KEEP MY N.C. STANDARD COMMERCIAL FISHING LICENSE CURRENT AND IN GOOD STANDING. FOR THIS OPPORTUNITY I AM THANKFUL AS I INTEND TO RETURN TO MY HERITAGE + LEGAL RIGHT AS A CITIZEN OF NORTH CAROLINA TO CONTRIBUTE TO THE ECONOMY OF THIS STATE AS A COMMERCIAL FISHERMAN. I WOULD LIKE TO PRESENT THE FOLLOWING THREE POINTS FOR YOUR CONSIDERATION.

②

① TO DEFINE N.C. COMMERCIAL FISHERMAN BY PERCENTAGE OF INCOME.

MANY COMMERCIAL FISHERMAN ARE FORCED TO SUPPLEMENT THEIR INCOME BY MEANS OTHER THAN FISHING. A DROP IN FISH PRICES, A CLOSED FISHERY, LOST TRIPS DUE TO WEATHER, MECHANICAL ISSUES... ALL THESE AND MORE AFFECT INCOME. OBVIOUSLY, THIS IS NOT GOOD CRITERION.

② TO DEFINE COMMERCIAL FISHERMAN BY NUMBER OF TRIP/TRIP TICKETS.

CONSIDERING THAT AT ANY GIVEN TIME AND FOR ANY GIVEN AMOUNT OF TIME AND FOR ANY GIVEN NUMBER OF REASONS... ANY GIVEN FISHERY CAN BE CLOSED. CASE IN POINT, THE MOST RECENT "COLD STUN EVENT" RESULTING IN THE CLOSURE OF THE SPECKLE TROUT FISHERY. THIS REALLY HIT HOME FOR ME. I JUST FINISHED REBUILDING A BOAT, HANGING A NET AND PURCHASING A NEW MOTOR. NOW I HAVE NO VIABLE FISHERY UNTIL SPRINGTIME. AGAIN, THIS IS NOT GOOD CRITERION.

③ MORE COMMERCIAL FISHERMEN WHO ARE PAYING FEES UPWARDS OF \$400.00 FOR LICENSE AND PERMITS TO LEGALLY PARTICIPATE IN AN INDUSTRY SANCTIONED BY THE STATE OF NORTH CAROLINA ARE EXERCISING THEIR RIGHTS AS CITIZENS AND THEIR HERITAGE. THIS DOES NOT EQUATE TO OVERFISHING OR DEPLETED STOCKS. WE STILL HAVE QUOTAS AND OTHER SOUND REGULATIONS.

I IMPLORE UPON THIS COMMISSION TO CONTINUE TO USE SOUND JUDGMENT EVIDENT IN MANY DECISIONS PREVIOUSLY MADE AND NOT ALLOW SPECIAL INTEREST GROUPS WITH TAINTED AGENDAS DESTROY THE HERITAGE AND ECONOMIC PROSPERITY OF THE CITIZENS OF THIS STATE.

AGAIN, I WOULD LIKE TO THANK THIS COMMISSION FOR CONSIDERATION OF THESE COMMENTS.

RESPECTFULLY, *Bretton Gray Jr.*

BRETTON GRAY JR.
PO BOX 442
27015

COMMERCIAL FISHING LICENSE # 343665

January 26, 2018

TO WHOM IT MAY CONCERN:

This letter is my response to the proposal to eliminate inactive commercial fishing licenses or to add new criteria for a person to hold a commercial fishing license. Having held and paid for a commercial fishing license for many years, I STRONGLY OBJECT TO ANY CHANGE IN THE REQUIREMENTS TO POSSESS A COMMERCIAL FISHING LICENSE.

These licenses represent long-term investments for the commercial fishermen, to which the Fishing Commission has shown little concern. I do not believe that changing the rules for holding a commercial fishing license benefits anyone.

Thank you for your attention concerning this matter.

Sincerely,



William P. McClees, Jr.

845 Beasley Ln.

Havelock, NC 28532-9194

Telephone: 252-670-8511 Email: pegmcclees46@gmail.com

cc: Rep. John Bell, Rep. George Graham, Rep. Michael Special, and Sen. Norman Sanderson

To whomever it may concern:

The up coming changes in license requirements are to me unfair. I have been involved in commercial fishing, in one way or another since I was 13, I am now 57. I have maintained a commercial license for as long as I can remember. I have worked with NCDOT Ferry Divison for over ten years. We work week on week off, and as some of you may know the states pay scale is not the best. I depend on my commerical fishing proceeds to make ends meat. It is hard to find an employer that will hire for week on week off. Especially in Hyde County, it is hard to find anything. I work with my father in law on my weeks off, he is 80 years of age now many days he can't go,so I go. With out license that is out the window also. I have kept up these license every year whether I used them or not to ensue I will have them or for one of my grandchildern woh may want to crab or fish. I have never had a ticket,and it seems unfair and unjust that this is even under consideration.

Please rethink these qualifications, they will put a big portion of our fishermen out of business. Or is this what this is all about? Who or where do these changes come from? I think we all deserve to know!
Thank you:

TO THE DMF

COMMERCIAL FISHER MEN
PURCHASE THEIR LICENSE
TO MAKE THIS SIMPLE THE
LICENSE HOLDER SHOULD
CHOOSE

WHEN TO USE THE LICENSE
HOW OFTEN TO USE THE
LICENSE

THAT SIMPLE

COMMERCIAL FISHERMAN
AND LICENSE HOLDER
FRED WESCOTT JR



Jan. 29, 2018

Ron Wade, Jr.
147 Solo Lane
Knotts Island
NC 27950

To Whom It May Concern:

I, Ron Wade Jr., am against the proposed changes by D.M.F. I don't think D.M.F. should dictate how many times I crab a year or how much of my total income would come from crabbing.

I hope you will take this in consideration before making any changes.

Sincerely,
Ron Wade Jr.

Steve M. Bailey

PO box 106
Hatteras, NC 27943
baileys817@gmail.com
252-216-7555

January 30, 2018

Division of Marine Fisheries
3441 Arendall Street
Morehead City, N C 28557

To Whom It may Concern:

I am the owner of a retail seafood market in Hatteras Village. My family has operated this business since 1985. I depend on local fishermen to supply much of my local seafood. Not All of my local suppliers are full time commercial fishermen. Where will I get my local seafood? These new proposals will greatly affect my business plus the local economy .

I OPPOSE these new rule changes.

Yours truly,

A handwritten signature in cursive script that reads "Steve M. Bailey".

Steve M. Bailey

Please put this letter in the
briefing book for the meeting
of MFC in Wilmington on Feb. 14, 15
2018.

Thank you,
Steve M. Bailey

To D.M.F.

2-1-18

I Ronald B. Wade Sr. would like to address the following issues proposed by the D.M.F.

First on the number of trip tickets turned in for the yearly crab season. 34 or better is good if a good crabbing season and have a market to sell to. you can't ~~per~~ predict a good season or your money market. Why catch the crabs if they are available and get little money in return. I am strictly opposed to the number ^{maximum of} 36 trip tickets which is proposed by the D.M.F.

Next issue is 1/2 half of your income on crab sales. This is not fair to the small crabber or anyone else just to pick up a little extra income. Crabbing is hard work with expensive equipment. Some seasons there is no way I could make 1/2 half of my income by crabbing. I don't think the crabber should be pressured by how much money he or she has to make crabbing. I am strictly opposed to this issue also.

Thank you for your
time -

Ronnie Wade Sr.

208 Fentress Dr.
Kenotts Island NC 27950
Home 252-429-3115
Cell 757-536-5229

THE ALBATROSS FLEET

Foster's Quay
PO Box 120
Hatteras, NC 27943

To: NC Marine Fisheries Commission Members

Re: Comments on Proposal to change Definition of a Commercial Fisherman

From: Ernie Foster

Date: Feb. 2, 2018

Dear Commissioners,

I am Ernie Foster owner of the Albatross Fleet, a charter fishing fleet consisting of three boats. It began in 1937 when my father, the late Ernal Foster built the Albatross for the primary purpose of charter fishing in the Gulf Stream. Commercial fishing was to be his secondary source of income.

As the present owner of that first boat every built primarily for "off-shore" charter fishing in North Carolina (1937) and of the two other boats that followed and having fished each charter season for the past 60 yrs I am somewhat aware of the development and growth of the sport fishing industry in this state.

I offer this preface to my comments about this proposed change in the definition of a commercial fisherman in an attempt to dispel/dismiss at least a little of the incessant flood of propoganda that has been unleashed on the citizens of this state, including state legislators, in recent years regarding commercial fishing.

I am referring specifically to the never ending propoganda that pointedly implies that the sport fishing industry in NC is languishing because of the very existence of commercial fishing. Have any of you ever heard that argumnet presented? The answer to that question is -- yes.

However, when factual information is used to analyze that claim, rather than the deliberately false and/or misguided articles, billboards and opinions of the uninformed, that claim falls apart.

As someone who has actually lived it, who has seen it from the inside out, who owes what little fame I have to sport fishing, who loves sport fishing and who lives in a community that has transitioned over the past 70 yrs. from a one that survived exclusively on commercial fishing to one that is now dominated by tourism I would like to make some effort to refute this overwhelming flood of propoganda, ---maybe "damm lies" is a more accurate description ---- that commercial fishing has, in the past, and continues, in the present, to hold back what "could be" the unleashing of an "economic gold mine" by allowing the development of a robust sport fishing industry in North Carolina

The first Albatross was built in '37 and business started to develop but then along came WW II and there was an abrupt halt. But, after WW II, the sport fishing industry began to grow again and in the early '50s it began to grow rapidly. In Dare County it was utilized by our "new" tourism director as a major advertising tool to attract tourists. Since those early days sport fishing has grown exponentially and, while some commercial fishing sectors have managed to maintain, most sectors have diminished significantly or disappeared all together.

For those of you who are either old enough to have direct memory or who have access to old photos - simply compare and contrast the fishing harbors of the '50s & '60s with the today and also compare and contrast the sport fishing marinas and boat storage facilities of those days -especially storage facilities. At this point we are not talking about opinion, we are not talking about beliefs or wishes, we are not talking about billboards, we are talking about cold hard facts (facts, because it is not likely that 60 yr old photos

Captain *Ernie Foster*
(252) 986-2515

fax (252) 986-2515
albatrossfleet@earthlink.net

were doctored to add non-existent commercial boats while removing numerous sport fishermen - nope- we are looking at undoctored facts). Now, try to explain the validity of the propaganda being so widely disseminated that claims that the commercial fishing industry of today is dominating and controlling the three fishing sectors, --- recreational, charter/head boat and commercial.

After that little fact finding excursion please turn your attention to the latest proposal(s) being considered by the NCMFC. The harsh reality is that if any of these proposals become law it will further damage, in ways both large and small not only the commercial fishermen but also the towns and villages in which they and their families live and work.

The strong advocacy for these changes to the definition of a commercial fisherman comes from a small part of the recreational fishing sector. Its motivation/ rational, constantly offered, is that the ascending segment of the coastal fishing economy (sport fishing) needs more help. And this help can best be provided by further destroying another segment of the coastal economy, ----- commercial fishing.

That right! Lets destroy a centuries old profession that supports multigenerational coastal families, families who provide fresh, seasonal seafood for citizens all across our state.

Oh! And economic diversification??? Who needs that quaint concept. Let 'um move to the triangle area and get a "real job".

This latest effort to further rid NC of its commercial fishermen is being delivered in the guise of a "redefinition" of who has the right to possess a commercial fishing license. This effort is a classic example of attempting to fix something that "is not broken". Why? Why? Did someone say Craig's List? Seriously?

When one looks at the totality of what is being proposed, when one looks at the existing rules and regulations, when one looks at the broad variety of individual citizens and businesses and communities that will be harmed, first financially and then socially, if these proposals become law and, when one then tries to identify just who or what group might possibly benefit from these proposals, it is difficult to make any sense of this alleged need to "redefine a commercial fisherman".


So, I would like to offer the following as a "replacement" for the proposal(s) being considered:

First, maintain the existing definition of who can possess a commercial fishing license and, second, require the prominent display the following statement at all NC Marine Fisheries Offices

"North Carolina's independent watermen are the exemplary example of what we most value in America. They are citizens who are self sufficient, hardworking and independent and who have only one request of their government ---- that they be allowed the right to go to work with the hope (not the guarantee) that they will be successful and, in so doing, provide for themselves, their families and their communities by making available a product needed by everyone -- food.

Thank God for commercial fishermen."

Sincerely,



Capt. Ernie Foster

Richard Augustson
Avon, NC 27915
January 29, 2018

Commercial License Comments
Attention: Mr. Sammy Corbett
Morehead City, ND 28557

Dear Mr. Corbett,

I hope you read this letter in its entirety, as it has spared me no small amount of trouble in its composition.

I am writing this letter to put my two cents worth in on the proposed definition of a commercial fisherman. But first, a little about who I am.

I am a life-long resident of Kinnakeet (aka Avon) who was raised on the waters of the Pamlico Sound, which the bounty of put shoes on my feet and food on my family's table, as it has for previous generations of my family.

I am a full time, fifteen year journeyman lineman with the Cape Hatteras Electric Cooperative in Buxton who gets in the bucket and works his ass off every day for an average of forty-five hours per week.

I was a house carpenter for fourteen years prior to that.

I worked in the seafood industry as a boy and teen into my twenties for Tilman Gray Sr. and my family, fishing and packing fish.

I always wanted to be a fisherman but as a young man, but found it difficult to get into due to funds, or the lack thereof.

Now that I have some what the means to do it, in addition to keeping my young children rooted in their cultural heritage, the threat looms that I might not be able to once again due to this definition issue.

Since I received my license through the eligibility pool in 2014 for previous industry involvement, I have been without reprise, investing money and lots of time into starting a commercial fishing business. I have built my own boat, crafted my own gear - some of which with salvaged materials improperly discarded by "real" fishermen. Alas, I have been educating myself on the rules, regulations, proclamations and maps set forth by DMF. I plan to start an aquaculture operation in the coming year.

Now, of the supposed four thousand inactive licenses in the state, I wonder how many are held by people in the same or similar situation? Like any start up, this takes time. Investment doesn't pay off over night.

I have read rumors about the reasons for this rule being implemented/enforced. People holding licenses to avoid limits on resources, outside groups (CCA) trying to end commercial fishing and culture and so on. I understand the need to manage properly the resources, but the 50% of income bullet is a bad idea in my opinion.

How can the MFC propose such a high number? There are too many variables to limit one's income in commercial fishing to not seek additional employment. Weather, closures to resources, limits to access, declining habitat and so on.

I propose the MFC change the definition criteria. Instead of numbers defining a fisherman, how about a fisherman being someone who abides by all the rules and regulations set forth by DMF and one who has never been charged or cited with any violations? Take the license from those who break the law, not from the law abiding citizen.

Here's another idea, keep the 36 trip ticket idea, but consider the total catch of the licensee not just the landing total value. It isn't every day you fish that you catch and earn money.

This proposal will affect a lot of hard working families of passed/implemented in a negative way. If this goes to the legislature I can assure you I will do everything in my power to prevent it passing as proposed.

With respect for your service,

A handwritten signature in black ink, appearing to read "Richard Augustson", with a long horizontal flourish extending to the right.

Richard Augustson

TRIPP FARMS

811 Down Shore Road
Blounts Creek, NC 27814

(252) 322-5250



February 2, 2018

Commercial License Comments
NC Division of Marine Fisheries
Marine Fisheries Commission Office
P. O. Box 769
Morehead City, NC 28557

Dear Committee of Three:

My name is Gilbert Allen Tripp, Jr. and I was born in 1943. I will be 75 at my next birthday, May 8th. By the time I was 6 years old I was accompanying my Father on Gill Netting Trips. I would feed out the net over the stern while he rowed the boat. This is the way he was taught by his Father and Grandfather. Commercial Net Fishing in the Pamlico River goes back at least six generations in my family. By the time I was 10 my Dad had his first heart attack and he began playing out the nets while I rowed the boat. I remember the first time Marine Fisheries required a license (a metal tag similar to a license plate costing \$3.00). Dad refused to pay the fee saying it was unlawful to charge for what had been free his entire life. I went behind his back and purchased the tag for years. Eventually the plate gave way to a decal and the price went up. In 1960 I went away to school and each year I sent money for his fishing license. He died in 1967 and I had the Standard Commercial Fishing License (SCFL) transferred into my name. I started my teaching career that year, and began the dream of returning home one day to fish and crab the river again. I continued to purchase the SCFL each year even when it was raised to \$300.00. I taught for 41 years and retired in 2005. I returned to the farm where the Tripp Family has lived since before the American Revolution. Most were subsistence farmers and fishermen. Upon retirement I began to fish and try to get the farm back into production. No one had lived in the old home place since Dad died and Mother moved away. In 2007 my health began to fail and I had my first of 6 spinal surgeries. Also I had my left ankle replaced (it failed) and therefore I had to have it fused (the bone graft failed) and now I have limited walking ability. My back surgeon will not allow me to get in my boat anymore for a fear of a slip and fall (possible paralysis). My dream is to continue to fish as health will allow, and teach my three grandsons how to fish like my Dad taught me. I now have a retired SCFL (\$200.00). If memory serves me correctly the Marine Fisheries requested a salt water license several years back of both resident and non-residents to procure monies so they could conduct fisheries assessments and management plans. If 4,000 SCML are to be called in (lost) at an average of \$300.00 each; where will you make up the lost revenue of \$120,000.00.

Your basic premise for wanting to recall the 4,000 inactive SCFL is that recreational fishermen are purchasing Commercial Licenses in order to catch over the posted creel limits and in some cases selling the fish on the open market. Your office has access to all the "Trip Tickets" so it isn't hard to determine who is abusing the system. With gill netting closed from Friday morning until Tuesday morning anyone selling fish to a dealer on the week-end is subject to illegal activity. Check your records! I have only been able to fish from my pier for 10 years. I still enjoy the thrill of providing fish for my family and occasionally some friends. After the market collapse in 2008 it became too expensive to go to Washington and sell the small number of fish that I caught daily. I purchased my SCFL in good faith and have maintained it in good standing for over 55 years. I expect no less that for Marine Fisheries to honor the commitments that they have made to me and 4,000 others.

I remember when there was no required license and no creel limits. Nets were made of linen, top lines had real corks and ropes were hemp. After each use they had to too spread to dry and possibly mended. Then came multifilament nets, followed by monofilament netting, float line and lead core line. Things have certainly changed gear and regulation wise. What should not change is the State of North Carolina's commitment to its commercial fishermen. I certainly don't mean for this to come across as a threat, but I can foresee a class action suit being brought against the Commission and its officers for Breach of Contract. I would love to speak at the Wrightsville Beach Hearing but I am unable to travel that far so I must rely on this correspondence to relay my displeasure on the proposed changes in the way SCFL are to be handled in the future. I have a license purchased in good faith, if I want to sell fish I can. If I elect not to sell fin fish or shell fish, I haven't hurt the resource and I have contributed to the financial support of the North Carolina's fisheries monitoring programs and research by continuing to purchase the SCFL.

If you would take the inactive SCFL holders and examine them on a case by case basis you would find out quickly where (who) the problem holders are. I have sat on the Central and now Northern Advisory Committees for the past 15 years. It has been my suggestion to take all or a portion of the money from commercial fishing fines and purchase the SCFL as advertised in the local media. Marine Fisheries could then honor its commitment to those who wish not to sell, and at the same time remove inactive SCFL that are not being used or are being used inappropriately.

Please make copies of this letter so each of the three Committee Members can have access to my personal position and feelings.

In His Service,



Gilbert Allen Tripp, Jr.

Associate Professor Emeritus,

Environmental Division, Biology Department, Chowan University

To whom it may concern

I am writing to you to oppose the proposed changes to the commercial fishing license I am a 22 year old that has held a SCFL for 4-5 years. I tried to make a living in Currituck sound area. I did good the first couple of years, while in high school, but the last 2 years we have not had a crab market (the main fisheries in Currituck). the trucks I sold to wait come to N.C. when they can get their crabs in Va. & Maryland, and selling to the picking houses isn't profitable.

I would still like to have the chance to commercial fish like my whole family has done, if Va. & Maryland were to have a bad year

I would think the state of N.C. would be happy that I'm paying 400⁰⁰ per yr plus a 100⁰⁰ dealers license, and not taking any resources (Forgot 45.60 Vessel Registration = 545.60)

Thank you

MASON W. LEWARK

177 Lewark Lane

Knotts Island N.C. 27950

757 510 1084

Mason Wayne Lewark

to whom it may concern

I am writing to you to state my opposition to all the proposed changes to the Commercial fishing license.

I have held a SCFL for many years and paid a lot of money to maintain it, in the hopes that I might use it to supplement my income when I retire, which is this year 2018.

I would think the state of N.C. would like the fact that I paid a lot of money, but didn't take any of its resources. I think it's very unfair that you want to change the rules now that I might want to use it.

Respectfully yours

Steven W. LEWARK

168 LEWARK LANE

KNOTTS ISLAND NC 27950

757 681 6656

Steven W. Lewark

To NCDMF,

When did the NCDMF take into their jurisdiction the right to regulate a person's ability to hold a commercial fishing license based on the proposed "new definition" of a commercial fisherman? I HOPE NEVER! Already there are guidelines set forth to address new comers and how one can obtain a license. Your job as members of the commission is to address what is needed to sustain healthy fish stocks so that all may benefit from a public resource and not take away a part of someone's income needed to make ends meet.

I am quite sure this is a CCA initiated drive and I hope that the Commission will reject any and all parts of this effort.

One last issue that I have is the fact that as of now, the only comment period that I know of is to be held in Wilmington, February 14th. Ironically a CCA coastal "strong hold". There should be meetings up and down the coast and close to where there is a commercial fishing interest so fisherman can attend and make comments without having to endure the added expense of traveling and taking time off.

Thank You,

Kelly Schoolcraft February 4, 2018

A handwritten signature in cursive script that reads "Kelly Schoolcraft". The signature is written in black ink and is positioned below the typed name and date.

1724 Briarforest Place
Raleigh, NC 27615
February 6, 2018

Commercial Licenses Comments
NC Division of Marine Fisheries
Marine Fisheries Commission Office
PO Box 769
Morehead City, NC 28557

Dear Marine Fisheries Commission:

NO TO ANY CHANGES OF COMMERCIAL FISHING LICENSE

The state of NC has already defined a commercial fishermen in NC General Statutes- Chapter 113 Article 14A. # 113-168.2. Standard Commercial Fishing License. This was established with the Fisheries Reform Act of 1997.

A license, in this case a commercial fishing license is a permission which allows a person the right of access and opportunity. A license does not require the license holder to catch and sell, it only grants him or her the opportunity to do so. The state does not demand sales quotas or income goals of the license holder. The license is nothing more than a legally protected and enforceable opportunity. Whether or not the license holder takes advantage of the opportunity, or to what level is strictly a determination of the fisherman.

Who wants to 1. Reduce the number of commercial fishermen and restrict their opportunity to fish, 2. Reduce the NC general public's access to fresh, locally caught seafood? MF Commission member, Chuck Laughridge who holds recreational seat on the MFC is a fund raiser and UNREGISTERED LOBBYIST FOR THE CCA. (For those who may challenge Laughridge's lobbyist status may want to speak with countless legislators, fisheries managers and industry heads that he has so lobbied).

And it's fair to say that all attempts to redefine what a commercial fishermen is, have been championed by a CCA member or by folks of similar desires. What are those desires? STOP, END COMMERCIAL FISHING!! In the process of achieving their end goal CCA will ban, restrict, prohibit and DENY OUR COMMERCIAL FISHING FAMILIES WHENEVER AND WHERE EVER POSSIBLE.

What effects our local NC Commercial Fishermen also affects you and me, the consumer. REDUCING THE NUMBER OF COMMERCIAL FISHERMEN and RESTRICTING THEIR OPPORTUNITY TO FISH, REDUCES THE GENERAL PUBLIC'S ACCESS TO FRESH, LOCALLY CAUGHT SEAFOOD!

Who are the NC CCA members with their yachts, CCA in 2015 represented 2,400 members with NC Recreational Fishing Licenses? CCA does NOT REPRESENT 1 % OF THE 2,000,000 LICENSED RECREATIONAL FISHERMEN reported in 2016. Recreational Fishermen coming to our coast do NOT SUPPORT THE NC CCA. These Recreational Fishermen enjoy eating NC Seafood when they are at the coast and return to their hometowns away from the coast.

Governor Roy Cooper should appoint members to the Marine Fisheries Commission that represent the majority NC Recreational Fishermen not the elite small number of NC CCA members.

NC Tourist Industry have reported the main activity that Tourist enjoy at NC COAST IS TO EAT LOCAL SEAFOOD EVERY DAY OF THEIR VISIT!

Thanks for considering my MAJOR CONCERNS TO KEEP NC COMMERCIAL FISHERMEN CATCHING LOCAL US – WILD SEAFOOD FOR ALL TO ENJOY!

A handwritten signature in cursive script that reads "Myron Smith". The signature is written in black ink and is positioned above the printed name.

Myron Smith

PO Box 67
145 Smith Drive
Atlantic, NC 28511
February 6, 2018

Commercial Licenses Comments
NC Division of Marine Fisheries
Marine Fisheries Commission Office
PO Box 769
Morehead City, NC 28557

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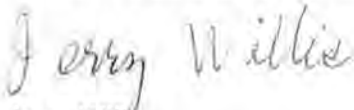
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Jerry Willis

3979 NC Highway 39
Selma, NC 27576
February 5, 2018

Commercial Licenses Comments
NC Division of Marine Fisheries
Marine Fisheries Commission Office
P. O. Box 769
Morehead City, NC 28557

Dear Sirs:

I have fished with a Standard Commercial fishing license since the late 1980's. I retired in 1999 and since that time I have maintained my boat, fishing gear, and my license, so that I can continue to fish occasionally for my personal use.

I am presently 74 years old and am fishing with a Retired Commercial Fishing License. I respectfully request that any changes made by the commission to the fishing license structure allow my Retired Commercial Fishing License to be renewed each year so that I will be able to continue to fish occasionally for my personal use.

Sincerely,

A handwritten signature in black ink that reads "David H. Creech". The signature is written in a cursive style with a long, sweeping underline.

David H. Creech

Greg Barham
P.O. Box 525
Edenton NC, 27932
bam@mchsi.com or mce1271@gmail.com
252-216-8787

To Whom It May Concern

NCDMF
Marine Fisheries Commission Office
P.O. Box 769
Morehead City, NC 28557

Ref: Commercial Fishing Licenses Comments/ ncdenr.gov

My name is Greg Barham, I am 55 years old and live in Edenton NC I have fished in the Chowan River, Albemarle, Pamlico, Croatan and Roanoke Sounds all of my life. I began selling catfish my parents and I caught on rod and reel and cane poles when I was 5 years old. An average day in spring catfishing for us would be about 200lbs of cats at 25 cents per pound. For a 7 year old \$50.00 in 1970 was a lot of money. I was making money doing what I loved and I was hooked for life.

When I became old enough to drive I started fishing trotlines and began saving up money to buy nets so I would be able to fish more. When I graduated school in 1983 I was able to purchase a boat and start fishing on a regular basis. I first purchased gill nets and began fishing for perch, rock, shad, herring, catfish and flounder and more in the Albemarle Sound and Chowan River. A few years later I purchased 300 crab pots and also began crabbing. I was able to purchase a home on the Albemarle Sound to continue to pursue my fishing career. I was later able to increase my crabbing to 500 pots.

At one time I was crabbing 500 pots from April thru October and shad fishing from February to April and also trapping from December to February. I was doing what I loved every day and making a good living doing so. I was able to striper fish in the ocean with gill nets in January and do very well. Commercial Fishing in North Carolina was good to me.

As time moved on, and with increased fishing restrictions it was getting harder to make a living. Shad restrictions increased to the point that fishing from February 1st to April 15th decreased to only 3 weeks in the month of March. Striper fishing in the ocean has also become nonexistent. Currently you can't catch as many crabs with 1000 pots as a person used to catch with only 500. The quality of crabs, are just not as good as they once were.

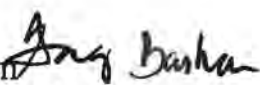
A few years ago with health care cost on the rise I made a hard decision to take on another job that included health care benefits. My heart was definitely not in it at the time but I felt like it was for the best. My health care was increasing from \$650.00 to \$1200.00 a month and I was also losing the plan that I had been on for over 30 years. My health care was going to cost me more than I used to live off of in the past. My intentions here when I took this job was to provide affordable health care for myself and still be able to commercial fish until I was able to go back Commercial Fishing full time.

Now with these current changes the NC Marine Fisheries wants to take away my commercial fishing license because I am no longer a full time fisherman. When I first began fishing I fished only part-time along with almost everyone else I knew who fished in the Albemarle Sound and Chowan River. What has changed? This is the way it has always been. It's mighty hard to believe with all the current restrictions and high cost of health care and cost of living that Marine Fisheries wants to make these restrictions. How are families supposed to get by and make a good living? What purpose or positive outcome could come from these changes?

This is unfair to me and every fisherman in the state of North Carolina trying to work hard and make a living and provide for ourselves and our families. I have invested my entire life to commercial fishing. I am on the water every chance that I get. I have property in Chowan, Dare and Hyde Counties that I use in commercial fishing. I also own 4 different boats that I use for this purpose. With property and fishing gear I have over a million dollars invested in commercial fishing.

My life and my heart and soul have been invested in the commercial fishing industry. I have always intended to fish for the rest of my life even if I am not able to do so as often as I like, do to current changes that are out of my control. Why should I/we suffer and be punished for doing what we have to do to keep up with current changes in this world. I ask you to please not take this right away from me or many others who have this same passion. What purpose or positive outcome could come from these changes?

Thank you for your time and consideration in this urgent matter. I may be contacted at any time by mail, email or phone to discuss this any further.

Sincerely,
Greg Barham 
Commercial Fisherman
License # 185991

Commercial Lic Comments

After Reading Proposed Changes For S.C.F.L. & AM

OPPOSED of all these changes

Thank You
John E. Atwood

421099

759 Country Club West Road
Minnesott Beach, NC 28511
February 6, 2018

Commercial Licenses Comments
NC Division of Marine Fisheries
Marine Fisheries Commission Office
PO Box 769
Morehead City, NC 28557

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CATCHING LOCAL US – WILD SEAFOOD FOR ALL TO ENJOY!

A handwritten signature in cursive script that reads "Michael Sutton". The signature is written in dark ink and is positioned above the printed name.

Michael Sutton

Alley, Craig j

From: Fish, Nancy
Sent: Saturday, February 10, 2018 2:17 PM
To: CommercialLicensesComments
Subject: FW: [External] Comments on Changing Defintion of Commercial Fisherman and adverse effect on SCFL holders
Attachments: SEBTA_SCFL_020918.pdf

From: Charley Pereira [mailto:ntsb409@gmail.com]
Sent: Friday, February 09, 2018 11:50 PM
To: Fish, Nancy <nancy.fish@ncdenr.gov>; Basnight, Rene <rene.basnight@ncdenr.gov>; Lupton, Dee <dee.lupton@ncdenr.gov>; Jason Hutt <jason.hutt@bgllp.com>; Hutt, Jason <jason.hutt@bracewell.com>; Greg Mayer <greg@fishinfrenzy.com>
Subject: [External] Comments on Changing Defintion of Commercial Fisherman and adverse effect on SCFL holders

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#).

See attached letter.

Thanks,

--

Charley Pereira
252-216-6291 cell

SOUTHEASTERN BLUEFIN TUNA ASSOCIATION

PO BOX 96, NAGS HEAD, NC 27959



February 9, 2018

By Electronic Mail

N.C. Division of Marine Fisheries
Marine Fisheries Commission Office
P.O. Box 769
Morehead City, N.C. 28557

The Southeastern Bluefin Tuna Association (SEBTA) submits comments in opposition to the Commission's proposed changes to the commercial fishing license structure. SEBTA is a volunteer-based organization that represents bluefin tuna fishermen in the southeastern USA, which has primarily been North Carolina since 1993 when the winter fishery became popular off Hatteras Inlet. SEBTA formed in 2012 after the Winter Bluefin Association (WBA) ceased operations and is composed of the same group of tuna fishermen.

SEBTA opposes the proposed changes, communicated in the Commission's January 12, 2018 news release, to revise the commercial fishing license structure because the changes are unnecessary and would negatively impact commercial fishermen and the broader North Carolina economy. SEBTA's concerns are supported by the Commission's 2010 report prepared by the Commercial License Review Taskforce. The report recommended that the Commission make no changes to the existing definition of a commercial fisherman. Given the negative economic consequences and the lack of changed circumstances since the report was released, we urge the Commission to once again follow the report's recommendations and leave the definition of commercial fisherman unchanged.

We reserve the right to offer more substantive comments should the Commission enter the rulemaking process. To date, the Commission has not made available information necessary to provide informed comment. Most notably, the Commission has not issued a document explaining (1) the desired goal of the license structure change; or (2) the information used in reaching its decision to consider the proposed requirements.

The January 12, 2018 news release does not offer this information and only recites the proposed revisions. In order to offer comments more tailored to the issues important to the Commission's decision-making, we request that the Commission make available any supporting documents (such as an Economic Impact Study) or broad goals (such as affecting catch limits) should this issue continue to be considered. The comments presented in this letter are based on the negative impacts of the proposed changes and existing Commission analysis.

The recommended changes are unnecessary and would negatively impact commercial fishermen and the broader North Carolina economy.

The changes proposed in the Commission's January 12, 2018 press release would significantly reduce the number of licensed commercial fishermen which, in turn, will negatively affect the industry and the economic health of the region. The burdensome proposal to require a licensee to earn 50 percent of his/her income from the Trip Ticket Program will cause the charter/headboat industry to lose a significant amount of skilled crew who commonly fish during non-tourist months. This not only prevents skilled employees from working, but it also deprives operators of necessary crew members.

In addition, the state and the Commission would lose revenue if these proposals were enacted. The Division of Marine Fisheries will lose revenues in excess of \$1.6 Million from the loss of sales of the 4000 inactive licenses. Moreover, these changes would prevent North Carolinians from pursuing multiple, diverse sources of income which improves the economic well-being of residents and the region. Consequently, this loss of personal income would reduce the state's tax revenue.

The Commission's most recent consideration of this issue determined that changes are not necessary

The current proposal is unsupported by any task force or other analyses indicating that the Commission's previous findings were erroneous or no longer valid. The Commission, in May 2010, established a task force specifically to study whether changes to the commercial fishing license structure were necessary.¹ The taskforce issued an October 12, 2010 report recommending that the Commission make no changes to the existing definition of a commercial fisherman.² The report evaluated several of the changes proposed in the Commission January 12, 2018 new release.

Minimum Income Requirements

The task force directly analyzed the costs and benefits of adding a minimum income requirement to maintain a license and recommended against such a revision.³ Among other considerations, the report states that the seasonal nature and unpredictability of fishing strongly disfavors a minimum income requirement.

Ultimately, the taskforce did not support establishing minimum criteria. There were a number of reasons for this stance. Among these reasons was how certain outside

¹ See *Commercial Fishing License Review Taskforce Final Report*, North Carolina Marine Fisheries (Oct. 12, 2010) [hereinafter *Commission 2010 Report*].

² *Id.* at 1.

³ *Id.* at 4-6.

influences can affect how often an individual fishes or how much they may catch. Examples of this are the recent gill net restrictions implemented in order to minimize turtle encounters and illness, which may limit a commercial fisherman's activity.

The taskforce realized that traditionally, commercial fishing in North Carolina has comprised only a portion of a fisherman's total income. Because of the seasonal nature of fishing, many fishermen have always had other occupations such as carpentry, guiding and farming. Although many fishermen only fish during fall runs of fish (ex. flounder pound nets), income derived from this part time activity can supply a major proportion of their income.⁴

Our organization represents many fishermen who pursue various sources of income and may not earn 50 percent of their income on commercial fishing alone. Coastal fishing communities inherently cultivate economic diversification because of the variability in fishing income and tourism. As the task force report notes, requiring one to derive a minimum level of income from commercial fishing departs from the tradition of these communities. Therefore, because both proposed requirements 1⁵ (requiring income percentage) and 2⁶ (setting an income threshold) have already been evaluated and rejected through a deliberative process and final report, we urge the Commission to reject these requirements.

Trip Ticket Requirement

In addition, the 2010 report offered analysis on several other standards for defining a commercial fisherman. Although not directly considered as a proposal, the discussion of the positive and negative impacts are instructive. For example, in discussing the benefits and disadvantages of defining a commercial fisherman by frequency of trips, the report notes several negative impacts:

- (1) Not necessarily indicative of full time status
- (2) Can be behavior modifying in biologically detrimental ways.
- (3) Difficult to define for out-of-state fishermen who infrequently land in NC.
- (4) Difficult to define some in-state fishermen who frequently land outside NC (have licenses in other states).⁷

In contrast, the only positive impact listed was that it would be "easily defined for in-state fishermen". Given the potential for the improperly categorizing full-time fishermen and encouraging biologically detrimental behavior, the Commission should reconsider its proposal to require commercial fishermen to conduct 36 trip tickets per year.

The WBA and later SEBTA have been fighting NMFS and the New England bluefin tuna fishermen for North Carolina's fair share of the US bluefin tuna quota for over 20 years. In the

⁴ *Id.*

⁵ "Must have 50 percent of earned income from the Trip Ticket Program as in the Fisheries Reform Act of 1997."

⁶ "To address crew issues for those who do not have trip tickets, but are bona fide commercial fishermen as crew or any commercial fishing interest in North Carolina or outside the state, proof of income of \$10,000 or more per year."

⁷ *Commission 2010 Report* at 29.

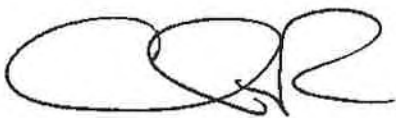
early 2000s we succeeded in getting 10.4% of the NMFS General Category Bluefin Tuna quota dedicated to those winter months when bluefin are typically in our waters and we are slowly building a case for more share as we got approximately 20% in 2017 via transfer from the Reserve Quota. The NC fishermen who spent over \$100,000 of their own money fighting to get this bluefin tuna quota are almost all part-time commercial fishermen fishing for bluefin tuna in the winter months, as that is their passion and as with buying a NC SCFL to pursue this fishery, they were willing to pay to fight NMFS and New England to get this quota. It would be entirely unjust for these fishermen to have their SCFLs and bluefin tuna commercial fishing privileges taken after they paid so much time and money to enter the fishery and get a dedicated quota from the NMFS.

The NC commercial bluefin tuna fishery that was fought for and won by these fishermen has been great for the NC commercial fisherman and local economies in Hatteras, Wanchese, Manteo, Nags Head, Morehead City, Beaufort, Atlantic Beach, Southport, and Ocean Isle. Now New England fisherman are seeing our success and launching new attacks to get that quota back from NC. This proposal to change the definition of a commercial fisherman in NC would play right into their hands. They don't have such over-bearing and restrictive definitions of commercial fishermen in New England and this is yet another way in which they could take money and livelihoods from NC fishermen.

If NC DMF makes such changes to the definition of a commercial fisherman we expect that would harm many of the people who have worked for years to build our winter bluefin fishery and the associated winter income that is otherwise hard to come by in coastal tourist towns that are otherwise dead in the winter. Regardless of the small percentage of their income that is derived from bluefin tuna fishing, many of these bluefin fishermen have engineered this income and passion into their lives and futures for many years – some close to 25 years such as myself. With so much work and personal, uncompensated time invested in building this fishery against the wishes of some in the NMFS and nearly all New England bluefin fishermen, it would be entirely unjust and ironic for NC to destroy its own bluefin fishermen and allow that income to flow from NC to New England as a result of (1) us losing our quota or (2) the New England fishermen fishing in our waters with many less NC fishermen to compete with.

For the reasons set forth above, we urge the Commission not to submit to the legislature the proposed revisions to the requirements for holding a Standard Commercial Fishing License.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Pereira', written in a cursive style.

Capt. Charley Pereira

President, SEBTA

Alley, Craig j

From: Steven Coulter <fish@seacreature.net>
Sent: Friday, February 09, 2018 10:24 PM
To: CommercialLicensesComments
Subject: [External] License Change

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Thank You for taking my comment. By Email because I feel the timing and location of the public comment to be unacceptable.

The redefining of what constitutes a commercial fisherman and obtaining the license to be a commercial should not be your priority.

Moneys from license sales are a significant amount of NCMF budget and must be preserved. I as a commercial license holder it is my way of providing money to the State for fisheries issues, If I decide not to fish a particular year is up to me the individual permit holder. The fact that as proposed the change would be detrimental to license holder who fishes part time. For hire fisherman do that a lot to help in the off season. As I have stated to some on the commission If you pay your dues to the Bar Association you are still a lawyer practicing or not.

The issue of people not reporting catches to sidestep bag limits I say hogwash! Show me the data to prove that is a problem. The fact is data is good for the management of our resource and the data on this issue is incomplete at best when it comes from such a small group in the overall picture. To remove 1.6 million dollars from the budget does not help with data. Who will make up this short fall in funding. These are some of the things I hope you will consider be for you move forward with this ill-conceived idea.

Thank you.

Steve Coulter
PO Box 189
Hatteras NC 27943
252-996-0276
fish@seacreature.net

Alley, Craig j

From: NC Catch <northcarolinacatch@gmail.com>
Sent: Friday, February 09, 2018 9:35 PM
To: CommercialLicensesComments
Subject: [External] Opposing Redefining a Commercial Fisherman
Attachments: Resolution Opposing Redefining a Commercial Fisherman.docx

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Resolution Attached, thanks.

--
Stacey Midgett
Director
NC Catch
252.216.8399

Alley, Craig j

From: rickiathatteras@aol.com
Sent: Friday, February 09, 2018 8:19 PM
To: CommercialLicensesComments
Subject: [External] comment

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Please do not waste more public funds to redefine what a commercial fisherman is when you already know.

Alley, Craig j

From: Micah Daniels <freshcatchobx@gmail.com>
Sent: Friday, February 09, 2018 5:14 PM
To: CommercialLicensesComments
Cc: Matt Huth
Subject: [External] Attached Comments for Public Hearing
Attachments: FreshCatchOpposeRedefining2018.docx

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Hello!
Please see attached comments for the upcoming NCDMFC Meeting. Thank you!
Please give me an OK to let me know it was received. Thanks!

--
Micah Daniels
Fresh Catch Seafood, INC
252-305-9555
4331 Mill Landing Road
PO BOX 52
Wanchese, NC 27981



Division of Marine Fisheries
3441 Arendell Street
Morehead City, NC 28557

February 9, 2018

Dear Marine Fisheries Commission,

We are opposed to the changes in the definition of a commercial fisherman that are being considered at the NCMFC Meeting in February 2018. In 2016, we opened a fish house in Wanchese, NC called Fresh Catch Seafood. The new proposed definition would redefine some of the commercial fisherman who currently harvest and sell their catch to us. "Redefining" these men will have a negative financial impact for these fisherman, their families, our community and the state of North Carolina. We believe citizens of North Carolina should have the right to hold a license to access public water to earn a living regardless of the amount of NC Trip Tickets or income the license generates. Thank you for your sincere consideration in opposing the changes in the current definition of a commercial fisherman.

Sincerely,

Micah Daniels and Matt Huth
Owners of Fresh Catch Seafood, INC

Alley, Craig j

From: Don Kirkman <Don.Kirkman@carteretcountync.gov>
Sent: Friday, February 09, 2018 4:43 PM
To: CommercialLicensesComments
Cc: Corbett, Samuel J; Gorges, Mark L; Laughridge, Charles H; Rose, Janet W; Koury, Brad A; Boltes, C; Smith, Richard D; Kornegay, K; Willis, Alison T
Subject: [External] Proposed Commercial Fishing Definition Restriction

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Dear Chairman Corbett and members of the North Carolina Marine Fisheries Commission,

My name is Don Kirkman, and I work for Carteret County as Economic Development Director. Because I will be unable to attend the public comment forum in Wilmington next Wednesday evening I wanted to submit comments to the Commission concerning the discussion of changes to the commercial fishing definition. I am aware that the Carteret County Board of Commissioners has sent a comment letter and Resolution to you opposing the proposed reexamination of the commercial fishing definition, but I wanted to provide a somewhat different perspective through the lens of someone who is charged with the responsibility of helping to grow the Carteret County economy.

One of the most important foundational principles of economic development is to retain your existing industries. Once a company or an industry sector is gone it takes a huge amount of resources—in money and effort—to backfill the loss. That is why so many economic development organizations identify existing business retention and expansion as their number one priority. An effective existing business and industry retention program includes (i) assisting employers facing threats that could undermine the profitability of an existing business, which will inevitably lead to the closure of the business, and (ii) to identify opportunities to help existing businesses and industry sectors grow. As you know, the economies of many counties in coastal North Carolina, including Carteret, have a rich history of commercial fishing as a significant component of their economies. Although over the last several decades the industry has struggled in the face of increasing regulations at the state and federal level, the industry is still a major economic contributor in Carteret County and many surrounding Eastern North Carolina counties. And the decline of the industry not only affects the fishermen and their families, it affects many others in service businesses whose livelihoods are indirectly supported by the industry.

Much of the commercial fishing effort in North Carolina is concentrated in rural areas where alternative employment is simply not available. That is certainly the case in Carteret County, where “Down East” communities have suffered as a result of declining commercial fishing. The legacy communities where the commercial industry once thrived are suffering from job losses, declining wages and family incomes, and a dramatic increase in substance abuse and addiction, including opioid addiction, all of which are associated with the loss of employment opportunities. The proposed change to the commercial fishing definition will accelerate the economic stagnation and decline in these communities. Although the proposed criteria to redefine who is a commercial fisherman affect both full- and part-time commercial fisherman, they will have a particularly devastating impact on those who fish part-time to augment their family income from other jobs.

Carteret County has the 84th lowest annual wage rate in North Carolina (\$30,463), followed by Dare County, which is 85th (\$30,313). Onslow County is 96th (\$28,957), Hyde is 98th (\$28,442), and Pamlico is ranked last among all 100 North Carolina counties (\$26,701). Because the prevailing wages are so low in these coastal counties many people fish commercially to augment their incomes in order to provide for their families. This includes many civil servants, including Ferry Division, prison and other law enforcement and fire/emergency personnel, as well as teachers and other public sector employees. The income earned through fishing is critical to their ability to house, feed and clothe their families,

even if health insurance is provided through their civil service jobs. Many others work seasonal jobs in the tourism industry and fish commercially during other seasons in order to make ends meet.

To my knowledge no economic impact study has been conducted on the potential impacts of the proposed new commercial fishing definition. Before taking action to recommend changes I strongly urge you to undertake such an analysis. I believe that you will find that the adverse economic impacts of the new definition, if adopted, would be very significant in many coastal counties, including Carteret. I suggest that the economic impact analysis also address the loss in revenue to the State of North Carolina from a likely decrease in commercial licenses. Since it appears that there has been no effort to provide an economic justification for the proposed changes, it would be indefensible to recommend new rules that would likely create such huge economic dislocations.

I appreciate the challenges faced by the North Carolina Marine Fisheries Commission in balancing the interests of all stakeholders in the State's public trust resources. Commercial and recreational fishing are both huge contributors to the Carteret County economy and to the economies of other coastal North Carolina counties, and I know that difficult choices often have to be made between competing interests. I do not believe this is one of those situations, however. When the Commission has studied this issue previously they have concluded that no changes to the commercial fishing definition were necessary or advisable. The number of commercial licenses continues to decline annually, and nothing in the record supports the need to change the commercial fishing definition. Before proceeding with any recommendation to change the definition I strongly urge the Commission to undertake an economic impact analysis to quantify the economic impacts of the proposed change.

It is easy to get caught up in the numbers of licenses, participants, landings, and catch values, but the number often overlooked when fisheries regulations are proposed is the number of people and families—fishermen, spouses, children—who are adversely impacted and become collateral damage when new regulations and restrictions are proposed. In rural areas of North Carolina where the commercial fishing effort is concentrated there are very few alternative sources of employment and income available. Regardless of whether they are full-time or part-time commercial fishermen, their families depend on their fishing income to survive without public assistance.

Thank you for your consideration, and please contact me if you have any questions.

Don Kirkman

Don Kirkman
Carteret County Economic Development Director
302 Courthouse Square
Beaufort, NC 28516
Office: (252) 222-6121
Mobile: (252) 241-8810
Don.Kirkman@carteretcountync.gov

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Alley, Craig j

From: Nancy Edens <steelboat88@hotmail.com>
Sent: Friday, February 09, 2018 4:21 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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February 9, 2018

To Memebers of the Marine Fisheries Commission:

Defining a Commercial Fisherman:

If the MFC thinks a Commercial Fisherman should be defined then let me share with you my definition. A Commercial Fisherman is one who works hard for what they make, works in all weather, and has to go to battle almost everyday to be able to work. They have to be a weather man , lawyer and a scientist. How many other occupations have as many regulations as the commercial fishermen?

I do not agree with the proposed definition that the MFC has and the criteria that must be met.

There are some years that we could not have 36 trip tickets. Of course we will work more than 36 days. Example: If we worked in Pamlico Sound from July 1 - September 1 we will only have 9 trip tickets. Will the fishhouses have to start making a trip ticket for each day? If so, then we would have 65 trip tickets. The MFC does know how the trip tickets work don't they? Usually in the sound we only come in once a week to unload, so only one trip ticket per week.

Some commercial fishermen don't make 50% of their income from commercial fishing because they only work target certain species. Some years those species may not be plentiful and they have to rely on income from other sources to make ends meet. The same situation applies concerning the \$10,000.00 income required.

Everyday that we go out on the water we hope to fill a trip ticket and take home money, but we all know that's not always the case.

Taking away license is taking away revenue from the state. The license fee was raised thus increasing revenue so can you tell me how this equals out?

Higher license fee = More revenue. Less license sold = Less revenue.

Less revenue for the state, less revenue for the commercial fishermen, less revenue for each small town in NC that the fishermen live in. If the MFC is suppose to be helping our industry then you should be finding ways to increase revenue (not decrease) for the fishermen, which will also increase spending in our state.

Thank you,
Nancy M Edens
PO Box 993
Sneads Ferry, NC 28460
910-389-3068

Sent from my iPad

Alley, Craig j

From: Barney <NagsHeadBarn@aol.com>
Sent: Friday, February 09, 2018 4:16 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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Dear Sirs and Madams,

I moved to the Outer Banks of NC over 25 years ago. One of the reasons I decided to move to this special place was the availability of fresh seafood. Over the years I have come to know many people involved in the harvesting and retailing of some of the finest seafood I have ever enjoyed. The fishermen of North Carolina provide a wonderful harvest of fresh seafood not just to North Carolina but all along the east coast.

I have followed with dismay the efforts of some interests to end or curtail the commercial harvest of our common resources and put an end to an incredible and irreplaceable heritage. I find it incomprehensible that people of good faith could vote to put an end to one of the most valuable resources that the Lord has blessed upon this land.

Barney Bielecki
Ocracoke, NC

Sent from [Mail](#) for Windows 10



Dare County Democratic Party opposes redefining commercial fishermen

WHEREAS, commercial fishing is a critical part of North Carolina's coastal economic engine, as well as plays a significant role in the history and heritage of the coast as well as the State; and

WHEREAS, the definition of commercial fishing is embodied in its name - harvesting fish and entering them into the State's chain of commerce; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fisherman is \$166,066,000; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) now wants to change the definition of a commercial fisherman as the first step toward reducing the number of Standard Commercial Fishing Licenses as well as other commercial licenses; and

WHEREAS, MFC's stated purpose for pursuing the change is that recreational fishermen are obtaining commercial fishing licenses in an effort to bypass recreational creel limits; and

WHEREAS, obtaining a professional license under fraudulent circumstances is a crime, thus if this issue exists, it is an enforcement issue not a definition problem; and

WHEREAS, MFC presented as "evidence" that trip tickets used to collect harvest data were issued to approximately 3,000 licensed fishermen in 2017, thus leaving about 4,000 licensed fishermen with no record of participation; and

WHEREAS, many licensed commercial fishermen pool fishing efforts to reduce costs and for safety issues, one person on the boat appears on the trip ticket although others are involved; and

WHEREAS, many licensed commercial fishermen also crew for others in exchange for a share of the catch, thus, their names also do not appear on trip tickets; and

WHEREAS, among options to be considered in whole and in part are mandatory 50 percent of total annual earned income reported through the Trip Ticket Program, 36 trip tickets per year, and those without trip tickets must present proof of earning \$10,000 or more per year from participating in commercial fishing; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and


WHEREAS, the coastal economy is seasonal in nature, thus, many engage in several occupations as seasons change to meet their budget needs; and

WHEREAS, to comply with the presented options, some commercial fishermen would have to fish more thus adding to the amount of harvest taken out of the water or eliminate or reduce effort one or more of their other occupations in order to reach the 50 percent minimum; and

NOW THEREFORE BE IT RESOLVED that Dare County Democratic Party opposes changes prescribed based on misrepresenting the intention of the action and lacking a solid legal basis; and

AND BE IT FURTHER RESOLVED that Dare County Democratic Party requests other groups and organizations also go on record opposing this action.

Adopted Jan. 22, 2018.

 Melissa Dickerson, Chair

Alley, Craig j

From: Ray Brown <lrbrown@nc.rr.com>
Sent: Friday, February 09, 2018 1:39 PM
To: CommercialLicensesComments
Subject: [External] Defining a commercial fisherman comments....

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I do think that Outer Banks Catch clearly defined a commercial fisherman when it says that it is someone who puts fish into commercial markets in NC for sale. Or other marketable marine life.

In that spirit, I also think it should not be an industry made up of people who use it for quick funds since we are talking about a public trust resource where the source of income belongs in large part, to someone else. A minimum number of some type needs to be implemented to show that the person truly is dependent on the resource so that such dependency would also foster a sense of stewardship since their income of tomorrow would be based in part on their actions of today.

Finally, I ask that the DMF review how they are allowing license transfers. It does appear that many transfers are being allowed outside the law. "Retirement" is not the same as changing professions. Retirement is when employment ceases from all sources except unearned income. Many of the transfers do not meet any of the three criteria that the law allows. If you think I am implying that the DMF has used erroneous interpretation of that rule; I am! Not a single license currently for sale on Craig's list meets any of the criteria spelled out in FRA '97.

Sincerely,

Ray

L. Ray Brown, Jr.
212 Walnut Creek Drive
Goldsboro, NC 27534

Alley, Craig j

From: R h Davis <perlanticer@gmail.com>
Sent: Friday, February 09, 2018 8:35 AM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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Sir, I feel this move is an attempt to once again curtail the number of commercial fishermen. I hold a license and have been blessed to fish part time. I, like a number of others, have a full time job. It is my intention to keep on with hope that at retirement I can continue fishing. This move, in my opinion, is just another attempt to kill the commercial fishing in eastern nc. Regards. Ronald Davis

Alley, Craig j

From: Rachel Hammer <Rachel.Hammer@carteretcountync.gov>
Sent: Friday, February 09, 2018 8:33 AM
To: CommercialLicensesComments
Subject: [External] Letter from the Carteret County Marine Fisheries Advisory Committee
Attachments: Letter.S. Corbett.pdf

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Please see the attached.

Rachel

Rachel B. Hammer
Carteret County Clerk to the Board
302 Courthouse Square
Beaufort, NC 28516
Office: 252-728-8580
Rachel.hammer@carteretcountync.gov



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Marine Fisheries Advisory Board

Jonathan Robinson, Chairman

John T. Salter

Jess Hawkins

William Rice

Alyn B. Powell

Bradley Styron

Leslie "Sonny" Davis

Keith Mason

Ron McPherson

Thomas Carl McArthur, Jr.



February 8, 2018

Mr. Sammy Corbett, Chairman
N.C. Marine Fisheries Commission
3441 Arendell Street
Morehead City, NC 28557

Dear Mr. Corbett:

The Carteret County Marine Fisheries Advisory Committee met on today's date to discuss fisheries issues. One item of great concern, not only to our Committee, but also for our Commissioners, the citizens of our County, and most importantly to our commercial fishermen, is the effort underway by the Marine Fisheries Commission to change the definition of a commercial fishing operation.

As you are well aware, the definition of what constitutes commercial fishing and who may engage in a commercial fishing operation is outlined in our State Statutes. The proposed changes being considered which requires those holding commercial fishing licenses have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year, would negatively impact an industry that already suffers due to government overregulation. The North Carolina Constitution gives citizens the right to choose and pursue a means of livelihood; it is a personal right and liberty. There is no other occupation in our State which dictates a percentage of income or minimum income requirement.

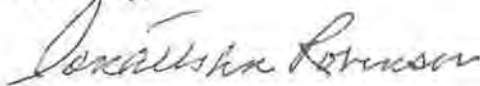
The Marine Fisheries Commission tasked a Fishing License Review Taskforce to study the definition in October of 2010; their final report clearly recommended that no changes were needed to the existing definition. It should also be noted that the State undertook an extensive study in the 1990's which encompassed the number of licenses issues, structure, and what the license division should look like.

Mr. Sammy Corbett
Page 2 of 2
February 8, 2018

I have enclosed a copy of a Resolution adopted by the Carteret County Board of Commissioners at their meeting on February 7, 2018, outlining their opposition.

Any change in the definition of a commercial fishing operation would have a harmful effect on a hard-working group of North Carolinians who struggle to responsibly provide for their families. On behalf of those fishermen, the Marine Fisheries Advisory Board strongly opposes any change in the definition.

Sincerely,



Jonathan Robinson, Chairman
Carteret County Marine Fisheries Advisory Board

/rbh

copy: Governor Roy Cooper
Senator Thom Tillis
Senator Richard Burr
Representative Walter Jones
Representative Pat McElraft
Senator Norman W. Sanderson

Alley, Craig j

From: Fish, Nancy
Sent: Friday, February 09, 2018 8:04 AM
To: CommercialLicensesComments
Subject: FW: [External] February 2018 Marine Fisheries Commission Meeting Public Comments

From: Chris McCaffity [mailto:freefish7@hotmail.com]
Sent: Friday, February 09, 2018 7:19 AM
To: Fish, Nancy <nancy.fish@ncdenr.gov>; Duval, Michelle <michelle.duval@ncdenr.gov>; Rep. Pat McElraft <Pat.McElraft@ncleg.net>; Senator Norman Sanderson <Norman.Sanderson@ncleg.net>; joshua.bowlen@mail.house.gov
Subject: [External] February 2018 Marine Fisheries Commission Meeting Public Comments

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February 2018 Marine Fisheries Commission Meeting Public Comments

It looks like we will be fishing offshore next week during the public comment period. We plan on staying two or three days if the forecast holds. There will only be one trip ticket for one of the two commercial fishing license holders who will work for more than one day on that trip. These are two examples of the many problems with requiring a minimum amount of trip tickets to be considered a commercial fisherman. What about the charter boats that commercial fish in the winter to help make ends meet? Would they lose their commercial license along with this source of income if they only have a few trip tickets that make up a small percentage of their annual earnings? What about the mate trying to work their way up to running and eventually owning a boat? Are global corporations that can hire crews to meet the criteria being considered for defining commercial fisherman more of a fisherman than that young mate, charter captain, or the watermen who work at sea for days on one trip? What if a license holder gets sick or other circumstances keep them off the water for a prolonged period? Would you take away their license?

The idea of defining commercial fishermen exposes a philosophical difference in how we can think about solving most problems. We can either restrict freedom with more regulations or look for ways to advance the individual liberties that collectively make us free people. Why don't we focus on improving our fisheries with hatcheries and habitat enhancements so there is more seafood for everyone to enjoy? This would negate the need to reduce the number of commercial fishermen that provide consumers with access to local seafood. It would result in more liberal bag limits for recreational fishermen so there is no need for some of them to buy a commercial license to keep more fish. We can make our fisheries better than ever without hurting anyone in the process if we really want to. Shouldn't we try a path that promotes freedom rather than always rushing to take away more of it? Don't we owe it to future generations to pass on healthy fisheries along with the freedom to access them? Please do not do anything else to restrict our freedom to fish and eat local seafood. Please use our license fees along with other available funding to stock native seafood and make habitat improvements.

I am always happy to answer any questions or go into greater detail.

Thank you,

Chris McCaffity

Alley, Craig j

From: Chris <fishworthington@gmail.com>
Sent: Friday, February 09, 2018 7:42 AM
To: CommercialLicensesComments
Subject: [External] Proposed change in the definition of a commercial fisherman

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#).

The proposed change in the definition of a commercial fisherman your committee is suggesting is completely ridiculous and will harm the many people that depend on the part time commercial fisherman ”.”

I for the life of me cannot understand what could possibly be the benefit of such a change and find it very difficult for your committee to not agree with all the negative outcomes that would follow such a change.

I would like to hope that this suggestion was merely a mistake on your end and that you have the integrity to honor the wishes of the many by leaving the definition of the commercial fisherman alone.

Thank you for taking mine and other comments into consideration of this matter.

Chris Worthington

Alley, Craig j

From: Nancy Edens <steelboat88@hotmail.com>
Sent: Thursday, February 08, 2018 10:00 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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I am sending this in for Maurice Mann.



Maurice Mann i only made a little over 8,000 dollars for the year setting nets,i cant catch speck trout,because of a stupid law because it got cold,and icant catch the smaller black drum no more which are bigger than spots cause they put a size limit on those,,so that stoped that for winter fishing,and then theres the law on red drum,that we got a size limit on,and couldnt keep but 7,so any thing over that you have to throw back to the crabs and birds,just like you cant keep frozen trout,but instaed of feeding people you rather feed the birds,these are all bad laws,and dont benifit anyone unless its some one trying to put people out of work,which thats all its good for.who every is going along with these kinda laws are not for the commercial fishing families,but there own agenda,i bet if they went out with me on a freezing day about 30 degrees and had to depend on fishing,to pay bills and feed there family,.they might let up a little.we commercial fishermen want to be able to catch .fish and stop taking our lively hoods away,im 61 years old,you have been messing up the commercial fishing industry for years,its time to stop,and give us back our rights to fish,if you people cant do that then you should be fired.because you have taken way to much away from hard working people,its easy for some of you to set back and make these unruly laws,that u no are hurting the commercial fishermen,just like the crazy law of putting a time limit on getting your flounder nets ,1 hour after sunrise.im 61 i dont move as fast as i once could,its next to impossable,a matter a fact i proably had my stroke because of that law,trying to get out there before daylight,you cant see when its dark,u need daylight,.so you really need to listen to the commercial fishermen from what area they work in.each area is a little defferent,everything cant be judged by one area,.so wise up.and do the right thing,because if you cant help commercial fishermen you dont need the job you have,

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Sent from my iPad

Alley, Craig j

From: Ronald Riken <ronald6923@gmail.com>
Sent: Thursday, February 08, 2018 8:22 PM
To: CommercialLicensesComments
Subject: [External] License changes.

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How dare the Marine fisheries after years of needless regulation and false science try to take away someone license b cause they don't make enough money or have enough trip tickets? The people of NC can see three the lines for what this really is. It is a attempt to get rid of commercial fishing especially gillnets. The money connection with our sorry excuse for a governor is no secret. It's all about money and who is in who's pocket.the division of Marine fisheries is a joke and about to be the most hated organization in NC.

Alley, Craig j

From: info@visitocracokenc.com
Sent: Thursday, February 08, 2018 6:59 PM
To: CommercialLicensesComments
Subject: [External] Letter from Ocracoke Civic & Business Association Re: Proposed Changes
Attachments: Letter to Marine Fisheries.pdf

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#).

Dear Marine Fisheries Commission:

Attached is the Ocracoke Civic & Business Association Board of Directors letter opposing the proposed changes in the definition of a commercial fisherman.

Implementation of these proposed changes would severely hurt many Ocracoke Island (and other coastal) fishermen who rely on part-time commercial fishing to supplement their incomes as well as the businesses who rely on their daily catches.

We strongly urge you to forego these changes.

Sincerely,

Ocracoke Civic & Business Association



Ocracoke Civic & Business Association, Inc.

P.O. Box 456, Ocracoke, NC 27960 • (252) 928-6711
www.visitocracokenc.com • info@visitocracokenc.com

February 8, 2018

Division of Marine Fisheries
3441 Arendell Street
Morehead City, NC 28557

Dear Chairman Corbett:

The Ocracoke Civic & Business Association is opposed to the changes in the definition of a commercial fisherman to be considered at the NCMFC Feb 14 meeting.

Among the proposed changes we oppose are:

- Must have at least \$10,000 in annual sales
- Must have at least 50 percent of earned income from commercial sales
- Must have at least 36 trip tickets per year.

If these recommendations are approved and then ratified by the General Assembly, the impacts on coastal communities, especially Ocracoke Island, will be severe.

On Ocracoke, both fulltime and part-time commercial fishermen provide the island restaurants and other outlets with fresh, local catch.

We question WHAT will be improved by redefining who can be a commercial fisherman? Why is this necessary at all?

We also ask: Are there any other licenses issued in any other professions in North Carolina that come with such "Use It or Lose It" restrictions? We don't think so.

On Ocracoke, any means of making a living—be it fulltime or part-time in any way possible—is necessary to our economy and to livelihoods. And these part-time commercial fishermen pay income taxes on this revenue.

In the aftermath of major storms (that force visitor evacuations), commercial fishing is one business that can get back to work immediately and thus provide some immediate help for the local economy. Do we really need to reduce that effort?

Some of the business sectors that will experience negative consequences from the proposed "re-definition" of a commercial fisherman are as follows:

1. Marinas that sell fuel
2. Marine mechanics and maintenance/repair parts' stores
3. Charter boats that commercial fish for king mackerel in the late fall when charter business slows down (Less than 36 trips or 50 percent income.)
4. No fresh bait at tackle shops. (Bait is caught by part-time cast-netters.)
5. Part-time fishermen who provide tackle shop bait.
6. The NC Division of Marine Fisheries will lose \$1.6. million from lost license sales.
7. Those so called part-time individuals who fish on their days off from their "regular" jobs to increase the family income.

8. Charter/headboat crew members who commercial fish in the off season, but do not make 50 percent of their earned income from commercial sales.

9. Wholesale fish houses (Lower volume equals lower income and fewer employees.)

10. Wintertime businesses in coastal towns and villages. (Tourism goes way down in the winter). Is the suggestion from the MFC to be that barrier island and coastal villages become places for summer dwellers only?

11. Fish truck drivers would make fewer deliveries.

12. Old-timers who have spent a lifetime commercial fishing and are now in the twilight of their years would be prevented from supplementing their incomes.

12. The young people of coastal communities who will be forced to leave without their additional "part-time" fishing income. As towns slowly but surely become ghost towns or summer only resorts the not-so-obvious impacts will be felt throughout communities where commercial fishermen live.

Down the line, the decreased economic gain from part-time commercial fishermen will impact the volunteer fire departments, local businesses and families.

Does Marine Fisheries really want our coastal communities to decline and for more tourism dollars to go away?

We sincerely hope not.

For all of the above reasons, the OCBA Board of Directors submits its unanimous opposition to the NCMFC proposal to redefine a commercial fisherman.

Sincerely,

Rudy Austin, president; Justin LeBlanc, vice-president; Wayne Clark, treasurer; Martha Garrish, Chip Stevens, Sharon Brodisch, Ashley Harrell, John Giagu
Ocracoke Civic & Business Assn. Board of Directors

Alley, Craig j

From: Fish, Nancy
Sent: Thursday, February 08, 2018 5:12 PM
To: CommercialLicensesComments
Subject: FW: [External] Commercial License Re-Definition
Attachments: Scan0179.pdf

From: Gregory, Randy
Sent: Thursday, February 08, 2018 5:11 PM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Cc: Dale Britt <sensationsportfishing@hotmail.com>
Subject: FW: [External] Commercial License Re-Definition

Dale Britt is trying to comment on the proposed license changes but is having trouble with the email address.

Randy Gregory
Fisheries Biologist
Division of Marine Fisheries
North Carolina Department of Environmental Quality
252-726-7021 office
randy.gregory@ncdenr.gov

P.O. Box 769
3441 Arendell Street
Morehead City, NC 28557



Nothing Compares

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Dale Britt [<mailto:sensationsportfishing@hotmail.com>]
Sent: Thursday, February 08, 2018 4:28 PM
To: Gregory, Randy <randy.gregory@ncdenr.gov>
Subject: [External] Commercial License Re-Definition

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I tried to send this to the portal address that you gave me but it was kicked back

Many thanks,

Captain Dale Britt
Sensation Sportfishing
2012 Shepard Street
Morehead City, NC 28557
www.sensationsportfishing.com - Daily Fishing Reports
(cell) 252-725-5375
(fax) 252-808-0221

Sensation Sportfishing

2012 Shepard Street

Morehead City, NC 28557

www.sensationsportfishing.com

Phone 252-725-5375

February 5, 2018

Commercial License Comments

NC Division of Marine Fisheries

Marine Fisheries Commission Office

PO Box 769

Morehead City, NC 28557

Dear Chairman Corbett and NCMFC Board Members

I am writing to express my support of the comments and position as presented by the NC Waterman United in a letter to you dated February 1, 2018 regarding the Re-Definition of a Commercial Fisherman.

As a For Hire Permit Holder I have often said that every Charter Boat Captain or Commercial Fisherman, particularly owner/operators, go out on the water early in the mornings for long working days simply because each loves this wonderful natural resource that the Good Lord has given us to work in and be a part of. And each one of us has either a working spouse or a second source of working income to enable us to pay the bills and keep food on the table.

My First Mate is a good example as when the Charter season dwindles down, he is required to guide duck hunting trips and commercial bottom fish to make the necessary income that he needs

to get through the year. He is an excellent fisherman who also has tremendous respect for our natural resource. But he doesn't meet the new criteria proposed by the NCMFC to enable him to retain his Commercial License.

I once held a North Carolina Commercial Fishing License and even sold a few fish back in the early part of this new century, however I found the costs associated with the boat, gear, maintenance, insurance, etc., etc., was not worth the investment and although I renewed my License for many years I finally simply let my License expire and did not sell it.

Idealism and Reality are sometimes strange bedfellows. In my humble opinion I really do not think that the folks on your Board who are proposing these changes have a very clear vision and understanding of what they are attempting to change and the profound negative impact that these changes will have on many good North Carolinians as well as our overall Economy while at the same time having very little positive impact on our Wonderful Resource.

I thank you for giving me the opportunity to share my thoughts and experience with you and sincerely request that you keep in place the existing Commercial Fishing License Criteria.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dale Britt", written in a cursive style.

Captain Dale Britt

Alley, Craig j

From: dancinoutlaw@ec.rr.com
Sent: Thursday, February 08, 2018 5:17 PM
To: Alley, Craig j
Subject: [External] Letter

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Hope this is readable, having trouble with my office word program,

February 4, 2018

Dear Chairman Corbett,

I am Captain Thomas Wood, of Harkers Island, North Carolina. I have operated Dancin Outlaw Charters full time since 1997. We operate out of Morehead City and average 120-150 charter trips a year. These are mostly offshore trips to the Gulf Stream carrying 6 paying customers. I hold a 100-Ton Coast Guard Master License. I also hold a North Carolina License to Sale and have since the middle of the 90's. Along with this, I also possess a number of federal licenses such as the South Atlantic Dolphin and Wahoo Permit with Endorsement to Sale, and NOAA Highly Migratory Species with Endorsement to Sale.

For the last 20 years nearly 100% of my income has come from the Dancin Outlaw. While obviously the majority of the gross income comes from charters, a very significant amount comes with the ability to sale our catch. When conditions and time allows us, we go commercial fishing between charter trips. In the very lucrative Bluefin Tuna Fishery that occurs off of our coast, in years past we have sold in excess of \$50,000 in a single year. Fish have tails and we have had seasons where the fish have not shown up and it was not plausible for us to even make an attempt to go. The same with the Swordfish, Dolphin and Wahoo fishing.

Over the years, I have purchased and invested over \$20,000 of equipment just to fish for Bluefin Tuna and Swordfish. I always carry a first mate, and usually a second mate when targeting the big fish. They receive a fair share of the profits when we are successful. Looking at my catch records over the past 5 years, we would not be able to maintain a North Carolina License to Sale under the proposed rule change. I have, however, made an additional \$6,000-\$8,000 a year on average in this time frame. **While this might seem like crumbs to some, it is a helluva lot to a man with a mortgage and sending two kids to college.** To tell someone that spends as many days on the water as they do on land that he does not have the right to have a commercial license to sale is an embarrassment and overreach of state officials power.

Removing license holders will do absolutely nothing good for the resource. As a matter of fact it will resolve in more fish being sold under the table and not going against the established quotas.

It will have a drastic impact on the North Carolina Marine Fisheries income.
It will further deprive income to already impoverished fishing villages.
The list of who else this could hurt could go on forever, not to mention the ill will this has caused and fuel this has thrown on an already volatile situation.

I request at this time that you leave the requirements to have the North Carolina License to Sale as is.

Thanks for listening.

Captain Thomas Wood

Alley, Craig j

From: Fish, Nancy
Sent: Thursday, February 08, 2018 3:05 PM
To: CommercialLicensesComments
Subject: FW: [External] Comments
Attachments: Andrew Berry Comments.docx; Rom Whitaker Letter.docx; er1.pdf; er2.pdf; er3.pdf; er4.pdf

From: Melba Milak [mailto:melba.ncwu@gmail.com]
Sent: Thursday, February 08, 2018 2:52 PM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Subject: [External] Comments

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Nancy,

I've attached two Letters with Comments re: the Proposal to Redefine a Commercial Fisherman for the MFC Meeting.

The first is from Andrew Berry, one of the "new" NCWU Vice-Presidents and the second is from Rom Whitaker, an NCWU Board Member. Rom's also has a 4-pdf pages attachment of copy from a Boating Trade Magazine.

I'm not sure why I am still having trouble accessing the portals; clicking on the Link gives me a "hand" symbol and entering the address leads to the same page.

Thank you.

Melba Milak



North Carolina General Assembly
20301 Mail Service Center
Raleigh, NC 27301

February 7, 2018

Dear Legislators,

PLEASE DO NOT allow the NC Division of Marine Fisheries Commission to redefine a commercial fisherman. This would be a classic example of trying to fix something that is not broken. It is mind-boggling to me that the state would want to eliminate the 1.6 MILLION DOLLARS (Minimum) being sent to the NCDMF for commercial licenses that are not being used. Lots of my fellow fishermen (For-Hire, recreational, commercial) that have been buying SCFL are asking me "What in the H... is going on? Why do they want to take away my license when I am not even using it? There is no impact on the resource, no gear in the water, no enforcement officers needed and a minimal amount of clerical work to fill out the license."

Some of the NCDMF Commissioners seem to be scratching their heads about why people keep buying their licenses. I will tell you why. Most of them have commercial fished at some point in their life and do not want to lose the opportunity to do it again if necessary. An example: my Charter Boat mate for the last five years, Andy Trant, has done a wonderful job. Before charter fishing, he crabbed, gill-netted, pound-netted, long-lined and had a few other commercial fishing ventures. He has maintained his license the last seven years even though he has not sold a fish or had a trip ticket. Last year, he started losing his voice around noon every day; went to the Doctor and was told that he needed to talk a lot less. In the charter business, talking is as important as rigging the bait – No talk, No tip. Being newly married and just purchasing a house does not leave him the luxury of going before a License Board to wait for approval to commercial fish. Do you want to be the one that tells him he can't maintain his License? I don't think so; this is crazy.

Last time I checked, a couple of years ago, the average age of a Commercial fisherman was 59. This seems to be an industry that is dying a slow death anyway, and now you are trying to speed it up. We need to be encouraging young people to fish rather than making it harder for them. By the time a new fisherman buys the boat, gear, insurance and the Federal Permits necessary to survive, he can have spent \$100,000 to \$150,000 pretty quick. It is a tough business; that is why you see so many that only fish part-time now. I see very few young people getting in the business. If you enjoy fresh NC caught seafood or watching a working waterfront with hard working fishermen and women trying to make a living, then do away with this REDEFINING A COMMERCIAL FISHERMAN.

Attached to this letter is an article from the *Boating Industry Magazine* (March 2017). If you think NC DMF is doing such a poor job of managing its fishermen and the fishery, then why did North Carolina lead all of the Atlantic States (Texas – Maine) in percentage of increase in sales of Salt Water Boats in 2016? Take a hard look at these numbers, we probably led the whole nation in percentage increase in boat sales, what about that do we need to fix? This is from a trade organization that has nothing to do with fishing, so I do not think that they are biased. I get a little agitated when people start telling me to look at this state or that state and what they are doing better. I have always been a firm believer of “Show Me, Don’t Tell Me,” and it looks to me that North Carolina is doing a pretty good job of managing its fisheries. I was told by a past MFC member that this proposal of redefining a Commercial fisherman has been addressed three times in the last 15 years and thought it was finished in 2010. I go back to, “Why are you trying to fix something that is not broken?”

I have owned and operated the Charter Boat, *RELEASE*, for 30 years in Hatteras and take 800 to 1,000 people fishing every year. These anglers bring kids, spouses, aunts, uncles, granddads, grandmoms and other friends that don’t go out on the boat, but spend money on hotels, rental cottages, gas, groceries, restaurants and plenty of other places. I can assure you that almost every one of them will ask me or my mate where they can go to eat fresh local seafood, and by the way, about 80% are from out-of-state. If you eliminate commercial fishermen, the seafood is going to dry up, but I guess they can eat talapia in any state.

I also think that it should be illegal or immoral, at best, that the For-Hire Industry (Charter/Headboat) does not have a seat or a voice at the NCDMF Commission table. Taxation and Legislation with No Representation is not what this great country or state was founded on. In the last economic survey, a couple of years ago, the For-Hire Industry generated about \$700,000 MILLION PER YEAR to the economy of North Carolina. At one time, the For-Hire boats were required to have a Commercial License, and every Charter Boat Captain that I have talked with has maintained his license even though he has sold no fish nor had a trip ticket since the requirement was dropped.

There is a cap on the number of Commercial Licenses, supposedly there are almost 2000 in the eligibility pool; there certainly are not many people even wanting to buy one, so WHY are you trying to take them away from people that want to send the NCDMF \$400.00 per year? If you have a few cases out there where fishermen are trying to abuse the recreational limits and selling fish on the black market, then let Law Enforcement do its job; we have an excellent group of enforcement officers in the NCDMF.

I plead with you to just say, “NO” to REDEFINING A COMMERCIAL FISHERMAN

Thank You

Board of Directors

Captain Rom Whitaker
Board Member, NCWU
252-216-6106
rom@release.com

Perry Wood Beasley
Andrew Berry
Capt Sonny Davis
Ernie Doshier
Ernie Foster
Tom Harper

Glen Hopkins
Billy Maxwell
Greg Mayer
Jamie Reibel
Britt Shackelford
Duke Spencer



To: NC MARINE FISHERIES COMMISSION
From: ANDREW BERRY
Re: PROPOSAL TO REDEFINE A COMMERCIAL FISHERMAN
Date: February 8, 2018

- When it comes down to it, anyone who makes dollars from the resources in NC waters is a Commercial fisherman because Commercial really does mean Money.
- Recreational really means For Fun. A family that takes out their own boat or stands on a dock to catch fish is truly Recreational; they're having fun enjoying the resource.
- Anyone who takes or uses the resource for income or money is Commercial, and that includes a lot of people.
- Most Charter Boats already have Commercial Licenses.
- But, how about all of the inshore Charter Businesses that also take the resource for income, a Commercial use of the resource?
- How about every Tackle shop that has a Dealer's License to buy bait, a Commercial use of the resource?
- How about every restaurant that has a Dealer's License to purchase seafood, a Commercial use of the resource.
- How about every Fishing Tournament in the state, a use of the resource for money? When the CCA has fishing tournaments to raise funds, that's Commercial. Aren't they using fish for money? Absolutely!
- When it comes down to it, there are very few fishermen in the state that aren't Commercial.
- So, while the MFC considers the Proposal to Redefine a Commercial Fishermen to limit Commercial fishing, the state is bringing in revenues, making money (Therefore, Commercial) with its Charter/Headboats, CFRL Licenses, and Dealers' Licenses to Buy and Sell fish that are used by tackle shops and restaurants.
- Another thing, how can any member of the MFC determine what is or isn't Commercial if he doesn't even have a Commercial Fishing License? He wouldn't know or maybe not even thought about what a True Commercial fisherman is. He has no right or business to even speak about Commercial fishing, especially if he sits in a Recreational Seat. He should stick to his Seat Position.

Thank You

Andrew Berry
Vice-President, NCWU



Salt of the Earth

The saltwater fishing boat category continues to post near double-digit sales growth on the strength of technological innovation and forward-thinking designs.

America's growing love affair with saltwater fishing boats continues to blossom, as more and more consumers take the plunge and purchase a new fiberglass center console, dual console, walkaround or convertible.

Fueled by innovative features, substantially improved fuel economy and overall ease of maintenance, the saltwater fishing category remains one of the brightest stars in the recreational boating constellation, continuing to post near double-digit year-over-year sales growth.

The data tells the story

According to the most recent data from the National Marine Manufacturers Association, saltwater fishing boats now represent 14 percent of all new powerboats sold in the United States. NMMA's New Powerboat Registrations report shows that retail sales of new saltwater fishing boats have been growing steadily for the past five years, with unit sales on a rolling 12-month, year-over-year basis up by a full nine percent nationally through September 2016.

Building on a trend that began as the country emerged from the recession, it's the big boats that continue to lead the charge. Statistical Surveys Inc. notes that where sales growth for saltwater fishing boats in the 17-foot and 18-foot class has actually declined over the past 12 months, by 3.83 percent and 1.01 percent respectively, sales of boats over 27 feet continue to grow at double-digit rates. On a 12-month rolling basis, sales for 27-foot saltwater fishing boats are up by an incredible 32.57 percent, according to SSI. Sales of boats in the 28-foot class are reported to be up even further, showing a 35.56 percent increase, while sales of



With comfortable seating and high-end features, saltwater fishing boats are growing beyond the traditional fishing markets.



boats in the 32-foot class show an astounding year-over-year gain of 41.91 percent. Those are tremendous numbers by any measure.

"We're seeing growth across the full model line, and we are seeing a clear upshift toward larger boats," said Regulator Marine President Joan Maxwell. "Yet having said that, our 28 remains the best-

selling boat in our lineup. It represents a nice fit, being a size that's still approachable for a newer boater, but with all of the space and the amenities and features that buyers are now looking for. It's popular with serious fishermen, but it's also right-sized for families, so that gives it appeal across the entire market spectrum."

Part of the credit toward the growth in sales of larger boats lies in the continued development of outboard power.

"Until we see an economic correction we'll continue to see migration upward in the market, with customers continuing to be drawn to larger boats," said Boston Whaler President Nick Stickler. "Outboard power is a major factor in that. The engine technology has evolved significantly, and the fuel economy and ease of maintenance that outboards provide has become a major selling point, whether the buyer is a serious fisherman or the boat is being purchased by a family that simply wants a versatile boat that can do many different things."

The argument that saltwater fishing boats appeal to recreational boaters as well as anglers is now beyond dispute, as sales growth for the saltwater fishing boat category appears to be outpacing growth in saltwater fishing itself. According to the 2016 Special Report on Fishing published by the Recreational Boating & Fishing Foundation, a total of 11.8 million Americans

participated in saltwater fishing in 2010; by 2015, that figure had grown to 12.0 million, reflecting a growth rate of about 1.7 percent.

"Saltwater fishing boats continue to grow in popularity because they're so incredibly versatile," Stickler said. "Of course there are still a lot of serious anglers out there, but the major growth in this category has come from buyers who want to enjoy general boating."

Design features that have come to give saltwater fishing boats more family appeal include more comfortable seats, cup holders, bow seats, bench seats across the transom, ski tows, built-in ice chests, better stereos, more shade, expanded storage, swim platforms and fresh water.

"With all of these features included in a center console configuration, we now have a very fishable boat that also appeals to families, and that makes it highly desirable," said Tom Marlowe, national sales manager at Key West Boats. "One of the most talked about trends in the saltwater fishing category is that while fishing is flat or falling off, the use of saltwater fishing boats for day cruising is increasing dramatically. We made a change a few years back to concentrate on family-oriented water activities beyond just fishing, and began including features such as adequate space in the console for a head, for instance. That one feature is a must-have on any family boat."

SALTWATER OB 14'-44' TOP BTAS

	GROWTH %
12 MONTHS ROLLING TOTAL	7.71%
Raleigh-Durham, NC	24.48%
Wilmington, NC	21.33%
Boston, MA	20.24%
New York, NY	17.58%
Sarasota-Bradenton, FL	11.79%
Tampa-St. Petersburg-Clearwater, FL	11.11%
Mobile, AL	6.37%
Charleston, SC	5.69%
Orlando, FL	5.20%
Fort Pierce-Vero Beach-Stuart, FL	4.10%
Jacksonville, FL	4.06%
West Palm Beach-Boca Raton, FL	3.94%
Fort Myers, FL	0.56%
Houston, TX	-2.19%
Miami-Fort Lauderdale, FL	-4.08%

Source: SSI



While Baby Boomers may be paying for the boats, Millennials are driving many feature and purchase decisions.

Center consoles drive the category

While market data says the saltwater fishing category is growing, in reality, it is the center console segment which is truly driving the market.

"I think there are a couple of fundamental differences between the sportfishing segment and the center console segment, starting with the sheer size of the marketplace," said John Ward, CEO at Everglades Boats and formerly CEO at Hatteras.

"The center console market is enormous compared to the convertible market. It's also a very fast-growing market, and that's really exciting. There are a lot of brands in the center console segment, with maybe a dozen or more that compete in the premium space," Ward added. "By comparison, in the convertible segment there are maybe three or four brands, so there's not a lot of depth in terms of the number of manufacturers serving that category. But there are commonalities as well. Customers want innovation and they want fresh styling, whether it's a \$5 million offshore yacht or a smaller, trailerable center console. A lot of the success in the saltwater fishing space results

from this constant innovation."

The versatility of the center console design, along with the ability to walk clear around the boat, make it a strong candidate for continued development as manufacturers add more and more family-friendly features.

"When we compare center console sales to dual console sales, historically the dual console market has been as much as 50 percent of what our center console sales have been," said Marlowe. "But recently, with the improvements in the center console design which appeal to the family, we have seen the center console part of our business increase to over 90 percent of what we build. We've had buyers comment that they thought they wanted a dual-console boat, but with the bow seating combined with the huge cockpit they now have a very fishable center console while still enjoying the attractive features of a bowrider. To see how popular the center console design has become, take a look at the boats used on many of the inland lakes

SALTWATER OB 14'-44' TOP LENGTHS

	GROWTH %
12 MONTHS ROLLING TOTAL	7.71%
15'	0.18%
16'	2.69%
17'	-3.83%
18'	-1.01%
19'	7.44%
20'	8.94%
21'	6.98%
22'	8.37%
23'	6.34%
24'	4.19%
25'	10.83%
26'	7.53%
27'	32.57%
28'	35.56%
32'	41.91%

Source: SSI

today. You will see a growing number of center console boats used, and the size of those boats is growing – to the extent that twin engine boats are common, and even triple engines are found occasionally.”

While versatility remains key, the sporty styling of center console boats also helps attract buyers, says Stickler.

“The styling is appealing, and it’s appealing on a universal level,” he said. “Aging baby boomers have begun downsizing to some degree, and they’re trading down from big cruisers to center consoles.”

But aging boomers aren’t the only buying cohort attracted to center consoles, notes Robert Sass, national sales and marketing manager at Carolina Skiff. Millennials are increasingly making their influence felt, and are driving the demand for technological innovation.

“Millennial buyers may not be making the actual purchase, but there is no question they are influencing purchases,” he said. “What we’re seeing are customers coming in who have clearly done their research, and they probably know as much about the boat as the dealer does. Millennials are highly tech-savvy, and they’re far more likely to solicit input for multiple sources, so the product knowledge on the part of the buyer is higher than ever. So when they walk into a dealership to make their purchase, they know every option for the model they’re interested in. They’ve read the material and they’ve done their homework. They’re also able to give us some interesting feedback that helps us identify what features or elements of the boat are most important to them.”

Innovation continues to drive the market

Virtually all manufacturers agree that the adoption of technology to make the ownership experience easier has been a key factor in growing demand for saltwater fishing boats. While advances in outboard power have improved fuel economy while reducing emissions, the real attraction for buyers lies in how technology makes the boats easier to operate.

With families, businesses and demanding personal schedules, the reality is that few boaters today are able to spend anywhere near as much time on the water as they would like. The result is that innovations such as joystick docking appeal to boaters with limited leisure time, allowing them to enjoy their boat without being

concerned that their skills may not be up to scratch when the time comes to dock in current or a stiff breeze.

“The level of innovation we see today, and in center consoles in particular, is truly amazing and much of it is geared directly toward the more casual, family boater,” said Stickler. “Features like joystick controls and digital switching make operation extremely easy, and that’s ap-

“What we’re seeing are customers coming in who have clearly done their research, and they probably know as much about the boat as the dealer does.”

— Robert Sass, national sales and marketing manager at Carolina Skiff

pealing not only to new boaters, but to boaters who aren’t able to spend as much time on the water as they would like. It’s easy to clean the boat at the end of the day; you just wash it down and walk away. There’s a lot less maintenance commitment. People have limited time, and they want to spend that time enjoying the boat, not cleaning it.”

“I don’t know anyone who wakes up on a nice Saturday morning and thinks great, I can spend 14 hours cleaning my boat today,” quips Maxwell. “People want to spend their time boating, not cleaning the boat or working on the boat.

“They just want to get in and go, so ease of maintenance and carefree ownership experience is huge. Center consoles provide that. You just rinse the boat out with the transom shower and go home and enjoy your evening. You’re not cleaning the cabin out for hours at the end of the day. People don’t have time to do that, and let’s face it, no one really wants to do that. So a major part of the appeal of center consoles is that they’re so easy to maintain.”

The ease of operation and ease of maintenance gives saltwater fishing models even further appeal with boat clubs, who serve casual boaters with fractional ownership arrangements.

“It makes them a good fit for boat clubs or

other shared ownership models, which have been effective in attracting people who otherwise might not be ready to purchase a boat themselves,” says Stickler.

The look ahead

Although the superlative growth of the saltwater fishing category has been driven by innovation, one of the byproducts of constant improvement is that it tends to shorten product life cycles – as evidenced by the super-short shelf life of cell phones, laptops and other technology-rich products. The potential for technology to date product more quickly is something all manufacturers in the saltwater segment are being careful to avoid.

“Builders all want to be the first out with something new, something better, and product life cycles are shortening as a result,” said Ward. “Enhancements and refreshes are happening more quickly and that will likely continue as technology continues to evolve at such a great speed.

“Obviously a shorter product cycle has an impact on profitability, but growing sales volumes offset that and, frankly, justify it. I think if you look at the cost of retooling a boat, there’s incentive to design boats with an eye to future development. And customers are OK with that. If you have a proven hull that’s seaworthy and dry and comfortable to ride in, there’s no issue with continuing to use that hull and focusing changes on the insides of the boat. Growing sales drive manufacturers to build better boats, and that in turn drives stronger demand.”

The challenge of coping with shorter product cycles is being offset to some degree by high demand leading to a tightening of the inventory pipeline. Where sales staff once sold from the dealership’s inventory, today boats are being sold before they even come off the production line.

“What we’re seeing now is that supply line is shrinking,” Maxwell said. “We’re seeing more retail boats in our build schedule, they’re being sold to the end user long before they ever reach the dealership.”

Sustained consumer interest in saltwater fishing product through the winter boat shows suggests this category will continue to experience strong growth for the foreseeable future. With their low maintenance, attractive fuel economy and growing versatility, saltwater fishing boats are becoming as ubiquitous as the family SUV. ●

Alley, Craig j

From: James Byrd <james_byrd81@albemarle.edu>
Sent: Thursday, February 08, 2018 2:45 PM
To: CommercialLicensesComments
Subject: [External] Letter to Marine Fisheries Commission
Attachments: NCDMF letter JByrd.docx

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#)

Please see attached:

Mr. James Byrd
Phone: (252) 453 - 3035 x8121
Office: R.A.T.T.C. 117
Transforming Lives at C.O.A.
Math and Engineering



www.albemarle.edu

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Division of Marine Fisheries
3441 Arendell Street
Morehead City, NC 28557

February 8, 2018

To all those present and members of the Marine Fisheries Commission,

I would like to take a moment to state my opposition to the proposed definition of a commercial fisherman that is now in discussion. At present I am a college professor, own and operate a charter boat in Wanchese, NC and also commercial fish. After teaching during the week, I usually venture out in the ocean and do my best to scrape out additional income to supplement the low salary that NC compensates its teachers with. I'm not setting the world on fire financially with any one field but combined together I'm able to keep my head above water. Some trips I go with someone who also has a NCSCFL and we sell under their license instead of my own. I have invested the funds to satisfy the USCG safety requirements for my vessel. I have maintained and used my NCSCFL for many years now and use that license in conjunction with my for-hire blanket license to cover my clients when aboard and engaged in charter fishing. Being able to produce some revenue from the sale of Bluefin, yellowfin, mahi, etc. with my license and boat in the tourist off season is imperative to cover the spring maintenance bills to get ready for the summer fishing.

I know many other people in the community that make ends meet with their own NCSCFL license during the winter months whether it be out digging and selling oysters or crabbing in the spring. This proposed definition of a commercial fisherman would eliminate their ability to get that extra income to support their families.

There is a great deal of discussion surrounding this issue. Some say that it is to eliminate the recreational fisherman who use their NCSCFL to avoid abiding by recreational limits and then not selling their catch. Others claim it is to help with the prices at the fish house to not let the market get flooded and let those who solely fish and do nothing else in life get the best prices possible. Whatever the rationale – Taking a license from someone who has invested their finances in maintaining that license and uses it for income is un-American.

Simply put: The proposed definition that a person must make 50% of their salary, have 36 trip tickets per year, and make \$10,000 minimum a year should not be adopted as what makes a person a commercial fisherman in NC. If an individual spends their money to keep a license current they should be able to use that license as they see fit. They should be able to use it as much – or as little - as they are capable of doing. If a person make \$1,500,000 a year doing whatever non-fishing related and then wants to go out and fish on their days off and then sell the catch that should be their right if they have a valid NCSCFL. Anything else is socio-economic discrimination. I am NOT in support of the proposed changes.

Thank you for your time in reading this letter,
James L. Byrd III

NCSCFL holder / Hitman Sportfishing / Mathematics Instructor College of the Albemarle

Alley, Craig j

From: Michael Schramel <michaelscrambledeggs@yahoo.com>
Sent: Thursday, February 08, 2018 1:59 PM
To: CommercialLicensesComments
Subject: [External] We need our commercial fisherman

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My name is Michael Schramel and I am the owner of the Flying Melon Restaurant on Ocracoke island. We are a seasonal business open from roughly Easter to Thanksgiving. We have a varied menu including appetizers salads entrees and desserts. Far and away seafood is the largest selling items on our menu and local seafood is the most in demand. People come to our island because of our beautiful beaches and To my restaurant for its fresh fish. My restaurant employs 25 persons from cooks waiters prep bartenders dishwashers bus persons and hostesses. Without access to our fresh local finfish I know without a doubt our business will suffer. Eliminating commercial fishing licenses will have monetary effects not limited to commercial fishermen but also to the people I employ and the taxes I pay to the state and our local county.

Sent from my iPhone

Alley, Craig j

From: Carol Gaidos <carorobo2@icloud.com>
Sent: Thursday, February 08, 2018 1:45 PM
To: CommercialLicensesComments
Subject: [External] Commercial fishermen

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to Report Spam.<mailto:report.spam@nc.gov>

I cannot believe how the new restrictions will be ruining my many friends lives!
Reconsider and vote against the new regulations they are wrong & un-american!!!
Carol Gaidos
Frisco nc

Sent from my iPhone

Alley, Craig j

From: LEE MOMSWORRY <momsworry2000@yahoo.com>
Sent: Thursday, February 08, 2018 1:37 PM
To: CommercialLicensesComments
Subject: [External] Changes to NC SCFL qualifications
Attachments: NC SCFL changes.doc

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My comments are attached.

Harry Doernte
757-868-9559



Virus-free. www.avast.com

**Harry L. Doernte
5 Saunders Dr.
Poquoson, VA 23662
757-868-955
8 Feb. 2018
momsworry2000@yahoo.com**

NCDMF

Subj: Comments on proposed (recommended ?) changes to the commercial fishing license

I strongly oppose most of the (proposed / recommended) changes to the commercial fishing license structure for the reasons outlined below:

I am a young 82 years old offshore commercial hook and line Black Sea Bass fisherman residing in Virginia and frequently originating trips from Oregon Inlet. For years I have had a NC SCFL (477109). I also have a VA Commercial Registration card, several VA gear license as well as a VA Black Sea Bass directed fishery permit (15). I recently sold my S-A Unlimited Snapper-Grouper and King Mackerel Permits.

Since 1987 I have landed and sold more than \$1,000,000 worth of Black Sea Bass. Between 1987 and 2003 I made between 36 and 96 trips a year - most of which started and ended in NC. (Can be verified by S-A Logbooks.) Over 90% of the trips were by myself. In 2003 I developed severe heart trouble, Hurricane ISABEL did extensive damage to our home and, while I was away fishing, my wife (who has MS) fell, broke her hip, and spent 4 hours crawling to a phone to get help. Since that time I rarely leave my wife alone for an extended period and still average about 20 trips a year while maintaining in excess of \$35,000 earned income from commercial fishing. Since before 2000 my earned income has been exclusively from commercial fishing.

Since my wife's hip incident I rarely land in NC which means I have to be away for more than 38 hours. Instead, sometimes I start my trips from Oregon Inlet Ramp and end them at Owl's Creek Ramp in Virginia Beach, Virginia. I do this by, about 1000p.m., having my son (or more often, hiring someone) to take a vehicle to Owl's Creek Ramp in Virginia Beach, park it and ride with me to Oregon Inlet. After I launch my boat they take my van and boat trailer back to Owl's Creek, park them, get their vehicle and go home. I then fish offshore from Oregon Inlet and land in Virginia Beach that night. Most of my fishing is south of the NC-VA line. When I get to the ramp I load my boat on the trailer and go home. This reduces my trip (away from home) time from about 38 hours to around 26 hours. I then pack my fish in VA the following day.

Perhaps I do not need a NC SCFL for a trip of this nature; however, I still want to have the option to land in NC if I so desire. In recent years, on rare occasions, I have left my wife alone, landed at Oregon Inlet, packed my fish in Wanchese the following morning and returned home that afternoon. Who knows what the future will hold...look what happened to my life in 2003!

I strongly agree with a 50 per cent or \$10,000 earned income from commercial fishing activities qualifier. Although this is a state license issue (selfishly) I feel it should not be linked to activities in NC.

Page 2 - 2/8/18

I feel the proposed (recommended ?) 36 trips a year is a little high.

Question about Item 3: Does launching my boat at Oregon Inlet for a commercial fishing trip landing in Virginia constitute 'doing business in NC' ? Or, does buying boat gas in NC for a trip of that type constitute 'doing business in NC' ?

I see no consideration in the proposals (recommendations ?) for senior (retired) commercial fisherman who want to stay active. Perhaps the Committee members feel they are not going to get old, or when they do, they are just going to walk away from it, do nothing, eat popcorn, drink beer, get fat and die! I feel I am living proof of staying active prolongs your life. By 30 years and counting, I am the oldest male 'Doernte' in our family for generations.....

Kindly go back to the drawing board and exempt senior / retired commercial fishermen from all qualifying provisions other than the earned income from commercial fishing activities provision.

Thanks for your considerations.

Harry Doernte

Alley, Craig j

From: RYAN JORDAN <jordanr2@prodigy.net>
Sent: Thursday, February 08, 2018 11:41 AM
To: CommercialLicensesComments
Subject: [External] Change in definition of commercial fisherman

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Dear commission members,

I am writing to you today to oppose the definition change of commercial fisherman. I believe there is currently no problem with the current one. Recommendations that were presented to you would eliminate a vast majority of the current SCFL license holders and would be detrimental not just to the license holders but to NC fish dealers and the NC consumers of locally harvested seafood. Many NC seafood dealers rely upon the small and part-time commercial fisherman to supply the demand of the NC seafood public. I have personally spoken with the largest retail seafood dealer in my area and he has said that if this passed it would put him out of business. I have also spoken to the 2 largest fish house's in Brunswick county and they have stated that none of their 10+ full time snapper/grouper boats could meet the minimum 36 trip tickets that has been proposed to the commission. Myself, as a currently licensed NC commercial fisherman, would have trouble meeting many of the proposed requirements do to participation in the charter industry as well as restrictions due to weather and personal matters that may arise. This change would do nothing to professionalize the industry but would only harm those that participate in it as well as those whom depend upon it for their consumption. This change would do nothing for the current status of our fisheries, which is the primary concern of the commission. This change would be detrimental to the many NC SCFL fisherman whom follow the current regulations. The problems that many think this will correct are not regulatory issues but enforcement issues. I ask that you leave the current definition of commercial fisherman as is, as the previous commissioners have done after their review in the past.

Thank you,

Capt Ryan Jordan
USCG licensed Charter Capt
NC SCFL holder
NC recreational License Holder
Concerned NC resident

5078 Ballast Rd
Southport, NC 28461
919-616-4873

Alley, Craig j

From: Greg Mayer <greg@fishinfrenzy.com>
Sent: Thursday, February 08, 2018 11:20 AM
To: CommercialLicensesComments
Cc: Fish, Nancy
Subject: [External] Comments on Redefining Commercial Fishermen
Attachments: NC_Watermen_Commercial_License_Draft_Letter.pdf

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Captain Greg Mayer
Fishin' Frenzy
252-216-9034
www.fishinfrenzy.com



February 9, 2018

By Electronic Mail

N.C. Division of Marine Fisheries
Marine Fisheries Commission Office
P.O. Box 769
Morehead City, N.C. 28557

Re: Commercial Licenses Comments

The North Carolina Watermen United (NCWU) submits comments in opposition to the Commission's proposed changes to the commercial fishing license structure. The NCWU is a volunteer-based organization that represents charter and headboat fishermen, commercial harvesters, recreational fishermen and consumers to "promote and assist in the enactment and enforcement of laws and regulations that allow watermen to continue harvesting the fisheries resource of North Carolina."¹ Since it was established in 2005, NCWU has worked on the state and federal level to promote the interests of professional mariners.²

NCWU opposes the proposed changes, communicated in the Commission's January 12, 2018 news release, to revise the commercial fishing license structure because the changes are unnecessary and would negatively impact commercial fishermen and the broader North Carolina economy. NCWU's concerns are supported by the Commission's 2010 report prepared by the Commercial License Review Taskforce. The report recommended that the Commission make no changes to the existing definition of a commercial fisherman. Given the negative economic consequences and the lack of changed circumstances since the report was released, we urge the Commission to once again follow the report's recommendations and leave the definition of commercial fisherman unchanged.

We reserve the right to offer more substantive comments should the Commission enter the rulemaking process. To date, the Commission has not made available information necessary to provide informed comment. Most notably, the Commission has not issued a document explaining (1) the desired goal of the license structure change; or (2) the information used in reaching its decision to consider the proposed requirements.

The January 12, 2018 news release does not offer this information and only recites the proposed revisions. In order to offer comments more tailored to the issues important to the Commission's decision-making, we request that the Commission make available any supporting documents

¹ NCWU, Objectives and Accomplishments *available at* <http://www.ncwu.net/Objectives.html>.

² *Id.*

(such as an Economic Impact Study) or broad goals (such as affecting catch limits) should this issue continue to be considered. The comments presented in this letter are based on the negative impacts of the proposed changes and existing Commission analysis.

The recommended changes are unnecessary and would negatively impact commercial fishermen and the broader North Carolina economy.

The changes proposed in the Commission's January 12, 2018 press release would significantly reduce the number of licensed commercial fishermen which, in turn, will negatively affect the industry and the economic health of the region. The burdensome proposal to require a licensee to earn 50 percent of his/her income from the Trip Ticket Program will cause the charter/headboat industry to lose a significant amount of skilled crew who commonly fish during non-tourist months. This not only prevents skilled employees from working, but it also deprives operators of necessary crew members.

In addition, the state and the Commission would lose revenue if these proposals were enacted. The Division of Marine Fisheries will lose revenues in excess of \$1.6 Million from the loss of sales of the 4000 inactive licenses. Moreover, these changes would prevent North Carolinians from pursuing multiple, diverse sources of income which improves the economic well-being of residents and the region. Consequently, this loss of personal income would reduce the state's tax revenue.

The Commission's most recent consideration of this issue determined that changes are not necessary

The current proposal is unsupported by any task force or other analyses indicating that the Commission's previous findings were erroneous or no longer valid. The Commission, in May 2010, established a task force specifically to study whether changes to the commercial fishing license structure were necessary.³ The taskforce issued a October 12, 2010 report recommending that the Commission make no changes to the existing definition of a commercial fisherman.⁴ The report evaluated several of the changes proposed in the Commission January 12, 2018 new release.

Minimum Income Requirements

The task force directly analyzed the costs and benefits of adding a minimum income requirement to maintain a license and recommended against such a revision.⁵ Among other considerations, the report states that the seasonal nature and unpredictability of fishing strongly disfavors a minimum income requirement.

³ See *Commercial Fishing License Review Taskforce Final Report*, North Carolina Marine Fisheries (Oct. 12, 2010) [hereinafter *Commission 2010 Report*].

⁴ *Id.* at 1.

⁵ *Id.* at 4-6.

Ultimately, the taskforce did not support establishing minimum criteria. There were a number of reasons for this stance. Among these reasons was how certain outside influences can affect how often an individual fishes or how much they may catch. Examples of this are the recent gill net restrictions implemented in order to minimize turtle encounters and illness, which may limit a commercial fisherman's activity.

The taskforce realized that traditionally, commercial fishing in North Carolina has comprised only a portion of a fisherman's total income. Because of the seasonal nature of fishing, many fishermen have always had other occupations such as carpentry, guiding and farming. Although many fishermen only fish during fall runs of fish (ex. flounder pound nets), income derived from this part time activity can supply a major proportion of their income.⁶

Our organization represents many fishermen who pursue various sources of income and may not earn 50 percent of their income on commercial fishing alone. Coastal fishing communities inherently cultivate economic diversification because of the variability in fishing income and tourism. As the task force report notes, requiring one to derive a minimum level of income from commercial fishing departs from the tradition of these communities. Therefore, because both proposed requirements ¹⁷ (requiring income percentage) and ²⁸ (setting an income threshold) have already been evaluated and rejected through a deliberative process and final report, we urge the Commission to reject these requirements.

Trip Ticket Requirement

In addition, the 2010 report offered analysis on several other standards for defining a commercial fisherman. Although not directly considered as a proposal, the discussion of the positive and negative impacts are instructive. For example, in discussing the benefits and disadvantages of defining a commercial fisherman by frequency of trips, the report notes several negative impacts:

- (1) Not necessarily indicative of full time status
- (2) Can be behavior modifying in biologically detrimental ways.
- (3) Difficult to define for out-of-state fishermen who infrequently land in NC.
- (4) Difficult to define some in-state fishermen who frequently land outside NC (have licenses in other states).⁹

⁶ *Id.*

⁷ "Must have 50 percent of earned income from the Trip Ticket Program as in the Fisheries Reform Act of 1997."

⁸ "To address crew issues for those who do not have trip tickets, but are bona fide commercial fishermen as crew or any commercial fishing interest in North Carolina or outside the state, proof of income of \$10,000 or more per year."

⁹ *Commission 2010 Report* at 29.

In contrast, the only positive impact listed was that it would be “easily defined for in-state fishermen”. Given the potential for the improperly categorizing full-time fishermen and encouraging biologically detrimental behavior, the Commission should reconsider its proposal to require commercial fishermen to conduct 36 trip tickets per year.

For the reasons set forth above, we urge the Commission not to submit to the legislature the proposed revisions to the requirements for holding a Standard Commercial Fishing License.

Sincerely,

Captain Greg Mayer

Vice President, NCWU

Perry Wood Beasley President, NCWU	Columbia	penny@mccown-mccown.com
Andrew Berry Vice-President, NCWU	Manteo	bowhunterab14@gmail.com
Capt Sonny Davis	Atlantic Beach	info@captstacy.com
Ernie Doshier	Ocracoke	geckosportfishing@gmail.com
Ernie Foster	Hatteras Village	albatrossfleet@earthlink.net
Tom Harper	Hatteras Village	charper1479@embarqmail.com
Glen Hopkins	Manteo	weluvtofish@embarqmail.com
Billy Maxwell	Manteo	captainbillymaxwell@gmail.com
Greg Mayer Vice-President, NCWU	Kill Devil Hills	greg@fishinfrenzy.com
Jamie Reibel	Manteo	phideaux@embarqmail.com
Britt Shackelford	Wanchese	brittonshack@gmail.com
Duke Spencer	Manteo	duke@captainduke.com
Rom Whitaker	Hatteras Village	rom@hatterasrelease.com

Alley, Craig j

From: Leeann Walton <Leeann.Walton@CurrituckCountyNC.gov>
Sent: Thursday, February 08, 2018 10:53 AM
To: CommercialLicensesComments; aundrea@ncfish.org
Subject: [External] Resolution Opposing Redefining Commercial Fishing
Attachments: Resolution Opposing Change to Definition of Commercial Fishing.pdf

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Resolution attached, adopted by the Currituck County Board of Commissioners on Monday, February 5, 2018.

Please let me know if you need anything else.

Sincerely,

Leeann Walton

Clerk to the Board/Administrative Assistant

Currituck County Manager's Office

153 Courthouse Road, Suite 204

Currituck, NC 27929

(252) 232-2075 Ext. 4002

(252) 232-3551 Fax

Leeann.Walton@CurrituckCountyNC.gov

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.



COUNTY OF CURRITUCK

RESOLUTION OPPOSING ANY CHANGE IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage, and culture and represents a crucial component of the economy for Currituck County and other coastal communities; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

WHEREAS, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

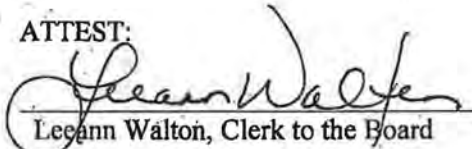
WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."

NOW THEREFORE BE IT RESOLVED that the Currituck County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Currituck County Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 5th day of February, 2018.

ATTEST:


Leeann Walton, Clerk to the Board


Bobby Hanig, Chairman



Alley, Craig j

From: Alison Newcombe <anewcombe@cravencountync.gov>
Sent: Thursday, February 08, 2018 10:22 AM
To: CommercialLicensesComments
Subject: [External] Resolution
Attachments: Commercial Fishing Resolution.pdf

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Good Morning:

Please find the attached Resolution Opposing any Change in the Definition of a Commercial Fishing Operation adopted by the Craven County Board of Commissioners on February 5, 2018.

Please direct any questions or concerns to our office.

Thank you,

Alison Newcombe

Alison I. Newcombe
Administrative Secretary
Craven County Manager's Office
406 Craven St.
New Bern, NC 28560
252-636-6600
252-637-0526 (fax)
anewcombe@cravencountync.gov



RESOLUTION
OPPOSING ANY CHANGE
IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage, and culture and represents a crucial component of the economy for Craven County and other coastal communities; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

WHEREAS, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."



NOW THEREFORE BE IT RESOLVED that the Craven County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Craven County Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 5th day of February, 2018.

A handwritten signature in black ink that reads "Thomas F. Mark".

Thomas F. Mark, Chairman

ATTEST:

A handwritten signature in black ink that reads "Gwendolyn M. Bryan".

Gwendolyn M. Bryan, Clerk to the Board

Alley, Craig j

From: Mike D <wmdavis613@yahoo.com>
Sent: Thursday, February 08, 2018 10:06 AM
To: CommercialLicensesComments
Subject: [External] Commercial fishing license changes

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I am opposed to the proposed changes to the commercial fishing license. No other state license requires a certain amount of income to hold a license. This subject has been studied by committees before and they recommended no changes so why are we going through this now. The number of commercial fisherman continue to decrease and the ones that stay in it are having to do other things to supplement their income. If there is a problem with recreational limits being sold, then make that illegal. It is a right to hold a Commercial license.

Walter M. Davis

Alley, Craig j

From: Fish, Nancy
Sent: Thursday, February 08, 2018 10:01 AM
To: CommercialLicensesComments
Subject: FW: [External] Resolution - Hyde County
Attachments: Resolution Opposing change of the definition of Commercial Fisherman.pdf

Importance: High

From: Rosemary Johnson [mailto:rjohnson@hydecourtnc.gov]
Sent: Wednesday, February 07, 2018 3:55 PM
To: Corbett, Samuel J <s.corbett.mfc@ncdenr.gov>; Gorges, Mark L <m.gorges.mfc@ncdenr.gov>; Laughridge, Charles H <c.laughridge.mfc@ncdenr.gov>; Smith, Richard D <r.smith.mfc@ncdenr.gov>; Rose, Janet W <j.rose.mfc@ncdenr.gov>; Koury, Brad A <b.koury.mfc@ncdenr.gov>; Willis, Alison T <a.willis.mfc@ncdenr.gov>; Fish, Nancy <nancy.fish@ncdenr.gov>
Cc: Bill Rich <brich@hydecourtnc.gov>; knoble@hydecourtnc.gov; Stacey Midgett <northcarolinacatch@gmail.com>
Subject: [External] Resolution - Hyde County
Importance: High

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Please see the attached resolution adopted by the Hyde County Board of Commissioners at their February 5 meeting.

Regards,

Rosemary O. Johnson
Administrative Assistant/Deputy Clerk
County of Hyde
30 Oyster Creek Road
P.O. Box 188
Swan Quarter, NC 27885
Telephone: 252-926-4178
Fax: 252-926-3701
rjohnson@hydecourtnc.gov



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Board of Commissioners

Earl Pugh, Jr., Chair
Barry Swindell, Vice-Chair
Benjamin Simmons, III
Tom Pahl
Dick Tunnell

COUNTY OF HYDE

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27885
252-926-4400
252-926-3701 Fax

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



RESOLUTION OPPOSING PROPOSED CHANGE OF THE DEFINITION OF COMMERCIAL FISHERMAN AS IT APPLIES TO COMMERCIAL LICENSES

WHEREAS, commercial fishing is a critical part of North Carolina's coastal economic engine, as well as plays a significant role in the history and heritage of the coast as well as the State; and,

WHEREAS, the definition of commercial fishing is embodied in its name-harvesting fish and entering them into the State's chain of commerce; and,

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and,

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) now wants to change the definition of a commercial fisherman as the first step toward reducing the number of Standard Commercial Fishing Licenses as well as other commercial licenses; and,

WHEREAS, MFC's stated purpose for pursuing the change is that recreational fishermen are obtaining commercial fishing licenses in an effort to bypass recreational creel limits; and,

WHEREAS, obtaining a professional licenses under fraudulent circumstances is a crime, thus if this issue exists, it is an enforcement issue not a definition problem; and,

WHEREAS, MFC presented as "evidence" that trip tickets used to collect harvest data were issued to approximately 3,000 licensed fishermen in 2017, thus leaving about 4,000 fishermen with no record of participation; and,

WHEREAS, many licensed commercial fishermen pool fishing efforts to reduce costs and for safety issues, one person on the boat appears on the trip ticket although others are involved; and,

WHEREAS, among options to be considered in whole and in part are mandatory 50 percent of total annual earned income reported through the Trip Ticket Program, 36 trip tickets per year, and those without trip tickets must present proof of earning \$10,000 or more per year from participating in commercial fishing; and,

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to quality; and,

WHEREAS, the coastal economy is seasonal in nature, thus, many engage in several occupations as seasons change to meet their budget needs; and,

WHEREAS, to comply with the presented options, some commercial fishermen would have to fish more thus adding to the amount of harvest taken out of the water or eliminate or reduce effort one or more of their occupations in order to reach the 50 percent minimum.

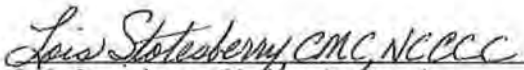
NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners opposes changes prescribed based on misrepresenting the intention of the action and lacking a solid legal basis.

Adopted this the 5th day of February, 2018.



Earl D. Pugh, Jr., Chairman
Hyde County Board of Commissioners

Attest:


Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners



Alley, Craig j

From: Atack, Jim <Jim.Atask@adm.com>
Sent: Thursday, February 08, 2018 9:37 AM
To: CommercialLicensesComments
Cc: Corbett, Samuel J
Subject: [External] Standard Commercial Fishing License Requirements

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To: NC Marine Fisheries Commission

I am commenting on the upcoming SCFL proposed changes:

deliberations with the following proposed requirements for holding a Standard Commercial Fishing License:

- 1. Must have 50 percent of earned income from the Trip Ticket Program as in the Fisheries Reform Act of 1997. There is already a statutory precedent for a commercial fisherman in the Fisheries Reform Act.*
- 2. A fisherman must have 36 trip tickets per year.*
- 3. To address crew issues for those who do not have trip tickets, but are bona fide commercial fishermen as crew or any commercial fishing interest in North Carolina or outside the state, proof of income of \$10,000 or more per year. The proof of income should come from a commercial fishing operation, business, etc. doing business in North Carolina.*

(The commission can decide if items 1, 2 and 3 are stand alone or a combination thereof.)

- 1 The 50 percent of earned income is too restrictive for all SCFL holders. There are many different fisheries that the license holders participate in that require a SCFL to sell their catch (snapper grouper, Dolphin/Wahoo, crabs, oysters, flounder, etc). There should be no minimum requirement or if so a 10 percent of earned income should suffice. And if so it should be over a rolling 3 year period to compensate for a bad year or 2 due to health reasons or other factors.
- 2 36 trip tickets is way too restrictive – I've been commercial fishing for >20 years in the Snapper Grouper fishery and average only about 15 trips per year (mostly due to poor weather). I understand that ~4,000 of the 7,300 licenses have no sales/trip tickets associated with them. If a minimum number of trip tickets are required than a more reasonable trip limit should suffice. I would recommend a minimum between 1 and 5 trips. And if minimums are required they should be over a rolling 3 year period to compensate for a bad year or 2 due to health reasons or other factors.
- 3 I suggest not having this requirement – Item 1 & 2 above should address the concerns with the ~4,000 licenses without sales/trip tickets. If it is still necessary then ~\$5,000 of fishing income should suffice.
- 4 Another suggestion: All federal permit holders should qualify for a SCFL.

I suggest starting out with less restrictive limits as I've suggested above to start with, then after a time review their effectiveness before making any more restrictive changes.

Thank You for the chance to comment on this.

Jim Atack
Oak Island, NC

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Alley, Craig j

From: david everhart <bhibroker@hotmail.com>
Sent: Thursday, February 08, 2018 9:23 AM
To: CommercialLicensesComments
Subject: [External] Commercial License/fisherman definition

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Consider alternate definition or exemption for offshore federal permit holders/fisherman such as snapper/grouper permits.

36 trips which may be 5-10 days is not reasonable due to weather and closures on offshore species.

10's of thousands if not 100's of thousands are invested in federal permits such as snapper/grouper permit.

Thanks!

David Everhart
F/V Heat Seaker
Southport, NC

Alley, Craig j

From: Deborah Leonard <leonarddt@gmail.com>
Sent: Thursday, February 08, 2018 9:19 AM
To: CommercialLicensesComments
Subject: [External] Proposed Commercial Fishing Regulations

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Dear DENR,

I am writing in opposition of the proposed commercial fishing rules. I am not a fisherman but I am a consumer of locally caught fish. Many of our residents here on Ocracoke Island are part time fishermen/women and rely on commercial fishing to supplement their incomes. Just because they do not have large dollar amounts of sales does not mean that this income is not important to them and their families.

Our fish houses and restaurants would suffer from these proposed regulations as well. They depend on a variety of fresh locally caught seafood for their customers. That is what customers, local or visitors, expect. Reducing the number of fishermen and women would also reduce the variety and quantity of fish available for purchase.

Any person who wishes to procure a license to fish commercially should be able to do so. This regulations are diametrically opposed to our American values of working hard to get ahead and to support your family. They are unnecessary and would negatively impact our residents and visitors. Please vote against the proposed changes.

Thank you,
Deborah Leonard
PO Box 243
Ocracoke, NC 27960

Alley, Craig j

From: Rachel Hammer <Rachel.Hammer@carteretcountync.gov>
Sent: Thursday, February 08, 2018 8:36 AM
To: CommercialLicensesComments
Subject: [External] Resolution: Opposing Any Change in the Definition of a Commercial Fishing Operation
Attachments: Resolution.Opposing Change.Definition of a Commercial Fishing Operation.pdf

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Attached is a Resolution adopted by the Carteret County Board of Commissioners at their February 7, 2018 meeting. The Resolution opposes any change in the definition of a commercial fishing operation.

Rachel

Rachel B. Hammer
Carteret County Clerk to the Board
302 Courthouse Square
Beaufort, NC 28516
Office: 252-728-8580
Rachel.hammer@carteretcountync.gov



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Board of Commissioners
Mark Mansfield, Chair
Robin Comer, Vice-Chair
Bob Cavanaugh
Jimmy Farrington
Jonathan Robinson
Bill Smith
Ed Wheatly



County Manager
Tommy R. Burns

Clerk to the Board
Rachel B. Hammer

RESOLUTION

OPPOSING ANY CHANGE IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage and culture and represents a crucial component of the economy of Carteret County and other coastal communities; and

WHEREAS, according to the North Carolina Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000.00 and the income impact of employed commercial fishermen is \$166,066,000.00; and

WHEREAS, the right to choose and pursue a means of livelihood is a property right and a personal liberty guaranteed by Article I, Section 1 of the Constitution of North Carolina; and

WHEREAS, the definition of what constitutes commercial fishing and who may engage in a commercial fishing operation has been established by the General Assembly in the General Statutes of North Carolina, Sections 113-168, 113-168.1, 113-168.2, 113-168.3 and 113-169.2; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000.00 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, no other job, occupation or employment pursued as a means of livelihood in this State requires a percentage of income or minimum income requirement or level of participation in order to pursue that job, occupation or employment; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes sever quotas and unnecessary restrictions on fishing seasons, limits and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."

WHEREAS, any action of the Marine Fisheries Commission to consider changes in the definition of commercial fisherman would not have a rational, real or substantial relation to the public health, morals, order, or safety or the general welfare of society and would interfere with an individual's inalienable right to the fruits of one's labor in violation of the Constitution of the State of North Carolina.

NOW THEREFORE BE IT RESOLVED that the Carteret County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Carteret County Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

ADOPTED, this the 7th day of February 2018.

Mark Mansfield

Mark Mansfield
Chairman

Rachel Hammer

Rachel Hammer
Clerk to the Board of Commissioners



Alley, Craig j

From: susan rockel <susanphyllis2010@hotmail.com>
Sent: Thursday, February 08, 2018 8:32 AM
To: CommercialLicensesComments
Subject: [External] Commercial license changes

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This change in licensing would put another nail in the coffin of commercial fishermen and women who often struggle with more than 1 job in order to earn a living. As the proud mother of commercial fisherman and a restaurateur interested in selling fresh local fish this change is the wrong move. You might as well hand over our fishing industry to foreign fisheries.

You should be supporting the Small operator. Susan Rockel, oh yes, why is the comment area not prominently displayed on your site? Thank you . susanphyllis2010@hotmail.com

Sent from my U.S.Cellular® Smartphone

Alley, Craig j

From: davis, zack <zack.davis@carteretk12.org>
Sent: Thursday, February 08, 2018 7:45 AM
To: CommercialLicensesComments
Subject: [External] Changing the definition of a commercial fisherman

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To whom it may concern,

Nearly 22 years ago I can distinctly recall my grandfather and I making a trip to the Marine Fisheries headquarters in Morehead City, NC. I walked out of the building that day with a pride that cannot be described by words. I was indeed a commercial fisherman. My granddad had given me the opportunity that day to pursue my life dream at the young age of 12. Not only did he transfer his licence to me but also his small inboard skiff with the understanding that he'd run as mate and I'd run as captain.

Over the past 22 years I've faced many struggles as a fisherman whether it be time away from home, weather, poor seasons, sunken boats, and the list could go on for a while. None of those struggles have outweighed the adventure that I've experienced as a fisherman nor the pride I have for my heritage. They pale in comparison to the regulatory struggles I have faced in the last 5 years. In the early years through middle and high school I would have been considered a full time fisherman simply based on the fact I had no other sources of income, though the monetary amount was low many years. Through my college years I worked as a welder but didn't exceed the money I made shrimping during the summer months. After achieving a bachelors degree from UNCW and a Masters from NCSU (debt free) I landed my dream job at East Carteret High School. For the first time in my life I had a "Land Job". By this time I had come to rely on shrimping for many different aspects of funding a family.

Fishing has paid for many things in my life, not as a handout, but as a result of hard work and sweat. I bought my own vehicle in high school, paid for wedding rings, hospital bills of having two children, many Christmas presents, not only my two college degrees, but also a masters and currently a doctorate for my wife. I'm just one example of many of the part time fishermen in our industry. I can personally give an account for over 20 people who hold a SCFL as well as a "land job". Those people aren't looking for handouts, they're looking to provide an honest supplement for their family income by fishing.

At a time in America when presidents and governors are elected for their promises of creating jobs, we have a select group of people (YOU) that seem to be bound and determined to cut people out of their jobs. Not only their jobs but the American tradition of free enterprise.

Any logical economist would be forthright in saying that "Supplemental" income is an essential element in the foundations our economy and the businesses that thrive from it. Without it, Christmas presents are fewer, vacations are rarer, restaurants are frequented less, college tuition becomes a struggle, etc.

For those on the commission that have opposed this change, I genuinely thank you. For those in favor, why am I being cut out of the opportunity for supplemental income? If this is indeed a fisheries count issue, then change the way we count fish not our ability to catch them for a count!

Sincerely,
Zachary Davis
Marshallberg, NC

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Alley, Craig j

From: kebotosto@outlook.com
Sent: Thursday, February 08, 2018 4:19 AM
To: CommercialLicensesComments
Subject: [External] disagree

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Hello,

I have to disagree with recent proposals in regards to define a commercial fisherman. I have maintained a commercial fishing license for close to 40 years. I was fully engaged in commercial fishing as a young man right out of high school as a full time profession, shifting from one fishery to the other through out the year as the seasons changed.

Later in life I began to pick up part time jobs during the slow times or off seasons to sublimit my commercial fishing income. Over a period of years this transitioned into my working a "full time job" and commercial fishing became the part time job to sublimit that income.

As I approach my retirement years I had seriously planned on commercial fishing sublimiting my retirement income. The proposed changes may eliminate the possibility of me doing so. Please consider the following:

1. Must have 50 percent of earned income from the Trip Ticket Program as in the Fisheries Reform Act of 1997. I fail to see how this can be verified or how it is relevant to defining a commercial fisherman. The trip tickets do not have dollar amounts shown when submitted to the DMF. If imposed may eliminate many part time commercial fisherman.

2. A fisherman must have 36 trip tickets per year. Many bona fide, honest, full time commercial fisherman, working long hours, claiming 100% of their income from commercial fishing will not have 36 trip tickets for the year. For example: a commercial fisherman starts shrimping in June of 2017. He and his crew of three go every week. They come in on Thursday or Friday of each week to pack out. The licensed dealer they sell to submits a trip ticket for every thing they sell. Some weeks are slow and others they do well. They continue this through out the summer into Fall. The week before Christmas is the last week they work; they will only have 29 trip tickets for the year.

3. To address crew issues for those who do not have trip tickets, but are bona fide commercial fishermen as crew or any commercial fishing interest in North Carolina or outside the state, proof of income of \$10,000 or more per year. The proof of income should come from a commercial fishing operation, business, etc. doing business in North Carolina. (The commission can decide if items 1, 2 and 3 are stand alone or a combination) It is quite obvious that the commercial fishing industry supports a lot of different people in many ways. The crew members will not have trip tickets in their name. It may be that many of these hold a valid commercial fishing license which the commission consider inactive because there are not trip tickets associated with them. Either way some provision must be made that these hard working tax paying citizens are truly commercial fishermen and fisherwomen.

It is quite obvious to everyone, yes everyone, that this another ploy to eliminate commercial fishermen. The three aforementioned stipulations are unfair and unjust definitions of a commercial fisherman. In an industry that is overregulated and poorly managed the last thing required is more laws and regulations. Proper enforcement of the laws and regulations on place are all that is required.

Please consider: I have a valid NC hunting license. I have each year for many years. I have never been required to hunt a certain number of days or take a certain number of game in order to maintain that license. I have not been hunting in over 15 years.

I have a valid NC fishing license. The same thing goes, I am not required to fish a certain number of days or catch and land a certain number of fish to maintain that license. I have not been fishing in decades.

I have a valid NC drivers license. No where does it state that I have to drive a certain number of days or drive a certain number of miles to continue to hold a valid drivers license.

Please do not implement any changes as far as the definition of a commercial fisherman. Thank you in advance for doing the right thing.

Keith Tosto

Sent from [Mail](#) for Windows 10

Alley, Craig j

From: wesley Potter <capnpoppop@gmail.com>
Sent: Wednesday, February 07, 2018 8:11 PM
To: CommercialLicensesComments
Subject: [External] oppose changing licenses

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I don't see any reason to change whats not broke.Weakens fisherman by decreasing our numbers.
Potter

Wesley

Alley, Craig j

From: Lesley Hickman <lesleyh27943@yahoo.com>
Sent: Wednesday, February 07, 2018 8:04 PM
To: CommercialLicensesComments
Subject: [External] Re-definition of a commercial fisherman

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To Whom It May Concern,

I am voicing my opposition to the new proposed guidelines for the re-definition of a commercial fisherman. I see this as the destruction of the future of commercial fishing in our state.

Sincerely,
Chris Hickman
Chris Hickman Fishing
Hatteras, NC

Sent from my iPad

Alley, Craig j

From: Fish, Nancy
Sent: Wednesday, February 07, 2018 4:57 PM
To: CommercialLicensesComments
Subject: FW: [External] Resolution for Marine Fisheries Commission
Attachments: 2.7.2018 Letter to Marine Fisheries Commission.pdf

From: O'Dell, Michael [mailto:odell@kdhnc.com]
Sent: Wednesday, February 07, 2018 12:01 PM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Cc: Quidley, Mary <MARY@kdhnc.com>
Subject: [External] Resolution for Marine Fisheries Commission

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Ms. Fish,

Thank you for the very helpful information in our phone call. Attached is an electronic copy of letter from our Mayor, along with the resolution that was recently passed by the Board of Commissioners. Please forward it to the members of the Commission for their consideration at their upcoming meeting. Paper copies are also being mailed for your records.

Best,

Michael



Michael O'Dell
Deputy Town Clerk
Town of Kill Devil Hills

p: 252-449-5306
a: 102 Town Hall Drive, P.O. Box 1719, Kill Devil Hills, NC 27948
w: www.kdhnc.com



TOWN OF KILL DEVIL HILLS

Post Office Box 1719, 102 Town Hall Drive
Kill Devil Hills, North Carolina 27948
252-449-5300
www.kdhnc.com

February 7, 2018

Mayor
SHEILA F. DAVIES, PhD

Mayor Pro Tem
MIKE HOGAN

Commissioners
TERRY L. GRAY
BRANDI H. RHEUBOTTOM
JOHN L. WINDLEY

Town Manager
DEBORA P. DIAZ

Assistant Town Manager
SHAWN R. MURPHY

Town Clerk
MARY E. QUIDLEY

Town Attorney
CASEY C. VARNELL

North Carolina Marine Fisheries Commission
c/o Nancy Fish
N.C. Division of Marine Fisheries
3441 Arendell Street
Morehead City, NC 28557

Dear Commission Members,

At its January 31, 2018, meeting, the Kill Devil Hills Board of Commissioners adopted the following resolution:

Resolution Opposing Any Change in the Definition of a Commercial Fishing Operation

A copy is included for reference. Thank you for your continued service to the citizens of Kill Devil Hills and North Carolina.

Sincerely,

Sheila F. Davies, Ph.D.,
Mayor

Encl.
c: Dare County Board of Commissioners
file



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

RESOLUTION OPPOSING ANY CHANGE IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage, and culture and represents a crucial component of the our Outer Banks economy, and other coastal communities; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

WHEREAS, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that “no changes are needed to the existing definition.”

NOW THEREFORE BE IT RESOLVED that the Kill Devil Hills Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Kill Devil Hills Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 31st day of January, 2018.



SEAL

A handwritten signature in black ink that reads "Sheila F. Davies".

Sheila F. Davies, Ph.D.
Mayor

ATTEST:

A handwritten signature in black ink that reads "James Michael O'Dell".

James Michael O'Dell
Deputy Town Clerk

Alley, Craig j

From: Fish, Nancy
Sent: Wednesday, February 07, 2018 4:55 PM
To: CommercialLicensesComments
Subject: FW: [External] Changes to commercial fishing definition

From: Capt. Joey VanDyke [mailto:captjoeyvandyke@gmail.com]
Sent: Wednesday, February 07, 2018 4:43 PM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Subject: [External] Changes to commercial fishing definition

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To whom it may concern, I am a full time charter captain with a family I provide for here on the outerbanks. As you all know we rely on tourism in the summer for our living. Winter time is a different story as most people do not even think of coming to the outerbanks for a vacation so it leaves a dire void in our income.

That is where commercial fishing comes in. I am a fyke netter in the winter months starting after duck season(due to the damage I would end up with if they were set out along the shores in Hyde county). Most people do not know how fyke netting is done or how it is fished. This is one of the greenest fisheries nc has! You only check these nets once or twice a week(excellent live fishery). I fish from end of January til first of March, so I don't even get 36 trip tickets in that time. How can I meet the qualifications that you are impending with my fishery? This is a great negligence that proves the folks that are making this rule have no idea what differences of fisheries are done here in nc. You are putting me out of business and I ask you all, what should I do for our supplemental income? Either way you look at it I am out of business and providing some supplemental income for my family till charter season starts back up is gonna be null and void of this passes. This would be a big economic loss for families here on the outerbanks.

So how can this be resolved? I would like to make a recommendation: watermans license- anybody that makes 50% of their income(thru tax records)working on the water charter/guide or commercial fishing. Even charter captains are commercial for hire no matter how you look at it. We get paid to catch fish plain and simple. Even though charter fish are more costly to people versus going to a seafood market we are still selling fish to clients that hire us.

In closing please review your thoughts on this before making a final judgement that may take a path of families that are in this beautiful coastal nc that people come here to enjoy our way of life and we get to expose some of them to it for them to enjoy as all of us do.

Thank you

Captain Joey VanDyke
Outerbanksfishing.org

Alley, Craig j

From: Eric Ensenat <hiboatyard@gmail.com>
Sent: Wednesday, February 07, 2018 2:58 PM
To: CommercialLicensesComments
Subject: [External] Proposed changes in Commercial Licenses

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Dear Chairman Corbett

This letter is in reference to the above subject. We are Hatteras Island Boatyard in Buxton N.C. We are the only working boatyard on Hatteras Island. We strongly object to the changes in commercial licenses.

We would lose a lot of business and we simply cannot afford it. We would not have the business from the part-time fisherman. We would not be able to support all of our employees and some would have to be let go, some of whom have worked at the boatyard for 20 years or more.

Reducing commercial licenses will effect the economy of Hatteras Island in its entirety. Thank you.

Alley, Craig j

From: Nancy Scarborough <nancyksportfishing@gmail.com>
Sent: Wednesday, February 07, 2018 1:36 PM
To: CommercialLicensesComments
Subject: [External] Commercial Fishing License Changes

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Dear Chairman Corbett,

I am writing in regards to the changes that are being proposed for the definition of commercial fishing license holders. These changes will put economic hardship on many of the commercial fishermen here on Cape Hatteras and along the coast.

My husband was a commercial fisherman for over 30 years. Due to health reasons he had to retire from commercial fishing, but our son has continued with our family business. He has been a commercial fisherman since he was 8 years old. He has continued to carry on the working waterman heritage of his father and grandfather. While he has pursued another full time trade, he still commercial fishes on his time off to make additional money to help support his family. These proposed changes will end the tradition of commercial fishing that has been in his family for generations.

I also have a nephew who does commercial fishing along with his other job. His son was recently diagnosed with Muscular Dystrophy. The money that he makes from commercial fishing allows him to be able to take his son and do things that he would not be able to afford to do on the one income he has.

Fishing is one of the few ways to make a living on Hatteras Island. It is part of our culture and heritage. I ask of you to make the right decision to not change the current criteria for the definition of who may hold a commercial fishing license.

Sincerely,
Nancy Scarborough

Alley, Craig j

From: Kenneth Scott III <natandkp@embarqmail.com>
Sent: Wednesday, February 07, 2018 12:28 PM
To: CommercialLicensesComments
Cc: Kenneth and Natalie Scott III
Subject: [External] Public comment on proposed changes to commercial fishing license

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Dear Committee:

I make my entire living working on the waters of North Carolina. I commercial fish (sell the catches) from early October until the 15 of May and during those months crabbing and gill netting is one hundred percent of my income. Our family relies on the income from Commercial Fishing.

I had 102 commercial trip tickets last year but I was fortunate to do better charter fishing. For fifteen years I have worked on a successful party boat during the tourist season as a Captain and as a mate. We do well in those months and make over fifty percent of our income taking people to catch fish instead of selling the catch directly to the consumer.

I am not the owner of the party boat business just an employee. I do own my commercial fishing boat, crab pots and net. This business is mine. This is something I built myself and I am proud of it. I need both sources of income and I am not the only waterman in this position. The fleets of the Outer Banks rely on these dual sources of income. Please don't hurt us,

I am writing to you with the understanding from all I have read, that people like me who work the water for their entire living are not the intended targets of this rule. Please try and find a better definition that is more inclusive. In closing I would like to point out that there are no professional licenses in the state which bar a persons entry due to income. If the committee must recommend something to the General Assembly, participation should be the factor in deciding whom is eligible for a Standard Commercial Fishing License. Please don't hurt the people who are trying to scratch out a living on the coast. General Electric and Ford motor company are never going to be employers in this area. I would like the committee to please look at the unemployment statistics in Dare, Hyde and even Carteret counties in the winter. In Dare County the average unemployment as of just a few years ago was over seventeen percent, I do not claim unemployment and never have, I have been able to go in the Pamlico sound and fish and I am proud of this fact. Although I don't believe any one should loose the right without being convicted of some sort of infraction I understand the committee is trying to cull the license pool. Please go back and consider a better more inclusive definition which will be more palatable to waterman.

Sincerely
Kenneth Scott III

Alley, Craig j

From: Aundrea <Aundrea@ncfish.org>
Sent: Wednesday, February 07, 2018 12:23 PM
To: CommercialLicensesComments
Subject: [External] MFC Public Comment on "Redefining a Commercial Fisherman"

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Commercial fishing is a vital part of NC's history, heritage and culture and represents a crucial component of the economy of NC., and the definition of a commercial fisherman is already defined in the General Statutes of NC.

I feel that this is just another assault on the commercial fishing industry and a way to try to destroy an industry that adds an extremely important economic value to this state.

There is no other job, occupation or employment in the state of NC that requires a percentage of income or minimum income to pursue that job, occupation or employment.

This would be like North Carolina telling you that if you don't drive your car enough miles a year that they are going to take your drivers license. Or, if you don't make (X) number of dollars, you will loose your drivers license.

Do plumbers have a minimum/maximum income requirement to hold a license? Attorney's? Electricians? Doctor's? Pharmacists? Hair dressers? Do they have to invoice a certain number of patients, clients, or customers to keep their license?

The definition of a commercial fisherman doesn't need to be redefined, it is my opinion that the Marine Fisheries Commission is what needs to be redefined as we do not live under dictatorship.

Aundrea O'Neal

Alley, Craig j

From: kip flynn <kipflynn3@gmail.com>
Sent: Wednesday, February 07, 2018 12:22 PM
To: CommercialLicensesComments
Subject: [External] Commercial Fishermen

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To: The North Carolina Marine Fisheries Commission,

Please do not make changes to the definition and requirements of NC Commercial fishermen.

These changes would negatively affect the way of life for so many on NC Coast.

Janice Hildreth

Frisco, NC

Alley, Craig j

From: Jeffrey Aiken <aikenj5@gmail.com>
Sent: Wednesday, February 07, 2018 12:20 PM
To: CommercialLicensesComments
Subject: [External] Commercial Licenses Proposal

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Division of Marine Fisheries
3441 Arendell Street
Morehead City, NC 28557

Dear Chairman Corbett,

My name is Jeffrey Aiken. I am both a licensed NC commercial fisherman and a licensed NC wholesale seafood dealer DBA Jeffrey's Seafood in Hatteras village. Today I am filing with you my vehement opposition to the changes being considered at the NCMFC Meeting in February 2018.

My adult sons are both employed by our fish house operation and are active part time commercial fishermen. I/we fully endorse and support all of the concerns expressed by the NCWU opposition letter submitted to you February 1. I/we also wish to submit for your review a brief summary of the direct financial impact that such draconian measures would have on our seafood packing house operation and the proud commercial fishermen who collectively, by their efforts and support, make our livelihood possible.

Regulations SALES	# FISHERMAN		\$\$ PURCHASES FROM FISHERMEN	DEALER GROSS
2017 status quo	51		\$931,873	\$1,418,711
PROPOSED \$10K MIN loss <\$62,000> RULE REDUCTIONS	<28>	100%	<\$94,364>	
PROPOSED 36 TRIP TICKET RULE REDUCTIONS	<12>	100% loss	<\$384,000>	<\$584,448>
REMAINING FISHERMEN LOSS OF INCOME	11		<\$446,000>	48% loss <678,812>

Additional impact/loss from the proposed 50% of income proposal was not calculated.

These numbers don't represent what the state of NC should want for the tax base or the commercial fishing industry. Jeffrey's Seafood would not likely survive these draconian changes and thus our employees, suppliers, service providers and customers would unnecessarily experience severe adverse economic impact.

WHY? That remains the burning question. Mr. Chairman, I am sure you know the answer to that question and I wish you well in your effort to circumvent this issue from ever being presented to the General Assembly. Again, I can assure you that my extended family and all NC commercial fishing families, suppliers, service providers and fresh NC seafood customers join me in opposing this consideration of redefining a commercial fisherman.

Jeffrey Aiken
PO Box 515
Hatteras, NC 27943
aikenj5@gmail.com
252-473-0304

Alley, Craig j

From: M Smith 2087 <msmith2087@nc.rr.com>
Sent: Wednesday, February 07, 2018 12:20 PM
To: CommercialLicensesComments
Subject: [External] FW: No Changes to the NC Commercial Fishermen Licenses

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From: M Smith 2087 [<mailto:msmith2087@nc.rr.com>]
Sent: Wednesday, February 07, 2018 8:10 AM
To: 'CommercialLicensesComments@ncdenr.gov' <CommercialLicensesComments@ncdenr.gov>
Subject: No Changes to the NC Commercial Fishermen Licenses

To: Commercial Licenses Comments
NC Division of Marine Fisheries
Marine Fisheries Commission
From:

NC Division of Marine Fisheries indicates the sales impact of Harvesting and sale of commercial seafood is \$ 388,325,000 and the income impact of employed fishermen is \$ 166,066,000. Do you believe by removing the part-time Commercial Fishermen with regulations out of Commercial Fishing will increase the Harvesting and Sale of commercial seafood? False, the regulations will greatly reduce the Total SALES and Total INCOME.

By removing 4,000 Inactive Commercial Licenses, estimates are the Division of Marine Fisheries Revenues will DECREASE BY \$ 1.6 MILLION FROM THE LOSS OF SALES OF THE 4,000 INACTIVE Licenses.

Half of the commercial license fee proceeds are used to fund observers, which are required as per Incidental Take Permits for turtles and sturgeon. Without observers, the fishery gets shut down and our opponents against NC Commercial Fishing Industries know this. The Attackers of NO Commercial Fishing goal is NOT TO HELP Commercial Fishing, but to lessen the numbers of Commercial Fishermen and jeopardize the funding for the observers.

How will this improve the stock assessment? ARE the Marine Fisheries Commission working at increasing the total stock assessment. NO The North Carolina Coastal Conservation Association is working to only have fish for the CCA. The 2,800 CCA members licensed as RECREATIONAL FISHERMEN which DO NOT REPRESENT THE 800,000 RECREATIONAL LICENSED FISHERMEN

fishing from NC Coastal Sounds and Oceans . CCA DO NOT REPRESENT 1 % OF NC RECREATIONAL FISHERMEN.

Many Commercial Fishermen working as part-time currently due to the STATE AND FEDERAL REGULATIONS that make it very difficult to make a living. Now the same NC state government that has caused many COMMERCIAL FISHERMEN to take another job wants to make it IMPOSSIBLE TO SUPPLEMENT THEIR LIVELIHOOD!

Will State Income Revenue increase with the loss of family income from Part-time Commercial Fishermen of 4,000 INACTIVE LICENSES? NO

NC TOURIST INDUSTRY INDICATED THAT TOURISTS TO THE NC COAST ENJOYED EATING NC LOCAL US WILD SEAFOOD DAILY!

Fisheries Reform Act in 1997 was passed to support NC Commercial Fishing Industries and NC Commercial Fishermen, and increase MARINE LIFE AND INCREASE FISH STOCK, this is NOT OCCURRING! The pollution in the Coastal waters and Rivers running to the Coast Sounds and lack of Pollution Regulations near the Sounds and Rivers is NOT improving Marine Sea Life.

Thanks

Alley, Craig j

From: M Smith 2087 <msmith2087@nc.rr.com>
Sent: Wednesday, February 07, 2018 12:18 PM
To: CommercialLicensesComments
Subject: [External] FW: No Changes to the NC Commercial Fishermen Licenses

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to Herpol.Sutton.

Subject: No Changes to the NC Commercial Fishermen Licenses
Sent: Wednesday, February 07, 2018

To: Commercial Licenses Comments
NC Division of Marine Fisheries
Marine Fisheries Commission

From: William R. Sutton
6237 Highway 96, Youngsville, NC 27596

NC Division of Marine Fisheries indicates the sales impact of Harvesting and sale of commercial seafood is \$ 388,325,000 and the income impact of employed fishermen is \$ 166,066,000. Do you believe by removing the part-time Commercial Fishermen with regulations out of Commercial Fishing will increase the Harvesting and Sale of commercial seafood? False, the regulations will greatly reduce the Total SALES and Total INCOME.

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How will this improve the stock assessment? ARE the Marine Fisheries Commission working at increasing the total stock assessment. NO The North Carolina Coastal Conservation Association is working to only have fish for the CCA. The 2,800 CCA members licensed as RECREATIONAL FISHERMEN which DO NOT REPRESENT THE 800,000 RECREATIONAL LICENSED FISHERMEN fishing from NC Coastal Sounds and Oceans . NC CCA REPRESENT 3.5 % OF NC RECREATIONAL FISHERMEN.

Many Commercial Fishermen working as part-time currently due to the STATE AND FEDERAL REGULATIONS that make it very difficult to make a living. Now the same NC state government that has caused many COMMERCIAL FISHERMEN to take another job wants to make it IMPOSSIBLE TO SUPPLEMENT THEIR LIVELIHOOD!

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Thanks

Alley, Craig j

From: Harry Taylor <tataylorseafood@hotmail.com>
Sent: Wednesday, February 07, 2018 11:21 AM
To: CommercialLicensesComments
Subject: [External]

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Sent from [Mail](#) for Windows 10

I, Betty M. Taylor oppose the changing of the definition of a commercial fisherman. If commercial fisherman do not fish the number of days that the committee is thinking of requiring them to fish, it could be because of limits set to restrict fisherman from fishing; and oh yes, the weather plays a big part too. If a fisherman is not on the water; more than likely he is onshore repairing nets, and attending to other jobs related to his fishing. Please stop this infringement upon the livelihood of our commercial fishermen.

Alley, Craig j

From: Wells Barker <wbarker1@ec.rr.com>
Sent: Wednesday, February 07, 2018 8:57 AM
To: CommercialLicensesComments
Subject: [External] Proposed SCFL Changes

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Dear Commissioner,

It would have been very helpful if the Committee that proposed the New Rules had followed the same rules required by the MFC 's "Petition for Rulemaking". If so, the public would have an idea of the problems that these new rules are supposed to fix as well as any economic impact. As of now we only have the text of the New Rules.

Rule # 1 (50% Rule): What family/individual in today's economy can take up to a 49% income cut and it not create hardship? Are you willing to take this same % cut in your income?

Rule # 2 (36 trips Rule) : I think we all can agree that N.C. fisheries are very diverse. For example, according to NCDMF 2016 data, the average crab pot fisherman made 57 trips last year. The average fish pot fisherman 10. The average "by hand" harvester 23 .The average rod-n-reel fisherman 10. To have the same trip requirement for a crabber and an offshore rod-n-reel fisherman is unrealistic.

Rule # 3 (\$10K income Rule) : I assume you are proposing in this New Rule that a person can get a SCFL with \$10K income working as a crew member. So why would \$10K be acceptable for a crew member but not necessarily a commercial fisherman that owns his own business and has to meet the 50%/36 trips requirement to obtain a SCFL ? What actually is the definition of a "bona fide commercial fisherman" in this New Rule? "The proof of income should come from a commercial fishing operation,business,etc. doing business in N.C." Does this "etc." include a seafood dealer or a seafood retail market or a seafood restaurant or a fast food place that sells fish sandwiches?

Rule # 4 (SCFL into Pool Rule): How would a SCFL holder (not meeting Rules 1,2,3) ever regain his/her SCFL without a SCFL with which to operate?

Rule # 5 (Heritage SCFL Rule) : Is this even legal to do?

From a fishing website post ,Commissioner Corbett was credited with the following problems(caused by "part-timers") these New Rules were to address. I am listing these "problems" and giving my thoughts on each.

(1) "Trading in cash = tax evasion". I think we all can agree that this is both illegal and not limited to only the "part-timer". This is a law enforcement problem, not a problem solved by the New Rules.

(2) "Not properly reporting landings". Again illegal and not limited to the "part-timer". All fishermen(both rec. and comm.) should have to report any and all landings by some form of trip ticket.

(3) "Undercutting the true market value for full-time working watermen". The small amount of seafood caught by part-timers is not the villain here. How about imports and the dealer's "connections" to move the product?

(4) "No long term interest in conservation to support sustainable fisheries". Any documentation that this is true or exclusive to only "part-timers"?

(5) "Killing the resource for professional working watermen and the future". Catchy phrase but not reality.

I have been a "part-time" commercial fisherman for many years with lots of trip tickets and zero violations.I bring a high quality product to a local dealer/retail market. Many small scale dealers/retail markets depend on

the part-time commercial fisherman because otherwise, to obtain product, they are at the mercy of the large scale dealers with their "committed" fleets of boats/fishermen. At a time when the demand for fresh locally caught seafood is strong, these New Rules seem to be designed to shut down all the small scale operations in favor of the large scale operations. I'm pretty sure this is not what the seafood consuming public wants.

I urge you to do what is needed to deal with the SCFL holders that have zero trip tickets but at the same time, remember, they are a "cash cow" for NCDMF). As for the New Rules as presented, I feel they are too radical and will have many detrimental consequences to the many "part-timers" as well as the coastal community's marine related businesses that benefit from fuel sales, dockage, repair, equipment sales, tackle sales, etc. that they derive from the "part-timers". Thank you for your consideration of my comments as well as your service on the Commission.

Sincerely

Wells Barker

1857 Hwy. 101

Beaufort, N.C. 28516

wbarker1@ec.rr.com

Alley, Craig j

From: M Smith 2087 <msmith2087@nc.rr.com>
Sent: Wednesday, February 07, 2018 8:14 AM
To: CommercialLicensesComments
Subject: [External] FW: No Changes to the NC Commercial Fishermen Licenses 2nd sent

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From: M Smith 2087 [mailto:msmith2087@nc.rr.com]
Sent: Wednesday, February 07, 2018 8:10 AM
To: 'CommercialLicensesComments@ncdenr.gov' <CommercialLicensesComments@ncdenr.gov>
Subject: No Changes to the NC Commercial Fishermen Licenses

To: Commercial Licenses Comments
NC Division of Marine Fisheries
Marine Fisheries Commission
From: Ann Smith
759 Country Club Rd, Arapahoe, NC 28510

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FISHERMEN fishing from NC Coastal Sounds and Oceans. CCA DO NOT REPRESENT 1 % OF NC RECREATIONAL FISHERMEN.

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Thanks

Alley, Craig j

From: Mitchell Lassard <mitchelllassard@hotmail.com>
Sent: Wednesday, February 07, 2018 7:52 AM
To: CommercialLicensesComments
Subject: [External] Comment on Commercial Fishing License

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We don't agree with the proposed agenda. We didn't receive our license thru the Marine Fisheries Pool. They refused us! They told us if we wanted a commercial license we had to find one for sale. I purchased my license for 2,500.00 dollars. I was asked each year during the renewal process if half my income came from fishing, and I stated no each time. I was issued all my license each year.

Since you required us to purchase our license out right, these license became our property. The only way these license can be revoked if we break the rules, and laws of the state. No laws have been broken. The Marine Fisheries Commission is trying to deny us one of our Constitutional Amendments rights. Some needs to also look at the Veterans Preference act of 1944, and Veterans Reemployment Rights (VRR) since 1940. I am a Disabled Military Veteran with PTSD, and I participate in commercial fishing as a form of therapy for this disorder. The last thing that i would like to add is what about the turtle and sturgeon observer program? One half of the money from these license go to the funding of these programs. We just don't understand the hole process of this commission agenda against the commercial fishing industry. The General assembly needs to resend all authority give to the Commission. Do right thing by the hard working fisherman.

Very Respectfully,
Mitchell Lassard
CWO2 USN(Ret)

Alley, Craig j

From: Cameron Whitaker <traditionfishingcharters@gmail.com>
Sent: Tuesday, February 06, 2018 9:57 PM
To: CommercialLicensesComments
Subject: [External] Public Comment

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I want to comment on defining commercial fishermen and his effort in which he uses his commercial fishing license. First, I would like to start with saying a Realtor, Dentist, Lawyer, or CDL Driver license is not revoked by the amount of time they spend doing that occupation, the number of times they practice, or the amount of money they make performing that occupation. These stipulations are simply another nail in the coffin to eliminate the commercial fishermen. Second, As a charter boat owner, i currently do not have a commercial fishing license, but I was wanting to obtain one this summer. These regulations create fear in that industry and it doesn't justify my expense. I have many other captains that make their living in the off seasons by commercial fishing. I think that option should be available for all NC residents. Many NC Citizens have a part-time job to supplement their income so they can make ends meet. Third, in the summer as an inshore captain, I rely on fresh bait daily for my trips. throughout the week I am buying bait from local tackle shops that are supplied by NC commercial fishermen. These fishermen are catching bait for tackle shops on a part-time basis to make extra money and pay the bills.

The number of commercial fishermen in this state is declining. What is wrong with continuing status quo? The only reason to define commercial fishermen is so that special interest groups in NC can work to eliminatethe commercial fishermen. This is not about the fish or the working watermen, and its definetly not about revenue. If it was about revenue it wouldn't be a topic of discussion, becuase NC will loose this money based on proposed regulation.

Thank you for your time and letting me voice my concerns.

Respectfully

Cameron Whitaker
Tradition Fishing
Hatteras, NC

Alley, Craig j

From: captainsnag@verizon.net
Sent: Tuesday, February 06, 2018 3:30 PM
To: CommercialLicensesComments
Subject: [External] fishing licenses

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For the life of me I can not understand why you what to put people out of business,alot of people here in Hatters depend on fishing in the off season when there are no tourists around.Not only are you taking money and food off the table off the families that need the income you are taking revenue away from tax coffers for the state and the law enforcement that help keep our fisheries in check.The taxes we pay on fuel and gear would also be lost not to mention jobs for the mechanics and boat yards.I thank you should check yourself before you wreck yourself and a lot of the families that depend on the extra income.I AM HIGHLY OPOSED TO THE NEW GUIDELINES THAT ARE TRYING TO BE FORCED ON PEOPLE THAT ARE JUST TRYING TO MAKE A LIVING. Sincerely O.D.Lane

Alley, Craig j

From: Becky Conner Salyers <Conners3@embarqmail.com>
Sent: Tuesday, February 06, 2018 2:43 PM
To: CommercialLicensesComments
Subject: [External] commercial license comment
Attachments: fisheries letter.docx

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Commercial License Comments
NC Division of Marine Fisheries
Marine Fisheries Commission Office
PO Box 769
Morehead City, NC 28557

To Whom It May Concern,

I would like to start by saying that I am not a commercial fisherman. I have never spent my days in the hot sun on the water praying for a good catch in order to support my family. I do, however, know, love respect, and rely on the men and women of Hatteras Island who live this life. Some are my friends, some are my relatives, all are hardworking and essential members of our community.

As a native Hatteras Islander, my heritage is rooted in the fisheries. I am beyond blessed to have grown up in this community and to live and raise my children here today. My family owns and operates Conner's Supermarket, an independent grocer located in the village of Buxton. In the summer months tourists and locals flood our store, but in the winter months we rely solely on local support. We are fortunate to run one of the few year-round businesses on the island, but the majority of the island economy is seasonal. Many men and women who are only able to work seasonally depend on commercial fishing to supplement their income and support them through the winter. A trickle-down effect will be felt throughout the island economy if this extra revenue is lost. Hatteras island families and locally owned businesses need this additional income to help them survive. This redefinition you are considering will drastically affect our already struggling winter economy.

Even though we are open year-round, my father was once in this situation. In the small amount of free time he had away from the store, he commercial fished part time to earn extra money that he could put back into our business and our family. So many of our island businesses will feel a negative impact from this redefinition: grocery stores, tackle shops, marinas, the local auto marine store. I ask that you consider the effect of this decision on our island community, personal and business. Hatteras Islanders are and have always been a hardworking people. We put in long hours in the summer months, but that is not always enough. I urge you to please reconsider this change. Support the men and women who fish our waters to keep their families and our island economy afloat.

Sincerely,

Rebecca Conner Salyers
Conner's Supermarket

Alley, Craig j

From: Mitchell Shue <wintervillecarwash@hotmail.com>
Sent: Tuesday, February 06, 2018 1:56 PM
To: CommercialLicensesComments
Subject: [External] Commercial Licenses Comments

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Mitchell Shue

PO Box 4160

Emerald Isle, NC 28594

February 6, 2018

North Carolina Division of Marine Fisheries

3441 Arendell Street

Morehead City, NC 28557

To Whom It May Concern:

My name is Mitchell Shue and I have been a part-time commercial fisherman since 1987. I obtained my Federal Snapper/Grouper permit in 1999. I live in Emerald Isle, NC, where I have been a permanent resident since 2004. All of the commercial fishing that I do is beyond three miles and by hook and line.

I am taking the time to write this letter to express my concern and opinion. ***I am totally against setting financial requirements or trip requirements on commercial license holders.***

I believe that North Carolina Division of Marine Fisheries should be about managing resources and enforcement, rather than picking winners and losers in commercial fisheries.

It seems that this should not even be considered based on the economic impact it would have to North Carolina communities. As presented, it would eliminate my fishing operation, and with it, \$25,000 to the local economy. It's also necessary to point out that all license holders are already now part-time, due to the overwhelming rules and regulations now imposed on fisherman.

If your aim is to clean house on the commercial license holders, a suggestion would be to enforce requirements similar to the federal government.

As a federal license holder, I am required to:

1. Complete trip reports and submit them no later than 7 days post-trip.
2. File a "No Fishing Report" on months without fishing trips
3. If reporting requirements are not met, the fisherman does not have the opportunity to renew

All users of our resources should be required to report species caught and poundage.

There are so many changes to rules, regulations, limits, etc. that I have to frequently check the Internet to know what I am permitted to catch at any given time. With the access to technology that we have in our world today, there is no reason to estimate recreational or commercial catches; rather, have the fisherman report those things.

I appreciate you taking the time to hear comments from the actual fisherman that this will affect and I hope these comments are not only read, but taken into account during the decision-making process. As I previously stated, *I am totally against setting financial requirements or trip requirements on commercial license holders.*

Sincerely,

Mitchell Shue

Alley, Craig j

From: Aundrea <Aundrea@ncfish.org>
Sent: Tuesday, February 06, 2018 10:18 AM
To: CommercialLicensesComments
Subject: [External] Public Comment
Attachments: NC Commercial Fishing Resource Fund.pdf

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Sent on behalf of NC Commercial Fishing Resource Fund

*Aundrea O'Neal
North Carolina Fisheries Association
Administration & Accounting
Tradewinds ~Editor
101 N. 5th Street
PO Box 86
Morehead City, NC 28557
"A Publication of the
North Carolina Fisheries Association"
Office: 252-726-6232 ext. 101
Fax: 252-726-6200
Cell: 252-503-8302
www.ncfish.org*

TO THE MARINE FISHERIES COMMISSION:

WHEREAS, the State of North Carolina has some of the most diverse fisheries in the United States; and

WHEREAS, the General Assembly recognized the importance of the traditional full-time and part-time commercial fisherman, both from a perspective of protecting a strong heritage, as well as the importance of the commercial fishing industry to the State's economy; and

WHEREAS, in 2014 both part-time and full-time commercial fishermen voluntarily requested that all license fees for commercial fishermen be increased one hundred (100%) percent to fund the AT-SEA Observer Program; and

WHEREAS, "The General Assembly finds that additional funding is necessary to support the Division of Marine Fisheries AT-SEA Observer Program and for the continued viability of the commercial fishing industry in North Carolina" and


WHEREAS, in response to the commercial fishermen's request the North Carolina General Assembly in 2014 established the North Carolina Commercial Fishing Resource Fund, to provide funding for the development of sustainable commercial fishing in the State; and

WHEREAS, the funds from the North Carolina Commercial Fishing Resource Fund shall fully fund the State's incidental take permits for the commercial fishing industry under the federal Endangered Species Act of 1973 or the federal Marine Mammal Protection Act of 1972 and for other projects to develop and support sustainable commercial fishing in this State; and

WHEREAS, the recommendations for redefining a commercial fisherman threaten to decrease funding for the AT-SEA Observer Program and the Commercial Fishing Resource Fund.

NOW THEREFORE BE IT RESOLVED that the North Carolina Commercial Fishing Resource Fund, Funding Committee opposes any changes to the current definition of a commercial fisherman and any changes to the licensing of commercial fishermen.

Adopted, this the 6 day of FEBRUARY, 2018.



Ernie Doshier, Chairman
North Carolina Commercial Fishing Resource Fund

Alley, Craig j

From: Bradshaw, Edward <edward.bradshaw@carteretk12.org>
Sent: Tuesday, February 06, 2018 7:34 AM
To: CommercialLicensesComments
Subject: [External] Second thoughts

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I have to confess, I was once a member of the organization that is pushing for this reform... with that being said, I now live in Carteret County. I grew up fishing with a rod and reel and still love doing it as often as I can. I now work with, teach and have met many that have lived here all their lives and grown up with commercial fishing as part of their heritage. I have grown to love **fresh** North Carolina seafood that I can purchase from the small vendors on the side of the road as I drive home from work. I think there needs to be a compromise, but removing the option for people to earn a living or supplement their income is **NOT the answer!** These are **HARD WORKING** families and they deserve to continue their way of life, just like I deserve being able to cast my line to catch fish. **Please reconsider this reform and try to find a way we all can work for the resource we ALL ENJOY!!!**

—
Ward Bradshaw
PLTW
East Carteret High School
edward.bradshaw@carteretk12.org
Office 252.728.3514 ext. 2306

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Visit us on the web at www.carteretcountyschools.org

Alley, Craig j

From: Kenneth Humphries <kwhumphries@gmail.com>
Sent: Monday, February 05, 2018 11:10 PM
To: CommercialLicensesComments
Subject: [External] No changes!

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MFC,

I would like to go on record as saying that I strongly oppose the changes being discussed regarding the definition of a commercial fishermen and the subsequent licensing changes that might be instated as a result of this new classification. The changes, if implemented will put many families out of potential earnings that they RELY on to keep their households up and running, their lights turned on, clothes on their backs and food on their tables.

This decision flies in the face of the man and/or woman who puts forth the effort to WORK to make ends meet for his or her family. A decision to take away these licenses could possibly generate more families in need of welfare options to fill the void of their lost income. This is a backwards step From progress. He and his family would, in essence, be regulated into needing local, state, or government assistance. That scenario simply defies all good principles of making your way by doing honest work.

Please understand that the commercial fishermen are a huge part of what created the crystal coast. A push to remove all or some of that livelyhood will have negative effects beyond that of just the fishermen. It will affect our communities, their history and the ability to pass this heritage onto the next generation. And there ARE next generation commercial fishermen. I know many personally.

Please make the right and logical decision to leave all of our commercial fishermen alone and let them DO THEIR JOB, without fear of further regulation.

Respectfully,

Kenneth W. Humphries.
Marshallberg. NC.

Alley, Craig j

From: bert clark <hubertclark@hotmail.com>
Sent: Monday, February 05, 2018 10:29 PM
To: CommercialLicensesComments
Subject: [External] Comments for redefining a commercial fisherman

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Personal Info

I am a part time commercial fisherman and finfish dealer on the OBX and have been so for about 10 years. I also work a full time job in my families motel and cottage operation dealing daily with the tourists who come to our coast to experience what the OBX has to offer. I commercial fish on the side to make additional income for my family, and because I ENJOY IT (which is not always the case with my full-time job). I get an incredible amount of fulfillment from providing fresh local seafood to vacationers. From the way some people talk, you can't get a descent meal at an NC seafood restaurant because all the fish is shipped up north. I can assure you this is not the case in my area.

95% of my catch/trip tickets are filed by me, the dealer to NCDMF. All of these trip tickets reflect fish sales to local restaurants. I catch the fish, fill out the trip ticket, clean the fish, deliver the fillets to the restaurant, and the restaurant pays me, the dealer directly. I know some of you won't believe it, but I am not the only fisherman/dealer who deals directly with the restaurants. This is how much of the fresh local catch makes it to your plate at your favorite, quality, coastal restaurant. The other 5% of my catch is dropped at the fish house where they file the trip tickets with my license info and pay me at a later date.

At my full-time job, I am welcoming guests from all over the state, country, and abroad. After getting them checked-in, what do you think is one of the first questions they ask me? You guessed it, "Where should we eat?"

Me: What kind of food are you looking for?

Them: Fresh seafood!

Me: Are you looking for fish?

Them: Yes, what types of fish will they have?

Me: Well, your fresh local caught fish will be spanish mackerel, bluefish, flounder, and drum. You can also get tuna or mahi but that will probably be shipped in. I dropped off some flounder at _____ this morning if you like mild flavored fish. They will also probably have spanish mackerel that my friend caught which is just a bit oilier . If you want to try something you have probably never had, go to _____. I dropped off a little sheepshead to them this morning. Get there when they open tonight as it will go quick!

I know some people think this is a tired story line, but people really appreciate knowing where their seafood meal comes from, and value that it comes from the local waters. I know this because my customers come back in and tell me how much they enjoyed their meal and that knowing where and who this fish came from really added to their positive experience. This not only goes for fish, but also clams, oysters, etc. depending on the season. If you are for pushing out the "little guys" which includes a lot of part timers, quality restaurants will ultimately be the losers. The "big guys" will not provide this service and fish will be shipped in by distributors, taking several days to reach the table. I have spent years cultivating relationships with restaurants and they have come to depend on my "part time" commercial fishing to keep a top notch product on their menus during the tourist season. With my full time job, there is no way that I will pass all three stipulations as currently set forth for discussion by the MFC of 50% income, 36 trip tickets, 10K in sales. Even if only one of the stipulations is required to keep your SCFL, there are years where weather or regulation changes may not allow me to meet requirements. I will do my part to get the

word out to the non-fishing public that their ability to continue to enjoy fresh NC caught seafood will be in jeopardy. I expect the NC legislature will end up getting an ear full from many of their constituents as well as returning beach vacationers from other states if this process of SCFL license reduction is allowed to continue.

Unused SCFLs?

Lets switch gears and give some examples of SCFL licenses that don't show any trip tickets or at the very least show a small amount of sales. I can't speak for other coastal areas of NC, but more than half of the commercial fisherman I know have second jobs. Some work for the NC ferry system with week on week off jobs. Many are charter captains and mates who run recreational charter trips from April through October, when the majority of tourism occurs. When the charter trips start to slow down in the fall, some switch over to commercial fishing for kings, gill netting for flounder (if open), and then on to bluefin tuna in the winter. I do not have the numbers, but it would be interesting to know the number of SCFL's held by charter captains and mates wouldn't it? Now keep in mind that captains and mates are recreational fisherman when running charters, not commercial fisherman, so during the tourist season, their SCFL's are likely not being used at all. On top of that I would imagine that there are quite a few SCFLs kept each year to be specifically used for bluefin tuna fishing in the winter months if migration patterns and weather allow. Some boats may not harvest a bluefin some seasons and thus no trip tickets.

There are also commercial fishing boats/operations (long liners, bottom boats, trawlers, drop netters etc...) where the captain's SCFL # is on the trip tickets but one or all of the crew might also hold SCFLs. They have their own SCFL in case they get the chance to move on and one day run their own boat or may fish on the side if the captain has boat issues for an extended period.

I am not arguing that there are not SCFL holders abusing the system. There are bad apples in every bunch, but to put all part timers in that barrel is an unfair assumption. As others have said, let enforcement take care of the abusers, both recreational and commercial. Whether it is putting fresh seafood on the table, or bait in the tackle shops, many part time commercial fisherman provide an invaluable service to the vacationing tourist on the NC coast. Putting some of these guys out of business with license income requirements will have a detrimental effect on a visitors' experience while vacationing at the coast. My 2 cents!

B. Clark
Ocracoke NC

Alley, Craig j

From: Bruce Babcock <wingingduo@hotmail.com>
Sent: Monday, February 05, 2018 8:48 PM
To: CommercialLicensesComments
Subject: [External] Leave things alone

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Leave things alone . Let fresh caught mullet comes from local Commercial Fishermen.

Bruce Babcock

Alley, Craig j

From: Randy Carawan Jr <r.carawanjr@yahoo.com>
Sent: Monday, February 05, 2018 7:12 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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I am against this ruling

Sent from my iPhone

Alley, Craig j

From: Matt Poole <nkdwtrsx01@yahoo.com>
Sent: Monday, February 05, 2018 6:26 PM
To: CommercialLicensesComments
Subject: [External] Part time Commercial Fishing

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Marine Fisheries Commission,

Living in the OBX is hard enough as my family and I are regulars of the community. Taxes being raised, taxes on items that have never been taxed before, weather etc are just some of the obstacles full time residence have to over come. For those who actually do work and want to work and are willing to follow the rules and put in the time to do what is needed of them to provide for their families and the local community, don't take away what opportunities they have to provide. They provide additional revenue to support the community and pay taxes with. They provide bait for anglers who in turn come to the fishing grounds and spend money that in turn becomes more taxable income.

My thoughts and statements should come as no surprise and if they do, may god help us all.

Please leave things as they are and do not change the laws that could potentially put the part time or seasonal harvester out of business!

Thanks,

Matt

Sent from my iPhone

Alley, Craig j

From: Fish, Nancy
Sent: Monday, February 05, 2018 4:02 PM
To: CommercialLicensesComments
Subject: FW: [External] comments on SCFL

From: Draughon(Bill Collector Charters) [mailto:info@billcollectorcharters.com]
Sent: Monday, February 05, 2018 2:06 PM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Subject: Re: [External] comments on SCFL

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Bill Collector Charters
1905 Clubhouse Dr
Morehead City NC 28557
(252)725-1055

Division of Marine Fisheries
3441 Arendell St
Morehead City NC28557

Chairman Corbett,

As owner/operator of Draughon Enterprises Inc. (DBA: Bill Collector Charters) I OPPOSE any changes to NC definition of a commercial fisherman!

I Hold a NC Standard Commercial Fishing License. I have owned and operated a charter/commercial boat in NC since 1994. I have made a living charter fishing/commercial fishing as captain or crew since the mid 1980s. During that time, some years, the commercial revenue has been greater than others. Some years without a Trip Ticket, some with several. For those of us in the For Hire industry, the commercial revenue generated some years is all part of how we make a living.

The new proposed criteria for possessing a Standard Commercial Fishing License would force owner/operators like myself to lose their licenses, thus losing a traditional part of our livelihood. This action if pursued by the MFC will negatively affect many other holders of Standard Commercial Fishing Licenses. I am sure you are aware of this already. How about families that generations have commercial fished, yet have other seasonal income. Crewman that pay checks come from sale of fish on the vessel they work, yet they have no Trip Ticket to maintain a license they hold.. There are many examples of folks that make a living commercial fishing in N.C. I can come up with. The list of examples could go on and on. Your committee is well aware of who and how this action will effect those who posses a license.

I will be to the point of this matter. You know what this is and all of us in the industry know what it is. Its another attempt by Chuck Laughtridge and his cronies to shut down commercial fishing in North Carolina! Mr. Laughtridge and his group will come up with all kinds of reasons to justify this action. We all know it is smoke and mirrors to pursue their personal cause, the banning of commercial fishing in North Carolina.

Sincerely,

Capt. Stephen Draughon

From: [Fish, Nancy](#)
Sent: Monday, February 05, 2018 12:22 PM
To: [Draughon\(Bill Collector Charters\)](#)
Subject: RE: [External] comments on SCFL

I was unable to open this file. If you cut and paste the comments into the body of the email I think that would work.

From: [Draughon\(Bill Collector Charters\)](#) [<mailto:info@billcollectorcharters.com>]
Sent: Sunday, February 04, 2018 1:16 PM
To: [Fish, Nancy](#) <nancy.fish@ncdenr.gov>
Subject: [External] comments on SCFL

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please let me know if you have trouble with the attached letter.

Thanks,

Stephen

Alley, Craig j

From: Dale Britt <sensationsportfishing@hotmail.com>
Sent: Monday, February 05, 2018 3:56 PM
To: CommercialLicensesComments; Fish, Nancy
Cc: Duval, Michelle
Subject: [External] Comments - Re-Definition of a Commercial Fisherman
Attachments: Scan0175.pdf

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Hello, please find attached my comments.

Many thanks,

Dale

**Captain Dale Britt
Sensation Sportfishing
2012 Shepard Street
Morehead City, NC 28557
www.sensationsportfishing.com - Daily Fishing Reports
(cell) 252-725-5375
(fax) 252-808-0221**

Sensation Sportfishing

2012 Shepard Street

Morehead City, NC 28557

www.sensationsportfishing.com

Phone 252-725-5375

February 5, 2018

Commercial License Comments

NC Division of Marine Fisheries

Marine Fisheries Commission Office

PO Box 769

Morehead City, NC 28557

Dear Chairman Corbett and NCMFC Board Members

I am writing to express my support of the comments and position as presented by the NC Waterman United in a letter to you dated February 1, 2018 regarding the Re-Definition of a Commercial Fisherman.

As a For Hire Permit Holder I have often said that every Charter Boat Captain or Commercial Fisherman, particularly owner/operators, go out on the water early in the mornings for long working days simply because each loves this wonderful natural resource that the Good Lord has given us to work in and be a part of. And each one of us has either a working spouse or a second source of working income to enable us to pay the bills and keep food on the table.

My First Mate is a good example as when the Charter season dwindles down, he is required to guide duck hunting trips and commercial bottom fish to make the necessary income that he needs

to get through the year. He is an excellent fisherman who also has tremendous respect for our natural resource. But he doesn't meet the new criteria proposed by the NCMFC to enable him to retain his Commercial License.

I once held a North Carolina Commercial Fishing License and even sold a few fish back in the early part of this new century, however I found the costs associated with the boat, gear, maintenance, insurance, etc., etc., was not worth the investment and although I renewed my License for many years I finally simply let my License expire and did not sell it.

Idealism and Reality are sometimes strange bedfellows. In my humble opinion I really do not think that the folks on your Board who are proposing these changes have a very clear vision and understanding of what they are attempting to change and the profound negative impact that these changes will have on many good North Carolinians as well as our overall Economy while at the same time having very little positive impact on our Wonderful Resource.

I thank you for giving me the opportunity to share my thoughts and experience with you and sincerely request that you keep in place the existing Commercial Fishing License Criteria.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dale Britt", written in a cursive style.

Captain Dale Britt

Alley, Craig j

From: Dan Oden <odensdock@gmail.com>
Sent: Monday, February 05, 2018 3:33 PM
To: CommercialLicensesComments
Subject: [External] Redefinition of NC commercial fisherman
Attachments: redefine comm fishing.docx

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Thanks for your time letter attached.

--
Dan Oden

Oden's Dock
Hatteras, NC
1-888-544-8115

February 5, 2018

To: NC Division of Marine Fisheries

From: Dan Oden

Subject: Re-Definition of Commercial Fishermen

I am writing to you as a standard commercial license holder, marina operator, and resident of Hatteras Village opposing any changes on defining a commercial fisherman. The current definition has worked well for many years, and I see no positive benefit from any changes. It is just another try by the CCA and other groups to stamp out the commercial fishing industry in NC, and a very interesting try at that. I see how their plan could be effective. It is quite a bit more on the sneaky side than bills 1122 and 867 from the past. The negative impacts are great and far reaching. You have license holders working several jobs successfully providing for families that during times of the year draw income with fishing. It may not always be 35 trips, 10k, or 50% annually. You have license holders working in other fishing operations not selling on their license. Here in Hatteras Village you have retired guys that made a living fishing for years that are catching a few fish here and there just to stay active. Will it hurt my business? Absolutely, it could rip our entire town apart in a short period with businesses closing and jobs being lost. In the end you will have far less fresh seafood in local restaurants and seafood markets for people to enjoy. Not everyone can afford to catch what they eat, and many don't care to catch their own, but they still should have the right to enjoy fresh NC catch. In closing I will add that the commission has far more important issues to deal with than redefining a commercial fisherman in NC. I pray that they will realize this. Thanks for your time.

Sincerely,

Dan Oden

Oden's Dock

Alley, Craig j

From: Jess Powell <jepowel2@gmail.com>
Sent: Monday, February 05, 2018 2:17 PM
To: CommercialLicensesComments
Subject: [External] Commerical License

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Not allowing part time commercial fishing will destroy many families and communities in eastern North Carolina, as well as limit the availability of fresh seafood to all NC residents. Please do not vote for this new law.

--
Jess Powell
[252-382-2470](tel:252-382-2470)

Alley, Craig j

From: Jacob H. Lewis <jlewis@cityofchesapeake.net>
Sent: Monday, February 05, 2018 12:35 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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I oppose all of these changes to the current license laws.
Jacob Lewis
186 whites neck lane Knotts Island NC

Alley, Craig j

From: Fish, Nancy
Sent: Monday, February 05, 2018 12:23 PM
To: CommercialLicensesComments
Subject: FW: [External] FW: comment for com.rule change
Attachments: 2018 letter to corbett.doc

From: dancinoutlaw [mailto:dancinoutlaw@ec.rr.com]
Sent: Monday, February 05, 2018 8:09 AM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Subject: [External] FW: comment for com.rule change

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Sent from [Mail](#) for Windows 10

From: dancinoutlaw
Sent: Sunday, February 4, 2018 4:46 PM
To: [Thomas](#); [dancinoutlaw](#)
Subject:



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Alley, Craig j

From: Alana Harrison <alanaharrison22@gmail.com>
Sent: Monday, February 05, 2018 11:03 AM
To: CommercialLicensesComments
Subject: [External] Public Comment Letter
Attachments: Harrison License Comment.docx

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Hello,

Attached is my letter regarding the Commercial Fishing License requirement adjustments. Thank you for considering updating the system, it can really benefit!

Best,
Alana Harrison

Alana Harrison
Harbor House Seafood Market
P.O. Box 7
Hatteras, NC 27943

Commercial Licenses Comments
N.C. Division of Marine Fisheries
Marine Fisheries Commission Office
P.O. Box 769
Morehead City, N.C. 28557

Re: Proposed Changes to Commercial Fishing License Structure

Dear Commissioners,

My family has been in commercial fishing since 1989 and expanded with a retail shop 10 years ago, but it wasn't until I went away to university that I learned how fragile this public resource is. Two years ago, I graduated with a degree in Sociology from Wake Forest and decided to move back to Hatteras Village to work in the family business. But when I moved back full time, it was like I could see Hatteras in a new light – or perhaps I could now see the darkness.

What I see makes me sick, hundreds of fishermen with a basic disregard for the resource our island was built on. With a commercial license people are circumventing recreational bag limits and selling their catch on the black market without a dealer's license or trip ticket on either end. Many have forgotten that the use of common-pool resources is a privilege not a right; for too long thousands have abused this privilege while lining their pockets through overexploitation.

For example, my brother has a Snapper-Grouper permit that allows 200 pounds of Snowy Grouper per trip which he sells to our retail store for approximately \$1000 taxable income. But a charter boat, who has a bag-limit of one Snowy Grouper per vessel/per day, catches 200 pounds and sells it to restaurants turning \$1000 profit. So not only is the charter captain getting paid \$2,000 to leave the dock but also pockets another cool tax-free \$1000 on fish they have no right taking from the common-pool while neglecting to report these fish against the annual quota.

Not only are they undercutting the legal market, their dirty actions affect the entire user group because stealing fish from the resource only hurts the resource. If fish continue to be taken out a higher rate than management programs deemed sustainable we will eventually destroy our stocks and set rebuilding efforts back tens of years. We are now ten years into the 34-year rebuilding schedule for Snowy Grouper but our personal anecdotal evidence has shown a continued decline in stocks not an improvement –even though there has been a dramatic cut in quota and permitted vessels involved in the fishery.

By allowing loose requirements for commercial licenses, the state is allowing thousands to have larger access to a common-property resource that must remain strictly regulated if we have any hope of longevity. Currently on Hatteras Island, the intensity of our fisheries is exceeding basic fish stocks off our coast; resulting in the depletion of public resources. Over the years, massive tonnage of fish has been

consistently removed under the guise of commercial fishing -- only to be sold at the back door of local restaurants instead of through properly permitted channels. This brings to light several public health concerns, such as the safe handling of the fish, HACCP regulations, and traceability.

Not only does this present an issue for public health safety on the consumer end, it also brings to light passenger safety on the fishing vessel. Commercial fishing vessels are required by the United States Coast Guard to have an array of sophisticated safety equipment that costs upwards of \$12,000 and must be inspected and updated annually. If a recreational vessel carrying a commercial fishing license is stopped by the Coast Guard they simply say they are recreation fishing therefore do not need safety gear. Basically, they have yet found another loophole to ignore regulations, they are nothing if not consistent.

How can we estimate the degree of utilization of the fishing grounds if over half the participants are not selling their catch? What is the total value production of these 4,000 licenses that did not sell their commercial catches? How much of the quota did they catch? How can we ever correctly evaluate the resource if the majority of the user group does not submit data?

Why shouldn't this profession have stricter regulations? A major argument against license requirements is that North Carolina should not mandate that a certain proportion of income must come from commercial fishing in order to qualify. Commercial fishing has no prerequisites, if you can find a boat with permits, get some gear and bait you can be in business within two weeks. If we look at other professions that require licensure you will see schooling and testing requirements as a form of regulation.

While people are quick to point out that there are no professional licenses in the state are dependent upon income to be renewed, it should be noted that people holding various professional licenses often have gone through years of schooling to be qualified. There is no way I can get a NC teaching license without an undergraduate degree, completion of a teacher education program, and the passing of the Praxis exam.

As for requiring 36 trips per year, this is roughly one fishing trip every 10 days! This is by no means asking too much -- commercial fishing heritage is dying all over the coast so I see this stipulation as a way to preserve an industry. Commercial fishermen work for themselves, there is no accountability from anyone and that presents a very large problem. Fishermen get lazy -- it's easier to accept defeat when regulations change instead of adapting and finding creative solutions. So yes, I believe somebody needs to hold commercial fishermen accountable and if that has to be the Marine Fisheries more power to you.

I see men everyday who want a job on a boat but when it comes to showing up at 4:00 am for every trip they can't handle it. But why not? The amount of money they have the opportunity to earn is limitless but for some reason, money is no longer a motivator like it was in the early days. When my father ran F/V Prowler he had a line of guys waiting for a job on his boat because everyone knew he consistently caught fish and they would land a good pay day. But now my brother runs the boat and can't find a mate who can hold up to the work longer than a few trips, even though they make thousands a week. The typical "commercial fisherman" in my town has a boat at the dock and a wife with a good job, or most likely two jobs. They have become complacent with their careers because it's easier than having to go fishing 36 times a year...three times a month.

Another issue that the current system creates is the opportunity cost of revenue from the recreational license program, which benefits the Coastal Recreational Fishing License Grants program. Last year, \$2.3 million in grants funded 18 projects that “manage, protect, restore, develop, cultivate and enhance the marine resources of the state.” Meanwhile revenue from commercial fishing licenses funds the Observer Program with only partial proceeds going into a Commercial Fishing Resources Fund. But this money came only after several increases over the past years, resulting in a commercial fishing license that now costs \$400, up from \$250 in 2014-15. The opportunity cost of being a commercial fisherman is already high enough without increasing the fee every year.

I believe we can look to other states for inspiration in tackling this problem before we lose the resource and end up in our own tragedy of the commons. Florida has a wonderful system set up for evaluating applicants for commercial fishing licenses. Their qualification methods include trip tickets/landing, crew share statement, tax returns, and 25 percent of annual income must come from the sale of saltwater products to a licensed wholesaler dealer. I would also love to see a low-income reduced license program – where fishermen can submit tax records and if they are within 150% of the poverty level, they could be eligible for a severely discounted license.

I really hope the DMF will pass some sort of qualification system for commercial fishing licenses, it may seem like a menial task but it will close loopholes and hopefully reduce the load on our law enforcement officers, making their arrests more impactful and the resource safer. I know my brother has hopes of passing down his boat and permits to his children, I just hope there are still some fish left in the sea by then.

Respectfully,
Alana Harrison
Harbor House Seafood Market
F/V Prowler
Hatteras, NC

Alley, Craig j

From: Paul Rudar <surffishn53@gmail.com>
Sent: Sunday, February 04, 2018 9:17 PM
To: CommercialLicensesComments
Subject: [External] Changes in commercial license

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I believe it is in the best interest for the fisheries in NC to pass the proposed legislation. I have first hand seen commercial license abuse. The guys that are the most against this. Do it to profit themselves , their families and friends. The fish are not going to the fish houses. And dragging nets in the sounds has ruined our fishery. The amount of juvenile fin fish killed for a few shrimp MUST stop.

Alley, Craig j

From: Gregory Judy <gwjudy50@yahoo.com>
Sent: Sunday, February 04, 2018 2:35 PM
To: CommercialLicensesComments
Subject: [External] Defining A Commercial Fisherman
Attachments: Members of the Marine Fisheries Commission.docx

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Please find attached a letter to the Marine Fisheries Commission members concerning the definition of a commercial fisherman.

Members of the Marine Fisheries Commission:

Thank you for the opportunity to voice my concerns regarding the defining of a commercial fisherman. My name is Gregory Judy. I live in Beaufort County and mainly fish large mesh gillnets for Striped Bass, American Shad and Southern Flounder.

A commercial fisherman is someone that harvests and sells seafood legally caught in the waters of NC; be that person part-time or full-time; as long as they obey the fishery laws that regulate harvest.

Fishery management plans are formulated to determine harvest levels. Full-time and part-time fishermen have been a part of the management equation long before fishery management plans were instituted, and their impacts are understood by and factored in by the fishery biologists and others that decide on the different fishery management plans.

It used to be that the announcement of a MFC meeting brought speculation about possible changes and harvest levels, size limits, and/or season adjustments. Now the speculation seems to be "How is the commission trying to kill the commercial fishing industry this time?"

My first ventures as a commercial fisherman came as I helped my father harvest seafood from the waters of North River in Carteret County. I was 10-12 years old. My dad was a part-time commercial fisherman. He fished to provide extra income for our family.

I bought my first commercial fishing license in the late 1970's. I fished to provide extra income for my family. A commercial fisherman fishes to provide money for his or her family.

A part-time commercial fisherman can work around their full-time employment work schedule. There are very few employment opportunities that provide the flexibility one has while working on the water. It was common for me to fish my nets, retrieve the nets, go by the fish house, and get to work by 8A.M. When I got off work I would reset my nets to be fished again in the morning. Ok, I enjoyed it; but I was out there to make money.

I am retired now and depend on my retirement and social security. I still need the money that I make as a part-time commercial fisherman! I put a quality product on the market. I obey the fishery laws. I ask you to allow me and other part-time fishermen to continue the proud traditions of commercial fishing.

Current regulations and endangered species interactions greatly influence a commercial fisherman's time on the water. Striped Bass season in the Pamlico River used to be 365 days. Now, it may be as short as 20-25 days. American Shad could be caught from early January until mid to late May, now the season is Feb. 15 to April 15. Southern Flounder harvest was open 365 days, now Dec. is closed; but turtle and sturgeon closures wreak havoc on a fisherman's time on the water. Some fishermen have given up on flounder fishing because of the amount of time closed to fishing activity. You, as a Marine Fisheries Commission member, need to take these and other restrictions into account when the discussion comes to requiring a certain number of trip tickets or income in determining a person's ability

to maintain a commercial fishing license. A fisherman can't generate trip tickets or income when he's not allowed on the water.

Alley, Craig j

From: Kelly Schoolcraft <khnritym@embarqmail.com>
Sent: Sunday, February 04, 2018 2:27 PM
To: CommercialLicensesComments
Subject: [External] Comments on proposed changes
Attachments: NCDMF Letter.docx

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To NCDMF,

When did the NCDMF take into their jurisdiction the right to regulate a person's ability to hold a commercial fishing license based on the proposed "new definition" of a commercial fisherman? I HOPE NEVER! Already there are guidelines set forth to address new comers and how one can obtain a license. Your job as members of the commission is to address what is needed to sustain healthy fish stocks so that all may benefit from a public resource and not take away a part of someone's income needed to make ends meet.

I am quite sure this is a CCA initiated drive and I hope that the Commission will reject any and all parts of this effort.

One last issue that I have is the fact that as of now, the only comment period that I know of is to be held in Wilmington, February 14th. Ironically a CCA coastal "strong hold". There should be meetings up and down the coast and close to where there is a commercial fishing interest so fisherman can attend and make comments without having to endure the added expense of traveling and taking time off.

Thank You,

Kelly Schoolcraft

February 4, 2018

Alley, Craig j

From: Patrick Caton <patrickmcaton@gmail.com>
Sent: Sunday, February 04, 2018 9:54 AM
To: CommercialLicensesComments
Subject: [External] Commercial fishermen definition

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My name is Patrick Caton, and I am opposed to any changes made in defining what a commercial fisherman is. I run charters in the summer during tourist season and commercial fish in the winter. I would meet all of the qualifications to keep a commercial license, but there are a great deal of fishermen that would not, and this would hurt them in the offseason when we are not taking tourists fishing. Diversity is what makes it possible to make a living in the fishing industry, and the proposed changes would further homogenize an industry that thrives on diversity. Please don't put another proverbial nail in the proverbial coffin.

Thanks,
Patrick Caton

Alley, Craig j

From: steve wilson <dive2deep4you@yahoo.com>
Sent: Saturday, February 03, 2018 8:29 PM
To: CommercialLicensesComments
Subject: [External] Re: Commercial Licenses changes

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Regarding the proposed Changes. I am both full time commercial and also a charter fisherman. Since fishing is seasonal I can afford to lose neither incomes. If the proposed changes occur I will be forced to make creative changes in how I have to operate. I am sure that I am not the only one evaluating his options. This will only create more burden on myself and family. My family has lived on the Ocracoke Island for at least 7 generations and I cannot express my concern enough. As it is, I do not understand how those of us that charter fish are no longer considered commercial.

When the recreational fishing licence was instituted, I took great offence at the division it created in the industry. I cannot express the amount of anger and resentment that I feel. My family and my heritage are constantly under assault and I wonder how you would feel if the shoe was on the other foot.

Signed
CaptSteve Wilson
Commercial Fisherman
DreamGirl Sportfishing
Woccocon Oyster LLC
(252)-588-0450

Alley, Craig j

From: Jonathan White <netcatch22@hotmail.com>
Sent: Saturday, February 03, 2018 6:08 AM
To: CommercialLicensesComments
Subject: [External] The new proposed rules are ridiculous. I am a fifth generation commercial fisherman. A commercial fisherman is a person who fishes for a living!! Plain and simple.. I have another job also, and it's not because of overfishing or the lack of ...

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Sent from my iPhone

Alley, Craig j

From: Donald Fulcher <fulcherdonald@yahoo.com>
Sent: Friday, February 02, 2018 9:34 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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I would like to comment on the proposed changes to the commercial fishing license. My take on it is this when you buy a hunting license there are no requirements that say you have to go hunting a certain number of times to be able to keep that license. The same may be said about a driver's license. I have held a commercial fishing license all my life I pay my five hundred dollars every year to keep that license. I do not fish full time anymore but keep my license because if I feel the need to make some extra money I can pick up a clam rake or go shrimping or set some net's to make some extra income. Has the state taken into account the revenue that they will be losing if these changes go into affect. I do not think that they have. I really believe that this is another attempt to lessen the number of voices that will be able to stand up and speak out about rule changes that are being forced upon a group of hard working people who want nothing more than to be able to provide for their families. Special interest groups that want commercial fishermen out of the way. Flawed science and special interest are not the way in which we need to decide the fate of the lives and livelihoods of hard working people. Anyone that has the money to purchase a commercial fishing license should be able to do so. Whether they make a trip or not. Also what about the people who hold license and work with someone else on a boat and all the product is sold under the boats license. I guess they should not have the opportunity to be able to work for themselves if they choose to do so. Finally I will add one more thing our state needs to get the marine fisheries commission balanced.

Thank you.
Donald Fulcher

[Sent from Yahoo Mail on Android](#)

Alley, Craig j

From: captainch235@gmail.com
Sent: Friday, February 02, 2018 11:48 AM
To: CommercialLicensesComments
Subject: [External] Fw: Public comment

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Sent from my LG Mobile

Please please please don't take away my ability to make a little extra money and help feed the world. The commission has already doubled the fees putting an extra burden on the little guy. You also have to hold multiple federal permits if you expect make any type of money fishing. The only other way to make a large amount of money or 50% of your income from commercial fishing is to invest in multiple types of fishing vessels or a large type of fishing vessel i.e. Shrimp boat. I have held a commercial license for at least 10 or 15 years and then all of a sudden I'm going to be voted out by a bunch of politically motivated interests. I honestly feel that ANY contribution to the commercial fishing industry by any commercial fisherman is helpful for the state of North Carolina. You have also taken a license that was purchased for a substantial amount of money and required to keep for substantial amount of money almost worthless if you ever had to resell it. If anything take all the expired ones and put them in a lottery for people to buy in the future that are going to have 50% of their income come from commercial fishing. Don't Punish the people who hold licenses now and have paid into the coffers of the state for years for some arbitrary number made up by a panel. Thank you for your consideration.

Chris Harper

Sent from my iPad

Pursuant to North Carolina General Statutes, Chapter 132, email correspondence to and from this address may be considered public record under the North Carolina Public Records Law and may possibly be disclosed to third parties.

Alley, Craig j

From: Fish, Nancy
Sent: Friday, February 02, 2018 11:24 AM
To: CommercialLicensesComments
Subject: FW: [External] NCWU Comments Re: Redefinition of Commercial fisherman
Attachments: Letter Regarding Commercial Fishermen.docx

From: Melba Milak [mailto:melba.ncwu@gmail.com]
Sent: Thursday, February 01, 2018 11:18 AM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Subject: [External] NCWU Comments Re: Redefinition of Commercial fisherman

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Nancy,

I've attached a copy of the NCWU Comments re: the Redefinition of a Commercial Fisherman.

I'm not sure why the portals didn't work...

Thank you so much.

Melba



Division of Marine Fisheries
3441 Arendell Street
Morehead City, NC 28557

February 1, 2018

Dear Chairman Corbett,

The North Carolina Watermen United (NCWU) is opposed to the changes in the definition of a commercial fisherman that are being considered at the NCMFC Meeting in February 2018.

The proposed changes are –

- Must have at least \$10,000 in annual sales
- Must have at least 50% of earned income from commercial sales
- Must have at least 36 trip tickets per year.

The commercial fisherman must meet all of these criteria or will not be allowed to renew his/her license. If the NC Marine Fisheries Commission approves these recommendations at the February meeting, and the General Assembly approves them in Raleigh, the impacts on coastal communities will be profound.

This proposal raises a number of troubling questions –

1. Why are we redefining who can be a commercial fisherman? What exactly will be improved?
2. Are the existing commercial catch limits and restrictions, determined by stock assessments, tied to this proposal? NO!
3. Will the Division of Marine Fisheries revenues go up? NO! They will actually decrease by at least \$1.6 Million from the loss of sales of the 4000 inactive licenses.
4. Will these proposed changes create greater economic diversity in coastal communities NO! Have you ever heard an Economist or Financial Advisor argue against economic diversification?
5. Will the loss of family income from “part-time” fishermen increase state income tax revenues? NO!
6. Will the charter/headboat industry be strengthened? NO! It will lose skilled crew, who presently commercial fish during non-tourist months, because they will lose annual commercial fishing income because of the 50% requirement.
7. Does anyone – ANYONE – believe that this is being proposed with the hope of increasing commercial fishing activity by forcing the use of the 4000 inactive licenses? NO!

8. Are there any other licenses issued in any other professions in North Carolina that come with such "Use It or Lose It" restrictions?

In reflecting on the above questions, one is led to try to identify specific examples of financial damage or benefit that might actually occur in our coastal communities if these proposals become law. The most obvious major question is –

WHERE IS THE INTEREST IN ECONOMIC DIVERSIFICATION?

You cannot find an economist who argues against it. You cannot find a financial advisor who advises his/her clients against it. So, what is going on? You do not need a degree from the Wharton School of Business to know that you do not "Put all your eggs in one basket."

The very nature of barrier islands and other coastal fishing communities has historically made economic diversification a challenge. Tourism has changed that somewhat. However, in the immediate aftermath of a major storm, tourism grinds to a halt because of infrastructure damage. Fortunately, one part of our economy can still function as our commercial fishermen go back to work the next day, and, in so doing, provide some immediate help for the local economy. Do we really need to reduce that effort?

So, what are some of the socio/economic consequences that will result from the proposed "re-definition" of a commercial fisherman, so as to eliminate part-time commercial fishermen?

Who will experience negative economic consequences? In no particular order –

- 1.. Marinas that sell fuel
2. Marine mechanics and maintenance/repair parts' stores
3. Charter boats that commercial fish for king mackerel in the late fall when charter business slows down (Less than 36 trips or 50% income.)
4. No fresh bait at tackle shops. (Bait is caught by part-time cast-netters.)
5. Part-time fishermen who provide tackle shop bait.
6. The NC Division of Marine Fisheries, previously mentioned above, will lose \$1.6. million from lost license sales.
7. Those so called part-time individuals who fish on their days off from their "regular" jobs to increase the family income.
8. Charter/headboat crew members who commercial fish in the off season, but do not make 50% of their earned income from commercial sales.
9. Wholesale fish houses (Lower volume equals lower income and fewer employees.)
10. Wintertime businesses in coastal towns and villages. (News Flash! Tourism goes way down in the winter). Is the suggestion from the MFC to be that barrier island and coastal villages become places for summer dwellers only?
11. Fish truck drivers who make fewer deliveries.
12. Old-timers who have spent a lifetime commercial fishing and are now in the twilight of their years. Should they be told by the MFC, "You are not working hard enough to qualify for a license, so we are putting you out to pasture. Enjoy the rest of your life." Would the NCMFC really do this?
12. The young people of coastal communities who will be forced to leave without their additional "part-time" fishing income. As towns slowly but surely become ghost towns or summer only resorts the not-

so-obvious impacts will be felt throughout communities where commercial fishermen live. What will happen to the –

- Volunteer fire departments?
- The local hardware store?
- The gas station?
- Local churches?
- The Post Office with reduced mail volume?
- The corner grocery?

The list goes on and will vary community by community- the only certainty is that our coastal communities will be change, NEGATIVELY, forever.

Knowing that the social fabric of entire communities will fray as various household incomes decrease and consequently, some bills will not be paid, and some families will be forced to move away, is a sad and difficult future to contemplate.

The certainty that the general sense of well-being throughout entire communities will be diminished in ways, both large and small, if the NCMFC proposal becomes law - is beyond dispute.

One can look at the above, non-inclusive list and be left with one burning question – **WHY?**

The Board of Directors of the North Carolina Watermen (NCWU) submits our unanimous opposition to the NCMFC proposal to redefine a commercial fisherman.

Perry Wood Beasley President, NCWU	Columbia	penny@mccown-mccown.com
Andrew Berry Vice-President, NCWU	Manteo	bowhunterab14@gmail.com
Capt Sonny Davis	Atlantic Beach	info@captstacy.com
Ernie Doshier	Ocracoke	geckosportfishing@gmail.com
Ernie Foster	Hatteras Village	albatrossfleet@earthlink.net
Tom Harper	Hatteras Village	charper1479@embarqmail.com
Glen Hopkins	Manteo	weluvtofish@embarqmail.com
Billy Maxwell	Manteo	captainbillymaxwell@gmail.com
Greg Mayer Vice-President, NCWU	Kill Devil Hills	greg@fishinfrenzy.com
Jamie Reibel	Manteo	phideaux@embarqmail.com
Britt Shackelford	Wanchese	brittonshack@gmail.com
Duke Spencer	Manteo	duke@captainduke.com
Rom Whitaker	Hatteras Village	rom@hatterasrelease.com

Alley, Craig j

From: Larry & Connie Leuthauser <lleuthauser@ec.rr.com>
Sent: Friday, February 02, 2018 6:49 AM
To: CommercialLicensesComments
Subject: [External] Proposed Commercial Licenses change

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Gentlemen,

I'm a 67 year old retired commercial fisherman living on SS, a small pension & part time work. I've maintained my retired license using it to get fish & crabs for my family. I have tried to sell it for \$1500 but have not found anyone interested (I paid \$1600 in 2001). I made my living fishing grouper, snapper, king mackerel, Bluefin, crabs and clams. I've sold my federal licenses and trying to sell my NC license but your plan makes my license worthless. I would not be able to maintain your criteria and feel if you want to do this you should at least buy my license back. Since there is no one looking to buy the licenses, I don't understand why you want to hurt us older retired fishermen.

Larry C. Leuthauser
107 Loma Linda Ct.
Cape Carteret, NC 28584
252-342-1233



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Alley, Craig j

From: Dick Hamilton <dick@ncwf.org>
Sent: Thursday, February 01, 2018 4:06 PM
To: CommercialLicensesComments
Cc: Tim Gestwicki
Subject: [External] comments commercial fishing licenses
Attachments: Comments commercial fishing licenses.docx; licenseprimer2018.docx

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We are transmitting herewith comments from the NC Wildlife Federation on the commercial fishing license proposal open for public comment. We will also send these comments via regular mail.

Richard B. Hamilton



**North Carolina
Wildlife Federation**

Affiliated with the National Wildlife Federation

1346 St. Julien Street
Charlotte, NC 28205
(704) 332-5696

1024 Washington St.
Raleigh, NC 27605
(919) 833-1923

February 5, 2017

North Carolina Division of Marine Fisheries
Commercial License Comments
CommercialLicensesComments@ncdenr.gov

Dear Director Murphey and Chairman Corbett:

The North Carolina Wildlife Federation (NCWF) represents the interests of fish and wildlife resources and hunters and fishermen through the application of the best available science to set regulations to properly manage our fish and wildlife resources and activities of the public who utilize these resources. In that regard we would like to register the organization's position on behalf of North Carolina hunters and fishermen (women) in regard to the Commercial Fishing License Program currently under public review.

We are attaching our proposal for consideration by the Marine Resources Commission at its February meeting.

We appreciate the opportunity to present these comments and ideas to the MFC. You may feel comfortable contacting us for elaboration or clarification on any of these proposals.

Sincerely,

Tim Gestwicki, CEO
North Carolina Wildlife Federation

Commercial and Recreational Fishing License Reform

COMMERCIAL

- 1) 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 (10 trips) through the DMF trip ticket program during any single calendar year from 2015-2017.
- 2) Allow only one license per individual at an annual fee of \$800.00.
- 3) Task the MFC/DMF with developing a plan to expand opportunities including extended seasons, higher trip limits, authorization of hook and line as an allowable gear for all species, and other incentives to allow commercial fishermen greater access to commercial fisheries and provide more harvest opportunities to qualified commercial fishermen.
- 4) Only allow license transfers or assignments to members of the immediate family or corporation of a licensed commercial fisherman.
- 5) Create a Crew license for individuals to apprentice with commercial fishermen for 3 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.
- 6) Eliminate the 2,592 licenses currently held in the Eligibility Pool and establish a new pool to receive licenses that are not renewed each year and cap that pool at 100. Any non-renewed licenses would be transferred into the new pool and used to fill new commercial fishing license demand for qualified applicants.

RECREATIONAL

- 1) Eliminate the Recreational Commercial Gear License (RCGL), specifically to remove gill nets and trawls from recreational use.
- 2) Raise the cost of the Coastal Recreational Fishing License (CRFL) to equal the cost of WRC inland fishing licenses as set forth here:
 - a. Resident CRFL from \$15 to \$20;
 - b. Non-resident CRFL from \$30 to \$36;
 - c. Resident 10 Day CRFL from \$5 to \$7;
 - d. Non-resident 10 Day CRFL from \$10 to \$18 and,Require a CRFL to harvest any marine resource in the state of North Carolina, including shellfish.
- 3) Allow bait seines and up to 5 crab pots under the CRFL to offset the loss of the RCGL license.

Alley, Craig j

From: Bruce Pollock <bpollock@traderconstruction.com>
Sent: Thursday, February 01, 2018 9:26 AM
To: CommercialLicensesComments
Subject: [External] SCFL Changes

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All,

I am writing to oppose the proposed changes to the Standard Commercial Fishing License. By adding mandatory number of commercial trip tickets, it will pressure commercial fishermen to put themselves and crew members safety at risk by fishing on inclement/rough weather days to meet the requirements. In 2017 the DMF qualified me for a SCFL thru the pool process because of my past involvement in the commercial fishing industry. I have expectations to begin commercial fishing again in 2018 and continue into retirement age, however with rising baseline expenses it would be impossible for myself or most for that matter to rely on commercial fishing for 50% of our family income and continue to live. Likewise, requiring a commercial fishing vessel crew to show a minimum of 10,000 dollars from commercial fishing business will render the commercial fishing business obsolete due to weather, mechanical failures, rising expenses and fishing closures to name a few.

These proposed changes will render many commercial licenses useless and decrease the annual income for NC fishing legislative needs. Thank you for this consideration in this matter.

Respectfully,

Bruce Pollock
Safety Director
Trader Construction Company
PO Drawer 1578
2500 Hwy 70 E
New Bern, NC 28563-1578
252 635-7013

Alley, Craig j

From: Gary Gross <garyg@darenc.com>
Sent: Thursday, February 01, 2018 8:02 AM
To: CommercialLicensesComments
Cc: Gary Gross
Subject: [External] Comments from the Dare County Board of Commissioners
Attachments: 18-01-02, Opposing Change in Definition of Commercial Fishing, 01.22.18, Signed with Cover Letter.pdf

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Attached for the record is a cover letter and resolution from the Dare County Board of Commissioners opposing any change in the definition of a Commercial Fishing operation.

Thank you - - -

Gary Lee Gross

*Assistant to the County Manager
and Clerk to the Board of Commissioners*
P.O. Box 1000, Manteo, NC 27954
252.475.5700 office
252.473.8327 mobile
www.darenc.com



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County of Dare

Office of the Board of Commissioners

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5700

Robert Woodard
Chairman

Wally Overman
Vice Chairman

Jack Shea
Steve House
Rob Ross
Jim Tobin
Danny Couch

Robert L. Outten
County Manager / Attorney

Gary Lee Gross
Clerk to the Board

Date: February 1, 2018

To: North Carolina Marine Fisheries Commission

From: Dare County Board of Commissioners

Re: Comments on proposed changes to Commercial Fishing definition

Enclosed is a resolution that was unanimously adopted by the Dare County Board of Commissioners opposing any change in the definition of a Commercial Fishing operation.

This resolution will also be presented by Dare County Commissioner Steve House at the upcoming Public Meeting being held on February 14, 2018.

Please add this document to the public record concerning this important matter.

Thank you,

Gary Gross, Clerk to the Board
Dare County Board of Commissioners



RESOLUTION

OPPOSING ANY CHANGE IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, commercial fishing is a vital part of North Carolina's history, heritage, and culture and represents a crucial component of the economy for Dare County and other coastal communities; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fishermen is \$166,066,000; and

WHEREAS, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) is now undertaking an action to consider changes in the definition of a commercial fisherman; and

WHEREAS, among the items that the MFC proposes to consider is a requirement that those holding Commercial Fishing licenses must have 50 percent of their earned income from the Trip Ticket Program, generate 36 Trip Tickets per year, and require those who do not have Trip Tickets to show proof of \$10,000 or more income per year; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, the requirements that are being considered by MFC, or any other adverse change they may propose to the definition of Commercial Fishing, would have a harmful effect on many of the hard working North Carolinians who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to responsibly support their families; and

WHEREAS, this latest attempt to redefine commercial fishing is not the first time that the Marine Fisheries Commission has looked at this matter; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition."

NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Dare County Board of Commissioners strongly opposes the unnecessary effort that is now underway by the Marine Fisheries Commission to reexamine the definition of commercial fishing, and urges all coastal communities to adopt similar resolutions, and encourages all residents to vigorously voice their concerns about the latest attempt by the Marine Fisheries Commission to once again redefine commercial fishing.

Adopted this the 22nd day of January, 2018.



A handwritten signature in blue ink, appearing to read "Robert Woodard", written over a horizontal line.

Robert Woodard, Chairman

ATTEST:

A handwritten signature in blue ink, appearing to read "Gary Lee Gross", written over a horizontal line.

Gary Lee Gross, Clerk to the Board

Alley, Craig j

From: Martha Burns <burns310@yahoo.com>
Sent: Wednesday, January 31, 2018 5:34 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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This is an outrageous proposal that favors the huge fisheries who have the money to fund candidates and commissions and it does not favor the ordinary citizen. Passing this will be a travesty on local, historic fishing communities. I am opposed to this course of action.

Robert L. Burns
156 Lewark Lane
Knotts Island, NC 27950

Alley, Craig j

From: Martha Burns <sscssel@gmail.com>
Sent: Wednesday, January 31, 2018 5:32 PM
To: CommercialLicensesComments
Subject: [External] Re: Public comment on proposed changes to commercial fishing license

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On Jan 30, 2018 7:04 PM, "Martha Burns" <sscssel@gmail.com> wrote:

This is a disgraceful course of action that favors the huge fisheries that rape our environment and pilfer everything possible from the ordinary citizen. Passing this will be a travesty on local, historic fishing communities. I am opposed to this course of action.

Martha Lewark Burns
156 Lewark Lane
Knotts Island, NC 27950

Alley, Craig j

From: Fish, Nancy
Sent: Wednesday, January 31, 2018 8:51 AM
To: CommercialLicensesComments
Subject: FW: Definition of Commercial Fisherman

From: Hamilton, Cindi B
Sent: Wednesday, January 31, 2018 8:29 AM
To: Charles Peele <cepeelee46@gmail.com>
Cc: samjcorbett3@gmail.com; Murphey, Steve <steve.murphey@ncdenr.gov>; Fish, Nancy <nancy.fish@ncdenr.gov>; Smith, Tricia <tricia.smith@ncdenr.gov>; Lupton, Dee <dee.lupton@ncdenr.gov>
Subject: RE: Definition of Commercial Fisherman

Good Morning Mr. Peele. Thank you for writing the Division of Marine Fisheries to express your concern on defining a commercial fisherman. I have forwarded your letter to the commission chairman, division director, the deputy director and the commission liaison, Nancy Fish. She will be main point of contact. We appreciate your taking the time to write us and do understand your concern. Mr. Peele, please let me know if I can help you further.
Cindi Hamilton

Cindi B. Hamilton
Administrative Assistant IV
Director's Office
NC Division of Marine Fisheries
Department of Environmental Quality

252 808 8013 Office
cindi.hamilton@ncdenr.gov

3441 Arendell Street
Post Office Box 769
Morehead City, NC 28557-0769



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From: Charles Peele [<mailto:cepeelee46@gmail.com>]
Sent: Tuesday, January 30, 2018 5:36 PM
To: Hamilton, Cindi B <Cindi.Hamilton@ncdenr.gov>
Subject: [External] Definition of Commercial Fisherman

I am writing to oppose the requirements that are being considered for a commercial fishing license. Here is my experience and opinion.

In the early 2000s, I moved to Hatteras and a friend transferred a license to me. I worked about 100 crab pots most mornings in the summer to supply a seafood market with jimmy crabs. I also worked on a private clam bed for several years. I did these hard working jobs to help a friend and for my health. I retired following a severe bout of depression and the opportunity to escape the office, management quotas, complaining customers, and telephone calls, was exactly what I needed. Fresh air, sunshine, and physical work saved my life.

I doubt I made \$10,000 most summers. Our harvest season ended in mid July when crabs tended to move away from our side of the sound. I harvested clams for free, often 5,000 a day from a private bed. I got to keep a few for my family, but mostly I needed the exercise.

I contributed to the local economy. I paid my fees for licence and a boat, bought fuel and bait from local merchants, plus oilskins, boots, and gloves from a dealer in Manteo.

I made a small amount of money from the crabs, probably enough to pay for my skiff and engine. Bay scallops helped a few years when they appeared.

The proposed definition of a commercial fisherman would have denied me the opportunity of a productive and healthy lifestyle.

No fisherman has a guaranteed catch. Many days I lost money.

In some years I lost money if I had boat problems. Some years the harvest was deminished, but I kept at it and paid my fees to your office and complied with your reporting requirements.

The retail sale of steamed crabs to tourist has a very limited season. I am sure many school teachers partisipate in summer crab harvest to meet the tourism demands for quality products.

Do not pull the plug on parttime income for people who depend on it.

Many times we are filling a market need that a larger fishing operation does not supply. I have a friend who catches mullet with a cast net to sell to bait dealers. He fills a small market need for surf fishermen.

Please rethink what you are proposing. Surely you have bigger fish to fry than to go after the little man.

Charles Peele

Former Hatteras Island resident

Alley, Craig j

From: Charley Pereira <ntsb409@gmail.com>
Sent: Tuesday, January 30, 2018 5:20 PM
To: Denard Harris
Cc: CommercialLicensesComments; Smith, Tricia; Basnight, Rene
Subject: [External] Re: proposed changes to commercial fishing license

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Thank you Denard. Well put. Most fishermen spend anywhere from tens of thousands to millions of dollars in the NC economy to be able to pursue our love of tuna and other pelagic fisheries, including the initial and recurring annual cost of SCFLs and other licenses/permits. It seems insane and selfish for a few insecure people to want to exclude anyone who doesn't make at least 50% of his or her income from commercial fishing in NC. If we are smart and industrious enough to find ways to make far more than commercial fishing alone ever would, in addition to continuing to commercial fish for the love of it and the additional income, then that just seems like a great example of American ingenuity and work ethic. To do otherwise would be to dumb down the state of NC and its commercial fishermen, as well as take millions of dollars out of the NC economy and give it directly to other states.

Charley

On Tue, Jan 30, 2018 at 4:22 PM, Denard Harris <portsidemarina@aol.com> wrote:

commissioners..and....ms. smith..and..ms. basnight.....please add my name to the list of commercial fisherman that oppose the proposed rule change on individual land and sell licenses...

of particular concern is the negative impact that the changes will have on the bluefin tuna fisheries....the 50 % rule and the other listed regulations will open the flood gate to outsiders from other stateto come to our waters and take our quota of bluefin....while we stand by and watch....

this is a shameful consideration....we recommend the commission table this idea ...forever....

the goal should be to protect hook and line fisherman...and...their opportunity to sell their catch....at any level of participation....

respectfully submitted.....denard harris....licence # 351577 and licence # 412775....

Denard Harris, PhD / 100Ton Master
Portside Marina / Miramar Boats
209 Arendell Street
Morehead City, NC 28557
Ph (252) 726-7678
Fx (252) 726-6923
Dock: N34°43.119' W076°42.297'

Charley Pereira
252-216-6291 cell

Alley, Craig j

From: Smith, Tricia
Sent: Tuesday, January 30, 2018 4:43 PM
To: Denard Harris; CommercialLicensesComments; Basnight, Rene
Cc: ntsb409@gmail.com
Subject: RE: [External] proposed changes to commercial fishing liscense
Attachments: nr-10-2018 DefComFish comments.docx

Mr. Harris,

Thank you for your comments on this issue. I am forwarding them to the email address where we are collecting comments for the commission on the commercial licensing issue.

Also, to give you more information, I have attached the Jan. 12 news release that was sent out regarding this issue. If you have further comments on this issue, please send them to CommercialLicensesComments@ncdenr.gov by Feb. 9.

Patricia

Patricia Smith
Public Information Officer
Division of Marine Fisheries
North Carolina Department of Environmental Quality

252 808 8025 office
252 342 0642 mobile
Tricia.Smith@ncdenr.gov

PO. Box 769
3441 Arendell St.
Morehead City, N.C. 28557



Nothing Compares

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From: Denard Harris [<mailto:portsidemarina@aol.com>]
Sent: Tuesday, January 30, 2018 4:22 PM
To: CommercialLicensesComments <CommercialLicensesComments@ncdenr.gov>; Smith, Tricia <tricia.smith@ncdenr.gov>; Basnight, Rene <rene.basnight@ncdenr.gov>
Cc: ntsb409@gmail.com
Subject: [External] proposed changes to commercial fishing liscense

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Morehead City, NC 28557
Ph (252) 726-7678
Fx (252) 726-6923
Dock: N34°43.119' W076°42.297'

Alley, Craig j

From: Major Hooper <mjr_hoop@yahoo.com>
Sent: Tuesday, January 30, 2018 4:26 PM
To: CommercialLicensesComments
Subject: [External] Commercial Fisherman Definition Decision

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To those making decisions about defining who is eligible to hold a commercial license:

Please consider many of us who began fishing prior to the requirement for licenses, who have paid into the system all these years, since then. The licenses have been an **investment** in assessing fisheries through observation programs, scientific data collection, identification and elimination of pollution sources sorely affecting the fisheries and that investment should be recognized and hold monetary value for the bearers of SCFL's beyond only the commercial fishing products landed. Commercial fishermen have been primary sustainers for the ability of NCDENR to assess and maintain the NC fisheries health.

Some of us, family fishermen, have had to bite the economic bullet to hold commercial fishing licenses without landing much product, in a while, due to the crash of the economy and slow recovery, changes in rules and gear, changes in personal health (absences from fishing to attend universities) and due to changes in the health of the fisheries due to high volumes of pollution, loss of estuaries and other heavy pressures on the fisheries, like the sheer volume of recreational fishing. As **investors** in maintaining the production and protection of the NC fisheries, each SCFL holder's investment should be secure and respected as a member of the NC commercial fishing community and that investment should continue to be honored.

If there are some F/V's holding licenses, merely to circumvent rules on catch limits (needed to keep target species viable), that aspect of licensure should be addressed. Conflating that issue with taking a license from someone who has not been able (due to health or other hardship) to fish for a while but still holds a license (and the longing and hope to return to commercial fishing) is just not right and amounts to reaching into the pockets of fishermen and taking away an investment from those of us who have paid each year to help maintain the health of NC fisheries. Arbitrary trip ticket requirements and minimum catch requirements are not required in any other profession and, for those of us that have continued to **invest** in our licenses and NC fisheries but haven't been able to fish and sell to dealers (as much as one would like to do) should not be penalized by having their (considerable) investment taken from them along with hopes to return to their love, commercial fishing (or for their children to take over if one is no longer able), to benefit from the decades of investment, in NC natural resources and commercial fishing heritage.

It is plausible to limit the numbers of new licenses from being issued, perhaps limiting licensure to the children of current SCFL holders, as they enter the family fishing business, when data shows the pressures on the fisheries cannot sustain increased numbers of commercial operations. But to take away licenses from people who have invested for decades in the fisheries of NC, no matter how much they have (or have not) sold to dealers, is unjust. Many family commercial fishermen, especially the elders, are fishing to fill freezers for the family table. When a realtor is licensed to sell property, is that commercial operation eliminated if they do not sell an arbitrary number of properties, or a set amount of property, in terms of dollars? No, they continue to be eligible to hold their licenses and able to benefit from the market, as the market (and personal) pressures change, over time.

Thank you for your consideration of the value to NC of SCFL holders and their lifelong investment in assessing and sustaining healthy fisheries, in NC. I hope for a just decision that honors all NC commercial fishermen. Commercial

fishermen have a contract with NC: offer, acceptance and consideration given, the three elements of a contract. That "handshake" should be good between honest fishermen and the State of NC.

Major Hooper

Commercial Fisherman

BS School of Communications and Fine Arts Summa Cum Laude ECU '03 Associate of Applied Science College of the Albemarle '94 President's Cup Recipient

Alley, Craig j

From: Denard Harris <portsidemarina@aol.com>
Sent: Tuesday, January 30, 2018 4:22 PM
To: CommercialLicensesComments; Smith, Tricia; Basnight, Rene
Cc: ntsb409@gmail.com
Subject: [External] proposed changes to commercial fishing liscense

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Ph (252) 726-7678
Fx (252) 726-6923
Dock: N34°43.119' W076°42.297'

Alley, Craig j

From: tclfire@cox.net
Sent: Tuesday, January 30, 2018 12:32 PM
To: CommercialLicensesComments
Cc: TL Home
Subject: [External] Public comment on proposed changes to commercial fishing license

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In reference to the five recommended changes to the commercial fishing license structure that you proposed, it appears to me that your goal is to strangle the small commercial fisherman so that the recreational fisherman has everything to gain, especially changes 1, 2, & 3. It gives the appearance that the committee is made up of a few recreational fishermen who want to totally do away with commercial fishing. I am opposed to the proposed changes.

Tommy Lewark

Alley, Craig j

From: saralgreene6@gmail.com
Sent: Monday, January 29, 2018 9:16 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Dear Committee,

Please accept my public comment on the proposed commercial fishing changes. Having thoroughly read through the proposed changes I can confidently say these changes would hurt my family's long standing business and traditions. Had these changes been enacted when I was younger I feel it would have been detrimental to my own growth and financial well being.

As with any public legislature it's important to consider the constituents they affect and if these changes were to move forward it would be a gross disregard of North Carolina crabbers and fishermen. Please consider rewriting your changes to account for your constituents.

Best,

Sara Greene

Alley, Craig j

From: Paul Lenthall <paul.lenthall@yahoo.com>
Sent: Monday, January 29, 2018 9:05 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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These rules would be harmful to the community of Knotts Island. Down years sometimes force crabbers to find work away from the water. These rules would force these people to run the risk of losing a way of life if they step away from the water for a year or two.

Sent from Yahoo Mail on Android

Alley, Craig j

From: Sam Lenthall <local110@icloud.com>
Sent: Monday, January 29, 2018 8:59 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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Hi my name is Sam Lenthall a true native to Knotts Island NC.

I was raised on the currituck sound. the exact water that provided for my family, my mother's family and her parents growing up. The simple truth is is that no matter how you look at commercial fishing one thing has to be understood. That one thing is a way of life. It's a honest hard worked income for families it's a job it's apart of life for so many families in NC.

the men and woman that work the waters in North Carolina don't throw on there Suit and ties and drive to there 9 to 5 jobs. They in-fact throw on there bibbed overalls everyday and work from sun up to sun down just to bring in a honest living. Many don't have the college education that some have and have decided to do what they came up on and that's doing what they do best and make a living working the water. PLEASE rethink all actions from here forward on your next moves to pass this law. I strongly oppose every single thought or actions towards making it impossible for people to bring in a living. It's actually hard to even believe people with zero understanding of what working the water is all about would consider depriving people from doing there jobs. I have since left Knotts Island and have moved to Chesapeake with my wife 6 years ago but that doesn't change the fact that my family still depends on making a living commercially fishing the currituck sound.

So no I don't agree with a single part of this bill so please don't pass this law.

Sent from my iPhone

Alley, Craig j

From: Ellis Lenthall <ellis.lenthall@jokell.com>
Sent: Monday, January 29, 2018 8:54 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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As I am surrounded by family who make their living as commercial fisherman, I oppose the changes proposed. This would be beyond a disgrace if passed.

Thanks,

Ellis Lenthall
Outside Sales
757 647 6288 cell
Ellis.Lenthall@jokell.com

Jo-Kell Inc.
[1716 Lambert Ct](#)
[Chesapeake, VA 23320](#)

Alley, Craig j

From: Patricia Lenthall <plenthall@cox.net>
Sent: Monday, January 29, 2018 8:20 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

I am a lifelong resident of Knotts Island in Currituck County. My family has worked our waters for five generations. I am opposed to the proposed rules as they would end a way of life that goes back even further than our five generations

Patricia Lenthall
164 Lewark Lane
Knott's Island, NC. 27950

Alley, Craig j

From: Chad Davenport <chaddaven@icloud.com>
Sent: Monday, January 29, 2018 5:54 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

I am I commercial fisherman and this proposal is a outrage and should not be allowed to happen and I would take money away from the state and stop us from fishing

Sent from my iPhone

Alley, Craig j

From: Rep. Larry Yarborough <Larry.Yarborough@ncleg.net>
Sent: Monday, January 29, 2018 2:28 PM
To: CommercialLicensesComments
Subject: [External] Commercial Fishing License Rules

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

I appreciate the commission digging into this issue. I am concerned about this issue that recently came to my attention. Apparently a commercial fishing license is sold by the state for \$400 but can be resold on craigslist or Ebay for over \$1000. A license to take, consume, or sell public trust resources should be issued and renewed by the state. Selling these licenses represents a loss to the taxpayers of NC. Can you provide an example of another state issued license that can be transferred, assigned, rented, leased or sold to another individual who may not be qualified to hold it? That is my question.

These options to define who holds the license are very important and should be used to insure that the license is not bought and sold on the open market.

Thank you,

Rep. Larry Yarborough HD-2
919-715-0850
NC House of Representatives
16 W Jones St. #1301
Raleigh, NC 27601-1096

Alley, Craig j

From: mcms212@verizon.net
Sent: Monday, January 29, 2018 12:10 PM
To: CommercialLicensesComments
Subject: [External] Comment on proposed changes to commercial fishing license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

I am writing this email to inform you that I oppose the three suggested part-time changes for a commercial fisherman.

Michael H. Childress
757 818-5947

Alley, Craig j

From: Faye Freeman <island.freemans@verizon.net>
Sent: Monday, January 29, 2018 12:07 PM
To: CommercialLicensesComments
Subject: [External] Comment on Commercial Licenses

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

I am opposed to the recommended changes to the commercial fishing licenses structure. These changes will have a great impact on the small commercial fishing operations, possibly causing some to be put out of business. These are families who have worked the waters for generations and with these changes they would be in danger of losing that livelihood.

At a time when the state is spending tax money on incentives to get companies to set up businesses in the state, it seems ironic that the state would put limitations on businesses that are already here.

Faye Lewark Freeman

Alley, Craig j

From: Joey Lewis <joseph.h.lewis@cox.net>
Sent: Monday, January 29, 2018 10:43 AM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

I Joseph lewis am opposed to any of the new laws that are trying to take away my N.C. commercial fishing license that I paid 1700\$ last year to renew because I'm a non resident. It shouldn't matter how much of my income I make on a license I have to buy every year. There also should not be a number of trip tickets I must have to keep my license. With crabbing some years are better then others and in my opinion all the new laws trying to get passed are a complete waste of tax dollars and not to mention the revenue from commercial fishing license renewal's that will be lost if these laws pass.

Joe Lewis

Alley, Craig j

From: 12blackwell <12blackwell@embarqmail.com>
Sent: Sunday, January 28, 2018 5:34 PM
To: CommercialLicensesComments
Subject: [External] comment on commercial fishing licenses- correction

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Please amend my comment sent at 1:27 on January 28, 2018 to read CCA rather than CCC.

Thank you,

Bill Blackwell

Alley, Craig j

From: 12blackwell <12blackwell@embarqmail.com>
Sent: Sunday, January 28, 2018 1:27 PM
To: CommercialLicensesComments
Subject: [External] Commercial Fishing Licenses

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Apparently the CCC has taken control of the North Carolina Marine Fisheries Commission. I thought that the purpose of the Division of Marine Fisheries was to treat all users of the resource equally. The CCC is a special interest group supported by wealthy individuals who want to control all aspects of our fisheries for their own selfish pleasure.

Alley, Craig j

From: 240 <240@CurrituckCountyNC.gov>
Sent: Sunday, January 28, 2018 11:34 AM
To: CommercialLicensesComments
Subject: [External] Commercial fishing license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

My name is Wayne Twiford Jr SCFL # 1266204 I also have a Dealers License which both are actively being used by myself. I started commercial fishing full time in 1983. In 2000 I took a job with Currituck County Sheriffs Office so I could have insurance and benefits for my children. I have continued to commercial fish part time(half time) as a deputy I work 14 days out of 28 I commercial fish the rest. I have 5 active pound net sets with 10 nets I fish every fall to supplement my small income from the county which I am grateful for. I have a great amount of time and money tied up in my equipment. There are lots of commercial fisherman as you all know who work other jobs such as farming ,building or retired to make ends meet.

I am totally" OPPOSED "to any changes with the license this is just another way to drive people who are willing to work hard to make a living to support their families. Please keep in mind you are not only effecting me a part timer you are going to effect the consumer who does enjoy the fresh and local seafood we catch and sell here in the great state of North Carolina, by the way I have lived here all my life 54 years.

Alley, Craig j

From: Ronny <martin2hsd@embarqmail.com>
Sent: Saturday, January 27, 2018 8:35 AM
To: CommercialLicensesComments
Subject: [External] Proposed Commercial Fishing License Restrictions

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

I support efforts to reduce/qualify who gets and holds Commercial Fishing Licenses.

Ron Bennett
Kitty Hawk, NC
252 256 0421 cell

I wish to remain anonymous for fear of retaliation . Thank you.

Sent from my iPad

Alley, Craig j

From: Lang, Joshua - FSA, Kenansville, NC <Joshua.Lang@nc.usda.gov>
Sent: Friday, January 26, 2018 11:31 AM
To: CommercialLicensesComments
Subject: [External] Compared to USDA Farmer definition

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

To Whom it May Concern,

These new proposals for a minimum of \$10,000 and 36 trips are quite high in comparison to USDA's definition of a farmer, as only having to generate \$1,000 of income to be classified as a farmer.

"A farm is defined as any place from which \$1,000 or more of agricultural products were produced and sold, or normally would have been sold, during the year."

<https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/glossary.aspx>

Thanks,

Joshua G. Lang
Farm Loan Officer
Farm Service Agency
165 Agriculture Drive, Suite A
Kenansville, NC 28349
910-296-2193 ext. 3108
Fax: 1-844-325-6843

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Alley, Craig j

From: John Parker <dickparker22@gmail.com>
Sent: Friday, January 26, 2018 9:26 AM
To: CommercialLicensesComments
Subject: [External] commercial fisherman definition

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

I am adamantly opposed to proposed changes in the definition of commercial fisherman. I purchased a license for my son about twenty five years ago and have renewed it each year since then. Since his full time job does not allow him time to fish commercially, he assigns the license to me. I set nets occasionally but I do not qualify as a commercial fisherman under any of the five proposals under consideration.

Have you given any thought to grandfathering license holders who have maintained their licenses each year by paying license fees and thereby supporting the resource and the NVDMF? It appears the three member panel of Commissioners has other interests in mind.

I suspect you are setting the Commission up for a lawsuit should you make this ill advised decision.

Best wishes,
Dick Parker

Alley, Craig j

From: opal beasley <seagem0@hotmail.com>
Sent: Thursday, January 25, 2018 9:09 PM
To: CommercialLicensesComments
Subject: [External] Commercial Fishing License

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Please leave the commercial fishing license requirements as they are. Having to earn 50% of your income from commercial fishing? If someone is lucky enough to clear (after expenses like, fuel, bait, gear, replacing engines, boats and paying helpers) \$10,00.00 from fishing and have to work elsewhere to support their family do you really want them to have to stop working when \$10,000.00 is reached to keep their license? Who can support a family with that amount? Not all commercial fishermen make a lot of money, should they be punished? Not every commercial fisherman uses the same kind of gear or amount of it, health and ability also limits the income. What if a license holder is fishing with his friend who is a license holder and selling under one number, does the helper not qualify because of it? A commercial fisherman to be required to sell seafood at least 36 times a year? Are you going to require that recreational fishermen fish a certain amount of times a year? No transfers or assignments? They do not put more gear in the water or more licenses issued. Health, family issues, taking care of an ill family member and finances are just a few reasons that someone may not use their license for more than 3 years in a row. Are you going to pry into someones private life to the point that doctors notes, notarized statements or lawyers are needed to keep the license? Anyone concerned with the dollar amount claimed on someones' income taxes should contact NC Department of Revenue.

Alley, Craig j

From: Cindy Walton <cindyw10@yahoo.com>
Sent: Thursday, January 25, 2018 7:19 PM
To: CommercialLicensesComments
Subject: [External] Fwd: Leave commercial licenses alone

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Sent from my iPhone

Begin forwarded message:

From: Cindy Walton <cindyw10@yahoo.com>
Date: January 25, 2018 at 7:12:56 PM EST
To: cindyw10@yahoo.com
Subject: Leave commercial licenses alone

Leave commercial fishing people alone. The job is hard enough without all this political crap. There's more causes out there to spend our hard-working tax dollars on besides this. Unless you want to eat pone raised fish that has dye and chemicals in the water I suggest y'all back off!!!!!!thanks for stressing hard working people out.

Maybe we can cut out some of y'all's high paying position and there would be no reason to harass hard-working people that are out there in the cold while you're in Your warm cozy office. Evidently y'all have too much time on your hands.

Sent from my iPhone

Alley, Craig j

From: FB <slb3427@gmail.com>
Sent: Thursday, January 25, 2018 4:11 PM
To: CommercialLicensesComments
Subject: [External] Comments regarding SCFL

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Gentlemen,

Please take note that I am against any change to the 5 recommended changes to the commercial fishing license structure.

I totally agree that we must properly manage all of our resources including the fish. But the existing requirements and financial hardships created by higher license fees and taxes are just too much to handle. Many fishermen have invested thousands and thousands of personal dollars in order to purchase their commercial license, buy fishing gear used to commercially fish, buy different styles of boats, and heavy tackle in order to commercially fish. Excluding those that don't meet some new criteria established now from participating as a commercial fisherman would not be fair.

The excerpts from the Carteret News Times were as follows:

- One of the commercial fishermen at Thursday's committee meeting was Kenneth Seigler of Bear Creek Seafood in Hubert. Mr. Seigler said he thinks the whole matter is unnecessary, and that the requirements to be a commercial fisherman are already in state statutes. "They're spending state money to rehash an issue that was resolved 20 years ago," he said. "If a person holds a (commercial fishing) license, there's a variety of reasons he may not use it. But as long as he claims residency in North Carolina, he has a right to come back and use it."

Exactly. The government cannot expect a blanket program will cover everyone's situation so let's keep the regulation to a minimum.

- Mr. Seigler said he thinks there's no support to the claim that commercial license holders using their licenses to take fish for personal use affects fisheries data.

I have never known anyone to do that - even so that would only be just a tiny fraction of the fish ever caught. If we are worried about that then we should move our discussion to minimizing by-catch and indiscriminate net use. Most good fishermen need to sell their catch in order to recover their expenses of boat, bait, and crew.

- Mr. Wicker said while he thinks the 50 percent requirement is a good requirement, he's not sure about the one for crewmembers on a commercial vessel who hold their own licenses, and had concerns about requiring a specific number of trip tickets.

No sir, placing a 50% rule excludes many individuals from commercial fishing. Many fisherman have other jobs that create the bulk of their income and then use fishing to supplement that. Placing such a restriction nearly eliminates the smaller fisherman. The same holds true on the requirement of number of trips per year or \$10,000 minimum.

- "There's no other professional license that, to hold it, requires you to prove 50 percent of your income comes from it," Seigler said.

I appreciate the work that the Marine Fisheries Commission is doing to protect our fish and our fishermen. The move toward further requirements and structure for owners of a SCFL is a move in the wrong direction. Let's focus our work on how we can improve the lives of commercial fishermen. Historically, they have been such a strong part of the culture of North Carolina and we owe them the resources to grow. Growth may not look like it has for 100 years to them but it should be the State's responsibility to create additional opportunity to them through the growth of our fish resource. Why not consider treating the commercial fishermen like North Carolina did to the tobacco farmers and buy out their gear or quota. The fishermen could use that income to start new fishing guide services or retrain to serve in other industries.

Thank your for your reconsideration to not make any new changes to North Carolina's Standard Commercial Fishing License.

Frank Best
Morehead City, NC

Alley, Craig j

From: Cane Faircloth <canefaircloth@hotmail.com>
Sent: Thursday, January 25, 2018 7:19 AM
To: CommercialLicensesComments
Subject: [External] Opposition to changes in NC Commercial License Requirements

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

In opposition of changes to our License. I purchased mine in 2006 for \$1800. Over the years I have used it to supplement my income by leasing or buying federal permits for various species. I also have harvested oysters and sold over the years. I am a full time Charter Captain and know changes to the license requirements I would not be able to maintain due to my business model.

Regards,

Capt. Cane Faircloth
Ollie Raja Charters
910/367/2998
3123 Old Ferry Rd SW
Holden Beach, NC 28462

Alley, Craig j

From: Ronald Riken <ronald6923@gmail.com>
Sent: Wednesday, January 24, 2018 10:41 PM
To: CommercialLicensesComments
Subject: [External]

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

This is a blatant attempt to end commercial fishing. I did not make the required 10000 last year so am I not a commercial fishermans now? The dmf has made me sick to my stomach before but this is a new low.

Alley, Craig j

From: Kim Tavasso <kimtavasso@gmail.com>
Sent: Wednesday, January 24, 2018 3:30 PM
To: CommercialLicensesComments
Subject: [External] Commercail Licenses Comments

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Good afternoon,

I strongly support Items 1, 2 and 3 and think these three should stand alone. I do not support items 4 and 5. Our commercial catch continues to shrink each year, therefore we do not need part time fishermen that are just in it for a quick buck during the peak of the season or when an opportunity arises.

Thanks,

Kim Tavasso

Alley, Craig j

From: pamlicoair@embarqmail.com
Sent: Wednesday, January 24, 2018 1:44 PM
To: CommercialLicensesComments
Subject: [External] license changes

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

To Whom it may Concern,

I strongly object to the proposed changes for the N.C. Commercial Fishing Licenses. I have held a commercial fishing licenses for over thirty five years yet would not meet any of the conditions you have proposed. My 28 year old son also has had his license since he was 14 and will not meet the proposed guidelines. I don't understand why you are trying to change what is already defined in the N.C. statutes. Also why when my son and I are both paying \$400.00 per year for licenses that we don't use full time. We are having a minimal impact on the fishery yet you are getting the same amount of revenue as someone who fishes every day. I come from 5 generations of commercial fishermen and was a full time fisherman for over 15 years. I currently hold a N.C. Electrical License & N.C. H-3 Heating License. Neither of these state licenses make me have to make a certain amount of my income in order to maintain them. A N.C. Commercial Fishing licenses should not either. Again I strongly object to any changes defining a Commercial Fishery License.

Joseph G. Farrow, Jr.
P.O. Box 342
Buxton, N.C. 27920

Alley, Craig j

From: mwinslow1978 <mwinslow1978@gmail.com>
Sent: Wednesday, January 24, 2018 7:06 AM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

i think you should get rid of recreational commercial licenses first. i sell 5,000 dollars per year , but plan to fish full time again when my twin sons get older. i dont think you need to take my license when your regulations have already forced me to be part time

Marty Winslow 252 337 5743

Sent from my U.S. Cellular® Smartphone

Alley, Craig j

From: Patricia Suich <patsseafod1@aol.com>
Sent: Tuesday, January 23, 2018 7:54 PM
To: CommercialLicensesComments
Subject: [External] New rules trying to be passed

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I oppose all of these. I have no trip tickets in 2017 due to colon cancer treatments. In 2016, volume of crabs were low, price were low, prices of everything else was up. Had to quit, no real money to be made. It has been this way for a few years now. We have had good years, but the competition our there is very hard when Mississippi crabs for #2 is 6". The market is changing, the buyers are not there as they were years ago. The past few years I sold to Frog Island in Currituck, now he buys nothing from the currituck, unless you take them to Camden, even with that he really is not buying much. You are trying to take from the people that have the most invested. We pay for the license to help the industry and marine fisheries going. Doubled our price in a few years, you do away with what you are talking our prices will more than double again. Stop, keep it the way it is. Joseph Suich
Sent from my iPad

Alley, Craig j

From: Jim Conners <lafingul@gmail.com>
Sent: Tuesday, January 23, 2018 6:58 PM
To: CommercialLicensesComments
Subject: [External] Commercial FishingLiscense

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Sir/Maam:

Please count me as one that is **OPPOSED** to the proposed changes in the definition of a commercial fisherman. These proposed changes would put virtually all part-time commercial fishermen out of business.

As a Dare County resident, it's very frustrating that the State continues to ignore the concerns of the residents and local governments on the Outer Banks.

Please do not implement these proposed changes.

Thank you.

Jim Conners
83 Duck Woods Dr.
Southern Shores, NC

Alley, Craig j

From: Fish, Nancy
Sent: Monday, January 22, 2018 1:55 PM
To: CommercialLicensesComments
Subject: FW: [External] Proposed Commercial Fishing License Regs

From: Wells Barker [mailto:wbarker1@ec.rr.com]
Sent: Tuesday, January 16, 2018 11:53 AM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Subject: [External] Proposed Commercial Fishing License Regs

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Good Morning Mrs. Fish,

I read in the Carteret News-Times about a committee meeting("Who's a commercial fisherman?) and their recommendations that they plan to make to the full commission in February. I have some questions/comments that I hope you can answer/shed light on. (1) Do the proposed rules apply to both the N.C. RSCFL and the SCFL holders? (2) Do the requirements apply to both resident and nonresident licenses (3) Do the requirements apply to the "Land and Sell" license? (4) Has an economic impact study been done? If so, where can the public gain access to it? (5) Does the 36 trip ticket minimum apply to all fisheries(crab,clam,oyster,snapper/grouper,mackerel,etc.)? (6) What problem is the committee trying to fix with these new requirements? Is the problem documented and confirmed by hard data? (7) How does the committee plan to replace the NCDMF income generated by the loss of 5,000 SCFL licenses?(8) How will current N.C. commercial fishermen with active federal commercial permits(snapper/grouper,mackerel,etc.) be allowed to sell their catch in N.C. if they don't meet the proposed requirements? (9) For a SCFL holder that is a corporation, how will the income level be determined(by the principal shareholder's income?)? (10) Are any of the commercial reps on the Marine Fisheries Commission "part time "(less than 50% income from commercial fishing) commercial fishermen? (11) The committee meeting held Thursday was not advertised as a public hearing where the public would give input.Why was the attending public allowed to speak? Who from the public was in attendance? Who spoke to the commission and what was said? Would this be covered in minutes and if so where could I get access to these minutes? (12) Did the current committee look at the extensive 2010 committee report regarding this same matter that was done back in 2010? If so, what has changed since 2010 to lead them to ignore the results of that committee's work/conclusions? (13) Does the term "inactive"(as in "inactive" SCFL) as used in these proposals refer to all SCFL holders that don't meet the 50%/36 trip ticket requirement or just the zero %/zero trip ticket SCFL? (14) Am I understanding correctly that the proposed Regs mean that the "inactive" SCFL will be held in a special pool and can be reissued to the original holder if they can meet the 1,2,3 requirements in the future? If that is the case, without a SCFL, how would he/she meet these requirements without a SCFL? (15) Will all current holders of SCFL be notified individually by the MFC of these proposals/how to give public comment/meeting date-time-location? (16) Will all crew members working on a commercial fishing vessel be required to prove \$10,000 income from commercial fishing before being allowed to work on a vessel? Is this what the committee meant?

Thank you for any future light that you can shed on these questions/concerns.

Sincerely,
Wells Barker
1857 Hwy. 101
Beaufort, N.C. 28516
wbarker1@ec.rr.com

Alley, Craig j

From: Fish, Nancy
Sent: Monday, January 22, 2018 11:25 AM
To: CommercialLicensesComments
Subject: FW: [External]

From: Laughridge, Charles H
Sent: Wednesday, January 17, 2018 6:17 AM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Subject: FW: [External]

Please forward to the rest of the MFC

Sent from [Mail](#) for Windows 10

From: loufmidgett <loufmidgett@gmail.com>
Sent: Tuesday, January 16, 2018 3:21:09 PM
To: Laughridge, Charles H
Subject: [External]

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report_spam@nc.gov.

Mr Laughridge why is there a motion to change what a Commercial fisherman is. It is fine like it is. We don't need people that associated with cca to define it just if it's a enforcement issue tell them to do there. Job. But leave commercial licence alone

Sent from my Verizon, Samsung Galaxy smartphone

Alley, Craig j

From: Fish, Nancy
Sent: Monday, January 22, 2018 11:25 AM
To: CommercialLicensesComments
Subject: FW: [External] MFC

From: Laughridge, Charles H
Sent: Wednesday, January 17, 2018 6:19 AM
To: Fish, Nancy <nancy.fish@ncdenr.gov>
Subject: FW: [External] MFC

Please forward to rest of the MFC

Sent from [Mail](#) for Windows 10

From: Mike Santana <mike@pembrokewealth.com>
Sent: Tuesday, January 16, 2018 4:04:36 PM
To: Laughridge, Charles H
Subject: [External] MFC

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Chuck,

Help me understand this proposed commercial fishing license change. I've been told the purpose is to target helping inshore species. However, a sweeping rule change would negatively affect those who keep a license to off-set the expense of offshore fishing. Why do this?

Mike Santana
Managing Member
Pembroke Wealth Management LLC
Ph. 252 475 4000

Alley, Craig j

From: Fish, Nancy
Sent: Monday, January 22, 2018 11:25 AM
To: CommercialLicensesComments
Subject: FW: [External] OBC resolution opposing redefining commercial fishermen
Attachments: adopted OBC resolution.docx

From: Sandy Semans Ross [mailto:ssumpypoint@aol.com]
Sent: Sunday, January 21, 2018 10:22 AM
To: Fish, Nancy <nancy.fish@ncdenr.gov>; Murphey, Steve <steve.murphey@ncdenr.gov>; Smith, Tricia <tricia.smith@ncdenr.gov>
Subject: [External] OBC resolution opposing redefining commercial fishermen

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Nancy, please enter these as OBC public comments.

Hope all of you are ice and snow free!

Sandy

OUTER BANKS CATCH



WHEREAS, commercial fishing is a critical part of North Carolina's coastal economic engine, as well as plays a significant role in the history and heritage of the coast as well as the State; and

WHEREAS, the definition of commercial fishing is embodied in its name - harvesting fish and entering them into the State's chain of commerce; and

WHEREAS, according to the NC Division of Marine Fisheries, the sales impact of the harvesting and sale of commercial seafood is \$388,325,000 and the income impact of employed commercial fisherman is \$166,066,000; and

WHEREAS, the North Carolina Marine Fisheries Commission (MFC) now wants to change the definition of a commercial fisherman as the first step toward reducing the number of Standard Commercial Fishing Licenses as well as other commercial licenses; and

WHEREAS, MFC's stated purpose for pursuing the change is that recreational fishermen are obtaining commercial fishing licenses in an effort to bypass recreational creel limits; and

WHEREAS, obtaining a professional license under fraudulent circumstances is a crime, thus if this issue exists, it is an enforcement issue not a definition problem; and

WHEREAS, MFC presented as "evidence" that trip tickets used to collect harvest data were issued to approximately 3,000 licensed fishermen in 2017, thus leaving about 4,000 licensed fishermen with no record of participation; and

WHEREAS, many licensed commercial fishermen pool fishing efforts to reduce costs and for safety issues, one person on the boat appears on the trip ticket although others are involved; and

WHEREAS, many licensed commercial fishermen also crew for others in exchange for a share of the catch, thus, their names also do not appear on trip tickets; and

WHEREAS, among options to be considered in whole and in part are mandatory 50 percent of total annual earned income reported through the Trip Ticket Program, 36 trip tickets per year, and those without trip tickets must present proof of earning \$10,000 or more per year from participating in commercial fishing; and

WHEREAS, no other professional license issued by the State dictates a percentage of income or minimum income requirement or level of participation in order to qualify; and

WHEREAS, the coastal economy is seasonal in nature, thus, many engage in several occupations as seasons change to meet their budget needs; and

WHEREAS, to comply with the presented options, some commercial fishermen would have to fish more thus adding to the amount of harvest taken out of the water or eliminate or reduce effort one or more of their other occupations in order to reach the 50 percent minimum; and

NOW THEREFORE BE IT RESOLVED that Outer Banks Catch opposes changes prescribed based on misrepresenting the intention of the action and lacking a solid legal basis; and

AND BE IT FURTHER RESOLVED that Outer Banks Catch requests other groups and organizations also go on record opposing this action.

Adopted Jan. 20, 2018.

A handwritten signature in cursive script that reads "Sandy Semans Ross". The signature is written in black ink and is positioned above a horizontal line.

Sandy Semans Ross, Chairman

Alley, Craig j

From: Stewart and Angie Ballance <sakk@embarqmail.com>
Sent: Monday, January 22, 2018 7:07 AM
To: CommercialLicensesComments
Subject: [External] Comment on commercial license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

My name is Stewart Ballance, I work at Frisco Rod & Gun on Hatteras Island. I have worked there for 35 years and have full coverage insurance. I have caught Mullet for bait for the shop and other shops for 25 years. There is no way that I can make 50% of my income from fishing without quitting my full time job , I cannot lose my insurance for my family. I easily make the 35 trip tickets that is proposed. I have 2 mullet skiffs and just purchased 1500.00 of webbing to start new mullet nets. I shouldn't be punished for having a full time job. Even though I don't make 50% of my income from fishing every little bit extra I make helps my family out. I enjoy fishing more than anything, it's in my blood and I don't want to have to give it up. Thank's, Stewart Ballance

Alley, Craig j

From: Kevin Avolis <kevinavolis@gmail.com>
Sent: Saturday, January 20, 2018 11:33 AM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Gentlemen

I am a commercial license holder and want to remain one. I do not earn 50% of my income through commercial fishing activities.

I feel that I do not burden the commercial stock by having this license. In fact, I catch far less than a true commercial fisherman, yet I pay the same fee as all to have the right to use commercial gear, legally. I do not sell my catch. Despite having the license and ability to catch about anything, I still spend a significant amount of money purchasing NC seafood.

I believe , having people like me hold one of a limited number of licenses available, to be an effective means of controlling overfishing or over burdening the stock. If my license were held by a commercial fisherman required to essentially meet a quota (trip tickets), are not you encouraging more aggressive fishing. Let me continue to use my commercial license in the limited fashion that I do, knowing that my impacts to the fisheries are limited.

I do not believe that the proposed changes will have a positive impact on our fisheries.

Thank you your consideration.

Kevin Avolis

Sent from my iPad

Alley, Craig j

From: Donald Cox jr <alltymetowing@aol.com>
Sent: Wednesday, January 17, 2018 8:38 PM
To: CommercialLicensesComments
Subject: [External] commercial license

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

these studies that people are coming up with just doesn't seem right. every time I turn around there is a new survey from hunting deer bear and now fishing. In the past I use to do a lot of fishing and had net license went back to the late 80s. got my commercial license in the 90s my other jobs got in the way so I gave them to a friend of mine and they were selling around 1500.00 then. About 3 years ago reapplied for my commercial fishing license and some lady at morehead city was really helpful and grandfathered me back in. Now that said the state is making money off of me whether I use them or not from the renewal fee. Don't really have the time to go like I did but that said me having those license helps every year around family reunion or dinners with friends. So this way I don't have a limit on how many fish I get. I don't sell them to my family just donate them.

But, all of that said please let me know if your going to take them so at least I can sell them for what money I do have tied up in them. Don't think its right that you just take them away when I was GRANDFATHERED in from marine fisheries of morehead city. SO IF YOUR GOING TO TAKE THEM AWAY please contact me so I can make a decision on what to do before my deadline happens. ONCE AGAIN ITS NOT RIGHT TO TAKE SOMETHING WHEN MARINE FISHERIES (GRANDFATHERED ME) TOLD ME IF I GAVE THEM AWAY OR SOLD THEM THIS TIME I WOULD NEVER GET THEM AGAIN.

910 347 1328 Donald Cox Jr.

Alley, Craig j

From: Ryan Hardee <HARDEEWR@guc.com>
Sent: Wednesday, January 17, 2018 8:15 AM
To: CommercialLicensesComments
Subject: [External] License

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

To whom it concerns,

I think this is a unfair and tragic decision if it passes !

Just think what are we to do with electrical ,plumbing and HVAC contractors that a similar licensing program.

If they are having a bad year and are doing something else to bring in more income and are not using their license to support their family TAKE THEM, don't think so .

I have had my license for over 18 yrs I use them every year ,I have added on to them with some federal license also , If you are a blue fin fisherman then you will not be able to do the 36 trip tickets or the income because it don't stay open that long and the chance of having a high income is impossible .

The weather determines when you fish and as we know you can't fix the weather. So you don't get to fish all the time .

I currently work two jobs to help ends meet ,doing away with my license will crush my family and all we stand for .

I have a smaller boat which determines when I fish so that cuts back on how many days I can fish .SAFTEY Is my point you going to make people fish when they don't need to be out just to meet your quotes .

JUST ALL AROUND WRONG TO TELL SOME ONE YOU ARE TAKING THE THING THEY DO AWAY BECAUSE SOME BIG TAIL OUTFIT INVOLVED IN COMMERCIAL FISHING IS TRYING TO GET THE MONOPOLY ON THIS INDUSTRY !

You are the only state trying to do this what the hell.....

RYAN HARDEE

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Alley, Craig j

From: Jack Scarborough <hirschief35@yahoo.com>
Sent: Tuesday, January 16, 2018 6:48 PM
To: CommercialLicensesComments
Subject: [External] Opposition to Proposed Standard Commercial Fishing License requirements

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I am writing this in opposition to the proposed changes to the license requirement.

I have been commercial fishing since age 8. I got my own boat and license at age 12 and have fished every year for the past 32 years. Once graduating high school I had two callings in life. One was commercial fishing and the other was law enforcement/public safety. I chose a path in law enforcement because I knew I could fish part time, which is more like full time as I fish quite a bit. If these changes go in effect I will be left with around 200,000\$ in commercial fishing equipment that will be useless to me. My other option is to get out of law enforcement with only 8 years to retire and fish full time. This choice that would be placed upon me would create great hardships in my life. If I do not fish then I wont buy supplies to make nets, fuel for my boat, boat yard trips and the list goes on. This will affect numerous people in my community. In my case, if I do not fish and stay in law enforcement I will barely be able to pay my bills. This is ridiculous! My family goes back 5 generations on Hatteras Island. All of my ancestors fished these waters. My crew members are fellow public safety employees who supplement their income just as I do. Please stick with the fisheries reform act of 1997 and do not allow these agenda driven rules.

Sincerely I am,

Edward Jack Scarborough,
Commercial Fisherman
Lieutenant, Dare Co. SO
Chief, Hatteras Island Volunteer Rescue Squad

Alley, Craig j

From: Jared O'Neal <clammer86@icloud.com>
Sent: Tuesday, January 16, 2018 12:13 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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To whom it may concern

This quest to redefine a commercial fisherman that is be done by the division is madness. Ultimately it is another dagger in destroying North Carolina commercial fishing industry from division of natural resources. With number commercial fisherman in the state as low as now (compared to historic numbers) this cutting even more people out is t devastating and weakens industry so they can be ended ultimately . Many North Carolinians depend on commercial fishing for parts or all of their income. Those who may say have 15 or 20% still need that amount to support their family. Some hard years many fisherman have to take Construction jobs for a season. These men still are commercial fisherman ! Not to mention the amount of reduced fresh nc seafood that will be available in market or restaurants to those residents and non residents who don't fish . Certainly a huge economic affect from this alone! It seems only thing this redefinition will accomplish is reduce commercial fishing because ill informed recreational fishing groups simply don't want them there. Not science but politics and money . Can you not see what's happening here? Please x this bill . It's devastation to North Carolinians and visitors to this find state will be unimaginable

Sincerely

Jared O'Neal

NC wild fish consumer and commercial fisherman Sent from my iPhone

Alley, Craig j

From: Brett Ryder <bryders1935@gmail.com>
Sent: Tuesday, January 16, 2018 8:37 AM
To: CommercialLicensesComments
Subject: [External] NC SCFL comment

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Good morning,

I'm a current commercial fishing license holder. The reason I obtained a license was as a backup plan for slow times during my primary employment. Luckily there haven't been so many slow times with my primary employment the last few years but that also means that I'm now in your crosshairs for stealing my license which I paid good money for. It's not at all fair that you are now attempting to devalue and simply take my license due to lack of use. The licenses are readily available on the open market, people are always selling them (and at a reasonable rate) so I don't understand why you think it's necessary to step in and start to regulate who can own a license. Commercial fishing is a great industry for someone like myself who enjoys being on the water and it comes with a low barrier (cost) of entry. I pay my annual renewal on time each year and if I choose to continue to pay those renewal fees I should be able to continue to maintain my license regardless of how much or little I use it. Please keep your hands off my license!!!

Brett Ryder

Alley, Craig j

From: Richard Augustson <richardaugustson@gmail.com>
Sent: Tuesday, January 16, 2018 7:28 AM
To: CommercialLicensesComments
Subject: [External] The definition of commercial fisherman

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January 16, 2018

To whom it may concern:

I would like to put my two cents worth in on the topic of the new definition of a commercial fisherman.

I have been investing for four years into my commercial fishing business. I salvaged a hull and made it new. I did this after I got approval to get a license from the lottery pool. I couldn't afford to pay the \$2000 average online sale price for it. I have been steady hanging/making a swipe net and searching places in the sound to locate a water column for an aquaculture operation. This all takes time and a ton of money.

If someone were trying to get into the industry and didn't have all the money to start up at once, it seems impossible to be what the proposed new definition of a commercial fisherman is. I feel it is also wrong to say how many times a year a fisherman has to go out and fish. In my opinion the rule should go in the other direction.

If the committee wants to see a fair number of license removed, I would suggest that they start looking at other ways to enforce current statutes, like punishing people who openly break the law, not people who abide by the law and follow every regulation. Out of state license holders raise a red flag on this issue to me as well.

I was raised on the waters of the Pamlico Sound and my family for generations has relied on its' bounty. Now I have a ten year old son and fourteen year old daughter that want to come up in the industry. I am a lineman for Cape Hatteras Electric Cooperative and work forty hours a week for them but intend to fish to supplement my income when all my gear is ready in a few weeks. The aquaculture operation will take quite a while to be successful due to SAV grass. The provision of 50% of earned income for me and others in my situation due to time is nearly impossible and I feel it is unfair to implement this part of the definition.

Respectfully,

Richard Augustson

Alley, Craig j

From: fred fish <brainred2016@yahoo.com>
Sent: Monday, January 15, 2018 7:19 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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My name is Brian Keith Fulcher Sr. I have fish since I got out of school in 1979, and have always had a license all of my life with the exception of maybe 2 yrs due to a divorce. About 10yrs ago I went too work for a company where as a license was assigned too me therefore my license will show no landing, for this period, I don't think it would be right for anyone to take my license as I have still remained a commercial fisherman and all this would do is too force me to be a slave to this company or another company while I remain fishing therefore I couldn't go back to work with my own operation should I choose too. Also I'm a 3rd generation fisherman. Should I lose my license be removed for this stupid reason I can assure you that I will see you in court because this isn't right, and everyone knows its just another ploy by the CCA to end commercial fishing. Best Regards Keith Fulcher

Sent from [Mail](#) for Windows 10

Alley, Craig j

From: corbett johnson <reelaxcharters@outlook.com>
Sent: Monday, January 15, 2018 5:09 PM
To: CommercialLicensesComments
Subject: [External] Public comment on proposed changes to commercial fishing license

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Personally I meet 2 of 3 the criteria so I'm not worried about my license however I feel it would be a loss of revenue for the state. Meaning all these people that pay the \$400 a year to renew their license that never fish are still paying to renew their license so the Marine fisheries are still making money.... also there is a good handful of people that Charter fish in the summer and supplement their income by commercial fishing in the winter whether it be with string you were tuna fishing or whatever either way it's a bad idea.

Sent from my iPhone

Alley, Craig j

From: JAMES RICHARD STONE <beagle1@yadtel.net>
Sent: Sunday, January 14, 2018 9:29 PM
To: CommercialLicensesComments
Subject: [External]

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I bought my commercial licenses and pay 425.00 a year to keep them activated. it should not matter to anyone if I catch a fish or sell a fish. This only the big commercial fisherman lobbying to push the small ones out. I would drop this or lets go to the public and US senators of NC to show the bias.

Alley, Craig j

From: Joe Starks <jstarks@ecctec.com>
Sent: Saturday, January 13, 2018 1:05 PM
To: CommercialLicensesComments
Subject: [External] Public Comment

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Hi My name is Joe Starks I currently hold a commercial license that I purchased in the summer of 2017. Earlier last year I inquired about obtaining a license at the MHC office and was told that I would not likely get one because they were not available anymore and the wait list was long. Additionally, I was told that because I did not have a history of commercial fishing in my family that I would not likely be granted a license over someone who did. (I believe that is fair, that a family committed to the lifestyle of commercial fishing should have priority) When asked what I should do I was told that purchasing one from someone looking to get out of the business was the only option at that time. I also believe that is fair as it is an option available to anyone who wants it.

I am a licensed master captain and have been fishing North Carolina waters for over 40 years and now as I begin to think about retiring from my day job, Commercial fishing is what I want to do. I have invested hundreds of thousands of dollars in education, a vessel and the needed equipment in preparation for this. Although I have not officially begun to fish commercially it is my desire that I as well as my grandson (who shares the same passion as I do) have the ability to pursue this career.

It is my intent to make this a family career and you have to start somewhere. This is my families start. My concern is that your decisions which will certainly impact me, may be based on things that I have had no control over in the past or in the future such as revenues reported. For those of us who are ending one career and trying to start another we could get caught in the cross fire so to speak.

Today I own 1 vessel, in 5 years I would like to own a fleet of them. Considering the rules of supply and demand, no new licenses are being issued and requests are increasing. Is it possible that to meet the rising demand, you consider a valid commercial license holder to obtain a special permit that would allow a single license to cover multiple vessels simultaneously. This could be accomplished by issuance of a permit for each vessel which is renewable annually. You could consider allowing license holders to broker to other vessels such as charters etc. who also seek to make money on their catches. License holders would be accountable for insuring all legal aspects, safety, permits and any other considerations are within the set regulations for each vessel they permit under their licenses while engaged in commercial fishing operations. The revenues generated would be reported through the license holder with detailed notations of each vessel permitted. For those on the list and waiting for a license, they would be able to begin fishing while the process of getting a license moves forward.

I would imagine that some people obtained a license in preparation of engaging in commercial fishing at a later date. You might also consider that for license holders who do not plan to use their licenses in the near term, a process could be set up to allow them to sublet their license via NCDENR until they are ready. I plan to start my commercial fishing in 2018 on a part time basis as time and weather allow. I may or may not make enough money to cover my costs but I will be out there and working hard.

Respectfully submitted, Joe Starks
Carolina Beach NC

Alley, Craig j

From: Chris McCaffity <freefish7@hotmail.com>
Sent: Saturday, January 13, 2018 11:46 AM
To: CommercialLicensesComments; Duval, Michelle; Rep. Pat McElraft; Senator Norman Sanderson; joshua.bowlen@mail.house.gov
Cc: Brett Tolley; flc@fishlocallycollaborative.org
Subject: [External] Defininifng Commercial Fishermen Public Comments

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Defining Commercial Fishermen Public Comments

Please table this attempt to reduce the number of independent commercial fishermen. Most commercial fishermen work other jobs, just as we have forever. Fishing is often feast or famine and other sources of income help us stay afloat in the lean times. Family obligations, health issues, and other circumstances can sometime keep us off the water for years. Taking away a license we renew every year and may have held most of our life because we didn't harvest enough seafood is wrong on every level. Are we hurting anything if we don't fish? We are just paying into the system without any expectations other than the state will honor it's promise that we can keep renewing our license until we are in a position to use it. This attempt to force fishermen to make X amount of money or fish X number of days will only lead to more corporate control of our fisheries and food supply. Maybe we should look at if corporations, especially global corporations, fit the definition of a local commercial fisherman. Corporate investors can hire crews to meet the criteria being considered to define commercial fishermen. That does not make the corporation a fisherman. Perhaps some kind of owner/operator requirement would be a better path to take.

Please support letting fishermen have more say in how our license fees are used.

I am always happy to answer any questions or go into greater detail.

Sincerely,
Chris McCaffity

Alley, Craig j

From: Thomas Neeley <lowrider222@charter.net>
Sent: Saturday, January 13, 2018 9:09 AM
To: CommercialLicensesComments
Subject: [External] Commercial Fishing License Definition

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Commissioners,

Thank you for accepting comments in writing and addressing this important issue. I fully support revising any definition that will benefit our fishery resources and protect our full time commercial fishermen.

Commercial fishing operations in NC has been a long-lived heritage for decades; however the flexibility that "anyone" is a commercial fishermen that holds a license has hurt the industry's reputation immensely. Living in a shoreline community, I know of those that hold a license just to beat the bag limits and have no respect for our resources the way our real full time commercial fishermen do; and I know several full time commercial fishermen that have much respect for the law as well as the resources.

With the above being said; it is important to define this position in a way that will help our resources. I suggest:

1. 75% or more of a person's annual income is reported on their taxes for the past 3 years from commercial fishing operations and the sale of their catch;
2. Removal of the RCGL (recreational commercial gear license); (gigging flounder and selling the fish illegally is a problem in our area)
3. Non-renewal of licenses that do not meet the new definition of commercial fishermen at renewal time if they cannot prove the above.

Now of course if a Commercial Fishermen has had one difficult year for any reason during the 3 year period; I believe if they can legitimately prove that they fish and sell their catch for the 75% of their income that should override any bad year because of personal, health, mechanical or whatever reason. And honestly, most of us know who are commercial fishermen are up and down the coast of NC. Sammy and the commission know most people and who makes their living from commercial fishing operations.

Lastly; by eliminating those that do not meet the above criteria, we first start to improve the perception of the public by the bad behavior of those who are not abiding by the law; second we improve the resource quantity for those REAL commercial fishermen and third we also start protecting our resource in a more manageable way. Again; all of the full-time commercial fishermen I know abide by the law, catch and size limits and seasons.

Thank you for allowing me to offer my input; if someone likes, you may read this comment to the group at the February meeting and may use my name.

Sincerely,

Tom Neeley
Hampstead

Alley, Craig j

From: walter giese <wdgiese@gmail.com>
Sent: Friday, January 12, 2018 7:36 PM
To: CommercialLicensesComments
Subject: [External] Commercial Fishing License

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Please accept these comments with regard to Fisheries Commission attempt to define a Commercial Fisherman.

While I agree that something needs to be done I would offer the following.

1. Current license holders be allowed to maintain their License regardless of % income, number of trip tickets , etc. When other laws or rules are changed with regard to building codes old building are "Grandfathered" , when automotive standards change you can still drive your old car, etc.
2. Current License holders cannot sell or transfer their license.
3. All new license holders are subject to the new guidelines.

I would simply like to keep a license that I have had and maintained in good standing for years.

Over time existing license holders that do not meet the proposed criteria will be reduced by non renewals, death, etc.

Taking a license from someone who may not meet the criteria will do nothing to protect the resource or provide opportunity for other commercial fishermen.

Thanks for your consideration.

Walter Giese

Alley, Craig j

From: jerry anderson <certified1063@gmail.com>
Sent: Friday, January 12, 2018 6:30 PM
To: CommercialLicensesComments
Subject: [External] SCFL

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I have a SCFL and have for many years. A few years ago I had to leave the water. You know that one never truly "leaves" the water. Knowing that I would return one day, I kept my licenses and paid my fees each year. For the last 3 years I have been buying gear and putting a boat together. I plan to return to the watermans life within a few months. I have no trip tickets to show for many years. I have spent many thousands of dollars to prepare my return to the life that I love. Please take people like me into consideration.

Thank You,
Gerard Anderson
252-241-9641