

Fisheries Reform Group Sues State Over Bycatch Regulations

By Administrator

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After eight months of unsuccessful attempts to engage in meaningful fisheries management reform dialog with Governor Roy Cooper, the North Carolina General Assembly leadership and the North Carolina Department of Environmental Quality (DEQ), the North Carolina Coastal Fisheries Reform Group (NCCFRG) has been forced to file a Federal lawsuit in the United States District Court for the Eastern District in North Carolina, under the 1972 Clean Water Act (CWA).

Each of the defendants was issued a 60-day Notice of Intent to File a Citizen Suit on May 13, 2020, in which they were asked to respond to legal claims under CWA with respect to bycatch (discarded catch of marine species and mortality due to a direct encounter with fishing vessels and gear). They were also asked to respond to sediment resuspensions that violate CWA.

"The day has come. We didn't want to end up in court, but we ran out of good-faith options. Two months ago we reached out to the State and to the industry in the form of a Notice of Intent. Yes, we had a meeting with certain parties on the industry side (during the 60-day window) but the dialog was not fruitful - nor were any concessions made on the industry side." said Joe Albea. "This matter of industrial-sized shrimp trawlers going into our inshore waters and killing millions of finfish and tearing up the bottom (in the process) has to stop! If our politicians won't do the right thing and make common-sense regulation reform, it's time for the Court to weigh in." Joe Albea leads the NCCFRG and has produced and hosted an outdoor TV series for 26 years. He has witnessed first-hand the destruction of our coastal marine resources. According to NCCFRG's legal counsel, Mr. James L. Conner, II, partner in Calhoun, Bhella & Sechrest, the disposal of millions of dead finfish (bycatch) into Pamlico Sound every shrimping season violates the Clean Water Act, and the behavior has been allowed and encouraged by the Marine Fisheries Commission and the Division of Marine Fisheries.

Robert P. Crone, Sr., media specialist and member of NCCFRG is not surprised this matter has ended up in Federal Court. "Look, our group (NCCFRG) has taken every measure to ameliorate what is clearly a horrible situation for North Carolina's public trust marine resource. We published a robust website clearly describing our position. We contacted leaders and politicians in our General Assembly and the Executive Branch, practically begging them to engage in dialog with us. And we were largely met with silence. At some point after months and years and decades of deflection, you have to throw up your hands and turn it over to the real decision makers. That's what we've done, and yes - we look forward to our day in court. The trawling companies have broken the law, and the State has failed in its obligation to uphold North Carolina's Public Trust Doctrine. It's really as simple as that."

For more information go to

nccfrg.org, contact nccfrg@gmail.com or call 252-916-0380.