

Burgos, Alexander N

Subject: FW: [External] April 16 RRC Meeting- Comments Regarding NCMFC Tarpon Rulemaking

Sent: Thursday, April 2, 2020 2:49 PM

To: rrc.comments <rrc.comments@oah.nc.gov>

Cc: Everett, Jennifer <jennifer.everett@ncdenr.gov>

Subject: [External] April 16 RRC Meeting- Comments Regarding NCMFC Tarpon Rulemaking

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to report.spam@nc.gov

Good morning. My name is Jonathan French. I am a recreational fisherman from Virginia who travels to North Carolina in the summers to live bait for large pelagic species like king mackerel, cobia, jack crevalle, and tarpon. I am writing to protest the passage of the amendment to 15A NCAC 03M.0509; to prohibit possession of tarpon and make it illegal to gaff, spear, or puncture tarpon by any method other than hook and line.

The passage of this rule ignored several of the basic realities of live bait fishing off a pier. Unlike red drum, tarpon are way too large to drop-net, and beaching a fish presents a significant danger to the individual who runs down to the beach to direct the fish onto land. Gaffing and harvesting the fish, which ends up being a very small number of fish because of the tarpon's strength and skill, is the safest method of harvest, and given the very lengthy fights and high mortality rate associated with a random tarpon hook up, is a small impact on the overall biomass. The cost to pier operators and most importantly, the resulting lack of access to one of the few viable trophy game fish opportunities for lower income, pier and surf based anglers, is way to high when compared to the negligible impact on the biomass.

Sadly, the comments were ignored by the NCMFC. The chair stated in the meeting and later on social media that the comments "came too late" to impact their decision. What is the purpose of having a public comment period at a public meeting if the comments are not going to be weighed? A pier owner, who happens to be dealing with storm repairs, went out of his way to share the economic impact on his business, and both his views and the views of low income, land based anglers were once again ignored by those "representing the recreational fishermen," and in doing so ignore the opinions of the vast majority of land-based fishermen. Stating that the public comments were too few and too late violates the mandate for transparent, engaged decision making by fisheries management.

I strongly encourage DMF to look beyond the southern NC, boat angler focused fisherman with both representation and outreach when making these kinds of decisions, and I officially protest this rule and request it be reconsidered by the legislature.

Thank You,

Jonathan French
2820 Emma Lee St.
Falls Church VA 22042

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Name Greg Ludlum owner seaview fishing pier

Address

124 fishing pier lane NorthTopsail Beach
[Feb, 25th, 2020]

N.C. Rules Review Commission
6714 Mail Service Center
Raleigh, NC 27699-6700

Re: [15A NCAC 03M 0509 (TARPON) I would like to address the tarpon rule witch was incomplete . This rule was pushed through with out doing a finical impact on the true fisheries that was being impacted the fishing piers of north Carolina. I went on the day the vote and spoke of the importance tarpon to the piers I went before the vote and was told in a letter that fishing piers have never been used in the rule making process I was got a away with the his statement it was like our fishing piers dot mater he said that coming in at the 11 hour was to late but they sworn in a member at the 11 hour and let him vote .We can no continue to vote on incompetent rules at any time a new discover is made we must consider it. A member spoke up and said yes it was late but not to late because we have not voted. Fishing piers must be included in the conversation they are the backbone of of north Carolina fishing for the people who cannot afford any other way to use our resources including the handicap .letter from Mr Bizzell enclosed

Members of the Commission:

I request that the above rule(s) be reviewed in the upcoming legislative session as set out in N.C.G.S. 150B-21.3. I further request that the rule(s) be subject to a delayed effective date as set out in that same provision.

Thank you for your consideration.

[Name] GREG Ludlum

[Signature] 

From: Greg Ludlum
Sent: Friday, February 28, 2020 10:44 AM
To: fishingpierman@yahoo.com
Subject: Letter

Greg, thanks for reaching out. While written public comment is good, it doesn't have the same impact as coming to a meeting and verbally expressing a concern, which I am very glad you did. We were in the 11th hour of the process, to include your good suggestion would have meant we would have had to go back to the beginning. We did approve the language for the rule making, but your comments did make a number of us uncomfortable about what we did. So Commissioner Cross did ask the Director to develop a white paper on allowing tarpon possession from ocean piers. We heard you! Your comments were most welcomed, and I appreciate them. Piers have never, to my knowledge, been considered in fisheries management for the only reason we have no catch data on them. What I would like to do is to meet with you and other owners/managers to see if we can find a way to capture y'all's catch data, and make you more pertinent at the decision making table. I am doing this with the for hire guides, will gladly do it with the ocean piers. Thanks, Rob

Sent from Yahoo Mail on Android

Terry Plumblee
448 N Gregory Rd
Shawboro, NC 27973
February 28, 2020

NC Rules Review Commission
6714 Mail Service Center
Raleigh, NC 27699-6700

Re: Rule 15A NCAC 03M 0509 (TARPON)

Members of the Commission:

I request that the above rule be reviewed in the upcoming legislative session as set out in NCGS 150B-21.3. I further request that the rule be subject to a delayed effective date as set out in that same provision.

I am an owner and the manager of Rodanthe Pier on Hatteras Island. Live bait fishing for large migratory fish such as King Mackerel, Cobia and Tarpon is a large portion of my business.

The basis for my request is as follows:

- 1) I believe that there is no scientific data suggesting that the TARPON fishery is distressed by overfishing and I object to management based on non-scientific reasons.
- 2) There was no economic analysis performed as to the impact of this rule on fishing piers and the large number of fishermen that could be affected.
- 3) Pier fishing was not taken into account at all as discussed at the latest MFC meeting where the rule was voted on. Pier fishing on the coast of North Carolina affects what I believe to be the largest number of fishermen in the state. However, they pushed through a vote anyway when this fact was brought out. Due diligence was not performed.
- 4) The rule does not meet the proper standards.
- 5) A new committee member was installed at this meeting and allowed to cast a vote on the rule without any prior knowledge or research.

Thank You for your consideration,

Terry Plumblee,
Manager, Rodanthe Pier LLC

Jason E Fowler

110 Grant Street
Sneads Ferry, NC 28460

Feb, 28th, 2020

N.C. Rules Review Commission
6714 Mail Service Center
Raleigh, NC 27699-6700

Re: [15A NCAC 03M 0509 (TARPON)]

Members of the Commission:

I request that the above rule(s) be reviewed in the upcoming legislative session as set out in N.C.G.S. 150B-21.3. I further request that the rule(s) be subject to a delayed effective date as set out in that same provision.

I feel this rule is being set into place without documented scientific data justifying that any change needs to be made. This issue was brought to Marine Fisheries solely because several people were "disgusted" to see tarpon utilized as cut bait for large predator sharks. There has never been a formal stock assessment on tarpon nor do we fully understand their complete populations as they are a very nomadic species. Approving this rule will make North Carolina the most restrictive tarpon fishery in the Southeastern and Gulf section of the United States. We cannot allow ourselves to approve fisheries management practices that do not have valid scientific data to back them up.

Thank you for your consideration.



Jason E Fowler
Southern Regional Advisory Committee
North Carolina Marine Fisheries

Tyler Ludlum
199 Hill Ln.
Sneads Ferry, NC 28460
Feb, 29th, 2020

N.C. Rules Review Commission
6714 Mail Service Center
Raleigh, NC 27699-6700

[15A NCAC 03M 0509 (TARPON)]

Members of the Commission:

I'm in disagreement with the rule against harvesting tarpon. I have been around fishing piers most of my life and I surely do not believe that there is any current danger to the tarpon. I believe that this is being passed without any accurate data or data from piers and needs revision.

Thank you for your consideration.

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

Tyler Ludlum

Frank Mumpower
1421 Ramsey rd.
Jacksonville, Nc 28546
Feb, 28th, 2020

N.C. Rules Review Commission
6714 Mail Service Center
Raleigh, NC 27699-6700

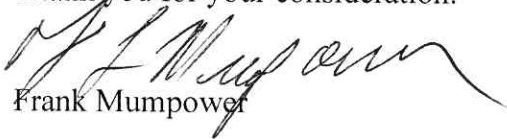
[15A NCAC 03M 0509 (TARPON) (-- This is the specific rule or rules one is objecting to with sufficient detail to identify it or them)

Members of the Commission:

I have fished 45 years up and down the coast. I've caught 100 plus tarpon, I don't see a problem in harvesting them. I do not agree with this rule without the right data

I request that the above rule(s) be reviewed in the upcoming legislative session as set out in N.C.G.S. 150B-21.3. I further request that the rule(s) be subject to a delayed effective date as set out in that same provision.

Thank you for your consideration.


Frank Mumpower

Daniel Ludlum
153 Seabird Ln.
Sneads Ferry, NC 28460
Feb, 29th, 2020

N.C. Rules Review Commission
6714 Mail Service Center
Raleigh, NC 27699-6700

[15A NCAC 03M 0509 (TARPON) (-- This is the specific rule or rules one is objecting to with sufficient detail to identify it or them)

Members of the Commission:

I am writing this letter disagreeing with the tarpon rule and reasons that it was placed. I am requesting this rule to be reviewed in the later session. I think there should be several other things considered before making a rule based on no data.

Thank you for your consideration.

Daniel Ludlum

