

## Burgos, Alexander N

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**From:** Jerry Schill <jerryschill@ncfish.org>  
**Sent:** Tuesday, May 17, 2022 12:32 PM  
**To:** Duke, Lawrence  
**Cc:** Burgos, Alexander N  
**Subject:** [External] Request to comment

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Dear Mr. Duke:

I would like to offer comment before the Rules Review Commission this Thursday, May 19th, in person, regarding several proposed fisheries rules submitted by the Wildlife Resources Commission.

Respectfully,

Jerry Schill  
Director of Government Relations  
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While appreciative that the WRC removed those proposals that would have had serious consequences with compliance issues with the Atlantic States Marine Fisheries Commission, the Mid Atlantic Fishery Management Council and South Atlantic Fishery Management Council, it's vital for the RRC to still ask the question, why were those proposals put forth in the first place? Yes, it's good that they were removed, but anyone with a cursory knowledge of the fishery management process would know those were problematic with possible very serious consequences.

The Secretary of Commerce of the United States, under federal law, has the authority to shut down a fishery over compliance issues. When that happens, it's not just shut down for a species for only fish under WRC jurisdiction or only affects recreational fishermen who fish for that species, but rather, for the entire state. That includes, of course, those commercial fishermen who make their living on the water and the consumers, who also own this public trust resource. Any such action would also affect the charter boat industry.

With that in mind, one should quickly see why we, the commercial and charter fishing communities look suspiciously at any proposal coming from the WRC. Admittedly, fishery management is very complex and one of the reasons why legislators cringe when they hear the word "fish" in any discussion, debate, piece of legislation or even a casual conversation in the legislative cafeteria!

I don't mean to imply that the WRC does not have the knowledge of the fishery management process. It's even more troubling to acknowledge that they do, yet still made those proposals.

As for the remaining few dozen proposals:

For the past 20 years the WRC adopted size/creel limits for coastal species that may occur in inland, (freshwater), waters and were of interest to the WRC by reference to MFC restrictions. What has changed that necessitates divergent restrictions for the WRC for rules that are being reviewed under the 10-year scoping period under the Regulatory Reform Act? It would seem that the WRC is proposing rules that violate the intent of an Act that was meant to make the regulatory agencies produce rules that are more efficient and not redundant.

These species of interest seldom occur in the territorial jurisdiction of the WRC. The subject jurisdiction is clearly under the authority of the Marine Fisheries Commission as authorized by the General Assembly.