

NCFA UPDATE: 02/05/2021
NORTH CAROLINA FISHERIES ASSOCIATION
"Serving the Commercial Fishing Families of North Carolina since 1952"
PO Box 86; Morehead City, NC 28557
Phone: (252) 726-NCFA (6232)
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NCFA Files Motion to Intervene

On Thursday, January 28, 2021 the North Carolina Fisheries Association filed a motion to intervene as a party-defendant in the lawsuit filed against the State of N.C by the Coastal Conservation Association (CCA) of North Carolina.

On November 10, 2020 the CCA filed a lawsuit alleging that, by allowing the use of gillnets and shrimp trawls, the State has violated the NC Constitution and/or the public trust doctrine by failing to protect our coastal fisheries resources.

Among their many allegations, the CCA claims the State of NC has shown a bias towards the fishing industry by “allowing the commercial fishing industry to dictate or exert a disproportional influence on the States coastal fisheries resources management policies and plans.”

They assert that this alleged bias has, in part, resulted in the mismanagement of our marine resources, violating the public trust doctrine and recreational angler’s constitutional rights.

The CCA’s view – that recreational fishing is a constitutional right which cannot be infringed upon, while commercial fishing is a narrow, limited privilege afforded only by statute – is not a view shared by the NCFA.

We believe all stakeholders, recreational, commercial, and consumer have a right to access our marine resources and a duty to protect them for future generations.

With this in mind the NCFA felt obligated to protect the interest of our members and those who rely on commercial fishermen as their source to access NC seafood.

Along with our motion to intervene we have filed a proposed motion requesting the dismissal of the CCA lawsuit against the State.

Regardless of the outcome of these motions the NCFA will address, in court or publicly, each false claim put forward by the CCA.

If you would like to contribute/donate to NCFA to help with this lawsuit, please make checks payable to:

NCFA Legal Fund
PO Box 86
Morehead City, NC 28557

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LEGISLATIVE UPDATE:

Things are still moving slowly in the General Assembly. Many committees have not had their first meeting yet, but of course, that will change. Of immediate concern is the Covid issue so this week S-36, 2020 COVID RELIEF BILL MODIFICATIONS, was passed unanimously by the Senate and House and currently awaits signature by Governor Cooper. You can find the bill here:

<https://www.ncleg.gov/Sessions/2021/Bills/Senate/PDF/S36v3.pdf>

We reported last week that 2 bills were introduced regarding fisheries. No additional bills were filed this week, but work is proceeding on bills that NCFA will support. We have heard nothing specific about anything negative, but it is expected.

Of those 2 bills reported last week, no committee action was taken.

S-26 TERMINAL GROIN DEFINITION;

<https://www.ncleg.gov/Sessions/2021/Bills/Senate/PDF/S26v0.pdf>

Currently in the Senate Agriculture, Energy & Environment Committee

H-2 BOTTLENOSE DOLPHIN AS STATE MARINE MAMMAL

<https://www.ncleg.gov/Sessions/2021/Bills/House/PDF/H2v1.pdf>

Currently in the House State Government Committee; if favorable to House Marine Resources Committee

God bless,

Jerry