

Interview
With
JERRY SCHILL
In
New Bern,
North Carolina

Interviewed by Susan West

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Transcribed by Mary Williford

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SUSAN WEST: My name is Susan West and it's June 24th, 2016. I'm here with Jerry Schill in New Bern, North Carolina. Jerry, for our listeners, can you give us a little bit of background on where you were born, where you grew up, and what you do for a living, and how you got involved in fisheries?

JERRY SCHILL: Sure. I was born in Pennsylvania, in a small community. How small was it? My dad was Postmaster of the town, and the Post Office was in our house, so, very agricultural at the time, a lot of dairy farms in the area, and we also had a farm. So I knew how to milk a cow by hand, and did so quite often. Did the military thing, went in the Air Force right out of high school, and after I got out of the Air Force--well, got married while I was in the Air Force and I'm still married to the same woman, almost forty, forty-eight years!

SW: Congratulations!

JS: Thanks. Almost forty-eight years! But, four children, ten grandchildren, and before the end of the day, one great-grandchild, hopefully.

SW: Congratulations!

JS: Thank you. So, we just decided to move down here in 1984, Labor Day 1984, we moved to North Carolina. I was a salesman, representing a business organization, so I called on businesspeople in eastern North Carolina. A lot of 'em in Carteret and Pamlico Counties, got to be pretty good friends with several of them. Decided to run for the state Senate for the district that Norman Sanderson has currently, which is Carteret, Craven, Pamlico Counties. That was in 1986 and did not win that election, but shortly after that, some seafood dealers wanted to talk to me, so I went and met with them and the first thing they told me was they did not vote for me, but they liked the way I ran my campaign. 'Cause we didn't get into name-calling or anything, we stuck to the issues and it was a rather cordial campaign, actually. So, I interviewed for the job

'cause they wanted to know if I knew that they were looking for somebody, which I did not, and I interviewed for the job and it was narrowed down to three people, and they hired me. And again, that was in 1987, and one of the board members, I remember him saying, after they decided to hire me, he was talking about 'we need to find a way to keep our Executive Director for a while, we'd like to hang on to an Executive Director for three years, at least.' Well, I was there for eighteen, and in 2005, I resigned to pursue other interests and left--bought a small farm back in Pennsylvania and farmed it 'til we ran out of money, which took four and a half years. We were very fortunate to sell it as quickly as we did, and oved back to North Carolina, 2009. And I always stayed in touch with the fishing industry by phone; we had some North Carolina folks stop up and visit on occasion. I stayed in touch with some Legislators as well, on some fishing issues, even though I was not involved, officially. But a few years ago--three years ago, as a matter of fact--I got a call from Pamlico County, they were concerned about a shrimp petition that was filed and if the Marine Fisheries Commission would've agreed to that petition, it would've topped in-shore trawling. They asked for my help, and I went and did some contract work for them, and eventually the opening came up with N.C.F.A. [North Carolina Fisheries Association], with my old job, so I moved into that on a temporary basis, and now I'm back, same position, same title that I had before.

SW: Tell us a little bit about the North Carolina Fisheries Association and what it does, and what you do as Executive Director.

JS: Well, you know, in 1997, there's a major rewrite of our by-laws, and I went from Executive Director to President and Corporate Secretary, and I joke that they did that instead of giving me a raise, just a change in title, but that's not really true. So, my current title is President and Corporate Secretary. So, in 1952 was when the organization was founded, and mot non-

profits start out by the seat of their pants, you know, and they incorporate after they're sort of, quote-unquote, in business for a few years, and somebody suggests that you should be incorporated. That's not true with N.C.F.A. N.C.F.A. was started by some very astute businessmen in eastern North Carolina who were concerned, back in the early [19]50s, that there was a move to ban trawling.

SW: You're kidding me! Way back then?

JS: In the early '50s.

SW: Woah.

JS: That's why N.C.F.A. was started. But these astute businessmen filed articles of incorporation right away and, interestingly, from the get-go, their by-laws stated that their Board of Directors, in addition to being made of geographical representation and species representation, would also include one board member appointed by the Governor of the state.

SW: And why did they do that, do you think?

JS: Because they were smart businessmen; they felt that that would allow the Governor to have a more integral part in knowing what's going on in the fishing industry. I mean, there were no guidelines; the Governor could appoint who he or she wanted to appoint. Over the years, that has varied. Sometimes that person has been the Director of Marine Fisheries. When I started here, Bill Hogarth was on our board as an appointee of Governor Jim Martin. There is a--Pres Pate was on our board for a while; Bob Lucas was appointed by [Governor] Jim Hunt, and he was Chairman of the [Marine Fisheries] Commission! And he was a recreational fisherman! Now, he had some very interesting board meetings, needless to say!

SW: I'm sure! I'm sure those must have been fascinating.

JS: Yeah, they were. Now currently, when the group reorganized, when I came back, the

board had, up to this point opted not to exercise that provision. So currently, the Governor does not have an appointee to our board.

SW: But that could change.

JS: That could change. I mean, I personally think, I wish it would. So it has its own set of problems, but it also has its own set of benefits, as well, in my opinion. But I'm just a hired help here, so. N.C.F.A. was started in 1952--it's a 501(c)(6) now, it's not a [501](c)(3)! Most non-profits are educational foundations, as they're set up. If an individual writes a check out to a 501(c)(3), it's tax-deductible. If an individual writes a check out to N.C.F.A., it's not tax-deductible unless it's being written off as a business expense. In other words, we are a business organization. A fisherman? It's tax-deductible for a fisherman or a seafood dealer or a processor or an associate member, such as a net-maker or somebody that sells fuel to the industry or insurance, banks, that sort of thing. But the other thing about a 501(c)(6) is, that portion of your income that's used for lobbying purposes is not tax-deductible. So, at the end of each year, we have to compute approximately what amount of our budget is used for lobbying purposes, and that amount--if somebody gives us a hundred bucks as a business expense, only the portion that's not used for lobbying is, could be tax-deductible. So my job, most people view me as a lobbyist. Period. But I take out the trash, I clean the commode once in a while, I mean, I do my share. When you're running a non-profit and it's a small office--there's only two and a half employees here, we have David Bush, our Biologist who's full time, as well as I'm full-time, and Peggy Page is our Accountant, Bookkeeper, and she's part-time. So we have two and a half employees.

SW: So, you do whatever needs to be done, essentially.

JS: Exactly. Yeah.

SW: Well now this is really interesting, you said that N.C.F.A. started back in the early

[19]50s and there was concern that trawlers could be banned. Fast forward up to the 1990s, and the period when the fisheries Moratorium Steering Committee was organized and issued their final report and eventually, the Fisheries Reform Act came out based, in part--in large part--on that report. What was going on in the state of North Carolina at that time? Why was there a moratorium put on commercial fishing licenses?

JS: There was a lot of rhetoric--and that's exactly what it was, rhetoric--at that time that there was way too much effort. In [19]94, they passed a net ban in Florida and, again, the rhetoric was 'all those fishermen that no longer can fish with nets in Florida are all gonna come north to North Carolina, we've gotta put a moratorium so we don't get flooded.' You know, there was a number of reasons. But allow me to back up a little bit, because in the late [19]80s--and this is part of that process--there was some concern about 'we don't have a definition of a commercial fisherman.' And at one of our board meetings in Little Washington, our board discussed the issue; I don't think it was a very lengthy discussion. They came up with a definition of a commercial fisherman, and I can't recall exactly what it was, but I do believe it was seventy-five percent of your income had to be from commercial fishing if you were to be classified as a commercial fisherman. Now you have to keep in mind, our Board of Directors was all full-time. There were no part-timers sitting around the board. I put out a press release or a letter--and again, this is probably 1989 or somewhere thereabouts--I put out a release or a letter about what the decision we made, and fairly quickly I get two phone calls from two different Legislators: one was Vernon James from Elizabeth City, one was Pete Thompson from Edenton. They both represented some very rural areas of North Carolina, including Hyde County. And they said they could not support such a move because there were many farmers in their constituents whose major source of income was agriculture, but secondarily, commercial fishing.

Now that varied; it could've been five percent, it could've been ten percent, could've been twenty-five percent income, but there's no way, in their view, that those folks would be able to handle a reduction in income if they were no longer allowed to commercially fish. Well, that's not something that we discussed! Because none of the board was in that position. So at the next board meeting, we discussed this again and they rescinded that. And they decided, at that time that a commercial fisherman is anyone who sells fish. Period.

SW: Okay. Okay.

JS: Now currently, there's another push to define a commercial fisherman. Again, there's a lot of rhetoric and my contention is that the purpose of that--they talk about 'professionalizing' the fishery; I don't know exactly what that means. Maybe that means that fishermen won't use the word 'ain't' anymore, I don't know what that means. But I know, I think I know the purpose behind it, and to me, the purpose is to reduce the numbers of commercial fishermen so that they can reduce the political clout, what little political clout we have.

SW: And who's pushing for this now? Where is this--?

JS: There's several folks on the Marine Fisheries Commission, including some commercial fishermen. They're not--obviously, the ones that are commercial aren't doing it to reduce the political clout, but they would be complicit in doing so, in my view, if they buy into that. There's really no reason to, other than to diminish the numbers. And when you look at--and I don't say--what I'm about to say, I don't say so proudly, but since I've been here, albeit there was an absence here of about eight years I wasn't here, but when I started in 1987 'til today, the numbers of commercial fishermen have declined, the number of commercial fishing boats has declined, and the amount of or the average age of a commercial fisherman has increased. Under my watch. That is not something that makes one feel good.

SW: But why do you think those things have happened?

JS: Well, some of it is due to a changing culture. By and large, people don't like to sweat today. I'm gonna get on my soapbox here, and it'll make some people angry, but just about every time I open my mouth, I make some people angry. Today's culture concerns me. It involves my family, people that are very close to us, but the fact is, when you look at our blue crab processors, why are they having trouble getting labor? Because they can't find people willing to do the work for the amount of pay that they make. But it's true in agriculture: there's a reluctance even in the advertising for certain antiperspirants, you know, don't let people see you sweat. You know, you raise your arm and, Heaven forbid if it's wet! Why? I mean, it's just a sad state of affairs when we don't like to get calluses, we don't like to wear out our deodorant anymore. And I think that's sad, but that transcends fisheries, that's today's culture, we like to use our thumbs to type instead of using, you know, eight fingers or ten, actually, including your thumbs if you want to use the space bar and stuff. You know, it's just different today: everything's electronically driven with cell phones and iPads and iPhones and all this other mess. You can't go into a restaurant without seeing people there eating and they don't talk to each other, they're looking at their phones. And again, it's emblematic of a changing culture. So, that's part of the reason why we have a reduction in the number of fishermen. The economy. I mean, especially when diesel fuel or when fuel prices took a huge hike, that's when a lot of commercial fishermen got out of it, 'cause they just couldn't afford it. Regulations: I didn't say regulations last because that's the last thing that we're concerned about, but I'm just saying that that's a part of the mix. And recently--I can't remember where the study was done--it was found that commercial fishing is the seventh-most regulated industry in the United States, which is a telling tale

SW: So a combination of, we mentioned, fuel costs rising and I guess, then, with more regulations, just hard to justify continuing in fishing because you're not making any money?

JS: Well, you're not making any money and there are so many variables that you have to look at. There's a saying that you either have to be an Attorney or have one on your boat! Because it's so complex. And when you look at--if you talk to a fisherman--Dewey Hamill writes an excellent example. You talk to--'cause he's someone that's very involved in the process, Dewey is a fisherman from the Outer Banks, lives in Dare County, very involved, he's on the Mid-Atlantic Fishery Management Council, he's been involved for years, he's actively involved in trying to teach kids about commercial fishing through Provider Pals. But if you talk to Dewey and he can run down--you don't have to read it--all the regulations that he has to put up with when he goes fishing, and he doesn't fish in state waters; everything he does is beyond three miles, which is federal waters. And all the regulations he's gotta put up with, you know, it is true that if you're boarded by the Coast Guard or you get to the dock and Marine Patrol, if they're out to get you, they're gonna find something. There's--whether it be a safety regulation on your boat, something that your Is aren't dotted or your Ts crossed, or an undersized fish, or something, they can find it. And that's frustrating after a while. And you're finding that people think that, after a while--I get this, you know, we got involved with some discussions about law enforcement and I was at a meeting one time where a person that was not a commercial fisherman was saying that 'commercial fishermen don't like regulations!' Ahh, yeah. I was thinking, 'Tell me something that we don't know already!'

SW: Right.

JS: So--but he said it in a negative way, and so it's a terrible thing. And when it was my turn to speak, 'I, yeah! Why is it that commercial fishermen don't like regulations? Because

we're red-blooded Americans, that's why!' I don't care if it's a commercial fisherman or any businessman that voluntarily agrees with a regulation; he's out to impede his competition in some way or another. That's not to say, that's not to say that when you're talking about a public trust resource--is what we deal with--that regulations aren't needed. They certainly are. These aren't our fish, they're everybody's fish, they're put there by the good Lord for us to take advantage of as a source of protein. So, regulations are definitely needed, but, you know, in the right balance, in the right context. So, when you look at all these things, they all have their--all of us have our Popeye moments, Popeye the Sailor Man: 'That's all I can stand and I can't stand no more!' a lot of fishermen are like that. They go out and they expect to battle the weather and Mother Nature, that's a given, but when they gotta battle their own government, then that gets a little bit testy.

SW: When you're talking about the things, the period right before the moratorium on licenses and all, was [sigh] was that a pretty contentious period in fisheries issues? How would you compare it to today?

JS: Well, it was contentious then, but everything's relative. Compared to today? No. I mean, it's, there's no comparison to today. Today's well is poisoned.

SW: And why is that?

JS: I really can't put my hand on that one. I don't know why it's more contentious today. It's just--. Somebody asks you, 'Why do people oppose commercial fishermen doing this, that, or the other?' Well, your first reaction is 'because we're in favor of it.' If I get up to speak on behalf of commercial fishermen about anything, it could be about the red, white, and blue or how much I like apple pie, I guarantee you somebody's gonna blast me about it. Not because of what I said, but because of who I am and what I do.

SW: So, it's your sense that fisheries discussions aren't really focusing on the issues that need to be addressed?

JS: No, no. They're not focused on the issues and the Joint Enforcement Agreement [J.E.A.] is really a perfect example of that. Everybody thinks that we are opposed to a J.E.A. based on 'fishing stuff'--it's not!

SW: And explain what that--that is--what is that?

JS: The Joint Enforcement Agreement is a formal agreement that's made between the National Marine Fisheries service at the federal level and the various states, to jointly enforce fisheries regulations. There's a small pot of money that goes along with it, which is what really is appealing to the state. It's typical federal government: they'll give you some money--if you look at some of the states, it doesn't cover their costs, but nonetheless--you can get some federal money, but along with that is the strings that are attached to it. So, when Bill Hogarth first mentioned that to me a long time ago, I asked him if he was alright, 'cause [laughs] it was absurd for me to even comprehend taking money from the federal government and being subjected to the strings that go along with it, without even knowing, that was before I even knew anything about the details. I mean, that's absurd, because at the time, we were having problems with the federal government with some fisheries regulations and considering suing. Well, how do you sue an agency when you're taking money from it? You know, that--and back then, the state was actually a plaintiff with us, we eventually did sue the federal government on three different occasions and won twice. So in our view, it just was a--. But to get the other side to actually sit down and look at what the Joint Enforcement Agreement was, we never got past the part that, 'they're against it, so we're for it.' That's pretty much where we're at.

SW: Well, in the period when the Moratorium Steering Committee was meeting, do you

remember that, any particular issues that were hugely controversial with the members of the Fisheries Association? Was there much discussion and did fishermen feel like they were part of that process?

JS: Well, that was during a lot of the turtle discussions, that really had nothing to do with the much more--leading to the Moratorium Steering Committee, but it was certainly on the minds of a lot of commercial fishermen because that issue was on the table when I started here, was the sea turtle issue and the trawlers. And that was when the turtle excluder devices were still being tested; they were not mandated at that time, and so the Endangered Species Act and sea turtle protection was certainly in the mix. And that was--I'm not going to say it was volatile, it wasn't that serious, but if you went to a meeting there was all kinds of law enforcement there. You know, fearing the worst. I never saw anything that was--other than some, ah, vocal bombasts, you know, but nothing that would be considered--.

SW: No physical encounters?

JS: No, nothing like that. But it was very emotional, to say the least. At that time, we were talking about limiting the fly-netting industry because of weakfish, juvenile weakfish, that was a very contentious issue. So, issues like that, you know, speckled trout, that was contentious. It was just a number of issues that were on the table at that time. But the biggest issue was that of controlling effort and the fear that it was going to, that the numbers of commercial fishermen were going to rise drastically, for whatever reason.

SW: Okay.

JS: And that came to in 1995, there was a bill that was introduced to ban nets in North Carolina. It didn't go anywhere, but that was right after North--or, Florida--passed a constitutional amendment to ban nets.

SW: Yeah, that was when the Moratorium Steering Committee was still meeting.

JS: Right.

SW: So would it be fair to say that whole period, when the Moratorium Steering Committee was meeting, there were issues that maybe they weren't specifically addressing, or maybe they should've been addressing but didn't address?

JS: No. the Moratorium Steering Committee wasn't formed to address species or anything like that; it was addressed to talk about, the Marine Fisheries Commission, just for an example. My Lord, there were seventeen members of the Marine Fisheries Commission! So they had speakers come in from various states to talk about how their fisheries were regulated; you had speakers come in from Sea Grant, you know, they were from all over to talk about how their states do this, that, and the other, and so they came up with a, reducing the numbers of--reducing the numbers of Marine Fisheries Commission members to what we have today, and the process of adopting Fisheries Management Plans. We didn't really have that process prior to that, and I still have the pen that Governor [James B.] Hunt gave me, and he gave Dick Brame a pen, Dick Brame was then Executive Director of the C.C.A. [Coastal Conservation Association] of North Carolina, we were both at the signing ceremony. I think Dick probably was smiling more at that ceremony than I was.

SW: But did the Fisheries Association support the Fisheries Reform Act?

JS: Yes.

SW: Okay.

JS: Yes. We weren't real pleased with all the provisions that were in the Fisheries Reform Act, but it was a compromise document, so. And the two individuals that had--well, there's three individuals that come quickly to mind about the Moratorium Steering Committee: one was B.J.

Copeland, just because of his personality and his laugh. The other two were Jule Wheatly and Bob Lucas, even though they may not have been sitting around the table, I mean, they were very influential. Bob Lucas being Chairman of the [Marine Fisheries] Commission and very much a recreational fisherman; Jule Wheatly involved in the commercial fishing industry. But those two got along very well. They also fought a lot, but, you know, it was a different kind of fight. They got along.

SW: Could they hear, like, could Jule hear what Bob Lucas was saying and why Bob Lucas took a certain position and vice-versa? Was there dialogue?

JS: That's the key to dialogue; it's not necessarily agreeing with the person on the other side of the table, but hearing it and understanding it, but understanding where they're coming from is not the same thing as agreeing with it. In most cases, you can understand somebody's reasoning for being in that position and you might even tell 'em that, 'I understand, I totally understand where you're coming from, but I disagree with it for this reason,' because you have a different perspective. If you don't have the ability to hear that and to try to put yourself in those shoes, yeah. And Wheatly was somebody that--he talked gruffly, but he saw the big picture. I remember when the Fisheries Reform Act was passed, 'cause Wheatly was on our board.

SW: And also on the Moratorium Steering Committee?

JS: Right. And Wheatly said, 'Boys, we got another ten years.' That's the way he looked at it. So that was 1997, those ten years would've been up in 2007, so that's the way he looked at it. We got another ten years that you could commercially fish because of what the Moratorium Steering Committee got through. And that's another thing, when you look at the definition of a commercial fisherman, my Heavens, that was discussed a lot! The Moratorium Steering Committee didn't come up with a definition; why you wanna mess with it now? How many

times is a commission--and they're doing it again today! 'We gotta come up with--!' Why? Man. There's some sayings in farming, a lot of people use the saying, one of them is 'a tough row to hoe.' Well, some people mistakenly say it's a tough 'road' to hoe. You don't hoe a road! You hoe a row! Whether it be corn or beans or whatever, you just--it's a tough row to hoe! But the other one is, 'you don't want to plow old ground.' And I've done that, you know, and it is horrible, to go back to a plowed field and to try to plow it again, for whatever reason! I got a tractor stuck trying to plow old ground, but here we are again trying to plow old ground, trying to come up with this definition again because some people didn't like what we have now. But after all the--I keep going back to the Moratorium Steering Committee because it was so, ah, it was all-encompassing, the debate of what. There was very little that wasn't covered under the Moratorium Steering Committee. I'll never forget the time, the first time I heard the term 'messers' when they were talking about the recreational commercial gear license came about because of 'messers'! They're not commercial fishermen, they're recreational fishermen, like to get out and mess around with some gill nets or some crab pots, and they were called 'messers' and they started using that term! I mean, it wasn't derogatory, it was actually very educational to hear. And that's a category a lot of people are in; they don't like to hook and line fish, for whatever reason, they wanna eat something. They get a mess of fish. They get a mess of fish.

SW: So, was that important that the Fisheries Reform Act acknowledged that group of people?

JS: It was. It was. Now, prior to--before the discussion that led to the--it wasn't so much the decision. You had to understand the discussions. If you listened to the dialogue and what led to the recreational commercial gear license, you'd be hard-pressed not to understand it and be in favor of it, because you've listened to that history. Then-Senator Charlie Albertson talked about,

I don't, he talked about this at the Joint Legislative Commission on Seafood and Aquaculture, which we both are aware of, know about. About how they would take mules, before there were trucks and tuff, the folks from Duplin County and that area where he was from, the churches, it was an experience. They would take some mules and some barrels and go to the coast and catch a mess of fish for their fish fries! And they'd salt 'em down, you know. Okay, yeah, we live on the coast, they don't. Public trust resources: they own 'em just like we do. I mean, it was an experience, they didn't call up some fish monger on the coast and order them; they went, it was part of the church activity that they would get on that mule train and head toward the coast. I don't know how long they were gone; a week, maybe two, doing that? When I heard that, all I could do was envision in my mind, I'll betcha there was some baptisms in the ocean over that one, immersions, you know, and prayers and it was, from what Charlie said, it was quite an activity. But that's the advantage of remembering the discussions that came about through that Moratorium Steering Committee. And the folks that get it are the late-bloomers. that are involved in fisheries management issues today don't have that benefit. And that's okay! But don't just, don't just ignore it. Try to learn what happened back in the mid-[19]90s when we talked about these issues.

SW: Were there some good thing about the Fisheries Reform Act?

JS: Oh yeah, yeah. I think Jule Wheatly summed it up rather well when he said that, 'Boys, we gave you another ten years!' I don't think that was a stretch. At least for a while it gave us a respite from all the contention. Now, a commercial fisherman will tell you it didn't mean that they got rich real quick just because the Fisheries Reform Act was passed, but it did kind of, it gave us a little bit of a respite from the nastiness. Just this week, for example, when the Legislature's in session, I take my old R.V. and I sit it up in Clayton instead of staying in a

motel. When the General Assembly's in session, I stay in my R.V. in the evening, and on Tuesday at 6:30 in the evening, I'm sitting there, and there's been some contentious stuff going on this time, and I just--it really works on you after a while, and I thought, 'I think I'm gonna leave.' So, I packed up the suitcase and I come back home! I just wanted to briefly take myself out because when you're walking the halls of the General Assembly, I mean, you're going from the Legislative Building over to the Legislative Office Building [L.O.B.], you're going from the third floor to the sixth floor in the L.O.B., you're going from the House chamber to Senate chamber to the Gallery to the various offices and you see the same people ten times a day and Lord knows how many miles you walk during a day's time. You go down to the cafeteria, you see 'em some more, you go to the snack bar, you see 'em some more, and it just, it's just constant. And some of 'em, you know, they look at you like, 'eh, more fishing stuff,' you know, and they just--it's a contentious time. So I just decided to take myself out of that for, you know.

SW: And what is it, in particular, or is there legislation being considered?

JS: There are provisions in the Senate budget dealing with fisheries that shouldn't be contentious, but they are. 'Cause if it says 'fish', it's contentious! And some of those issues, again, you might not agree with the opposition, but you understand. And one of them is, this is a short session. 'Your argument makes sense, Schill, but this is a short session. We don't deal with, we don't like to deal with contentious issues in a short session.' Okay, well. I mean, that is a valid point. But on one of the issues, it really doesn't hold water because we talked about it last year! Last year wasn't a short session, and they decided not to adopt it because they felt that--the Legislators felt that the Marine Fisheries Commission would not adopt draconian measures for southern flounder using the supplement. Well, indeed they did.

SW: They did?

JS: They did adopt draconian measures. So, we wanted the legislature to clarify. Not do away with the supplement. And it had nothing to do with what they already did; it wasn't retroactive, it would only clarify, for the future, what the Commission could do using a supplement.

SW: But that supplement, that wasn't included in the Fisheries Reform Act?

JS: It was not. It was not.

SW: That was--the Fisheries Reform Act required management plans for, I think they put it, 'the significant commercial and recreational species'. And, pretty much, there was a pretty well-laid-out process for the development of a Fisheries Management Plan, but I don't--when did the supplement idea come about?

JS: It was about six years ago, and it was something that [Director of the Division of Marine Fisheries, 2007-2016] Louis Daniel wanted and, last year, even Louis argued this wasn't what he had. He wanted to use the supplement for southern flounder, which we alleged from the get-go in February of 2015, that that wasn't the way to go because it lacks the public process and all the other due diligence requirements. It's meant, really, to address an emergency situation, and we argued that southern flounder, there are issues of concern, but it doesn't reach the emergency situation. That trigger wasn't tripped. But in any event, they went through with that and Louis even argued against the draconian measures that they were using, that that was not what he had intended from a supplement. That's one of the things that we wanted to get through and it's just, again, instead of looking--some of the rhetoric on the internet was that this would take away what they did last year for southern flounder. I mean, I'm not an Attorney but it's very plain that it's not retroactive, but yet, rhetorically, they wanted people to think that. And at this point, General Assembly's only gonna be in session maybe another week, probably two weeks

max, and I couldn't tell you what's gonna make it in the final budget.

SW: So, for Fisheries Management Plans, the requirement for Fishery Management Plans, has that worked well for the state of North Carolina and for commercial fishermen?

JS: I think it's worked well for the resource, and as such, has worked well as far as the big picture's concerned for commercial fishermen. I say that generally speaking. [Pause] You know, you never, when you're talking about science you'd think it'd be black and white, but it's not black and white, and if you--if a fisherman, doesn't make any difference if they're recreational or commercial, if they think that you should sue and you ask them 'based on what', well, 'the science is wrong'. We don't win on science. You never win on science, because it's subject to interpretation, and a Judge usually won't go there. But you can win on process.

SW: But I think most of us in the public think science is the truth.

JS: M hm.

SW: You know, that we have to go with the science, you know, because you mentioned it being a little black-white, gray areas in science, and I'm not sure that the public perceives science as sometimes not being conclusive proof that 'this is the path we need to take'.

JS: M hm. Well, southern flounder, again, you use that because it's most recent, but you have a gentleman that currently sits on the science seat thinks that southern flounder needed some draconian measures to be protected, yet the guy that preceded him in the science seat, who's retired after thirty-some years with the federal government, is a fisheries Biologist, says no, that's not true. Okay, and here you got somebody that's not trained in that, in science, one's saying one thing and the other's saying the other, so, you know. It's, again, it's not black and white. It depends on, I guess, what shade of glasses you're wearing at the time.

SW: Has the reduction in the size of the Marine Fisheries Commission, was that a good

move, back with the Fisheries Reform Act? You mentioned that there's a movement afoot now to reduce it even more.

JS: Yu know, I think the reduction to nine [from seventeen] was a good one; the problem isn't the number, it's with the appointments. You have three recreational and three commercial, then you have two at-large, well, the at-large--that language probably needs to be tightened up a little bit, maybe a lot. If you are obviously qualified to sit in a commercial fishing seat, you shouldn't sit in an at-large seat. If you obviously qualify to sit as a recreational fisherman, you shouldn't sit in an at-large seat. That should be reserved for somebody that's a consumer, that's a chef, that has an interest, has shown an interest in these issues but not one that qualifies to sit in one of the other seats. 'Cause that could be abused, and certainly has been abused of late.

SW: The Advisory Committee process established by the Fisheries Reform Act: has that worked well?

JS: Well, that depends who you ask! I've seen some recreational folks that don't think so and some commercial folks that don't think so. They are, after all, advisory which, I mean, the Commission doesn't have to take their recommendations, but again, it depends on how those advisory panels are made up, and that's up to the Chairman. That's why the Chairman's position is so important. I think that those advisory panels are extremely important, but when you have an advisory panel that appears to be well-balanced and yet the commission appears to ignore, in other words I mean they have their minds made up. The problem we have there is perception, and currently we have a Commission that allegedly has violated open meetings laws. Well, when you're doing that, there's not a lot of faith in the process. I don't have any faith in that process. Not when they're violating the law.

SW: And do your members have faith in that process?

JS: No. No. Not currently. It's as bad now as I've ever seen it.

SW: Do fishermen participate in advisory committee meetings? Commercial fishermen?

JS: Of late? I've seen a pretty good turnout, the fin fish committee, they do very well. The sea turtle committee met last night; I haven't heard how attendance was at that, but I assume it was well-attended because there's a lot of interest in that particular committee now. But by and large, yeah. The commercial fishermen have been going to those meetings. It's senseless to be appointed to an advisory committee and not participate, although it's frustrating.

SW: I'm sure. If you were in charge of things, could you give me a laundry list of some of the things that you would want to change about the Fisheries Reform Act or fisheries management process in North Carolina?

JS: Well, the concern I have is that, supposedly next year between the end of this session and the beginning of the long session, some of the Legislators have indicated that they're going to go out with stakeholders and talk about that very issue: the Fisheries Reform Act. What can we do? We need to gut it? Do we need to revise it? Do we need to amend it? I'm not too hopeful about that process just because of the contentious nature, the contentious environment that we're in today. I don't [sigh] I'm an optimist by nature, but at the same time, I'm not real hopeful that we're going to end up with a good process between now and then. That's not a lot of time. I'm a big believer in what we had before with the Joint Legislative Commission on Seafood and Aquaculture. I think that that body, which is made up of appointees by the Senate, by the House, by the Governor, and the Commissioner of Agriculture, I think that was a good cross-section of people, recreational, commercial, environmental, aquaculture, you know.

SW: And so fisheries issues were funneled through that commission?

JS: That's true. The two co-chairs--.

SW: How are they dealt with now?

JS: Haphazardly, really. Anybody wants to try to get something done in the legislature now just talks to their friendly Legislator and a bill gets introduced, where before it was expected to go through the Legislative Commission on Seafood and Aquaculture, and those were not folks, just Legislators. Those were private citizens that had a vested interest in what's going on, and they would vet these issues and make recommendations to the members of the General Assembly, so it didn't get as contentious. That's what I think, I think that's where the process needs to be. I'd be a lot more hopeful about the outcome if we had a Joint Legislative Commission similar to that; call it whatever you want. And some people object to--.

SW: Do you know why that was done away with?

JS: It was done away with--it was just a sweeping change that a lot of commissions were done away with at the same time in an effort to save money. That was one that was unfortunate. I mean, I know a lot of our folks didn't even bother to--that were on that commission--didn't even bother to put in expense reports, just save the state some money just in order to have a say in the process. Why is it that the state feels the need that they have to pay people per diem or even expenses? If it's known that, if you volunteer for this committee you're not gonna get paid anything for it, well then there's nothing wrong with that, and there wouldn't be an expense for the state that way. I think that it would be better doing it without reimbursing for expenses than not to have it at all.

SW: Well, is there anything else you'd like to share, go on record, talking about the Fisheries Reform Act, the future of fishing in the state?

JS: Well again, I represent commercial fishermen, so I was venting this very week on how hard it is to get commercial fishermen to pontificate to the right people. You know, what's

different now is we have social media, we have Facebook and we have people that Tweet or whatever else they do, they've always complained at the fish house or complained on the dock, and that's okay. But if they don't bother to pick up the phone or even use that silly smart phone and type with their thumbs and let their elected officials know what they think, it's not good. For the short session this year, I've been very disappointed in the lack of engagement of commercial fishing families on some of these issues. Number one, if you know your Legislator's in your corner, you need to reinforce it by thanking them. Number two, if you don't know, well, you darn well better let 'em know! In a nice way. And if you do know what they're doing and it's contrary to what you think you need to be, what they should be doing, sometimes you gotta talk to 'em like a Dutch uncle. They are human, most of 'em, anyway. So that's probably the thing that concerns me the most.

SW: Why do you think that is? Why is there--?

JS: Well, the excuse that I hear, and I think it's just exactly an excuse, is that 'oh, they've given up, they're so down'. Well I've heard that for, since 1987! But commercial fishing is not the only regulated industry in the country, and you can't just give up by not participating in the process. Somebody's gonna give opinions; it's either gonna be you or somebody else. So yeah, I remember the day when Legislators knew that, by making a few phone calls, we could have quite a few people roaming the halls of the General Assembly, and I'm thinking maybe we need to make that happen again, just to let 'em know that we're still here and it's not just a matter of a few people making a few bucks, it is historically a very important part, a very important culture in eastern North Carolina. A few years ago, in 2013 actually when we had all those trawlers at Union Point in New Bern, boy, that was pretty to go down there and listen to people, 'Wow, what a sight, I haven't seen this sight for thirty years!' you know, they were saying. They really

enjoyed the sight of those boats. Well, things keep on, there're not gonna be those boats to see, and I think that it's a culture that--it's not just a matter of doing what we can to make sure they can make a living, it's a culture that provides a very healthy source of protein for us.

SW: For consumers.

JS: For consumers. I mean, there's, they talk about a public trust resource, don't belong to commercial fishermen. Well that's true. They don't just belong to commercial fishermen, but they don't just belong to recreational fishermen, either. They belong to people who don't fish, and that's over ninety percent of people in this country--

SW: Wow.

JS: --do not fish in salt water. That's the way it is. So, if we own this resource, what access do we have to it if we want to eat it? Commercial channels.

SW: Well thanks, Jerry. I appreciate your time this morning.

JS: Thanks, Susan. I appreciate the opportunity to vent!

[END OF INTERVIEW]