

Interview
With
DAN WHITTLE
In
Carrboro,
North Carolina

Interviewed by Mary Williford

On July 21, 2016

Transcribed by Mary Williford

For Carolina Coastal Voices

<u>Track Time</u>	<u>Topic</u>
0:00:30	Whittle's childhood and education
0:02:02	An early introduction to the environment and environmental politics
0:03:04	Whittle's career in environmental law, leading up to his involvement in North Carolina politics
0:06:40	Whittle's first day on the job for Governor James B. "Jim" Hunt, dealing with a hotly-contested commercial fishing incident in Alaska
0:12:05	Whittle's impression on fisheries management in North Carolina when he began working in the Governor's office; Getting involved shortly after the moratorium began
0:13:30	Explaining the reasoning behind the moratorium
0:14:21	A number of issues that were coming to the fore in 1994-1995; Gill netting and various species stock; Similar fisheries legislation in Florida
0:16:07	The key role that allocations played in the Fisheries Reform Act process
0:16:45	The public trust doctrine in North Carolina waters
0:18:07	Differing interpretations on who "owned" or had a right to acquire fish in North Carolina waters
0:18:54	The difficult role of state agencies and the Governor's office
0:20:33	Whittle's involvement in the Fisheries Reform Act process from a day-to-day perspective; Advising Joan Weld, Assistant Secretary of Natural Resources and overseer of the Division of Marine Fisheries

- 0:22:56 The Moratorium Steering Committee structure and purpose;
Bob Lucas' role as head of the Moratorium Steering Committee
- 0:23:54 Why North Carolina chose to have a moratorium period;
The justification and benefits of a moratorium period from a legal and policy perspective
- 0:24:58 Issues related to the cap on commercial fishing licenses during the moratorium;
Tensions between full-time and part-time commercial fishers
- 0:26:22 Whittle's experiences at Moratorium Steering Committee hearings;
Where meetings were held and who generally spoke at meetings
- 0:27:33 Emotional exchanges at the Moratorium Steering Committee meetings;
The negative perception many commercial fishermen had of the government's role as regulators
- 0:29:03 Points of view expressed by recreational fishermen at these meetings;
Whittle balancing his sympathy for commercial fishermen with his role as a Conservationist;
Conceptions of fisheries as a public resource
- 0:34:32 The difference between what commercial fishermen told Whittle one-on-one and what people said in public hearings;
The role of the North Carolina Fisheries Association lobbying group;
Competing interests between the North Carolina Fisheries Association and commercial fishers.
- 0:37:42 Lobbying groups pressuring commercial fishers to not speak out

- 0:39:40 Hostilities and intimidation during the process;
Burning a Director in effigy
- 0:40:28 The benefits of a catch share (individual transferable quota) program and the challenge implementing it in North Carolina
- 0:41:57 Describing the general makeup of the Steering Committee
- 0:45:05 Tensions between the coastal majority and the minority of non-coastal fishers
- 0:47:16 Regional differences up and down the coast;
The prominent role played by Christian religion and matters of faith in these policy discussions
- 0:49:15 Local fishing heritage as a type of religion;
Multi-generational commercial fishing families participating in discussions
- 0:50:48 Fishermen's wives and women participation in the process;
Heritage of multi-generational fishers as an advantage in debates
- 0:53:14 The efficacy of the personal story in policy debates;
Governor James B. "Jim" Hunt's reputation with farmers and fishermen
- 0:55:01 Senator Marc Basnight's significant influence in the legislature and with Governor James B. "Jim" Hunt
- 0:56:50 Whittle's thoughts on the resulting Fisheries Reform Act as an effective piece of legislation;
Disagreement over saltwater recreational fishing licenses at the time
- 0:59:07 The role of conservation organizations in the process;
How the Fisheries Reform Act fits into federal-level marine conservation laws;
Pollution issues and Neuse River fish kills also occurring at the time

- 1:01:27 Reflecting on the pros and cons of the original legislation and how it has held up over twenty years
- 1:06:37 How the Fisheries Reform Act fits into the larger arc of fisheries management legislation in the past decades;
The ability of the Fisheries Reform Act to be flexible enough to last over time.
- 1:13:25 Whittle's view that the future of commercial fishing in North Carolina will be small-scale, heritage-based
- 1:14:37 Comparing heritage fisheries in North Carolina to those of Indian tribes Whittle worked with in the Pacific northwest
- 1:18:11 The ability for commercial and recreational fishing interests to align
- 1:22:55 Lessons we can take away from the entire moratorium and Fisheries Reform Act process
- 1:26:45 The need for trust and breaking down preconceived notions in order for stakeholders to work together

MARY WILLIFORD: Alright, this is Mary Williford. I am here in Carrboro, North Carolina, with Dan Whittle. It is July 21st, 2016. Again, my name is Mary Williford, M-A-R-Y, W-I-L-L-I-F-O-R-D. And Dan, could you say and spell you name?

DAN WHITTLE: Yes, I'm Dan, Daniel Whittle: D-A-N-I-E-L, W-H-I-T-T-L-E.

MW: Alright, well thank you for agreeing to this interview, Dan. So I want us to start out with just a little bit of background information about yourself. If you can tell us where you grew up and when you were born.

DW: I was born on October 10th, 1962, in Glasgow, Kentucky. I grew up in Kentucky in a small farming town in western Kentucky named Ridgefield. My parents divorced when I was in third grade—I'm one of six kids, by the way--and we moved to New England, New Hampshire, so spent the school year in New Hampshire, Manchester, and the summers on our farm in Kentucky.

MW: Sounds nice!

DW: Yeah, it was nice.

MW: Where did you go to school?

DW: Went to school, um, yeah in Manchester public schools and then, in college, I decided to go back South. So, went to Nashville, Tennessee, to Vanderbilt University and, took me a couple years off to wait tables and to be a fishing guide in Alaska, and then went to Law School in Colorado--University of Colorado-Boulder.

MW: And what made you want to come back down South for college?

DW: Just--you know, I always identified with the South, I'd always liked the South. Applied to schools in Boston and, and Tennessee, basically. Just wanted to come back. Felt--I mean, it really did feel kind of like coming home, a bit. Until I got back to the South, in which case I kind of felt like New England was home. So, always torn!

MW: So, did you--you mentioned that you had been a fishing guide in Alaska: did you do a lot of fishing and outdoors stuff when you were younger?

DW: Um, yeah, a fair amount. Actually, in New Hampshire, we lived about a half-hour from the coast--thirty miles, so a little longer than a half-hour. We used to go to the beach a lot with my grandparents, who were New Englanders. I got really into seafood, into lobster, stuff that was very foreign to us in Kentucky. And into deep sea fishing. So, for a while, I wanted to be a lobster fisherman, when I was a little kid. I romanticized what is a truly difficult and challenging profession, I found out later. And then um, I did a lot of outdoors stuff in college in the Smokey Mountains of Tennessee, and got politicized in college. Wanted to combine my love of the outdoors with doing something to protect the environment, and ended up working in Alaska.

MW: So, what do you do for a living; what did you do for a living?

DW: M hm. I'm a lawyer and I work for the Environmental Defense Fund, which is a, you know, large U.S.-based N.G.O., non-profit conservation organization based in New York, with an office in North Carolina where I work, in Raleigh. And it's been around--the office in Raleigh has been around for about twenty-eight years? The organization's been around since 1967, so almost fifty years. And I've been with E.D.F., as it's known, for coming on nineteen years. Before that, I worked for the Governor, [North Carolina] Governor Jim Hunt's administration in the Department of Environment, Health, and Natural Resources, where I was first a Special Assistant to the Assistant Secretary for Natural Resources, and then a Senior Policy Advisor for the Secretary, on all kinds of issues, including commercial fishing, hog farms, forest conservation, and the like. And then, before that, I was in a private practice in Washington, D.C.

MW: So how did you get involved with fisheries management in your line of work?

DW: That's a good--that's a good question. I had always done environmental and natural resources law--I went to law school in Colorado for that purpose. Took a lot of courses in public lands law, water, natural resources. I spent, uh, part of a semester in Yellowstone--in law school--as part of a natural resources seminar, looking at how the federal government, in that case, works with stakeholders, with ranchers, farmers, Indian tribes, townspeople, park users, recreationalists. How they come together to decide how to use public resources. And, in the case of Yellowstone, it's very interesting because you had five National Forests and you had two National Parks, and you had a lot of people who had a lot of opinions on how those public lands should be used. So, that really sort of got me going and when I practiced law in D.C. I represented Indian tribes, in Montana, the Blackfeet Indian Nation, the Navajo, and various others. Many of the issues, including Alaska Native Corporations in--in the North Slope of Alaska. All of these tribes, who worked on everything from Indian healthcare to, you know, whatever issue came before them, federal issue in D.C., but a lot of land issues. How to manage reservations in terms of energy resources, in terms of fish, in terms of wildlife, et cetera. So it just was a culmination of interest in how to sustainably use resources. And then, my first day on the job for Governor Hunt, I got a call from his Chief of Staff, Ed Turlington, saying that a fishing boat from North Carolina was in trouble off the coast of Alaska. Basically, had been accused of overfishing scallops, and might I look into it and see if I could find a resolution to the problem. So that was, yeah--first day on the job for Governor Hunt, I was introduced to the controversy surrounding commercial fishing, and I've never looked back.

MW: Can you tell us a little bit more about that specific first day on the job incident?

DW: Sure! So, I was in my, you know, small office in the Archdale Building in Raleigh,

which is this just, somewhat dreadful state office building. Was literally putting my stuff away, I got a call from the Governor's Office from, again, Ed Turlington, did not know who he was at the time. He said, 'I understand you're new. Understand you have a back--you're a lawyer. I'd like you to help out. We've got this boat, called *Mister Big* from Wanchese, North Carolina. It's a scallop boat and it's been fishing in Alaska and I'm not sure what the issue is, but the owner of the boat is telling us that he's being harassed by Alaskan--not Coast Guard, but Alaskan officials. And he says he's fishing legally outside of state waters and federal waters, so can you look into it?' And I was actually pretty excited, this was like a real problem to solve, but I wasn't really sure where to start. So I did have the number for the fisherman, the guy who owned the boat. I called him and he, he basically said, his boat is doing everything right, they're catching a lot of scallops in federal waters, and the state authorities won't leave them alone. So I started getting, collecting facts and got his side of the story. And then I was kind of, wasn't sure what to do next. This is really in the age before internet so I couldn't simply get on the web and read the Alaska, you know, Anchorage newspaper or anything. So, you know, I thought, 'I know someone in Alaska, a law school friend of mine, worked for the Attorney General in Alaska.' So I tracked down his number and I called him. I hadn't talked to him since law school so, about over four years, and I said, 'John, this is Dan. I'm calling you from North Carolina. I'm working for Governor Hunt on fisheries issue.' And the first thing he said to me was, '*Mr. Big...*' and the second thing he said to me was, 'is a pirate!' And so, we had a conversation and basically, he said, from the Alaskan perspective, you've got this big boat that's capable of catching more scallops than the annual quota in Alaska. So the state had a quota, it had been reached, the fishing boat from North Carolina that had a license to fish in state waters of Alaska decided just to move outside of state waters, and then just continue fishing. Legally. And was, in fact, fishing

legally. And the state said, this is, you know, may follow the letter of the law, but absolutely violates the spirit of the law. They're concerned about their scallop stocks and they simply won't stop fishing. Now, the boat was so big, they could catch scallops all day long, all week long, for a long time, and then take their catch down to Seattle. So they never had to go back into Alaska water. But, you know, the Alaskans were ticked off because they were, they were concerned about the resource. Their boats certainly were not doing the same, so the economic thing, environmentally, it was a disaster in their eyes. Apparently, all over the newspaper. This is on the front page in Anchorage. So, I was in a bit of a quandary as a first day on the job, and essentially decided that this is probably something we did not want to get in the middle of. It seemed like the state of Alaska had a good case. I also talked to N.O.A.A. [National Oceanic and Atmospheric Administration] that manages federal waters, and they explained to me that there was a petition to actually close federal waters, make an emergency closure, because of this fishing boat. So I called the Governor's office and I said, 'I think it's in our interest just to sit this one out. It's not clear, you know, who's in the right here. It does appear that the fishing boat is legally fishing for the moment, but the passions are pretty strong up there so it might be best just to sit this one out.' Which is what, I recall, the Governor did. And the federal government did close the waters, the boat did return to port. I don't think there was any legal action taken, I can't recall. But again, that was my first introduction that tempers can get pretty strong in commercial fishing and that there's not usually a black and white answer to things.

MW: [Laughter] *Mr. Big!* Messing up Alaska! So, I'm sorry, what year did you start working in the, for Governor Hunt?

DW: So I started working in [pause] 1995, actually. February of 1995. And I worked there until about November of [19]97.

MW: And what was sort of your understanding or your initial take on fisheries and fisheries management in North Carolina, when you started there?

DW: Well, I started completely as a blank slate. I had done a little work, temporarily, for actually a public interest law firm in North Carolina called the Southern Environmental Law Center. But my work there had been on wetlands issues in the eastern part of the state, and there it involved timber companies that were logging in wetlands and whether that was the right thing to do or not. I had zero experience on commercial fishing issues. So, no long after my *Mr. Big* encounter, I came to understand that I would be working on that issue for North Carolina because [pause] there had recently been a moratorium on new commercial fishing licenses. So, unbeknownst to me when I started, commercial fishing was a major issue. There was concern that there were too many commercial fishermen on the water, that stocks--fish stocks--were declining. And that's flounder, that's gray trout, also known as weakfish, you got snappers, groupers. Other species that are commercially very important in North Carolina. There had been a lot of controversy between recreational fishermen and commercial fishermen over how to allocate the resource. But, ultimately, there was concern from many quarters that a break was needed, that there was a need to cap the number of commercial fishermen and to take time out to understand how to better manage--whether that meant allocating more quota to recreational fishing sector, or reducing the number of boats, or something. But it was basically a time out so all the various stakeholders could come together with scientists and managers and officials and talk it through. So that's, that's, I knew nothing and then I quickly had to study up on who was who and what was what and what the issues were.

MW: Yeah, so, the Moratorium Steering Committee was formed in 1994, so just before you started.

DW: Right.

MW: But do you, what's your take on what exactly was going on in North Carolina with fisheries that may have compelled them to take action in 1994? What was it about that year where they were like, 'We finally need a break'?

DW: Yeah, that's a, that's a--I'll need to wrack my brain. I can't remember. I'm trying to remember if it was a controversy over summer flounder. I know that summer and southern flounder are two related but different species, very important in North Carolina, and there had been action in the late [19]80s and early [19]90s to reduce the number of licenses or permits for that. So there was a buy-back program. What prompted the commercial, the moratorium, I think had something to do with blue crabs? I can't recall. There's a lot of controversy over blue crabs, as well. There was also a fair amount of controversy over the use of nets, of gill nets in coastal waters. And by 'coastal waters' I'm talking about, you know, the sounds, like Core Sound, Pamlico Sound, other near-shore waters under state jurisdiction where commercial fishing takes place. In Florida, there had been a real battle between recreational fishing sector and the-- recreational fishermen and commercial fishing. And, in that case, the legislature in Florida sided with the recreational fishermen and enacted a net ban, basically saying that commercial fishermen cannot you gill nets and other kinds of nets in state waters. So there's a lot of fear in North Carolina that something similar would happen.

DW: And the Governor the legislature was getting pressure from both sides to resolve what was becoming a real intense, you know, battle. Really, at that point, as far as I could see, a battle of allocation. Conservation was certainly present, certainly something motivating the Division of Marine Fisheries, but it seemed like the biggest dispute was around allocation and the impact of commercial fishing on, on fish available to recreational fishermen through these

nets, and.

MW: So you mentioned some of the different [clears through] excuse me, some of the different interests, like people with interest in conservation versus allocation. Do you feel like there was a sort of [sigh] general, not necessarily unity, but an agreement that this is something that we need, or this is something that should be passed? Or did you find it to be a bit more contentious than that?

DW: That's a great [clears throat] there was not a lot of unity. There was not a lot of consensus, as I recall. There was a general consensus that [pause] there was sort of a consensus that public waters, that coastal waters were supposed to be held for the public, something called the public trust doctrine, you might hear. People interpreted the public trust doctrine differently, and there was an entire legal doctrine interpreted by the U.S. Supreme Court on what that actually is. But there seemed to be a general consensus that North Carolina is an important state for fishing, for fisheries, and that's critically important to sustained fish populations. But, as I recall, that was about where the agreement broke down. There was a real debate over who was entitled, you know, to those fish. Whether somehow, commercial fishing got in the way of the public's right to fish. There's a lot of discussion about, from recreational side, that they contributed a lot more to the economy, they spend a lot more money when they go fishing and catch a lot fewer fish, which is actually not always true. Within, you know, there were people that said commercial fishing's important to non-fishermen because, you know, we're consumers of seafood and we value having local, fresh seafood over, say, imported seafood. There're all these debates going on, but as far as I remember, very little consensus. Environmental groups, and I would say state agencies, were kind of caught in the middle. They tended to agree with both sides on some issues, and so they played a role of trying to bring people together. Not

always terribly successfully. And then the state, you know, Governor Hunt, you know, said to me and others in a meeting once that--I can't remember the numbers--but something like 'commercial fishing accounts for, you know, a very small percentage of the state's economy, but the time I spend on commercial fishing is a huge percentage of my time as Governor. You know, fishermen will walk in my office without scheduling an appointment, in their wet boots and their fish buckets, and demand an audience. And I have to give it to them.' And that was my experience, too: fishermen, especially commercial fishermen, were not shy about showing up and telling you what they thought. For me, it was actually a very contentious atmosphere. The state was caught in the middle, they were criticized by both sides as being too biased, you know, for the other side. And so it was a pretty difficult and challenging time. You know, right around the time the Moratorium Steering Committee started, the Governor fired the state Fisheries Director, Bill Hogarth, and hired a new guy from New Jersey. And so, you know [pause] there's just a lot of contention.

MW: Yeah, so, um. What exactly was your role in this whole process? Like, what [laughs] what was your sort of day-to-day?

DW: My, you know, my role evolved over time. I was, principally, in charge of advising the Assistant Secretary of Natural Resources. Her name was Joan Weld at the time. And she oversaw the Division of Marine Fisheries, so she was the political person in charge of commercial fisheries and recreational fishing. So, I was supposed to advise her on, um, you know, policy issues, political issues, legal issues. I was her eyes and ears; I would go to meetings with her, I would take note, I would advise her on what I heard. I would spend a lot of time with the constituents; I'd go to meetings, I'd go to Moratorium Steering committee hearings. Essentially, I was both her eyes and ears, but I was also the, the department's, you know, face, at

many of these meetings: their representative. So I would act on behalf of the Secretary--the Assistant Secretary and the Secretary--and essentially, the Governor. Principally, our role was intended to be, to take in information, to listen, which we did a lot of. We spent a lot of time on fishing boats, a lot of time eating lunch on the coast, which was a real perk of the job! But just, you know, listening to what people had to say and how they thought the problems should be resolved. So, so from my perspective, it was a really fun job because I got to combine my sort of legal skills--write memos on advising, you know, what position we should take on, you know, some aspect of legislation that was being drafted. We would show up at the legislature, we would present testimony, we would meet with legislative staff; they were very involved for various members, including the Senate leader, Marc Basnight, who's from Manteo [North Carolina], who was very involved in this debate. We would get a lot of pressure from them on what position the Governor should take.

DW: We would meet with the Governor quite frequently to advise him on where he should stand, which, we would also report back to him on what we were hearing in these meetings. There's a Moratorium Steering Committee headed by the Chair of the Marine Fisheries Commission, Bob Lucas, and he was also caught in the middle. His job as the Steering Committee chief was to assemble public comment and then to advise the Governor and, essentially, the legislature on what all this meant and how policy should be reformed, ultimately, to move forward. And again, this was a moratorium, so it was intended to be temporary, and it was intended to give the legislature and the Governor time to come up with new solutions to more sustainably-managed fisheries, and also how to allocate the resource more equitably among the users.

MW: Do you have any insight into why North Carolina chose to have a moratorium

period, rather than--I think you had said Florida had had an issue like this prior: did they have a moratorium?

DW: Yeah--

MW: Like, why didn't they just sort of, like, keep stuff open while they worked through it? Why the moratorium?

DW: --Yeah, that's a good question. I think the, from what I recall and what my understanding, having been around policy for a long time: a moratorium or a time-out basically allows policy-makers to say 'we don't know what the answer is.' In other words, you don't have to choose sides. In the case of Florida, they may have had a moratorium, I can't remember, but ultimately, they chose to side with the recreational sector and said 'we're gonna ban commercial fishing nets.' In the case of [North] Carolina--Governor Hunt was great at this, you know--he said, 'Well let's just get everyone around the table and let's just, let's just calm down, let's just think it through, let's come up with a solution that will work for everyone.' And that's what a moratorium does, it's a time-out. Now, it did impose a cap on commercial licenses, but the cap was actually, um, high enough so the pain of the moratorium was considered modest or minimal. Now, if you wanted to get into commercial fishing during the moratorium, you had to find someone who was willing to sell you a license. And so, we would have a lot of people come to us and ask us if they could, if we could help them figure out how to get a license. There're all kinds of exceptions to the rules, and so I got people from western North Carolina claiming to be a commercial fisherman, and what they were is, they were, you know, retired part-time fishermen who wanted to use commercial gear. And so they wanted to appeal to the Division of Marine Fisheries to get a commercial fishing license. And then you had the full-timers saying, you know, 'The reason things are so messed-up is we've got all these part-timers who don't, aren't real

commercial fishermen, and we, you know, we should start by eliminating licenses to them, 'cause, you know, they're only make-believe fishermen.' So you had those issues going. But the moratorium essentially says, you know, 'time-out, let's get together.' And so, politically, it's arguably a safer position to take; it buys you time before you have to make tough decisions, and so it's used for other policy issues as well, you know, like a Study Committee or the like.

MW: Yeah, that makes sense. Um, you said you sat in on a lot of these hearing, listening sessions, essentially, for the Steering Committee. Can you describe how some of those went?

DW: They were often--the Steering Committee meetings were often at night, so people could come to them after work. They were often in eastern North Carolina, primarily--not just on the coast; places like Greenville, Rocky Mount probably. But also throughout the coast. They were an opportunity for people to come and talk. As I recall, the majority of comments were from either fishermen or family members, spouses, children, parents, retired fishermen. You did get the recreational fishing sector represented, so people who were just, you know, recreational fishermen who liked to go on the weekends, or fishing guides that aligned themselves more with the recreational side. But they tended to be very emotional. I mean, people would show up and, you know, they'd be given three minutes to comment and it was rare that someone stuck within the guidelines [laughter] in some cases, people would go on and on and the chair would have to intervene. But people got quite emotional, and it really came down to issues of heritage, issues of livelihood, especially. You know, a lot of accusations that either 'the government or the recreational fishing sector wanted to put me out of business.' Very heartfelt. The government, the state government was not held in great esteem; they were considered part of the problem, they were considered-- [clears throat] They were considered part of the problem because fishermen often perceived that the government just made things more difficult; they created all these rules

and regulations and size limits, seasons, et cetera. If they would just leave fishermen alone, they would figure out how to manage the resource sustainably, they maintain that they had an interest in making sure fish populations were healthy--after all, it was their living. So, there was a real perception--and this came through in the Steering Committee, the public hearings--that the government's just meddling. They're just getting in the way.

DW: You know, from the recreational side, they tended to say, you know, 'We're seeing fewer fish, I've been fishing all my life and it just breaks my heart to see, you know, a net washed up onshore with a lot of dead fish.' And so, a lot of finger-pointing. People would sit on opposite sides of the room. And so for me, it was a real education, 'cause I had sympathies, actually, primarily with the commercial fishermen. And by that, I mean I really was sympathetic to their stories of earning a living, you know. It's easy to romanticize that, but what they were doing was an extremely hard work, not well-paid, but they were drawn to it either because that's what they just loved doing more than anything else, or because their parent, dad, grandfather, parents had done it so it was in their blood. So, I had great sympathy for their point of view, but as an Environmentalist, a Conservationist, you know, I had real concerns, as well, that something needed to be done to better manage. You know, there's a concept called the Tragedy of the Commons, and that, you know, if you don't manage a public resource, you get this tendency that everyone is in it for themselves, there's a race to fish, for example. So, I really felt like there should be some practical, you know, better management. How do you incentivize fishermen to do a better job? And there was a talk back then about, you know, individual quotas. Take the quota for summer flounder, for example, and allocate in among fishermen so they had a right to a certain percentage. Which is something I work on today, with my group, and it's been successful in the Gulf of Mexico and, you know, other parts of the country, other countries. But at the time,

it was very controversial because commercial fishermen actually felt like that was a threat, that it doesn't make sense to divvy up a public resource among people; that seemed too much like a private property right. And so that was--so I found myself very sympathetic to commercial fishermen, but they did not necessarily see that I or others in the government had their best interests in mind. So, it was, it was frustrating.

MW: Yeah. Do you have any particular individuals, or maybe places you went, folks you ate lunch with, whose stories really stood out to you, that you really remember?

DW: Yeah, that's [clears throat]. There are a lot of players and you know, it's a long time ago so names are escaping me, but Arden Moore from Shallotte, in the southern part of the state. Was a small commercial fisherman, he was a gill-netter. And gill nets are these long nets they sort of set in the water, you let them soak, and then, you know, fish basically swim into them and get caught by their gills. Then you go back, you pull up the net, and harvest the fish that are of legal size. And so he was a small gill-netter, I think he ran a couple-hundred yards of gill net, you know, a very modest living out of it, very small boat. He invited me to go fishing and he was in the southern part. So the fisheries in North Carolina are divided regionally, so there's a lot of shrimp, shrimp fishing in the south so a lot of nets, a lot of trawl boats, and then gill nets and various things. But it's sort of smaller scale. Up north, around Wanchese, Harkers Island and north, you tend to get bigger boats with different kinds of fishing gear and different kinds of-- higher volumes, et cetera. So I was really drawn to Arden, you know, I had lunch with him and his wife and he called me a Ridge Runner, you know, meaning I wasn't from the coast. I found out later that the tires on my truck actually said 'Ridge Runner' [laughter] I don't think he knew that, it was kind of a coincidence. But you know, he, there's, I found that working with people like Arden Moore or Murray Fulcher, who ran a fish house in Ocracoke, who ran a bunch of

boats with pound nets, which is another kind of, you know, traditional fishing gear in North Carolina. I found that, in interacting with these fishermen, you know, all of this sort of friction would disappear. I was from the government, but I was a normal guy. I was really keenly interested in getting on the water, I loved getting in their fishing boats, I love seafood, something I learned to love up in New England. And so, you know, there was no distance when you were with these guys. You know, their stories were heartfelt, they were committed to making things better, they were worried that they were [pause] you know, their way of life was fading out. But I was just really taken by, you know, their personal stories. And that influenced me when I would advise the Secretary or the Governor. I would say, you know, 'These guys are for real, they're not, they're not making this stuff up, they're genuinely concerned.'

DW: But when I found is that, is that the interest that they communicated in these, you know, visits to their boats or to their houses, were not necessarily what you heard in the Steering Committees. First of all, the tone was different. And often in the Steering Committees, it was as if people were reading from a script provided to them by the North Carolina Fisheries Association. Which we haven't talked about, but the seafood industry is represented, and has been represented for years, by this group called the N.C.F.A. And they purport to--and I use that word intentionally--they purport and have purported to represent commercial fishermen, and in some respects, they do and have. But the demographic of commercial fishing is very varied in North Carolina, which I came to find out by spending a lot of time on the coast. You had small guys like Arden Moore, you had small seafood dealers like Murray Fulcher, you had crabbers like Willy Phillips up on the Scuppernong in Columbia, you had offshore boats in Hatteras. So it was a real diverse fishery; and there were a bunch of other people: Jodie Gaye was a guy down in south, ah, southern part of the state. But they all spoke with one voice through the North

Carolina Fisheries Association, which was unfortunate. Because I always had the impression that the N.C.F.A. was speaking for the seafood industry, the bigger boats, the seafood companies mostly in Wanchese and elsewhere. And that they had a real interest in everyone speaking from the same hymn book, or same whatever the expression is. Singing from the same hymn book. And you see that in, in the pork industry here, you'll see, you know, companies like Smithfield Foods and others speaking on behalf of hog farmers, and their interests are not the same. Same thing with the timber industry: they would purport to speak--also the N.C.F.A., North Carolina Forestry Association--they would purport to speak for loggers when, in fact, their primary clients were Weyerhaeuser and other big clients. So that was a real problem, ah, in my opinion in North Carolina. You know, the interests of Arden Moore or Murray Fulcher, Jodie Gaye, Willy Phillips, and others were not being reflected in the positions taken by the N.C.F.A. and the legislature. They were very, in my opinion, rigid and inflexible. And again, I felt like people with Governor Hunt were really trying to find common ground, and there was real resistance to do that because of the distrust or because, frankly, the seafood industry had squarely different interests than the people on the water and, and the latter interests never floated to the top, to use a poor metaphor there.

MW: Yeah, that's really interest. So it sounds like, um, you know, these fishermen were trying to be sort of, band together and be represented through the Fisheries [Association], but it sounds like that almost sort of backfired, in your opinion? If they were all saying the same thing, reading from the same script, it kind of just blurred all into one. Is there, or was there, a way that people could more effectively sort of represent themselves and tell their one story but still be heard at that same level?

DW: That's a good question. I think there was a lot of attempt to do that; there were small

fishing associations. And, you know, when I could come back to Raleigh I would try to represent to the Governor, to the Secretary, that it's not homogenous out there. There're a bunch of different opinions. And then I would try to--the bottom line is, these guys wanna make a living. They want regulations to be as un-cumbersome as possible. And there's gotta be a way to do that. You know, there are preproposals we should make that they're not gonna like, but if we can just [laughs] get them through, they're gonna realize that it's not the end of the world. You know, if there's a cap on commercial fishermen, fishing license, there's a way to do it where you reward people who are full-timers and maybe the people who aren't, you know, have to pay a higher price. So, but, it was a real challenge to do that because, any time a group of fishermen would try to speak out in a way that was different than their lobbying group, the N.C.F.A., there was a lot of pressure, you know, not to do that. And a lot of pressure, serious pressure, where some people were told that 'the truck's not gonna come pick up your catch next Thursday if you continue to speak out.' And that was also eye-opening to me that, you know, it was actually a fairly intimidating issue to work on because, when push came to shove, people could get their backs against the wall and, and it was not terribly, you know, pleasant to work at. Occasionally, they would have, you know, they criticized the Fisheries Director, I think they burned his, you know, didn't hang him in effigy but basically burned him, basically! So if you were the Fisheries Director, you were really an unpopular figure. And the one that we brought in ended up leaving, and yet another person came in, so that was a thankless job.

DW: But I think that's a real challenge: it's a challenge today, this quota-based system called catch shares, or individual transferable quotas. It works. It doesn't--it works only because, it works when commercial fishermen actually design it and make it work for them. And that's what happened in the Gulf of Mexico with the red snapper and grouper; it happened in the

Pacific; it's happened again in other parts of the world. But it works! But in North Carolina, fishermen were not even allowed to sit down and really take a close look at how to make it work, because the seafood industry didn't like the idea of empowering fishermen. If fishermen have more control over when they fish, they can fish when market prices are high. Again, the interest between the seafood industry and the dealers was distinct from the fishermen. So, they never even got a chance to take a close look at this management system that would've been a real benefit, economically, to them; would have provided more security to them; would allow them to fish not when the season opened, but when weather conditions were good, when prices were good. So that's been a problem, it continues to be a problem in North Carolina, where people's voices are drowned out by, you know, powerful lobbying organizations. That, as far as I know--I haven't worked in North Carolina for a while--but I think that remains a major challenge.

MW: Yeah, that [laughs] that does sound like a major issue. Um, I'm wondering if we can I guess backtrack for a minute--

DW: Okay.

MW: --and um, do you think you could sort of describe the makeup of the Steering Committee and who was involved with it? A couple of names and positions and what they did. It's okay, it's not a pop quiz!

DW: M hm. [Clears throat] As I recall, I can't remember precisely without going back to my files, but as I recall, the Steering Committee--and you can correct me on this 'cause it's history, there is a record--but as I recall, the act of the Legislature that established the Steering Committee allowed the Speaker of the House to appoint members, the President *pro-tem* of the Senate to appoint members, and I believe the Governor. And I believe the legislation designated slots: so, commercial fishing representative, a sports fishing representative, maybe an

Environmentalist. As I recall, conservation groups were not necessarily considered legitimate interests, which goes back to the allocation issue. It was really sort of, how to strike a balance between commercial and recreational. And so I remember that the Steering Committee was chaired by Bob Lucas, a litigator, lawyer from Selma, North Carolina, who I believe at the time was also the chair of the Marine Fisheries Commission, which is the state body that [clears throat] enacts regulations governing fishing. So he was the chair; I can't remember who the Vice Chair was. He was intended to be a neutral person, although, again, the commercial fishing sector in particular thought he was more sympathetic to the recreational side: he wasn't from the coast, he's a lawyer. But in terms of the other members, you know, I can't remember. I think there was, I want to say B.J. Copeland from Sea Grant, from North Carolina State [University] was on the committee. I can't remember if that's true.

MW: He was.

DW: He was, okay. And he was also on the commission. And there were, you know, people like Dirk Frankenburg, who was on the commission. I can't remember if he was on the committee. He was a professor, Marine Sciences professor at U.N.C.[-Chapel Hill]. So you had some of those, and you had fishermen, and you had, again, recreational representatives. I just can't remember off the top of my head. And then you had, you had the Department of the Environment, Health, and Natural Resources. You had the political people like me, who were there to listen and advise the Secretary and the Governor. And then you had the career people with the Division of Marine Fisheries: the scientists, the managers, et cetera. So they're all there. So, you had a bunch of government people, you had a bunch of committee members, and then you had stakeholders and members of the public.

MW: So you mentioned that some of these folks were not from the coast [laughter] and

while we do have fishing in other parts of North Carolina, you know, a lot of it is very coastal-based. Did you notice any sort of like tension between the coastal and non-coastal folks, or any sort of hostilities there?

DW: Yeah. So the, you know, the moratorium was all focused on, you know, marine fisheries. And so what that means in North Carolina, it means all the coastal waters, everything that is salt water or brackish--and brackish means a confluence of fresh and salt water. So really, from the coastal waters out three miles, so the state has jurisdiction to three miles. But, you know, coastal fishermen, commercial fishermen, recreational fishermen go beyond three miles, and that's in federal waters. So you also had some federal interests at play. But the focus was on those fisheries that were predominantly within that three-mile limit. The freshwater fisheries were governed by another agency altogether, called the Wildlife Resources Commission. And that was almost exclusively recreational fishing. So, in North Carolina, if you go fishing for trout or bass, that's under the jurisdiction of Wildlife Resources, they are commercial enterprises. So they were not directly involved. Although, the people on the coast tended to believe they should have a greater voice in how resources in their backyard or off the coast should be managed, because they were the ones who lived and worked there. You know, in some way--not everyone felt this way, by the way--but there was a tendency to say people from Raleigh--Raleigh was a four-letter word--yeah, 'People from Raleigh, ugh!' but that they just, they weren't bad people, they just didn't understand. And that, they didn't have as legitimate a stake in how things were done. And so there was a tension.

DW: And again, it seemed to be [pause] very regional. Even, as I mentioned before, even along the coast there are regional differences. Where Harkers Island, which is near Beaufort, and other communities that were much more heritage-based tended to--people there tended to be

much more fierce in their opinions about the government or opinions about people who didn't live on the coast. I should say--I don't know if others have brought this out--but there was a fair amount of, sort of, religious underpinnings to all this. I think I mean that in two ways: one, sort of heritage as a religion, fishing as a religion. But more importantly, in North Carolina at least, there just tends to be, you know, faith tends to be very important to fishermen. You know, Christian faith, predominantly. And you would see that come up a lot in public hearings: people would talk about how, you know, God, it was a God-given right. But they were just very, very--their religious practices were very evident in their day-to-day lives and it's something they talked about with great conviction. The leaders of the N.C.F.A. [North Carolina Fisheries Association] at the time were, were especially religious. So that created an interesting element to a public policy debate, because it, it meant that it wasn't always a matter of just trying to figure out, rationally, what made sense, how to divvy things up, how to use the scientific method to establish a catch limit for fish stocks. There's this other element that was extremely powerful, in terms of influencing people's opinions. Yeah, it was interesting.

MW: Wow, no, I don't think anybody else has brought that up yet. Um, were there any other--you mentioned, you know, sort of regional differences. Where there any--and you mentioned heritage a couple times. I guess, can you talk a little bit more about how people drew back into their upbringing or their heritage, how they really brought that up and brought this to the fore when having these public conversations?

DW: [Pause] Yeah. I mean often, you know, especially in the Outer Banks--and I'm thinking Manteo, Wanchese, Hatteras, Harkers Island--you tended to interact with families who had been fishing, commercial fishing for generations. And there're all kinds of names: the Daniels, the Tilletts, the Etheridges, and several others--the Smiths from, I think, Beaufort. And

that, you know, they tended to wear their heritage as a badge--and I mean that respectfully--that it was, you know, with a great honor. That their coming to these meetings, participating in this process, was honoring their, their ancestors who had done this. It's what they had been doing since they were kids, they were children, it's what they knew, it's what they liked to do. And so they tended to come out a lot, and men and women were involved. Fishermen's wives, um, were quite active. Not just in the Moratorium Steering Committee debate, but were active in these issues in general, before and after the Steering Committee. Often, wives--generally wives, I mean, sometimes the spouses were husbands, but mostly in North Carolina it's a men's profession--but wives would often be proxies for their husbands who were out fishing. So they would be the ones who would come and testify with equal emotion and equal fervor. I remember fishing hearings in Morehead City, where some of the fishermen's wives would show up and, quite emotionally, appeal to the government to back off. So, so--yeah, families, forefathers, tradition: it was pretty much there all the time. And that was an advantage, I think, that the commercial fishermen had over the recreational fishermen was, not a trump card, but it was something that, I think, was often used to establish more legitimacy in the debate. You know, 'We've been doing this forever, we've got a stake in this, you guys are part-timers, we know what we're doing, we've been on the water, and these rules that the government's proposing are crazy because'--I heard one fisherman say--'they wanna limit how many flounder we can catch, but there's so many flounder in the water I'm afraid to take my dog there 'cause he'll eat 'em!'

[Laughter] I mean, you heard stories like that all the time, you know: 'there's so many striped bass, don't know why there was a moratorium on striped bass fishing 'cause they're eating up all the crabs!' I'd have fishermen in Wanchese showing me photos of a striped bass that they had cut open and there were a bunch of blue crabs. So, I'm getting off-point here, but just the notion that,

you know, we've been on the water our entire lives, our parents and grandparents were on the water, you have to give us a greater voice than you're giving us. The government has to respect us more than they do. That was sort of the, the tone.

MW: Yeah, and not to ask you to speak exactly for Governor Hunt, but do you feel like that was an approach that was fairly effective?

DW: Yes. Governor Hunt, you know, was a great politician, but I think mostly he was truly committed to farmers, fishermen, people who worked the land. He would always say in his speeches to the environmental crowd or in the country, that his father was a soil and water conservationist, he was from a farming background. And he had, he had real empathy and sympathy to people who lived off the land and lived off the water. I was always impressed by how respectful he was; he was a great listener! He'd sit there and when you were talking to him, it was as if you were the only person in the room. And he treated everyone like that. And, I think he was generally well-respected, so when fishermen would take out, would express anger, at the government, it was rarely against Governor Hunt personally; it was more either to the Fisheries Director or to the Marine Fisheries Commission, or to the Secretary, or to some, you know, functionary like me. But, you know, Hunt had a lot of respect. I think, as he continued to push us to get out there and really try to find policy positions that he could, he could ultimately sign. You know, he really encouraged us to keep at it and wanted to make sure, at the end of the day, that what he signed was, was good for North Carolina and good for the, good for commercial fishermen.

DW: He was also influenced by Marc Basnight, arguably the most powerful Senate President *pro-tem*, Senate leader, in certainly my memory in North Carolina. But he was from Manteo, he was fiercely protective of commercial fishing interests, but he also increasingly had

pressure from the recreational side because Dare County [which Basnight represented] is dependent upon tourism and recreational fishing. But he was tough, and he would essentially call in Governor Hunt--as much as a legislator can call in the Governor--but he would invite Governor Hunt to breakfast at Finch's, this meat and three place in Raleigh, and basically give him the what-for, if he felt like the Executive branch was not spending enough time listening to commercial fishermen. When I would attend meetings with Senator Basnight, he would treat me, as a representative of the Secretary, differently. He would treat me with, you know, he'd be circumspect, he'd challenge me on whether I was really there representing commercial fishermen. So, the great thing about Governor Hunt is, I think, that he respected Senator Basnight both as a person and as a politician, knew he needed to work with him. But ultimately, it came back that he had a great, great affection for the fishermen. And I worked with Governor Hunt a lot on the hog farming issue, as well, which was equally as controversial, and he showed the same respect for, you know, for farmers.

MW: So you're talking about, um, you know, Governor Hunt and various stakeholders and how hard they were working to come up with something that respected the various stakeholders, the commercial and the recreational fishers. So, in 1997, the Fisheries Reform Act was passed. What, I guess, what's your take on that? Do you think it was a [pause] I don't want to say 'good'--do you think it was an effective law, do you think it was the result of good policy?

DW: [Inhale] Uh, yes. I mean, I think it was an effective piece of legislation. It's been so long I can't remember the ins and outs. What I remember leading up to it was that there were extensive negotiations between the Governor's office and the Secretary's office and the legislature, predominantly the Senate. And so, the Senate had several staff members, lawyers and legislative drafters, that were in the thick of it, and they also were responding to constituents. So,

there's a lot of horse trading, a lot of back and forth, but again, they were under pressure to produce legislation that the Governor would sign. And so, as I recall, it was a pretty decent, ah, product at the end of the day. I think, you know, I think most or mostly both sides felt like it wasn't too bad, that all-in-all it came out pretty well. There was some unfinished business, including a proposed saltwater fishing license, which was intended to require recreational fishermen to have a license so the state could begin to get a better handle on how much fish recreational fishermen were catching. You might be surprised, but the recreational sector was for it, and the commercial sector was against it. They were afraid that if there was a commercial-- saltwater fishing license, that it might further empower, it might demonstrate just how many recreational fishermen there are, it might somehow empower them. So that did not make the final cut; it was passed probably a decade later.

DW: So all in all, I think it was good from a conservation viewpoint. We haven't talked about the groups like the Environmental Defense Fund, where I now work, but they were also involved in these hearings, and they were essentially making the case that: fisheries management is broken; fish stocks are declining; the conservation organizations respected that there needed to be a fair allocation between commercial and recreational; they did not take sides. But they were also principally interested in habitat. And again, I can't remember the specific provisions, but the 1997 law included protections for fish habitat. The 1996 federal fisheries act, Sustainable Fisheries Act, which was a reauthorization of the Magnuson-Stevens [Fishery Conservation and Management] Act, preceded state law, and it included provisions on essential fish habitat. Essentially, what it did was it required that fisheries managers identify those, you know, estuaries, those sea grasses, those--I'm thinking about mangroves and coral reefs 'cause that's where I work now, we don't have those here--but basically, the near-shore areas where fish, you

know, where nursery areas occur, where fish spawn, where fish take refuge. Conservation groups were involved in the 1997 act in order to make sure that, if you've got fishing right, you've also protected the habitats that they're dependent upon. And that sort of was an interesting debate because the state was also figuring out what to do with run-off from hog farms and other farming that was polluting the waters. There were a bunch of fish kills back then in the Neuse River, for example. Scientists at N.C. State [University] were trying to figure out what was causing the fish kills. And so, conservation groups were saying to the commercial fishermen, you know, 'You have to band together with us to get, you know, better pollution laws on the books.' Stuff like that.

DW: So, in the end, I think it was a good step forward. I think it, for the most part, it temporarily calmed the waters, so to speak. It didn't end the debate. Since then, there have still been continued problems with overfishing, although in many cases, stocks have boun-- rebounded. You know, last time I checked, commercial fishing was still on the decline. You weren't seeing a lot of young people come into commercial fishing. And there were proposals in the 2000s, after this act was passed, to go to an individual transferable quota system where, again, commercial fishermen would be allocated a share of the resource and would have some greater stewardship incentive to take care of it. But it was also essentially an investment that a fisherman could pass on to future generations; it was essentially a business asset. And again, for various reasons, that's been controversial in North Carolina where it has not been controversial in the Gulf of Mexico, it's succeeded. So I think, you know, fast forward twenty years just about, commercial fishermen are still having trouble getting, making a living. They're hanging on. You can still find some fresh and local seafood, but if you go to the stores in Chapel Hill, Carrboro, Raleigh, for the most part, you're buying seafood from out of state. So I think, I think today more

could be done to not only sustain the resource, but to help get commercial fishing sort of back. There's still debates over, between recreational and commercial fishermen, over whether speckled, speckled trout, striped bass, and other species should be the exclusive domain of recreational fishermen. So, debates continue, somewhat less intense. But all in all, I think it was a good step forward.

MW: Well, ah, twenty or--nineteen, now--almost twenty years out from the passage of the F.R.A., are there any things that you know today or that you've observed in the meantime that you wish you knew then? Is there anything that's happened where you would've been like, 'If I knew that back in the mid-[19]90s, we would've done this xyz completely different'?

DW: Yeah, that's a great question. I, you know, I don't know. On the one hand, I have more knowledge about what kind of fishery managements work successfully, again, in the Gulf of Mexico. And the program I keep talking about in the Gulf of Mexico did not come online until 2007. So this concept of transferable quotas, at least in the U.S., was still untested. Canada and British Columbia had started doing it, Alaska halibut fishery was thinking about doing it, but it was a novel idea. So, you know, I'd like to say that with the knowledge I have, what I would do different is to try to take North Carolina fishermen to other parts of the country, and possibly the world. And we did that, actually, in the 2000s, in my current position with E.D.F., we'd take commercial fishermen to British Columbia to have them look at this quota system. It didn't work in that case, but one thing I've learned is that, if you can get fishermen together and kind of step back and just let them talk to each other, that they generally respect each other and they're more inclined to imitate what someone else is doing if they're doing it well, than they are to listen to a government bureaucrat or someone who doesn't fish. So we've seen, I've seen since then--I work in Cuba now, and so we're trying to figure, work with Cuban fishermen and the Cuban

government, on how to end over-fishing. You know, sixty percent of fish populations in Cuba are overfished, and it's getting worse. So we're trying to figure out how to come together to do things differently. We've taken Cuban fishermen to Mexico, we've taken them to Cape Cod, to San Francisco, to Morro Bay, which--look at fishing cooperatives just south of San Francisco, to Belize. And so, I didn't know that back then, but had I known that, I would've spent more time trying to get fishermen here to hook up with successful fishermen in other parts of the world. So they're called Fishermen Exchanges, or Learning Exchanges, and it's becoming a tool that is sort of catching on in general. So there's still potential to use it here.

MW: So you've mentioned a number of different countries and fishing policies and approaches to it over, you know, the past twenty or so years. Um, where do you think that the F.R.A. fits in just sort of the grand scheme of things, you know, was this some really like mold-breaking, revolutionary new legislation? Do you think it was something that other areas picked up on and learned from? How does it fit in the whole narrative of fisheries management?

DW: I don't know. My guess--my guess is that it's not viewed as, it's not necessarily that well-known outside of North Carolina. Other coastal states from Florida to Georgia, South Carolina, and then New England, where commercial fishing is much bigger in places like Massachusetts, even in Maine: I don't think they've really looked--they have a lot of the same issues, over allocation, over how to establish science-based limits. They have a lot more issues in New England, for example, over big versus small, so you've got greater friction between the big, industrial-sized fishing boats and the small-scale fishing boats and small towns in Maine, for example. So, the issues tend to be similar but a little bit different, so I'm not sure that I'm the authority to, or that I can speak with any authority. But I think that its impact was felt, mostly, the law's impact was felt mostly in North Carolina. I don't think it--again, I think it was a decent

piece of legislation; I think it had, it helped move things along here, but my hunch is that it wasn't, it wasn't, it didn't become a model for how to do things in commercial fishing.

MW: What do you think about, um, the F.R.A. in terms of its ability to adapt over time? You know, it's been twenty years, do you think it's, it was, or is, sort of flexible enough to adjust to what's changed in fisheries and in North Carolina in the past twenty years?

DW: I think twenty years for one piece of legislation's a long time. I mean, typically, with environmental legislation, the goal is to reauthorize it, to review and reauthorize every five years or so. That rarely happens anymore in this contentious world in which we live in. but, you know, laws--circumstances change, demographics change, economics change. Certainly, the coast has changed in North Carolina. It looks a lot different today than it did back then. More people live there, there are fewer commercial fishermen. Again, we import more of our seafood. So from the perspective of different stakeholders, is the law sufficient? Again, I have not worked on commercial fishing in North Carolina for several years now, but I would say no. Because I would say that the resource is in better shape, catch limits and size limits, management measures, seem to be working better than they did. You see fewer species that are overfished in North Carolina and throughout the U.S. So all that's good, I think, from a perspective of commercial fishing, I think it may be a dying industry in North Carolina. I think there are many who believe that commercial fishing is no longer important to the state's economy, that there are greater economic benefits from recreational fishing. I don't share that perspective; I consider myself a fierce believer in commercial fishing because I think it's good for--I believe it's sustaining the heritage but, more importantly, I think people want to eat fresh and local wild-caught seafood, and we have a bountiful coast! We've got waters that are capable of producing a lot of seafood for a lot of plates in North Carolina. And just as we're putting, placing a premium on farm-to-table,

there's no reason we can't place a premium on fishing boat-to-table. And I'm afraid that, unless things are managed differently, that commercial fishermen are fighting a losing battle. I think there's more potential for conservation groups and commercial fishermen to unite. Recreational fishing is still not as well-managed; it's hard to count how many fish are caught recreationally, and therefore it's hard to manage it. Whereas, commercial fishermen have to report their landings. So I think, you know, if there was more solidarity between conservation groups and fishermen, you would see management systems that not only protected the resource, but resulted in more biomass in the water, resulted in better jobs on the coast, and resulted in more local seafood on the plates of North Carolinians. So I would encourage another look at the F.R.A. with an eye toward clear--you gotta have clear goals. So, there's no reason to touch it if there's not a crisis. And you know, again, you remember better than I do what crisis prompted the 1994 moratorium, but often, unless there's a crisis, people let sleeping dogs lie. I think commercial fishing is slowly dying out; it's like everyone says, if you put a frog in cold water and then turn up the heat, he'll boil to death; if you put him in boiling water, he'll hop out. And I think that's what's happening in North Carolina: slowly, people go out of business. Young people won't replace them. The seafood industry in places like Wanchese will find it hard to compete. Many of those companies have fishing boats that fish off the coast of South America; that's where they earn a large percentage of their revenues. And I would hate to see commercial fishing disappear, but I don't think it's--Senator [Marc] Basnight's retired, Governor [James B.] Hunt's gone, I don't see this as being the kind of priority it was back then. So, we'll see.

MW: Yeah.

DW: I'd love to know what Susan West is saying! There are many out there, fisherman's wives and others, who are waving the flag for commercial fishermen, often coming from the

heritage point of view. I know Susan West quite well; she is not a fan of quota-based systems that allocate the resource to fishermen, or, she wasn't last time I talked to her. But I think there's common ground where, you know, you can create a system where commercial fishing's gonna look different than it did twenty years ago, thirty years ago, fifty years ago, but you're still gonna have it. And you're gonna have it on a small scale, so it's not gonna be controlled by big corporations like people are afraid of; it's gonna be, you're gonna have people who live in Buxton and Hatteras and Shallotte and Ocracoke and Harkers Island, Beaufort, you know, fishing for a living. And again, unless things change, I think all we'll have is sort of a heritage fishery and nothing more. So that's my concern. But I'm working in Cuba now, so.

MW: [Laughs] Yeah, so, talking again about the whole heritage approach to it, I think you mentioned much earlier in the interview that you worked with American Indian communities who also had fisheries issues. Could you talk a little more about that, maybe compare and contrast a little bit? Do you see any similarities? They're both groups that may've been relying on fishing for a long period of time and really have a connection to it.

DW: Yes. That's a really good question. You know, for fishing communities in the Pacific northwest, in Alaska, where they're still whaling, you know, it's truly a question of heritage. But it's also, particularly in the northwest salmon fisheries--salmon fishing, for example, is vitally important to Indian tribes in Washington state, and so they have fishing rights that are either the result of Supreme Court cases or treaties or both. In the case of salmon, you know, it's critically important for revenues. But their fishing practices often harken back to ways things were done. I think you still see fishing wheels and various other practices that have disappeared outside of Indian tribes. But you also--you know, essentially, you have a quota-based system out there, where Indian tribes are allocated a percentage of the harvest in many cases. And again, I'm not

up to speed on all this stuff anymore. But then they are allowed to manage it in the same way a fishing cooperative might manage it, with community interests in mind. So you get the social interests, you get the economic interests, and you get the conservation interests. And really, all three have to go together. The more that you have people fighting over social, economic, and conservation, the less likely you are to come to some resolution that truly works for everyone. But that is a good analogy, and I think in North Carolina, it might take a page out of the way Indian tribes and others have done it. There are fishing cooperatives in Mexico that have all come together and they've been, essentially, allowed to co-manage the resource by the Mexican government. They're on the water, they collect the science, they report the data, they have an interest in monitoring the marine reserves, the protected areas, 'cause they know those areas replenish fish populations and lobster populations. So you've got a situation there where fishermen are actually enforcing and managing and monitoring and doing the science arm-in-arm with the government. And so that's a model that we haven't really figured out how to do here. But in the case of Indian tribes, again, like people on Hatteras and elsewhere, it's generations old and the reason they're still doing it is because that's what they want to do, that's what they know to do, and they're paying respect to their forefathers, mothers.

MW: Yeah, you've mentioned, or we've talked a good deal about sort of, it seems like this is framed almost as having two sides: there's recreational versus commercial. Do you feel like those are just two poles that are never gonna come together? Do you think that there's a way that the two can coexist peacefully in North Carolina while maintaining healthy fisheries?

DW: I think they can come together. We've seen it in other parts of the world, even in the Gulf of Mexico where there's still real divisions between the two sectors. You're beginning to see parts of the recreational fishing sector--head boats, charter boats--rally around this concept of

a quota-based system. They see that it's worked. For them, they see that it's actually worked to keep commercial fishing within their limits. I mean, historically, commercial fishermen were going way over their quotas just like used to happen in North Carolina, so by the time the season was closed, commercial fishermen had caught way too many fish because the data was catching up with what was happening on the water! So, in the case of the Gulf of Mexico, you're seeing some parts of the recreational fishing community say, 'We like what the commercial fishing sector's doing. They're actually responsible. They're finally responsible.' So you're seeing that, you know, they can live together, that if the commercial fishing is more sustainable, that means there's more fish in the water. I think the challenge in places like North Carolina and the Gulf of Mexico is that the numbers of recreational fishermen are increasing, arguably. Anyone can go out and fish: you buy a fishing license and you can go fish. There's a sense that, you know, the old formulas for allocating fish may be, in the case of red snapper in the Gulf [of Mexico], I think it's sixty percent of the total quota to commercial, forty percent to recreational. Those numbers have probably changed, but you see the recreational sector saying, 'We deserve more of the quota because there are more of us now, and so we have to spread out the catch among more people.' But I think the unifying goal is that more fish in the water benefit everyone, and recreational fishermen also like to eat fish, they're consumers, and I think this sort of local food movement, slow food, slow fish, you know, has helped commercial fishermen because people prefer to eat fresh seafood. Right here in Carrboro, there's a place called Tom Robinson's.

MW: Yeah! The cinderblock shack! [Laughs]

DW: Yeah, real cinderblock shack. Tom died a few years ago, but it's this wonderful place where it's open from Thursday through Saturday, and on Wednesday, they head out to the coast and they buy from various fishermen and seafood dealers. And so the cool thing about that,

if you're a consumer in the middle, in the Piedmont of the state, is you begin to understand that, you know, bluefish isn't available all year long. Bluefish run in the fall; shad roe, which is really delicious, happens in the spring when the shad are running; softshell crabs, you start seeing them around March. You're still seeing them, but you understand that there's a season for seafood; you really don't get that if you go to Whole Foods or Harris Teeter or any of the grocery store chains. Tuna's always available, shrimp's always available, salmon's always available, and there are very few places like Tom Robinson's where you can look at something and say, 'What's that?' 'That's a sheephead,' 'That's a whelk,' 'That's a conch,' 'That's a stone crab.' 'I didn't realize we had stone crabs in North Carolina.' 'Well, we don't, really, but so-and-so caught it.' And different kinds of tuna. Tuna at Tom Robinson's isn't just tuna, it's either yellowfin or bigeye or something else. And that's--that's--I don't buy fish anywhere else unless I'm on the coast, and then I'll buy from a local. But you just don't see that much anymore. Had no idea what the original question was, but [LAUGHTER] yes.

MW: Yeah, I guess I have one more question more about sort of the policy and the retrospective. So again, it's been twenty years out from the passage of the F.R.A., over twenty years since the Moratorium Steering Committee was formed. Do you think--or, what do you think that we did learn or could learn or could use today in politics, in North Carolina, that you observed during that whole process in the [19]90s?

DW: That's a great question. [Pause] It comes back to your questions about 'why a moratorium?' I think we've learned that, if there's a way to kind of step back, or try to step back, and try to bring people together and try to listen to people, often you hear about government agencies holding listening sessions, and what that often means is that people are supposed to come and listen to the government agencies tell them about what rules they're proposing. What

the Moratorium Steering Committee did is, say, convene these gatherings where people came and could be heard, could talk and could be listened to. That was a valuable lesson, and it showed that what appeared to be irreconcilable differences were not that irreconcilable. Now, people were reluctant to give up positions in favor of interests, they were kind of wed to positions, but through this process, people began focusing a bit more on what the interest was rather than the positions. We weren't successful on completely doing that, as I mentioned before, there was still work to do afterwards. There's still a level of acrimony among the various sectors in North Carolina. But I think it was a very effective tool and, since Governor [James B.] Hunt, I haven't seen a Governor in the state of North Carolina who's had the patience, had the passion, and had the foresight to actually spend the time and the money. I mean, that was a long process. From the imposition of the moratorium--the law was three years, which was relatively long when you're faced with a moratorium on commercial fishing licenses. So, I think the biggest lesson is maybe one of process; is starting off by saying everyone has a legitimate interest in this policy debate, everyone need to be heard. At the end of the day, however, the government, the Legislature, and the Executive Branch had the duty to lead. I think that's often sacrificed, often if the government's in the middle of a resource dispute, I think they're often afraid to choose, they're afraid to lead, they're really desperate for consensus and if they don't get it, they're paralyzed. I think some of that happened in North Carolina, but I think at the end of the day, Senator [Marc] Basnight, Governor [James B.] Hunt came together and basically agreed on legislation that would move things forward, and so, the lessons are: process, getting everyone at the table, listening to everyone, taking time, and, in the end, asserting some leadership and making decisions. Which, you don't have to live with forever. In the case of F.R.A., as you've pointed out, it's been almost twenty years. It's probably time to dust it off and to open it back up

and to revisit how we manage our resources.

MW: Yeah. That's excellent and, speaking of process, thank you for being here for this interview. Is there anything else that you would like to add? Any thoughts about before, during, or after when you were in this position, or fisheries today? Sustaining the economies, the communities? Anything?

DW: [Sigh] Probably. [Laughs] I think, my lesson, one more lesson is that it's really hard for people, myself included, to get rid of preconceived notions. Preconceived notions about other people, about other interest groups, and it's really hard to listen. We--not just in fisheries, but in general we tend to talk at each other instead of to each other. You see that playing out in this election year. Having a political party is almost like a having a sports team. You see that in fisheries, as well: being a recreational fisherman means you're a recreational fisherman and you don't really trust commercial fishermen. And vice-versa: you're a commercial fisherman, you're leery of the government, you're leery of recreational fishermen and conservation groups. And I find that mentality really difficult to break. It has been broken; again, I go back to the Gulf of Mexico, where conservation groups like mine suggested that there be this quota-based system. That suggestion prompted, in the mid [19]90s, a moratorium on the use of these quota-based systems. Because commercial fishermen didn't want to hear about it. And then there was about a six-year process during that moratorium--it was a long moratorium--where fishermen and conservation groups sat down together and, at the end of the day, the fishermen, the commercial fishermen, were the biggest proponents for this quota-based system because they took the time to study it, to go to British Columbia and other places where it's working, and they made it their own. And so I really wish that a place like North Carolina, in the next phase, that, that some of the fishing leaders like Susan West and others who are still at it and still committed to doing it, I

really hope that they can come together with groups like Environmental Defense Fund, C.C.A. [Coastal Conservation Association], and other groups, and really just say, 'Okay, let's just start trusting each other for a change. Let's start listening to each other. Let's just put down our weapons.' And I think that's really needed, but it's hard for people to get beyond that, and it's hard for people to trust each other. And, you know, yeah. So that's it.

MW: [Laughs]

DW: That's all I have.

MW: That's it?

DW: Yeah.

MW: Alright.

[END OF INTERVIEW]