

## **BILLY MUNCH**

### **ERIE, PA**

Billy Munch, 44, was a full-time fisherman, one of Erie's highliners. In addition to fishing, he also ran Munch Fish Company, which his father had started more than half a century before the Pennsylvania Legislature brought it all to an end.

After the state took his gill nets, Munch, of course, wanted to remain on the water and in the fish business. But after weighing the odds of succeeding with trap nets, he let it all go, went to school to learn how to install fiber-optic communication lines, and took a job in that field.

In an **August 1997**, telephone interview, he vented his frustrations of dealing with a fishery management regime that had come to favor recreation over the production of food:

Billy Munch: "We were fishing whitefish, perch. They ended up putting a quota on us on perch. The quota would change every year. The last I knew it was 35,000 pounds and it kept getting less and less. Then we got more involved with whitefish.

Lee Stinson, in Port Clinton, Ohio, was buying most of our whitefish, out of my processing plant. And I had a couple o' other customers I'd sell to. I ran my boat, there were two other boats selling to me, and we'd produce about 300,000 pounds of whitefish a year. With what the other five guys caught, we were producing, I'd say, half a million pounds.

Our yellow perch mostly went locally. Hell, I had 80 accounts, easy. We could still fish them, but they cut the quota down to about 35,000 pounds. Now that's for everybody that has a license.

They set us up on these quotas 20 years ago, when they bought out Ohio state, with the gill nets. They changed our regulations then and made us go to a larger net for perch. Perch, at that time, was our moneymaker. We were allowed 2 3/4-inch mesh, which gave you 8 1/2- to 9-inch perch, what we call Ohio-sized perch. And when they did that, all the fishermen went out, except for four of us.

You didn't have any fishermen except for us four and we struggled for two or three years. Really, all we did was wait for them fish to grow up. But the biologists said they weren't there.

Now, here was the four of us, struggling to make a go, and then we started to catch a few fish. We started meeting the quotas. So what's the state do? They turn around and sell more licenses. We're working on a quota, so now they're taking from us, OK?

So the four of us got together and we said, "They're telling us there aingt no fish, so we'll tell them bastards what they want to hear." We did that for like three or four years—underreporting, you know.

And I had this guy with me, he was kind of a part-partner. Well, he got pissed off so I threw him out. And he turned me in. Then they started pulling our records and everything else. And they were just dumbfounded because I had almost caught the quota myself.

They were all pissed off but my main argument through that whole deal was, “Hey, you said there wasn’t no fish! How in the hell did I get all those fish if there weren’t no fish?”

They said I messed up the whole system and I said, “Well, you were lying right along so what’s the difference?”

That shit cost me a lot of money, with the attorneys. They had like 36 charges against me, three of ’em were felonies. So I had to end up plea bargaining. Out of the plea bargain, I ended up with three misdemeanors, first degree; three misdemeanors, second degree; and I didn’t have to go to jail. One of the fishermen did have to do jail time, three months.

I had an eight-hour trial down in Harrisburg over whether I should keep my license or not. They suspended my license for two years—wouldn’t even allow me on the lake for two years. I had to get character references and they only gave me a week to do it. But in that week, I had like 250 letters. That’s how I was able to keep my fish business going. I went to every restaurant, and they were so damned mad about it. Like the judge, this judge went to Edinboro every Friday night, to play golf. And when he got finished playing golf, he would sit there and eat a perch dinner in the restaurant, which was one of my customers. They weren’t gonna take that plate o’ perch away from that judge.

When they took the nets, they were supposed to compensate us. Most of these guys took the buyout, what they were offered, but I’m still fighting mine.

The way they did it, they took an average of what you caught [each year over five years.] And they took the value of the money that you were paid for your fish, wholesale. Mine figured out to be around \$100,000, and I said, “No, that’s not enough.” Because I had a processing plant and everything. I had my boat built brand new and that alone cost me \$150,000. They ought to at least cover that much. But they said “Well, we don’t want the boat. We don’t want everything.”

The money was supposed to be to switch over to trap-net fishing. The law says that our boats can be converted. Well, my boat can’t be converted, it’s too big for trap-net fishing. I think somebody should at least pay for the equipment and everything. They said the processing plant and everything, that don’t mean nothing.

They don’t put any value on the license, but my argument is that I wouldn’t have all this stuff if it weren’t for the license. I wouldn’t have all these coolers and freezers and everything if I didn’t have a license to go fishing. I wouldn’t have a boat.

I’ve been arguing with these people ever since I was a kid growing up. My dad argued with ’em. He was a net fisherman, and he started the business in 1939.

They always use it against me because I've been in violation and had troubles with 'em. Well, I figure "What the hell? These people don't want to be fair so why the hell should I even obey the goddamned laws?" I mean, that's the way they get you. I come close to going to jail, just trying to make a living. And I figure it this way, "If they offer me a hundred grand, they're not offering me enough."

With this place running, of those five years that they took, I was profiting \$40,000 a year, on an average. So right there, if I go \$40,000 times five years, that's way over \$100,000. So I've got my attorney working against 'em on it. The Fish Commission's handling it.

Now, I figured that with everything I had invested, I generated well over \$300,000 a year with my business. I had 20 people working for me. I'm not saying they were all full time. And, granted, it was a seasonal business, everybody got laid off in the wintertime, most of 'em. But they had a guaranteed job to come back to the next year.

What they did, they got the politicians, and they created a Fish and Game Committee. So it was over and above the Fish Commission's head. After they passed it, they pushed it back on the Fish Commission to carry out the orders. Now I might have settled but when I got the thing they wanted me to sign, on the last page, they had an income tax form. So they wanted me to pay taxes on it besides.

As far as I'm concerned, it should have been tax free. I mean, they're not giving us nothing. And the other thing that they threw in there that wasn't in the legislation was that if we signed, we can't sue 'em. Now, when they passed the law through the legislature, it was never in there. So, I should have the right to sue 'em over this Mickey Mouse deal. We're headed toward federal court with it, actually.

It was mostly the sport lobby. They weren't just from Erie, they're from Pittsburgh, all over. You've got all these people coming up here on these charterboats, from Pittsburgh and all, and they've all got their Erie downriggers, they all have their own charter deals. They took the politicians out, wined and dined 'em. And gave 'em free trips out on the lake in their boats, catching walleye.

We're allowed some walleye, but they have a quota on 'em. The way they had that set up, we were allowed to keep our incidental catch as we were fishing for whitefish. And that went toward our quota.

The quota for our walleye was 15,000 pounds. Now we had to share that between eight licenses. It's a free-for-all, whoever gets the most or whatever, and then we're shut off. But you know damned well the sportsmen catch more than that. So where's the fair play? Understand?

That's the biggest deal right there, I believe, that put us out. There are so many sportsmen after the walleye. They keep protecting 'em because they've got their own business to run, which is pretty much the state. They gotta sell the licenses to get the people out there

to catch the fish. So, when they make the laws, they don't allow us to take any, so they can sell more sportfishing licenses. They've got a good program with a lot of money in it, but it's to the government's benefit. It's how they make their money. And the hell with the little guy if you know what I mean.

Bycatch? There was a lot of bull about that in the media. Oh yeah. Mostly through the newspapers, and the TV. They wined and dined those people too. Sure.

It was more politics than it was anything else. It's a shame because they can't catch those whitefish hook-and-line.

The thing with the gill net versus the trap net is that you have to wait for those fish to come to you. With the gill nets, you could pick them up today and move 'em someplace else tomorrow. And when they catch fish with a trap net, the fish have to actually be what they call "leading." They run along the nets to get into the trap net.

Gill nets let the small fish go through, we had minimum mesh-size limits, to catch a certain-sized fish. But their argument was that we were getting rid of lake trout, which was a federal program starting out, yet now the state took it over. And they're protecting them. But the incidentals that we caught were very few versus what your whitefish catch was.

It was the same with the walleye for the sportsmen. But they didn't say that, and they won't say that. But we were allowed to keep the walleye, which is something they didn't like.

They allow gamefish that shouldn't be allowed, that's my opinion. You know, fish that only sportsmen can catch and commercials can't. If you want to manage the lake, commercial fishermen should be allowed to sell any fish that was in that lake.

And the reason I say that is because there are people out there who don't fish hook-and-line. They'd rather buy their fish.

They took the nets in Ohio in '83, and about five years later they did it down in New York state. They allowed them to trap net but they don't do shit with 'em down there either. The water's just too deep down there for them. That's their biggest problem, it drops right off.

As far as trap nets, those guys up there in Ohio know what they're doing. I believe a guy could make it down here, survive, you know? But as far as making money, I can't see it happening.

I've talked to Lee and a couple of other fellows up there who sell their fish to Lee, like Joe Herr. And they tell me, "Bill, if you could get 20 nets and fish those 20 nets, you may be able to make a go or break out even."

So the first thing they did down here, on the licenses, they only allowed us ten nets. Now, if that's not politics. They put that in the law. Well, they don't want you to go anyhow.

Jerry Mathers converted his boat over, he's trying, but he really doesn't know what he's doing. He didn't make any money last year.

You've got different situations between here and Ohio, where they use 'em —your water's a lot shallower up there. You're looking at a lot of money just for the rigging down here. For a hundred grand, I can't even get a trap-net boat for that. You're looking at about \$125,000, \$130,000, for a trap-net boat. And then you're not even getting the nets yet. You're not even getting started.

I'm not saying it's cheaper to get into gillnetting. What I'm saying, I grew up in this business, as far as gillnetting, and it takes a long time to acquire the equipment. You just don't go and get this overnight. And with trap netting, you'd spend all your money before you even get a net in the water, and you don't even know if it's profitable yet or not. And I don't have the experience with that either.

There's more work gillnetting than there is trap netting. But there again, safety features are against it. I know those guys in trap-net boats, they get wet, because the boats have to be open. Gill-net boats are all enclosed. Sure, you got wet working, but once you got the job done, you were on your way home in the cabin.

They passed the law in 1994 and we shut down in '95. It's a sad thing, my boat's just sitting there on the water with a For Sale sign on it, down on State Street. I go down and start it up once in a while. It's a sad deal there, they wiped it right out.

Gillnets. We'd leave 'em out overnight, and lift 'em every day. We were allowed to have 24 hour fishing on 'em. There were eight licenses. We were fishing white fish, perch—they ended up puttn' a quota on us on perch. The quota would change every year. The last I knew it was 35,000 pounds and it kept getting' less and less. Then we got more involved with whitefish.

Lee was buying most of our whitefish. Out of my processing plant I ran my boat and there were two other boats selling to me. and we'd produce about 300,000 pounds of whitefish.

Bob Minor Fisheries? He's out now, he settled with the state. They were supposed to compensate us. We're all out of business. I'm still fighting mine but most of those guys took the buyout, what they were offered. They offered me a hundred grand and I didn't settle yet. I had \$150,000 in my boat alone. And the way they did it, they took an average of five years, what you caught each year over five years.

Mine figured out to be around \$100,000. And I said, "No, that's not enough." Because I had a processing plant and everything. But they said, "Well, we don't want the boat. We don't want everything."

The money was supposed to be to switch over to trap-net fishing. Well, my boat's too big for trap-net fishing. Well, the law says that they can be converted. Well, mine can't be converted, it's too big. I think somebody should at least pay for the equipment and everything. They said the processing plant and everything, that don't mean nothing. They don't put any value on the license but my argument is that I wouldn't have all this stuff if it weren't for the license. I wouldn't have all these coolers and freezers and everything if I didn't have a license to go fishing. I wouldn't have a boat. I had my boat built brand new and it cost me \$150,000. Well, they ought to at least cover that much.

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We're allowed some walleye but they have a quota on them. The way they had that set up, we were allowed to keep 'em that went toward our quota—our incidental catch as we were fishing for whitefish. That's the biggest deal right there, I believe, that put us out. There are so many sportsmen after the walleye. They keep protecting them because they've got their own business to run, which is pretty much the state. They gotta sell the licenses to get the people out there to catch the fish, so when they make the laws they don't allow us to take any and they sell more sportfishing licenses.

The quota for our walleye was 15,000 pounds. Now we had to share that between 8 licenses. It's a free for all, whoever gets the most or whatever, and then we're shut off. But you know damned well the sportsmen catch more than that. So where's the fair play? Understand?

I've been arguing, fighting with these people for years. And they always use it against me because I've been in violation and troubles with 'em. Well, I figure "What the Hell." these people don't want to be fair so why the hell should I even obey the goddamned laws. I mean, that's the way they get you.

I come close to going to jail, just trying to make a living. And I figure it this way: if they offer me a hundred grand, they're not offering me enough.

With this place running, of those five years that they took, from my average I was profiting \$40,000 a year, on an average. So right there, if I go 4 times 5, that's over \$100,000. So I've got my attorney working against 'em on it. The Fish Commission's handling it.

What they did, they got the politicians, and they created a Fish and Game Committee. So it was over and above the Fish Commission's head. After they passed it, they pushed it back on the Fish Commission to carry out the orders. Now I might have settled but when

I got the thing they wanted me to sign, they wanted me to sign off and not be able to sue 'em. And also on the last page, they had an income tax form. So they wanted me to pay taxes on it besides, okay? So as far as I'm concerned, it should have been tax free. I mean, because they're not giving us nothing. And the other thing that they threw in there, that wasn't in the legislation, was that if we signed, we can't sue 'em. Now when they passed the law through the legislature, it was never in there. So, I should have the right to sue 'em over this Mickey Mouse deal. We're headed toward federal court with it actually.

Trap nets? Jerry Mathers converted his boat over. He's trying to but he really doesn't know what he's doing. He didn't make any money last year. He never even started fishing until '85 or somewhere around there. I don't even really consider him a true commercial fisherman.

You've got different situations between here and Ohio—your water's a lot shallower up there. You're looking at a lot of money just for the rigging down here. For a hundred grand I can't even get a trap-net boat for that. You're looking at about \$125, 130,000, for a trap-net boat. And then you're not even getting the nets yet. You're not even getting started.

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them, but the incidentals that we caught were very few versus what your whitefish was.

It was the same with the walleye for the sportsmen. But they didn't say that and they won't say that. But we were allowed to keep the walleye, which is something they didn't like.

They allow gamefish that shouldn't be allowed, that's my opinion. If you want to manage the lake, and you won't allow the commercials to keep the gamefish, that was one of my arguments: commercial fishermen should be allowed to sell any fish that was in that lake. And the reason I say that is because there are people out there who don't fish hook-and-line. They'd rather buy their fish.

I say why protect lake trout? They're so full of PCB's they have fish warnings. You're limited to what you can eat of 'em. They got advisories right in when they sell you your fishing license. In the regulations, how much fish you can eat.

They've got a good program with a lot of money in it, but it's to the government's benefit. It's how they make their money. And the hell with the little guy, if you know what I mean.

I've been arguing with these people ever since I was a kid growing up. My dad argued with 'em. He was a net fisherman. My dad started the business in 1939.

As far as trap nets, those guys up there [in Ohio] know what they're doing. As far as trap nets are concerned, I believe a guy could make it down here. But as far as making money, I can't see it happening, okay?

I've talked to Lee and a couple of other fellows up there, Joe Herr [sp] and a couple of other people who sell their fish to Lee. And they tell me, "Bill, if you could get 20 nets and fish those 20 nets, you may be able to make a go or break out even. So the first thing they did down here, on the licenses, they only allowed us 10 nets. Now, if that's not politics. They put that in the law. Well, they don't want you to go anyhow.

I don't know where Jerry Mathers gets his money. He settled for \$145,000, but he's actually wasting his money doing what he's doing. Because he's not making a go.

Net bans? They started that down in Florida. They took 'em out down in Florida. With our court case, we're watching what goes on down there in Louisiana. I know they're versus the state down there.

Seafood lost? A half million pounds of whitefish? Oh yeah, easy. I mean I used to push out 300,000 pounds and sometimes more a year. That was just to Lee. And I had a couple o' other customers I'd sell too.

Now they gave us quotas. They set us up on these quotas. Now at that time, 20 years ago, they changed the rules and regulations. When they bought out Ohio state with the gill

nets, when they bought them out, they changed our regulations. On our net size. Maybe it was 10, 12 years ago. In fact, it was '83, when they did that. They made us go to a larger net for perch.

Perch at that time was our moneymaker. We were allowed 2 3/4-inch. Which gave you 8.5- to 9-inch perch—what we call Ohio-sized perch. And when they did that, all them fishermen went out, except for four of us.

Well, no one fished and no one fished and now we're on quotas. You didn't have any fishermen except for us four and we struggled for 2 or 3 years. Really all we did was wait for them fish to grow up. Now the biologists said they weren't there. Now here was the four of us struggling to make a go, and then we started to catch a few fish. We started meeting the quotas. So what's the state do? They turn around and sell more licenses. Now we're working on a quota. So now they're taking from us.

So the four of us got together and we said, well, we'll tell them bastards what they want to hear. They're telling us there aingt no fish, so we did that for like 3 or 4 years. And I had this asshole with me, he was kind of a part-partner. Well, he got pissed off so I threw him out and he turned me in.

Then they started pulling our records and everything else. And they were just dumbfounded because I had almost caught the quota myself. Well, they were all pissed off, but my main argument through that whole deal was, "Hey, you said there wasn't no fish! How in the Hell did I get all those fish if there weren't no fish?"

So they said I messed up the whole system and I said, "Well you were lying right along so what's the difference?"

That shit cost me a lot of money, with the attorneys. They had like 36 charges against me, three of 'em were felonies. So I had to end up plea bargaining. Out of the plea bargain, I ended up with 3 misdemeanors, first degree, three misdemeanors, second degree, and I didn't have to go to jail. One of the fishermen did have to do jail time, three months.

I had to do character references and they only gave me a week to do it. But in that week, I had like 250 letters. I went to every restaurant. That's how I was able to stay in business, because I went out and told everybody what happened. And they were so damned mad about it. Like the judge, this judge went to Edinboro every Friday night, to play golf. And when he got finished playing golf, he would sit there and eat a perch dinner, which was one of my customers. They weren't gonna take that plate o' perch away from that judge. They suspended my license for two years. They wouldn't even allow me on the lake for 2 years. I had an eight-hour trial down in Harrisburg over whether I should keep my license or not.

Our yellow perch mostly goes locally. Hell, I had 80 accounts, easy. We can still fish them, but they cut the quota down to about 35,000 pounds. Now that's for everybody that has a license.

The Great Lakes Fishery Commission is a task force around the whole lake. Roger Kenyon was the biologist there for at least the last 10 years. He's from PA and he's the one that started all the bullshit.

I'd had an employee who did a report, right after they got us, and she talked to him. He said, "Well, they wouldn't have made it anyway."

But if that's the truth, why didn't they just let us die out rather than spend the taxpayers' money to buy us out? Well, not the taxpayers' money. What they did, they charged the sportsmen \$3.50, to get the money for us. Now, to them, sure the politicians were all for it because it was money being made. Because there was a \$.50 issuance fee. Every sports store that sold one got 50 cents out of it. Anybody fishing in Lake Erie had to buy one.

'83 they did Ohio and about five years later they did down in New York state. They allowed them to trap net but they don't do shit with 'em down there either. The water's just too deep down there for them. That's their biggest problem—it drops right off.

The *Erie News*? Oh yeah, they had stuff right along. They passed the law in 1994 and we shut down in 95.

They still gill net over in Canada and they're just right across the lake. Bob Minor, his wife would be the one to talk to. She could tell you a heck of a lot. PH: 814-922-3948. She's got a lot of information. We even tried to get our own organization together. She used to fish herself, with Bob, right on the boat. She went to college and now she's teaching at Edinboro College. Journalism, I think. She would have a lot of information. In fact, she'd probably be the best one. Carol. He's an old-time fisherman.

It's a sad thing, the boat's just sitting there on the water with a For Sale sign on it, down on State Street. I go down and start it up once in a while. It's a sad deal there, they wiped it right out.