

**ANOTHER NEW "LOOP HOLE" FOR SHRIMPING!**

**Finfish Excluders To Be Required In Shrimp Nets**

BY DOUG RUTTER

Brunswick County shrimpers will have to cut small holes in their nets starting next month so fish can escape unharmed.

The N.C. Division of Marine Fisheries will require finfish excluder devices in shrimp trawl tailbags in all coastal waters effective Oct. 2.

The rules, issued in a proclamation in early August, are intended to cut down on the amount of spots, croaker and other fish caught by shrimp boats.

"The intent is to reduce the catch of little fish that can't be sold," said David Taylor, Marine Fisheries district manager in Morehead City.

Finfish excluders are sewn into nets to create small openings where fish can escape. Holes are positioned so the weak-swimming shrimp can't get out.

Jim Bahen, marine advisory agent with UNC Sea Grant at Kure Beach, said he thinks the rule will benefit commercial shrimpers in the long run.

"For once, I think this is one thing that won't hurt the fishermen," he said. "Even though this is a rule, it's probably for the good."

Bahen said operators of small shrimp boats that work inshore waters will be affected most by the requirement.

They are the only shrimpers who haven't been required to pull the larger and more expensive turtle excluder devices (TEDs) in their nets.

Bahen, who has been working with finfish ex-

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—Jim Bahen, UNC Sea Grant Marine Advisory Agent

cluder devices (FEDs) since last year, said tests on shrimp boats have proven successful.

Bycatch, which is anything caught other than the targeted species, has been cut 35 percent to 45 percent with the use of FEDs.

"All indications are they seem to be working pretty good," Bahen said. "We're not losing any shrimp if they're used correctly."

Taylor said fishermen who have used the excluders in New River and Core Sound have seen bycatch reduced 40 to 60 percent.

"A lot of people are voluntarily trying it, and they wouldn't go back to a net without it," he said.

Bahen said there are several advantages to using finfish excluders. By allowing fish to swim free, shrimpers can tow for longer periods of time.

"It also gives them a better product," he said.

"When you get a bunch of fish in the tailbag it can squash the shrimp."

Bahen said the finfish excluders also reduce culling time for the shrimpers because they won't have as many fish to sort through.

The stainless steel devices are inexpensive, costing about \$10 in most net shops and machine shops.

"It was not a real popular thing when it came out," Bahen said of the FED rules. "Some of the guys who have used them are saying they work."

Although bycatch has become one of the biggest issues in fishing, North Carolina is the first state to do something aimed at reducing it.

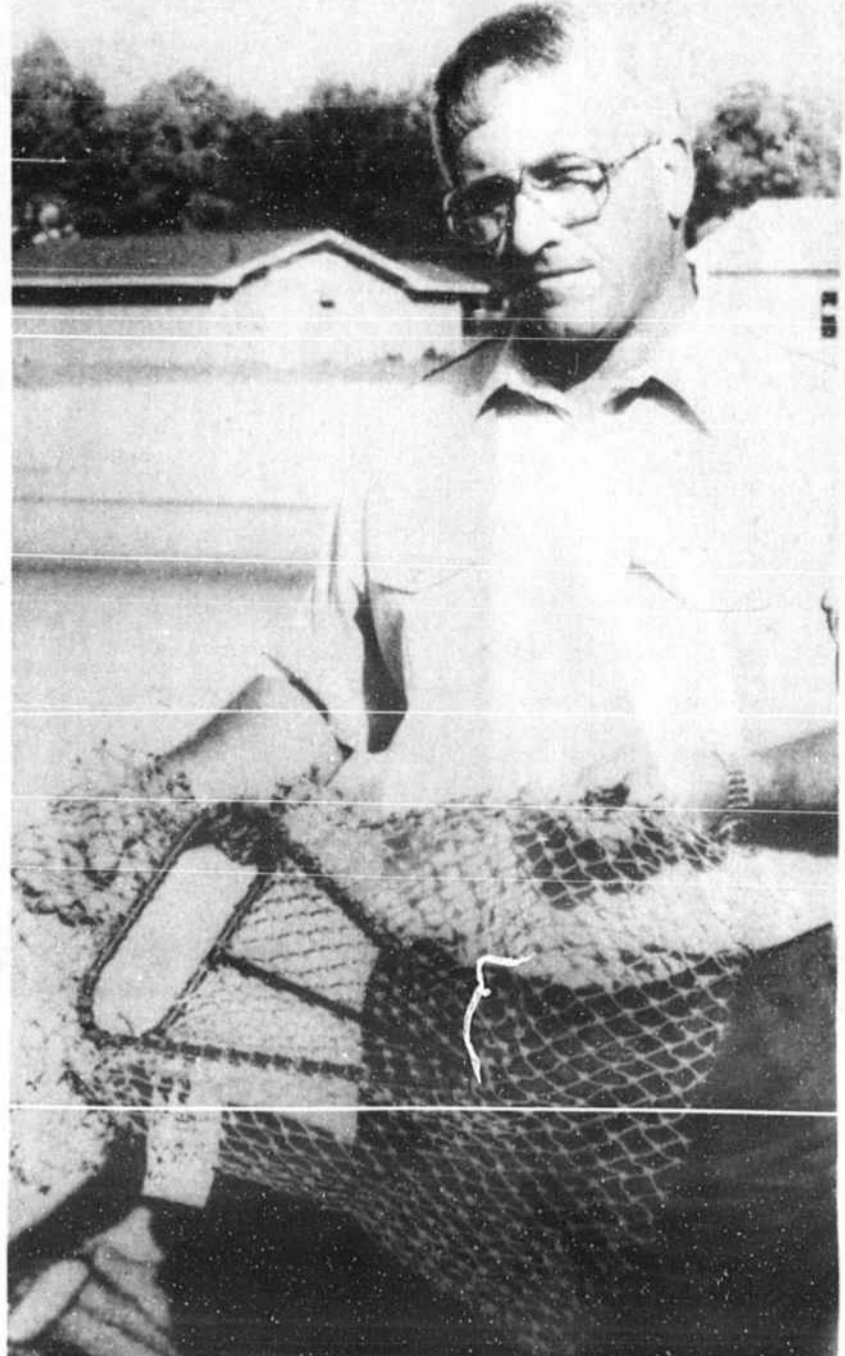
The state hasn't stipulated where finfish excluders should be located in tailbags or how big they must be. The only requirement is that they be "functional."

Taylor said officials wanted to give fishermen the freedom to experiment with the excluders and design them so they work best in their area.

Gear requirements are nothing new to shrimpers, most of whom have been pulling turtle excluders in offshore waters for two years.

Current rules require shrimp boats to pull TEDs year-round in the ocean. Inshore, shrimpers must lift their nets after 75 minutes of tows.

Taylor said the use of finfish excluders should be good public relations for shrimpers, who are often blamed for problems in the fishing industry.



JIM BAHEN shows one type of finfish excluder device designed to reduce bycatch in shrimp nets. STAFF PHOTO BY DOUG RUTTER

**Jury Says Fisherman Who Towed Boat Not Liable**

BY ERIC CARLSON

A Brunswick County Superior Court jury has determined that a Shallotte man who towed an abandoned sportfishing boat back to shore during a fishing tournament was not liable for damages caused to the vessel.

The jury also refused to award Thomas Jerry Ryan of Raeford any damages from the Bunnlevel dealer who sold him the boat, despite its conclusion that the salesman was negligent in representing the craft as suitable for offshore fishing.

Ryan said in his suit that on Oct. 1, 1987, he was competing in the U.S. Open King Mackerel Tournament at Southport when his boat began taking on water about four miles off Lockwood Folly Inlet. At the same time, the bilge pump, radio and chart recorder also failed.

News accounts at the time said that on the first day of the tournament, when the incident occurred, there were 25-knot winds and 4-to-5-foot seas.

The boat eventually capsized, throwing Ryan and a passenger into the water, the suit said. Ryan and his passenger, Ed Binson of Long Beach, were picked up by another

boat that was competing in the tournament.

A U.S. Coast Guard vessel attempted to recover the Ryan's boat, but was forced to return to shore with mechanical problems, the suit said.

Harry Thomas Wilkes of Brick Landing, who also was competing in the tournament, tied onto the abandoned boat and attempted to tow it ashore. He refused a Coast Guard request to turn the boat over and continued towing it toward Holden Beach, the suit alleged.

Due to a low tide in the inlet, the suit said Wilkes negotiated with a shrimp trawler to tow the boat into the Intracoastal Waterway. Arriving in Holden Beach at about 11 p.m., Wilkes allegedly tied the boat to the Holden Beach Bridge.

The suit claims Wilkes "was careless and negligent in his towing of the plaintiff's boat and that as a result, damages were incurred to the boat including, but not limited to, loss of equipment, holes in the bow of the boat and loss of the console and attached equipment."

Ryan claimed in his suit that Earl William Black of Rockhill Auto Marine in Bunnlevel was negligent in selling him the 22-foot Harbor

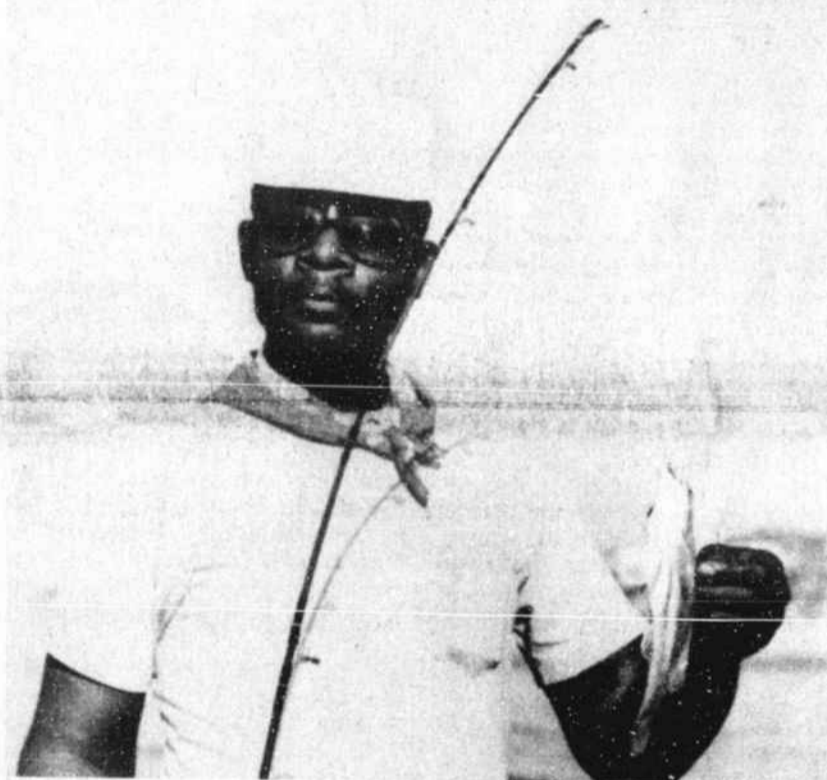
Craft boat equipped with twin 140-horsepower outboard motors. The suit claims the boat was rated only for 250 total horsepower.

The suit also claimed that the boat was not actually new and that equipment had been improperly installed on the vessel. It asked \$28,483 in damages for replacement of the boat.

But during the latest session of civil superior court, the jury decided

Sept. 11 that it was Ryan's own negligence that caused the boat to sink and that Wilkes was not to blame for damages resulting while towing it to shore.

The jury found Black negligent in representing that the boat "was fit for use as an ocean sport fishing boat" and agreed that the negligence contributed to the boat's sinking, but refused to award any damages.



STAFF PHOTO BY SUSAN USHER

**Pier Fishing Is Abundant Again**

Vern James of Tabor City hooked this whiting from the Sunset Beach Fishing Pier Saturday morning. Lots of anglers had lines in the water, including C.C. Graham of Galax, Va., who said blues had been hitting the morning before.

**Open Offers Big Bucks For Big King Mackerel**

Hundreds of sportfishermen will be aiming for big fish and big bucks next weekend in the 14th annual U.S. Open King Mackerel Tournament at Southport.

Brunswick County's largest and most lucrative fishing tournament will be held Thursday through Sunday, Oct. 1-4.

The event lured more than 400 boats to the area last October and kicks off a big month of weekend celebrations in Brunswick County.

David Stallings of Raleigh was the 1991 winner with a king weighing 42.05 pounds. Stallings and his crew took home a check for \$43,220.

This year's winner will once again be in line for a lot of cash. The tournament's grand prize for the largest fish is \$25,000.

But that total can grow if a fisherman feels lucky and enters the tournament within a tournament for \$100. The regular tournament entry fee is \$240.

Even anglers who don't bring in the largest king can go home happy. Other prizes are \$10,000 for second place, \$5,000 for third and \$2,500 for fourth.

The top 10 finishers will receive at least \$1,000 each. The event pays

\$500 or more for the top 25 entries and at least \$250 to the top 50 places.

U.S. Open fishermen also have a shot at daily aggregate weight awards and special cash prizes offered by local companies and boating manufacturers.

Registration for the tournament will be Thursday, Oct. 1, from 10 a.m. until midnight at Southport Marina, which is tournament headquarters.

Organizational meetings for boat captains will be held Thursday at 5 p.m. and 7 p.m. at the marina. All captains should attend one of the meetings so they can be made aware of any last-minute rule changes.

The actual fishing competition takes place next Friday and Saturday from 7 a.m. until 5 p.m. each day. Fishermen must be in line by 5:30 p.m. to weigh in any fish they want to enter.

The U.S. Open fish fry, entertainment and awards ceremony will be held Sunday, Oct. 4, starting at 1 p.m. at the marina.

For more information on the U.S. Open King Mackerel Tournament, call the Southport-Oak Island Chamber of Commerce at 919-457-6964.

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**IN WEEKEND KING TOURNEY**

**Long Beach Man Wins \$3,000**

Ray Harelson of Long Beach picked up \$3,000 over the weekend as a daily prize winner in the Wrightsville Beach King Mackerel Tournament.

Harelson weighed in the second largest king on the first day of the tournament Friday. He caught a 31.40-pound king aboard his boat *Fan-Ta-Sea*.

Other local winners included Dick Aldridge and Earl Clewis, both of Southport, and Chip Maree of Shallotte.

Aldridge, fishing on the *Rod Bender*, won \$750 for a 26.30-pound king. Clewis earned \$650 for a fish weighing 24.50 pounds.

Maree won \$500 for weighing in the largest king caught on a Maco boat. Maree landed a 22.35-pound king aboard the *Reel Chase*.

The overall tournament winner was Terry Grantham of Florence, S.C., with a 40.25-pound king

caught off Lockwood Folly.

Grantham won \$34,445 as captain of *My Three Sons*. The angler was Ron Renslen of Murrells Inlet, S.C.

Second-place honors and \$18,667 went to Harvey Carter of Winston-Salem for a 35.55-pound king caught on the *Team Ranger* boat.

Brian Henry of Gastonia, a past winner of the South Brunswick Islands King Classic, took third at Wrightsville Beach. The *Mr. Magoo* crew won \$10,778 for a king mackerel weighing 35.50 pounds.

Tournament spokesman Teresa McLamb said 362 boats entered the event, which was affected by foul weather Friday.

"The first day the weather was not good," she said. "It was raining, a lot of wind."

McLamb said fishermen battled 4-foot swells all day before the weather cleared up for the second day Saturday.

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