

NCCFRG NEWS RELEASE

REFORM GROUP TAKES EXCEPTION TO NC DEQ PRESS STATEMENT WHILE WELCOMING ANOTHER ADVOCACY GROUP TO THE FIGHT

Nov 12, 2020

In a matter of two days, North Carolina Department of Environmental Quality (DEQ) has issued a misleading press release and gotten served with yet another lawsuit asserting that they have failed to protect North Carolina's aquatic resources.

On Monday, November 9, the North Carolina Department of Environmental Quality (DEQ) released a misleading press statement regarding a lawsuit filed against them by NCCFRG. Their release stated that NCCFRG's lawsuit had been dropped. This is false. **The lawsuit is proceeding full steam ahead.**

The federal lawsuit, alleging violations of the federal Clean Water Act, was filed in early August against six of the largest corporate shrimp trawlers plying the Pamlico Sound, as well as DEQ. DEQ filed documents with the Court arguing it could not be sued on these issues in federal court due to technicalities, namely sovereign immunity and the 11th Amendment. After carefully evaluating those arguments, NCCFRG decided DEQ was likely to prevail on the technicalities and reluctantly dismissed only its claims against DEQ, so it could focus on the central claims of the lawsuit against the trawling companies.

On Tuesday, November 10, the Coastal Conservation Association (CCA) filed an additional lawsuit against the State of North Carolina for failure to satisfy its obligations under the public-trust doctrine to protect our fish populations and habitat.

"We at NCCFRG welcome CCA to the legal fight to protect our coastal resources. *Where there is smoke, there is fire - and with two lawsuits pending, the citizens of NC should stand up and take notice. I want to set one thing straight today - NC DEQ is not, and has never been the main target of our grievance. While we assert they are absolutely complicit in the significant decline of our public trust resource, NCCFRG's suit is aimed at the large industrial ocean-going trawlers that are ravaging our in-shore waters for private profit."* Said Joe Albea who leads the NCCFRG and has produced and hosted an outdoor TV series for 26 years. He has witnessed first-hand the destruction of our coastal marine resources. *"Our counsel advised us that DEQ had made strong arguments on some technicalities that would protect it from being brought to account in this venue. **But for Secretary Regan to assert that our suit was shown to be without merit is a lie.** Our suit will continue."* Mr. Albea said.

According to NCCFRG's legal counsel, Mr. James L. Conner, II, partner in Calhoun, Bhella & Sechrest, *"Our lawsuit to protect North Carolina coastal waters from some of the worst harmful effects of large-scale shrimp trawling is **proceeding with full confidence and enthusiasm.** Our lawsuit is the first to challenge the trawlers on these particular grounds, and we think our arguments are sound and should prevail. We look forward to decisions from the Court and to pressing this litigation for the good of the resources and people of North Carolina."*

Robert P. Crone, Sr., media specialist and member of NCCFRG is concerned about NC DEQ's public statement. *"This sort of disinformation is clear evidence that NC DEQ has succumbed to **regulatory capture,** and that our State agencies are promoting private commercial harvest for profit over the public's interest in a healthy resource. What you're seeing here, if you look through the smokescreen, is where money and politics have overlapped policy to the extent that a State agency is providing cover for a law-breaking industry. **North Carolina should have never allowed the use of large industrial trawlers in the inside waters of our sounds and rivers that serve as critical nursery areas.** No other state on the Atlantic or Gulf Coasts allows the habitat and resource destruction that NC allows in our shrimp trawl fishery. **This buffalo-hunter mentality has to stop.** And I'm here to tell you, our lawsuit is alive and well. Further, we aren't the only ones filing fisheries suits against DEQ, and we welcome that effort. I can only assume this combined pressure has led Mr. Regan to make mistakes with his public discourse."*

For more information go to nccfrg.com, contact nccfrg@gmail.com or call 252-916-0380

###