

From: [Mike Murray](#)
To: irenen@mindspring.com
Bcc: [Cyndy Holda](#); [Paul Stevens](#); [John McCutcheon](#)
Subject: Re: cleaning fish on the beach
Date: 04/29/2009 01:12 PM

Hi Irene,

I'm not familiar with the incident, though I am told that the amount of the fine mentioned in your message does not jive with our court approved fine schedule for that offense. Could you please provide the name of the officer listed on the written warning, so I can have someone look into this.

In general terms, there are both NC Marine Fisheries regulations and NPS regulations that apply to cutting off heads and tails of fish, or feeding wildlife, or cleaning fish and disposing of fish parts on the beach. The NPS regulations are nothing new. Feeding wildlife is prohibited NPS-wide in 36 CFR Section 2.2 (a) (2). The prohibition on cleaning fish except at designated locations and the requirement that fish remains be properly removed from the beach have been in our Compendium since at least 2006, if not longer. It was also listed in the Interim Strategy EA (p. 101, Table 3, Alternative D), in the Interim Strategy FONSI (Table 3, p. 40, second bullet under "Outreach and Compliance, General" section), and in the old ORV brochure posted on our website. It is also in the new ORV brochure posted on our website (third panel on inside page; 6th bullet from the bottom in the "Please Drive Safely" section). I'm not aware of any new staff emphasis or initiative to enforce the regulation more vigorously, but if a violation is observed I fully expect NPS LE staff to contact violators and enforce the rules via a verbal warning, written warning (we do NOT typically refer to it as a "warning ticket" as described in your message), or a violation notice (AKA a citation), using whichever approach is determined by the ranger to be the most effective level of law enforcement based on the circumstances). I can also imagine that it is unusual for law enforcement officers to actually catch someone in the act of feeding wildlife and therefore it may be perceived as less frequently enforced then, say, dogs off leash. However, the frequency (or infrequency) of enforcement does not excuse the violation.

Mike Murray
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To "mike_murray" <mike_murray@nps.gov>
 cc

04/27/2009 10:06 PM

Subject cleaning fish on the beach

Please respond to
irenen@mindspring.com

Mike,

This message has traveled all over Hatteras and beyond today:

***I cannot even believe what I'm about to tell you and I've been stewing on it since yesterday when it happened! Michael was cleaning a few mullet we caught on the beach yesterday afternoon and threw the heads and tails down for the seagulls that were, of course, begging, and a park ranger gave him a warning ticket and said he had better tell all his friends that had it been a real ticket would have been \$175.00!!!!
Have they gone MAD????????***

I vaguely remember that anglers are not supposed to clean fish on the beach. Actually, I thought it had to do with Marine Fisheries -- keeping the fish intact so that you could prove it was legal size.

However, I did not realize that cleaning fish on the beach was also a violation of park regulations.

I found this in the Superintendent's Compendium:

1.5(a)2 The cleaning of fish except at locations designations for such purpose is prohibited. Fish remains must be properly removed from the beach area.

I have these questions:

1. Was someone given a warning ticket over the weekend for cleaning fish on the beach and feeding the gulls?
2. How many warning tickets are given in a year -- say, 2008-- for cleaning fish on the beach?
3. To my knowledge, the Park Service has only one fish cleaning "designation" -- at Cape Point. Where are anglers at other ramps supposed to clean their fish -- take them home?
4. How is the visitor (or resident for that matter) supposed to know that fish cleaning is not allowed on the beach? Residents and visitors have been doing it here forever and I cannot remember seeing anything from the Park Service about it. Nor have I ever heard of anyone getting a ticket -- or a warning -- for doing it.

And, lastly, given the tensions, problems, economy, etc. on the seashore these days, might you agree it's a bit much to give a warning ticket for throwing sea mullet carcasses to the seagulls? Why could not this ranger have just stopped to talk with the folks cleaning the fish to advise them on the regulations? I don't think cleaning fish on the beach is in the consent decree.

I couldn't agree more that we should not be feeding the wildlife. Even my grandkids know I don't allow them to feed the gulls on the beach or on the ferry. But it surely seems that we have bigger fish to fry right now -- so to speak.

I know you must be tired to being nitpicked and second-guessed on everything these days. However, I am very interested in your thoughts on this particular issue. It certainly has been negative public relations for the Park Service as it's been sent out on e-mails and

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bulletin boards today.

Thanks, Mike.

Irene

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