

Fishermen lose boat access to Port of Indiana

Events of 9-11 breathe new life into law that adversely affects Indiana fishermen

The weather man called for a calm, southerly breeze and cloudy skies along Indiana's southern tip of Lake Michigan, so of course the skies were threatening, and there was a brisk north wind. My father and I were making the run from Burns Ditch to the Port of Indiana to fish for smallmouth along the break wall, something we had done countless times over the past 30 years.

But instead of being greeted by the familiar calm waters of the Port, and the promise of another uninterrupted day of smallmouth fishing, we were stopped at the entrance by a new sign telling us to leave.

The rumors are true, the Port of Indiana is closed to all pleasure and fishing boats.

Since the Port was constructed and opened in 1970, fishermen have been accessing the calm waters by boat, fishing in droves alongside commercial vessels and often Indiana Department of Natural Resources (IDNR) law enforcement boats. The terrorist events of September 11, 2001 however, caused authorities to replace old, obscure signs and revive a law that no one knew existed, or at least was never enforced.

"The Port of Indiana has always been a restricted harbor for commercial vessels only. Fishing and pleasure boats can only enter in cases of emergency when in need of a safe harbor," said Jody Peacock, Ports of Indiana Communication Manager. Two additional ports at Jeffersonville and Mount Vernon on The Ohio River are under The Port Authorities jurisdiction, but are not affected by similar restrictions since they have no enclosed area to protect.

That fishermen have been fishing inside the Port of Indiana for 30 years undisturbed is not Peacock's concern. The larger issue, he says, is the safety of the harbor, and the safety of the fishermen. Huge commercial vessels enter the Port from all over the world every day, many too large to maneuver around small fishing boats. That is a dangerous situation according to Peacock.

But according to Lieutenant Jerry Shepherd from The IDNR Law Enforcement Division, there has never been an accident involving a fishing or pleasure boat inside the Port. Still, the IDNR and the Coast Guard will now enforce the law at the request of The Port Authority. In the beginning, boaters will be asked to simply leave, in time however, violators may be charged with misdemeanor trespass.

"We knew this law existed, but it has gone largely overlooked for 30 years since there has never been a problem, and the fishing is so good inside the Port. But now we are charged with upholding the law, and we have to do our job," Shepherd said. He went on to say that though this is a huge loss for Indiana fishermen, they must understand that security has been tightened at all international ports around the country since 9-11.

Shore fishing remains open inside the Port in one designated area, but it affords no access to the deep water break walls, the warm water discharge and probably 90 percent of the fishable water in the Port.

Feeling cheated

"The rocks around the Port of Indiana would have most likely produced the next state record smallmouth. We feel cheated by the enforcement of a law that makes no sense and takes away one of our best fisheries," said Ray Rigby, Founder and Director of the 115 member Indiana Smallmouth Club.

While Rigby appreciated the shore access inside the Port, he said in order to catch most of the fish there, a boat was necessary. And why shouldn't boats be allowed, he asked? "I suppose it would be just as simple to commit a terrorist act on one of the ore boats from the shore access as it would be from a fishing boat. It is a double standard. The Port Authority is using 9-11 as an excuse to keep fishermen out," he said.

Rigby wasn't buying the rationale that the Port was unsafe for fishing boats either. On the contrary, he said boaters are killed all the time out in the lake, whereas there have been no accidents or even incidents between fishing boats and commercial vessels for as long as he has been fishing the lake.

“Anyone that fishes the lake knows the weather is the biggest danger. The Port is one of the only places on Lake Michigan where fishermen are sheltered from the breaking and rolling waves that swamp boats and kill people,” pointed out Rigby, who also offered a solution. “If the Port Authority is going to use IDNR officers to patrol the Port and kick people out now, how about just using them to monitor fishing activity and to enforce safety inside the Port instead? “