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## **Wake rage suspect finds lots of support; Waterways dispute is as old as motorboats**

By Aaron Kuriloff; St. Bernard/Plaquemines bureau

As he returned home from jail last week after being released on \$10,000 bond, the man accused of firing a potshot in the direction of a professional bass fisherman during the tour championship in New Orleans found he's no pariah in his rural Plaquemines Parish community.

Just the opposite, Dale Silbernagel said Thursday, in his first public comments after being booked with two counts of aggravated assault in connection with the early August shooting.

Silbernagel, 45, a commercial fisherman, hunting guide and trapper, returned home to find himself glorified as a defender of property rights -- a courageous vigilante in the simmering, decades-old dispute over boat wakes and traffic on the crowded waterways of the Mississippi River delta.

"Everybody says they think I'm right," Silbernagel said in a telephone interview. "I'm not going to talk about what happened. . . . I'm just going about my business. But people think I'm the victim."

Speaking from his boat by cell phone, Silbernagel said tournament vessels had threatened his property and safety. But he wouldn't comment on whether he did, as Plaquemines Parish authorities say, track professional fisherman Gary Klein's high-speed bass boat with a shotgun before firing into the air as Klein accelerated past Silbernagel's home in the marsh outpost along Trapper's Canal, off Grand Pass, near Venice.

But Silbernagel did lash out at his accuser and others on the professional bass-fishing tour, who neighbors said turned their quiet canal into a treacherous aquatic superhighway, tearing through their town at speeds of more than 70 mph throughout the tournament.

"I ain't the bad boy they say I am," Silbernagel said.

Plaquemines deputies arrested Silbernagel on Aug. 14 in Houma, where he had gone to take a Coast Guard captain's licensing class, after they had identified him as the man in a video taken by an ESPN television network crew following Klein. The videotape shows Silbernagel shortly after the incident. A search of Silbernagel's canal-side home turned up a 12-gauge shotgun that deputies think was used in the shooting.

Calls, letters and messages of support for Silbernagel have poured in since his arrest. Neighbors paid his bond and a lawyer has offered free services.

Many contend that Klein and other fishers sparked the dispute by flouting local custom and speeding down the canal that serves as Main Street in the roadless community of stilt-perched homes and vacation cottages.

The story prompted knowing nods from local fishers and camp owners. Disputes about boat wakes have been part of the marsh scene as long as recreational and commercial vessels have used inshore waterways to navigate the coast.

Few formal speed limits govern traffic on inshore waterways, so a de facto code of honor has developed that keeps most vessels at "dead slow" or idle speed when navigating inhabited bayous.

Silbernagel supporter Gene Rogas, a former Tulane University football player and retired oil industry engineer, said he learned the code on his first trip to a Gulf of Mexico platform 40 years ago.

"At the bridge over Goose Bayou, we were going almost zero, so I told the driver to hurry up and he pointed to a handmade sign hung on a trapper's cabin that said 'Be Gent-men. Make go slow,' " Rogas said. "The driver said, 'Gene, let me tell you. Drive too fast around here and they'll shoot you.' "

Few of Silbernagel's neighbors say they sanction using warning shots for traffic control, but several said they had considered such measures.

"I went out twice to turn on the bilge pump in Dale's boat, because the waves from the bass boats were swamping it," said Robert Digirolamo, a Baker police department employee who owns a camp near Silbernagel. "Dale raises soft-shell crabs. He hangs the pen off the dock, and the waves had put it on land. He should sue these guys for damaging his property. His boat is his livelihood. That's all he's got."

Officials with the state Department of Wildlife and Fisheries said they are increasing patrols in areas where disputes are common. And the Legislature has taken steps during the most recent session that could reduce incidents, passing bills that make boater education a requirement for anyone born on or after Jan. 1, 1988, who wants to operate a boat with a motor larger than 10 horsepower.

The state Wildlife and Fisheries Commission has passed regulations establishing rules of the road for all state waterways.

Some Trapper's Canal residents have gone further, proposing a statewide 5-mph speed limit on any inhabited canal, though state officials say enforcement would be difficult.

Relying on common courtesy, said Digirolamo, could get someone killed.

"There's weekends during some of those bass tournaments when I won't let my son take out his johnboat," he said. "I'm afraid for his life."

Meanwhile, the man at the center of the debate said he will return to work, crabbing and fishing. Though neighbors suggested he sue Klein for property damage, saying Klein's wake had damaged his soft-shell crab holding pens, Silbernagel said he just wants to return to the quiet life he sought when he moved into the marsh with his brother about a decade ago.

"It felt disappointing to me that they didn't obey the rule of the water," Silbernagel said of the professional fishers. "I'm just going about my business."

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