

STELLWAGEN BANK NATIONAL MARINE SANCTUARY
DRAFT MANAGEMENT PLAN
PUBLIC MEETING

BOSTON UNIVERSITY SCHOOL OF MANAGEMENT
Rooms 426 & 428
595 Commonwealth Avenue
Boston, MA 02215

June 10, 2008

BRAMANTI & LYONS COURT REPORTING, INC.
REGISTERED PROFESSIONAL REPORTERS
92 STATE STREET, 8TH FLOOR, BOSTON, MA 02109
TEL: 617.723.7321 / FAX: 617.723.7322
www.bramanti-lyons.com

Virginia Dodge
Certified Realtime Reporter

BRAMANTI & LYONS COURT REPORTING

2

1 MR. MacDONALD: This concludes the overview part of
2 the meeting. I can't entertain questions. I will be
3 happy to stay after the formal part of the hearing and
Page 1

4 talk to anybody who would like to. And we also have
5 numerous sanctuary staff here who could answer any
6 questions.

7 So I'm going to take a seat at the table. I'm going
8 to be given the list of folks who have registered to
9 speak. As I call your name, would you please come up to
10 the mic. Please limit your comments to three minutes.

11 I have a little sign here I'll put up when you're at
12 one minute and then 30 seconds. Please wrap it up at that
13 time.

14 Our first speaker tonight is Heather Knowles.

15 MS. KNOWLES: Hi. I'm Heather Knowles. Thank you
16 for the opportunity to speak and present comments as a
17 member of the public and as a representative of the diving
18 community.

19 I'm a diving representative on the Sanctuary
20 Advisory Council, and I operate a charter boat on the
21 North Shore of Massachusetts. I would like to begin by
22 saying that I support a modern management plan and the
23 creation of a sensible maritime heritage program for
24 shipwrecks in the sanctuary.

BRAMANTI & LYONS COURT REPORTING

3

1 I support compatible use of the sanctuary by all
2 constituencies, including commercial fishing, whale
3 watching and other activities. My comments are not
4 intended to single out any group to be banned or excluded
5 from using the sanctuary. However, I feel it is necessary
6 to point out the inconsistencies in the draft plan as it
7 relates to regulating scuba diving.

8 The sanctuary makes claims that commercial fishing
9 damages shipwrecks. And whether this is true or not, the
10 sanctuary does nothing to address this issue in the action
11 plan and instead singles out divers as a group needing
12 management and potentially restrictive access or
13 prohibition of access to certain shipwrecks.

14 This is done without presenting a single piece of
15 direct evidence that shows divers are in fact harming
16 sanctuary resources. The sanctuary even admits in this
17 draft plan that the diving user group is small and is low
18 impact.

19 So why then does the sanctuary put forth an action
20 plan that looks to regulate and restrict divers in order
21 to protect shipwrecks when the current management plan
22 hasn't been shown to be inadequate in this regard?

23 Other activities in the sanctuary on and around
24 shipwrecks are not going to be subject to the access

BRAMANTI & LYONS COURT REPORTING

1 restrictions that are being proposed for divers in this
2 draft plan. This makes little sense, considering there is
3 no proof or data to suggest divers are harming shipwrecks
4 in the sanctuary now.

5 I believe that instead of looking to push out
6 divers, the sanctuary should be embracing them as stewards
7 who can contribute to the protection of all resources.

8 I do not support any program that implements a
9 permitting process for sport diver access to shipwrecks.
10 The Monitor sanctuary is considered by most to be a
11 failure, given the difficulty and politics involved in
12 getting a permit, and especially considering that the

13 wreck has been torn apart through government-sanctioned
14 salvage and littered with trash that was not cleaned up
15 when they were done.

16 The sanctuary's resources would be better spent on
17 outreach and education to utilize divers to enhance NOAA's
18 mission. Places such as Thunder Bay, any of the Great
19 Lakes and many places outside of the U.S. are good
20 examples of how divers can be true explorers and
21 protectors of shipwrecks who respect rules pertaining to
22 no artifact removal. This list can include Stellwagen,
23 too.

24 Finally, I feel that the classification system for

BRAMANTI & LYONS COURT REPORTING

5

1 shipwrecks is too subjective and vague. The draft plan
2 says nothing about how shipwrecks that are not considered
3 historic sites will be managed. It also says little about
4 how historic sites will be evaluated to determine their
5 fragility and the level of protection they may require.

6 Funding levels overall across the plan are
7 inconsistent with the prioritization of objectives within
8 action plans.

9 I believe the sanctuary needs to completely rethink
10 its approach to the maritime heritage program to address
11 the real issues at hand, promote collaboration with the
12 public and put forth a program that actually protects the
13 resource.

14 I will be submitting more detailed written comments.

15 MR. MacDONALD: Thank you very much.

16 Could we have the next speaker, Bob Foster?

17 MR. FOSTER: Thanks, Craig. My name is Bob Foster,
18 and I will also be commenting on the proposed management
19 plan as a diver.

20 While I also applaud the proposed goals of the
21 maritime heritage program in protecting wrecks in the
22 sanctuary, I would prefer more focus on education and
23 access and less on the paperwork and permitting.

24 The current action plan calls for public access

BRAMANTI & LYONS COURT REPORTING

6

1 permitted to the extent practical, and the prioritization
2 of action items clearly puts a focus on oversight of
3 access and sanctuary control.

4 The current actions, including categorization of
5 wrecks, registration of some into the National Register of
6 Historical Places, hiding of known locations and the low
7 priority given to access in the plan, all seem to set the
8 stage for tightly controlled access and expensive
9 enforcement.

10 I would instead like to encourage the sanctuary to
11 take the approach used by Thunder Bay National Marine
12 Sanctuary and provide open access to the wrecks of the
13 sanctuary so the public can view these transient resources
14 while they are available. Rules and regulations put into
15 place there to preserve the resources have been shown to
16 work when coupled with education and can also work here in
17 Stellwagen Bank.

18 Diving the wrecks in Stellwagen Bank is a low
19 frequency, low impact use of sanctuary resources and under
20 current do-not-disturb rules does not in any way interfere
21 with plans to further document them for posterity. In

22 fact, divers can offer the sanctuary a better and less
23 costly way to perform the documentation, if they're
24 educated on sanctuary goals.

BRAMANTI & LYONS COURT REPORTING

7

1 Unlike the biological resources within the
2 sanctuary, these saltwater wrecks are not renewable,
3 regardless of the management plan devised, and would be
4 better served with a cooperative documentation process and
5 public access as early in the inevitable decay process as
6 possible.

7 MR. MacDONALD: Thank you very much.
8 Could we have Rick Marshall, please?

9 MR. MARSHALL: My name is Rick Marshall. I'm a
10 member of the MetroWest Dive Club, a nonprofit
11 organization with 128 active members in Massachusetts.

12 Our club has been very active in the diving
13 community. We are dedicated to promoting fun, safe scuba
14 diving and introducing and familiarizing members with new
15 dive sites, such as those in Stellwagen Bank.

16 MetroWest Dive Club is committed to encouraging good
17 relations with its coastal neighbors through courtesy and
18 good scuba diving etiquette and getting involved with
19 community activities, which is why I'm here tonight on
20 behalf of our club. More of our members would have been
21 here tonight, but this conflicts with our general monthly
22 meeting, which is also tonight.

23 I am here to tell you the members of the MetroWest
24 Dive Club and I support the marine heritage program, which

1 shares in the access of Stellwagen Bank to all people,
2 including fishermen, divers, conservationists and whale-
3 watching tourists.

4 The ocean is something that no one entity should own
5 and prohibit access to. As long as those who utilize the
6 resource do so in a manner which is respectful and
7 preserves the resource for future generations, divers will
8 have little to no impact on these wrecks when we dive
9 them.

10 The MetroWest Diving Club's main concern is to make
11 sure divers have access to the shipwrecks located in
12 Stellwagen Bank. We support open access to the shipwrecks
13 with no permit required, just as other public groups --
14 excuse me -- just as other public access groups do not
15 need to have permits for access purposes.

16 The permitting process to access the Monitor is one
17 example of a failure of NOAA's part to properly allow the
18 divers to visit one of the country's most historic naval
19 resources.

20 Yes, the Monitor has a permitting process, but it is
21 long, tedious and costly, certainly a deterrent on NOAA's
22 part to limit the number of divers who can visit the
23 Monitor. To my knowledge, the only people who have taken
24 artifacts from the Monitor is our very own government,

BRAMANTI & LYONS COURT REPORTING

1 which prohibits artifact collecting at this site,
2 hypocrisy at its best.

3 As a person with a passion for ocean preservation, I
Page 7

4 would also like to state the sanctuary be off-limits to
5 all casual artifact collecting, and this includes the
6 government. These shipwrecks should be photographed and
7 filmed for public display so that people who would never
8 have the opportunity to visit these wrecks can do so in
9 the comfort of their own home, school or library.

10 Divers can police themselves and be respectful of
11 the decision to not take artifacts. I know this because
12 many of the people are my good friends and we share
13 information and cooperation.

14 I appreciate the opportunity to express these
15 comments for the MetroWest Dive Club members and look
16 forward to diving the Stellwagen Bank shipwrecks. Thank
17 you.

18 MR. MacDONALD: Thank you.

19 The next speaker will be Sally Yozell.

20 MS. YOZELL: Thank you, Craig. My name is Sally
21 Yozell, and I am the director of marine conservation for
22 The Nature Conservancy. The Conservancy is an
23 international nonprofit dedicated to protecting
24 ecologically important lands and waters for nature and

BRAMANTI & LYONS COURT REPORTING

10

1 people.

2 Our success in protecting over 117 million acres of
3 land and 5,000 miles of river worldwide and operating over
4 100 marine conservation projects globally has depended on
5 our ability to use a science-based approach to pursue
6 pragmatic solutions with our partners in all levels of
7 government and the private sector.

8 Thank you for the opportunity to comment on the
9 draft Stellwagen Bank National Marine Sanctuary management
10 plan.

11 In the late 1980s, Senator John Kerry and the late
12 Congressman Gerry Studds coauthored the Senate and House
13 legislation which established the Stellwagen Bank National
14 Marine Sanctuary. The goal then was to create a place, an
15 area, a boundary where we could both study and protect
16 this unique, magnificent and bountiful marine environment.

17 Twenty years later, Stellwagen Bank National Marine
18 Sanctuary is still home to some of the most diverse marine
19 resources in our region. There are at least 13 species of
20 marine mammals including the endangered Atlantic right
21 whale and humpback whale. And it is a place where
22 numerous porpoise and whale feed, mate and migrate.

23 In addition to marine mammals, the Stellwagen Bank
24 ecosystem supports seabirds, sea turtles; commercial,

BRAMANTI & LYONS COURT REPORTING

11

1 recreational and forage fish; deep sea corals; and the
2 critical marine habitats that these species depend on.

3 One of Studds' and Kerry's initial goals has been
4 met. The sanctuary is one of the most studied areas of
5 the northern Atlantic coast, but sadly, it is not one of
6 the most protected places. Independent scientists and
7 scientists with the sanctuary program have in fact
8 documented a serious decline in the health of the habitat
9 and many of the species that live there.

10 There have been some conservation management
11 successes within the sanctuary. Shipping lanes have been
12 moved to safeguard migration of endangered whales. Oil

13 and gas drilling, sand and gravel mining and ocean dumping
14 are all prohibited activities within the sanctuary. The
15 National Marine Fishery Service has implemented seasonal
16 and rolling closures for stressed-out fisheries.

17 But overall, from a full ecosystem management
18 perspective, the sanctuary has not been well-managed. And
19 after almost a decade of making this plan, it still does
20 not go far enough to get beyond the sector-by-sector
21 piecemeal approach which has proven so problematic. In
22 fact, it's a management plan that lacks serious
23 management.

24 The state-of-the-sanctuary report, which came out

BRAMANTI & LYONS COURT REPORTING

12

1 last spring, and the sanctuary management plan make a
2 compelling case for strong conservation actions. The
3 documents claim, for example, that heavy bottom trawling
4 gear is destroying important species habitats and that
5 certain gear and nets are indiscriminately snaring marine
6 mammals, while non-targeted fish species are being wasted
7 in nets as bycatch.

8 If this is the case, then the sanctuary program
9 should be working with industry, the fishery service, the
10 fishery management councils and Congress to develop and
11 issue regulations that address these specific scientific
12 concerns. Why not propose strong regulations in a
13 management plan that develop better approaches to
14 management such as buying back offensive gear types and
15 pioneering the development of new ones?

16 In the Florida Keys National Marine Sanctuary

17 program, the fishermen, the fishery management councils,
18 the fishery service and Congress have all worked together
19 to develop meaningful regulations that are protecting the
20 sanctuary, while at the same time ensuring the economic
21 viability of the fishing community, tourism and
22 recreation.

23 Stellwagen needs to take a page from their playbook
24 and work with their partners to gain protections. The

BRAMANTI & LYONS COURT REPORTING

13

1 sanctuary needs real protection, and the affected
2 industries deserve certainty in proposed regulations, not
3 ambiguity, which is laid out in this plan.

4 Areas where significant improvements might be made
5 include the sanctuary working with industry, other federal
6 and state agencies, councils and Congress to develop and
7 implement regulations that are meaningful and have
8 ecological teeth, give both the human and the ecological
9 communities that rely on this resource certainty in their
10 future.

11 Look at the whole ecosystem and manage the
12 commercial, recreational and scientific activities in a
13 fair and an integrated manner. Work to better manage
14 shipping, fishing and whale watch boats to prevent
15 endangered whales from being disturbed, entangled or
16 killed while they inhabit the sanctuary. And finally,
17 develop market-based incentives and solutions and habitat-
18 friendly gear and technologies that minimize damage to the
19 sanctuary habitats.

20 Thank you.

21 MR. MacDONALD: Thank you.

22 Next speaker is Sean Cosgrove.

23 MR. COSGROVE: Hi. My name is Sean Cosgrove. I

24 work for the Conservation Law Foundation, one of New

BRAMANTI & LYONS COURT REPORTING

14

1 England's leading conservation groups. We have an office
2 here in Boston and in four other New England states.

3 I want to thank you for being able to put this
4 hearing together tonight and thank you for the opportunity
5 to come speak.

6 My first impressions of the management plan was that
7 you had obviously -- you and your staff have obviously
8 done a tremendous amount of work and research in looking
9 at the different ecological values and characteristics of
10 the sanctuary and of the region.

11 I'm very much impressed by that, and obviously it
12 took some time, and I want to thank you for doing all
13 that.

14 Looking at the plan, it's clear that it seems --
15 it's clear that it is a plan of two minds. And it is an
16 incredible catalog of all the values of the sanctuary, the
17 reasons why we find it so important and so valuable and
18 the impacts that are going on there.

19 It may in fact -- and I don't mean this to sound
20 rude, but it may in fact be one of the -- in your
21 management plan -- draft plan, it may be one of the best
22 research and catalog cases of ecological decline in New
23 England's oceans.

24 I am somewhat taken aback -- well, quite taken aback

1 that the action plans don't actually propose real
2 management changes. And that is something that clearly
3 needs to be addressed.

4 The number of different places that I think may be
5 able to start, clearly there's a problem with ship strikes
6 on endangered North Atlantic right whales and on humpback
7 whales. It's not necessarily your fault. The vice
8 president himself is determined to get involved there, but
9 we hope to see a real strong rule that would help to
10 rectify some of the impacts on endangered whales there
11 from ship strikes.

12 The ecological values of the sanctuary are so
13 important for these species, and of course in the case of
14 the North Atlantic right whale, less than 400 individuals
15 in this -- in the planet, we need to take some strong
16 action. It's just -- simply messing around is not going
17 to get the job done. And extinction is not an option.
18 This is a very serious situation.

19 Some of the other areas I'd like to address tonight
20 briefly in my comments are the fact that the sanctuary is
21 itself a very unique place. It's been identified such in
22 the statute.

23 It has -- without -- it is lacking one of the
24 strongest components of a protected area, and that is the

BRAMANTI & LYONS COURT REPORTING

1 ability for the managers to be able to manage the
2 activities inside the sanctuary.

3 There's no impacts that happen in the rest of the
Page 13

4 Gulf of Maine that don't happen inside the sanctuary.
5 That's another way of saying there are not enough
6 protections there.

7 What we'd like to see, to start with, is some
8 protections for the most vulnerable habitats in the
9 sanctuary. That may include protecting areas from all
10 fishing or from different types of fishing gear. We'd
11 like to see management for all other commercial
12 activities, whether it's whale watching or other -- or
13 other recreational activities.

14 We very much appreciate the work that you've done in
15 the action plan on water quality and would like to see
16 some work done on that area.

17 And then of course, zoning is another important
18 part. CLF was very involved in the passage of the
19 Massachusetts Oceans Act, which will require development
20 of a zoning plan for Massachusetts coastal waters.
21 There's no reason why we can't address a management plan
22 that promotes some clear zoning solutions to some of the
23 management challenges here.

24 And CLF will be presenting more formal comments

BRAMANTI & LYONS COURT REPORTING

17

1 later, before the deadline. Thank you.

2 MR. MacDONALD: Thank you.

3 Noah Chesnin.

4 MR. CHESNIN: Thank you very much. My name is Noah
5 Chesnin, as you mentioned. And I'm speaking here as a
6 resident of Somerville. I've lived here now for the last
7 four years almost.

8 And I've actually only made it out to the sanctuary
9 just once, on a whale watching trip. But I still feel
10 very connected to the sanctuary, and that's as a volunteer
11 at the New England Aquarium.

12 Every Sunday morning, I go down to the aquarium, and
13 as a volunteer in the visitor education department, I give
14 some presentations about the different exhibits. And one
15 of my favorite exhibits is on the third floor. It's the
16 Stellwagen Bank exhibit. That's up near the top of the
17 Giant Ocean Tank.

18 And I stand there, and I present about all the
19 abundance and unique factors that make New England's ocean
20 waters so special. In the exhibit, we have two wolf fish.
21 We have a 22-pound lobster. We have large queen crabs.
22 We have tunicates. We have all this huge range and huge
23 diversity of animals.

24 And I talk to the visitors about why that's

BRAMANTI & LYONS COURT REPORTING

18

1 important culturally, why that's important economically,
2 and then I talk about how the Stellwagen Bank is the only
3 place in the region that's protected. And when I ask them
4 what they think that protection means, they're often very
5 surprised to hear the reality of what happens out in the
6 sanctuary.

7 I mean, you presented it very clearly, and I applaud
8 your work doing so. You know, the fishing, the trawling
9 on the bottom that changes the habitat, the slide you show
10 is really stark. And I don't think we have a similar
11 image. What we show is the sort of pre-dredging rocky
12 outcrop habitat. If we were to show something as stark as

13 you showed today, I think people would be much more
14 mobilized to do so, and I certainly will tell my
15 supervisors that it would be useful to have that
16 information on hand.

17 But what I see now is that we are presenting what
18 the sanctuary might have looked like several hundred years
19 ago or what it looks like theoretically perhaps in the
20 sliver, the protected area that you mentioned.

21 And so I think that it's really absolutely crucial
22 to extend that protected area and to offer protection from
23 different types of fishing gear along the seafloor, along
24 the bottom, to protect the rocky outcroppings that we're

BRAMANTI & LYONS COURT REPORTING

19

1 displaying, but then also the sandy bottom that's in other
2 exhibits, but not officially in the Stellwagen Bank
3 exhibit.

4 I think that we can also do more to -- the
5 government can do more to protect the right whales, and I
6 know the aquarium does a lot of research on that. I
7 personally am not involved, but I think that we can
8 establish a very strong rule to prevent strikes and
9 entanglement.

10 And I think that it's also very important,
11 especially given how close it is in proximity to urban
12 areas like Boston, to monitor and then try to restrict
13 water quality impairments.

14 So I think those are three really concrete actions
15 that you could take: that is, stronger habitat protection
16 and restrictions on all types of commercial fishing

17 activities, looking at ship strikes and whale
18 entanglements, and then also water quality issues and
19 monitoring and protecting from water quality impairments.

20 So thank you very much for organizing this, and I
21 appreciate the opportunity to speak.

22 MR. MacDONALD: Thank you very much.

23 The next speaker would be David Faye.

24 MR. FAYE: Hello. My name is David Faye. I'm a

BRAMANTI & LYONS COURT REPORTING

20

1 local diver. I'm also the managing attorney of a law firm
2 here in Boston.

3 I've been diving in Massachusetts for 10 years. In
4 this time, I've conducted hundreds of dives in the waters
5 off Massachusetts. Most of these dives were on
6 shipwrecks, and many of my dives have been inside
7 Stellwagen Bank National Marine Sanctuary.

8 I support the creation of a maritime heritage
9 program and the action plan. It's important to protect
10 and manage the historical archeological resources located
11 within the sanctuary.

12 However, the draft version of the management plan is
13 unclear about diver access to shipwrecks within the
14 sanctuary. There's been some mention of a permitting
15 plan, but little is said how such a plan would be
16 implemented.

17 What terms and conditions would divers have to meet
18 in order to obtain a permit and how long would it take to
19 acquire one? Also, why would divers need to go through a
20 permitting process when recreational and commercial
21 fishing boats don't need a permit to fish on the wreck

22 sites?

23 The permitting process for divers simply wastes
24 taxpayer money. Such a permitting plan diverts funds from

BRAMANTI & LYONS COURT REPORTING

21

1 the sanctuary's budget, funds that could be put to much
2 better use.

3 Relatively speaking, there are a fairly limited
4 number of divers who access the shipwrecks within the
5 sanctuary. Our impact on the wrecks is limited, probably
6 none.

7 In my 10 years of diving, I've seen no evidence of
8 divers harming shipwrecks or removing artifacts from
9 wrecks inside the sanctuary. I suspect that the drafters
10 of the proposed plan are concerned that divers will drop
11 anchors on wrecks and remove artifacts. I understand the
12 concern, but I feel it's unfounded.

13 85 percent of the sanctuary lies in water deeper
14 than 130 feet, the well-known depth limit for recreational
15 diving. As such, most divers who venture into the waters
16 inside the sanctuary are experienced local divers, divers
17 who are well-trained and generally interested in shipwreck
18 exploration and underwater archeology.

19 These are people who understand the need to preserve
20 and protect our local wrecks' significance, not loot them.
21 The divers respect the sanctuary rules and can easily
22 police the dive community and protect from damaging dive
23 practices or artifact removal.

24 What must be noted is that the sanctuary is used by

1 different people for different reasons. Certain
2 activities such as diving impact the sanctuary to little
3 or no degree, while other activities inside the sanctuary
4 greatly impact marine life and shipwrecks; activities like
5 dragging, gillnets.

6 While the marine heritage action plan specifically
7 concludes that fishing practices damage shipwrecks and
8 harm marine life, the action plan does not take the steps
9 necessary to address the stated problem. Rather, the plan
10 refers to confusing and ill-defined ideas on restricting
11 diver access to shipwrecks or limiting or micromanaging
12 diver access to the sanctuary.

13 It simply doesn't resolve the real problem here
14 identified in the draft management plan: Divers don't
15 tear bowsprits, masts or rigging from shipwrecks. They
16 don't scatter artifacts found on the seafloor to be buried
17 or lost forever. They don't disturb marine life,
18 fisheries or bird life.

19 Every diver I know is happy to view a wreck,
20 photograph or video it, then return home to safely tell
21 the story of what they saw. Divers love to talk about
22 what they witnessed on a dive, and I believe most would be
23 happy to cooperate and share what they've learned with
24 sanctuary archeologists and staff members.

BRAMANTI & LYONS COURT REPORTING

1 I know I've shared my findings with local
2 archeologists on a number of occasions. I hope to
3 continue to do so in the future.

4 MR. MacDONALD: Thank you very much.

5 Next speaker is George Denny.

6 MR. DENNY: I don't actually have prepared remarks.
7 I'm just a citizen who has had the experience of sailing
8 across the Stellwagen Bank for 40 years. And I hope very
9 much it will be protected, just because I feel badly about
10 the decline of the fishery in New England.

11 And this is a place that could be protected. And
12 instead of having our fish, large fish size decline, if
13 smart people like yourselves and those who are represented
14 here behave as they could, the thing could be reversed,
15 and that would be good for everybody.

16 So that's a hope.

17 MR. MacDONALD: Thank you very much.

18 Meredith Tanguay.

19 MS. TANGUAY: Thank you again for the opportunity to
20 comment on the Draft Management Plan. I am a Global
21 Underwater Explorers member, a lifelong resident of the
22 North Shore, currently living in Ipswich, Mass.

23 My interest is that the final management plan in
24 Stellwagen Bank include scuba diving without a requirement

BRAMANTI & LYONS COURT REPORTING

24

1 for permits.

2 Scuba diving is a low to no impact activity that,
3 with a nonrestrictive management plan, can facilitate
4 protection of the wrecks, local economic growth, as well
5 as historical, archaeological and biological research
6 avenues.

7 I've had significant experience in Ontario, Canada,

8 where the management of historic and submerged resources
9 is extremely successful. The Ontario Heritage Act
10 protects resources both above and below water, while still
11 allowing nearly unrestricted access to these resources by
12 the public.

13 Wrecks, historic or not, are open to divers in a no-
14 take/no-disturb capacity without the need for permits.
15 These no-take/no-disturb restrictions are the only ones
16 placed on the wrecks protected by the Ontario Heritage
17 Act.

18 Three benefits of the Ontario Heritage Act have been
19 protection; access to and enjoyment of these wrecks has
20 created a culture of guardianship in the dive community,
21 thus fostering self-policing of the no-take policies in
22 place. The dive community places a priority on protecting
23 and preserving these wrecks, actually strengthening the
24 protection already in place.

BRAMANTI & LYONS COURT REPORTING

25

1 In Ontario, divers have created mooring projects,
2 specifically moorings that are designed not to impact the
3 wrecks; yearly mooring maintenance parties, and have also
4 started organizations such as Save Our Shipwrecks and
5 Preserve Our Wrecks, which are nonprofit groups of divers
6 focused on preservation of these resources.

7 The second benefit is economic. Ease of access
8 creates a draw for divers into the area, both from local
9 and afar, therefore injecting dollars into diving, hotel,
10 restaurant and other tourism-related local businesses.

11 I currently drive eight hours each way several times
12 a year to pump my money into the Ontario economy while

13 diving Ontario's protected yet unrestricted-access wrecks.
14 Third is research. Freedom of wreck information and
15 ease of access to the wrecks creates an opportunity for
16 divers to contribute to the pool of data accessible to
17 scientists studying the wrecks or wildlife in the reserve.
18 Often, hobbyist divers are able to perform photo, video,
19 survey dives that include -- that research organizations
20 do not have the budget, personnel, insurance latitude to
21 conduct themselves.

22 There is significant history of such diver-
23 researcher cooperation in Ontario, facilitated by most
24 projects not requiring permitting and also a lot of divers

BRAMANTI & LYONS COURT REPORTING

26

1 having training in the scientific method and archeology to
2 collect such data.

3 I hope I've been able to illustrate how a well-
4 planned, nonrestrictive management plan such as the
5 heritage act already implemented in Ontario, Canada, will
6 not only allow the public to enjoy this public resource,
7 but also create opportunity for increased preservation of
8 the resources, local economic growth, and diver-assisted
9 research opportunities.

10 Thank you.

11 MR. MacDONALD: Thank you very much.

12 Now, that is the last speaker who's registered for
13 the evening. Is there anybody else here who would like to
14 offer comments?

15 Okay. If not, then this concludes the formal part
16 of the meeting. I thank all of you for abiding by the

17 time limits and for coming out this evening.

18 I failed to introduce myself at the beginning of the
19 meeting. My name is Craig MacDonald, and I'm the
20 superintendent of the sanctuary. In the excitement of the
21 moment, I got carried away.

22 But we can -- myself and staff can remain a little
23 longer, if any of you would like to hang back, talk to us
24 on anything that you'd like. We'll try and answer your

BRAMANTI & LYONS COURT REPORTING

27

1 questions. Usually my staff is packing up, and I'm
2 available. So I'd be happy to talk to you.

3 Thank you very much, and again, thank you for coming
4 out this evening.

5 (Applause)

6

7 (Meeting concluded at 7:47 p.m.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22
23
24

BRAMANTI & LYONS COURT REPORTING

28

1
2
3
4
5
6
7

8 I, VIRGINIA DODGE, Certified Real time Reporter, do
9 hereby certify that the foregoing proceedings are true and
10 accurate, to the best of my knowledge and ability.

11

12 WITNESS MY HAND this 20th day of June, 2008.

13
14
15

16

Virginia Dodge, CRR

17
18
19
20
21
22
23
24

061008.txt