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1 STELLWAGEN BANK  
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3 NATIONAL MARINE  
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5 SANCTUARY  
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9 Gordon College  
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11 225 Grapevine Road  
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13 Wenham, MA  
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19 Public Comments  
20  
21 June 9, 2008  
22  
23 6:43 p.m.

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1 P R O C E E D I N G S  
2 (Hearing of the Stellwagen Bank National Marine  
3 Sanctuary commenced at 6:43 p.m. at Gordon College,  
4 225 Grapevine Road, Wenham, Mass, in the President's  
5 Dining Room.)  
6 (Presentation by Craig MacDonal d.)  
7 (Public comments commence at 7:10 p.m.)  
8 MR. MacDONALD: Again we need your  
9 help, your assistance, your cooperation, and your  
10 comments. Please keep it to three minutes because  
11 in addition to you speaking there are other people  
12 behind you who are waiting for their turn. Again,  
13 if you have more than it would take 3 minutes to  
14 say, by all means leave the comments with us today  
15 if you have them, or please send them to us by  
16 whatever means you would like.  
17 Ben, do you have names? What I'll do  
18 is move over to this table. Our court reporter is  
19 set up to take your comments. As I call your name,  
20 would you please approach the mike and offer your  
21 comments. Thank you very much.  
22 The first person this evening is David  
23 Caldwell.

0003

1 MR. CALDWELL: Thank you for the  
2 opportunity to come here and comment this evening.  
3 I am here as a representative of the Danvers  
4 community and as a member of the public.  
5 As a general comment, I believe the  
6 Draft Management Plan has failed to address the most  
7 significant impact to marine life and shipwrecks in  
8 the Sanctuary by proposing only very small  
9 modifications to commercial fishing practices.  
10 Instead of proposing radical changes to commercial  
11 fishing activities in the Sanctuary, the plan only  
12 suggests more study while restrictive changes that  
13 affect other user groups with far less destructive  
14 impact to put forth.

15 The Draft Management Plan makes a  
16 strong case for how abandoned fishing gear damages  
17 shipwrecks significantly, but it does not call for  
18 the regulation of commercial fishing on or around  
19 shipwreck sites. Instead the scuba diving public  
20 pays the price as the plan puts forth a management  
21 approach that will result in restrictive or  
22 prohibitive access to a group that the Sanctuary  
23 even admits has small or low impact.

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1 The Sanctuary should be seeking out the  
2 dive community to become participants in resource  
3 protection preservation documentation of shipwrecks.  
4 With the education about the sanctuary, this group  
5 can contribute and enhance the understanding of  
6 shipwreck resources.

7 I also believe the Sanctuary must not  
8 implement a permitting program for recreational  
9 sport diving access. The Sanctuary should be  
10 facilitating this access to divers. I also think  
11 the way in which shipwrecks are categorized needs to  
12 be clarified and also redefined. The draft plan  
13 says nothing about how shipwreck sites that do not  
14 fall into historic site category will be managed.

15 The Sanctuary does not present a clear  
16 criteria for how shipwrecks will be classified as  
17 heritage preserves. This seems to leave things too  
18 open ended to shut out scuba divers and does nothing  
19 to address the problems of commercial impacting,  
20 impacts on shipwrecks. If the sanctuary is serious  
21 about protecting its resources, the plan should aim  
22 to address the impact of commercial fishing instead  
23 of the access by the public. A public that includes

0005

1 dives that are trying to support, participate, in  
2 the production, protection of our collective  
3 resources. Thank you.

4 MR. MacDONALD: Thank you very much.  
5 Paul Blanchette.

6 MR. BLANCHETTE: My name is Paul  
7 Blanchette from Dracut, MA. I'm also here from the  
8 diving community. The plan right now is not  
9 specific enough and needs much more definition. No  
10 one is asking for a blank check, and as a taxpayer  
11 I'm not agreeing with that at all. They're asking  
12 for way too much. We're looking for no permitting  
13 on the diving regulations in the marine sanctuary.

14 People have had a lot of problems with  
15 NOAA in the Monitor Marine Sanctuary. I for one was  
16 able to dive the Monitor last year, and it was just  
17 out of luck I got in on a permit that was being run  
18 down there, and the permits are extremely difficult  
19 to get. Very poorly managed. Their permitting  
20 process is not defined. It's not clear. People are  
21 being turned down for permits and they don't know  
22 why.

23 If there is going to be issues with

0006

1 diving in the marine sanctuary, the NOAA group needs  
2 to work on putting in moorings and defining the  
3 moorings, ask the diving community to vote on where  
4 to put moorings. We'll help you with the  
5 information. We're here. A lot of people here

6 today are from the diving community to talk about  
7 this stuff.

8           There is trash on the wrecks. I know  
9 on the Monitor we picked up trash on one of our  
10 dives. There is fishing lines on the wrecks.  
11 Again, the applications to get the permits for the  
12 wrecks are not clearly defined. I feel that the  
13 Marine Sanctuary should be handled the same as the  
14 National Park Service does. You should be able to  
15 walk in, get a permit, pay a fee, tell the ranger or  
16 whoever is in charge you're going out, going to  
17 enjoy the park for the day, come back the same day,  
18 whatever. It shouldn't be all the letters and  
19 correspondence we have with NOAA now, and you don't  
20 even hear back from them to understand whether you  
21 got a permit or don't have a permit.

22           The Monitor has failed miserably, and I  
23 don't see what is going on up here is a very

0007

1 exciting thing at all. I think it's going to be  
2 very damaging to the community. Thank you.

3           MR. MacDONALD: Thank you.

4           Kate Sardi.

5           MS. SARDI: I'm Kate Sardi. I'm  
6 representative of the Whale Center of New England  
7 and I'd also like to thank you for giving us the  
8 opportunity to comment on this plan. I do have a  
9 number of comments on a variety of action plans, and  
10 I'm going to go through on the compatibility  
11 determination action plan.

12           On Objective 1 we encourage the  
13 sanctuary to implement a sanctuary compatibility  
14 analysis process prior to 2011. The process is  
15 already being evaluated in 2008 and it should be  
16 implemented sooner. Under the ecosystem based  
17 sanctuary management action plan we're disappointed  
18 to see that evaluating the need and feasibility of  
19 modifying the sanctuary boundaries was given only a  
20 low priority especially in light of recent research  
21 from the whale center and others that identifies  
22 Jeffrey Ledge as an important habitat for white  
23 whale. We'd like to see that at a higher priority.

0008

1           Under the Marine Mammal Behavioral  
2 Disturbance Action Plan for reducing disturbance  
3 under Objective 1 we suggest the sanctuary consider  
4 including prohibition of tuna fishermen from setting  
5 gear in the path of whales or in close vicinity of  
6 actively feeding whales because as the pictures you  
7 showed earlier, they get hung up on that gear.

8           With recent evidence showing that  
9 compliance with voluntary regulations for whale  
10 watchers is low, we also do agree that whale  
11 watching regulations should be warranted in this  
12 case.

13           We're supportive of naturalist and  
14 operator certification programs as well as sanctuary  
15 special use permits, however these programs and  
16 permits should not apply just to commercial whale  
17 watchers but should apply across the board also to  
18 private whale watchers that are out there. Small  
19 vessels do harass the whales as much as commercial  
20 vessels, so we think the same permits and whatnot

21 should apply across the board.  
22 Certain certificates and permits should  
23 also be able to be revoked if they don't follow

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1 whatever regulations are put into effect.  
2 Under Strategy 2 for reducing  
3 disturbance, it says that the sanctuary is  
4 developing a process to consider prohibiting vessels  
5 going through bubble clouds, and we don't think  
6 that's strong enough language. We think that  
7 prohibiting vessels from bubble clouds should be  
8 immediately included in any guidelines or  
9 regulations because it is a clear source of  
10 disturbance and certainly a high potential for boat  
11 strike.

12 Under Objective 2 for reducing  
13 disturbance for reducing noise, we strongly support  
14 the tagging program that will identify responses to  
15 these animals to vessel noise and other noise in the  
16 area. Because this is an important piece of the  
17 puzzle that we seem to be missing so far, we don't  
18 know exactly how these animals react to the noise in  
19 the environment. So we have trouble determining  
20 long-term effect. At least we can determine what  
21 the short-term effects are and work with there.

22 Under the marine mammal vessel strike  
23 action plan, we are not in support of a voluntary

0010

1 year-round speed restriction because as we've seen  
2 from the whale watch guidelines, voluntary measures  
3 are not actually being abided by. So we don't  
4 believe that any voluntary measures are actually  
5 going to be useful. And it's not clear under that  
6 exactly what the speed limit would be in these  
7 regulations. 20 knots is mentioned but that part  
8 needs to be clarified if that was actually going to  
9 be 20 knots or what would be the speed restriction  
10 in that case.

11 For the marine mammal entanglement  
12 action plan, we are in support of providing  
13 incentives to whale watch vessels to stand by  
14 entangled whales. We're also in support of  
15 encouraging fishing vessels to stand by entangled  
16 whales by ensuring they will not lose their at sea  
17 days.

18 And we were disappointed to see that  
19 Strategy 2 to gain understanding how whales became  
20 entangled got only a medium priority because we  
21 think that's really important to understand better  
22 how these whales become entangled so that we're not  
23 just changing the gear, and we don't know that that

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1 is going to have an impact. Thank very much.  
2 MR. MacDONALD: Thank you very much.  
3 What I am doing is sitting over here. Just to give  
4 you folks some info on how much time you have  
5 remaining, when you get to 2 minutes into it, and if  
6 you'll just keep your eye on me once in a while I'll  
7 show this, meaning you have 1 to go.

8 Next speaker is Valerie Feehan.  
9 MS. FEEHAN: Thank you for the  
10 opportunity to present my and my husband's comments  
11 at this public meeting. My name is Valerie Feehan.

12 And my husband John and I are avid New England  
13 divers, and we dive often. We appreciate the time  
14 and effort taken to develop a management plan  
15 for the Stellwagen Bank National Marine Sanctuary.

16 First, we do support your plan to  
17 establish a maritime heritage program. Our  
18 intention in presenting these comments is to insure  
19 when we go diving we'll be able to dive to new  
20 locations and view both fish and wrecks.

21 We're concerned that your plan as  
22 presented restricts our ability to do either. Your  
23 plan describes in detail the destruction caused by

0012  
1 our current commercial fishing industry. You  
2 mention 96 percent depletion of codfish. You note  
3 the poor practice for catch and the unbelievable  
4 estimate that 25 percent of what is caught is thrown  
5 out and useless. You describe how bottom trawlers  
6 irreparably destroy the ocean floor and yet you call  
7 for no action beyond study.

8 When you do propose to eliminate  
9 destructive commercial fishing practice you budget  
10 no funding to implement the proposed action. If  
11 indeed your mission is to preserve the biodiversity  
12 of Stellwagen, then we ask you to develop plans that  
13 ban commercial fishing. As your own document  
14 states, this ban is the single action to protect the  
15 integrity of the system. Develop plans to ban  
16 bottom trawling as your own report states this  
17 activity has the greatest negative impact on the  
18 system, so banning it should have the greatest  
19 positive impact. Fund your plans for gill net  
20 modification and trap and pot fishery.

21 With regard to the wrecks, your plan in  
22 contrast is too restrictive when it comes to public  
23 access. We oppose MH 2 as the plan fails to

0013  
1 indicate beyond sanctuary regulations sites must be  
2 added to the National Registry of Historic Places  
3 and what such listing applies. We strongly object  
4 to MH 3. You indicate access will be research  
5 permit only. It is not clear at all there will be  
6 any permit for recreational divers to access  
7 restricted sites in this Draft Management Plan and  
8 what that plan would entail. It is clear that the  
9 plan appears to allow free and unlimited use and  
10 destruction by commercial fishing including bottom  
11 trawling in and around areas where you intend to  
12 facilitate heritage resource protection.

13 This plan makes no sense and is unfair.  
14 Scuba diving is a compatible use of maritime  
15 heritage. Diving does pose some inherent risk to  
16 historical sites, however, the diver community can  
17 also provide valuable research to the Stellwagen  
18 Bank National Marine Sanctuary.

19 We would make the following  
20 recommendations to the Action Plan. Develop an  
21 action plan that involves the dive community in the  
22 preservation, management, and protection of our  
23 maritime heritage and develop an action plan that

0014  
1 provides improved access for the dive community to  
2 the resources of the Stellwagen Bank in much the

3 same way you did the commercial fishing. Thank you.

4 MR. MacDONALD: Thank you very much.

5 Priscilla Brooks.

6 MS. BROOKS: My name is Priscilla Brooks, and  
7 I'm the director for the Ocean Conservation Program  
8 at Conservation Law Foundation. Thank you, Craig,  
9 for allowing me the opportunity to comment on the  
10 Stellwagen Bank Draft Management Plan.  
11 Stellwagen Bank was designated in 1992 in  
12 recognition of its nationally outstanding ecological  
13 value and the need to protect the ocean treasure for  
14 future generations, generations of sailors,  
15 recreational boaters, divers, marine scientists,  
16 commercial and recreational fishermen, citizens.  
17 Congressman Studds could not have ever seen  
18 just how badly degraded the sanctuary would become  
19 over the next decade and a half. The Draft  
20 Sanctuary Management Plan paints a shock grime  
21 picture of Stellwagen and the destructive impact of  
22 human activities including bottom trawlings,  
23 commercial shipping, and the creeping

0015

1 industrialization of the ocean. It's truly a  
2 travesty that Stellwagen is a sanctuary in name  
3 only.

4 The proposed management plan is woefully inadequate  
5 and provides no real and immediate protections for  
6 ocean wildlife habitat. This must change for  
7 Stellwagen to live up to its name and deliver on its  
8 ocean stewardship responsibility to the American  
9 people.

10 Stellwagen Bank needs and deserves real  
11 protection now, protection that will restore and  
12 safeguard fish, whales, and other wildlife that  
13 support healthy ocean. To that end the sanctuary  
14 management plan must manage all commercial and  
15 recreational activities inside the sanctuary,  
16 immediately identify and protect the most vulnerable  
17 habitat from harmful bottom trawling and other  
18 damaging human activities, prohibit commercial  
19 fishing of forage fish such as sand lance and herring  
20 to enable maximum food supply for marine mammal  
21 fishes and sea birds. Better managed shipping,  
22 fishing, and whale watch boats to stop endangered  
23 whales from being disturbed, entangled or killed

0016

1 while they try to feed and raise their young.

2 Massachusetts just passed a first in  
3 the nation's comprehensive ocean management law that  
4 requires the state to put in place a science based  
5 ocean zoning plan to manage the increasing number of  
6 activities in the coastal ocean to ensure a healthy  
7 and productive ocean for future generations.

8 Stellwagen's so-called management plan  
9 has been 10 years in the making, and as far as I can  
10 tell, implements very little in the way of new and  
11 immediate management that will protect and restore  
12 the ocean treasure. This has to change, and I urge  
13 the sanctuary and NOAA to strengthen the plan  
14 significantly between now and the final. Seal will  
15 be submitting more detailed comments later. Thank  
16 you.

17 MR. MacDONALD: Donald Morse.

18 MR. MORSE: Donald Morse from Beverly,  
19 Mass. Thank you for letting me speak here today. I  
20 support the Stellwagen Bank Management Plan that  
21 includes maritime heritage program. The program  
22 should ban any commercial fishing with gill nets or  
23 dragging in the areas of the known wrecks. As there

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1 are fewer and fewer bottom fish in the ocean  
2 commercial fishing is targeting these wrecks where  
3 remaining fish are seeking shelter from the nets.

4 Your turn is coming up, okay, pal?  
5 When --

6 THE FLOOR: What a minute, buddy.

7 MR. MacDONALD: I understand there is  
8 some sensitivities on some of these issues, and we  
9 do respect them.

10 THE FLOOR: I'm Number 20.

11 MR. MacDONALD: We all need to  
12 respect one another's opinion. Everyone's opinion  
13 is valid. So please go ahead.

14 THE FLOOR: They want to dive. This is  
15 our lives.

16 THE FLOOR: We're trying to feed our  
17 families.

18 THE FLOOR: Let him speak, please.

19 MR. MORSE: When a fish net gets stuck  
20 on the shipwreck the fisherman pull the wrecks apart  
21 trying to recover the valuable fishing gear. This  
22 destroys, this process destroys the habitat for the  
23 fish and leaves the nets on the wrecks, as you can

0018  
1 see from all the photos, to continue to catch and  
2 kill fish. Yesterday I was diving on an area known  
3 as the Boston Dumping Grounds, and I watched the  
4 gill netter set his net to a direct circle around a  
5 shipwreck to catch bottom fish coming and going from  
6 the wreck. These nets become entangled in the  
7 shipwrecks.

8 The permitting program is inappropriate  
9 for the management plan due to Stellwagen Bank's  
10 distance from land and the very small number of  
11 divers that are qualified to dive the area due to  
12 the depth and currents. All the shipwrecks should  
13 be open to divers to explore as an underwater museum  
14 similar to Chunk Lagoon in Micronesia. Divers  
15 should abide by the rules of not disturbing or  
16 taking anything other than pictures from the wrecks.  
17 Thank you.

18 MR. MacDONALD: Peg Harrington.

19 MS. HARRINGTON: Thank you very much  
20 for the opportunity to speak. My name is Peg  
21 Harrington and I live in Salem, Massachusetts. I  
22 will be very brief here.

23 I would just ask inside the Draft

0019  
1 Management Plan for Stellwagen Sanctuary's report is  
2 an in memorandum for for Congressman Gerry Studds  
3 for whom the sanctuary is named. Please remember  
4 the Congressman was renowned for both his  
5 stewardship of the oceans and for his ability to  
6 bring together diverse and divergent people to  
7 discuss civilly difference of opinion. Thank you.

8 MR. MacDONALD: Joseph Orlando.

9 MR. ORLANDO: Thank you for the  
10 opportunity to speak. I was one of the people in  
11 '92 when it was decided to make this area a  
12 sanctuary. And even though I agreed with it at the  
13 time, I knew that in the future it would probably  
14 bite me in the ass.

15 I have been fishing there all my life.  
16 As far as these wrecks go, I tow \$20,000 worth of  
17 gear behind my boat. The last thing I want to do is  
18 get near one of these wrecks. If that fishing gear  
19 that you see on these wrecks, that was probably  
20 fishing gear that people didn't know about these  
21 wrecks that were there. Believe me, nobody is  
22 targeting these wrecks, not me, not my neighbor. If  
23 anybody it's probably you guys who want to dive on

0020

1 it.

2 The other thing is you guys know you  
3 have no power with the sanctuary. And that is why  
4 you are having these meetings to get that changed,  
5 to get public awareness to throw fishing out of  
6 there. You have no power whatsoever in that  
7 document, because I was part of it when we made that  
8 document.

9 So Mr. MacDonald, when you stand here  
10 and you show the public these pictures that you have  
11 been showing for the last hour or whatever, it gets  
12 me pissed. I know why you're here. You're here to  
13 completely pull the fishing community out of that  
14 Stellwagen Sanctuary. When a fisherman like me  
15 probably have more rights here than anybody. We  
16 have lived there, grown up there, fished there all  
17 my life, and that sanctuary is probably in better  
18 shape than it ever was. So when you come here and  
19 lie to the public, it pisses me off.

20 There was hundreds and hundreds of  
21 boats years ago. There is no fishing boats left.  
22 No fishing boats left. If anything probably, well,  
23 I don't want to get into that. The biggest threat,

0021

1 not just the sanctuary, to the ocean is probably  
2 plastic. And you don't even talk about it. You  
3 don't even talk about it. My net is completely  
4 covered with plastic when I come in. And you people  
5 don't even talk about it.

6 Like I say, I've been fishing there all  
7 my life. You have a whole fishing community that  
8 lives off that sanctuary. It's the richest ground  
9 probably in the world. Without that Stellwagen Bank  
10 Marine Sanctuary there will be no fishing community,  
11 especially Gloucester, Scituate, and so on.

12 I have so much to say I probably will  
13 put it in a written statement and send it to you.  
14 But, I don't want to say no more. Thank you.

15 MR. MacDONALD: Donald Comb.

16 MR. COMB: My name is Donald Comb, and  
17 I am the founder and owner of New England Biolabs.  
18 New England Biolabs set up two foundations: New  
19 England Biops Foundation and the Ocean Xenology.  
20 The New England Biolabs 20 years ago set up a marine  
21 protected area in a small island in the Caribbean,  
22 and in 20 years just watching the biodiversity  
23 increase enormously is really worth it. It can

0022

1 happen in Stellwagen Bank too.  
2 I'm here, I just got your 366 page plan  
3 and I haven't had a chance to read it, but I'm  
4 wondering what you have to say about trolling on the  
5 Stellwagen Bank. There has got to be regions  
6 protected from trolling. That is very important.  
7 The destruction of the bottom is enormous. And  
8 you're not going to bring back biodiversity unless  
9 you have biodiversity on the bottom species. So  
10 have you said anything about trolling in the  
11 management plan?

12 MR. MacDONALD: I can't answer  
13 questions, but there is at the end.

14 MR. COMB: All right.

15 MR. MacDONALD: Vi to Giacalone.

16 MR. GIACALONE: Thank you for the  
17 opportunity to speak. Vi to Giacalone, Gloucester  
18 fisherman. Also speaking on behalf of the Northeast  
19 Seafood Coalition who will submit written comments,  
20 as well as the Gloucester Fishing Community  
21 Preservation Fund.

22 Just a quick, Congressman Studds was  
23 also a great champion for commercial fisheries, and

0023

1 back in the early '90s when the sanctuary was  
2 designated he was very sure in making sure there was  
3 a lot of verbiage and making sure that the  
4 Magnuson-Stevens Act, and Studds was involved in and  
5 is where the control of commercial fishing would  
6 occur.

7 Commercial fishing is the one activity  
8 that I can think of that has had tremendous decline  
9 and tremendous regulation and restriction on  
10 activity in the Stellwagen Bank since this  
11 designation. We're a fraction now. Commercial  
12 fishing is a fraction of what it was.

13 There has been no mention of the small  
14 mesh fisheries completely eliminated. We used to  
15 fish with small mesh almost 12 months out of the  
16 year. So the discussion about fish sizes, people  
17 should know the Magnuson Act closed 22 percent. The  
18 gentleman concerned about bottom trolling,  
19 22 percent of the sanctuary is closed by the  
20 Magnuson-Stevens Act effort closure, the Western  
21 Gulf of Maine Closure. I believe that happened in  
22 1998. We have other huge closures in the gulf, on  
23 Cash's Ledge, all of the banks have huge closures.

0024

1 If that is not affecting fish size then that  
2 argument for Stellwagen really doesn't hold a lot of  
3 water on the fish size.

4 I find it, one of the argument about  
5 the marine heritage and the wrecks, I think people  
6 should really stop and reflect about what we're  
7 talking about when we talk about preserving the  
8 wrecks. Like Joe said, commercial fishing avoids  
9 the wrecks, especially mobile gear, but when a  
10 vessel sinks in the commercial activity we suddenly  
11 want to pen off the area and call it historical and  
12 no more commercial activity should occur in the  
13 area. We're going to actually eliminate whole  
14 fishing communities if we ever lose Stellwagen Bank

15 which are the most critical and productive area  
16 which again you don't need a heck of a lot of  
17 science to show that area is the most highly  
18 productive area per square and continues to be. So  
19 that speaks to the impacts of trolling not being  
20 negative but if anything could be one of the  
21 stimulators that we don't know about.

22 One of the main things in the  
23 designation is to preserve cultural legacy, and

0025

1 there is no greater cultural legacy than the old map  
2 you showed up there, commercial fishing, and what it  
3 produces. Magnuson-Stevens ensures that whatever  
4 fishing occurs occurs at a sustainable level. And  
5 fishing reduction is happening daily. Small mesh  
6 fisheries are gone. We use the largest mesh size in  
7 the entire planet, 6 and a half inch minimum mesh  
8 size. We have got to look at the importance of the  
9 communities. Without this bank you absolutely turn  
10 everything into a museum on the waterfronts.

11 As Joe said, having bottom trolling we  
12 have limited -- rolling gear that can be used,  
13 gillnet fishermen are restricted to a very small  
14 number of nets that they can use in the area. These  
15 are very intelligent educated fishing people that  
16 understand the area. They'll be the watch dog  
17 forever. They're fishing out there 12 months when  
18 research may be happening 3 or 4. You have people  
19 out there that care about that area. And to  
20 eliminate the stewards from an area is when you  
21 really need them.

22 (Applause)

23 MR. MacDONALD: Paul Theriault.

0026

1 MR. THERIAULT: Paul Theriault from  
2 Rockport, Mass. Thanks for letting me speak.  
3 Thanks for making me feel like throwing up. I don't  
4 really know where to start. I don't know where  
5 we've come from, but it seems though we have a small  
6 group of people here that would like to make  
7 Stellwagen their own personal little playground.  
8 That wouldn't work. We have a definite safety  
9 problem here, I'm aware of as of tonight. I think  
10 we need to make an emergency measure to stop all  
11 diving on Stellwagen until we can make a plan for  
12 divers because I don't think they're going to be  
13 safe.

14 Secondly, whales do not get hit by  
15 fishing vessels. Whales get hit by tankers,  
16 freighters, by tugs, and barges. Show me a whale  
17 that got hit by a commercial fishing vessel, please.  
18 You showed nets on the wrecks. Why don't you go  
19 back to those pictures again. Show me them again.  
20 Show me some fishes in those nets. There is no fish  
21 in them nets. They've probably been there for  
22 30 years. Just because of what Joe said. We don't  
23 no near them. We do everything we can to stay away

0027

1 from them.

2 But we have got a small group of  
3 knit-wits that want the place all to themselves.  
4 We're the most regulated fishery anywhere in the  
5 world bar none. We fish the biggest mesh anywheres

6 in the world, but again, we're being picked on  
7 because we're the weakest link. I don't see you  
8 going after the oil companies. What is wrong with  
9 an oil company pulling a sled that makes a hole  
10 6 feet deep and 10 feet wide. That's okay. Because  
11 the oil companies are giving you some dough. How do  
12 you sleep at night? Have a good one. (Applause).

13 MR. MacDONALD: Dustin Ketchopoulos.

14 MR. KETCHOPOULOS: What I wanted to say  
15 has already been covered. Thank you.

16 MR. MacDONALD: Thank you, sir.

17 Lewis Williams.

18 MR. WILLIAMS: My name is Lewis  
19 Williams. Been gill netting close to, doing it  
20 35 years. This is real disturbing when I see this.  
21 This is a lot of, just like Paul said, you say there  
22 is 41 percent of the endangerment in the sanctuary  
23 over 25 years. Well, my boat fish in there right

0028

1 now. 25 years ago we were fishing 80 nets. Right  
2 now we're fishing 3. There's so many God damn fish  
3 there we only need three nets to catch our limits.  
4 We have weight points on our nets. We have weak  
5 links on our end lines, we're using sinking end  
6 lines.

7 Everything possible for these whales,  
8 but the thing that bothers me is the skewing the  
9 data. Going back 25 years and throwing stuff in and  
10 saying look what is happening. You have got to use  
11 real time data to really look at what is going on.

12 The fleet of gill netters on Stellwagen  
13 right now probably are fishing the amount of gear  
14 that three boats would have fished 25 years ago.  
15 But no. We get targeted again, and Paul hit the  
16 nail on the head. I mean these are divers on it  
17 they're all pissed about, I got a friggin book load  
18 of them because I found them all with my nets, and  
19 I. Stay away from them.

20 But I just think this is a load of  
21 crap. That's how I feel. I have been a fisherman  
22 all my life. And it just looks like another move  
23 for a bunch of people who have nothing else to do

0029

1 and they are going to make themselves feel good.  
2 For some reason they just want to ruin commercial  
3 fishermen, and I don't understand it. I'm sick and  
4 tired of it. I've had it up to here.

5 I've gone through a regulatory process  
6 for the last 15 years. Now a bunch of people are  
7 coming here and talking about this place like we are  
8 going to have to create a utopia for whales. When  
9 you create utopia for humans, okay, then we'll start  
10 doing it for animals. But I've just about had it  
11 with this whole thing and everything. (Applause)

12 MR. MacDONALD: Craig Porter.

13 MR. PORTER: My name is Craig Porter  
14 from Manchester, Mass., 4th generation commercial  
15 fisherman. Been fishing since I have been about  
16 this high. And like you guys, like he said, look at  
17 the emotions in all the fishermen's faces. We've  
18 really had it. Your data is skewed. All your weak  
19 links and everything, all your data, you have all  
20 your data is from 10 years ago. Things have changed

21 even 6 months, 12 months. You're wrong. And you're  
22 trying to put out fish size. Fish all like this all  
23 day today, everyday. Fishing 9-inch gear. You're

0030

1 telling me the fish are smaller? You're wrong.  
2 The observers, you never see the  
3 observers come out when the fishing is hot and we  
4 open up here. Observers aren't on my boat. I don't  
5 know about you guys. Every closure opening, no  
6 observers. You go out when you want the data when  
7 there is no fish around. Moon cycles, you get the  
8 guys coming with the full moon, new moon. I don't  
9 see a moon, the moon is coming up. You go when you  
10 want to get the data to skew us. It's not right.

11 I'm emotional really sick, sick, sick  
12 of it. And like Lou says, these people who come  
13 here they want to put us out of business. Why? The  
14 fleet is so small. You used to be able to walk  
15 across Gloucester Harbor. There is how many boats  
16 left? None. I don't know what you want. Total  
17 elimination? For what? Makes no sense. It's bull.  
18 (Applause)

19 MR. MacDONALD: Steve Wojcicki.

20 MR. WOJCICKI: Steve Wojcicki from  
21 Hampden Falls, New Hampshire. I run a small day  
22 dragger out of Gloucester right now. And I came  
23 down to this meeting hoping that I would see people

0031

1 trying to work together and not have people pointing  
2 fingers, but I walked in here and all that's  
3 happened so far is I'm stereotyped as a careless  
4 rapist of a sea, whereas what I really hoped was --  
5 and all these other guys, we're providers of a food  
6 resource. We bring food to people's table, keeping  
7 people fed, but nobody seems to have the respect for  
8 that. And if you close the sanctuary down to us and  
9 don't allow us to harvest any of the fish there,  
10 there is not going to be any fish to anybody.

11 Everybody raise their hands that likes  
12 to eat a piece of fish? Seafood. Who eats the  
13 seafood? The dive guys over there don't eat it. He  
14 probably fills a bag and takes them home and eats  
15 them there.

16 We provide a food resource. Just like  
17 your sign says, the map says 400 years ago 1600 and  
18 something that guy was catching fish. 400 years  
19 later we're still catching fish. What is all the  
20 talk about fish are gone and disappearing? I mean  
21 you just contradicted yourself right there. We're  
22 all catching thousands and thousands of fish  
23 everyday, we catch everyday. The fish are there,

0032

1 and there is no need for you people to be targeting  
2 us the way you are trying to drive us down, bring  
3 down another man.

4 That is not what our founding fathers  
5 wanted us to do. We're supposed to be the United  
6 States. There is no unity here whatsoever. None.  
7 And it is ridiculous. It's a shame. I think you're  
8 doing the wrong thing. (Applause)

9 MR. MacDONALD: I almost hate to ask  
10 this because I don't think I'm going to be  
11 successful. If you could please hold your applause

12 to the end, to be fair to the other speakers who may  
13 have some different views. Thank you.  
14 THE FLOOR: We'll clap for them too.  
15 MR. MacDONALD: How about a big round  
16 of applause at the end for everybody.  
17 THE FLOOR: Keep it moving.  
18 MR. MacDONALD: Jim Bartlett.  
19 MR. BARTLETT: Jim Bartlett, commercial  
20 lobsterman from Beverly. I don't even know how  
21 long. You guys are out of your mind. I'm a hundred  
22 percent opposed. (Applause)  
23 MR. MacDONALD: Naz SanFillipo.

0033

1 MR. SanFILLIPO: Thank you for letting  
2 me speak. I have been standing in the back of the  
3 room here. I have been looking at all these  
4 pictures here, and all I see is people harassing  
5 whales, chasing whales, harassing whales. They  
6 don't want the noise, no noise. They bring in a  
7 hundred people two trips a day, plenty of money,  
8 everybody is screaming, the whales are trying to get  
9 laid and these people are chasing the whales. These  
10 people are chasing the whales. I can't go there. I  
11 don't bother the whales.  
12 This is crazy. You guys better wake  
13 up. Everybody better wake up. This country is in  
14 big trouble. If you close that down you might as  
15 well shut down Massachusetts because the revenue is  
16 gone. Millions of dollars gone.  
17 Look, look, they've got something on  
18 his back. (Indicating) If someone put something on  
19 my back, you are in trouble, buddy. This is crazy.  
20 (Applause.)  
21 MR. MacDONALD: Just to clarify what  
22 you see up there, that is not commercial whale  
23 watching, that is scientific research done to

0034

1 Look --  
2 MR. SAN FILLIPO: Two trips a day, a  
3 hundred people, while they're trying to get laid,  
4 and she is worried about noise. She says noise  
5 pollution. That is noise pollution.  
6 MR. MacDONALD: Bryan Moje.  
7 MR. MOJE: Thank you for this chance to  
8 speak. Bryan Moje, 3rd generation Gloucester  
9 fisherman. I don't know too much about this, but  
10 from the second I got in here, the one thing that  
11 caught my attention was that old map from 1600  
12 showing great fishing. Well, in 1992 this was set  
13 up as a sanctuary. 400 years and there is still  
14 fish there. Wanting to make a sanctuary for it to  
15 bestow and make sure the fish is going to be there  
16 for generations to come. As far as I am concerned  
17 it is still there, and it ain't going anywhere.  
18 Another thing about the divers, there  
19 is trash on the side of road. There is trash  
20 everywhere. Another gentleman mentioned the  
21 plastic. Pull up tons and tons and tons of plastic  
22 in your nets, bogs up your gear and all that sort of  
23 thing. What is being done about that? Nothing.

0035

1 And you are concerned about this old gear caught up  
2 on the wrecks, while you're diving why don't you

3 pick up some trash. That's all I have to say on  
4 that.

5 And yes, you take that area away from  
6 the fishermen, you might as well take away the whole  
7 east coast. It's not just the fishermen and the  
8 fishings communities, the manufacturers of the  
9 fishing gear, or the processing plants. It's the  
10 small businesses that rely on the fishermen's  
11 income, spending their money at their businesses.  
12 All that is going to get affected. Pretty much  
13 everything is going to go to shit. Thank you.  
14 (Applause)

15 MR. MacDONALD: Bill Bartlett.

16 MR. BARTLETT: Bill Bartlett,  
17 Commercial lobsterman from Beverly. I'm a hundred  
18 percent opposed to not letting us fish in the  
19 sanctuary. And I haven't heard one word here  
20 tonight about water quality. You are worried about  
21 the sanctuary with commercial fishing, if you don't  
22 shut off the pipe or get somebody to shut off that  
23 pipe outside of Boston, there won't be any

0036

1 lobstering or crabbing or anything in Mass Bay.

2 Nobody has mentioned a word about it.  
3 I can't believe, with all the environmental type  
4 people in here tonight, that they're not talking  
5 about it. It's just unreal.

6 I'm speaking for lobstermen right now.  
7 We put break aways on our buoys. We have eliminated  
8 our floating ground line. What more do you think  
9 people can do? You look at the size of that map,  
10 you take all the fishing out of that map that you  
11 had up there where the sanctuary is, what is left  
12 for an area for guys to go? Fishing lobsters is not  
13 throughout the area. There is only specific areas  
14 you can go. Obviously the bank is one of them.  
15 Thank you. (Applause.)

16 MR. MacDONALD: Mark Carroll.

17 MR. CARROLL: Mark Carroll, Gloucester,  
18 Massachusetts. My apologies to the man I  
19 interrupted. I am not against anybody being in the  
20 sanctuary. This is the United States. We should  
21 all be in this very diversified place. We should  
22 all be able to use it just as anything in this  
23 country. We have divers. I'm not opposed to them,

0037

1 Not opposed to whale watching. I'm not opposed to  
2 anybody being in there because this is our land.  
3 This is our ocean. We should keep it that way.

4 The second man the young gentleman said  
5 we are the stewards as commercial fishermen. It's  
6 been there for 400 years. The fishing is just  
7 extremely good there and always has been and always  
8 will be. And I rely on that water for my family and  
9 everybody else here does also. So we are the  
10 stewards of that water. If that water quality is  
11 poor, if there is plastic, if it's being  
12 jeopardized, it affects me personally.

13 I'm there 12 months a year. Not,  
14 actually not. We need to enlighten people. We are  
15 not there 12 months a year as ground fishermen.  
16 We're there 10 months a year. That is --

17 THE FLOOR: Four months a year.

18 MR. CARROLL: That's been closed 4  
19 months to 6 months a year which jeopardizes all  
20 incomes from Provincetown north all the way up to  
21 Gloucester, Massachusetts. Another problem I do  
22 have with -- I missed the chart. I saw it at home  
23 at one time. But the area that Stellwagen, the

0038

1 sanctuary encompasses is massive. It's me saying we  
2 are going to make this building the sanctuary but  
3 we're going to encompass Hamilton, Wenham, Beverly,  
4 Salem. It's just a massive area.

5 And when you talk Stellwagen I'm  
6 talking the bank. I'm not talking to the west over  
7 to Scituate. I'm not talking to the north  
8 northeast. So unlike other people that don't know,  
9 this is the problem we have as fishermen. And this  
10 is what is discussed. We have such a bad rap. We  
11 do fish the biggest mesh size, what have you.  
12 Another thing on that note is we have a lot of  
13 dumping grounds that were there just northwest  
14 3 miles of the bank itself, and we have dumping  
15 grounds to the west and northwest of the bank and  
16 there is just plastic barrels in there. The  
17 gentleman said he dove in there the other day. My  
18 word all mighty, God bless you. I went in the  
19 dumping ground this morning and what a mess of  
20 plastic barrels, rubber, and chemicals were absurd.  
21 And that's that note. Let me cover one more note.

22 I believe, if I'm correct, November 26,  
23 1889, the Portland steamed from Boston to Portland,

0039

1 Maine, on its way until a great storm hit. There  
2 was 156 people on the boat, if my memory serves me,  
3 and they all died. Terrible thing, awful, and it  
4 was shipwrecked. There has been over 3,000  
5 fishermen alone in Gloucester, Massachusetts, that  
6 have gone down since the schooner days on George's  
7 Bank and there are boats and nobody has addressed  
8 that issue. So there is many, many, many wrecks to  
9 be had.

10 Anyway, I oppose. I know my time is  
11 up. I oppose closing the Stellwagen Bank Marine  
12 Sanctuary to anybody, and I'm not opposed to anybody  
13 being in there. Thank you. (Applause.)

14 MR. MacDONALD: Polly Bradley.

15 MS. BRADLEY, My name is Polly Bradley.

16 I'm from the Nahant, Massachusetts, I represent a  
17 citizens grouped called Safer Waters in  
18 Massachusetts, otherwise known as SWIM. SWIM worked  
19 very hard to stop the liquified natural gas  
20 terminals from being sited right in the little  
21 triangle between the Stellwagen Bank National Marine  
22 Sanctuary and the State Marine Sanctuary, but as you  
23 all know those big vessels are going to be

0040

1 endangering the whales and have already begun.

2 As I see it, the major problem for  
3 people who care about Stellwagen Bank is how can we  
4 protect the ecosystem in which the fisheries depend  
5 and at the same time keeping New England fisheries  
6 vibrant. I tend towards taking a long-term view  
7 watching, wanting the draft management plan to  
8 return the ecosystem to maximum health so the

9 fishermen will have the resources to feed us and  
10 their families. But it's very easy for me to take a  
11 long-term view because my family's livelihood  
12 doesn't depend on fishing. But I do have children.  
13 About the time that Gloucester was founded about  
14 400 years ago, Sir Francis Bacon said that people  
15 with children have hostages to fortune, and it is  
16 true. I wanted to protect the banks for the sake of  
17 my children, my grandchildren and on to their  
18 grandchildren 400 years from now. I want them to  
19 live in a healthy environment to enjoy seafood and  
20 to marvel at the great whales.

21 I see such a polarization here, and I  
22 think it's unfortunate. You should make a  
23 tremendous attempt again to get the fishermen and

0041

1 the scientists and the environmentalists all  
2 together to try to work out something because we all  
3 have the same goals: Sustainable fisheries, vibrant  
4 fishing community, protection of the endangered  
5 whales.

6 I've not had a chance to go over the  
7 entire document. It is long as you know, and I took  
8 it out of our library in Nahant. But, well, SWIM  
9 will have additional comments later, and I urge you  
10 to try again to get everyone working together. Our  
11 long-term goals are the same, and we have to take  
12 care of people short term. (Applause.)

13 MR. MacDONALD: Dennis Robillard.

14 MR. ROBILARD: Dennis Robillard,  
15 fisherman from Elliot, Maine. Doesn't just affect  
16 Massachusetts. It affects New Hampshire, Maine,  
17 Rhode Island, I mean plenty of other states that it  
18 affects if you guys close this. We have been  
19 fishing there for 400 years. There is no problem.  
20 There is more fish. I have been fishing for  
21 20 years and we're seeing an increase in fish. We  
22 have an 87 percent decrease since the '90s when we  
23 first had regulations. 87 percent decrease to me

0042

1 that's quite a bit on our shoulders, quite a bit on  
2 our families. There is friends and family that no  
3 longer fish anymore because of the regulations that  
4 we currently live under.

5 As far as entanglement for whales  
6 porpoises, we've done tremendous work with the gill  
7 netters, the lobstermen, as far as break away links  
8 to pinyas. It's all getting swept under the rug.  
9 Doesn't seem like anybody cares.

10 As far as doing damage to the bottom,  
11 tide and storm surge does more damage than we do.  
12 Maybe we ought to start working on that. Dumping  
13 site, there is a huge dumping site on the western  
14 side of Middle Bank. I don't know how long it was  
15 there for, but I will tell you that when we get  
16 close to it, we dig up a pile crap. How about  
17 cleaning that up? Why is it even on our shoulders?  
18 We're not the ones throwing trash over the side. We  
19 love our community.

20 And as fishermen we are more than  
21 willing to share this resource with everybody.  
22 Everyone. Not just a particular group. We have no  
23 problem with that whatsoever. And if I'm not

0043

1 mistaken, as far as our wrecks are concerned, I  
2 don't think anybody, as far as the folks over here  
3 would even know where they are if it wasn't for us.  
4 Thank you very much. (Applause.)

5 MR. MacDONALD: That's the last name I  
6 have registered. Is there anyone else who would  
7 like to offer a comment this evening? Approach the  
8 mike. Come up, but please identify yourself.

9 STRETCH: I want to apologize to  
10 everybody for being a big mouth up back. I wasn't  
11 going to speak so that's why I didn't speak up.  
12 I've been fishing for 17 years. One of the perks of  
13 being a fisherman is sunrises, the sunsets. You see  
14 the whales. You see the dolphins, beautiful stuff.  
15 I don't think there is a fisherman around here who  
16 wants to get a whale entangled. I have been fishing  
17 are 17 years. Never seen a whale tangled. You hear  
18 about them struck by ships and stuff like that.

19 None of us, this is like being a  
20 farmer. We wake up early. Everyone else is still  
21 in bed, out late we see the wonders of nature, and  
22 all I have to say, nobody wants to see whales hurt,  
23 nobody denies anyone's diving privileges. But these

0044

1 wrecks you're talking about, half of them are just a  
2 pile of, it's a pile of wood at the bottom of the  
3 ocean, and we stay away from that. We don't need  
4 that stuff in our nets. Fish congregate around that  
5 area so we set around, but not on it. That's the  
6 last thing we want to do is wreck a wreck.

7 I don't know what else to say but  
8 fishermen, I think I speak for most fishermen, it's  
9 one of the things when guys are all in bed, may not  
10 be all, but we see some of the wonders of nature.  
11 That is one of the perks of the job. I would never  
12 ever, I don't think any fisherman wants to see any  
13 unnecessary kill. Like I said I have never seen  
14 anything like that. That's all I have to say.

15 MR. MacDONALD: Sir, identify yourself  
16 for the record?

17 Sir, identify yourself for the record.  
18 STRETCH: Stretch, that's all you need  
19 to know.

20 MR. MacDONALD: Is there anyone else?

21 MR. THERIAULT: I'm sorry I was so  
22 upset the first time I come up here, I forgot what I  
23 was going to say. My name is Paul Theriault from

0045

1 Rockport.

2 There was many instances here tonight  
3 where bottom trolling was mentioned as destroying  
4 the bottom. And that could not be farther from the  
5 truth. There have been several or should I say many  
6 studies that have concluded that tide and storm  
7 surge do just as much if not more to alter the  
8 bottom than dragging. It's a myth that you people  
9 like to push on the people that don't really know  
10 what is going on. Thank you. (Applause.)

11 MR. MacDONALD: Yes, sir. Please  
12 identify yourself for the record.

13 MR. SHOARES: Peter Shoares,  
14 Gloucester, Mass. And I have been fishing my whole

15 life, 4th generation, sold my boat when they started  
16 drafting Amendment 13, and what I can't figure out  
17 is as a whole is why the government is trying to put  
18 the fisherman out of business. And along the way it  
19 started out Amendment 5, Sadler Hill, we go along,  
20 all of a sudden, goes gill nets. So then you have  
21 the party boaters picking on the gill nets and then  
22 they have all kinds of studies go gill nets, blah  
23 blah blah, and it turns up false. And then you get

0046

1 people that pick on the draggers ruining the bottom,  
2 yada yada yada.

3 But the funny part is that when we used  
4 to listen to the weather it was Merrimack River to  
5 Watch Hill Rhode Island out to 25 nautical miles.  
6 Then all of a sudden it goes from Merrimack River to  
7 Watch Hill, Rhode Island, out to 25 nautical miles  
8 including the Stellwagen Bank Sanctuary. And that  
9 is when the government decided, because NOAA does  
10 the weather, NOAA is the father of the National  
11 Marine Fishery Service, and all of a sudden what  
12 they're doing is like this subliminal message. It's  
13 a way of getting the public to realize that why is  
14 there commercial fishing in a sanctuary? We don't  
15 allow people to cut down trees in a national forest.

16 So yeah, it took 10 years, so now all  
17 of a sudden, I didn't even know anything about the  
18 divers being pissed off at us, but you know, this is  
19 something, this is a big orchestrated plan that  
20 fishermen are living, and it's, you know, that is  
21 something that has been in the back of my head for a  
22 long time. Why there was any reason at all that  
23 they had to throw including the Stellwagen Bank

0047

1 Sanctuary, and here we are today. 10 years or  
2 whatever later, just like when they did the Gulf of  
3 Maine closed area. Oh, don't worry, that --

4 THE FLOOR: 3 years closure.

5 MR. SHOARES: Yes. It was a sunset  
6 clause. And then all of a sudden when it went from  
7 draft to written document, all of a sudden sunset  
8 was missing. So we get blanked again. It's  
9 unbelievable. I don't understand. That's why I'm  
10 up. I sold my boat when Amendment 13 was getting  
11 drafted because they said the biggest management  
12 tool they were going to use was days at seas, and if  
13 you don't have opportunity you can't go to work.  
14 And when you can't -- and if you can go to work and  
15 you don't have anyplace to go to work you can't go  
16 to work. 30 seconds they're all yours. (Applause.)

17 MR. MacDONALD: Okay. Yes, sir.

18 MR. COMB: I've been a fisherman all my  
19 life but not commercially. I would just like to ask  
20 the fishermen here whether they would like to have  
21 some sort of a marine protected area in the Gulf of  
22 Maine.

23 THE FLOOR: There already is.

0048

1 MR. MacDONALD: When we have multiple  
2 discussions, the court reporter cannot record.  
3 Let's save that for perhaps a discussion afterwards.  
4 This is the opportunity to get input from  
5 individuals who want their comments on the record.

6 Is there anyone else?

7 THE FLOOR: I would like to say one  
8 more thing myself.

9 MR. MacDONALD: With this gentleman's  
10 final remarks I think I am going to conclude the  
11 formal part of the meeting tonight.

12 MR. WOJCICKI: I'd just like to make  
13 sure that these people over here have a good  
14 understanding as to what we're already dealing with  
15 for regulations and I want to make sure they know  
16 about it. I have one permit. I have 47 days at sea  
17 that I'm allowed to use a year. My days at sea, my  
18 days at sea clock runs at 2 to 1. If I'm out for  
19 4 hours it cost me 8. If I'm out for 8 it costs me  
20 16. If I'm out for 12 it costs me 24. So basically  
21 I have 25 days at sea that I'm allowed to use a  
22 year. That's it.

23 THE FLOOR: Whoopi e.

0049

1 MR. WOJCICKI: You people act as though  
2 we're out there 7 days a week, 5 in the morning  
3 until 5 at night, and we can't get back there fast  
4 enough the next day. When we deal with the closed  
5 areas, but we also have to deal with the weather.  
6 Nobody talks about the fowl weather that we have to  
7 deal with. We risk our lives every single day even  
8 on a calm day because anything can happen. And for  
9 you guys to sit up here and want to try to protect  
10 the sanctuary area but yet not protect the  
11 fisherman, the person who is a food provider.

12 -are you going to stop the flow of food  
13 to people's mouth? And you know you all eat it.  
14 You can't tell me that you don't. I know you go to  
15 restaurants. You have your haddock, you have your  
16 scallops and you love it. But you are mad at the  
17 person that brings it to you. It doesn't make  
18 sense. I feel stereotyped here, I'm careless and  
19 I'm a rapist of the sea. A lot of you guys seem to  
20 me as though you're self-centered and  
21 self-righteous, and you want all this stuff for  
22 yourself and you really don't care about the other  
23 people that have been working harvesting food for

0050

1 people to eat. I am not out there to catch fish,  
2 bringing it back and dumping it over the side and  
3 sending it to the dump. This is food. We eat it.  
4 Right now we're coming into a food crisis. If you  
5 want to eat a piece of beef, there is recall on beef  
6 every other month and recall on poultry every other  
7 month. And now it doesn't make sense. I want to  
8 know who is protecting me. That's what I want to  
9 know. I want to know who is protecting me.

10 MR. MacDONALD: All right.

11 MR. WOJCICKI: And it's nobody in this  
12 room.

13 MR. MacDONALD: Thank you very much.  
14 Unless there is somebody who hasn't spoken before, I  
15 am going to conclude. Sir. And just introduce  
16 yourself, please.

17 MR. WIERSMA: Good evening. My name is  
18 Josh Wiersmas. I'm a fishery economist. I work  
19 over at Massachusetts Fisherman Partnership.  
20 Basically I have been reading through just this

21 outline of what you guys have approached here and  
22 most of the data especially in commercial fish  
23 landings is only valid to 2005 but Amendment 13 took

0051

1 effect and there's no new data after that for 2007.

2 There is a large emphasis on the report  
3 about collecting new data, and it seems to me that  
4 most of what has been basically put forth here is  
5 based on the results of data that hasn't been  
6 gathered in a comprehensive manner.

7 And part of the problem as I see it  
8 that doesn't include fishermen as part of the  
9 ecosystem which I think is pretty evident over the  
10 last 400 years they have been able to develop a kind  
11 of symbiotic relationship with the ecosystem. So  
12 any type of new research that would be gathered on  
13 this area should also involve commercial fishing  
14 vessels and should be the type of program that  
15 should be mandated this to be something that is  
16 funded which obviously should be because the data  
17 that is available is out of date.

18 And just in general I think it's  
19 important that any type of new management plan for  
20 the Stellwagen Bank area must include some type of  
21 cost benefit analysis. So there is multiple  
22 competing resources, uses for this area, commercial  
23 fishing, diving, tourism, and exploration, and

0052

1 different points of view. And so when you have some  
2 type of plan and seems most commercial fish feel you  
3 like to limit commercial fishing in this area. Any  
4 type of limit, whether it be full, partial, should  
5 also go along with some type of cost benefit  
6 analysis and you compare that with the computing use  
7 of the resources, what are you doing to preserve it.  
8 And Magnuson mandates all of our resources be used  
9 for the maximum value. And so any type of policy  
10 division inherently must include some economic  
11 analysis.

12 So I just encourage you to develop the  
13 future management direct management plan an economic  
14 portion that is comprehensive and involves the use  
15 of commercial fishermen and all of their viewpoints.  
16 That's it. (Applause.)

17 MR. MacDONALD: This gentlemen is going  
18 to speak and then we are going to conclude for this  
19 evening.

20 MR. ORLANDO: Joe Orlando, for the  
21 record. Just to answer the gentleman's question  
22 behind me about if there is an area that we just  
23 don't fish, there is. It's called the Mid Western

0053

1 Gulf of Maine Closure between 12 and 18 miles wide  
2 by 30 miles long. We haven't fished in there for  
3 10 years, and it's no different than the Stellwagen  
4 Bank, same exact kind of water. And Cashes Ledge.  
5 And nobody ever talks about it. I mean if you do  
6 anything else to this area, and you include that  
7 area, I mean it's used. It's the whole east coast.  
8 So you should really look into that.

9 THE FLOOR: No one is fishing.

10 MR. ORLANDO: No one fishes. I grew up  
11 there. Jeffrey's Ledge, and we haven't fished there

12 for over 10 years. Nobody ever talks about that.  
13 And the other thing, what I see tonight  
14 is really disgusts me that we're all Americans, it's  
15 a great country, and you see what is happening in  
16 the world, and we come in a room like this and all  
17 we do is fight amongst each other, instead of trying  
18 to work together, working group, see what everybody  
19 really needs and stuff like that. I've gone to a  
20 million meetings. It's always the same thing. And  
21 tonight in the room is no different. So maybe for  
22 future references, instead of sitting in a room like  
23 this killing each other, let's try to work together.

0054

1 Thank you. (Applause.)  
2 MR. MacDONALD: I think that's a very  
3 good sentiment to conclude the evening. So the  
4 formal part of the proceeding is over. Those of you  
5 who would like to go, fine. If there are those of  
6 you who would like to ask questions off the record  
7 to dialog more, I may regret this, but I'll stay  
8 here and engage your discussion as long as you would  
9 like.

10 (The proceedings adjourned  
11 at 8:16 p.m.)  
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C E R T I F I C A T E

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2 STATE OF MASSACHUSETTS )  
3 COUNTY OF NORFOLK )

4 I, CAROL Di FAZIO, a Notary Public in and  
5 for the County of Norfolk, State of MASSACHUSETTS,  
6 do hereby certify:

7 That the said proceeding was taken before  
8 me at the said time and place and was taken down in  
9 machine shorthand writing by me;

10 That I am a Registered Professional  
11 Reporter of the State of Massachusetts, that the  
12 said proceeding was thereafter under my direction  
13 transcribed into computer-assisted transcription,  
14 and that the foregoing transcript constitutes a  
full, true, and correct report of the proceedings  
which then and there took place;

IN WITNESS WHEREOF, I have hereunto  
subscribed my hand and affixed my seal this  
17th day of June, 2008.

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CAROL Di FAZIO  
Registered Professional Reporter  
My Commission expires November 14, 2014.  
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