



MASSACHUSETTS FISHERMEN'S PARTNERSHIP, INC

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December 22, 2005

Senator Therese Murray, Chair
Senate Committee on Ways and Means
State House Room 212
Boston, MA 02133

Dear Senator Murray:

The Massachusetts Fishermen's Partnership (MFP) Board of Directors voted unanimously on December 13, 2005 to support passage of S2308. The MFP wishes to thank and acknowledge the hard work and leadership of Senator Robert O'Leary in developing this legislation. The MFP has worked with Senator O'Leary to refine the language of the bill, especially as it pertains to fisheries and fishing regulations.

- The MFP strongly supports the goal of this bill to enable the Secretary of Environmental Affairs to regulate ocean development projects to protect fisheries, fishing activities, and productive fishing grounds from harmful impacts of pollution and other threats posed by unwise projects in the marine environment.

The MFP specifically applauds provisions of S2308 that were favorably reported by the Joint Committee on the Environment, Natural Resources and Agriculture on December 12th to clarify the role of the Massachusetts Division of Marine Fisheries (DMF) in creating an ocean plan. These provisions continue DMF's exclusive authority pertaining to the regulation of fisheries and fishing as they will be incorporated into an ocean plan. Currently, a major source of confusion and inefficiency at the federal level is connected with ambiguity in federal law as to which agency is responsible for regulating fishermen. In colloquial terms, fishermen do not want the tail to wag the dog. If any conflict ever occurred between DMF fisheries rules and an ocean plan, the DMF rules would govern.

- The cornerstone of MFP support for S2308 centers on its clarity concerning the exclusive rulemaking authority of DMF with regards to fisheries and fishing activities in an ocean plan.

In addition, a pioneering aspect of this bill is that the legislation will provide the mechanism for effective fishing industry representation on an ocean science advisory council. This council will provide advice to the Secretary

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of Environmental Affairs pertaining to matters of ocean and marine research. One member of this panel of 9 scientists will be designated by the MFP to provide information pertaining to the empirical knowledge of fishermen as the council accumulates data and provides advice to the secretary with respect to concerns and priorities.

- The bill's establishment of a voice through the MFP on behalf of fishermen on the ocean science council is very important since it explicitly addresses a crucial missing link to improve scientific understanding and transparency in this process.

The MFP is currently managing twelve cooperative research projects on topics ranging from food web studies to seafloor mapping to social and economic impact studies. As a result, the MFP is uniquely qualified to contribute a clear perspective of fishermen's observations and experience to the ocean science advisory council. Moreover, as an umbrella organization, the MFP has served as a united voice for the Massachusetts commercial fishing industry since its incorporation in 1996.

Further, the Ocean Resources Management Act responds to a need to create an open and fair process to assess and regulate offshore development projects in the marine environment, and it does this without imposing additional requirements or imposing new regulatory burdens on fishermen who are already more regulated than any other industry. This bill is important to ocean management in Massachusetts and elsewhere as a first-in-the-nation model for the protection of fisheries and fishing activities from the "wild west" of ocean development projects being proposed in ocean waters here in Massachusetts and across the nation.

- It is important for the bill's legislative record to affirm recognition of the economic and social value of commercial and recreational fishing to the Commonwealth.

Fishing was *the* founding industry of the Massachusetts Bay Colony almost 400 years ago, and fishing has been an integral part of the identity of Massachusetts from then until the present time. In addition to providing locally caught healthy seafood for all to enjoy, fishermen bring their knowledge and experience of fishing in the marine environment back to shore to enrich our communities, schools and research institutions. It is vitally important to the Commonwealth of Massachusetts -- economically, socially and culturally -- that this identity be preserved and enhanced. We believe that S2308 in its current form will do just that by: (a) properly institutionalizing the role of fishermen in helping to establish scientific priorities for marine resources, and (b) helping to form a solid foundation for the future management of marine resources through the participation of fishermen in research projects and scientific analysis.

The MFP understands that S2308 has a long way to go before becoming law. We are committed to working with legislators throughout the process to ensure that the final bill enacted will be a good law. We are committed to passage of a bill in which all Massachusetts citizens can take pride and which will set the stage for the development of ocean management policies that will promote the contributions of our fishing heritage and protect the environment for generations to come.

Sincerely,

MASSACHUSETTS FISHERMEN'S PARTNERSHIP, INC.

David Bergeron, Executive Director

Cc: Senate President Robert Travaglini
Senator Robert O'Leary