



NEW ENGLAND AQUARIUM DIVE CLUB, INC. NEWSLETTER

June 2004

NEADC Website: www.NEADC.org

NEADC GENERAL MEETING

**Immersion Theater at New England Aquarium
Wednesday, June 16th, 2004
6:30 p.m.**

**"The Northeast REEF Fish Identification Program"
by Bob Michelson**

Participants of this two (2) hour workshop will learn how to use the REEF Environmental Education Foundation's new Northeast Fish Identification Program. Sponsored by The Stellwagen Bank National Marine Sanctuary, this photography-based curriculum teaches how to identify 56 species of local finfish by using photography as the teaching tool. The program shows how to identify these creatures by using body shape, size, fin structure and location, body markings, coloration and habitat as identification keys. Memory clues are used in aiding to make this learning experience fun for SCUBA divers and snorkelers of all skill levels, as well as teachers and students from elementary through college level. The Stellwagen Bank National Marine Sanctuary provides all required support materials needed to begin conducting fish surveys in the New England region.

Guest Speaker: Bob Michelson of Photography By Michelson, Inc. based in Braintree. Bob is a published underwater photographer and underwater videographer who has been diving for 25 years. He is a PADI Dive Master, a Specialty Instructor in underwater photography and video, and a NOAA Science Diver. His work has appeared in numerous magazines and on various broadcast networks. He formed the Stellwagen Bank National Marine Sanctuary Dive Team and is currently working with NOAA on various projects including The Great Annual Fish Count.

In 2001, Bob was named as an Environmental Hero by NOAA, one of 27 recipients nationwide to receive this honor. He was recognized for his lifelong work in helping to educate the public about the incredible diversity of marine life found off the New England coast.

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INFORMAL MEETING

The July Informal Meeting will be held on Wednesday, July 7th, at 6:30 pm, hosted by Jim Carozza. It will be a Pool Party and Cookout! Location: 10 Linda Lane Nahant, MA. Phone #s: Jim's Cell (617) 966-0111, House (781) 592-0133.

Directions from the South: Take the Expressway or Mass Pike into Boston and take the Ted Williams Tunnel towards Logan Airport. Get on Rt. 1A into Revere until it becomes the Lynnway in Lynn. Stay straight until the first rotary and bear Right onto the Causeway for Nahant. At the end of the Causeway take your first left. The Tides Restaurant will be on your left and a Bank (Equity) on your right. Take the first right - it is Linda Lane. House is the fourth one up on the left, #10, gray house with two wooden stained doors. Please park on the street and put "Guest of 10 Linda Lane 6:30 PM until 9 PM" on your dash if possible, as this is prime summer vacation time and the local Police won't tag or tow as long as they know you're not at the beach, but visiting a resident. The street is very wide and long so it shouldn't be much of a problem parking.

From the North: From Rt. 128, or Rt. 1 North, take Rt. 129 East, exit 44B, toward Lynn/Swampscott. Enter the rotary and bear right towards Lynn 129 East. Follow for 3 1/2 miles, take right onto Boston St. Take a left at light AFTER Stop & Shop onto Franklin St. Stay on Franklin to its end and bear slight left through lights and right onto Market St. Cross straight through all intersections and at end of Market St. (see North Shore Community College on the left) take left at light and enter Lynnway going left. At rotary after the Porthole Pub restaurant, bear right towards Nahant and the long causeway. As causeway gets to small rotary, take left onto Wilson Rd. (the Equitable bank is on your right, and Dunkin Donuts and the Tides Restaurant on left). Take 1st right (this is Linda Lane, but sign is missing), #10 is up the hill, after the new house on left side, gray split entry.

NEWSLETTER DEADLINE

Submit your news for the next Newsletter by
Monday, June 28, 2004!

This is for the **JULY EDITION** of the NEADC Newsletter. Submissions must be in writing, preferably via e-mail to newsletter@neadc.org. Thank you!

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NEADC Website

Look for updated information on our website, www.neadc.org, graciously hosted by Jake and Linda Richter.

FROM YOUR WEBMASTER Steve Whitford

The diving season is upon us. The shore diving calendar for the rest of the year is on the website. There's something happening pretty much every weekend, and even some during the week. In addition to a listing format for the website, I've also put the dives for June-August in a monthly format so you can better see what dives are when.

For several of the dives I've included new icons that indicate the dive has activities for non-divers. These activities can range from shore cleanup and fish ID to nearby hiking and watersport rentals. The dive leaders have all the info.

If you want to lead a dive, or want to add more info about a dive, then e-mail webmaster@neadc.org, or shoredive@neadc.org, or use the forum. We can have a lot more info on the website than just a listing.

FROM YOUR NEWSLETTER EDITOR Kerry Hurd

Welcome to the special, oversized June issue! We hope you enjoy all of the offerings from the many dive-related organizations. I would like to call your attention to a couple who are not otherwise mentioned in this issue. One is my favorite dive shop, Atlantic Aquasport (www.atlanticaquasport.com) in Rye, NH. Great service and great knowledge! I'll also plug the Oceanic Research Group (www.oceanicresearch.org) - top quality videos and books!

Thank you to all who contributed to the newsletter. Your support is greatly appreciated! Remember, all submissions need to be in writing, and are accepted via e-mail, on CD or floppy, or on paper. Please send your submissions to newsletter@neadc.org, or hand them to me at any General or Informal Meeting. Thanks!

I have another topic for everyone. This issue's question is "Why do you dive?"

My answer is primarily to see the amazing life under the water. I got hooked on diving when I put my head in the water during my first ocean dive. I was at Back Beach, and was surprised (and still am) by how much life there is! All the crabs, hermit crabs, snails, sea stars, and fish! I look forward to every dive, basically because I do not know what I will see.

FROM YOUR MEMBERSHIP DIRECTOR Trish Katzman

I recently came back from a wonderful trip to the Bahamas. We packed 10 dives in 3 days. Among the beautiful reef and wall dives, we had a shark dive and two scooter dives. If you haven't tried diving with a scooter, give it a shot. It's a blast! The shark dive attracted a huge number of Caribbean Reef Sharks. They're cute and harmless. I found two teeth on the ocean floor during the feeding which make great souvenirs from this experience.

Speaking of Elasmobranchs (class of sharks, rays and skates), the cownose rays that our club is funding are now here but currently in a quarantine facility in Duxbury. They will soon enter the Aquarium's GOT. Staff from the Aquarium took plenty of pictures, and have stories to share with us. I will post on the club's forum section of our website the exact day the rays will move into the GOT. You might get a chance to see the entrance, which is an unusual sight. These rays are quite big so this event doesn't happen often.

If you haven't seen our new forum section on the website, check it out. Feel free to ask any questions and see the latest news: <http://neadc.proboards28.com>.

NOTE: The opinions expressed within this newsletter are those of the writers, and do not necessarily reflect the views of the New England Aquarium or the New England Aquarium Dive Club. The Editor reserves the right to edit all submitted material for the sake of grammar, clarity, and space.



Great Annual Fish Count Survey

There will be an optional survey on several dives throughout the year. NO EXPERIENCE necessary for fish surveys. There will be a brief commando-style crash course at the site, for anyone who missed the fish identification seminars.



Thank you for sponsoring my attendance at the Massachusetts Bays Symposium "State of the Bays 2004" last month. I have learned from experts throughout the region about the current conditions of Massachusetts and Cape Cod Bays, reviewed ten years of progress, and learned how to strengthen scientific partnerships with communities to further the work of protecting and enhancing the coastal health and heritage of the Bays. The Bays look good, but there is so much more each of us can do daily to help improve our watersheds and bays. You can make a difference. We owe it to future

generations. Please see information I provide at each General Meeting on simple things you can do to help limit the chemicals that end up in our watersheds. Also participate in the many fun activities in and around our coastline that I organize. These events include diving but is not limited to such. If you snorkel or kayak, you can participate - and this is a great way to get your children to explore! We always need "top-side" photographers to shoot our events, Beach Masters (to keep an eye on things) and, especially, people to share what they see and discover in the North Atlantic - right there at the water's edge. Come to my dives - not only do I make it fun to pick up trash, you can learn how to identify fish, and then help with my fish surveys. Also, learn how to identify exotic invasive species, and some techniques on how to collect/preserve samples to help The MIT Sea Grant Center for Coastal Resources track the distribution and abundance of these species. Since General Meetings don't allow for this type of training, come out to the water's edge with me and learn! For those of you who have teens that want to be marine biologists, filmmakers, or journalists, it is never too early to participate in any of the activities. We need participants and you don't have to be a diver! The improvement made in our bays over the past 10 years has been tremendous. However, it is not enough. Now more than ever, the environment needs a voice! Moreover, that voice needs to come from you, your children and your children's children. A good place to start is to take the plunge and have a look. Another good place to start is to think of your watershed. Don't know your watershed? Look up your watershed here: www.massbays.org and get active. I hope to see you at the "edge" this summer!



Dive into Earth Day 2004 Lane's Cove Clean-up

Dive into Earth Day on April 24, 2004 was a blast! Thanks to Alan Budreau, Kevin O'Conner, Brandy Derickson, Jeff Pearson, Michael Schruben, Kevin Taback, and Don and Diane Mitchell. Special thanks to Don and Diane for donating plenty of heavy-duty trash bags. You all made it so much fun for me! So did the loon which arrived first in the cove to amaze us with its skill at catching crabs. Along the shoreline, we filled 12 bags with approximately 200 lbs of trash. The trash included rope, fishing line, shot gun shells, beer cans and bottles, tampon applicators, beverage caps, Dunkin Donut coffee cups/napkins, and straws. Don found some plastic toy army men. So far from my research, I have not been able to determine that they were set adrift from a container ship cargo spill. (I am still looking for "First Years" rubber ducks and other rubber animals that are due to show up along our coast. They were spilled in the middle of the North Pacific in 1992, but more about this next month). Alan found a circa-1914 spit fire spark plug. We also removed an automobile tire and an old bar stool from the coastline. Alan was the first in the water since he knew the winds were going to pick up. The rest of us waited for the water to return a bit and then took the plunge. The vis was typical spring conditions - what I like to call Impressionistic, Monet-like vis of the area. Excitingly "blurry" depending on where you were in the water column.

The winds did pick up as predicted by Alan, and it cut my dive short and I think others too. Surge and chop became the ocean and I witnessed my very first sea anemone "rescue" performed by Michael Schruben. Michael discovered a sea anemone that seemed vulnerable to the surge and chop in the water column. I saw him scoop it up and swim to a nice boulder cluster to let the critter reside there. Thanks to our efforts from previous years we've made a difference. I am happy to say sea anemones, actively feeding, out-numbered the trash below the surface. We left the water with a few golf balls and beer cans. Thanks again to this year's participants! You shine!

Photo by Kevin Taback



Divers left to right: Kevin, Brandy, Alicia, and Michael Clean up Lane's Cove April 2004 (43 Degree water)

Social Get-togethers for Everyone

by Trish Katzman, Membership Director

Come meet at Jose McIntyre's prior to our next General Meeting on Wednesday, June 16, from 5:30-6:30 p.m. for drinks, appetizers, dinner, or to just say hi. Or if you are more of a late night person, we usually walk together to a dinner place after the meeting.

We offer both an early and later get-together to meet the variety of styles of our 500 members. These get-togethers are meant to help answer questions and talk with new or less active members. If you are an active member, come out with us and help us greet people!

If you don't know anybody, just ask for me and I'd love to tell you about the latest club news and hear about your interests in diving. Hope to see you there!

Directions to Jose McIntyres at 160 Milk Street, Boston:

Jose's is walking distance from the Aquarium.

- Park in the garage next to the Aquarium.
- Turn left when exiting the garage.
- Cross the street at the light.
- Walk straight to the upcoming block and look to your right.

A NOTE FROM ALAN BUDREAU

Dave Clancy (largely responsible for the Free The Beaches law) is running his second dive trip to Nova Scotia in August (inspired by one he went on that I ran about 1982). The URL is <http://wreckhunter.net/ns-trip-blurb-2004.htm> I plan to go, and do it in a wetsuit.

FROM YOUR PROGRAM DIRECTOR Al Bozza

GIANT OCEAN TANK DIVE UPDATE: Good news - the GOT Dive does not have to be done on Saturday, July 3rd, 2004. A future date can be chosen if this date is not convenient for you. If you have always dreamed about diving in our Giant Ocean Tank, this is the perfect opportunity. We will be announcing the lucky winner at our June formal meeting (you do not have to be present to win - just the highest bidder). We will have the bidding form posted on our website - you can bid on-line or by phone to me. All proceeds from this event will be used to finance our Cownose Ray Project. Current bid \$600.

DIVE TRAVEL:

OCTOBER 2004: GREAT WHITE SHARK DIVING---October 26th - 30th. Imagine diving in 100ft visibility and water temps of 74 degrees surrounded by 7-10 great whites. Shark Adventures in California has found a location that is offering the most incredible cage diving with great whites on the planet today. They combine this with the world-class tuna fishing (shark bait!!) on an 86' luxury long-range dive boat. These 5-day boat trips are only available during October and part of November. We have reserved the boat for October 2004 at the cost of \$2100 per diver. This price will include a video of our trip.----Update - the price for 2004 has been increased to \$2400 per diver; we will still have the opportunity to pay 2003 prices. When speaking to Patrick from Shark Adventures, he told me they had several large encounters - one 16-footer!!! 1 Spot left!!

JANUARY 15th-22nd 2005 - DOMINICA - \$1045, which includes: 7 nights hotel, 7 breakfasts, 7 dinners, 2 night dives, 5 days of 2-tank boat dives, unlimited shore dives, tanks, weights, and weight belt, kayaking, welcome rum punch, r/t airport transfers, service charges, and taxes. Reserve now - this trip fills fast! (8 people have already signed up!!!)

MARCH 2005 - ALL NEW WHALE SHARK EXPEDITIONS OF HONDURAS-SHARK DIVER LODGE - \$1895- Discover the shark diving adventure of a lifetime - an encounter with the ocean's largest shark, the Whale Shark. The new inclusive "Shark Diver Lodge," located in the crystal waters of the Caribbean in the Honduras, is the latest amazing shark dive destination. Little was known about this site until just recently, when once again reports from local fishermen and scientists came in search of these magnificent animals just off the coast. Absolute divers visited the site early 2004, where diving with the Whale Sharks truly is an incredible experience. This is your chance to be one of the first shark divers to encounter these 30-50 foot leviathans in 100ft visibility and all just a short 5-hour average flight away. While you are there, fish for world-class Tarpon, Snook, and Bonefish; dive the multitude of regular reefs surrounding the island; or just sit on the white sands of the Caribbean and soak up the sun. It is all included. Located just off the coast of Honduras in the warm clear waters of the Caribbean, our inclusive Shark Diver Lodge features three dive boats for unlimited regular diving along reefs, walls, and open water pinnacles. Discover fan corals, Groupers, Spotted Eagle Rays and more. Plus enjoy roomy accommodations in your private tropical waterfront bungalows. Our lodge also features kayaks, great food, and a game room with pool table, and satellite television.

MAY 2005 BAHAMAS LIVE-ABOARD - the most amazing live aboard in the Caribbean - swimming with dolphins, incredible shark dives and virgin reefs. More info in next newsletter.

For information on any of these trips or to enter a bid, please contact Al Bozza at (617) 212-9108, programs@neadc.org.

Trade in your diving suit



One way to look good at the beach, without counting carbs, is to get a new wetsuit.

Bring your old wetsuit or drysuit to PG Dive and you could get one of the following discounts on your new BARE suit purchase:

Receive \$30 off 3/2mm Velocity Fullsuit

Receive \$60 off 7mm Arctic SGS Fullsuit

Receive \$200 off CD4 Pro Dry

Check out the Bare wetsuits at www.bare-wetsuits.com and contact PG Dive for details.

www.pgdiver.com 617-969-3483



Recognize this Fish?



Call me with the answer before the class and win a prize!

Learn How to Identify Local Coastal Fish

When? June 16, 2004, 6:30pm

Where? Immersion Theater, NEAq

Why? You love the North Atlantic!

Contact? Environmental@neadc.org

(Alicia Lenci 617 285 6737)

If you attend this seminar and you dive or snorkel you will be eligible to participate in the Great Annual Fish Counts* that will take place this year.

You need not participate in fish counts to attend this seminar.

Come learn more about the most common fish in your "backyard" it's FREE!

FREE Seminar provided by Bob Michelson, Stellwagen Bank National Marine Sanctuary.

*The "Great Annual Fish Count" (GAFC) is an event coordinated by the Reef Environmental Education Foundation (REEF) that mobilizes and trains volunteer divers and snorkelers in established methodologies to identify and document fish diversity and population trends in marine sanctuaries and coastal areas. This annual event takes place the month of July, and serves both to introduce and inspire recreational divers and snorkelers to: participate in REEF's year-round volunteer monitoring programs; raise awareness among both the diving community and public-at-large regarding marine habitats and trends in fish populations; and provide researchers, marine resource managers and policy makers with this useful information that would otherwise be unavailable.

PUBLIC RIGHTS/PRIVATE PROPERTY: ANSWERS TO FREQUENTLY ASKED QUESTIONS ON BEACH ACCESS

Summertime. The living is easy. Fish are jumping'. And right now somewhere along the Massachusetts coast, two people are arguing over whether one of them may walk along the other's beach.

Few issues in Massachusetts can be counted on as such a regular source of conflict. One reason for this is that in the face of the overwhelming desire for people to use our beaches, our laws are not very "friendly" toward beach access. This is because, some 350 years ago, our forefathers gave away much of the public's rights to use the coastline in an attempt to spur the development of wharfs and maritime commerce. On top of that, our laws in this area are complex, confusing, and - to an extent that is surprising in light of centuries of court battles - uncertain. The result is conflict. Those who own property along the coast clash with those who want to walk along it, often without either really knowing what their rights and obligations are. Indeed, sometimes police officers and other public officials called in to deal with this conflict are themselves unclear about the respective rights and responsibilities.

The purpose of this pamphlet is to try to help people understand the law in this area, to the extent that it has been settled. We have tried to provide simple answers to commonly-asked questions about the ownership of the coast. Our hope is that by informing the public of the law, we can move beyond needless conflicts and toward more consensual solutions to the beach access issue. In particular, we have highlighted ways that coastal owners who want to let the public gain access through or along their property can do so while avoiding liability and at the same time preserving their own property rights.

Of necessity, we can state what the public's rights are only in general terms. There are many complications that may arise in individual circumstances.

Questions & Answers

Q: "Someone told me that beaches are privately owned in Massachusetts all the way down to the low tide line. How can that be?"

A: Each state has its own laws regarding who owns the beach. In most coastal states, the public owns the land seaward of the high tide line, and in some states public ownership extends even higher. Massachusetts is different, however. The Massachusetts courts have consistently ruled that in the 1640s, we gave away title to the land between the mean high tide line and the low tide line to the adjacent upland owners. Therefore, this area - known as the "intertidal zone" or "wet sand area" - is generally privately owned in Massachusetts.

Q: "So you're saying that if I own the adjacent upland land, I therefore own the adjacent wet sand area?"

A: Probably, but not necessarily. It is possible that the interest in the wet sand area was separately conveyed ("severed") from the uplands parcel at some time in the past. A final answer to this question may require a complete title search, and even then you might not have a definitive answer. If this issue cannot be resolved by the available evidence, the upland owner is presumed to own the adjacent wet sand area. The boundary issues can be resolved in Land Court.

Q: "You said that I can own down to the 'low tide line,' but the low tide line changes every day. What low tide line are you talking about?"

A: Because the precise tide lines change daily, the average or mean low tide line is used. There is an ongoing dispute, however, as to whether you should use the so-called "mean low tide" line or the "mean extreme low tide line." The former is the average of all low tides, while the latter is the average of extreme low tides "resulting from usual causes and conditions."

Q: "How do you deal with the fact that over time the coastline builds up in certain areas and washes away in others?"

A: The short answer to this question is that the property lines move with the low tide line. Therefore, as land is extended by the natural buildup of sand (known as "accretion"), the private property owners generally enjoy a windfall. But when the opposite happens ("reliction"), the private property owners generally lose ownership of that portion of the land taken by the sea. The fact that property lines change with the whims of the oceans is one of the things that makes private ownership of this area different from private ownership of inland property.

Q: "If I own the wet sand area, why are members of the public claiming they can use it?"

A: Private ownership of the wet sand area is subject to certain public rights that were reserved when the land became private in the first place. Because the public-at-large retains a property interest in the wet sand area, the private owners' property interest in this area is similar to that of people who own private property in other areas subject to public easements (for example, people who abut town roads typically own to the middle of the road, subject to the public's right of passage).

Q: "What are the rights that were reserved to the public?"

A: The original laws that granted private ownership reserved the rights of "fishing, fowling, and navigation." Court cases have also held that reserved public rights include the "natural derivatives" of these uses. There are hundreds of years of court cases that attempt to flesh out precisely what these various words mean.

Q: "Does 'fishing' include shellfishing?"

A: Yes. That means that members of the public may take shellfish from the wet sand area of privately owned property and they may walk along the wet sand area to gain access to the shellfish.

Q: "Does the public's right to use the wet sand area for fishing include the right to do aquaculture, such as quahog farming?"

A: The Massachusetts Supreme Judicial Court concluded that the public's right to fish in the wet sand area does not include a right to occupy such areas with aquaculture pens. As a result, someone who wants to perform these aquaculture activities in wet sand areas must obtain the permission of the private owner in addition to applicable state and local licenses.

Q: "What is 'fowling'?"

A: "Fowling" certainly includes the hunting of birds. Our office takes the position that the term also includes other ways that birds can be "used," such as birdwatching. This issue has not yet been addressed by the courts.

Q: "Does 'navigation' include swimming?"

A: Yes, but. According to the courts, swimming in the intertidal zone is included within the reserved public right of navigation, but only so long as your feet don't touch the bottom! And you don't have a right to walk along the wet sand area solely for the purpose of gaining access for swimming.

Public Rights/Private Property: Answers To Frequently Asked Questions On Beach Access (cont.)

Q: "What about walking below the low tide line?"

A: Private property owners cannot interfere with the public's right to walk along the submerged lands that lie seaward of the low tide line. With few exceptions, they don't own that land; the public does.

Q: "Since members of the public have the right to fish, fowl, and navigate in the wet sand area, then they can do whatever fishing, fowling, and navigation they want to do there, right?"

A: So far, we've just been talking about ownership issues. Just as a private property owner's rights are subject to reasonable regulation, the same is true of the public's reserved rights. Thus, for example, the government may require shellfishermen to obtain all applicable state and local permits and to comply with applicable shellfishing regulations. And, of course, members of the public who exercise their public rights to use the wet sand area must comply with other laws, such as the prohibition on littering and the creation of nuisances.

Q: "I've heard people say that all I really need to do to 'be legal' is to carry a fishing line in my pocket?"

A: Carrying a fishing line or a fishing pole would render your walking along the wet sands area legal only if you actually intended to fish.

Q: "Does the public have a right to use off-road vehicles over the wet sand areas to gain access for fishing?"

A: The Supreme Judicial Court has never ruled on whether driving an off-road vehicle across private wet sand areas for the purposes of gaining access to fishing areas is included within the public's right to fish. In any event, the use of off-road vehicles may be regulated by the government.

Q: "Like many of my fellow property owners, I don't mind the public walking along my wet sand area even if they are not 'fishing, fowling, or navigating,' so long as by allowing this, I don't lose any property rights in the process. Is there some way that I can be a 'good citizen' and still retain my property rights?"

A: Yes. What you appear to be worried about is the legal concept known as "prescription" or "adverse possession." This is the idea that if someone uses your property for a sufficiently long time, they may be able to claim a property interest in it. For someone to be able to make this claim, however, their use has to be without your permission. Therefore, openly allowing the public to walk across your land (e.g., by "posting" such permission) is perhaps the best way of defeating someone's ability to accrue such a right. Posting the land in this manner, of course, would not affect any access rights that anyone had already obtained before the posting.

Q: "O.K., that may solve one problem, but how about liability?"

A: Under existing state law, a property owner who allows the public to use his or her land for recreational purposes without charging for such use is shielded from liability for injuries sustained during that use so long as the property owner did not bury hidden booby traps or otherwise act with such "fault" that his or her conduct constituted "willful, wanton or reckless conduct." Here again, the best way for coastal property owners to protect themselves may be to allow the public to walk across their land.

Q: "Wasn't there a state law passed a few years ago that gave the public a right to walk along the wet sand area even if they weren't fishing, fowling, or navigating?"

A: Not exactly. You're referring to chapter 176, section 4 of the Acts of 1991. That law states that the public is to have a general right to walk along the wet sand area during dawn to dusk hours. Such a right is not effective, however, unless the state Department of Environmental Management (DEM) acquires it on behalf of the public through formal eminent domain proceedings involving the specific properties affected, where the private property owners from whom the right was acquired would be compensated.

Q: "How much compensation would a private landowner be due if the state "took" a general easement right pursuant to the 1991 law?"

A: The property owner would be owed the amount, if any, that the market value of his or her land was reduced by the fact that the public now had a general right to walk across the wet sand area, not just to do so for fishing, fowling, and navigation.

Q: "You've talked so far about access along the beach. How about access from inland areas to the beach?"

A: Generally speaking, the land inland of the mean high tide line is owned by private parties, just like other land. Members of the public therefore do not have a right to walk across this land unless they individually or collectively have obtained such a right, or if, in particular circumstances, such rights were reserved when the land was initially granted to a private party. Rights of access can be purchased or taken by eminent domain, or they may be acquired by long term use (e.g., by the doctrine of "prescription" mentioned above).

Q: "How can I resolve whether the public has a right to cross a particular parcel of private property to get to the sea?"

A: Unfortunately, resolving whether the public, or some subset of the public, has a right to use a given path can often be very difficult, requiring an intensive examination of the particular facts and evidence at issue. It can also be very expensive for both sides, especially if a full trial is needed to resolve the issues. As with the wet sand area discussed above, private property owners who want to protect their property rights, but who otherwise don't mind others walking across their land, can accomplish this by "posting" their permission. This would not, of course, affect any access rights that the public had already obtained before the posting.

Q: "What is the Coastal Access Legal & Mediation Service?"

A: The interagency Coastal Access Legal & Mediation Service (CALMS) is a joint effort of the Department of Environmental Management (DEM), the Executive Office of Environmental Affairs (EOEA), the Massachusetts Coastal Zone Management Office (MCZM), and the Office of the Attorney General (OAG). Its mission is to assist in the resolution of local disputes arising from public vs. private access to coastal properties in Massachusetts, as well as preventing such disputes from developing in the first place. The program acts as a central clearinghouse for pro bono legal and/or mediation assistance to towns, nonprofit organizations, groups, and individuals through a network of volunteer professionals.

For further information, or if you wish to discuss a situation or request an application, contact the Coastal Access Legal and Mediation Services (CALMS) program, by calling John Bolis at Urban Harbors Institute, (617) 287-5568 or (617) 287-5570, or go to:

<http://www.state.ma.us/dem/programs/coastal/cap-crs.htm> Additional copies of this brochure can also be found at

<http://www.ago.state.ma.us/beachacc.pdf>

Office of the Attorney General, Environmental Protection Division, One Ashburton Place, Boston, MA 02108, www.ago.state.ma.us.

A SURVEY OF DIVER ETIQUETTE

It is our privilege to be able to dive the shores of New England. Many towns and cities have some control over their beaches (at least to the parking) and the city councils listen to the local residents. If the local residents complain about divers, the beaches could be closed to diving! Beware, it has happened in other beach cities. Common problems are divers dumping their gear on the streets and sidewalks, obstructing traffic and pedestrians, and parking in the residents' driveways. Of particular note is noise! Don't be loud; show some respect! Do you have any idea how loud and annoying it is to listen to dust caps being blown off by "cracking" your tank valve? If you see someone making a mistake and you don't help to educate them, you just might lose your diving privileges. Below are some suggestions, MADE BY DIVERS THEMSELVES, that you might consider observing at beaches.

- Keep noise to a minimum, especially in the early morning and evening hours.
- Whenever possible, enter and exit in sand beach areas, not over rocky points.
- Prevent clutter. Keep unused diving equipment in your vehicle.
- Be courteous!!
- Be discriminate when you dress and undress.
- Use proper toilet facilities!!! NEED WE EXPLAIN THIS ONE?
- Shower the sand off your suit BEFORE going into the bathrooms. If you can't shower, remove wetsuits BEFORE using the facilities.
- Do not unload your equipment into the street or in no parking/handicap zones.
- Park in DESIGNATED parking spaces or lots and FEED THE METER!
- Do not block sidewalks, driveways or stairways with diving equipment.
- Divers must stay out of the marinas! Diving around boats can be extremely dangerous!
- If you have a large group, park up at a central site, throw all the gear into a few vehicles, and car pool to keep an area from getting congested.
- Make sure emergency vehicles and other vehicles have access to all the buildings near the beach.
- Keep the boat ramps clear.
- Please clean up!!! People THINK we use the facilities, take up all the parking and leave the place a mess. It would be very helpful if we could change this image! If you can't find any of your own garbage to throw out, pick up someone else's. Please help keep the beach, parking lots, and bathrooms clean. This is really good P.R. If we don't leave a mess, there is very little they can complain about. It is important to remember that we are guests.
- Night divers, please try to keep the noise down. This especially means do not blast your regulators dry. Use a towel instead - it's quieter and better for your regulator.
- Be ready to abort or relocate a dive if the area is too congested and there is no parking.
- If you are diving Cape Ann and planning on spending money anyway, spend it in on Cape Ann, and let the proprietor of the mini-mart, fast food stand, or restaurant know you are there because of the diving.
- It never hurts to spend a few minutes before or after a dive talking to the locals. Letting them know what is down there and where it is located can go a long way toward changing their perception of divers.
- If you run across any lost lures you might consider taking them with you and giving them to the fishermen, paying special attention to any kids there.
- If anyone argues with you about access, your right to be on the beach or to be diving, don't argue back. Find out what the complaint is, who the complainer is, and take it up with the proper authorities. If necessary, leave the area and avoid confrontations.

These are only a few suggestions made in conversations over one weekend in Gloucester. Perhaps by following some of these suggestions, you will be doing your part in helping to keep our beaches open to diving. PLEASE CONTRIBUTE YOUR SUGGESTIONS ON THE NEADC FORUM!!!

2004 New England Aquarium Cownose Ray Transport by Sherrie Floyd

Thanks to efforts of New England Aquarium Fishes Department Staff, and the continued support of the New England Aquarium Dive Club, three cownose rays (*Rhinoptera bonasus*) arrived safely in Duxbury, MA, at approximately 5:30 AM, on Wednesday, May 12, 2004. The rays were donated by the Virginia Marine Science Museum (VMSM) in Norfolk, Virginia. They were transported from Virginia to Boston in the New England Aquarium transport vehicle, a Mitsubishi fuso cube truck, fully equipped with a marine life support system. The transport team, Sherrie Floyd, Leah Neal, Michelle Olivari, and Barbara Bailey, left the aquarium on Monday, May 10th, at 8:00 AM, and arrived in Virginia Beach at 10:00 PM. The next morning NEAq staff set up the Mitsubishi transport system, toured the VMSM facility, picked up the rays, and set out for the return trip to Boston at approximately 12:00 PM. For the most part, the trip was uneventful. A combination of biological and mechanical filtration ensured good water quality, and the temperature was maintained with bagged ice, as the air conditioning in the truck was not functioning properly. After a 17-hour return trip, staff and rays arrived exhausted, but in good condition. They (the rays, not the staff) are currently undergoing a short quarantine period in our Duxbury off-site holding facility. Their debut in the Giant Ocean Tank is scheduled for early June. The New England Aquarium is tremendously grateful to the New England Aquarium Dive Club for this generous donation. These animals are a spectacular addition to our centerpiece exhibit.



Check out **DiveNewEngland**, which is a resource for divers: www.divenewengland.com.

We are Birds Underwater Dive Center. Our last name is Oestreich, hence the "Birds". We are located in Crystal River, FL, home of the West Indian Manatee. Manatee snorkel tours are conducted all year round, but the months of November to mid-March are the best as the manatees shelter here in the 72 degree springs. We are a PADI 5 Star facility, offer all levels of instruction, including technical diving, rental gear, kayak rentals, and Nitrox fills.

Our website is www.birdsunderwater.com.
Thanks, Diane Oestreich.

Come and experience the beautiful, peaceful coast of Maine with Sea Ventures Charters. We offer custom scheduled, personalized dive trips to Monhegan Island with its spectacular, unspoiled walls and abundant marine life. The scenery, both above and below the surface, is hard to beat and we plan multiple dives per day, usually ending with a shallow dive with the seal colony there.

We are once again offering shark cage trips during August and have a few open dates left.

We are looking forward to seeing all of our "old" friends from New England as well as meeting new friends.

Regards,
Dave Sinclair, Sea Ventures Charters, 207-685-4693; www.divefishmaine.com; dave@divefishmaine.com.

ANNOUNCEMENT:

The 2004 Northeast Invertebrate Workshop will be hosted by the New England Aquarium Dive Club, Inc. at the New England Aquarium on October 23, 2004 (Conference Center). This is an exclusive Stellwagen Bank National Marine Sanctuary diver education program, and the first of its kind in the United States. Contact Brandy Derickson at derickba@netzero.net to enroll.



Spring 2004 Eelgrass Transplants!

We've increased our efforts this spring! Space for transplants on the *M/V Alletta Morris* are limited, so sign up early and often! We will work from 9am to 5pm and lunch, snacks, and beverages will be provided. A full day commitment is necessary for transplants but not for harvests.

Harvest volunteer opportunities include: diving, sorting, and kayaking
Transplant volunteer opportunities include: diving and supporting divers

Date	Activity	Location
Thursday June 10	Harvest	Fort Getty, Jamestown
Friday June 11	Harvest	Fort Getty, Jamestown
Saturday June 12	Transplant	Prudence Island ²
Sunday June 13	Transplant	Prudence Island ²
Thursday June 24	Harvest	Kings Beach, Newport
Friday June 25	Harvest	Fort Getty, Jamestown
Saturday June 26	Transplant	Sauga Point (N. Kingstown) ²
Sunday June 27	Transplant	Sauga Point (N. Kingstown) ²

¹ Meet at the Tiverton Town Dock located next to Grinnell Beach

² Meet in N. Kingstown at the dock at the end of W. Main Street (next to Champlin's Seafood Market).

If you are interested in signing up for dates,
 please contact Michelle Denault at mdenault@savebay.org or (401) 272-3540, ext. 114

We look forward to seeing you at the transplant!

The Rhode Island Marine Archeology Project 2004 Educational Offerings

Class	Date	Time
Remote Sensing in U/W Archaeology	June 5	1-4 pm
Submerged Prehistoric Archaeology*	June 6	1-3 pm
RI in the Revolution	June 12	1-3 pm
Safe Boat Handling for Archaeology	June 13	1-3 pm
Intro to U/W Archaeology	June 26	9 am – 4 pm

*Sample class or New addition

For more information, please contact www.rimap.org.

Marine Fisheries Advisory (Dated May 14, 2004)

HELP *Marine Fisheries* IDENTIFY HORSESHOE CRAB SPAWNING BEACHES.

The Division of Marine Fisheries (*Marine Fisheries*) is seeking the public's assistance in identifying shoreline used as horseshoe crab spawning habitat. Each spring, from late April through June, horseshoe crabs come ashore to lay their eggs. Weather conditions, water temperature, and habitat can affect where and when crabs gather. However, spawning generally occurs on evening high tides near the full and new moons. *Marine Fisheries* is looking for your help in identifying where horseshoe crabs spawn in Massachusetts waters.

Some scientists believe there may be localized population declines. One of the biggest threats to the horseshoe crab is loss of spawning habitat. Each year more and more horseshoe crab spawning beaches are lost because of development such as new bulkheads, piers and beach nourishment projects.

This spring, if you notice crabs spawning, please note the location (beach, nearby street or other landmark) and contact Frank Germano at (508) 563-1779, ext 123, or e-mail frank.germano@state.ma.us. Your assistance in identifying horseshoe crab spawning beaches will help *Marine Fisheries* determine the relative importance of these sites and help us in protecting this important resource in the future.



Hi All,

It is time again to plan on participating in the largest GAFC diving event in the USA for 2 years in a row - let's make it a 3rd!!

The Stellwagen Bank National Marine Sanctuary will be hosting their 3rd annual Sanctuary celebration event in conjunction with the Great Annual Fish Count on Saturday, July 17, 2004. This will be a joint event with the NEADC.

The event will be based at Stage Fort Park in Gloucester. We have the porch from 10:00am -4:00pm. Divers will need to select which dive site they wish to survey and pre-register with me for one of the following dive sites prior to the event. These sites include: Folly Cove, Back Beach, Old Garden Beach, Magnolia Rocks, Cathedral Rocks, Halibut Shores, and Nubble Light, York, Maine.

Divers will meet directly at their survey location and begin their survey dives between 8 and 9 am, depending upon what time site leaders call for. There will be a volunteer shore coordinator for each location to assist with parking, etc. I would appreciate volunteers to step up for these positions. Alicia Lenci from NEADC has already volunteered for Halibut Shores.

All divers will then return to Stage Fort Park by 1 pm for lunch and our equipment raffle, which will be drawn at 2 pm. The lunch and raffle are free to all volunteer divers who conduct at least one survey dive on Saturday, 7/17/04.

Our raffle boasted over \$6000.00 in dive equipment last year. This year's raffle is looking to exceed that amount. Divers will all receive one (1) raffle ticket, regardless as to how many survey dives that have been conducted. Each diver will receive their raffle ticket when checking back in at the park after diving and turning in their completed scan forms. The diver will then select which grand prize they would like to win by placing their ticket in the appropriate bowl for that prize. All non-winning tickets will then be placed into a single bowl. Divers will select whatever they would like to take from the prize table in the order that each subsequent winning ticket is drawn.

This year we are looking for volunteers to help set up in the morning, and clean up and break down at the end of the day. Please let me know if you are interested in pitching in.

We will have free booth space available for any dive club, or non-profit environmental group. Just let me know if you are interested so we can arrange for a table and chairs for your group.

Remember - divers need to pre-register with me prior to the event to qualify for the GAFC celebration and prizes.

Warmest regards,
Bob Michelson, SBNMS Fish ID Coordinator, e-mail pbm.inc@verizon.net.

The **Merrimack Valley Dive Club** is a group of scuba diving enthusiasts based in northeastern Massachusetts and southern New Hampshire. Our charter is simply to promote safe sport diving and share the camaraderie of our fellow members. Membership is open to divers and non-divers alike, but all divers must be certified to participate in Club dives.

This year's activities:

- | | |
|----------------------------------|--|
| Saturday, 5 June 2004, 9 am | Spring Fling! At Stage Fort Park |
| Sunday, 6 June 2004, 10 am | Parker River National Wildlife Refuge Joppa Flats dive |
| Saturday, 19 June 2004 | Boat Dive at the Isles of Shoals |
| Saturday, 26 June 2004 | Shore Dive at Nubble Light |
| Saturday, 17 July 2004, 8 am | Great Annual Fish Count 2004 at Stage Fort Park |
| Monday, 6 Sept. 2004 | Shore Dive at Old Garden Beach |
| Saturday, 11 Sept. 2004, 9:30 am | CoastSweep 2004 at Back Beach |
| Saturday, 25 Sept. 2004 | Tropical Fish Viewing/Collecting at Kings Beach, RI |
| Saturday, 16 Oct. 2004 | Underwater Pumpkin Carving at Back Beach |
| Friday, 26 Nov. 2004 | Cold Turkey Shore Dive at Old Garden Beach |
| Tuesday, 7 Dec. 2004 | Holiday Party at Courtyard Marriott |

Thanks!! Chris Sargent, President, MVDC

Please check out N.E.R.D.S. - the Northeast Regional Dive Society at <http://www.nerddivers.com>. Thanks!

Bubbles Dive Center

55 Chapel St
Newport, RI 02840
Phone 401-847-4985; Alternate phone 401-848-7619
FREEMANTF@NPT.NUWC.NAVY.MIL

Instructor Trainer for DAN & WASI. PADI Master Instructor, SDI/TDI Instructor with over 40 Specialties to offer by appointment. With over 6300 dives, 34 years of experience, 15 years of Instruction. We have dived the Pacific, Atlantic, Gulf, Caribbean, underground, freshwater, rivers, author, photographer, explorer, and lecturer. We also have new equipment for sale, and conduct tank hydro's and inspections.

Open Water Class; Advance; Rescue; Nitrox; Equipment; DAN 02; & Other Specialties available on request.

Northern Atlantic Dive Expeditions offers recreational and technical diving based out of the north shore of MA. Our specialty is shipwrecks but we visit all popular dive sites, including Halfway Rock, Saturday Night Ledge, and Paddock Rock, among others. This summer, we are introducing our new custom built 36' dive boat and expanding our schedule to include more diving! Fast, comfortable and built for divers, this boat will run out of Salem's Pickering Wharf Marina. We offer recreational training through NAUI and PADI and technical diving education through TDI. Visit <http://www.northernatlanticdive.com> or call 617-480-5261 to learn more.

Thank you, Heather Knowles

Northern Atlantic Dive Expeditions, Inc.
P.O. Box 154
Beverly, MA 01915
<http://www.northernatlanticdive.com>
Phone: (617) 480-5261; Fax: (781) 639-1467



www.pierdive.com

Charles Walpole
Narragansett Pier Dive Shop
145 Boon St
PO Box 700
Narragansett, RI 02882
401 783 2225

Here are the **South Shore Neptunes** events for June and July:

Sunday, June 6th, Point Dive (Boat Dive). Location: Three and a Half Fathom Ledge Buzzards Bay.
Leave from Quincy Yacht Club at 8 am, pick up at Pemberton Pier 8:30 am.

Tuesday, June 8th, 8 - 9 pm, BOD Meeting.

Friday, June 11th, Dinner Night Out, 7:30 at the Hilltop in Braintree.

Sunday, June 13th, Boat Dive. Leave from Quincy Yacht Club at 8 am, pick up at Pemberton Pier 8:30 am.

Tuesday, June 15th, 8 - 9 pm, Membership Meeting.

Sunday, June 27th, Club picnic on George's Island. Details to be announced later.

Tuesday, July 6th, 8 - 9 pm, Membership Meeting.

Tuesday, July 13th, 8 - 9 pm, BOD Meeting.

Sunday, July 18th, Point Dive (Boat Dive). Location: Lovell's Island - followed by a picnic on the island.

Leave from Quincy Yacht Club at 8 am, pick up at Pemberton Pier 8:30 am.

Tuesday, July 20th, 8 - 9 pm, Membership Meeting.

Sunday, July 25th, Boat Dive. Leave from Quincy Yacht Club at 8 am, pick up at Pemberton Pier 8:30 am.

The **United Divers of New Hampshire** (UDNH) Dive Club was founded in 1975 to educate divers and expand the knowledge of diving in both the State of New Hampshire and in New England in general. The club also provides an informal setting for diver interaction. Click the link www.udnh.org for more info.

Meetings are usually held the first and third Mondays of each month - check [Club Meetings](#) for details. We encourage potential members to attend a meeting or two to experience our club before joining. The meetings are held at the YMCA on 30 Mechanic Street in Manchester, New Hampshire (right off Elm Street). The meetings start at 7:00 PM. Each meeting consists of a short business portion followed by a variety of presentations and discussions. Immediately following, the club has an hour of pool time for swimming, trying out gear, and the occasional game of underwater hockey. Members and guests often meet afterwards at a local restaurant for food and drink - this activity is affectionately referred to as *Decompression*.



Captain Rob's – Rye, NH

Captain: Rob Kenney Boat: Giant Stride
Web Site: <http://www.captainrobs.com>
Phone: (603) 926-9350

Are you looking for a day under water with the seals? Want to snorkel a secluded cove five miles offshore? Or just go diving? Captain Rob has the boat. Grab a buddy and bring your dive gear.

Enjoy half-day charters aboard the M/V Giant Stride with Captain Rob Kenney. Rob is an experienced Captain with 18 years of diving experience, and he's been the Captain of the Giant Stride since 1995.

Trips and Pricing:

Up to three trips leave daily from Rye Harbor, New Hampshire, just one hour north of Boston. Charter fees range from \$25 to \$60 based on number of tanks and destination. A typical 2-tank half-day charter is \$60. Special group rates and private charters for diving, snorkeling, fishing or just enjoying a day on the water, are available.

The charter fee of \$60.00 is reduced for NEADC members to 50.00. Call to find out more information or reserve a charter.

Captain Rob's Dive Charters is a family owned and operated business. We thank you for your patronage.

PilotHouse Charters - Plymouth, MA

Captain: David Iovanna Boat: Tip-N-Ring Web Site: <http://www.pilothousecharters.com/>
Phone: (603) 785-8777 E-Mail: CaptDavid@Pilothousecharters.com

Diving in Plymouth and surrounding South Shore waters aboard a 31' Parker pilothouse that fits up to 4 divers.
Half Day - 2-tank dives - \$65 per diver. Two trips: 8AM -12PM and 1PM -5PM.

Cape Ann Divers - Gloucester

Web Site: <http://www.capeanndivers.com/scubacharters.htm>
Phone: (978) 281-8082 E-Mail: contactus@capeanndivers.com

Probably the largest charter operation in New England, Cape Ann has two boats. The *Cape Ann Diver* is "six-pack" (6 divers) at 31' and the *Cape Ann Diver II* is a 45' off-shore boat that can handle up to 20 divers. We don't get a club discount with Cape Ann, but they are the biggest game in town and both boats usually go out twice a day.

Most 2 tank dives are \$65. Triple tank dives and Isle of Shoals are \$90.

Cape Cod Bay Charters - Plymouth, MA

Captain: John Carty
Phone: (888) 488-3483

Boat: Lucky Lady

Web Site: <http://www.ccbcharters.com/>

E-Mail: Ccbcharters@aol.com

Enjoy Cape Cod's finest fishing and diving aboard the fully equipped, custom designed 36' Topaz. Maximum of 6 people per charter are welcome. 4 hour dive charter ~ \$75.00 per diver. Provincetown drift dive ~ \$100.00 per diver.

NEADC ANNUAL PICNIC

SATURDAY, JULY 17, 2004, 10:00 am

Stage Fort Park; Gloucester, Massachusetts

This year we are again combining our event with the Great Annual Fish Count being held same day, same time. Raffles, BBQ, door prize, seining for local species and other activities including Fish Count Dives to be announced.

FREE – Please RSVP

See any NEADC Officer to HELP OUT!

(Stage Fort Park charges a parking fee of \$10 per vehicle)

Directions to Stage Fort Park Beach from Boston: -

Take route 93 North to Route 128N/95N. Follow 128N when the two split staying on 128N.

Take exit 14 (to route 133) with a right at the bottom of the ramp following the sign to Gloucester Harbor.

Proceed on route 133 - you will pass the commuter T station on your left after 1.1 miles, then Yankee Tours on your left at 1.9 miles. At about 2.5 miles you'll reach the water, turn Right.

Follow the road for about 0.1 mile, and Stage Fort Park will be on the left.



Divers Down Television - with Mark Stanton.

"Featuring Worldwide Underwater Adventure Travel"

DDTV airs as part of the NESN Outdoors block on New England Sports Network multiple times weekly. Programming is by divers for divers, and includes dive travel destinations from Canada to Australia, as well as regional programs about dive sites right here in the northeast. Divers Down is entering its 19th season.

Typical scheduling is as follows, with some fluctuation during the year (check your local listings):

Sundays----- 10 pm

Wednesdays-----4 pm

Fridays-----9 pm

NESN is available by cable in all six New England states, and nationwide by satellite on DirecTV channel 623 or Dish Network channel 434.

Programs are available on VHS by mail order. For a list of titles, send a self addressed stamped envelope to:

Divers Down Television
P.O. Box 288
Halifax, MA 02338



247 W. Central St. Natick, MA 01760 (508) 651-0698

www.massdiving.com

MASS Diving is a PADI-5 Star Training Facility and Travel Center offering all levels of SCUBA instruction and the largest selection of SCUBA equipment in New England.

Join us this summer for our **MASS Diving Program!** We offer guided shore dives, boat dives, and PADI Specialty Dives. See our website for details.

Join us for a warm water dive! **Little Cayman** – November 2004, **Palau** – January 2005, **Dominica** – February 2005, **Anthony's Key Resort in Roatan** – March 2005, **Grand Cayman** – April 2005, **Cocos** – May 2005, **Papua New Guinea** – November 2005. Details are on the group travel section of our website.

Cape Ann Charters, Inc.

Hi, my name is Francis Marcoux. I am captain of the dive charter boat, Daybreaker, out of Gloucester, MA.

We are looking forward to another season with you on and under the water. Needless to say, if you know us you know how much we missed being out with everyone. We put a new engine and transmission in the boat this winter as part of our long-term maintenance program. The following is our schedule for the next two months. To get weekly updates during the summer season, all anyone has to do is ask to be put on our e-mail list. We do not sell or give out our list and use it only for our charter business and to share dive information. If you know of someone who would like to be on our list have them email their address to me at franm52@aol.com and I will add them to my list. The fastest and usually best way to contact me is my mobile phone, 508-873-8339, and if you do not reach me directly, leave a message with your daytime and evening phone numbers and the times best to reach you. Please speak clearly when leaving numbers and messages. **These dates listed below and others not listed can be chartered for different sites in most cases until we receive a reservation on that date for the site listed.** In addition we go to all the normal Cape Ann dive sites plus most of the deep technical wreck dives in the area, so if you have a site in mind and it is not listed, call us and we will try to accommodate you. Our normal AM charters leave the dock at 8 am and we like to have everyone on the boat ready to go at 7:45 am. We try to return between 12:00 and 12:30. The normal PM charter leaves the dock at 1 pm. We like to have everyone on the boat ready to go at 12:45 pm, and we try to return between 5:00 and 5:30 pm. At this time our rates remain the same as last year and we hope to keep it there. You will notice some of our scheduled dives have an * * after them. This indicates one or more of the following: more than 2 dives, longer time out on charter than normal, special skills and equipment needed, depth is greater than 130fsw, additional costs are involved, and the location of where you get on the boat is different than Gloucester. Please call if you need information on these special dives, about anything about the schedule, or if you wish to reserve some spots on our boat. On Monday through Thursdays, we will run the boat with a minimum of 4 divers with the exception of special trips. We have a pretty detailed information sheet, which answers most questions commonly asked so if you have questions, ask and I will e-mail you a copy. We hope you have a safe and fun diving season.

Sincerely

Linda, Fran, Matt, and Ryan Marcoux

Cape Ann Charters Inc. Dive Schedule for June and July 2004

Date	Time	Dive(s)	Date	Time	Dive(s)
June 4	8 AM	Technical Wreck of the Baleen * *	June 4	1 PM	Wreck of the Chester Poling and Divers Choice
June 5	8 AM	Halfway Rock and Newcombs Ledge	June 5	1 PM	Salvages and Divers Choice
June 6	1 PM	Wreck of the Crane and the Chester Poling * *	June 7 to June 10	AM and PM	Available
June 11	AM	Technical Wreck of the BOW of the Chester Poling * *	June 11	1 PM	2 dives for scallops
June 12	8 AM	Thatcher Island and Divers Choice	June 13	1 PM	Halfway Rock and Paddock Rock
June 14 to June 17	AM and PM	Available	June 18	AM	Isles of Shoals NH * *
June 18	PM	Isles of Shoals NH * *	June 19	1 PM	Thatcher Island and Oak Rock
June 19	8 PM	NIGHT DIVE	June 21 to June 24	AM and PM	Available
June 25	8 AM	3 dives Wrecks of the Chester Poling, Romance, City of Salisbury	June 26	8 AM	2 Lobster Dives
June 27	1 PM	Saturday Night Ledge and Divers Choice	June 28 to July 1	AM and PM	Available
July 2	8 AM	Technical Divers Choice * *	July 2	2 PM	2 Lobster Dives
July 3	8 AM	Chester Poling and Divers Choice	July 5	1 PM	Salvages and Hoop Hole Cove
July 6 to July 8	AM and PM	Available	July 9	8 AM	2 Lobster Dives
July 9	1 PM	Saturday Night Ledge	July 11	1 PM	Thatcher Island and Divers Choice
July 12 to July 15	AM and PM	Available	July 16	8 AM	2 Dives on Wreck of the Pinthis * *
July 16	1 PM	1st Dive on Wreck of the Mars and 2 nd dive on Wreck of the Pinthis * *	July 17	8 AM	2 Lobster Dives
July 18	1 PM	Halfway Rock and Divers Choice	July 19 to July 22	AM and PM	Available
July 23	All Day	3 dives Wreck of the Empire Knight * *	July 25	1 PM	2 Lobster Dives
July 26	8 AM	Wrecks of the Romance and City of Salisbury off Nahant and Boston	July 27 to July 29	AM and PM	Available
July 30	8 AM	Technical the Eagle wreck * *	July 30	2 PM	Available
July 31	8 AM	House Island and Kettle Island	Cape Ann Charters, Inc.; 508-873-8339; franm52@aol.com		

Boston Harbor Diving Company

www.bostondiving.com

617-846-5151

The Boston Harbor Diving Co. specializes in private SCUBA diving lessons. We offer a full range of classes from beginner to divemaster, including many specialties. Class schedules are made with YOUR convenience in mind. All open water training is done from a dive boat!! No shore diving with us.

We also offer SCUBA diving charters just north of Boston. Only 2 divers are needed to book a trip!!

NEADC members get \$10.00 off the usual charter rate of \$60.00 per person, with a valid NEADC membership card. Visit our website for more information.

Thank you, Capt. James Sullivan

NEADC Member Dives 2004:

June 5	Morning charter	8am - 1pm	July 11	Afternoon charter	2pm - 7pm
Aug 14	Morning charter	8am - 1pm	Sept 5	Afternoon charter	2pm - 7pm
Oct 9	Morning charter	8am - 1pm	Boston Harbor Diving Company; 617-846-5151		



Aquatic Specialties
 DJ Square Route 101A
 Merrimack, NH 03054
 603-889-7655

Aquatic Specialties is a full service dive shop. Offering classes through instructor, on-site and year round heated pool, fully trained and certified repair department, rental equipment. We also offer trips, both near and far year round.

If you would like to take a class and do not see it scheduled, or you have a scheduling conflict, we try our best to make sure that you can take the class.

Lake Winnepesaukee Charter every Friday evening through Labor Day
 Lake Winnepesaukee Wreck Charter every Sunday through Labor Day

Open Water Class Start Dates
 June 8.....June 16.....June 18

Ocean Charters: June 20, July 24, and August 28

Kingston Ontario July 24-26
 Brockville, St. Lawrence Seaway August 21-23
 Cozumel October 23-30
 Roatan Honduras February 26- March 5
 Palau, Yap and Uliihe March 12-April 2

Advanced Open Water Start Dates
 June 15.....July 13.....August 10.....August 31

Master Diver and Specialties	Dry Suit June 16	First Aid for Divers June 22
Equipment Techniques June 23	Wreck Diving June 26	First Aid for Divers June 30
Dry Suit July 7	Stress and Rescue July 10	Nitrox July 21
And many more classes....		

We are also an instructor training facility, so we have on-going instructor and dive master/divecon classes.
 Scuba Rangers Kid's Club.....Schools Out dive June 27.....Lake Dive July 24.....Ranger Ocean August 21

Aquatic Specialties

DJ Square – Route 101A
 Merrimack, NH 03086

<http://www.aquaticspecialties.net/>



- ❖ Scuba Classes Taught Year Round
- ❖ Snorkeling and Scuba Equipment Packages
- ❖ Worldwide Travel
- ❖ SCUBA RANGERS kids club

◀ Call Us at (603) 889-7655 ▶

East Coast Divers
280 Worcester Road
Framingham, MA 01702

Join East Coast Divers's travel department in diving spectacular reefs in Australia, Bonaire, Belize, and Walker's Cay, Grand Cayman, and the Bahamas! Spend February school vacation week in Bonaire with your children (a requirement on this trip) or take a break in March for a Cayman Island getaway! Ethan Gordon will be leading an exciting trip in February for a special photography excursion. Come join us for a wonderful vacation! Remember to keep August 1, 2004, free for ECD's picnic outing. Enjoy an all you can eat barbeque, a river run, and lots of diving! Advanced course and shore diving opportunities are scheduled throughout the summer. For more information on any of East Coast Diver's wonderful diving and travel possibilities please see our website, <http://www.ecdivers.com/index.html> or call 1-800-649 DIVE (3483).

Captain Fred Calhoun, and the crew of **EASY DIVER** (Peter Donahue, Pat Walsh, Chris Christensen), all NAUI trainers, conduct NAUI instructor courses on a regular basis (every Saturday, Sunday and Holiday) on Cape Ann, Gloucester. We do not use swimming pools. We graduate the best in the business...really. We're always looking for a few good instructors. Don't be fooled by the collage of alphabet-soup instructional agencies...there's really only NAUI, and you should consider being with us.

Charter fee is \$45...bring two tanks...leave from J DOCK (Cape Ann Marina, Gloucester) at 10a.m.

Jun 5	Normans Woe		Jun 13	Kettle Island		Jun 19	Gully Point
Jun 27	Straitsmouth Island		Jul 11	Folly Point		Jul 17	The Breakwater
Jul 25	Bemo Ledge		Aug 1	Emerson Point		Aug 7	Paddock Rock
Aug 15	Egg Rock Island		Aug 21	Saddle Rock		Aug 29	Magnolia Shores
Sep 5	Lanesville Shores		Sep 11	The Breakwater		Sep 19	Salt Island
Sep 26	Thacher Island		Oct 3	The Salvages		Oct 9	Mitchell Rock
Oct 17	Dodge Rock		Oct 23	The Wreck of The Chelsea			

Web Site: <http://www.easy-diver.com/index.htm>; E-Mail: captaincalhoun@msn.com
Phone: (617) 846-5151

Fred Calhoun, Apple Ridge 2-6, Maynard, MA 01754, 1-978-897-0877.

ADVANCED SCUBA DIVER COURSE

This course is designed to provide an introduction to diving activities beyond basic, entry-level certification. Areas of instruction include navigation, night and deep diving.

Dates: August 22, 28, 29, 2004

Cost: \$250.00 plus course materials (\$225.00 plus materials if current NEADC member)

RESCUE DIVER COURSE

This course will introduce you to basic skills for preventing SCUBA accidents, assisting other divers and managing in-water emergencies.

Dates: September 19, 25, 26, 2004

Cost: \$175.00 plus course materials (\$150.00 plus materials if current NEADC member)

Participants for either course must have entry-level SCUBA certification and should be in good overall health. For additional information, contact:

Peter McCarthy, Phone (617) 561-3290, E-mail psmccarthy@earthlink.net.

Research on SCUBA divers and coral reefs by Texas A&M University

Little research has been done on SCUBA divers and their preferences for various management alternatives for protecting underwater resources like corals. As a result, managers often take action on their own and without input from the diving community.

We are seeking divers in the USA (who have experience diving at coral reef sites) interested in participating in a study on their preferences for coral reef conservation and management. This study is being conducted by Texas A&M University's Department of Wildlife & Fisheries Sciences. For more information on this project you can view our informational sheet at <http://lutra.tamu.edu/hdlab/statprefflyer.htm>.

Club members interested in participating can send their snail mail address in an e-mail to me at: michael.sorice@tamu.edu. This research is being conducted by Texas A&M University so any information provided will be strictly confidential and used solely for the purpose of this project.

All study participants will receive an executive summary of the results and access to the web-based final report.

Thank you.

Michael Sorice
Texas A&M University
Department of Wildlife & Fisheries Sciences
Human Dimensions Lab
2258 TAMU
College Station, TX 77845-2258
Phone: (979) 845-4283
Fax: (979) 845-3786

NEADC 7th ANNUAL SEAL DIVE

Monday August 16th, 2004 7am – 5pm, - Isles of Shoals, ME

A two-tank all day boat trip *departing from Gloucester Marina* to the Isles of Shoals to dive with seal colonies aboard Cape Ann Diver's large spacious boat that has hot showers. *This is a very shallow dive near shore 5-25 feet*, which makes for great seal underwater encounters. We have had fantastic seal encounters every year. We stay in the same dive spot for two seal dives. Our club has the boat for the day. Dive with people you know!

NEADC group price is **\$85/person**. Non-divers, observers, and snorkelers are welcome. Bring or rent your own tanks, weights, water, and lunch since we stay at sea all day! First come/First served - **Limited to 14 divers max and 2 observers/snorkelers**. **Hold your spot before it sells out – see below.**

You will receive a confirmation e-mail stating your check was received, your spot was reserved along with directions, a detailed FAQ, and an itinerary.

Enclose payment and this registration slip to secure your spot

Diver Name _____

Address _____

Phone _____

E-mail _____

FOR: Seal Dive Monday August 16, 2004

Make check payable to: Donna Romano

MAIL TO: 124 Prince St #3R
Boston, MA 02113-1037

OR: NEW!!!! Use www.paypal.com to pay safetystop@mac.com (my e-mail). Create you own account in minutes and use your CREDIT CARD to pay. In the "note field" put your name and status (diver, snorkeler, or observer). Add \$2.75 for paypal fees to price. Send \$87.75.

Questions call: (617) 723-3212 or e-mail safetystop@mac.com.



Bonaire

If you've never gone on a PG Dive trip before but think you look better in a 3mm wetsuit than a drysuit, a visit to Bonaire with dive instructor extraordinaire Jenny, will make you as enthusiastic about the underwater world as you are about fashion and the water temperature.

Bonaire, known for its easy but spectacular diving, is a great destination for photographers, new divers and experienced divers. Join Jenny for your open water training dives, advanced training, and a week of good clean fun. She's even planning a day of windsurfing... and you thought neutral buoyancy was tough! Here's the scoop - August 5 through 12 at Buddy Dive Resort, the home of the world's only tank-drive thru. Unlimited shore AND unlimited boat diving with a vehicle rental to take you to famous dive site such as the wreck of the Hilma Hooker and more! Trip includes return flight from Boston. Join for \$1399* (Check, VISA, MC, DISCOVER or AMEX accepted).

* Cost may change without notice. Details at www.pgdiver.com.

start here, dive anywhere...

PG Dive LLC
212 Adams Street
Newton MA 02458
617-969-DIVE
divewithus@pgdive.com
www.pgdiver.com

ADVERTISING GUIDELINES

Dive related ads for **NEADC Members** will be free with the following stipulations:

1. Must be current NEADC member in good standing.
2. Ad may be up to the half-page size, depending on space availability. For larger ads, the member will be charged for the additional space at the current rates.
3. Ad must be submitted electronically.
4. Ad must be sent to the Newsletter Editor *prior* to Deadline.
5. Ad will be placed for one month only (ads may be renewed by resubmission as stated above).

NOTE: This will NOT affect Website policy. Website does NOT contain member advertising.

COMMERCIAL and NON-MEMBER ADVERTISING RATES

Full Page \$90/insertion; Half Page \$50/insertion
Quarter Page \$30/insertion; Eighth Page \$20/insertion.

10% discount for 4 or more insertions per calendar year.

20% discount for 8 or more insertions per calendar year.

Send questions and submissions to the Newsletter Editor.

Ad fees must be paid in advance.

For Sale: FINS: (1) pair of Scubapro Jet Fins; X-large; black; w/ strap pulls; **now \$50.**
Leonor Desmarais (508) 485-4903.

Items For Sale:

Basement re-fit forces sale of excess SCUBA gear....

Sequest Diva LX - Lady's Weight Integrated **BCD**. Size S. All Black color, velcro release weight pockets. Great condition! \$250.

Aqualung Titan LX **Regulator** & Aqualung low-profile Octopus. Serviced regularly. Great condition! \$170.

Henderson Titanium HyperStretch 7mm 1 piece Lady's **wetsuit**. Black with small purple and blue inserts. Excellent condition (less than 20 dives!). Size 8. \$100.

Cressi Space Frog **Fins**. Size M-L. Gray/Black color, good condition. \$40

Please contact Jane Wilkinson on 617 838 5118 or email fatbob@rcn.com for more information.

New England Aquarium Dive Club 2004 Shore Diving and Event Calendar

The leaders for a dive may cancel or modify their dive plans so please contact him or her prior to the dive date. Likewise, if you confirm attendance but then cannot attend a dive for any reason, please notify the dive leader as soon as possible, so that the group does not wait for you at the meeting site on the day of the dive. *Note: Meeting minutes are posted on www.neadc.org.*

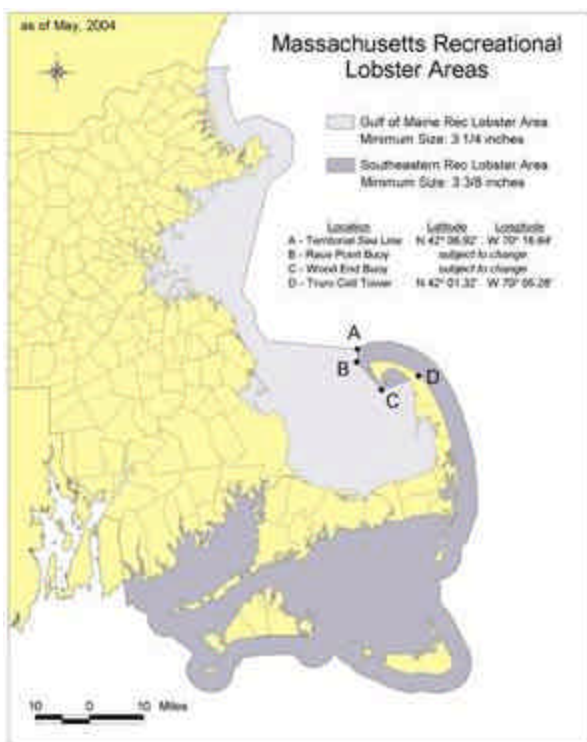
Date	Time	Event	Contact	Location	Notes
Every Monday	6PM to 9PM	Bleach Dive/Scuba skills Refresher	Genevieve Stewart, shoredive@neadc.org	West Suburban YMCA in Newton	Members MUST register in advance. Review your skills, or test a new piece of gear in a controlled environment
Jun 5 (Sat)	7:30am	Club Dive	Kerry and Linda Hurd newsletter@neadc.org	Nubble Lighthouse, York, ME	
Jun 6 (Sun)	7 am	Club Dive	Doug Stevenson dougsxj@aol.com	Cape Ann, MA Dive Site TBD	Meet at Burger King after exit 19 on Rt. 128
Jun 8 (Tue)	8 pm	Night Dive	Steve Whitford webmaster@neadc.org	Back Beach, Rockport, MA	
Jun 12 (Sat)	7 am	Club Dive	Maryhelen Shuman-Groh president@neadc.org	Back Beach, Rockport, MA	
Jun 13 (Sun)	TBA	Mass Biodiversity Days Bio-Blitz Event	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Castle Island, South Boston, MA	Optional exotic species & GAFC surveys
Jun 13 (Sun)	8 am	Club Dive	Rick Rosa boatdive@neadc.org	South Shore, MA	Check website for meeting location
Jun 16 (Wed)	6:30pm	Dive Club General Meeting	www.neadc.org	Immersion Theater, New England Aquarium	Fish ID; dinner following meeting at local restaurant
Jun 19 (Sat)	9 am	New Member Dive	Mike Whyte Mbw7@daimlerchrysler.com	Nubble Lighthouse, York, ME	
Jun 19 (Sat)	TBA	Night Dive; optional exotic species survey	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Cape Ann, MA or Rhode Island	
Jun 20 (Sun)	8:30 am	Father's Day Dive	Tom McLaughlin	Old Garden Beach	Meet at Friendly's on Rt. 128
Jun 27 (Sun)	8 am	Club Dive	Steve Whitford webmaster@neadc.org	North Shore, TBD	Meet at Burger King after exit 19 on Rt. 128
Jul 4 (Sat)	7 am	4 th of July Dives	Doug Stevenson dougsxj@aol.com	Cape Ann, MA Dive Site TBD	Meet at Burger King after exit 19 on Rt. 128
Jul 6 (Tue)	8 pm	Night Dive	Steve Whitford webmaster@neadc.org	Cape Ann, MA Dive Site TBD	
Jul 7 (Wed)	6:30pm	Dive Club Informal Meeting: Dinner and NEADC Newsletter assembly	Jim Carozza (617) 966-0111	Nahant, MA	
Jul 10 (Sat)	8 am	Club Dive	Anna Krowczynska secretary@neadc.org	Cathedral Rocks, Rockport, MA	
Jul 11 (Sun)	8 am	Rescue skills review and introduction	Genevieve Stewart and Maryhelen Shuman-Groh shoredive@neadc.org	Stage Fort Park, Gloucester, MA	
Jul 17 (Sat)	9 am	GAFC Advanced Dive	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Halibut Shores, Cape Ann, MA	
Jul 17 (Sat)	TBA	GAFC / NEADC Picnic	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Stage Fort Park, Gloucester, MA	
Jul 17 (Sat)	TBA	Night Dive, optional GAFC Survey	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Plum Cove, Gloucester, MA	

Jul 18 (Sun)	9 am	Club Dive	Rick Rosa boatdive@neadc.org	North Shore, MA	Meet at Burger King after exit 19 on Rt. 128
Jul 21 (Wed)	6:30pm	Dive Club General Meeting	www.neadc.org	Immersion Theater, New England Aquarium	Dinner following meeting at local Restaurant
Jul 24 (Sat)	10 am	South Shore Dive	Alan Budreau	Tentatively 4 th Cliff (Humarock) drift dive	Meet at Home Depot parking lot, off Rt 3, Rockland
Jul 31 (Sat)	10 am	Club Dive	Anna Krowczynska secretary@neadc.org	Magnolia Rocks	
Aug 1 (Sun)	10 am	Club Dive and BBQ	Al Bozza programs@neadc.org	Ft. Wetherill, Jamestown, RI	Look for BBQ with dive flag
Aug 4 (Wed)	6:30pm	Dive Club Informal Meeting: Dinner and NEADC Newsletter assembly	www.neadc.org	TBA	
Aug 7 (Sat)	7:30 am	Club Dive	Kerry and Linda Hurd newsletter@neadc.org	Nubble Lighthouse, York, ME	
Aug 8 (Sun)	9 am	Club Dive	Steve Whitford webmaster@neadc.org	Lake Sunapee, NH	
Aug 14 (Sat)	TBA	Night Dive; optional GAFC & exotic species surveys	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Cape Ann, MA or Rhode Island	
Aug 15 (Sun)	TBA	South Shore Picnic and Kayak Dives	Rick Rosa boatdive@neadc.org	Sandwich Town Beach	
Aug 16 (Mon)	7am-5pm	NEADC Seal Dive	Donna Romano, (617) 723-3212, safetystop@mac.com	Gloucester Marina, Gloucester, MA	
Aug 18 (Wed)	6:30pm	Dive Club General Meeting	www.neadc.org	Immersion Theater, New England Aquarium	Dinner following meeting at local Restaurant
Aug 21 (Sat)	9 am	New Member Dive	Mike Whyte mbw7@daimlerchrysler.com	Nubble Lighthouse, York, ME	
Aug 24 (Tue)	1 pm	Club Dive followed by dinner	Alan Budreau	Fort Foster, ME	Meet at Holiday Inn, Intersection of Rt 1 North and 128 in Lynnfield
Aug 28 (Sat)	TBA	RI Tropical Fish Dive	Jean Stefanik	Rhode Island	
Aug 29 (Sun)	TBA	RI Tropical Fish Dive	Jean Stefanik	Rhode Island	
Aug 31 (Tue)	7 pm	Night Dive	Steve Whitford webmaster@neadc.org	Cape Ann, MA Dive Site TBD	
Sep 1 (Wed)	6:30pm	Dive Club Informal Meeting: Dinner and NEADC Newsletter assembly	www.neadc.org	TBA	
Sep 4 (Sat)	8 am	Club Dive	Genevieve Stewart shoredive@neadc.org	North Shore	
Sep 4 (Sat)	TBA	Night Dive; optional GAFC & exotic species surveys	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Rhode Island	
Sep 5 (Sun)	4 pm	Dusk Dive	Maryhelen Shuman-Groh president@neadc.org	North Shore	
Sep 11 (Sat)	9 am	Club Dive	Anna Krowczynska secretary@neadc.org	North Shore	Meet at Burger King after exit 19 on Rt. 128
Sep 12 (Sun)	9 am	Club Dive	Jim Carozza business@neadc.org	40 Steps, Nahant	Meet at the restaurant at the end of the causeway
Sep 15 (Wed)	6:30pm	Dive Club General Meeting	www.neadc.org	Immersion Theater, New England Aquarium	Dinner following meeting at local Restaurant
Sep 18 (Sat)	9 am to noon	Clean Up Dive	Alan Budreau	Assabet River, Concord, MA	Includes free light breakfast, drinks, and a T-Shirt
Sep 25 (Sat)	TBA	CoastSweep 2004 optional GAFC Survey	Alicia Lenci, (617) 285-6737 environmental@neadc.org	NEU Marine Lab	Beach & underwater cleanup; GREAT family event; prizes!

Sep 25 (Sat)	TBA	Night Dive; optional GAFC & exotic species surveys	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Plum Cove, Gloucester, MA	
Sep 26 (Sun)	8 am	Club Dive	Genevieve Stewart shoredive@neadc.org	Pebble Beach	
Oct 3 (Sun)	9:30am -2pm	RESCHEDULED NEADC Whale Watch	Maryhelen, (508) 821-4704 president@neadc.org	Whale Watch Kiosk, New England Aquarium	
Oct 6 (Wed)	6:30pm	Dive Club Informal Meeting: Dinner and NEADC Newsletter assembly	www.neadc.org	TBA	
Oct 9 (Sat)	TBA	Night Dive / tropical fish optional GAFC Survey	Alicia Lenci, (617) 285-6737 environmental@neadc.org	Rhode Island	
Oct 20 (Wed)	6:30pm	Dive Club General Meeting	www.neadc.org	Immersion Theater, New England Aquarium	Dinner following meeting at local Restaurant
Oct 23 (Sat)	TBA	Invertebrate Workshop	Brandy Derickson, derickba@netzero.net	Conference Center, New England Aquarium	
Oct 31 (Sun)	TBA	Halloween Dive	TBA	TBA	
Nov 3 (Wed)	6:30pm	Dive Club Informal Meeting: Dinner and NEADC Newsletter assembly	www.neadc.org	TBA	
Nov 17 (Wed)	6:30pm	Dive Club General Meeting	www.neadc.org	Immersion Theater, New England Aquarium	Dinner following meeting at local Restaurant
Nov 27 (Sat)	noon	Christmas Tree Dive with United Divers of NH	Kerry and Linda Hurd newsletter@neadc.org	Nubble Lighthouse, York, ME	
Dec 1 (Wed)	6:30pm	Dive Club Informal Meeting: Dinner and NEADC Newsletter assembly	www.neadc.org	TBA	
Dec 4 (Sat)	TBA	NEADC Holiday Party	www.neadc.org	American Legion, Burlington, MA	
Dec 15 (Wed)	6:30pm	Dive Club General Meeting	www.neadc.org	Immersion Theater, New England Aquarium	Dinner following meeting at local Restaurant

Marine Fisheries Advisory dated May 24, 2004

MASSACHUSETTS MARINE FISHERIES ADVISORY COMMISSION APPROVES NEW REGULATIONS



At a May 20, 2004 business meeting, the Marine Fisheries Advisory Commission (MFAC) approved Division of Marine Fisheries (DMF) proposals for new rules affecting recreational lobster fishing, commercial striped bass fishing, recreational scup fishing, wholesale dealer reporting, permitting for construction and repair of fishways, setting of lobster gear to protect right whales, and fishing for river herring along the Connecticut River. Most of these issues were discussed at May 3 & 4 public hearings.

Recreational lobster fishing (by pot and SCUBA divers) will be regulated under area-specific rules concerning the release of v-notched female lobster; minimum and maximum sizes; and trap escape vent minimum sizes. Also a state-wide 15 lobster daily bag limit was approved. Two management areas have been created: 1) Gulf of Maine Recreational Lobster Area and 2) Southeastern Recreational Lobster Area that generally coincide with the commercial management area boundaries. Since the May public hearings, DMF has amended the Southeastern Recreational Lobster Area boundaries to include nearshore waters around Provincetown. Regulations approved by area are listed in the table on the following page. All regulations are effective July 2, 2004, except escape vent minimum size increases in the Southeastern Recreational Lobster Area, which will not go into effect until the 2005 season.
(continued on next page)

Regulation	Gulf of Maine Recreational Lobster Area	Southeastern Recreational Lobster Area
Minimum Size	3 1/4"	3 3/8"
Maximum Size	5"	N/A
V-notching	Zero-tolerance definition: V-shaped notch of any size with or without setal hair	ASMFC definition: 1/4" to 1/2" straight-sided triangular cut without setal hairs
Escape Vent	1 15/16" x 5 3/4" or two circular vents of 2 7/16"	2" x 5 3/4" or two circular vents of 2 1/2"
Bag Limit	15	15

2004 Commercial striped bass fishery will open on July 11, 2004 with a 30 fish bag limit from Sunday through Wednesday until the commercial quota has been reached. This action delays the commercial season opening by one week and decreases the daily catch limit per vessel from 40 to 30 fish.

Scup recreational rules for the 2004 season were approved. Recreational scup minimum size is now 10" (up from 9" in 2003) and the daily possession limits were lowered. Recreational fishermen fishing on private vessels or from shore are limited to 40 fish with a maximum 80 per vessel. (Last year's limits were 50 fish per angler and 100 per vessel) Possession limits for recreational fishermen fishing aboard charter or party vessels are maintained at 100 fish per angler from January 1 through June 30th but then are reduced to 40 fish per angler from July 1 through October 6 (the end of the open season). These rules are already in effect through previous emergency actions and are designed to reduce this year's scup catch by 40% in compliance with interstate plan mandates.

Lobstermen fishing in the Cape Cod Bay Critical Habitat during May to December are required to rig their gear with one of the configurations listed on the approved gear technology list (322 CMR 12.00). This regulation relaxes current requirements, while complementing current federal regulations. Regulation will be effective July 2nd.

(concluded on next page)

New England Aquarium Dive Club Membership Form

Type of Membership: New _____ Renewal _____
 Has your address changed since last renewal? No _____ Yes _____ previous town _____

New England Aquarium Membership Categories: **Choose One:**
 (Membership in Dive Club requires current membership in New England Aquarium)

- Individual \$45.00 + Dive Club Membership \$15.00 = \$60.00
- Couple/Family \$80.00 + Dive Club Membership \$15.00 = \$95.00
- Quartermaster \$100.00 + Dive Club Membership \$15.00 = \$115.00
- Master Mariner \$150.00 + Dive Club Membership \$15.00 = \$165.00
- Friend of Aquarium \$250.00 + Dive Club Membership \$15.00 = \$265.00

Total Amount Enclosed \$ _____ (Dive Club dues plus Aquarium membership)

Name _____ Phone _____
 Address _____ E-mail _____
 City _____ State _____ Zip _____

Check here to receive the newsletter electronically. Check here to receive other club information electronically.
Note: Contact information will be used for Aquarium and Dive Club purposes only.

Please make your check payable to "New England Aquarium" or charge to:
 MasterCard Visa Discover American Express

Signature _____

Account # _____ Expiration _____ Amount \$ _____

Mail to: Membership Dept. New England Aquarium, Central Wharf, Boston MA 02110

Requirements for Dive Club Membership include current membership in the New England Aquarium and payment of Dive Club dues. New members receive a New England Aquarium membership card marked "DIVER". **IF YOU ARE ALREADY A MEMBER OF THE AQUARIUM**, send your membership card, Dive Club dues payment and this application to the Membership Department. Your membership card will be returned marked "DIVER". If you have any questions, please call the Aquarium Membership Office at 617-973-6555/6564.

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New permit required to alter or build any anadromous fish passageway. Increased activity at the federal, state and local level to modify or enhance anadromous fish passageways requires increased DMF coordination and oversight. DMF will require project proponents to obtain a letter of authorization from the Director before any work on a run would begin. DMF will guide applicants in their submission of required materials and will encourage applicants to submit documentation prior to any request for funding. This arrangement will help proponents of anadromous fish restoration to develop projects that are biologically based and consistent with current management techniques. Regulation will be effective July 2nd.

New river herring regulations approved for fishing within the Connecticut River Watershed. The following rules shall be in effect on July 2, 2004: 1. Possession limit is lowered from 25 to 12 fish per day; 2. No-fishing days are eliminated (fishery is open seven days a week); 3. Use of gear other than hook and line to catch river herring is prohibited; 4. Sale of river herring taken from the Connecticut River Watershed is prohibited; and 5. Snagging of river herring is prohibited.

No actions were taken on 1) the public petition to lower commercial lobster trap limit to 600 in state waters, 2) proposal to amend recreational cod possession limits, and 3) previous emergency action to restrict cod fishing in a portion of Massachusetts Bay. DMF staff will continue to work with the public and ASMFC, NEFMC, and NOAA Fisheries personnel to develop appropriate regulations for the lobster and cod fisheries.

For more information please contact Marine Fisheries at 617.626.1520, or visit our website at www.mass.gov/marinefisheries.

THIS MONTH'S NEADC NEWSLETTER includes ads from many dive shops and charters throughout New England. There are articles about the NEADC Picnic (p.15), an important update on the Cownose Rays (p. 10), a Texas A&M Program YOU may want to participate in (p.20), the NEADC Seal Dive (p. 20), and two Marine Fisheries Advisories - one on Horseshoe Crab Spawning Beaches (p. 11) and an update on lobster and fish regulations (pages 24-26). There's also an UPDATED Membership Form on page 25 - would you like to receive your newsletter electronically?



Central Wharf, Boston, MA 02110