

Individual summarized Hearing and Written comments

Pete Thayer (PT), DMR – background introduction (Machias)

Some of you might remember I came down here, about 10 years ago. John [Frazier] was here, maybe Ralph [Smith] and Isaac [Beal]. That was more of an informal gathering asking you [for] concerns or issues that you felt were in the industry. I also brought a list of ideas of conservation measures of different types and what people thought of those. In summary of that the one thing people didn't want to see was the suction harvesting. The other thing was if [the Department] was to implement mandatory reporting people were ok with that. Other than that people felt that everything was going along pretty well and didn't really feel the need for a regulation at that time. As far as I understood at that time there wasn't any suction harvesting going on but it was something we brought up. Then a couple years ago we got word that there was possibly a couple people out there suction harvesting. So we pulled out the information from the meetings we had here and subsequently we heard that it had gone quiet again. That is not unlike other industries where people have utilized suction harvesting. It has been tried with muscles several times. It has been tried with Irish moss. It seems like every time somebody has tried it for a while it and it hasn't worked out whether the effort is too much or [unknown]. So the now we've come to this point where we received a lot of calls this winter. We were hearing that there were maybe eight or more people out [suction harvesting], they [the audience] are saying no; basically at this end of the coast, Washington County. The concern was that the method of harvest was too efficient and the periwinkles are being hit hard. Also the suction device is able to get at subtidal periwinkles that normally wouldn't be harvested and serve as a broodstock. That was the initial thing that drove putting this regulation together. We also added in some other items that have been expressed as concerns, including the drag width and so on. [Marine Patrol was contacted as well.]

Opposed

James E. Smith, Jonesport (picker)

I've been working picking periwinkles in some aspects since I was 10 with my parents then my brother and I both, by ourselves. Actually periwinkling has been one of the best businesses we've ever been involved in.

Says here that as far as the pumping goes whether or not it is doing damage to the industry or not I do not know. It does open up an extra portion of the bottom that normally would not get hit down low. For the most part they take larger wrinkles because they are worth more and that makes them more desirable I believe. A lot of it is just in my opinion is pumping below where most of us or a lot of us will pick. I expect there will be other people if it continues enter into the pumping. I for instance have a diving license. I don't want to pump wrinkles. If they continue I probably will.

I don't have a problem with people diving wrinkles. I don't think diving would ever hurt it as far as diving without a pump. I don't think they ever picked enough to bother anything. It is not; there [are] people here that dive that have tried it. I don't know if they would agree with me or not but I don't think it is incredibly effective. The pumping for that matter, this time of year is not a great approach. I expect the pumping would be most dangerous in the winter time when the wrinkles are crawled down low, below where the tide drops, many of them, bunched up in piles. They will be very accessible at that point for divers.

The minimum size of 220 in a quart, I drag wrinkles and we take our wrinkles in now. My brother and I screen all of our wrinkles aboard the dragger before we go ashore. So they are screened roughly to the small size when we go ashore. We then re-screen them if they have bigger wrinkles in them at the shop because one size is worth more than the other. When you do this you take the biggest ones out therefore giving you a smaller count on the small size. We counted out a quart jar. It came out to like 222. This probably isn't the smallest run we would ever sell as mediums either. I think a 220 count, although it might be great down in Eastport where they have a larger average run of wrinkle, I don't know; is not going to be something that will work state wide. The further west you go, my brother and I have been as far as the western side of Blue Hill Bay looking for dragging for wrinkles. The run gets smaller from what we saw the further west you go. A 220 count might even put Rockland and those places out of business, I don't know.

The drag size: When we had the meeting before we suggested we set a limit at 6 feet at that time on the outside; simply because that was the size that the drags we had then was. My brother and I, some people had 5' on the outside, they varied; it won't change anything. If you go 4' we will just make a few more tows. There [are] only 4 or 5 people down our way that drag wrinkles anyway. It seems like wasted legislation to me. We don't drag that often; there is only one of us that drags a lot and he's willing to take whatever he gets. Sometimes he does real well and some time not so well. I think that regardless, 4' or 6' there is still plenty of bout and plenty of time to clean up what there is available for dragging on a regular basis. You work them till they are down to a certain size and then you quit until there is something more to get.

As far as the culling them out onto the shore, I think this is actually a horrible idea. The reason I say that is this: for one thing if you cull them out onto the shore and we're not allowed to have under a 220 count per quart we're just going rake one side of the ledge that is bigger and rake the other side that is smaller and mix them in and still end up with the same thing. It is going to make it harder at the dealers because when they separate them out they are going to end up with an illegal wrinkle. I don't know how that will work. Right now they shake them out where they buy them. Most of them return them to the water. Sometimes some of them don't get returned and that is a shame. There should be some kind of a penalty for letting them die on the shore. But periwinkles are very tough. They will last for several days right out in the sunlight. If you keep them cool they will last a week. If you keep them in a cooler they will last for a month.

Periwinkles don't die quickly. So as far as the idea of shaking them out on the rocks, it probably would put them right back where you took them from but they are just going to get shaken again next week and the week after because we work the same rocks every week and the culls are still going to get worked every time we go back there. It is just going to make it more of a job every time you go there because these same culls are going to be sitting on the rocks where you shock them out. As long as they get returned to the ocean in the general area they are still going to spawn and spread seed around to replenish the population. I don't know as though I really agree with that. Not only that a lot of the time in the winter when we pick sometimes the temperature is down as low as zero. The wrinkles are frozen together under the shore. They are not going to shake out very well. Especially for the people that are on foot and have to walk down through the woods to pick where they are going, then walk back up over, lugging the screen apparatus is going to be quite the undertaking for these people. I don't know what the idea is that is on this that is for making that workable. I just don't really know. I'm opposed to it. I think as long as the culls are returned to the water without allowing them to die, it is not a problem. That is my opinion.

As far as the drag size reduction goes, it will be a hassle to change our drags but I guess that, I am opposed to it but, I don't see it as changing much.

Joseph Keene, Trescott

I've harvested wrinkles since I was 8 years old. It has bought my school clothes. Right now it is my main source of income. I do it every year. Like he said we harvest the same rocks. Just in support of him another reason people have problems with the screening on the beach is, also like he said; you'd have to carry it around. But not only that where I live there [are] 60 wrinkle pickers and there [are] two wardens to patrol those 60 wrinkle pickers. How are you going to be certain that everybody is taking a screen and even if you see them carrying a screen you'd have to sit there all tide to make sure they [were] using it. Another thing with that is they are just going to get screened again when they get back to the shop because they can't, the wrinkle buyer cannot trust the wrinkle picker to screen them out on the beach and say this is this, it is not going to work like that. I also believe that if wrinkles are dying on land, if these mass amounts of wrinkles are dying on land, which I've heard of a couple cases, it is the buyers. The wrinkle pickers are not going to kill their own wrinkles. I mean the buyers get lazy and leave them in totes and they die. That is what I've seen, or dump them in a filed some where. So if you're going to hit someone with it hit the wrinkle buyer because the picker I guarantee they are not leaving any of their culls out in the sunlight to die. It doesn't work like that. I think that if a buyer has had culls in a tote for more than like 3 or 4 days then maybe they should be fined. You can't put that on us because we're not the ones leaving them to die.

Ralph Smith, Jonesport (dealer)

My name is Ralph Smith. I own Moosabec Mussels, Inc. I have been buying and selling periwinkles for 35 years. I sell periwinkles to the domestic market and I export to Europe. I am opposed to the regulations as proposed; however, I am in favor of some regulations.

METHOD OF HARVEST - I am opposed to harvesting periwinkles by diving or pumping. I am in favor of the harvesting method being regulated, and my reason is because the periwinkles are being harvested by dragging and by picking. The draggers mainly are working sub-tidal. They do their harvest and their sizing on board. They put their seed back at the time of harvest.

The dragging industry has been going on for 35 years that I am aware of. The dragging industry seems to be holding its own and they are harvesting in the same areas [as in the past].

The periwinkle pickers also have an industry that has been going on for many years before the dragging industry. The resource is not as strong as it used to be; however, the resource is still there. Because of the price increase, it is still a good income to most people on the off-season when they can go out and pick on the tides and supplement their income. The pickers generally pick whatever is available because when they are on the tide, they are limited on time so they must get what they can and get off the tide. When they do this, there is usually a lot of seed involved so at the buyers, the seed is eliminated by various types of screens by choice. The seed then should be put back into the natural environment as a responsibility of the buyers which is something that should really be a regulation. All seed should go back into the natural environment.

The pickers harvest in the tidal area and the draggers harvest in the sub-tidal area. There are areas where neither the draggers or pickers can harvest. That is my concern with harvesting periwinkles by pumping and diving. In my opinion, the only brood-stock that is not tampered with is located in these areas. I feel that we cannot tamper with and cannot clean that area because that is supplying both the pickers and the draggers. Obviously if you pick a ledge clean there is nothing there to reproduce. However, they always seem to reproduce. Something has to reproduce them.

MINIMUM SIZE - 220 periwinkles per quart would be considered undersized. "Diameter of 9/16" or less." There are areas, where there is no way a harvester could make money harvesting the 9/16 size. A good percentage of the periwinkles are smaller. In some areas periwinkles never even grow to this size. A size 9/16 would not work. Plus we do not have a

problem with small periwinkles. The problem comes from the seed that has to go back to its natural environment. That responsibility needs to be put on the buyers.

The market pretty well sets the size limits. There are 3 sizes in the market: jumbo, large and medium. My opinion is we don't need a size limit. We need the buyers to be responsible for returning the seed to its natural environment.

DRAG SIZE - We don't have a problem with the drag size; however, if DMR wants to put a drag size limit, I recommend we put the maximum drag size used at present and adopt that. I would be opposed to anything less.

CULLING REQUIREMENTS - It would be impossible for the pickers to size their product while they are on the ledges. As it is, they have to carry buckets and bags, etc., and there would be no way they could carry more equipment in order to size the periwinkles. In addition, during the winter tides, they are usually working in the dark with headlights on. Very rarely do they get a day light tide during the winter. Requiring them to size the periwinkles on site would be making a dangerous occupation even more dangerous. They would be slipping on rockweed and the ledges in the middle of night when it is icy. I am totally opposed to this.

NIGHT PROHIBITION - If we are talking about dragging only and not picking, I don't see a problem with this rule. Nobody drags at night and I don't expect anyone will drag at night. Dragging periwinkles is done in shoal water, and I don't think anyone is going to work in shoal water at night. I am not in opposition to that as a regulation; however, it is not necessary.

In summary, I have two suggestions to DMR for regulations on the periwinkle industry.

1. There should be no harvesting of periwinkles by diving or pumping.
2. Buyers should be required to put the seed back into the natural environment for future use.

If we have those two regulations, the periwinkle industry would continue to survive.

L. Churchill (LC): Suggestions on how to enforce requiring dealers to return culls to the ocean?

RS: If I were holding on to them and they come around and they are dying then it is obvious I'm not taking care of them as a buyer... But on the other hand how would the Marine Patrol enforce the picker because he wouldn't have to screen them until he got all done picking at the end of the tide. He might not be done when they check him. The 220, I don't know how they would enforce that by counting, so forth.

I have a comment on the statistics [handout]. The statistics we've got here on the landings and the value; there is one place on the last, I'm assuming is the average prices that we're dealing with and [it says] we got \$3.48 per pound?

P. Thayer: That has already raised a few eyebrows, already. This is normally done by averaging all the dealers or as many as can be, or give the information.

LC: We will ask the landings program to explain the source of the figures.

Isaac Beal, Beals Island

It disturbs me on this diving business. This has been around for a long time, this periwinkle thing and I [can] give a little information from my mother, and my neighbor. I know back in the 1930's my mother's father died and that is how she helped take care of the family, was picking periwinkles, rowing them to Jonesport, I don't know if she put them on a horse and wagon or one of the older trucks. They was taken to the train tracks in Columbia Falls and shipped to Boston. She told me by the time she paid all the freight and what she got back she made about a penny a pound. That's how far back I've got [on it] being an industry in Moosabec Reach. My neighbor, Willard Kelley, passed away now, he was in World War II, and he was the cook on a dredging barge in England. He said it surprised him when he had to serve the guys *canned* periwinkles. They were canned, and I never knew until he told me that there was in industry in the State of Maine that processed periwinkles. I would like to know who did it because that is interesting to me.

Diving on them, I've seen it deplete down real a lot. I've been around here a while, you can tell, just look at me, and I've seen it go downhill. Just like I see the scallop industry around our shallow water bays go down to diving. I saw the urchin business go down the tube on account of the diving now in shallow water. When I see the diving it irritated me bad. I called Alan [Lt. Talbot] two years ago and he called Augusta and that is as far as it went. So this winter I called him again, and he helped me get it going. I got a hold of you, Laurice and you got me to him [Pete Thayer] and we got this going to see if we can stop [this]. I don't care if they dive down there and pick all the periwinkles they want but this pumping is going to kill it. There's no way out of it. I mean you go pick, you pick a 3-hour tide. In the summer I've seen them go pick a 3-hour tide, load the pumps on the boats and go for the rest of the day. You can't help but kill something when you pound it that hard. There is no way it is going to make it. The dragging, when I was buying periwinkle [during] this peak on this chart [landing handout]. I was buying periwinkles at that time. The guys could take one drag and go with a pot hauler and they could come in with 4-500 pounds easy. Now nobody even wants to take one drag and go. That's how depleted I can see down there. Some people can stand that and say they can but I've seen a lot of people not even go on account they cannot get enough with one drag out over the side of the boat. I don't think its right. I think there should be a season on the dragging just like we've got a season the scallops, a season on the urchins. Come March I

think they ought to be able to crawl out on a rock like every body else. I don't do it. None in my family does it any more. But way this recession is going there's going to be a lot of us crawl back on those rocks and I'm not kidding. Because it is a way of getting stuff. There's been so many school clothes, because they go, the whole family, been so many school clothes, basketball [stuff], the family man doesn't have to take out of his pocket, [when] that kid can go make that money and it shows they how to work. If it's not there the next generation isn't going to have a thing to fall back on, not in Washington County on the shore. I've done it a lot in my lifetime; I've had to crawl on those rocks. It has really stopped me from going further in a hole. If you're not lazy you can get out there and you can make a day's pay.

Paul Cox, Dennysville (wrinkle pump)

I bought a wrinkle pump this spring. I called around to see if they were going to be legal or not because I heard rumor. Everybody told me we could have them. Never. Didn't pick enough wrinkles with it; to buy the gas for the pump. But, two months ago they told me I could do it and now they say no. That's is all I have to say. [Opposes prohibiting pumping.]

Dan Rogde, Atlantic Shellfish in Jonesport and Pembroke

I basically agree with what Ralph Smith had to say and what Jimmy Smith had to say. I harvested periwinkles for about 20 years and I've been a buyer for about 13 years. I've seen some changes in the industry recently. Been listening to a lot of the harvesters and they tell me that places that they always could go back to and get some now it is just completely just bare. They say it has been pumped to death. Now, I haven't been out there personally. I don't know but that is what I've been hearing. It sounds like it is going to be a detriment to the industry if it doesn't keep going. As far as hand diving I don't have any opposition to that. I've bought from divers in the past. For the most part when the visibility is gone they are limited on what they are going to get. So I don't think that is going to be a big issue. It is up to the Department ultimately what they are going to do but I don't think diving by hand is a big issue. The 220 count is a terrible idea. I just don't think that is feasible at all. The drag size doesn't seem to be, in my opinion, a problem. Like I think Ralph stated that if we're going to limit something, limit the drags to what's being used now as the largest size able to be used. That's about it.

Avery Kelley Jr., Beals

I agree with Ralph and everything he said and Danny. As far as culling them on the shores, it is pretty much impossible. It ain't impossible in the summer in good weather but winter time, I picked all winter this winter and there are a lot of days you almost had to chop them off the side of the rocks. So that would be pretty brutal for a guy doing it year round. Other than that I agree with Ralph Smith and Dan Rogde.

Frank Smith, Jonesport

I've been a periwinkle harvester for probably 28-29 years. By hand for the whole 29 and I've been dragging for probably 12-13 years. I don't have a problem with diving by hand. I have a problem with the pumps. I have seen what it can do in places. In particular there's spot at Fisherman's Island that was dove on the southern side of the entrance to the pool. Was dove about 8 years ago and there has been no re-crawl since. It was dove for 3 weeks straight with a mechanical suction pump and that has never come back to my knowledge. I've seen it in other areas as well. It hasn't been a popular industry until as of late. I only knew of maybe two different people that were doing it and they were doing it from probably Schoodic Point to Cutler and various places at different times. But it is getting more popular and it is going to get more popular with the recession going on. As my brother James Smith said we both have diving licenses and if they don't outlaw it we'll be forced to turn to pumping because we won't be able to pick them off the rocks if they are pumped from below the shore before you can get them off the rocks.

As far as the minimum size goes, it would be a good idea if wrinkles everywhere grew to be a large size. But I have traveled from Jonesport to Blue Hill Bay as my brother has. We picked as far as Schoodic Point in different locations and dragged from there on out. I'm going to say that 7 out of 10 places west of Schoodic Point the wrinkles die before they reach a 220 in a quart count. They grow up, die, they just don't grow to be that large a size. If the problem with shutting off those places is, those wrinkles are still going to die of old age, and there is going to be more effort in the places where there are bigger wrinkles because you've shut off the places where they don't grow as large. A more reasonable estimate on count, if you want to set a count, would probably be around 270 or 280 and I have counted out the quart and checked the size out. It would probably be roughly a ½ inch screen to get that size, which is what a lot of the dealers and I know our draggers are all equipped with ½ inch screens. And all of our wrinkles are of course culled on site. The ones that my brother and I pick, we take them back to the dragger and screen them and those wrinkles do not stay where you put them, they migrate from there. I don't know if they try to get back to where they were or what but they do not stay where you put them.

The important thing on the culls, I agree with Ralph and I agree with Danny. It should be enforced upon the dealer. They should be required to return all culls bought within a certain number of days to the water. I believe that would solve your problem with wrinkles dying. If they are dying on the shore it is happening at the dealerships because it is not happening from the pickers because they are not culling them on the shore. So obviously that is not happening.

The maximum drag size of 4 feet: my brother and I, James Smith and I, and one other person in Jonesport right now use power boats to drag with. The drags are made so that much of the drag size is ski width because the larger the

width of the ski the less it sinks into the bottom, the less it rips up the bottom and the better, you don't want to rip through the bottom with your drag, you want to coast over it. If you set a drag size of 4 feet and you try and tow that with a power boat with a wench and cable like we do you're going to have to make that drag very heavy at that width to make it stay on bottom. And you're going to have to decrease your ski size so you can keep your fishing area larger; therefore ripping up the bottom worse with the smaller drag than you do with the larger ski size. Our drags are 6 feet but about 18, mine is 20 inches of the drag size is actually just ski and not fishing area, which keeps it from digging into the bottom.

[On] the no nighttime dragging, you're wasting your time. I've never seen anybody drag wrinkles at night. It isn't even possible. We drag anywhere from 5 feet of water, sometimes less, anywhere from 3 feet of water to 18-20 feet of water at maximum and I'm not that good and I've done this as much as anybody. I wouldn't even think about it [dragging at night].

I don't feel that as long as the resource is returned to the water I don't think it matters where. As long as the spawn is, if they were returned and they will spawn, that spawn doesn't stay right where it is put.

I'd like to go back to what I said about the minimum count of 220. Many areas that we have been you find the dead shells on the shore from the wrinkles that have gotten old and died. As I said before, there are in this area a 220 count I still think it is a little small but it is actually a possible thing. But you get to the westward further and you will shut down 7 out of 10 spots and then the people who are going to all these spots together they are going to have to congregate on the spots where the bigger wrinkles are. You're going to wipe out what you're trying to protect. To no gain because the little ones are still going to die of old age in the areas where they don't grow bigger. I don't know if this is due to different, I don't know if there are more than one species of periwinkle, I'd like to know, but I don't know that. I know there is a different look to them in different areas.

Paul Molyneaux, Whiting

I haven't picked periwinkles in a while. I was looking at this chart [landings handout] this was the time I was picking I didn't realize what an affect I had [laughs]. But I worked on the outside shore and I would take my dory and I'd anchor it outside the waves and I'd swim in with a little raft and I'd load that raft up with wrinkles and believe me I didn't take any that I couldn't sell fishing that way. I figured out how to get wrinkles off the rocks with our taking the small ones, just run my hand over just a little higher off the little ones. I left a lot. There were people who used to come behind me and pick wrinkles and fill their bags because I only took the big size ones. I did it by hand. No problem. Anybody that works with wrinkles enough they know what size a wrinkle is. So, I think you know when this was going on back here in this big peak, this was mostly hand harvesting. We could with hand harvest [audience disagrees]. Well we had one guy in Lubec dragging, Jimmy Robinson and everybody else was hand picking. I'm opposed to the rule that permits dragging. I think that this resource ought to be hand pick only, belong totally to the hand pickers only. They can get all the wrinkles that can be got can be got with hand picking. And those are the people that need [it]. I've been in this business a long time like this fella here. I've seen, well I quit picking wrinkles in '94 because I used to get 160 lb a day and that was my average. That wasn't my good day. I made \$60 a day picking for 35 cents a pound. I don't know where you get these prices at. My average, I kept a daily log of every day I picked, what I got and I trucked, every set of tides I trucked them down to Charlene Beal, I wrote down what I made and I averaged \$60 a day. At 160 lb a day was my average. That wasn't great but I did ok. But a hand picker, if you wanted to rebuild this resource, like Ralph says, the resource will hold on, if you just leave it with dragging and hand picking. But if you eliminate the dragging you might be able to build back up so you, at the prices we're getting now you'd have a better stronger industry.

Julie Keene, Trescott

I'm opposed and I'm for. Seems like the room is full of people from down around Jonesport. It seems like we've got two different issues going on here because Jonesport has got their own issues and it seems like Cobscook Bay has their own different issues too. I'm quite shocked because there is about 2-300 people in Cobscook Bay picking periwinkles and I only see 4 of us here. Our biggest problem up there is we have too many people in this industry. Everybody and their mother is picking periwinkles. All the buyers I talked to say there are too many people in it. And, whether you guys realize it or not there is a non-resident clause. If anybody from Campobello Island wants to come across that bridge and get a periwinkle license they certainly can. We're a border a border community. Oh yes they can. There should be no non-resident periwinkle license. They did it with elver fishing. You can't get an elver license unless the other state has a reciprocal license. We have hundreds of people picking periwinkles in Cobscook Bay and they don't care, most of them. I should be very careful here. A lot of our periwinkles are being picked by drugs. Big time oxycontin, druggies, they don't care about the industry. That is why this room is empty. It is the only work he has, my son has, and I have. We elver fished for a couple of months and had a terrible season. But that is it. Clams are 70 cents a pound. So everybody is picking periwinkles.

I'm opposed to, I think that the buyers definitely should put them back. I agree with what Ralph said, I agree with what Danny said, completely. I don't know how we're going to screen them on the beach. We go in the boat and we damn near freeze to death getting there in the winter time. We damn near freeze to death getting back and I mean you can't wait to get off that beach because you're freezing to death. I think it should be on the buyers and I don't know about the quart size because I haven't put some in it but please, no non-resident license. I think the licenses should be capped. I think if you haven't had a periwinkle license for x-amount of years that you shouldn't be able to get a periwinkle license. The biggest thing is, how many people were in it.

Frank Smith, Jonesport

In regards to having only hand picking, no dragging; many of the areas that we drag there never was a wrinkle hand picked there anyway. The wrinkles, no all the areas, there were some areas where we are near that people have picked wrinkles on. But most of the areas that we tow wrinkles on were never hand picked. The areas where we drag mostly the smaller wrinkles live up in the shore and the larger ones live on bottom in the areas that we drag mostly. If you get near places where people pick wrinkles you usually find it is rough bottom. Our periwinkle drags will not tend rough bottom. There is no way you could use like chain sweeps like you do scalloping to pick up something that is this big. So we're towing out on flat mud. Most places it is not even in the same habitat as the pickers will pick. So if you were to shut off the dragging you're going to make some areas where wrinkles just will grow up and die and never be harvested because there are no ledges there for them to crawl up on, and what ledges there are there the seed grows there and it crawls off the shore to feed.

Isaac Beal, Beals Island, continued

I want it for the record that Jimmy Smith and Frankie Smith have really tried to keep this industry going. On the wharf where I work Jimmy drove out back there last year and asked if it was ok to dump these periwinkles here. He had the back of his pick up solid full of fish trays full of periwinkles. I said they will never make it. The inside of the trays are green. They've been out of the water so long. He dumped them over the side all in one pile. I said they will never make it. I kept watch of them, I don't know how long they'd been in those trays but the trays were green. Ninety-five percent of those wrinkles crawled away. [Mr. Smith: Those weren't ones we had taken. We dumped them for someone else.] You were dumping them from somebody else. You brought them from someone else's plant. They will survive for quite a while. I've known that for a long, long time because they made it from Jonesport to New York back in the 30's. So I know they've got the longest life of anything around the shore. But these guys really try to take care of the industry and they should be commended for it because very few people will take them from a dealer and bring them to the shore.

In Favor

John Frazier, Jonesboro (periwinkle dealer), Close to Coast Seafood

I'm confused as to the category. I am for the pumping of periwinkles [i.e. opposed to the proposed regulation]. There has been no documentation saying that it is hurting anything. I get speculations from people but I've been a wrinkle picker myself for 35 years. I've been buying since '88. So I have reached a thousand pounds myself twice, on two occasions using a rake like you see over there. Just one tide is about probably it took me about 6 hours to do it, almost high water to high water. I walked up to my neck to get it done. I have a visual aid over there also about a screen. That screen right there is between a 1/2 inch and a 9/16 inch. That might be a little bigger for some and a little smaller for others. But there is also some cards there for somebody who makes them for me and anybody is welcome to a card there if this comes to law if you want to take something on the beach.

It is very hard for me to be opposed to doing it on the wrinkle ledges, screen them out that is. I'm afraid if you screen on top of the ledges you're going to have a small run of wrinkles in that area, after so many times of people screening like crazy.

Now, again, I will go back to pumping, they say they are getting down to the root of things. Now a couple of years now they've been pumping it's my son is pumping right now and him and his diver they go out and they go back about a week later and they get the same amount in the same area. They are not getting down to kelp stock; this diver does not want to venture in there towing a hose. You can see our little 3-inch diameter thing here that they pump with that the guy has to tow a boat behind him, the diver; he's working about probably 6 feet of water. If you think it is easy to do that and your feet are out and your back is killing you, you've got weights on you, you can proportion yourself, but it is still a lot of work moving yourself in and out of the boat behind you, towing this stuff. They get about 4-500 pounds a day at best. Now there's been reports of thousands of pounds (lb) a day I've heard. Even a couple of divers say they got 2,000 lbs a day at 70 cents a pound for mediums. That's a 1/4 lb [audience]; that is 4-500 lb splitting between two people. That's average picking pounds. You've got, my son first went out and got 60 lb testing it out. By the time he got to Jonesport it was up to 900 lbs by just hearsay. That is why we'd like to invite the State to come in, look this over, scientifically prove that it is hurting the industry. I've been doing this like I said for 35 years. I don't see the diving hurting it. I don't see; the draggers have been going for a long time. They do acres upon acres of to a time a day. They can do an acre or better. Where we do probably I wouldn't think a 1/4 of an acre. Again, they're not getting into the kelps, kelpy area and stuff. They are not going over getting that 2-3 wrinkles over there. They're trying for bunches like everybody else when they go wrinkling. On a big tide you go wrinkling, you will find more hand pickers out there than anything. If you want to see a place that is stripped you look at a hand picking place that's been picked one wrinkle at a time out of the crevices, out of, off the rocks, everything. I rake, with the rake I only do it on flat ledges. When I go over a ledge I leave wrinkles in crevices and stuff at times, in the spring of the year you're going to see a lot of people go wrinkling.

There is too many people in this wrinkle industry. I don't want to kill it for my grandchildren. The lobster fisherman, my grandchildren are going to have a hard time getting a lobster license; got to wait for 3 people to drop out before they even get in. I don't want to see that with the wrinkle picking. I am a first generation in my family to do it. My

son is starting it. I suspect my grandchildren will be doing it. I made a business out of this, I made a living for 35 years and basically, sure anything you do in the ocean is going to hurt it.

Screening, I've probably killed more wrinkles leaving them in my shop, I'm one of the guilty ones here. Because I'm overwhelmed. I'm in shore. I can't run to the beach and dump my wrinkles. I have Jimmy Smith and Frankie do that for me. I'm not going to make a comment on dragging because that has been part of my living for a long time. That is their living they know what is best for that. Doing screening on the beach is going to be hard. I don't know how to do that. I think that the wrinkle pickers should take their wrinkles back, the culls back, they should not have a size limit. Because given the chance to put their wrinkles back where they got them and that way I don't get overwhelmed for being inshore not being able to get them out there. They've got to be traveling with their culls. If the fishermen take them back and bring them back when they go the next day their wrinkles will definitely live. If they stay in my shop for 2-3 days because I'm overwhelmed with well I've been doing like 4-500 bags a week now, and I get tired as one person doing all this. Like I said Jimmy and Frankie they do come in, they check to see what I got, and then they take them for me. I guess according to Isaac quite a few of them do live that dump them off the wharf they do crawl off.

We've been pumping [just] this year. If the pumping is that great and they are getting thousands of pounds a day, I heard one diver say you get 2,000 lbs a day, he's clamming right now for 70 cents a pound. You know 2,000 lb a day even at 70 cents like he said he was getting it would be a ¼ million dollars per year if he went out every day. I wouldn't be clamming. I don't care what they say. But there is a lot of people who have a lot to say that don't have nothing to do with this industry and they are not living [audience]; I'm doing this because 2-300 lbs per day isn't bad. [At] 90 cents per pound; if you figure, a good wrinkle picker, wrinkle raker, can go out and get that much a day and come in. Been doing it every day for at least 30 years because when I first started out like I said a couple occasions I got over 1,000 pounds. But my average was 300 pounds a day.

The only thing I see now is that when I go down to the ledges I see more pickers than I do wrinkles. There are a lot of people out there trying to make a living in the spring of the year mostly. It gluts the market the same time of the year that the Canadians come into our markets, because they are coming off of their unemployment over there. So they just come off of that and they go wrinkling and they glut our markets because they go 20 cents less than us a lot of times [due to the exchange rate]. I went in to check on the dumping laws on this because a lot of cases their cases their country can't take that many wrinkles so they dump them into our markets at even a cheaper price. Come to find out I had a whole book that I had to fill out and tell them who the company is and write my name to them and everything. By the time I did all that my markets would be made at me and I wouldn't have a market. So I can't fight with the Canadian's. If we have too many rules and regulations in the wrinkle industry we might as well just hand it right over to them. Because sooner or later they are going to figure out how to do it through the winter time and we're not going to have a good winter for ourselves here.

Tom Saad, Gouldsboro (fisherman)

I guess I'm going to speak in opposition to the banning of the pumps as I have one, which actually I used for one week last spring. I'm opposed to the rule that you are proposing to ban. I have a pump and I want to use it. I bought it last winter. The fella in back mentioned that he called the wardens and asked if there were any proposed regulation and they said no and he went and bought one. I want to say that that is what I did too. I called a couple of wardens and asked them. They said there [were] no proposed regulations. I went and bought the pump for over \$2,000, which if you pass this law will be worthless. I will have \$2,000 gone and I've used it for one week last spring. If you have a hook up system included with it, which you would breathe off while you were diving that would be closer to the \$3,000. I used it for one week last spring for 6 days. I averaged \$200 a day and I've been diving for sea urchins for 25 years, almost. So I'm a good diver and I went out and I made a couple hundred bucks a day and I was taking 60% at that point and giving my tender 40%. So I was taking home \$200 a day, which was pretty good but it is no where near what all these rumors are that are flying around about how much we're getting. I went with John's son Jessie and Jason for a while this spring. I had a few \$70 days. We were going 50:50. They supplied the pump and equipment. I had a few \$70 days. I had a few \$150 days. I had a couple \$300 days, average, maybe \$180 a day. That was split 50:50 and that was what I was making. No big bucks. I'm carpentering right now. I wasn't making enough money to make ends meet. But I love it. I love diving. I have the pump. I would love to be able to do it some to make some money at it when things were low like when clamming is 90 or 70 cents a pound. You can't make any money clamming. Carpentering there are no jobs. Urchins are gone. I wouldn't mind going to pump a few wrinkles. I think there are a lot of rumors flying around about us getting rich with these pumps, which is bull.

Joseph Keene, Trescott, continued

I left out a few things the last time I was up here. I'm against the wrinkle pumping. I don't care what Mr. Cox says and Mr. Frazier and all these people. Maybe they can't go out and make that much with pumps. But I will tell you something right now, you give me that pump and a dive suit and I will get you a couple thousand pounds of wrinkles a day, no problem [audience]. I tell you what you're talking about 2-300 pounds a day that you can split between your crew. Now you're talking about 600 pound average a day.

I have seen personally a two man crew bring in 1400 lbs almost every day. they started to slack up a little but they can manage. I'm sorry but for the 2-3 people that want to do this once in a while. That doesn't work for me because if they do that then other people are going to start doing it and eventually everybody is going to start doing it. I don't care,

2-300 lbs per person, if you're talking 600 lbs per boat, for a two man crew, you show me a wrinkle picker that picker that picks 300 lbs of wrinkles every day. I don't think so.

You asked a question of Mr. Smith about how they would enforce the buyers, I have an idea. A warden is at a wrinkle buyer's almost every day. He knows what is brought in, what the stuff laying in the tote is. I think a week is plenty of time. If you [haven't] got them out in a week I think they should be wrote up.

Avery Kelley Jr., Beals, continued)

I'm against the pumping as you know. John telling about they ain't getting that many and stuff and they've invested all this money like he's doing it. It is not [audience]; you're probably going to get better at this in time. The more you do this. [Audience] he's crying that he isn't really doing that great at it and it ain't going to hurt the industry but eventually they will probably come up with something a little better. It just keeps getting better and eventually it is going to wipe it out. I can clue you. I've seen the scallop diving and I've seen what that done in the Reach. I used to hand drag scallops in that Reach. I used to drag 100 lbs a day in that Reach. Now you cannot get probably 2-3 lbs hand dragging.

John Frazier, Jonesboro, continued

If you want to put a cap on the pumping we don't mind 600 lbs a day. 600 lbs a day is a living for anybody. You've got 2 people involved and you've got expenses. I'm saying 600 lbs a day is a living. I'm not going to say, come on, give us a break, we've got investments like any body who has a boat and we need to work them investments off. To stop us because of a lot of gossip; the 2000 lbs a day people I've not seen in here. I don't know where they are. They are not stepping up to the mic. I think if I was missing out on 2000 a day I'd be here.

Ralph Smith, Jonesport, continued

I just wanted to note back in the 80's when I started shipping over seas, which is a lot of that spike (in handout) is that particular time, my buyer over there encouraged me, in fact sent me diagrams for a wrinkle pump, and it was from France. The more I talked about it the more excited I got about it, because I could make fast money, but the more I talked about it, it finally come down to the question, well how were they doing over there right now. They've got this pump. He said actually there's no industry.

Paul Molyneaux, Whiting, continued

The 220 limit, I think that is the finest kind, I think anybody who has been picking wrinkles can figure out what a 220 count wrinkle looks like and that is what they can bring ashore. I don't think they are going to need to drag a grate over the beach. I think anybody that has clammed knows what a 2-inch clam is. Anybody who has scallop knows what a 3 inch scallop is. Anybody who has urchined knows what a legal size urchin is. Anybody that goes wrinkling is going to know what a legal size wrinkle looks like.

James E. Smith, Jonesport, continued

Where is he say he picked [Paul Molyneaux]? The statement on the 220 count might work dandy in Cobscook Bay. That might be a reasonable limit. Because I do know the further east you go the larger the average wrinkle size tends to be. Down that way he said they only had one guy that dragged down there. I've been down that way looking around a little bit. I didn't notice a whole lot of good dragging bottom. We even took a hand drag down there. My brother and I did some dragging around with a hand drag to see if we could find something to drag. Down around Lubec area. I'm not really familiar with which bay is which. We didn't find much looking promising down that way for dragging them. But he says the 220 count is great and it probably would be ok in places. Other places it is going to shut things pretty much right down. As far as he said you can go and pick the big ones out of the little ones, well if you go picking in the winter time, and I don't know when he went, but in the winter time you don't brush wrinkles off the rocks. Because those babies are right down around the edge in little holes all cuddled up together and when you grab them you grab by the hand full. So you don't grab that one big one that is under the three smaller ones. You grab the handful. At least to my experience in the last 25 years that would be the way it would be. They may climb up on top of the rocks Downeast in 5 degree weather but I wouldn't look for it. So yes, maybe in the springtime Downeast, maybe you can pick that perfect size wrinkle. A lot of the places I pick have a more moderate size run wrinkle. Some places they used to be bigger. The average has gotten smaller. Some of the places I pick I've never seen a decent size wrinkle there. They are all border line to being big enough to sell and there along the rough board where the sea comes in at times 8-10 feet high, and pounds them as soon as they get big enough to get caught a hold of, it pounds them right up in to the tree line, and you can walk along the shore and see the dead shells all over the place. So waiting for them to grow is more than likely just be a good chance for extra dead shells on the shore. So maybe 220 is a good thing in places but in my opinion it is something that will not work in a lot of places.

As far as Isaac Beal mentioned [about] the closed season on dragging, I personally wouldn't be opposed to it. As to when it should run to and from I don't know. But I'm not against trying to conserve an industry. I just don't want to see something put into law that isn't going to work very well for most people. I know a large amount of people do depend on periwinkling during the spring when not much is valuable.

John Frazier, Jonesboro, continued

I got some people that go part times and they have their opinions. But there are people who actually go out and have a lot of bills they have to pay, houses to pay for, and they do it strictly by periwinkles. When you go wrinkling you've got just an amount of time to get them off the ledges and get them into the shop. You can't take time out to look them over and see, you're not out there just to make extra money, you're out there to make a living and you need to take the time you've got and get what you can, do them up in the shop. I'd like to see them going home with them with their own culls and that would leave a lot of pressure off of me. But again with the divers [for pumping], again they only go out 2-3 days a week. At most 3 days. The weather is not permitted a lot of the times. Mean diving when pumping; I don't know anybody that hand dives. Everybody else wants them to do that. I have hand dived before but I love my air and I'd never make a living at it. So I'm not going in diving. If you're out there to make a living I don't want them being bothered by being worried if they're going to be fined when they go up the shore. I brought a screen here for people to see what they'd be taking down on the beach with them if they have to. It is a log. In the winter time it a lot of work. But take you're culls back the next day. Where ever you are. Don't put them right on the spot that you picked. Put them below the water at low water. Let them have time to mix in, crawl up, grow as they crawl. I hope that what I'm saying makes sense that this isn't a popularity contest for the state. Take you're time, think about it. What makes sense to you do, but don't take away somebody's living because somebody thinks you're making all kinds of money at it. We're willing to have a cap on it. If you're worried about us going hog wild, 2000 lbs a day, like rumor has it, nobody has proven it. You've got records going into state right now. All the dealers have to put it, I don't mine through computer. If you see somebody coming in with 2000 lbs a day ask them questions, where they are getting them. How they are getting them. I can almost guarantee you it ain't pumping. I got dealers right here, anybody coming in with 2000 lbs a day.

[LC: The harvesters bring them in, you may hold them a couple of days, would those hand pickers be back frequently enough where they would be back within a few days to take their own stuff or a quantity back out?] They mostly do it on big tides, most of the hand pickers. But they come in every day for about a week steady then [they wait] until the next month's big tide. On an 8 foot tide they don't get nothing. That is when we use the rakes. [In] another couple months they will have a hard time finding wrinkles and I'm going to relay on them pumpers because my draggers are going to be lobster fishing. My family will be lobster fishing. But if I asked them, if I needed some wrinkles, they will stop lobster fishing and get me some wrinkles. This is a family business mostly. We depend on wrinkles as a living.

Julie Keene, Trescott, continued

I want to address, John Frazier is my cousin; most of the people down where I live are not going to put them wrinkles back, no more than come to a meeting. I understand but I mean maybe you [John Frazier] should put a surcharge on it to hire someone to put them back. I don't know what to tell you but I mean if you can't see to get them back you're killing your own industry.

What I've got to do is address you both because John Sowles asked me something about zoning Cobscook Bay, 14 zones, same as they're going to do with the rockweed harvest on the periwinkle harvest. Have you heard anything about this? [LC: No. PT: No. LC: It's not proposed.] It is completely separate or not part of the deal? [LC: This isn't rockweed, this is periwinkles...PT: I think John Sowles was making a point that if seaweed needs to be managed that way in Cobscook then everything should maybe be managed that way. But that is not something we're putting in this right now.] That is why he called me and had a conversation about zoning for periwinkles and I was just wondering, I didn't see it in here, if it was being considered. I was worried about it because he called. [PT: I didn't know he called you. It is something we talked about.]

Pumping, most of the people in Cobscook Bay don't get very many periwinkles now because there are so many people doing it. They're getting like 50 -60 lbs a day if they're lucky. A lot of people come in with 30-40 lbs. Somebody getting 600 lbs, if they came to Cobscook and they could get 600 lbs of wrinkles you would be putting how many people out of work, 10? There's no other work there. [John Frazier: But none of my [pumping] divers are down there.] But you just mentioned you'd take lobster fishermen and they were going to stop lobster fishing, we don't have a lobster license.

Inez Frazier, Jonesboro

I'm a 34 year periwinkler. Periwinklers are just like lobster fishermen in our area. If they go and don't get a good tide they will blame it on a wrinkle sucker or dragger or something. It's like lobster fisherman, someone hauled my traps. That is just a bunch of bull and do you realize the damage that a drag does to the periwinkles, to other animals in the sea? Sucking wrinkles does not do damage to anything. [Supports pumping.]

Paul Molyneaux, Whiting, continued

You've been in the DMR for a long time. Peter I've seen you around a lot of meetings. The thing with fisheries is when they start to go down you bring in the technology to boost up production. It doesn't make the resource grow. It just boosts up production so people can keep making a living. This is what has been done over and over again. The ground fish industry in New England was hitting the skids in the late 1800's and they brought in the draggers. The most haddock New England fishermen ever caught they caught in 1929. They just kept bringing in technology to bring up, to keep production up. Now if you want to, if you really are serious, hand pickers could wipe this industry out, no problem, right. I think if you're serious about keeping this industry in shape you'll make it hand picker only. You'll put in that 220 limit; anybody coming off the beach with more than 220 that is it. The other thing Julie suggested, you will zone it. Because one person, if they know that those wrinkles are going to be there when they come back they will leave those small ones

there. When I was all alone in the area I was in I had not problem leaving the little ones. And I had no problem taking the time winter or summer, drag them right out of the crack, look at what is there, sweep off the big ones, put them in my bag. I use dot go by dog sled and break the ice out of the pools and drag the wrinkles out of there and drag, scoop of the big ones and leave the small because I wanted something there when I went back. The only time I got in a jam was when a bunch of Lubec'ers came out there and scraped every dam wrinkle off the rocks. Then they put them up on high water and let them sit there all for the fourth of July and die. But you know; that was McCurdy; I mean the only time, when things started to go down hill for me was when other people started coming in and hitting those same rocks and taking every single wrinkle. I mean I hear people in this room talking about going to Blue Hill. If you're working the same rocks what the heck are you driving all the way to Blue Hill for? [?] That is all I had. That was my whole life was periwinkles and blueberries in August; that was my whole life, and shucking scallops in the winter time. That is what I did. [audience]

If you want to save this industry don't be foolish like you've been in every other industry. Get some back bone and put in some regulations that are going to be effective.

Joseph Keene, Trescott, continued

To help Paul [Molyneaux] out, like he mentioned with the groundfish industry, my father been a gill net captain for 28 years, he's fished out of Portland. My mother and father were gill netting when they met. I've lived that; I know that what he's talking about, the upscale in production. When they stop landing so many, they upscale production, what does that help? I'm sorry but if you're noticing a decline in wrinkles I don't think there should be any up scaling. And a pump does kill more wrinkles than a picker can.

John Frazier, Jonesboro, continued

If we go to hand picking only, you're going to see a lot more people on the state than what you are right now. Because they ain't going to make a living just hand picking in our neighborhood. Like I said we've been doing this for a living for 35 year, I've been in the wrinkle industry. I've seen them come and go. I've seen so many divers come and go. I have not seen them stick with it. If I was making that much money I'd be there. I wouldn't be clamming today. I'm just warning you, [if] they've got to pick wrinkles and just pick out the biggest ones and come in with them there are going to be a lot more people on the state then what there is right now.

Robert Hurlbert – written comment

Ditto what Ralph Smith and Jimmy Smith stated.

Pete Thayer (PT), DMR – background introduction (Rockland)

Regarding the landings handouts disparaging comments were made about at the Machias hearing: It's actually not a correction on this landing sheet. It is what you were seeing was the meat price [per pound of meat]. [On the handouts at the Machias hearing the meat price listed was \$3.48 per pound.] You can calculate the yield because it is just a conversion factor that she uses. Everything everybody is doing is the whole animal but we always have the meat price because that is how National Marine Fisheries Service (NMFS) lists it. So there is a conversion factor being used for the meat. The accurate one as far as we're concerned is the whole animal and as far as the conversion factor I don't think our landings people have going out and verified that. There are some other animals they've been in the process of verifying like worms, etc to get updated conversion factors because for a long time we were using the old NMFS conversion when the average worm was a bit bigger.

[What was the spike on 1989?] Those numbers were volunteered collection of landings. When you look at the historical landings of say mussels, worms or periwinkles, for a long time in Maine there weren't enough NMFS agents that were full time that were out consistently. So it was a lot of here and there or folks like you saying "no, I don't want to give it to you some times". So when you go back in time it can be dicey; much as been tightened up a lot and now this year more so.

There are no regulations on the periwinkles. The only thing on the books is a commercial license. About 10 years ago I went to Machias two years in a row. I went there because historically 90% plus of the landings are from Washington County. It was an informal gathering, basically to ask people if there were any concerns or issues about the industry they wanted to express. I brought a list of ideas for different conservation measures and we went down through them one by one what people thought about them, vote yes or no. The net result of that was that people really felt that everything was fine with the industry and the size had been market driven all these years. The one thing there seemed to be a consensus on was that people wouldn't want to see suction harvesting. The other thing was if we ever implemented mandatory reporting that that would be fine. Since we've always got 20 other things going on we put it on the back burner; we had the information. Then a couple years ago we got a report or reports of a couple people that had started suctioning. So we pulled out the information and started to gear up and then heard a bit after that things were quiet again. This winter we started getting a lot of calls that there were a lot more people out there. I heard 8-10 [suction harvesting]. [John Frazier: There was one last winter.] We were getting calls that there was maybe 8 or more with real concern that they were hammering the stocks especially stuff that was typically inaccessible to pickers or draggers; like the stuff down in the crevices that was serving as broodstock and was normally undisturbed and what brought us to this. We have a few other items in the proposed rules. When I held those meetings back then I was told that a 4 foot drag would be ok, some

people would fight for 5 feet. Last night it was said by somebody that they [would want] 6 foot drags. Sgt. Cloutier - do you have anything to add?

Sgt. Rene Cloutier: [I understand] there were concerns raised last night that the 220 quart count wasn't high enough. [In] that 220 every one of them is 9/16th of an inch. If you just throw a few [periwinkles in] that are an inch in there that brings the [total] count way down. Laurice referred to people saying a 270 count came up; 270 is ridiculous, which is a lot of small ones. My interaction with periwinkles is pretty limited but for the people that I have checked I haven't seen anybody yet that the 220 count would have negatively impacted.

PT: The comments last night were supposition about other areas on the coast where this probably wouldn't work. The place where we determined the count, with Sgt. Cloutier and Lt. Cornish and myself was in Cushing at Krute's [a dealer]. The periwinkles that we measured we then dumped on the table and they examined them and said they were smaller than they could sell. Sgt. Cloutier indicated they could sell some mixed in to a pile but if someone started bringing in periwinkle that had 220 in a quart they wouldn't be interested in buying those.

Neutral

Jim Wadsworth, Camden

I did get complaints from a couple of my urchin divers that were saying these periwinkle draggers are doing some damage to higher value species while they are dragging for periwinkles. That doesn't make a lot of sense to me, I didn't even realize they were dragging; I thought it was just a hand pick fishery. This was all news to me. Seems to me suctioning is a better method than dragging. I don't know whether these periwinkles have benefits to other fisheries or what their role is in the overall ecosystem is. I assume they must serve a purpose, they clean the bottom or something, I don't know. [PT: May I ask where those divers would generally be?] The divers were in the Bagaduce River. I never bought periwinkles. I know Larry Mathews is buying some up in Dennysville. It is probably an important fishery in Washington County.

John Frazier and Jessie Frazier, Jonesboro

John Frazier indicated he would send in written comments to augment his official comments given at the hearing in Machias. This was followed by an informal discussion.

Additional written comments

Paul H. Farmer, Cushing

I do not agree with the proposed regulation prohibiting dive harvest of periwinkles. I think that coral covered periwinkles which are abundant and not as desired in the market will serve as broodstock. Why not close areas to preserve broodstock. I think that requiring seed to be released alive is a step in the right direction. Why not put daily limits on fishing. That way a guy can make a good days pay but not take it all at once. Dive harvesting is eco-friendly and effective way to fish. Periwinkles are a good alternative for fishermen who have already been severely limited by regulation. Some regulation is a good thing, but prohibiting diving as a harvest method and allowing dragging is just a step in the wrong direction

Ralph L. Smith, Sr., Moosabec Mussels, Inc., Jonesport

In addition to my original statement made at the Public Hearing at UMM, Machias, Maine on June 9, 2009, I wish to add the following comments regarding the enforcement issue. After attending the Public Hearing and hearing the concerns about enforcement of the debris from periwinkle harvesting (small periwinkles and screenings), there should be no obvious dry seed screenings lying around either by harvesters or buyers.

John Frazier, Jonesboro (periwinkle dealer), Close to Coast Seafood

My name is John Frazier. I live in Jonesboro, Me. I am speaking to you as a wrinkle picker of 35 years. I believe I know as much about periwinkles as anybody. I was at both the Machias and Rockland meetings and I heard a dragger say that he opposed pumping, but if they passed the pumping rule he would pump even though he doesn't really want to. I spoke to that same person later and he told me that he was only not pumping now because he had a bad back. This tells me that if he could pump, he would, but he can't so he doesn't want anybody else to do it. If you put a cap on the pumping for 600 # per day for 2 people in a boat this would be 300 # each. There is a good chance the dragger I talked to or any other dragger would not even go pumping. Considering a dragger could get 700 - 2,000 # per day. 2/3 of this would be profit for the owner of the dragging vessel. Dragger go mostly in the wintertime because that is when they bunch up. This means in one swipe of the drag they could get up to 2-5 gal. pails of periwinkles and other newly damaged marine species. I heard one man at the meeting say that in the last few years he has seen the wrinkles deplete and made it sound like it had to do with the pumping. That's just not right because pumping is so new to the industry it wouldn't be fair to make such a statement. How would this man know when he doesn't even go periwinkling? Please keep in mind that most people who oppose the pumping do not even go wrinkle picking. Being that my family has been supported by periwinkling for 35 years, to have them come in and tell us how to make a living is beyond me. I was told that this was more or less a popularity contest and someone from Aroostook County had just much to say about it as me, bothers me. Laws should

protect people who need to make a living and not protect feelings of those who do not depend on it for their living. Please, I urge my State and Government to scientifically find out what will or won't hurt this industry not just go on gossip or the words of friends of the rulemakers before making any laws. I also heard one guy say that if you handpicked only, you could make a living at it. This man also has other jobs and I dare say that he does not pay for his child's college tuition doing it this way. If we did it this way, chances are, there would be more of us on the State asking for help. I believe there should be a size limit and returning culls to the ocean imposed on the fisherman. Dealers can get so overwhelmed by so many pickers coming in that he would have not enough time to return them quickly. I heard a dealer say that it should be up to the dealers, but that dealer only had to walk to the end of his wharf to dump them. Some other dealers may be 7-8 miles inland. Therefore, I believe each individual picker should be responsible for their own culls. (Many hands make light work). I also believe there should be no free licenses because there are enough people in it now. If they are serious about periwinkling, they should be able to afford \$41.00 for a license instead of glutting the market on people who depend on it for a living.

Inez E. Frazier, Jonesboro

My name is Inez Frazier and I just helped my husband, (John Frazier), write a letter to you. I am not going to write another long letter when I agree with everything that was stated in his letter. I have worked by my husband's side for 34 years in the periwinkle industry and I think I know just as much about periwinkles as him or anybody else. Please don't stop pumping until you have thoroughly investigated it. At least put an amount limit on it or a season. I feel the same about dragging.

Jessie Frazier, Jonesboro

Some of the information you have is incorrect. There are more periwinkles harvested by draggers and hand pickers in the winter months than the rest of the year. That is when the draggers do best, sometimes getting up to 2,000 pounds per day. I don't think pumping should be stopped because the pumpers don't get anywhere near as many periwinkles as people think they do. That is why there are only a couple of people doing it right now. Pumping is a lot more gentle than dragging. Lots of divers tell me that they have seen where the draggers have dragged and seen lots of dead sea creatures such as lobsters, crabs, urchins and other things. Draggers can go out in good weather or bad, so they get to work a lot more days than the pumpers. I think that if people are worried that the pumpers are getting too many wrinkles then you should maybe put a limit on how many we can get or how many days we can go per week. People have said that they don't think pumpers are a threat until winter, so maybe we could be allowed to pump in spring and summer. I don't think would be fair to just stop pumping and allow draggers to do a lot more damage. Pumps are expensive, mine cost about \$2,800. I don't even have it paid for yet, and it will be useless if I can't pump periwinkles. Most of the talk about pumpers getting a lot are just rumors. There were reports of a lot of pumpers out last winter, but there was only one, and he didn't get a lot so he doesn't even do it now. I hope they don't stop it just because of rumors. I would welcome any of you to go out in the boat with us and see what it is like.

I think the drag size should be four feet.

I think that there should be a cost for a periwinkle license. Certain times of the year there is only enough market for the people that do it for a living year round. If there was a no cost license, a lot of other people would jump in and flood the market. That would cause the regular Periwinkle pickers to not do so well.

Jim Markos, President, Maine Seafood Alliance, Cherryfield

Please note the Maine Seafood Alliance's (MSA) position on the agency rule making proposal with regard to Rule Title: CHAPTER 13 WHELKS AND PERIWINKLES.

MSA strongly urges that a prohibition on the harvest by mechanical pump, suction methods, and or diving be enacted immediately.

MSA suggests that the establishment of a minimum size based on a quart sample count at the harvester level would, as a practical matter, be unenforceable. Enforcement of a size limit would be far more effective at the dealer level.

Limiting the drag size to four feet would offer no additional protection to the resource. Few boats presently drag for periwinkles.

Requiring harvesters to grade and return culls and undersized periwinkles to the marine environment is impractical due to the necessity of transporting grading equipment to the harvest sight. It should be the dealer's obligation to return culls and undersized to the marine environment.

Dean Norris, Livermore Falls

I harvested periwinkles by 2.5 inch airlift for a few months. I was in the Stonington area at the time. In the years since I have noted the commercially viable beds as I found them. I have dove the Maine coast extensively for about 24 years - about 14,000 dives all told, from Arundel to Lubec, and have witnessed substantial change in the ocean over the years.

Some points about periwinkles:

They are on hard bottom absolutely everywhere. In the majority of areas they are too small for the market. Most areas the bottom cannot be worked by any means. Most areas in fact suffer from both problems. Furthermore, most areas with good size have too much pink coral (actually calciferous algae) for the market, and are unacceptable.

The trend is smaller periwinkles west, larger periwinkles east. The larger periwinkles are much more common in Washington County, nevertheless the commercially viable beds are still very sporadic. For example, In Stonington I scouted over 30 spots, all had periwinkles, only 2 had market size, and were practical for a lift.

For a lift, here is what you need:

a. density - the periwinkles can't be several inches apart - even a couple inches apart. You'll waste your time and lose money. They need to be a couple inches deep anyway, preferably more. I occasionally see them 4-5 inches deep.

b. not too much pink coral - a big problem. Not too many dead ones. You can't pay someone enough to spend all day checking shells to see if a snail is in it. Too many & you won't be able to sell them. I think this is less of a problem for the shore rakers, they are shallower. Not too many hermit crabs either.

To get sufficient density, there are only a couple kinds of bottom that really work - either pockets and cracks in ledge where large periwinkles occasionally accumulate, or at the base of a ledge where they occasionally build up and form a belt extending out a few feet, where they can be 3-4 inches deep. This is the most important bottom for a lift. For urchins, it can be profitable to work an easy bed until the last few urchins are gone. With periwinkles, if you are diving with a lift, when you are done with a spot, the ledge is still covered with periwinkles that are completely impractical to get. You can't support a boat when you are paying for fuel, supporting a tender, wearing out gear and fighting bottom that just doesn't work. I've never, ever seen a ledge cleaned out of periwinkles by divers anywhere. I've just seen the size reduced to impracticality. I'm not sure of the growth rate, but the spots will all recover. PS screening at the harvest site makes sense - lighter, smaller shakers may be called for. I'm not sure if 220/qt is the right number - seems it should be a higher number, but all you need to do is run some smaller samples through a standard for the industry shaker & see what you get, then pick a number a bit higher - eg if it shook out at 210 then 220 might be right.

The areas that are commercially viable and are conveniently accessible from shore tend to be locally well known. As convenient, viable shore sites are limited in number, it is understandable when a shore picker feels threatened when an out of town dive boat harvests his or her spot with an airlift or water lift. As there are many more areas that are remote but accessible by boat, islands, submerged ledges etc, there is no need for conflict. The few local spots that the local shore pickers rely on should perhaps be zoned differently. It is common sense, to me anyway, to leave those spots alone, just to avoid getting people worked up. Spots like the east shore of Carrying Place Cove, a spot on Petit Manan Point, etc. - it is good sense for the concerned parties to get a particular area limited to shore picking rather than to in one fell swoop reduce perceived competition by requesting that anyone who does it differently than you be shut down.

Economically in this fishery I think we benefit from fishing all methods. This is not a big money fishery for anyone - its for when we really need it. I generally caught no more than 600 lbs by suction. 40% went to my tender, then fuel, then the dive shop (air and supplies) etc. Periwinkling by suction is very selective about where it works and what it is affecting. The little money made is spread out a lot - it is viable, but not by much. Most divers won't even try. There are a few more divers doing it this year - but because they really need it. The rumors of big weights are just rumors, I haven't seen any of it backed up, yet I have seen it on occasion for lobsters, urchins, etc. Why is there never a name, and if there is, why isn't that person still periwinkling? There is no unemployment for a fisherman. Let's work to minimize the perception of conflict rather than work to cut people's options when they really need the money. I see no change in total periwinkle numbers on diveable bottom over the past 24 years. The amount harvested is miniscule compared to the past and unlikely ever to increase to anything even close to that level as the market is fairly limited. Allowing suction harvesting helps some people (include the tender here too) when they need it. I could add a lot more, but I am out of time.

Some more info:

Pumping periwinkles means either air lifting or water lifting. A short description -

Air lifting requires an air compressor - at least 12 free air CFM capacity, preferably a little more. Mine was about 14.5 CFM - bulky and expensive - this will run a 2.5 inch airlift (3" is probably the largest practical for periwinkles, under 2.5" you'll get way too much jamming). PVC pipe min 3-4 feet long is ok, with a flexible piece on the diver's end to aid harvesting. An adjustable buoy needs to hold the top end of the pipe higher, so that it is fairly close to vertical, for it to work. A bag may be attached to the end of the pipe under the buoy to catch the periwinkles as they are pumped. A 45 or 90 degree piece off the end of the pipe keeps the periwinkles from jamming against the bag. Some of the smaller periwinkles, sand, and pieces of detritus fall through the net of the bag. This helps reduce the effort involved with cleaning the product. Air is pumped to the diver's end of the pipe. The diver controls air flow with a valve on his end, the air rising inside the pipe draws water with it, providing suction. Too much suction draws up pebbles, which jam the pipe and also need to be culled out before selling. A major headache either way. The valve at the low end of the pipe allows the diver to shut it down to unjam the pipe (he may keep a stick or a piece of coat hanger with him for this), but more importantly, it allows him to adjust flow so pebbles aren't picked up. An airlift needs a min of about 4 feet of water to work.

Water lifting requires a small water pump to pump water down to the suction pipe. The water is pumped through a small nozzle inside the suction pipe. This water drags the water in the suction pipe by a venturi effect. The resulting suction is adjustable, and similar to an airlift, but the suction pipe does not need to be kept vertical. 2.5 to 3 inches is still the practical size for the suction pipe. Smaller pipe jams, larger is too awkward, less mobile, and entirely unnecessary for the kind of bottom that's worked. The water pump is much smaller, much lighter and much less expensive than the large air compressor an air lift requires. Otherwise, water lifting is similar to air lifting.

Periwinkle pumps are very selective, and are easy to adjust so they only pick up periwinkles and lighter detritus. They will pick up empty periwinkle shells regardless, as these are lighter. They will also pick up periwinkle shells that have

hermit crabs. The buyers don't want these, so you pick them out on the surface or avoid areas that have too many. You try to avoid areas that have too many as it is a pain to spend the day picking them out.

Periwinkle pumps are used because it is generally difficult to rake periwinkles by hand underwater. They don't pick up as easily as you would think, or go in the bag as easily as you would think. The pump picks them up and puts them in the bag. You have a chance of making it pay if you scout enough and work hard. You won't make much - that's why there are very few boats doing it, and then generally only when times are tough. You may be able to get by and support yourself and your tender. So far as I can tell there are only maybe a dozen people pumping in the state (if that) and the number is very unlikely to increase that much if at all.

I really think outlawing pumping will essentially be outlawing diving for periwinkles. In the absence of a pump, it's so much harder to hand rake underwater as compared to raking on the shore that it is not worth it - too slow when you are submerged, too many expenses. That is unnecessary and would be a shame - The pumping method by its nature is very selective and non destructive - it does not impact scallops or urchins, and I do not see how it could have a long term impact on the resource, so long as smalls are returned to the harvest site (nb this is important - culls must be returned to the harvest site - since maybe 99+% of the places that have periwinkles are not commercially viable (the bottom is awkward or size is too small). The depletion that matters is very site specific. The normal size of a periwinkle is below what the market wants. There are site specific environmental factors that occasionally allow them to get large. These conditions are much more prevalent down east.

PS I remember when I was elvering the Royal River was restricted to dip netters only. A couple other places were also limited to dip netting, as I recall. This was done by private bill if I recall correctly, but it may have been by rulemaking. In any event, we would all be served well if some places could be identified as shore raking only areas. It's not a big deal, there are enough areas for all. There is not a lot of effort in this fishery and there is not likely to be in the foreseeable future. We all need to keep working, we have families to support, we just need to make the attempt to not step on each other's toes eg don't pump a popular shore raking spot if you can help it - you may not reduce their catch any more than if another shore raker showed up, but if you have another spot, use it so they don't get worked up. Also eg don't bash diving for wrinkles when you don't understand it, just because it is not your chosen method, or because you may buy primarily from draggers. Realize how much you don't know. Periwinkles grow profusely on hard bottom. They sometimes cluster in pockets that are harvestable by one method or another. There is no one area that serves as a broodstock, they grow throughout a hard bottom structure and tend to refill workable spots from the surrounding awkward spots. Enough said.

Tom Saad, Gouldsboro

I just talked with you [June 16, 2009] on the phone and I am putting my wishes and concerns in writing.

I would be very happy to continue pumping wrinkles on a part time basis with a 500 pound limit per day, (split between a diver and tender).

I believe that with these restrictions implemented there would be reasonably limited impact on the resource.

If DMR has already made its mind up and it seems inevitable that the pumps will be banned I think a buy back would be a reasonable concession.

One more concern is why hasn't a ban of wrinkle dragging been considered? Dragging is far more destructive to the bottom where a multitude of sea animal live and breed. IS the dragging lobby simply too powerful to consider such a "radical move"?

Mercy A. Beal and Rebecca Lombard, Jonesport

I'm against the proposal for regulations which would prohibit periwinkle harvesting by mechanical pumping (suctioning/vacuuuming) and or diving methods.

In support of obtaining periwinkles by mechanical pump and or diving method, I feel this is the Best method, as it is easier on the environment and the impact of periwinkle population.

Regarding Primary Concern #1: "Periwinkles suctioned from areas that would have been unavailable to harvest -- impacting the broodstock population" -

By obtaining periwinkles by mechanical pumping and or diver method, the diver has access to deeper waters -- whereas, the dragging method would limit the ability to obtain periwinkles due to the water's depth --

This is similar to the lobster fishermen: Those who have small boats and few lobster traps "inside" -- the waters; whereas, lobster fishermen who have larger boats tend more traps and go "outside" shores -- in deeper waters; therefore, making the availability of lobsters more accessible -- as they are able to obtain more lobsters - - The same with mechanical pumping vs dragging of periwinkles -- The downfall is -- the bulk of these people who are protesting the mechanical pump and or diver method are these bigger lobster fishermen who aren't really concerned about the existence / welfare of the periwinkle broodstock population, they're concerned that somebody else is making some money that they didn't make -

Regarding concern #2: "The practice of grading periwinkles away from their habitat and or onshore is resulting in an unnecessary mortality of the periwinkle resource, in particular future broodstock"

The mechanical pump method would require a vacuum type pump and a diver who would visualize what is being removed from the ocean's bottom whereas, the dragging method would entail the blind act of utilizing a drag from above the water -- the drag is dropped down into the ocean and is not visualized as to where it has landed; the boat which the drag is attached to for guidance is put in gear, pulling this drag across the ocean's bottom, traumatically removing

anything the net collect – which would include not only periwinkles but plants etc. (This is food supply for underwater life)

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How about accepting the mechanical pump/diver method and have the periwinkles screened on the boat – at the site and any unacceptable periwinkles would be readily returned to its habitat – (The same for dragging) and make this a seasonal occupation similar to sea urchins or scallops etc to help preserve out supply.