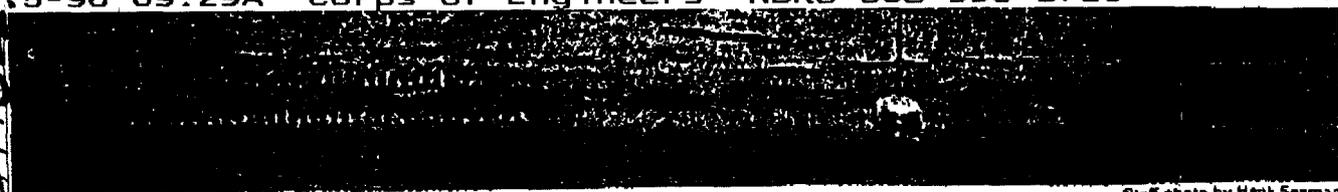


Supplemental Records Center
SITING NEW BEDFORD
BREAK: 13.03/47.52



Staff photo by Hank Seaman

In 1979 the state Department of Public Health closed three areas of New Bedford Harbor to fishing because of PCB contamination. Because of a gap in enforcement, lobster pots still dot the waters off Fort Rodman.

Fishing in closed areas continues despite ban

Division of Marine Fisheries plans stiffer enforcement

By Jack Stewardson
Standard-Times staff writer

NEW BEDFORD It was a bright August afternoon and as the sun dipped slowly toward the western horizon a lone boatman tended to a string of lobster pots off Fort Rodman.

The solitary figure toiled oblivious to the small power boat lying to his lee. The lobsterman pulled in a pot, emptied its contents, and then reset it before moving on to the next lobster buoy.

There were more than 50 lobster pots in waters off Fort Rodman, even though the area is one of three inner and outer harbor zones subject to a Department of Public Health fishing ban that has been in place for 17 years.

Jim Simmons, president of the Hands Across the River Coalition, could only shake his head as he watched the lobsterman at work.

"It's a mess," said Mr. Simmons, who last fall took another reporter on a similar tour of the outer harbor to pinpoint illegal fishing. "Nothing has changed."

"And unless you have your own type of meter maids out here, it's going to continue to happen," he added.

It's been a Catch-22. The Department of Public Health, which imposed fishing bans in three areas of New Bedford's inner and outer harbor back in 1979, doesn't have a waterborne enforcement arm to carry out its ban.

The state Division of Marine Fisheries and its sister

agency, the Division of Environmental Police, don't have the statutory authority to enforce public health department bans.

Nor does the city shellfish warden, Bradford Bourque, who said his enforcement does not extend to the policing of lobster gear.

"One of the things is while we have the regulation on the books, there has been concern about enforcement over the years," said Elaine Krueger, a public health department spokesman.

The Fort Rodman area is one of three covered in a public health ban imposed in 1979 after tests of bottom feeding fish, eels and lobsters showed high levels of polychlorinated biphenyls, toxic chemicals that are a suspected carcinogenic.

The stalemate finally may be broken, however.

The Division of Marine Fisheries, is considering the establishment of its own fishing ban on part of the area. That would give authority to the environmental police to enforce the fishing ban.

"We think we can work and set something up that will be satisfactory to everyone," said Philip G. Coates, director of the state Division of Marine Fisheries.

According to David Pierce, a senior biologist with the state fisheries division, the division would consider establishing its own closure in two of the areas closer to shore, but would not consider a similar closing of the outer area because of lobster samples taken in that area in recent years.

"(That area) is not going to be covered in the proposed action by us because recent sample levels there show PCB concentrations below 2 parts per million."

(See FISHING, Page A2)

3 strikes and you're engaged

Westport man proposes in third inning

By Ric Oliveira
Standard-Times staff writer

WESTPORT It was the longest inning of baseball in Mark Zanin's life.

The game pitted the Dodgers against the Braves, but it featured the Westport native stepping up to the plate for the biggest pitch of his life.

Mr. Zanin, a Westport native and 1987 graduate of Westport High School, proposed to his fiancée on national television in front of 50,000 screaming fans at Atlanta's Fulton County Stadium.

denied him the chance to treasure that moment on video for a lifetime.

"I just wanted the clip to play during my wedding reception," said Mr. Zanin. "I gave them the date and the whole thing and they said they would not do it. At the most the clip was five seconds long but they said they would not do it. If I had known it was going to be on television I would have set my VCR. Who knew?"

ESPN, known for its anchor's wit and cutting edge sports coverage, told Mr.

cation Rob Tobias. "You can only imagine the requests that we get with people calling us all the time saying, 'My son was in a band at half time; can we have the clip?'"

"We can not accommodate everyone; we just don't have the facilities to make that happen," he added, "but I will see what I can do in this case. We will certainly make every effort to honor his request."

ESPN said that they will be sending the clip to The Standard-Times if possible to fill Mr. Zanin's request.

"We apologize if he felt he was treated rudely," said Mr. Tobias. "That was

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Fishing: More enforcement due in 3 restricted areas

FROM PAGE ONE

The 2 parts per million is the so-called federal action level for PCBs, and Mr. Pierce said since 1991 lobster samples taken from the offshore area have consistently fallen below the level.

Until now, environmental enforcement officers have made note of improperly located lobster gear, according to Mr. Pierce, and passed on that information of the Division of Marine Fisheries, which in turn has notified lobster license holders by letter that they should get their gear out of the area.

In a few cases, the division has pursued action against lobster permit holders.

However, Mr. Pierce said the division and law enforcement personnel will have much more clear cut authority to proceed with confiscation of gear and other action if they are operating under a Division of Marine Fisheries closure.

Mr. Pierce said the division is hoping to have a public hearing sometime in September on the closure and hopes to have one implemented by next spring.

Mr. Simmons, who has been dogging the division to take some action for the past couple of years, says he welcomes state action but says it should be done without delay.

NO FISHING HERE

Three areas of New Bedford Harbor have been closed to fishing by the Department of Public Health for 17 years:

■ Area 1: Inside the hurricane barrier — no fishing for lobster, shellfish or any edible fish; bait fish may be taken.

■ Area 2: From the dike out to an area bounded by Rickelson's Point and Wilbur Point — no taking of lobsters or bottom feeding fish, including eels, scup, flounder and tautog.

■ Area 3: From the southern boundary of Area 2 out to a line from Mishaum Point to West Island — no taking of lobsters

"It's like closing the door to the barn after the horse has gotten out," he said. "That's too late."

"How many hundreds of pounds of lobster have been consumed from that area over the years," said Mr. Simmons, who is also a consultant for the Clean Water Action Alliance.

Despite the public health ban, he noted, people continue to put out pots in the outer harbor and he remains concerned that lobsters caught from the Fort Rodman area continue to find their way to market.

Proposal: Westport man chooses Braves 3rd inning

FROM PAGE ONE

June 15, 1996. The bride to be, Jennifer Dias, 25, of Somerset, had no idea what was in store for her.

"I thought it would be a neat way to go as far as getting engaged by surprising her with plane tickets and Brave tickets," Mr. Zanin said recently. "She had never been to Atlanta before."

The fateful game featured Hideo Nomo of the Dodgers against Steve Avery of the Braves.

Mr. Zanin said he planned the event the day before by contacting the press office for the Braves.

"They were great," he said. "They told me as soon as I got to the park to go see them. At the beginning of the game, she was sitting with her



THE PRICE AT THE PUMP

A comparison of area gasoline stations shows that prices have come back down, but they're still up over a year ago. Last sun yesterday, it was \$1.252.

Station	Service
LAKEVILLE	
Belbin's Service Station, Route 18	full
WAREHAM	
Joe's, Main Street	full
Maxi Gas, Route 28	full
Charter, Main Street	self
Depot Auto Service, Onset Street	full
Getty, Main Street	full
Texaco, Main Street	full
Mobil, Route 28	self
MARION	
Cumberland Farms, Route 6	self
Christy's, Route 6	self
Citco, Route 6	full
MATTAPOISETT	
Texaco, Route 6	full
Mobil, Route 6	self
FAIRHAVEN	
Getty, Route 6	self
Exxon, Route 6	self
W.J. Sojka, Route 6	full
Shell, Route 6	self
Fast Fuel, Route 6	self
ACUSHNET	
Texaco, Main Street	full
Shell, Main Street	full
NEW BEDFORD	
Hi-Lo Gas, Acushnet Ave.	full
Sunoco, County Street	self
Gas Express, Tarklin Hill Road	self
Sunoco, Acushnet Ave.	full
Shell, Ashley Blvd.	self
FREETOWN	
The Point, Route 18	full
United Fuel, Route 18	full
WESTPORT	
Norwest, Route 6	self
Texaco, Route 6	full
Citgo, Route 6	full
DARTMOUTH	
Sunoco, Route 6	self
Shell, Route 6	self
Mobil, route 6	self
AVERAGE	

Gas prices: Trickle d

the highest price \$1.309, 21 cents above the lowest price. Station owners yesterday said it is unclear which way prices will go