

To: Ocean Policy Commission

Date: February 13, 2002

From: Taffi Fisher Abt, President
Mel Fisher Center, Inc.

RE: "Oceans Act of 2000"

Honorable Committee Members:

"It is of great importance that the general public be given the opportunity to experience, consciously and intelligently, the efforts and the results of scientific research. It is not sufficient that each result be taken up, elaborated, and applied by a few specialist in the field. Restricting the body of knowledge to a small group deadens the philosophical spirit of a people and leads to spiritual poverty." Albert Einstein

Congratulations on your new posts! I admire the intention of the Oceans Act to provide a plan for stewardship of the coastal and ocean resources of this great country. There is large potential for economic and other impacts on many diverse industries and individuals based on your upcoming presidential report and I urge you to carefully consider your findings.

My name is Taffi Fisher Abt and I am president of Mel Fisher Center, Inc., a commercial shipwreck salvage corporation which also houses a Shipwreck Museum and a State approved artifact conservation laboratory located in Florida. This is a family corporation that has been in business since 1963. I serve on the board of directors of several commercial salvage companies and one non-profit museum which happens to be the most attended Historical Museum in the South Eastern United States. I am also a member of HSSPC (Historical Shipwreck Salvage Policy Council) who worked with NOAA on the Florida Keys National Marine Sanctuary Submerged Cultural Resource Plan and is currently helping to edit the text of the State of Florida's Submerged Cultural Resource Plan.

My industry is very concerned about submerged cultural resources and any ocean or coastal policies which may affect them, hence, this letter.

It is my belief that professional salvage, archaeology, and conservation work can be accomplished and should be financed as much as possible without the use tax dollars.

Many valuable things can and have been learned about history, archaeology, salvage conservation, law, and management that are direct results of the salvage efforts of our corporation on projects such as the Nuestra Senora de Atocha, the Santa Margarita, the Henrietta Marie, the 1715 Plate Fleet, and the 1733 Plate Fleet. (all near Florida's Coast) The same can be said about many other salvage projects such as the USS Central America, the Brother Jonathon, the Wydah, the Titanic to name a few. Historic salvage

is a big industry in the U.S. and is growing at a rapid pace with new technologies for remote sensing and deep water exploration so readily available and becoming more affordable.

On the East Coast of Florida is this tiny 60 square mile (30 miles in length by 2 miles wide) patch of ocean where eleven ships sank in a hurricane in 1715. These shipwrecks were discovered by private individuals and have been worked since the 1960's under contract with the State of Florida. The success of this teamwork cannot be measured in profit terms alone because there have also been great strides socially, educationally, and in resource management itself.

Economically speaking, there is a domino effect that touches many industries not usually associated with salvage such as cultural tourism (including airlines, hotels, museums, rental car agencies, advertising, etc.) and the literary and film production fields and in turn many smaller industries are also affected. In the last decade, in the Sebastian, Florida area alone, my company has engaged employment for at least 1,500 people in fieldwork, systematically excavating the wrecks more than 8,000 days, recovering in excess of 38,500 artifacts with a monetary value in excess of \$12,000,000.00. From these artifacts, we donated more than 1,500 (most of the best) to the "People of the State of Florida" for their museums and collections valued in excess of \$2,500,000. Tallahassee has a wonderful exhibit and the State sends exhibits all over the nation. We also have a traveling exhibition. Tens of thousands of school children and youth groups attend our exhibitions. We have also had hundreds documentaries, books, periodical articles, and even school texts written with this venture as their main subject. This in turn has generated substantial income to the industries of writers, news crews, TV and movie production companies, advertising agencies, moving companies, exhibit designers, etc. Copies of these books and videos such as Discovery Channel, National Geographic, A&E, etc. then get sold in bookstores, video stores, spreading not only economic gain but also knowledge and education of the general public.

In the last 8 years, we have enjoyed an attendance in excess of 105,000 visitors to our Sebastian museum alone (which showed demographically as an unsuccessful area for tourism) since opening in Dec. of 1992. More than \$500,000.00 in attendance was generated back into commerce for expenses, employing another 80 people. Our museum/gift store has generated sales in excess of \$2,600,000 over the last decade, and again, that money went back into the general mainstream of commerce. On this expedition alone in the past 8 years, our corporation has spent more than \$2,600,000.00 in expenses at dive shops, marinas, fuel docks and grocery stores, welders, diesel engine mechanics, etc....again money that went back into the general mainstream of commerce.

Remember, ALL of the above facts are solely related to eleven shipwrecks in one small 60 square mile patch of earth

Many major industries, in addition to the general economics industries mentioned above, may feel strong adverse economic impacts because, "In other words, dock builders, recreational divers and fisherman, charter boat operators, commercial fisherman, sub

marine cable layers, pipeline layers, Oil exploration corporations, Mineral Exploration corporations, etc.. will have to be educated, trained, and billions of dollars spent on changes, prevention techniques and measures.

I am sure you are also considering the National Security Issues. In reading the Oceans Act of 2000, I come across the wording “...when it is in the national interest, the cooperation by the United States with other nations.....” Be very wary of careful wording in your recommendations. I can certainly understand the edginess of a government trying to protect their warships when they are concerned about modern technological or nuclear privileged devices and/or information and potentially costly and damaging pollution issues. However, **any government** claiming a pre 1900 warship because of technology or loss of life is just performing a grab. There are many pre-existing laws and conventions (such as U.S. Admiralty and the International Law of Salvage and Finds) which need to be stoically adhered to in your considerations. I am sure the MLA (Maritime Law Association) a powerful voice on ocean issues should be consulted. In light of the recent Juno and La Galga issue off the shores of Virginia where the NPS invited Spain in to reclaim some shipwrecks, their is now a major need for very specific definition in this section. Is any ship with a cannon a warship?

I understand the viewpoints of archaeologists and historians who want a to preserve and study a representative example/sample of any site for the knowledge, enjoyment, and scholars of future generations. I believe things can work out in a cooperative manner. It seems that sometimes these professionals have misguided conceptions about issues such as “In Situ” and “Intact Collections”.

As to the “In Situ” issue, most people with common sense know that "in situ" is not the best idea if you have other alternatives available. Other alternatives should be preferred, and in situ only considered when there is no funding available for the other alternatives. Even outside of the salvage industry it is acknowledged that a partial removal just introduces new levels of corrosion, and in the vast majority of cases that we are aware of, Permanent "In situ" is definitely more detrimental than excavation. The majority of the UCH (underwater Cultural Heritage) in the waters of Florida and the Caribbean are already in jeopardy sitting on the bottom rotting away. They are subject to warm tropical waters, currents, toredo worms and other parasites, tropical storms, hurricanes, etc to name only a few of the natural challenges. There are many other manmade challenges such as coastal development, pollution, energy and mineral exploration, etc.

As to the “Intact Collection” issue, I attended a meeting at the state department in D.C. last year in which a museum director who was present admitted that there is no warehouse large enough to house all collections in their entirety, and if there were, there would not be enough funding to keep the artifacts conserved and cared for in perpetuity. Even the National Preservation Board admitted that it is "ok to de-accession artifacts to auction, if the funds are used to maintain the rest of the collection". There must be a profit motive for the industry who attempts to first LOCATE and then salvage and conserve the artifacts. One way to save the UCH is to salvage, conserve, and sell

redundant artifacts (coins mainly), then we can use the money to go save some more unusual artifacts. Donations of cross-sections of artifacts and through documentation of the collection before disbursement is the answer.

As I stated earlier in my introduction, HSSPC is currently helping to edit the Florida Submerged Cultural Resource Plan. The ongoing cooperation and outreach between our corporation and the state of Florida officials, although strained at times, has and continues to improve and evolve. Many other states within the U.S. are looking at Florida's draft plan and considering similar plans. Good Plans, workable plans that were well thought out with the public and the submerged cultural resources in mind. I truly believe that if preservation of historic shipwrecks is for the public interest, the public should take active part in their preservation. I urge the commission to consider plans which truly have the resources at heart.

Thank you for taking the time to read this lengthy letter, I know you are quite busy. I'll leave you with this parting thought:

"The finding of a great treasure from the days of the Spanish Main is not the cherished dream of only the United States and Florida citizens; countless peoples from other lands have shared such thoughts. It would amaze and surprise most citizens of this country, when their dream, at the greatest of costs, was realized, the agents of respective governments would, on the most flimsy grounds, lay claim to the treasure."

---Judge William O.Mehrtens

U.S. District Court of the Southern District of Florida

August 21, 1978 Ruling Against the State of Florida

Sincerely,

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