

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

FISHERIES SURVIVAL FUND, <i>et al.</i>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civ. No.
	)	
SALLY JEWELL, <i>et al.</i>	)	
	)	
Defendants.	)	
	)	

**DECLARATION OF JAMES LOVGREN**

I, James Lovgren, declare and state as follows:

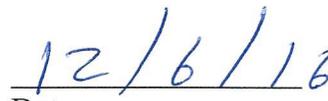
1. I am a member of the Board of Directors of the Fisherman’s Dock Cooperative (FD) of Point Pleasant Beach, New Jersey, which is a member of the Garden State Seafood Association (GSSA).
2. FD was incorporated in 1953 and is one of the oldest continuously operating fishing cooperatives in the country. We presently have 11 members, with 10 member boats. We provide pack out and sales service of fishery products, along with wharfage, fuel, oil, and ice sales. We also provide these services to non-member boats, both local and out of state, which amounts to another 40 or so vessels dependent on our services. Last year the co-op packed out close to \$15 million worth of seafood, of which roughly two-thirds were scallops. Point Pleasant ranks among the top three of all ports on the East Coast in summer flounder, scup, and black sea bass landings, and in the top ten ports for scallops. FD represents over three-quarters of those landings in Point Pleasant.
3. The proposed lease of the New York Wind Energy Area (NY WEA) is a direct threat to our continued existence as a fishing port. The Bureau of Ocean Energy Management’s (BOEM) proposed site for the New York windmill project (which is just as close to New Jersey) is situated in the middle of some of our best historical fishing grounds, which we have been utilizing since our inception, and which were utilized longer still by local fishermen before the cooperative was founded. This is OUR backyard, and the Federal government is stealing it right out from under our noses.
4. The site is by far the richest inshore (inside of 30 miles) scallop grounds on the whole East Coast. These grounds are not just scallop grounds, though—they are prime fishing grounds for summer flounder, scup, black sea bass, loligo squid, monkfish, mackerel,

herring, and dogfish. Historically they have also seen large landings of cod, whiting, ling, and yellowtail and blackback flounders.

5. Last year BOEM hosted an informational seminar regarding the windmill proposal in neighboring Point Pleasant Borough. Over fifty fishermen from New Jersey attended, who were all opposed to the proposal. I brought along printed 8x10 photos to show some of our members' fishing activity from their vessel plotters. The photos showed each tow the vessels made in the NY Bight area. The proposed windmill site was completely covered by track marks from the vessels.
6. Our boats and the cooperative itself have been dependent on these fishing grounds long before the federal government decided that it owned the natural resources from 12 miles out to 200 miles in 1976, with the passage of the Magnuson-Stevens Fishery Conservation and Management Act.
7. The site of this windmill farm will eliminate the cooperative and its boats. We cannot go somewhere else; we go where the fish are, and they are in the proposed site. The only reason that the windmills have been proposed this far offshore is so that they are beyond the viewshed of wealthy landowners in New York. This is no reason to destroy a healthy industry when there are plenty of other areas that would be less impactful closer to shore, where the windmills would also be less costly to build and maintain.
8. BOEM held a series of public hearings regarding this proposal in the spring. One of them was in Long Branch, New Jersey, close to both the Belford and Point Pleasant Cooperatives. Amazingly, BOEM did not contact anybody at either cooperative, or any boat owner for that matter, about the hearings. I know of only one local fisherman who knew of the hearings. If they notified anybody about the hearing, many fishermen would have attended, but we did not have that chance. I learned about the hearing a few days later, and I am heavily involved in all fishery matters. BOEM has my contact information, and that of the cooperatives too. Many of the fishermen at the seminar also gave contact information, but were not contacted before this meeting.
9. GSSA provided comments on behalf of its members, including FD, in opposition to wind energy development at this site.
10. I make this Declaration based on my personal knowledge.

Pursuant to 28 U.S.C. § 1746, I verify that all of the factual information contained in this Declaration is true and accurate to the best of my knowledge

  
Name

  
Date