447 NW 16th Street
Corvallis, OR. 97330
Oct. 9, 2005

Re: VMS Expansion

To the Council:

I wish to comment on the proposal to expand VMS to salmon trollers. My comments deal with the Newport area.

I understand the issue to expand VMS is rooted in suspicions of cheating or illegal deliveries of canary rock and/or lingcod by trollers. It is illegal for trollers to deliver canary rock, so this is an incidental catch, not an enforcement issues. Lingcod appear to be at the heart of the “cheating” problem.

There is a long history of unintended consequences of management actions. The unintended consequence of the present troll regulation on lingcod will constitute “management induced illegal fishing.” The regulation is inside 30 F and outside 100 F—WHOLE TRIP. There are no troll whole trips outside 100 F and few inside 30F. This rule has validity in the overall context of groundfish management, but it is utterly irrational to fishermen accustomed to salmon management. Some fishermen are still unaware of the whole trip aspect, and the rest are resentful enough to inspire some to cheat.

Having created a flawed, unenforceable regulation, management’s solution is an expensive, Star Wars-style measure, VMS. I suggest these alternatives to this approach.

A) Change the regulation to ALL WATERS approach. This could be a linkage of lingcod to the number of Chinook onboard.
B) Eliminate lingcod retention. The cost of Star Wars management is far more than the income from the small lingcod catch.
C) Retain the existing regulations; make it clear that anyone delivering lingcod is required to backup their delivery with the existing plotter track on their vessel. The dazzle of Star Wars seems to have blinded everyone to the reality that almost every vessel has at least a bare bones $250 GPS plotter onboard, which contains a record of where the vessel has been during its last few days of operation.
D) As a last resort, create the option of opting out of groundfish deliveries, rather than paying the added cost of this regulation.

I am not interested in fishing “open access,” (i.e. targeting groundfish). It is not worth my time without VMS, much less with that additional cost.

I request that NMFS provide an analysis of the cost and benefits of VMS. As a troller, I am very conscious of the costs to fishermen. What exactly are the benefits of this extension of Star Wars to trollers? What are the supposed benefits? This analysis should include alternative solutions to the problem, including my suggestions.
There is a federal law, the Small Business Regulation Act, which applies to this issue. We are due an analysis from the point of view of this law. This regulation is all the more onerous in light of the current and increasing price of fuel.

Sincerely,

Carl M. Finley
October 3, 2005

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, OR 97220-1384

RE: Vessel Monitoring System (VMS) for Salmon Trollers

The Oregon Salmon Commission wants to express its strong opposition to the proposed requirement that salmon trollers have VMS on their vessels.

The Oregon Salmon Troll Fleet has taken the lead in gear restrictions to avoid impacts on other species. Since 1991, salmon trollers have fished with only 4 spreads per line resulting in reduced impacts on Oregon Coast Natural Coho (OCNs). Initial analysis shows that the 4-spread rule produces a reduction in encounters with specific rockfish in the RCA as well. This allows a salmon fishery with the retention of some rockfish for the Salmon Fleet inside the RCA.

VMS expansion to the Salmon Troll Fleet would be a significant financial burden to a fleet that has had tremendous cutbacks in salmon fishing opportunity this year.

The Oregon Salmon Commission and the entire Salmon Troll Fleet that it represents asks the Council Members to please vote “No” on the expansion of VMS to our salmon vessels.

Thank you for your consideration.

Nancy Fitzpatrick, Administrator
Oregon Salmon Commission
NO VMS EXPANSION FOR SALMON TROLLERS OR NEARSHORE GROUNDFISH

The Pacific City Dory Fleet are Oregon Salmon fishermen that also target Black Rockfish and Lingcod to maintain our small family operations. Our open boats are 22 to 26 feet in length that must be launched into the surf to reach the fishing grounds. We target Black Rockfish and lingcod near shore of the RCA, in state waters, on the only reef we have. Then when are meager quotas of 750 pounds of Black Rock every two months and 300 pounds of lingcod are attained and delivered, we venture off to fish Salmon.

The Oregon Salmon Fleet has taken the lead in gear restrictions (the 4 spread rule) that keep our impacts on OCN’S (Oregon Coast Naturals) low. The rule also reduces our impacts on specific rockfish in the RCA. This allows a salmon fishery with the retention of Yellow tail for the Salmon Fleet inside the RCA.

With the impending cutbacks in the Salmon fishery and a further reduction for Black Rockfish for 2006 most of our fishing vessels will be at the dock. VMS expansion at this time would virtually track nothing.

The West coast Salmon Fleet and the near shore Ground fishery have little or no negative impacts on the rebuilding of specific stocks. The near shore ground fishery harvest stocks that are healthy, highly regulated and inside of state waters.

The salmon vessels in the state of Oregon have been reduced from a high near 4,700 to only 1,200. Through attrition and regulation requiring a significant financial investment that number has nearly wiped out vessel between 22 and 30 feet. I believe there are only 120 left.

Please Council members vote no on the expansion of VMS to our Salmon and near shore Ground fisheries.

Thank you for your Consideration,
Ray Monroe
Oregon Salmon Commissioner/Pacific City Doryman
Box 98
Pacific City, Oregon 97135
Dear Council Members

This letter is regarding expansion of mandatory VMS. I fish a 22’ dory out of Pacific City. There are a number of concerns for dory fishermen concerning VMS.

COST - Over recent years we have seen our black rock fishery go from wide-open fishery to severely restricted by quotas and closures. Our fishery is further limited by access to the ocean due to weather and surf conditions as our boats launch directly into the surf. By fishing hard last year, during available breaks in the weather and staying within our quotas, I was able to gross just over $5,000 on black rock. With the recent introduction of black rock as a limited entry fishery, another fee was added. Our available monthly quotas were also cut in half this year starting at only 1,000# in a two-month period. **Any additional cost to the fishery will make it a non-profitable.**

BENEFIT – The purpose stated for VMS is to prevent boats from fishing rockfish in the RCA. None of our rock fishing takes place in the RCA since our entire reef lies inside of 27 fathoms. **There is no benefit in placing a VMS in a boat that does not fish black rock in the RCA.**

MAINTAINING – An open style boat that crashes through the surf tends to get things wet. My radios need to be replaced on a regular basis because of the moisture. In times of bad weather or no fishing my boat is taken down for repairs and sometimes stored for months with the batteries pulled. Keeping a VMS running 24-7-365 would mean taking it into the house and hooking it up to a converter. **Maintaining a VMS on a dory in Oregon’s weather and fishing conditions is near impossible.**

DECLARING FISHERY – having to declare what fishery you will participate in on a given day will remove the flexibility that allows a small boat to be profitable. Allowing for seasons and quotas, I can launch in the morning with the ability to participate in up to 5 different fisheries. It depends on the weather, what’s biting, what’s needed in the markets and can even change several times during the day. **It is impossible for a dory to declare and stay profitable.**

Black rock fishing is marginally profitable as it stands and any other fee or reduction in quota will, for all practical matters, end a 100-year tradition.

Thank-you for your time and attention to this matter,

Craig Wenrick
Pacific City, Oregon
To: PFMC  Dear Mr. Chairman members of the Council my name is Bill James. I am a California Nearshore Commercial Fishermen. I do not support the use of Vessel Monitoring Systems for California state permitted nearshore commercial fishermen north of 34 27 (Pt. Conception) for the following reasons: 1. Nearshore fishermen sell their fish alive for a much higher price therefore there is a economic incentive to keep the fish alive for the "live" markets. In order to do this we fish as shallow as possible to keep fish mortality as close to zero as possible. This is a automatic constraint on depth for the nearshore live fish fleet making VMS redundant since our "live" fish fishery already dictate depth based management for us. 2. There are some areas that we fish that are outside of state waters but inside (shoreward) of the RCA. 3. Low Bi-monthly trip limits make live fish fishing (shallow) the only economically viable option strongly motivating us to keep fish alive to obtain the highest price possible therefore we fish as shallow as needed (usually under 15 fathoms) to eliminate air bladder trauma 4. The added expense of a VMS unit added to our high cost of state nearshore permits permit could bring undue hardship to the nearshore live fish fleet in California. Thank for your time. Sincerely, Bill James
IN REGARDS TO POSSIBLE EXPANSION
OF VMS (Vessel Monitoring Systems)
TO INCLUDE SALMON TROLLERS

PFMC and Council Members
7700 NE Ambassador Pl, Suite 200
Portland, OR 97220-1384

Dear Council Members,

I own and operate the salmon troller, “Nessa Marie.” Recently I received word that PFMC is or will be discussing the possibility of expanding the VMS to include salmon trollers. I understand the possible need for VMS is to monitor groundfish stocks. As a second year boat owner and twelve year deckhand I am willing to bet that salmon trollers are responsible for less than 1/1,000,000 (one millionth) of all harvested groundfish. I see no need for trollers to be required to have VMS. I oppose this possible expansion to include salmon trollers. Please vote no to this expansion.

Thank you, Paul Alexander
Dear Council Members,

I am totally opposed to the VMS expansion to include salmon trolls. Salmon trolls do not need VMS. In the years that I have trolled cilr had very limited groundfish caught! Most seasons none at all.

Thank you for your time in reading this.

Sincerely,

Dean Frost

Dean Frost
242 Winchester Ave.
Reedsport, OR 97467
Dear Sir:

I oppose VMS expansion to include salmon trollers.

1. We do not catch enough bottom fish to be a concern.

2. Our fishing time is very limited anymore to a couple months in the spring and also in the fall. no fishing time really lessens the impact on bottom fish.

Thank you for your attention.

[Signature]

Joe Zelfer
F/V Royal.
PO Box 2267
Newport, Oregon 97365
TO: PACIFIC FISHERY MANAGEMENT COUNCIL: DATED 10/08/05: FROM F V CHRISTY BELLE, SALMON TROLLER, HENRY BRYSON OWNER. YESTERDAY I SAW A NOTICE THAT THE PFMC IS CONSIDERING TO HAVE SALMON TROLLERS PUT THE VMS SYSTEM ON THEIR BOATS FOR THE 2006 SEASON AND THAT IF WE THE TROLLERS HAD ANYTHING TO INPUT IT WOULD HAVE TO BE DONE AS USUAL WITH EXTREMELY SHORT NOTICE AND RECEIVED BY OCT 10TH! WHAT AND WHY IS THE PFMC CONSIDERING SUCH A EXPENSIVE SYSTEM TO BURDEN THE SALMON TROLLER INDUSTRY WITH? IN THE THREE SHORT YEARS THAT I HAVE BEEN A COMMERCIAL FISHERMAN THERE HAS BEEN ONLY ONE REASON ASSOCIATED WITH A RULING THAT HAS BEEN APPROVED BY PFMC AND THAT IS ON THE FOUR SPREAD RULE THAT ODF&W HAVE SHOWN THE FISHERMAN WHY IT WAS JUSTIFIED OUTLINING THE TEST BOATS, FISH CAUGHT AND NOT CAUGHT AT WHAT DEPTHS AND WHY WE NEED TO FISH WITH FOUR SPREADS TO PROTECT THE COHO SPECIES, I FOR ONE BACK THAT ONE HUNDRED PERCENT BUT WITH NO REASON AND TIME FOR RESPONSE FOR YOUR RULINGS AND THINKING ON WHAT IS ARE LIVELIHOOD IS IRRESPONSIBLE ON THE PFMC PART. TO SUMMARIZE THE ABOVE I AM DEFINITELY OPPOSED TO EXPANDING THE VMS IN THE SALMON TROLLER FLEET! ONE OTHER IMPORTANT FACT PERTAINING TO THE VMS AND SALMON TROLLERS IS THAT THE PFMS HAS SEVERLY LIMITED THE SALMON SEASON TAKING AWAY TWO OF OUR BEST FISHING MONTHS AND MOST OF US COULD NOT AFFORD SUCH A EXPENSIVE SYSTEM, HOWEVER IF YOU ARE ADAMANT ABOUT THIS SYSTEM MAY I SUGGEST THAT THE PFMC PAY FOR AND CONTRACT WITH A OUTSIDE AGENCY TO INSTALL AND MAINTAIN THE SYSTEM ON ALL OUR BOATS WITHOUT ANY MORE EXPENSE TO THE SALMON TROLLER FLEET, I SUGGEST THIS TO YOU THE PFMC IN GOOD FAITH BECAUSE IT IS THE ONLY WAY WE COULD AFFORD TO DO IT. THANKYOU FOR YOUR CONSIDERATIONS!

Sincerely,

[Signature]

541-840-6257
PFMC Members,

Your consideration of VMS for salmon trollers is the reason for this communication. I oppose the expansion of VMS to salmon trollers. It is an unnecessary burden on vessel owners, based on limited impact of groundfish stocks.

I fish my vessel alone, so I see every fish hooked. The number of groundfish I land is very low and the vast majority swim away unharmed. You move your gear to avoid interaction and keep hooks open to salmon.

Thank you for your consideration of this matter,

Jeff Werner
To whom it may concern,

The VMS (vessel monitoring system) to include Salmon Trollers is just more proof that unchecked Federal agency’s are out of control.

(Salmon Troller’s can fish the RCA’s.)

(Rockfish Conservation Area)

The Salmon Troll Fleet has been financially devastated by this year’s Salmon Season imposed by NMFS over the Klamath Four (4) year olds low predictions. With the high cost of fuel, no season to speak of and families that need to be housed, clothed and fed, how can the government continue to impose more economic Hard Ship upon it’s people, that are already dealing with a Federally Imposed and Artificially Sustained Salmon Shortage on the Klamath River that has cost the coastal communities Hundreds of Millions of dollars in lost income.

Salmon Trollers have such strict Regulations and limits on Rockfish that other than an incidental take, a targeted rockfish fishery with the the price of fuel, plus the price of rockfish species, is financially a non-profit venture.

The reduction of the Trawl Fleet, improved nets and the areas the Trawl Fleet can fish, is in itself a massive recovery effort for rockfish stocks. So how can Salmon Trollers with a hook and line, dragging only four spreads per wire Even be a threat? Comparing a 7/0 hook to a mid-water net doesn’t look very imposing, does it?

1: We want to see in Documented Form by the Federal Agency Imposing the (VMS) a Complete Economic Impact Study of the VMS on Salmon Trollers.
2: We want an Independent Environmental Impact Study showing the impact of the Salmon Troll Fleet on Rockfish stocks in the (RCA) that would WARRANT (VMS).

3: We want a Current Environmental Impact Study on Salmon and all Rockfish Species by the Whiting Fleet of both shore side and factory Trawl.

Open Access was and is being abused by NMFS by allowing the Whiting Fleet to fill all of the quota without giving the hook and line and trolls their own quota.

The abuse by some members of the Whiting Trawl Fleet led to arrests and fines along with some processors. Abuse of the quota system is still evident today when the Whiting Trawl Fleet filled their Salmon quota and went back to NMFS and got an additional incidental take of Salmon when the entire Oregon Salmon Fleet sat idle to protect the Klamath River Stocks. How about the four spread rule to protect the COHO. They wouldn’t end up in those nets too, would they??

The documented excessive take of rockfish by the Whiting Trawl Fleet became the Decisive Nail in the Coffin that ended our Fisheries. NOW NMFS wants us to have a VMS?

The VMS is nothing more than a self incriminating leg bracelet. This issue will be brought before our State and Federal Officials. More Federal Failures Encroaching into our lives after Hurricane Katrina, FEMA, Homeland Security and the War in Iraq has left the American people with a bad taste in their mouths.

National Standards Magnuson-Stevens Conservation and Management Act.

Violations of the National Standards;

Number 1: Title 111 Sec. 301 16USC. 1851. Page 44. Conservation and Management measures shall prevent over fishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States Fishing Industry.

Number 4: Title 111 Sec.301 16USC. 1851. Page 45. Conservation and Management, may not discriminate between residents of different states.
If it becomes necessary to allocate or assign fishery privileges among various United States Fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.

NO Vessel Monitoring System (VMS) for the Salmon Fleet and if imposed the Oregon Trollers Association Inc. will see you in Federal Court and that's no B.S.

Rayburn W. Guerin
President O.T.A.

[Signature]
IN SUPPORT ON O.T.A.'s
LETTER TO PACIFIC FISHERY MANAGEMENT COUNCIL
IN PROTEST OF THE VMS

Fishermen name: Lorin Dixon
Home port: Charleston
Vessel name: Faith II
Comments: No more unnecessary regulations or expenses

Fishermen name: Michael Baldwin
Home port: Westport, WA
Vessel name: Nellie M
Comments: This is just another unnecessary expense imposed by a "Big Brother" government.

Fishermen name: Mildred Whitt
Home port: Charleston
Vessel name: Aurora
Comments: Don't need any more expenses as we aren't making it now. Why do we need this?
Fishermen name: Lewis M. Whiteley
Home port: Coos Bay
Vessel name: Puppy
Comments: WE DON'T NEED IT


Fishermen name: Earl L. (Butch) Henry
Home port: Westport WA
Vessel name: Evening
Comments: Very much against this. Board Member OTA.


Fishermen name: Marion Forrest
Home port: Coos Bay OR
Vessel name: Retired
Comments: Bunch of B.S.


Fishermen name: J. Green
Home port: Bandon Oregon
Vessel name: NECMA II
Comments: I just can't afford anymore expenses. (VMS) is not justifiable for salmon trollers.

Fishermen name: James W. Peterson
Home port: Coos Bay OR
Vessel name: FV "Alice M."
Comments: I'm not going for this BS.
Fishermen name: Franklin Lee Bow -
Home port: Winchester Bay
Vessel name: FV Sea Star / FV Dixie Lee
Comments: You suck.

Fishermen name: J.D. Edward
Home port: Charleston, OR.
Vessel name: FV Sea Crest
Comments: This is a violation of our rights as Free Americans, it is a self-incriminating policing tool. I am not putting this piece of junk on my boat.

Fishermen name: Chris Gilman
Home port: Bandon, OR
Vessel name: Harbor Belle
Comments: Regular.
Fishermen name: Tom Muse
Home port: Charleston OR
Vessel name: JU Gakwe
Comments: NO WAY

Fishermen name: David T. Eagle
Home port: Charleston OR
Vessel name: World Famous
Comments: Get a clue

Fishermen name: Lonnie M. Arrington
Home port: Brookings OR
Vessel name: Helen Marine
Comments: 

Fishermen name: Tyler Monmouth
Home port: Brookings
Vessel name: Tammy RHN
Comments: 

Fishermen name: Russ Ott
Home port: Charleston OR
Vessel name: Bess Chet
Comments: Did the stars & stripes fall off our flag? Is "Hitler" back?
Fishermen name: **Bus Taylor**
Home port: **Charleston**
Vessel name: **San Pietro**
Comments: 

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Fishermen name: **James L. Moore**
Home port: **Charleston, Ore.**
Vessel name: **Leta-J**
Comments: **Will serve no purpose other than cause more expense and unnecessary trouble.**

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Fishermen name: **Tom Hackema**
Home port: **Charleston, OR**
Vessel name: **Rambler**
Comments: 

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Fishermen name: **Rick Holmes**
Home port: **Charleston, OR**
Vessel name: **Brandy Wine**
Comments: **NO WAY**
Fishermen name: 
Home port: 
Vessel name: 
Comments: I'm kind of being accused of being a criminal. This would make it worse.

Fishermen name: Lance C. Porteur, Laura Porteur
Home port: Charleston, OR, 97420
Vessel name: Avenger
Comments: I vehemently oppose this VMS scheme and the sick thinking behind it. NUTS!

Fishermen name: Kevin Decker
Home port: Charleston, OR
Vessel name: "AHI" "Little Brother" Could Sandy Fix
Comments: Why be better to spend my money on!!

Fishermen name: Seth Smith
Home port: Charleston, OR
Vessel name: Golden Glo
Comments: I don't see any difference from an ankle bracket to this. Why should I be treated like a criminal. Please allow me to conduct business without a bracket.

Fishermen name: Reta Gervais
Home port: Coos Bay, OR
Vessel name: Lady Helen
Comments: We have plenty of rules and regulations.
Fishermen name: Paul H. Khila
Home port: Charleston
Vessel name: Andante
Comments: 

Fishermen name: Bill Stanback
Home port: Mono Bay, CA
Vessel name: F/V Windwalker
Comments: No, No, No!!

Fishermen name: John Gillespie
Home port: More Bay
Vessel name: Winsomaker
Comments: The government can't be trusted

Fishermen name: Mark Petterson
Home port: Charleston OR
Vessel name: Jessica ANN
Comments: Not necessary for salmon or crab or tuna fishermen

Fishermen name: Paavo Carroll
Home port: Charleston OR
Vessel name: Titan
Comments: Preserve all open access possible
This is a public resource
Fishermen name: Bruce Burbee
Home port: Charleston, OR
Vessel name: F/V Rainbow
Comments: Please leave us alone to make a living.

Fishermen name: David Young
Home port: Charleston
Vessel name: (2) CHARMING, POLLY, PACIFIC BELLE
Comments: Don't need no sticking VMS's

Fishermen name: Garre L. McGiness
Home port: Charleston, OR
Vessel name: Silver Eagle
Comments: No VMS, what about our rights (5th amendment)

Fishermen name: Sandra D. Joes
Home port: Charleston, OR
Vessel name: HI-40
Comments: Enough is enough.

Fishermen name: Raymond W. Cuerin
Home port: Charleston, OR
Vessel name: Frankie
Comments: (VMS) is a self-incriminating and invasive electronic raid that violates my rights. It violates the 5th Amendment right to confront an invader. If the council doesn't like the comments, remember the 1st Amendment. Freedom of speech. This is how we're ready.

Feel