

March 10, 2010

Agenda Item E6.6  
Public Comment  
March 10, 2010

Mr. David Ortman  
Chair, Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 101  
Portland, Oregon 97220-1384

Re: Agenda Item E.6, Regulatory Deeming for Fishery Management Plan Amendment 20:  
Trawl Rationalization

Dear Mr. Ortman:

Thank you for the chance to provide the council with my comments on Amendment 20. My name is Michelle Norvell. I am the grand-daughter, daughter and daughter-in-law of commercial trawl fisherman from FB. My maiden name is Tarantino, and I can honestly say I've grown up on the docks and in the fish houses at Noyo Harbor. The information I have on this industry comes from a life-long involvement in the trawl fishery.

I appreciate the work that the Council has put into Amendment 20, but we need to step back and (1) take a realistic look at whether or not this program as currently proposed should be implemented by January 1, 2011; and (2) take a hard look at whether or not this program as currently proposed is really feasible.

This program in its current form does not work for our Fort Bragg fisherman (the shoreside nonwhiting sector) for the following two reasons:

FIRST: THE SEVERE CONSTRAINTS IMPOSED BY QS/QP  
FOR INCIDENTAL CATCH OF OVERFISHED SPECIES

Overfished Species. I recognize and appreciate the Council's effort to preserve our fisherman's ability to fish for their target species by adjusting QS for canaries (at the Nov. Council meeting) and other overfished species. Unfortunately, even assuming a favorable stock assessment, the canary IFQs for example do not give them enough fish to successfully go after their other target species. The reason is once they have caught their quota (150 lbs of canaries); they cannot catch any more for the rest of the year. If they do, and they will if they continue to fish, heavy fines and penalties will be assessed. Do they have a choice? Yes, stop fishing for their target species once they catch their QS of the overfished species. Is that really a choice? No. It's not an option either because it puts the fisherman out of business. Amendment 20 must not be in the business of putting fisherman out of business. It is incumbent upon the council to protect the fishery while addressing conservation. The Council must craft Amendment 20 in the spirit of the Magnuson Act. The fishermen in Fort Bragg and across California are relying on you and have put their trust in you to do just that.

The fisherman need an adequate IFQ for all overfished species (canaries, bocaccio, yellow eye, and now halibut) or they will not be able to fish for their target species once they have reached

their QS on the overfished species. Under the current proposal, the only way they will be able to obtain enough QP to successfully fish for their target species is to buy QS from those who have chosen not to participate in the fishery. That begs the question, who will sell their QP? Most everyone in the fishery needs theirs in order to fish their target species or they too will be out of business. The few fishermen who don't need them will no doubt sell to the highest bidder (putting small vessel owner out of the bidding). THAT IS WRONG and frankly it gives nonparticipants a financial windfall while making it even harder for those who want to keep fishing to earn a living.

SECOND. THE UNSPECIFIED BUT CLEARLY VERY HIGH COSTS OF ADMINISTRATION AND MANAGEMENT, INCLUDING OBSERVER COVERAGE THAT WILL BE CHARGED TO THE INDUSTRY

Costs. The costs estimates for Amendment 20 are unrealistic. The trawl fishery is about a \$28 million dollar industry. The costs estimates vary between \$6.5 million in implementation, \$8 million in agency costs and between \$6 to \$20 million in observer/monitoring costs. As it stands now, the costs exceed the value of the industry. As of this date, no one can identify how and/or who will pay these costs. In the President's 2011 budget he has \$12.7 million in for a Pacific Catch Shares Program (which is this program). Approximately \$5 million are for observers (borne by NMFS for the first year of the program and subsequently, the cost would be borne by the industry). The remaining money goes for shoreside monitors; observer training; enforcement and IFQ management. This is only the administration's request, it has not been appropriated. There is no guarantee it will be nor that if it is, similar funding would be there in future years. What happens then? The fisherman are left holding the bag of a very expensive observer/monitoring cost program.

The entire trawl fishing fleet from Fort Bragg has said and continues to say that it cannot afford to brunt the costs of this program if it has to pay 100% observer coverage in addition to the 3% agency costs. I think it would be helpful for the Council to know some of the approximate costs associated with the annual operation of a trawl vessel. They include but are not limited to: crews wages \$200,000, insurance \$30,000, fuel \$52,000, ice \$14,000, ways \$22,000, nets, cables, misc. gear \$8,000, mooring basin \$22,000, and buy-back at \$35,000 plus. These figures also reflect an example of the amount of money each vessel adds to our local economy. If you multiply them by the 8 vessels you can easily see why our community's economic stability is so closely tied to our fishing industry.

The observer program is looking at a very sizable and comprehensive program with 100% coverage and a guarantee that the fisherman will provide full time work for the observers. Fisherman cannot guarantee anything in this industry. They have no control over industry costs, over shares or whether shares will be reduced or terminated mid-stream due to stock assessment. The observers cannot expect to be paid for a full time job from within an industry that is not full time. That type of mind-set needs to change in order to realistically begin to shave costs. I also believe that if the costs are to be borne by the industry, they should be spread among the active permits verses among the vessels. By spreading the costs among the vessels, it creates an unfair financial advantage as it relates to the costs of the program. For example, one fishing vessel stacking 2 or 3 permits pays the same as one vessel with one permit, which is not an equitable

distribution of program costs when you consider the tremendous financial gain of stacking permits, which has been made possible by the program. Perhaps the costs should have a direct correlation to the QP/QS for each active permit – then and only then would we have a more equitable distribution of program costs.

I can see the major challenges facing the council. I want to thank you again for this opportunity to express my comments and I would be happy to answer any questions you have now or in the future regarding my comments. I think it is important to remember that people's lives are being drastically impacted by the current proposals of Amendment 20. Some people will be rewarded quit handsomely while others will suffer quite severely. The program (as evidenced in QS/QP Allocation Tables) benefits some unfairly and penalizes others, without justification. That is unacceptable to the fisherman in Fort Bragg and I know it must be unacceptable to you. I urge the council not to rush to judgment during this process just to meet the January 2011 implementation date. There is too much at risk if this is not done right and the challenges are such that once into law, are not easily remedied.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and curves, positioned above a horizontal line.

Michelle Tarantino-Norvell  
20501 Nottingham Court  
Fort Bragg, CA 95437  
(707) 272-2817