

From Kenyon Hensel

The council is on the verge of making a large misstep in the application of their Vessel Monitoring System (VMS). By trying to apply this system to the open access fishery without first addressing the unlimited capacity of the open access fleet, the council will create a number of unintended consequences.

Most of the boats now landing fish in the open access fishery are fishing in the near shore for shallow water species. These fishermen have only a very small catch limit of shelf species. The two hundred pounds of shelf fish now allowed can easily be caught inside of the inter boundary of the RCA in most northern areas. It is too small of a catch to pay for any one to target without income from other species groups inside or outside of the RCA to support the upkeep of a boat. Without a higher catch of shelf species, there is no incentive to fish inside the RCA. Only a few boats which are big enough, or who work in areas where state laws and market conditions dictate, are forced to fish for this small shelf limit at the edge of the RCA.

If the council continues through with its adoption of VMS for the open access fleet, very few units will be put on boats. Instead the few boats who fish the inner margins of federal waters will simply be forced to stay on the state side of the line. By exempting Salmon fishermen and Tuna boats, there will be many boats continuing their fishing activities in the RCA without VMS signals which will have to be investigated as to what they are doing and landing.

Since Salmon fishermen are allowed to land rock cod in open access with their landed catch of salmon, no one will be able to say they did not catch those fish in the RCA. At this time these fishermen are asking for more lingcod for their incidental catch. This is not unexpected, nor is it unjustified. It simply shows that these open access boats like all of the rest of us want access to any increases in the landed fish allowance, and plan to fish for and catch them. Without VMS on their boats, enforcement will still have to patrol the RCA to enforce the no fishing prohibition.

If the council would first work out a dedicated ground fish permit for the open access fishery, and then take up the issue of the need for VMS in that sector, we would all be in a much better position to work on solutions that fulfill the needs of management.

Dear Chuck,

Hi! My name is Paul Alexander; I own and operate the Salmon troller "Metta Marie" and have been a commercial fisherman for fourteen years. I wanted to comment on the proposed "Vessel Monitoring System" VMS for Salmon trollers, and explain as simply as possible my opposition to what I consider an unnecessary regulation.

After spending years in the crabbing, dragging, longlining, and seining industries, I decided to purchase a salmon troller. Go figure? At any rate, I find myself as a second year boat owner, and looking at the possibility of yet another expensive and redundant regulation. I see absolutely no reason for salmon fisherman to shoulder the burden and expense of a vessel monitoring system. Who's going to make all the money off this system? Will the impact of this system imposed on salmon trollers have a justifiable impact on the future of groundfish, or is it BIG Brother intruding into our private lives just a little bit more? Does the end justify the means or is the noose ever-tightening on our freedoms and rights to privacy?

I believe this system is yet another example of bureaucratic buffoonery or a total waste of the working man's hard earned money. Again I ask, "Who's going to cash in on this cow, because after all, it's a dead one in regards to making sense?" Salmon trollers harvest a minuscule part of less than one percent of total groundfish harvested on the West Coast. There is absolutely no need to waste energy and money in expecting them to be equipped with this system. Will the end be justified or is it just another paper trail? I suggest you throw this one out the door!

I oppose this expansion and ask that you stand up for my freedom in this case. If eliminating incidental catch for salmon trollers would be a better solution, than "HERE, HERE!" I'd be willing to release every last codfish I catch. I really do not want to foot the expense of having the government breathe down my neck via this VMS. Lastly, if it is a must that we trollers carry these systems, then I ask that you make it mandatory for the state to pay for them and their maintenance, but remember we will all be taxed a little bit more for a little more regulation.

Lastly, I again state that this would be a total waste of our hard earned dollars, and we could much better serve the fisheries by using our resources in other venues.

Thank you for your time,

Sincerely,

Paul Alexander

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Vice-President
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Secretary
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In Memoriam:
Nathaniel S. Bingham
Harold C. Christensen

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28 October 2005

Mr. Donald Hanson, Chair
Pacific Fishery Management Council
7700 NE Ambassador Drive
Portland, OR 97220-1384

RE: Expansion of Vessel Monitoring System (VMS)
Oppose Inclusion of Troll Salmon Fishery

Dear Chairman Hanson:

The Pacific Coast Federation of Fishermen's Associations (PCFFA) represents working fishing men and women in the U.S. west coast fishing fleet. Through its member organizations, it represents the vast majority of California's organized commercial salmon fishermen and it has many members in Oregon and Washington as well. PCFFA opposes the expansion of vessel monitoring system (VMS) for the west coast groundfish fleet to salmon trollers.

The reasons for PCFFA's opposition to inclusion of the salmon fleet under VMS are these:

- 1) The take of groundfish by salmon trollers is insignificant at best and does not warrant mandating VMS for this fleet as the council has found necessary for those vessels in directed groundfish fisheries.
- 2) There has been no evidence presented whatsoever for a need for VMS coverage of the salmon fleet. Had such a need arisen it would have been taken up under the PFMC's management of salmon.
- 3) Requiring VMS coverage of the salmon fleet would place a significant and unnecessary economic hardship on a fleet that suffered extensive restrictions this past year and will likely again next year due to constraints imposed on the fishery because of Klamath River fall chinook.

Requiring VMS on the salmon fleet because of fear of an occasional take of a species of groundfish is overkill, akin to requiring all drivers to possess hunting licenses because of occasional roadkill on highways. PCFFA respectfully asks the PFMC to not expand VMS coverage to the salmon troll fleet.

Sincerely,

Chuck Wise
President

Comments of Scott McMullen
Retired Shrimp Fisherman

Members of the Council,

I would like to address two issues before the Council with regard to Vessel Monitoring Systems (VMS).

Issue 1. Expanding VMS carriage requirements to the Pink Shrimp trawl fleet

1. The Summary Meeting Minutes of the VMS committee recommended a focus on the core Open Access fleet that targets groundfish. The shrimp fleet, now using mandatory fish excluders, does not target groundfish. This is an unnecessary burden on Shrimpers.
2. The pink shrimp fishery has highly variable production, both spatially and temporally. Adding VMS will increase the cost of doing business for Shrimpers, and in some years could be a great additional burden for smaller fishing operations by adding additional fixed costs.
3. IF the goal of adding the shrimp fleet to those carrying VMS is mainly to protect EFH, it isn't necessary. EFH lines are drawn for convenience—if the lines followed the exact shape of hard bottom such as at the “Shalepile” site, the lines would have so many points that they would be unwieldy. Shrimpers are not going to fish the hard bottom anyway, so the goal is already met with status quo—the least costly option.
4. The shrimp fleet was proactive in reducing discards by adopting a By-catch Reduction Device before it was mandatory. Should this be their reward—to require an expensive piece of equipment with on-going operational costs for very little practical benefit?
5. The shrimp fishery is done in the daylight. Not requiring VMS does not jeopardize EFH areas. The lines will still be honored because of the high cost of a violation and the fact that an airborne patrol could appear at any time.
6. The limited benefits of having VMS on Shrimpers are disproportional with respect to the additional cost to the fleet.

Issue 2. Drifting in RCA and EFH areas

1. Vessel safety is outside the scope of this rulemaking process, but since it has been discussed by the VMS Committee I will comment. In my 25 year career fishing, I was aware of far more fishing vessel accidents and near misses by vessels underway with a helmsman than by vessels drifting.

Fatigued crewmen at the helm motoring to stay out of a RCA area could easily cause more collisions than allowing them to drift.

2. Consider enforcement of the RCA under a policy allowing drifting vessels to go into an RCA. These vessels would show up on VMS monitoring equipment. Is it logical that a trawler would tow into the RCA thinking that he would get away with it by believing that VMS monitors would assume he was drifting? Violation of the boundary would, as I understand it, send an automatic alert to enforcement personnel. Why would a fisherman risk his catch and a penalty, knowing that he was being watched and that any airborne enforcement asset could fly over at any time to confirm whether the vessel was fishing or drifting?
3. It cannot be that difficult to determine most of the drifting vessels based on speed and direction. In my years of fishing ~95% of the time I drifted at less than 1 knot.
4. Enforcement of RCAs is assumed to be hugely improved by VMS with the VMS Committee meeting minutes noting the decrease in incursions following VMS implementation. The reality is that vessels changed behavior at the time they realized the consequences of enforcement, which not surprisingly, occurred about the time VMS was put into place. Catches were confiscated and fines imposed. This resulted in changed behavior. Imagine complete VMS carriage on all boats from day 1 of the RCAs but no citations, no consequences. Would there have been any compliance? NO. Compliance was good once the fleet saw that it would very expensive to be found on the wrong side of the line.