

CALIFORNIA LEGISLATURE

STATE CAPITOL
Room 4139
SACRAMENTO, CA 95814
(916) 319-2006
FAX (916) 319-2106

CHAIR, Environmental Safety &
Toxic Materials Committee

COMMITTEES
Appropriations
Utilities and Commerce
Water Parks and Wildlife



DISTRICT OFFICE
3501 Civic Center Drive
Suite 412
San Rafael, CA 94903
(415) 479-4920
FAX (415) 479-2123

Jared Huffman
ASSEMBLYMEMBER, 6TH DISTRICT

November 4, 2008

Don Hansen
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97229-1384

Dear Chairman Hansen:

I am writing on behalf of Andrew Kleinberg, Josh Churchman, and Jeremy Dierks, the only deeper near shore rock fishermen operating out of the Port of Bolinas. They request the following topic be placed on the March 2009 Pacific Fishery Management Council agenda: Consideration of an exemption from the Vessel Monitoring System (VMS) requirement for the Port of Bolinas.

While it is important to prevent over-fishing and maintain a good supply of rockfish, these fishermen operate small fishing businesses using rod and reel off 20 foot boats, and they are caught in the middle of permit restrictions designed for bigger fishing businesses.

Kleinberg, Churchman, and Dierks must cross federal waters in order to reach allowable fishing in state waters near the Farollone Islands. When they travel back to Bolinas, they cross federal waters with fish on board and must have a VMS. Further complicating matters, the boats are moored off-shore in Bolinas Lagoon which is a protected marine sanctuary where there is no access to any shore power source. The VMS unit will draw down any battery in a week. The cost to replace batteries coupled with monthly fees and associated costs to maintain the VMS for the several hundred pounds of fish that they are permitted to catch does not make financial sense. These small fisherman are simply going extinct.

Up until the VMS law came into effect, Bolinas supplied the local community with rockfish for the last hundred years. Consideration of an exemption, on a case by case basis, for small boats under 25 feet in length that are moored in areas where there is no power source and which must cross federal water to fish in allowable state water seems reasonable. I hope you will pay close attention to their request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jared Huffman".

JARED HUFFMAN
Assemblyman, 6th District



April 3, 2009

Don Hansen
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97229-1384

RE: Exemption from Vessel Monitoring System requirements for small fishing operations

Dear Chairman Hansen,

Thank you for reviewing the implementing regulations for the Vessel Monitoring System on your April 9, 2009 agenda. As the County Supervisor representing the coastal area of Marin County, I am very concerned that the requirement for a Vessel Monitoring System is an excessive economic burden on Marin's small, commercial fishing industry, in particular the owners of fishing boats in Bolinas. I believe that there are unique circumstances which warrant an exemption from this requirement for the Bolinas fishermen.

The Bolinas fishermen have very modest operations, using rod and reel off 20 foot boats, and their catch measures in hundreds of pounds, at best. In spite of their size, these fishermen are very important because they are the only local commercial source of fresh fish. Their presence provides local food security, and they are a small but valuable piece of our local economy. The circumstances of these small operations are somewhat unusual in that they must cross federal waters in order to reach fishing grounds in state waters near the Farallon Islands, and as a result they are required to have a VMS. Additionally, they moor their boats offshore in Bolinas Lagoon, where there is no access to a power source. Batteries are not a good alternative because replacement of batteries is required weekly and is cost prohibitive for these small operations. Purchase and maintenance of a Vessel Monitoring System in addition to the batteries is likely to overwhelm these marginal, but vitally important operations.

While I support the use of VMS as a tool in protecting our nation's fisheries, I strongly urge you to consider creating a mechanism within the regulation that will allow an exemption for small scale fishing operations which face a disproportionately high burden from the cost of VMS systems. An exemption of this type could be applied specifically to the Bolinas fisherman, or could be applied on a case-by-case basis using criteria related to the size or profitability of the operation.

Thank you for your consideration.

Sincerely,

Steve Kinsey
Marin County Supervisor