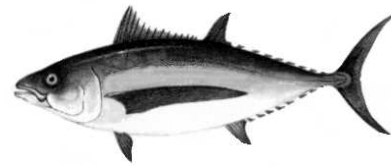


WESTERN FISHBOAT OWNERS ASSOCIATION®



P.O. Box 992723
Redding, CA 96099

Ph. (530) 229-1097
Fax (530) 229-0973

e-mail <wfoa@charter.net>
website: <<http://www.wfoa-tuna.org>>

June 1, 2009

William L. Robinson
Regional Administrator, NMFS Pacific
Islands Regional Office (PIRO), 1601
Kapiolani Blvd., Suite 1110, Honolulu,
HI 96814

Re: Proposed Rule for WCPFC - Identifier # 0648-AV63

Dear Mr. Robinson:

Western Fishboat Owners Association (WFOA) would like to make the following comments on the proposed Rules for the WCPFC. I have selected the most pertinent sections and include comments within. Since the regulations will apply to albacore troll and baitboats fishing for albacore west of 150°W, North of the equator and it will apply to all fishing for albacore tuna south of the equator we are very concerned with following three points.

VMS: Vessels will have to have NMFS approved VMS units which will transmit signals to the WCPFC Commission and NMFS which run about \$4,000 and have a useful life of four years. There will be an estimated \$250 for annual maintenance and \$525 for transmissions on an annual basis. The VMS unit is required to be on at all times, whether in or out of the WCPFC Area. If a unit fails while at sea, NMFS can require radio reporting of positions, or end the trip.

Our vessels are small with very little problems with by-catch, enforcement issues, or gear conflicts. Occasionally we have a fleet of 10-50 vessels that fish albacore by troll methods west of 150°W. Nearly all of the fish are returned to the west coast for landing and all is documented in logbooks. Therefore, we ask the following:

- How effective and useful is the VMS data collected now for management? As far as I can tell the only application so far has been to issue citations to vessels who have gone into "protected areas." There are very few MPA's in the offshore regions thus would be highly unlikely such a situation would involve a U.S. albacore troller.
- Why do the units have to be on 365 days a year? There have been fishermen who have receive

tickets for turning it off while in the ship yard doing repairs! It seems a declaration of departure and a check to see if the unit is on should serve the purpose.

- If the US is requiring it as part of WCPFC convention then NOAA should pay for installation as in other fisheries. The US albacore fleet is in economic distress and an important component of the coastal rural economy. Any new fees at this time would be detrimental to the family owned U.S. albacore fleet and community at this time.

Observers: *Vessels may be required to carry observers and it is the WCPFC's intention to have 5% observer coverage. Carrying an observer is estimated to cost \$20/day, or \$350 a trip depending on the length of the trip.*

Again to state the obvious, any albacore vessel operating in the region west of 150°W would be at sea anywhere from 25 -100 days. If they were required to pay observer rates of \$20/day it would run more like \$400 - \$2000 per trip. This needs clarification and a possible cap of no more than \$350 per trip. Also, for consideration:

- Most of these vessels are smaller in nature especially when compared to longliners and purse seiners. A typical albacore vessels that may operate in the region west of 150°W would be between 50 -100 feet in length with a crew of 2-3 persons. Most of the boats in the 50-65 foot range have limited space for observers especially for extended trips.
- Considering albacore trollers in the area may be at sea for 25 -100 days, how practical is it to have to carry an observer for the length of time in a fishery that has virtually no environmental or regulatory impact compared to other gear types.
- The vessels operate at least 7-10 days from any harbor and travel only 7-9 knots. To have to abort a trip because of a health or other problem with an observer would be problematic. WFOA questions who would reimburse the vessel for potential two to three weeks of lost time?

Vessel Identification: Vessels would be identified with, in this order of use, the international radio call sign, USCG documentation number, or State registration number, preceded by the letters "USA."

- Since under the U.S./Canadian albacore treaty U.S. vessels are already required to put a "U" in back of their documentation number, an addition to changing the whole format, another couple letters may be a problem for some smaller vessels because of space.

WFOA reminds you that the U.S. troll fleet is a small vessel fleet that fishes in far from shore. Vessels range from 35 -120 feet with an average of about 55 – 60 feet. Most are family owned and operated, with small crews, and very eco friendly gear. Many of these boats fish far offshore weeks from nearest harbors. When compared to high seas purse seiners and longliners our vessels are far from equal both in size, capacity, crew size, and economics.

Sincerely,



Wayne Heikkila
Executive Director

cc: Senator Dianne Feinstein (CA)
Senator Barbara Boxer (CA)
Senator Ron Wyden (OR)
Senator Jeff Merkley (OR)
Senator Patty Murray (WA)
Senator Maria Cantwell (WA)
Senator Daniel Inouye (HI)
Speaker of the House Nancy Pelosi (CA)
Representative Mike Thompson (CA)
Representative Wally Herger (CA)
Representative Sam Farr (CA)
Representative Peter Defazio (OR)
Representative David Wu (OR)
Representative Brian Baird (WA)
Representative Jay Inslee (WA)
Representative Norm Dicks (WA)
Mr. Donald McIsaac – PFMC
Ms. Kitty Simonds – WPFMC