

Alaska Trollers Association

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Commercial Fishing Safety Advisory Committee
c/o Jack Kemerer, Alternate Designated Federal Official of CFSAC
Commandant (CG-CVC-3)
U.S. Coast Guard Headquarters
2100 Second Street SW, Mail Stop 7581
Washington, DC 20593-7581

Dear Committee Members:

I am writing on behalf of the Alaska Trollers Association (ATA) regarding your ongoing review of the commercial fishing vessel safety statutes and regulations. Our organization has significant concerns about current and impending safety rules, particularly as they relate to the small boat fleets. It is our hope that your recommendations to the US Coast Guard (USCG) and congress will include measures to help ameliorate some of those concerns.

ATA represents commercial hook and line salmon fishermen who operate in both state and federal waters off the coast of Alaska from Dixon Entrance to Cape Suckling. Troll gear is deployed with either hand or power gurdies. Typically, troll vessels are small boats ranging from 16 to 60 feet, with the average being about 40 feet. Average crew size is two. Many trollers also fish for halibut, cod, and shellfish. About 85% of all vessels in Alaska are under 50 feet, with the vast majority measuring in at 30-49 feet. With very few exceptions, trollers are the only commercial salmon fishermen that fish outside 3 miles.

Between 1998 and 2008, we lost four members of our fleet. Two fishermen and a vessel were lost at sea, most likely due to weather. Two other fishermen, on different boats, died of medical emergencies. Vessel capsizes in our fleet are known to be extremely rare. Given the relative safety of our 130 year old fishery, trollers are frustrated by the chronic layering of requirements that are not viewed as improving safety. They do, however, add to the ever-increasing financial and operational burdens of small business owners.

Attached to this letter is correspondence from one of our members, whose frustration is quite clear and solidly representative of the comments heard from port to port. This skipper has an outstanding, if not exceptional, safety record and notes his full support of common sense safety requirements, such as EPIRBs, survival suits, and lift rafts. Reasonable safety training is not considered problematic, but the new and expanded training and potential licensing requirements are. In addition to being of questionable overall value to those who regularly fish alone or with one or two other crewmen, the rules are costly to the Alaska fleet in time and travel expense, and also expensive for a nation struggling with staggering debt.

When congress was considering the statutes before you, a Congressional Budget Office review of the bill suggested that the cost of compliance,

...would be substantial and, that the aggregate cost to private entities would exceed the annual threshold established in UMRA [Unfunded Mandates Reform Act of 1995] for private sector mandates.

Cumulative cost to industry and the USCG is an issue that this committee must address, along with the question of cost:benefit of any new statutes and regulations.

I believe that if this committee is to truly represent the voice of affected fishermen, including small boat operators, then you must question the efficacy of these rules in relation to improved safety. As you have done in the past, a clear

message should be sent to the USCG and congress if you agree that many of the new requirements are unnecessary and/or burdensome.

Another issue raised in the attached letter is parity between industry sectors, and even recently between individual fleets. For instance, in Mr. Merritt's letter he expresses exasperation because he has to carry requisite safety gear outside 3 miles, but the sportfishing charterboats do not. This goes beyond complaining about having to do something that someone else doesn't have to do. As a practical matter, if a charterboat gets into trouble it is most likely one of our fleet members – perhaps even Mr. Merritt – who will be first to respond, putting themselves and their crew at risk for those who are not required to have basic safety gear onboard.

If the USCG and congress believe this gear is essential for the safety of commercial fishermen outside of 3 miles, then why not for others who are also fishing there? After all, as the data shows, the vast majority of fatalities were not even caused by commercial fishing.

Interestingly, data from the Center for Disease Control National Institutes for Occupational Safety and Health reveals that of the 34 fatalities on salmon fishing boats from 2000-2007, 30 occurred in fisheries that are conducted within 3 miles (4 were trollers who may have been fishing inside or outside 3 miles). These kinds of data cause trollers to question the value of the many statutes and regulations they are forced to contend with, and pay for, in the name of 'improved safety' outside 3 miles.

Without specific information detailing what the committee will be discussing at this meeting, and understanding that the committee is will be primarily addressing the congressional statute for mandatory licensing and drill training, I leave you with the following thoughts on that and related topics to consider as you prepare your recommendations:

Dockside Safety Inspections

We question the need for dockside inspection every 2 years, particularly for vessels who are consistently found to have no violations. The inspections are difficult to schedule for those who fish year-round, particularly in small Alaskan communities where USCG only comes to town a few days a year to do the inspections. We realize USCG staff does their best to accommodate the fleet's schedule, but it must be difficult to cover all the bases. When the mandatory rule comes into effect, and more vessels are being inspected each year, it will only become more difficult and expensive. Please consider recommending more time between inspections.

Licensing & Training


- Grandfathered licensing provisions for those fishermen who have already spent many years at sea with no significant incidents.
- Clarify whether or not there will be acceptable substitutes for new training requirements, such as 6-pk and 100-ton licenses.
- Encourage additional federal funding of grants to provide training to those who have not yet been able to participate in the drill instructor training course.
- 5-year re-certification: Consider mandatory re-certification only for those who have had a serious safety incident onboard, similar to the way things are done for drivers licensing and related issues. Or, look at a refresher course of shorter duration, perhaps even utilizing online course options. Remember that many skippers fish year-round and/or live in small or remote communities, so the time and expense of traveling for training is often impractical and expensive. Many trollers live in rural communities that are spread out over a large area. Despite the fact that AMSEA does an exceptional job of outreach and travel, there are thousands of skippers and crew to train in Southeast Alaska alone.

Rulemaking Timeline

Given the wide range of US fisheries conducted over a variety of timeframes, we urge the committee to request that the USCG provide meaningful notice to industry groups of all comment periods. In addition, the industry should be granted no less than 120 days to submit comments.

Thank you for the work you do to parse through this difficult question of safety at sea. ATA appreciates the commitment shown by each of you who serves on this important committee and your willingness to hear our concerns. Please don't hesitate to contact me if I can be of assistance to you now or at some point in the future.

Best regards,



Dale Kelley
Executive Director

