



UNITED FISHERMEN OF ALASKA

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March 22, 2017

Honorable Lisa Murkowski
United States Senate
522 Hart Senate Office Building
Washington, D.C. 20510

Honorable Dan Sullivan
United States Senate
702 Hart Senate Office Building
Washington, DC 20510

Honorable Don Young
U.S. House of Representatives
2314 Rayburn House Office Building
Washington, DC 20515

RE: US Coast Guard Commercial Fishing Vessel Safety Requirements

Dear Senator Murkowski, Senator Sullivan, and Congressman Young,

Thank you for attending the United Fishermen of Alaska's (UFA) Board meeting earlier this month in Juneau. As an organization who represents the broadest swath of Alaska's commercial fishing interests (from our small gillnetters and trollers in Southeast Alaska to our catcher processors of the Bering Sea), we recognize how fortunate we are to have strong federal leadership championing interests of the Alaska fishing industry in Washington DC. Our industry collectively harvest 60% of the seafood consumed in the United States. As the major stakeholders, managers and participants in healthy and sustainable state and federal fisheries, UFA is of the firm belief that fishery related legislation, regulation, and policies must make sense for Alaskan fishermen. This is especially true for the issue of fishing vessel safety.

Since the implementation of the Commercial Fishing Vessel Safety Act of 1988 and the corresponding regulations in 1991, the number of fatalities in Alaskan fisheries has plummeted by over 70% according to the U.S. Coast Guard (USCG). This significant reduction in fatalities has been driven by a number of factors: the relatively simple and regularly enforced regulations for requiring primary lifesaving and fire-fighting equipment and emergency training; a strong safety training infrastructure available throughout Alaska, Washington, and Oregon; USCG fishing vessel safety experts being placed in major fishing ports throughout the region, fishery rationalization programs in our major federal fisheries which have ended the race for fish, and strong safety partnerships with NOAA Fisheries, the State of Alaska and the National Institute for Occupational Safety and Health.

Since 2010, there has been major fishing vessel safety legislation passed in the Coast Guard Authorization Act of 2010, the Coast Guard and Marine Transportation Act of 2012, and the

Coast Guard Authorization Act of 2015. While UFA members are generally supportive of these new provisions found in Title 46, United States Code (USC), Chapter 4503 and 46 USC 5102, there are a number of problematic areas, which, if revised or clarified, would provide substantial improvements in safety without creating unnecessary regulatory burdens. Below are UFA's recommended changes for these statutes.

New Vessels: Under the current language of 46 USC 5102 and 46 USC 4503, fishing industry vessels over 79' feet in length - fish processing vessels, fish tenders, and fishing vessels (aka catcher vessels) - built after July 2013 must meet the requirements for loadline and the requirements for classification.

- ***Loadline:*** UFA supports the current legislative language in 46 USC 5102 (b) that requires fishing vessels over 79' in length built after 2013 to be loadlined. The safety standards incorporated into loadline (hull construction, strength, watertight integrity, vessel stability and regular inspections by classification societies) are well-targeted in terms of addressing safety issues found in larger commercial fishing vessels.
- ***Classification:*** UFA supports the requirements for classification as found in 46 USC 4503 (b) for fish processing vessels as these vessels have a very elevated risk profile. Fish processing vessels have large crews (from 25 – 150 people), highly complex propulsion and electrical generation systems, refrigeration systems and high fire loads. However, UFA *does not support* legislation that requires classification for newly constructed fishing vessel and fish tender vessels. Fishing and fish tender vessels are comparatively much simpler vessels, do not have large crews, and do not have the risk profiles or economic underpinnings that warrant the more burdensome requirements of classification. UFA recommends statutory changes to remove fishing vessel and fish tender vessels from classification.

Existing Vessels and Alternate Compliance Programs: As you know, the Congressionally mandated alternate compliance program for existing fishing vessels was suspended by the Coast Guard in June 2016 due to that agency's slow start on the project and lack of communication and engagement with the fishing industry. UFA supports your 2016 draft bill on this matter as we believe alternate compliance has a place in driving additional safety improvements at a regional and fishery specific level. We will continue to support this approach so long as alternate compliance standards are cooperatively developed with the affected industry, are designed to address specific safety concerns within given fleets, and ample time is provided for industry implementation.

One technical correction that should be addressed comes as a result of the 2015 Coast Guard Authorization Act. That act revised language in 46 USC 4503 (c)(1) that adjusted the lower limit on vessel classification upward from 50' to 79'. As a result of this change, the lower limit on alternate compliance language in 46 USC 4503 (d)(1)(a) should also have been adjusted upwards from 50' to 79'. This adjustment would greatly reduce industry impacts and would achieve consistency with other parts of the statute.

Fishing Vessel Safety Exam Frequency: UFA supports mandatory fishing vessel safety exams as required in 46 USC 4502. We further recognize that a large component of the Alaska fleet are required to meet a two-year examination cycle for NOAA and State of Alaska fishery observer requirements (versus a five year cycle required by statute). However some fleets within UFA's membership remain concerned that a two-year exam cycle written into statute may not be practicable for certain fleets within Alaska. As such, UFA does not support a two-year dockside exam cycle in statute unless there was a method to exempt certain fleets from the temporal aspects of this requirement (e.g., a three or five year exam).

We truly appreciate your efforts to support our fisheries and to provide our fishing fleets with effective and practicable legislation that is risk-based, promotes the construction of new fishing industry vessels, and most importantly promotes safety within our fleets.

Thank you for considering this request from United Fishermen of Alaska.

Sincerely,



Jerry McCune
President



Mark Vinsel
Executive Administrator

MEMBER ORGANIZATIONS

Alaska Bering Sea Crabbers • Alaska Independent Tendermen's Association • Alaska Longline Fishermen's Association • Alaska Scallop Association
Alaska Trollers Association • Alaska Whitefish Trawlers Association • Armstrong Keta • At-sea Processors Association • Bristol Bay Fishermen's Association
Bristol Bay Reserve • Cape Barnabas, Inc. • Concerned Area "M" Fishermen • Cook Inlet Aquaculture Association • Cordova District Fishermen United
Douglas Island Pink and Chum • Freezer Longline Coalition • Golden King Crab Coalition • Groundfish Forum • Kenai Peninsula Fishermen's Association
Kodiak Regional Aquaculture Association • North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association
Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owner Association
Seafood Producers Cooperative • Southeast Alaska Herring Conservation Alliance • Southeast Alaska Fisherman's Alliance
Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners • Southern Southeast Regional Aquaculture Association
United Cook Inlet Drift Association • United Southeast Alaska Gillnetters • Valdez Fisheries Development Association