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Subcommittee on Coast Guard and Maritime Transportation
U.S. House of Representatives
Washington D.C. 20515

September 10, 2013

Subject: "Maritime Transportation Regulations: Impacts on Safety, Security, Jobs and the Environment"

Testimony of: Kenneth D. Franke, President, Sportfishing Association of California

Thank you Chairman Hunter and Subcommittee members for providing this opportunity to make comment on the U.S. Coast Guard report to Congress on "Survival Craft Safety".

I am Ken Franke, President of the Sportfishing Association of California (SAC) and additionally speaking on behalf of the Golden Gate Fisherman's Association (GGFA) and the National Association of Charterboat Operators (NACO). SAC, GGFA, and NACO are industry associations that represent over 3,000 small passenger vessel companies based on all maritime borders of the United States. This fleet transports several million passengers annually. Rest assured, passenger safety and appropriate lifesaving equipment aboard our vessels is the absolute number one priority.

With regard to the Coast Guard report on Survival Craft Safety, we applaud the level of detail and factual clarity contained in the document. A review of the report makes it easy to conclude that the current system of equipping the small passenger vessels with safety equipment is working. At issue however is what do we do with the information and how do we proceed effectively without incurring waste or even harm to the national small passenger vessel fleet.

Key comments we felt were applicable to small passenger vessels in the report are quoted as follows:

- A. "Based on analysis of available casualty data, carriage of out-of-water survival craft in place of life floats and buoyant apparatus is not anticipated to have a significant effect on vessel safety."
- B. "For inspected small passenger vessels, for which the vessel data and casualty reports are more complete, the absence of fatalities attributed to type or number of survival craft since 1996 suggest that the current requirements phased in between 1996 and 2006 have provided adequate protection, and does not support a compelling need for additional requirements for out-of-water survival craft for these vessels."
- C. "For passenger vessels where the passenger capacity is limited by weight, in some cases, the increased weight of inflatable survival craft may require some reduction in the number of persons that can be carried, with possible consequential long-term loss of passenger revenue."
- D. "It is important to note that, in a significant number of cases on small passenger vessels, other lifesaving equipment that might have mitigated the severity of a casualty was not used, or may have been used improperly."

Based on these comments it would seem that retrofitting the vessels with inflatable life rafts would not be reducing threat to life. What it would do is cost the small business owner to incur a \$350 million dollar bill over ten years that in some cases would put them out of business.

We feel it is important to mention that our vessels and passenger safety have been a progressive evolving story with emphasis on improved design, training and technology over the past ten years. This results in a reduction in those incidents where a survival craft is employed. The statistics in the Coast Guard report support this as fact. We refer to the following examples:

1. GPS positioning ensures precise navigation, improved safe vessel movement, and ensures high-speed response by rescuers when necessary;

2. Plotting software and improved radar and sonar systems further reduces the risk of collision or grounding;
3. EPIRB emergency transmitters provide improved response times by first responders;
4. Communications equipment has vastly improved with movement to Satellite intercoms and networks capable of broadcasting to entire fleets with clarity during an emergency;
5. Vessel design and bulkheads to divide compartments substantially reduces the likelihood of a vessel sinking;
6. Vessel traffic centers help reduce conflict on the water by ensuring separation of vessels in congested areas;
7. Licensing requirements and crew training have become much more intensive.

These factors, all of which reduce the risk of the need to deploy a survival craft, combined with the intensive annual and random inspections by Coast Guard personnel, have lead to a robust and layered life protection system aboard our vessels.

Therefore it is our opinion that retrofitting in many cases large portions of small passengers vessels to accommodate inflatable life rafts is inappropriate and a waste of money. Additionally, we feel it is not prudent to move forward with implementing a rule that there is no basis to indicate will save a life any more than the current risk based survival craft requirements in place.

Based on all of the above comments we recommend to this subcommittee that action be taken to legislatively amend the previous instructions to the U.S. Coast Guard to continue to utilize risk based survival craft guidelines. Further if as a result of this report they feel there is an area that can be improved on by policy development then the Coast Guard should pursue addressing the deficiencies and report back to the subcommittee on the actions taken.

Speaking specific to my own fleet to which the statistics are most familiar to me, with the Coast Guards oversight our fleet moved 10 million passengers over ten years with no death attributed to lack of an inflatable life raft. The system works!



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In closing, we compliment the hard work of the Coast Guard in both protecting our fleet and preparing this report. This was an outstanding document. I would venture to guess everyone wishes we had it two years ago. We commend them for their achievement. With that I submit to any questions you may have.