

COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE (CFSAC)
Alternate Safety Compliance Programs

TASK STATEMENT 15-02 ACTION SHEET

TASK TITLE: ALTERNATE SAFETY COMPLIANCE PROGRAMS (ASCP), SURVIVAL CRAFT, and PART 28 REGULATIONS

BACKGROUND:

The Coast Guard continually seeks ways to improve safety within the commercial fishing industry. The Commercial Fishing Safety Advisory Committee is a significant participant in this effort by providing recommendations for improving safety and program initiatives. Past recommendations from the Committee, casualty investigation reports, and other feedback have often addressed vessel safety standards.

Section 604 of the Coast Guard Authorization Act of 2010 amended various sections of Title 46 of the U.S. Code, Chapter 45. One such provision, adds new requirements for Uninspected Commercial Fishing Industry Vessels. In Section 4503 - ...Vessel Certification, a new subsection (d) requires certain older vessels to comply with an ASCP. The Program(s) is to be developed in cooperation with the commercial fishing industry. An ASCP may also be seen as a tool to provide a more individual fisheries-based approach to assessing risks and developing intervention criteria by working with that component of the industry. It has been noted that a “one size fits all” approach may be limited based on vessel or gear types for various fisheries.

In light of this new requirement, the Coast Guard sought advice and recommendations from the Committee. A subcommittee was established for the task, and it reviewed draft guidelines and criteria for an ASCP and provided feedback and recommendations to refine them over the past two meetings.

The 2010 Authorization Act and the 2012 Authorization Act also amended requirements for survival craft. Certain commercial fishing vessels will now be required to carry a survival craft that ensures no part of an individual is immersed in water. The Acts, further, limited Coast Guard approvals for other types of survival craft.

The new ASCP, survival craft, and other safety equipment requirements necessitate significant revisions to the fishing vessel safety regulations in 46 CFR Part28. Other existing rules need to be revised and new rules must also be proposed to implement the various Authorization Act amendments.

DESCRIPTION OF TASK:

1. In a continuation of and review of deliberations from meetings in 2001, 2013, and 2014 for Tasks 11-06, 13-02, and 14-02, the Coast Guard seeks validation of the revised draft guidelines and requirements matrix for the alternate safety compliance program that have been developed in consultation with the Committee over the previous meetings. Further, what are the Committee’s recommendations as to how to make it available to vessel owners and industry organizations.

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2. Considering the pending requirement for CFVs operating beyond 3 NM of the Baseline to carry and out-of-water survival craft after February 26, 2016, the Coast Guard seeks the Committee's recommendation(s) on survival craft carriage on vessels operating inside 3 NM. Current rules allow carriage of certain types of craft that are no longer approved. Should those vessels be allowed continued use of those type craft until they are no longer serviceable? Until Part 28 regulations can be revised addressing a change, what would be a reasonable approach to recommendations on survival craft carriage requirements on vessels operating inside 3 NM?

3. Considering the amended and new requirements for fishing vessels as set forth in the 2010 and 2012 Authorization Acts, the Coast Guard seeks the Committee's recommendations on revisions to Part 28 regulations. A section by section analysis is requested by reading the current rules and providing recommended changes, additions, or deletions. While there may have been previous recommendations from the Committee on needed changes, the results of this review will also be considered as the Coast Guard moves to begin proposed revisions of the rules.

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Forwarded for Committee Consideration: _____
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Designated Federal Officer (DFO)
Date Forwarded: _____

Committee Action Accepted: _____

Chairman, CFSAC
Date Approved: _____

Working Group Chair
