

COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE (CFSAC)
Enhanced Oversight Program in lieu of Alternate Safety Compliance Program

TASK STATEMENT 16-02 ACTION SHEET

TASK TITLE: ENHANCED OVERSIGHT PROGRAM (EOP) DEVELOPMENT in lieu of AN ALTERNATE SAFETY COMPLIANCE PROGRAM (ASCP)

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 Chapter 45, Title 46 of the U.S. Code, adding 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 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.

In light of this particular requirement, the Coast Guard sought advice and recommendations from the Committee. A subcommittee/working group 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 three meetings.

Earlier this year, it was agreed that further development of an ASCP would require a new proposed rulemaking project in order to implement such a requirement. A Marine Safety Information Bulletin, 11-16, was issued on July 20, 2016 stating that the Coast Guard was suspending further development of an ASCP. Instead, an EOP would be developed and initiated by January 2017. The criteria that had been drafted for an ASCP would be revised as EOP Safety Guidelines and Best Practices for the same older vessels to which the ASCP was to apply. These guidelines and practices would be voluntary in nature, but highly encouraged to be implemented to the greatest extent possible to enhance safety, not only on older vessels, but all non-classed commercial fishing vessels.

DESCRIPTION OF TASK:

1. In a continuation and review of deliberations from meetings in 2011 - 2015 for Tasks 11-06, 13-02, 14-02, and 15-02, the Coast Guard seeks additional review and comment on the ASCP draft guidelines and requirements recommended by the Committee over the previous meetings, now revised by the Coast Guard and proposed as voluntary safety guidelines and best practices for an EOP. Further, the Coast Guard seeks the Committee's recommendations on how and to what extent the new guidelines should be made available to vessel owners and industry organizations for feedback and comment on the voluntary guidelines and best practices.

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2. Considering that the EOP guidelines are primarily focused toward non-classed CFVs operating beyond 3 NM of the Baseline, that are at least 50 feet in length, and built before July 1, 2013 and are more than 25 years of age, the Coast Guard seeks the Committee's recommendation(s) on how to conduct the oversight to ensure enhanced safety is attained. Specifically, does the Committee recommend that these vessels should be examined more frequently than other CFVs, and if so, how often? What measures does the Committee recommend the Coast Guard pursue to promote adoption of the safety guidelines, and improve material condition and seaworthiness of a vessel where needed?

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Forwarded for Committee Consideration: _____
JENNIFER F. WILLIAMS, Captain, USCG
Designated Federal Officer (DFO)
Date Forwarded: _____

Committee Action Accepted: _____

Chairman, CFSAC
Date Approved: _____

Working Group Chair
