

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commander  
First Coast Guard District (dpi)

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16000  
January 18, 2013

Dear Harbormasters:

I am sending you this letter to inform you and members of the commercial fishing fleet in your area of major policy changes that have gone into effect with the implementation of the Coast Guard Authorization Act of 2012.

The law, which was signed by the President on December 20, 2012, has returned the Coast Guard dockside safety examination to a **voluntary** program. As outlined in the law the voluntary program will remain in effect until October 15, 2015. It is on this date that the new policy will be implemented to require a safety examination once every 5 years. This change applies to all commercial fishing vessels, fish tenders and fish processing vessels that operate or transit more than 3 nautical miles offshore. A reminder that mandatory exams will remain in effect for all fishing vessels that are required to have a NMFS observer onboard.

In an effort to raise awareness of this new requirement I request that you post or distribute the enclosed material to the commercial fishing fleet operating in your area.

I have also attached a flyer with the phone numbers to our examiners who will continue to offer voluntary dockside safety exams as requested to help maintain safety readiness within the fleet.

Your assistance is greatly appreciated and if you have any questions please contact Mr. Paul Bassick 617-223-8315 or myself at 617-223-8440.

Sincerely,

A handwritten signature in black ink, appearing to read "T. R. Harrington", written over a horizontal line.

T. R. HARRINGTON,  
Commercial Fishing Vessel Safety Office  
By Direction of the Commander  
First Coast Guard District

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commandant  
United States Coast Guard

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16701

January 16, 2013

Dear Commercial Fishing Industry Vessel Owner and Operator:

On August 15, 2012, I issued a letter explaining that after October 15, 2012, all commercial fishing, fish tender and fish processing vessels that operated (or transited) more than 3 nautical miles offshore must demonstrate full compliance with existing fishing industry vessel safety regulations by completing a biennial safety examination. That requirement was one of several mandates established by the *Coast Guard Authorization Act of 2010*. The examination requirement applied to State-registered or Federally-documented vessels, to vessels with more than 16 individuals on board operated anywhere, and to fish tender vessels engaged in the Aleutian Trade.

That statutory biennial examination requirement for these vessels has changed. The *Coast Guard and Maritime Transportation Act of 2012*, which was signed into law by the President on December 20, 2012, modified the law to require that dockside safety examinations must be completed at least once every 5 years (instead of 2 years), and that the first dockside exam of a vessel must be completed no later than October 15, 2015. Please note, however, that depending on the type and area of vessel operations, other examination requirements may still apply (such as for Distant Water Tuna Fleet manning exemptions, District-granted equipment exemptions, post-SAR boarding and safety checks, post-voyage termination compliance checks, etc.).

The development of specific regulations to clarify the new examination (and other) requirements of the law is ongoing. Mandatory safety exams on many vessels, for now, are not required until after October 15, 2015. If you had your vessel examined for the first time based on the mandates described in my August letter, please recognize that it was not done in vain. Completion of the exam demonstrated that your vessel was in compliance with current safety regulations. At this point, I encourage you to continue to have your vessel examined at least every 2 years, which will help you align with the current period for which a safety decal is issued after successfully completing an examination. Also, be aware that a 2-year examination requirement remains in effect for your vessel and operation if you are subject to carrying a NOAA Fisheries Observers, or if your vessel is a fish processing vessel or fish tender vessel engaged in the Aleutian trade.

To arrange for an examination, or to obtain more information on methods to ensure compliance, please contact your local Coast Guard Sector, Marine Safety Unit, or Field Office and ask for the local fishing vessel safety examiner. They will make every effort to accommodate your operations and schedule an examination. You may also request an examination through a link on the [www.fishsafe.info](http://www.fishsafe.info) website. If you have any questions regarding exam requirements, please feel free to contact Mr. Jack Kemerer, Chief of my Fishing Vessels Division at Coast Guard Headquarters ([CGCVC3@uscg.mil](mailto:CGCVC3@uscg.mil)), or one of our Area or District Fishing Vessel Safety Program coordinators listed on our website.

For your future awareness, and as required by the *Coast Guard Authorization Act of 2010* and the *Coast Guard and Maritime Transportation Act of 2012*, the Coast Guard is updating the regulations applicable to all U.S. commercial fishing vessels, fish processing vessels, and fish tender vessels. That project, when finished, may have additional requirements for fishing vessels beyond the current regulations. There will also be a new Coast Guard Certificate of Compliance (COC) form that will be used when the regulations are updated, but in the interim, a valid safety decal or signed exam form will signify compliance.

As a last note, if you operate your vessel and it is boarded and found not to be in full compliance with the current regulations, your operation may be subject to enforcement action for noncompliance with 46 C.F.R. Part 28, as well as other applicable regulations currently in effect. Such enforcement action may include civil penalties, termination of the vessel's voyage, or other operational controls such as a Captain of the Port Order.

A handwritten signature in black ink, appearing to read "Kyle P. McAvoy".

Kyle P. McAvoy  
Captain, U.S. Coast Guard  
Chief, Office of Commercial Vessel Compliance  
By direction

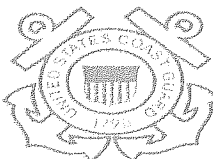
# INTERESTED IN SURVIVAL??

The Coast Guard is conducting **Voluntary Dockside Examinations** to help **You** make sure your vessel and crew have the best chance of surviving a mishap at sea. These exams are conducted solely for the benefit of the fishing community. **NO VIOLATIONS** will be issued. Let's work together to make all our jobs a lot safer and easier.

DON'T  
LEAVE

PORT  
WITHOUT  
IT!

**Commercial Fishing Vessel Safety  
EXAMINATION**

|  |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
|--|--|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| <b>VESSEL</b>  |                                       | <b>EXPIRES</b>  |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> Documented                    |  | 2009 <input type="checkbox"/>   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> Undocumented                  |  | 2010 <input type="checkbox"/>   |     |     |     |     |     |     |     |     |     |     |     |     |
| <b>OPERATIONS</b>                                      |  | 2011 <input type="checkbox"/>   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> Cold Waters                   |  | 2012 <input type="checkbox"/>   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> Warm Waters                   |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> Inside Boundary Line          |  | <table border="1" style="font-size: small;"> <tr><td>JAN</td><td>JUL</td></tr> <tr><td>FEB</td><td>AUG</td></tr> <tr><td>MAR</td><td>SEP</td></tr> <tr><td>APR</td><td>OCT</td></tr> <tr><td>MAY</td><td>NOV</td></tr> <tr><td>JUN</td><td>DEC</td></tr> </table> | JAN | JUL | FEB | AUG | MAR | SEP | APR | OCT | MAY | NOV | JUN | DEC |
| JAN  | JUL  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| FEB  | AUG  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| MAR  | SEP  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| APR  | OCT  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| MAY  | NOV  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| JUN  | DEC  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> Beyond Boundary Line          |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <b>FROM COASTLINE</b>                                  | THIS VESSEL MEETS ALL<br>USCG COMMERCIAL<br>FISHING INDUSTRY<br>VESSEL REGULATIONS<br>FOR OPERATING<br>AREAS AS MARKED |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> < 3 NM                        |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> < 12 NM                       |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> < 20 NM                       |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> < 50 NM                       |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> > 50 NM                       |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input type="checkbox"/> > 100 NM                      |  |   |     |     |     |     |     |     |     |     |     |     |     |     |
| <input style="width: 100px;" type="text" value="NO."/> |  | CG-5507A<br>(Rev. 6/08)   |     |     |     |     |     |     |     |     |     |     |     |     |
| U.S. Department of Homeland Security                   |  |   |     |     |     |     |     |     |     |     |     |     |     |     |

Safety equipment has saved thousands of fishermen's lives. Help us prevent casualties at sea by requesting a dockside examination.

Exams are **"FREE"** and at your convenience. Vessels in compliance will be issued a safety decal. This will reduce your chance of safety boarding violations and could result in savings of hundreds of dollars.

**For more information call:**

- Northern Maine:
- Maine/New Hampshire:
- Newburyport to Manomet, MA:
- Provincetown, MA to Watch Hill, RI:
- Connecticut:
- New York and Northern New Jersey:
- First CG District Office Boston:

- Mr. Garry Moores (207)-733-2054
- Mr. Kevin Plowman (207) 780-3256
- Mr. John Buckley (617) 223-3045
- Mr. Kevin Coyle (508) 991-6812
- Mr. Mark Dixon (203) 468-4437
- CWO G. Gonzalez (718) 354 4062
- Mr. Paul Bassick (617) 223-8315