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FM COMDT COGARD WASHINGTON DC//CG-5PC/CG-5RE//

TO AIG 4906

AIG 4914

COMLANTAREA COGARD PORTSMOUTH VA//LANT-54/LANT-35//

COMPACAREA COGARD ALAMEDA CA//PAC-3/PAC-54/PAC-33//

INFO COMDT COGARD WASHINGTON DC//CG-CVC/CG-MLE/TMII//

COMCOGARD FORCECOM NORFOLK VA

COGARD TRACEN YORKTOWN VA

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BT

UNCLAS //16710//

SUBJ: CANCELLATION OF INTERIM GUIDANCE ON MANDATORY SAFETY EXAMINATIONS OF COMMERCIAL FISHING INDUSTRY VESSELS AND ENFORCEMENT DURING AT-SEA BOARDINGS

A. COMDT MESSAGE R121105Z SEP 12 INTERIM GUIDANCE ON MANDATORY DOCKSIDE SAFETY EXAMINATIONS OF COMMERCIAL FISHING INDUSTRY VESSELS

B. IMPLEMENTATION OF THE COMMERCIAL FISHING INDUSTRY VESSEL REGULATIONS, COMDINST 16711.13B.

1. CANCEL REF (A) AND REVERT TO PRIOR POLICY FOR CONDUCTING DOCKSIDE SAFETY EXAMS AND AT-SEA BOARDINGS AND ENFORCEMENT.

2. DUE TO CHANGES SET FORTH IN THE COAST GUARD AND MARITIME TRANSPORTATION ACT (CGMTA) OF 2012, SIGNED BY THE PRESIDENT ON DECEMBER 20, 2012, COMMERCIAL FISHING VESSELS THAT OPERATE OR TRANSIT BEYOND 3NM FROM THE TERRITORIAL SEA BASELINE OR THE COASTLINE OF THE GREAT LAKES, OR OPERATE WITH MORE THAN 16 INDIVIDUALS ON BOARD, ARE NOT REQUIRED TO COMPLETE A DOCKSIDE EXAM ONCE EVERY TWO YEARS AS INDICATED IN REF (A). THE CGMTA AMENDED THE REQUIREMENT FOR AN EXAM FROM AT LEAST ONCE EVERY TWO YEARS TO AT LEAST ONCE EVERY FIVE YEARS, AND REQUIRES THAT THE FIRST DOCKSIDE EXAM OF A VESSEL BE COMPLETED NOT LATER THAN OCTOBER 15, 2015. VESSELS ON WHICH NOAA FISHERIES OBSERVERS ARE EMBARKED MUST FOLLOW EXAMINATION REQUIREMENTS IAW REF (B) AND 50 CFR PART 600.746. FURTHER, FISH PROCESSING VESSELS AND FISH TENDER VESSELS ENGAGED IN THE ALEUTIAN TRADE MUST CONTINUE TO COMPLETE AN EXAM AT LEAST ONCE EVERY TWO YEARS IAW CURRENT REGULATIONS. ADDITIONALLY, EXAMS MAY BE REQUIRED BY SPECIFIC VESSEL OPERATIONS OR CIRCUMSTANCES (E.G. DISTRICT-GRANTED EQUIPMENT EXEMPTIONS, POST-SAR BOARDINGS AND SAFETY CHECKS, POST-VOYAGE TERMINATION COMPLIANCE CHECKS, DISTANT-WATER TUNA FLEET MANNING EXEMPTIONS, ETC.)

3. FISHING VESSEL EXAMINERS AND BOARDING PERSONNEL SHOULD CONTINUE TO PROVIDE OUTREACH AND INFORMATION TO COMMERCIAL FISHING INDUSTRY REPRESENTATIVES AND VESSEL OWNERS AND OPERATORS THAT DOCKSIDE EXAMINATIONS WILL BECOME MANDATORY IN THE FUTURE IF THE VESSEL OPERATES BEYOND 3 NM AS NOTED IN PARA 2. IT SHOULD

ALSO BE STRONGLY RECOMMENDED TO OWNERS AND OPERATORS OF A VESSEL WITHOUT A CURRENT DECAL THAT THEY REQUEST AN EXAMINATION TO ENSURE COMPLIANCE WITH ALL CURRENTLY APPLICABLE REQUIREMENTS FOR THEIR VESSELS, AND EXAMS SHOULD BE REQUESTED TO RENEW EXPIRING DECALS. INFORMATION IS AVAILABLE AT WWW.FISHSAFE.INFO.

4. AREAS AND DISTRICTS CONTINUE TO HAVE DISCRETION TO CONDUCT SAFETY AND PULSE-TYPE OPERATIONS WITH RESPECT TO PREVIOUSLY IDENTIFIED HIGH-RISK VESSELS AND THOSE VESSELS ENGAGED IN HIGH-RISK FISHERIES.

5. CG-CVC AND CG-MLE WILL CONTINUE TO MONITOR IMPLEMENTATION PROGRESS OF APPLICABLE REQUIREMENTS SET FORTH IN THE CGMTA AND ADJUST POLICY AND ENFORCMENT AS NECESSARY. FURTHER GUIDANCE WILL BE PROVIDED AS DEVELOPED.

6. QUESTIONS MAY BE DIRECTED TO THE FOLLOWING STAFF POCS:

A. FOR DOCKSIDE SAFETY EXAMINATION GUIDANCE: MR. JACK KEMERER, JACK.A.KEMERER(AT)USCG.MIL, 202-372-1249

B. FOR AT-SEA ENFORCEMENT GUIDANCE: LT CHRISTOPHER CONDIT, CHRISTOPHER.M.CONDIT(AT)USCG.MIL, 202-372-2185

7. CAPT PAUL F. THOMAS, DIRECTOR OF INSPECTIONS AND COMPLIANCE, AND CAPT WILLIAM J. MILNE, DIRECTOR OF LAW ENFORCEMENT, MARITIME SECURITY, AND DEFENSE OPERATIONS POLICY, SEND.

8. INTERNET RELEASE IS NOT AUTHORIZED.

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