

R 181622Z OCT 12
FM CCGDTHIRTEEN SEATTLE WA//DP/DR//
TO AIG 8961
INFO COMPACAREA COGARD ALAMEDA CA//PAC-3// CCGDELEVEN ALAMEDA CA//DR/DP//
CCGDSEVENTEEN JUNEAU AK//DR/DP// COMDT COGARD WASHINGTON DC//CG-DCO/CG-
5P/CG-5R/CG54/CG-CVC-3//

BT

UNCLAS //N16502//

SUBJ: GUIDANCE ON MANDATORY EXAMS OF COMMERCIAL FISHING 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. COAST GUARD
AUTHORIZATION ACT 2010, SECTION 604 1. PURPOSE. MANDATORY DOCKSIDE EXAMS
OF COMMERCIAL FISHING VESSELS AND ATTENDANT ENFORCEMENT POSTURE FOR 4100F
BOARDINGS IN THE THIRTEENTH DISTRICT WILL BE CARRIED OUT AS OUTLINED IN
REF (A). BEGINNING 16 OCT 2012 COMMERCIAL FISHING INDUSTRY VESSELS THAT
OPERATE OR TRANSIT BEYOND 3NM FROM THE TERRITORIAL SEA BASELINE MUST
SUCCESSFULLY COMPLETE A DOCKSIDE EXAM ONCE EVERY TWO YEARS. THERE ARE
CURRENTLY NO CHARTED BASELINES IN THE STRAIT OF JUAN DE FUCA (SJDF). FOR
ENFORCEMENT OF THIS NEW REQUIREMENT, THE COAST GUARD DOES NOT CONSIDER IT
APPLICABLE TO THE WATERS OF THE SJDF AND PUGET SOUND.

INSTEAD, THIS REQUIREMENT WILL BE APPLIED THREE MILES FROM A LINE
EXTENDING FROM TATOOSH ISLAND TO THE NEAREST POINT OF THE INTERNATIONAL
BOUNDARY. THIS ENFORCEMENT LINE IS NOT TO BE CONSTRUED AS A BASELINE FOR
THE PURPOSES OF INTERNATIONAL LAW, SINCE NONE EXISTS. THIS DETERMINATION
IS BASED ON COAST GUARD DETERMINATION OF CONGRESSIONAL INTENT.

2. DOCKSIDE EXAMINATION

A. EXISTING REGULATIONS IN 46 CFR PART 28 REMAIN APPLICABLE TO VESSELS.
OTHER REQUIREMENTS LISTED IN THE AUTH ACT WILL NOT BE ENFORCED UNTIL SUCH
TIME AS NEW REGULATIONS ARE PUBLISHED.

B. IN ORDER TO MANAGE THE NUMBER OF VESSELS NEEDING A DOCKSIDE EXAM,
SECTORS WILL PRIORITIZE VESSELS BASED ON RISK, CONCENTRATING FIRST ON
VESSELS ENGAGED IN THE DUNGENESS CRAB FISHERY THEN EXPANDING TO OTHER
FISHERIES.

C. PRIOR TO THE START OF THE DUNGENESS CRAB FISHERY (NORMALLY 01
DECEMBER) SECTOR EXAMINERS SHOULD CONDUCT PULSE OPERATIONS IN ORDER TO
PROVIDE FISHERMEN WITH THE OPPORTUNITY TO COMPLETE THEIR DOCKSIDE EXAMS
PRIOR TO THE OPENING DATE.

D. SECTORS WILL NOT ISSUE A CAPTAIN OF THE PORT (COTP) ORDER TO VESSELS
FOR HAVING FAILED TO COMPLETE A DOCKSIDE EXAM AS PER REF (A).

3. ENFORCEMENT GUIDANCE IS OUTLINED IN REF (A) PARA 7.

A. A D13 WARNING LETTER IS AVAILABLE AT
[HTTP://CGWEB.D13.USCG.MIL/CFVS/BOARDINGOFFICERS.ASP](http://cgweb.d13.uscg.mil/cfvs/boardingofficers.asp)).

B. A COPY OF THE WARNING LETTER MUST BE LEFT WITH THE MASTER AND ONE COPY
WILL BE KEPT BY THE BOARDING OFFICER FOR SCANNING INTO MISLE.

C. SECTORS WILL BE NOTIFIED BY D13 DPI OF THOSE VESSELS ISSUED A WARNING
LETTER AND SECTORS SHOULD ATTEMPT TO CONTACT THE OWNER OF THE VESSEL TO
SCHEDULE A DOCKSIDE EXAMINATION.

D. ALTHOUGH FAILURE TO SATISFACTORILY COMPLETE A SAFETY EXAM ITSELF IS
INSUFFICIENT REASON FOR TERMINATION, TERMINATION FOR ESPECIALLY HAZARDOUS
CONDITIONS IAW EXISTING D13 POLICY REMAINS UNCHANGED.

E. SECTORS HAVE THE LATITUDE TO EXTEND THE 30 DAY REQUIREMENT ON A CASE BY CASE BASIS AS THEY MANAGE THEIR WORKLOADS.

4. POINTS OF CONTACT:

- A. D13(DPI): DAN HARDIN, 206-220-7226, CELL 425-239-0186
- B. D13(DRE) LMR: BRIAN CORRIGAN, 206-220-7309
- C. MARINE SAFETY UNIT PORTLAND: CURT FARRELL, 503-240-9373,
CELL 971-219-3924
- D. SECTOR PUGET SOUND: MARTIN TEACHOUT, 206-217-6187,
CELL 206-510-8039

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