FIFTH COAST GUARD DISTRICT ENFORCEMENT REPORT

01 June 2016 – 31 July 2016

Presented to the Mid-Atlantic Fisheries Management Council
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Fifth Coast Guard District

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List of Abbreviations

CFVS – Commercial Fishing Vessel Safety
HC-130 – USCG Fixed-Wing Aircraft
WPB – 110ft or 87ft Patrol Boat
STA – USCG Small Boat Station
EPIRB – Emergency Position Indicating Radio Beacon
WMEC – 210’ or 270’ Medium Endurance Cutter
M/V – Motor Vessel
SAR – Search and Rescue
WLB – 225ft Buoy Tender
P/C – Pleasure Craft
F/V – Fishing Vessel
A/S – Air Station
SEC - Sector
M/T – Motor Tanker

I. Mid-Atlantic Fisheries Enforcement and Marine Protected Species Operations

Operations Summary

During this period, WMECs, WPBs and stations conducted fisheries patrols in the Mid-Atlantic in an effort to curtail illegal fishing throughout D5's AOR. Throughout this period, units conducted 136 boardings and issued six enforcement action reports.

Boarding Statistics (Note: "This Period" data should be considered preliminary and is subject to change)

01 June 2016 – 31 July 2016 Activities		Comparison to FY15
Fisheries Boardings	136	161
Fisheries Boardings w/Fishery Violations	6	6
Violation Rate	4.4%	3.7%

Activities Fiscal Year 2016		Comparison to FY15
Fisheries Boardings	519	670
Fisheries Boardings w/Fishery Violations	20	29
Violation Rate	3.8%	4.3%

Violation Summary

03JUN16: CGC FORWARD issued a fishery violation to a commercial fishing vessel for possession of an egg bearing lobster, illegal gear configuration, and not having a federal operator's permit.

04JUN16: CGC FORWARD issued a fishery violation to a commercial fishing vessel for not having a current federal fisheries permit onboard and illegal gear configuration.

20JUN16: CGC SHEARWATER issued a fishery violation to a recreational vessel for possession of cobia during a closure and making a false official statement to the Boarding Officer.

12JUL16: CGC BEAR issued a fishery violation to a charter vessel for not having a valid HMS permit onboard. The permit did not match any of the vessel's documentation (i.e., registration).

12JUL16: CGC IBIS issued a fishery violation to a recreational vessel for not having a valid HMS permit and retaining bluefin tuna.

16JUL16: CGC BEAR issued a fishery violation to a commercial fishing vessel for not having a federal operator's permit.

Marine Protected Species Support Summary

27JUN-01JUL: SEC North Carolina conducted Operation Sound Steward w/NOAA OLE and NC Marine Patrol to ensure commercial shrimp vessels in Pamlico Sound complied w/TED requirements.

II. Commercial Fishing Vessel Safety Efforts

(June 1, 2016 – July 31, 2016)

Fishing Vessel Dockside Safety Examinations	This Period	Fiscal Year to Date
Dockside Exams	78	573
Decals Issued	69	465
Commercial Fishing Vessel Safety Terminations	3	12

III. Search and Rescue Highlights

From June 1, 2016 – July 31, 2016, there were 13 marine casualties reported involving commercial fishing vessels:

- Allision – 0
- Capsize – 1
  - NJ9588HD (O.N. NJ9588HD) – 10 JUN 2016
- Collision – 3
  - TAMARA LANE (O.N. 1029425) – 25 JUN 2016;
  - KATHY MARIE (941590) – 25 JUN 2016;
  - SUSAN MARIE (625950) – 6 JUL 2016
- Damage to Environment (Pollution/Hazmat) – 1
  - THELMA ELIZABETH (O.N. 5917038) – 23 JUN 2016
- Death – 0
- Disabled – 6
  - GOOD NEWS (O.N. 1123755) – 3 JUN 2016;
  - TOP NOTCH (O.N. 1066800) – 1 JUL 2016;
  - ROSA CARLOS (O.N. 909090) – 2 JUL 2016;
  - TWO ANNE'S (O.N. 1070204) – 9 JUL 2016;
  - JERSEY CAPE (O.N. 584880) – 16 JUL 16;
  - MISS KAYLEE (O.N. VA2680AT) – 18 JUL 2016
- Fire – 0
- Flooding – 0
- Fouling – 1
  - CAPTAIN CADEN (O.N. 613723) – 11 JUL 2016
- Grounding – 0
- MEDEVAC – 3
  - JEFFERY SCOTT (O.N. 1139699) – 15 JUN 2016; crewmember with severe stomach pains
  - HONI-DO (O.N. MS5108AU) – 3 JUL 2016; crewmember with severe headaches, nausea, and feeling weak
  - PROVIDER (O.N. 648979) – 18 JUL 2016; crewmember having convulsions
- Injury – 0
- Fall(s) Overboard – 0
- Sinking – 1
  - NJ9855HD (O.N. NJ9855HD) – 5 JUN 2016

- Terminations – 3
  - KIMBERLY (O.N. 990099) – 29 JUNE 2016, inadequate number of portable fire extinguishers on boar;
  - LADY DARE (O.N. 601289) –30 JUN 2016, inadequate number of portable fires extinguishers on board, missing survival craft, no CFVS examination.
  - LAURA LOUISE (O.N. 616723) – 4 JUL 2016, inadequate number of immersion suits, visual distress signals expired, and liferaft needs servicing.

IV. Outreach Information

Development of an Enhanced Oversight Program and Voluntary Safety Guidelines for Commercial Fishing Vessels

The Coast Guard Authorization is suspending development of an Alternate Safety Compliance Program (ASCP) and will instead develop an Enhanced Oversight Program (EOP) for commercial fishing vessels (CFVs) by January 1, 2017. In addition, the Coast Guard will publish additional Voluntary Safety Guidelines by January 1, 2017, which offer suggested measures to increase CFV safety on older vessels. The Coast Guard will provide sufficient notice prior to resuming any future development of an ASCP. The EOP will focus on vessels that may pose a greater risk of vessel and crew loss that include:

- A commercial fishing vessel or tender 25 years of age or older in 2020 OR the vessel completes a major conversion after the program is prescribed; AND
- The vessel is at least 50 feet overall in length; AND
- The vessel operates beyond 3NM from shore.

The Coast Guard will engage with the Commercial Fishing Safety Advisory Committee to develop the EOP. The voluntary guidelines and recommended best practices will be based on analysis of casualty data from the past 10 years by National Institute of Occupational Safety and Health (NIOSH).

Working groups are currently developing voluntary guidelines and recommended best practices that address the following objectives:

- Reduce vessel losses, fatalities, and serious injuries;
- Address specific risks within a fleet and not simply adopt standards from another program;
- Determine whether existing best practices, if adopted fleet-wide, are sufficient to meet ASC objectives;
- Leverage new technologies as a means to reduce limitations;
- Consider geographic and marine infrastructure limitations;
- Identifying and dedicate resources to implementing and maintaining the program; and
- Consider economic impacts to vessel owners.

Marine Safety Information Bulletin

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Development of an Enhanced Oversight Program and Voluntary Safety Guidelines for Commercial Fishing Industry Vessels

The Coast Guard is suspending development of an Alternate Safety Compliance Program (ASCP) and will instead develop an Enhanced Oversight Program (EOP) for commercial fishing vessels (CFVs) by January 1, 2017. The EOP will use existing Coast Guard authorities to provide greater safety for older CFVs (see below). In addition, the Coast Guard will publish additional Voluntary Safety Guidelines by January 1, 2017, which offer suggested measures to increase CFV safety on older vessels. The Coast Guard will provide sufficient notice prior to resuming any future development of an ASCP.

Enhanced Oversight Program.
As defined in the Coast Guard Authorization Act of 2010 and the Coast Guard and Marine Transportation Act of 2012, an ASCP would pose requirements on older non-classed fishing vessels beyond those just recently published in a notice of proposed rulemaking (NPRM) on June 21, 2016. Moreover, an ASCP would itself be subject to a rulemaking effort. Therefore, the Coast Guard is developing an EOP by January 1, 2017. The EOP will draw upon existing Captain of the Port authorities, can be prescribed by policy, and will build upon the existing CFV safety examination regime in Subchapter C of 46 CFR Chapter I. The EOP will focus on vessels that may pose a greater risk of vessel and crew member loss. This includes vessels of 50 feet or more in length and 25 years of more in age that operate three nautical miles or more from the territorial sea baseline of Great Lakes coastline, operate with more than 16 persons on board, or, in the case of a fish tender, engage in the Aleutian trade. The Coast Guard will engage the Commercial Fishing Safety Advisory Committee (CFSAC) in developing the EOP and will solicit industry feedback and concerns. Further information on the EOP can be found at www.fishsafe.info or www.fishsafewest.info.

Voluntary Safety Guidelines For Older CFVs.
The Coast Guard will develop Voluntary Safety Guidelines for older CFVs by January 1, 2017. These voluntary guidelines and recommended best practices will be based on analysis of casualty data from the past 10 years by the National Institute of Occupational Safety and Health. Further information can be found at www.fishsafe.info or www.fishsafewest.info.

Who should I contact if I have questions or concerns?
Coast Guard CFVS personnel will be available to meet with any fishing industry group, association, or representative to discuss and receive feedback on the safety guidelines and enhanced oversight program to be issued by January 2017. Please contact the Coast Guard Office of Commercial Vessel Compliance, Fishing Vessels Division (CG-CVC-3) at **202-372-1249** or by email at **CGCVC@uscg.mil**. You may also contact your local Coast Guard District Fishing Vessel Safety Coordinator or the local Coast Guard Sector Fishing Vessel Safety Examiner. The points of contact for these individuals can be found on the web site, www.fishsafe.info, at the "Locate Examiners" tab.

This release has been issued for public information and notification purposes only.