



# UNITED FISHERMEN OF ALASKA

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Office of Information and Regulatory Affairs  
Office of Management and Budget  
725 17th Street NW  
Washington, DC 20503  
ATTN: Desk Officer, U.S. Coast Guard.  
[www.regulations.gov](http://www.regulations.gov) Docket # USCG-2012-0025

Jack Kemerer, Chief  
Fishing Vessels Division (CG-CVC-3)  
Office of Commercial Vessel Compliance (CG-CVC),  
U.S. Coast Guard  
By email: [Jack.A.Kemerer@uscg.mil](mailto:Jack.A.Kemerer@uscg.mil).

**RE: Comments on Proposed Rule 46 CFR Part 28, Docket #USCG-2012-0025,  
Commercial Fishing Vessel safety**

Dear Mr. Kemmerer,

United Fishermen of Alaska is the statewide commercial fishing trade association, representing 33 commercial fishing organizations participating in fisheries throughout the state and its offshore federal waters. We appreciate the tremendous gains that have been made in improving the safety of commercial fisheries in Alaska and our offshore federal waters, with the milestone of no fishing fatalities in FY2015. We appreciate regulations that improve the safety of fishing operations without overburdening individual fishing businesses with requirements that do not contribute to safety.

Thank you and the U.S. Coast Guard for extending the comment period from the original September 19 date, and for arranging for Coast Guard personnel to present to fishermen regarding the proposed rule at Pacific Marine Expo this November in Seattle. We also appreciate the Coast Guard's efforts to reach remote fleets and communities with mandatory dockside exams that have been in effect since October of 2015. This outreach capability will be more important with mandatory training.

Survival craft – the rule requests public comment on whether or not, and to what extent, if any, we should exercise the limited grandfathering authorized by the CGAA and the CGMTA for certain non-conforming survival craft. Currently, in some places, small vessels are sometimes granted an exemption to use a skiff such as a zodiac, or other acceptable small skiff in place of a survival craft. We ask that the vessels currently operating under this exemption be grandfathered in and allowed to continue their practices. We ask for consideration of continuing the exemption in some areas of Alaska, such as the Bristol Bay gillnet fishery, and also on a case-by-case basis.

Inspection of lifesaving equipment – We note that qualified and certified inspection personnel or services for inspection, repacking and certification of survival craft are not available in many Alaska fishing communities. We ask for an assessment of the availability of these required services before official enactment and enforcement of this requirement.

Documentation: Section 28.200 (b) “The individual in charge of a vessel described in paragraph (a) of this section must keep a record of equipment maintenance, and required instruction and drills.” We ask that this be clarified to specify the safety equipment the recordkeeping pertains to. We also believe this would create a burden of paperwork and opportunities for citations, without a direct benefit to fishermen’s safety. We request that this section is removed from the rule.

Examination and Certification: Section 28.201(b) “Each vessel to which this subpart applies that is at least 50 feet overall in length and built after July 1, 2013 must-” H.R. 4188-Coast Guard Authorization Act of 2015 section 318 exempts from American Bureau of Shipping certification requirements certain fishing or fish tender vessels of between 50 feet and 79 feet in length. Given the passage of law that exempts fishing boats up to 79 feet from classification, we recommend that 46 CFR Part 28.201 (b) note the subsequent law exempting fishing vessels up to 79 feet. We would like to see reference to American Bureau of Shipping classification specifications for vessels in the 50 to 79 foot range if these exist, and the requirement is included. We are afraid that classification costs could make new builds too expensive for the commercial industry to afford in this size range, which could lead fishermen to prolong the useful life of older boats instead of replacing them, jeopardizing the safety of the commercial fishing industry that this proposed rule is meant to address.

Instruction, drills, safety orientation, and training: Section 28.270 (a) “Drills and instruction. Drills must be conducted and instruction must be given to each individual onboard at least once each month.” We ask that after “month” the words “while vessel is engaged in fishing activities”, or similar language to acknowledge that many fishing operations are seasonal and vessels may be inactive for periods of several months or more.

Termination of unsafe operations: Section 28.65 (a)(1) and (a)(2) - We ask that the required certificates needed to ensure the trip not be terminated be specified.

Other general FV safety comments that pertain to the topics in this rule:

Outreach capabilities can be improved with better use of websites, or preferably a single website devoted to USCG Commercial Fishing Vessel Safety. The proposed rule mentions <http://homeport.uscg.mil> and <http://fishsafe.info> but info important to fishermen is very hard to find on either of these sites. Currently visitors to the <http://fishsafe.info> site see a note that the “website is having problems” and are directed to the Maritime Commons Blog for Maritime Professionals where the [Voluntary Safety Initiatives](#) document we were looking for is found.

It would help very much if the intention of the Fishsafe.info site could be carried out – an internet clearing house to provide ready access to the information that is becoming increasingly necessary for all fishermen to be able to find easily when they need to. We would like to see adoption of the practice of posting important documents on the website, then sending out a permanent and concise link to it through email lists. We sometimes receive large digital documents by email “to distribute to fishermen”. We do not generally send out large files to fishermen’s emails that may be relayed through expensive pay-by-byte satellite connection while they are fishing, so we would like to see them on the website with a permanent link so we can transmit a link, for fishermen get the document when they are near shore or in port on regular internet service.

We support the Commercial Fishing Vessel Safety Advisory Committee. The committee’s actions and any presentations or reports from their meetings should be made available to the public through a website or section on the fishsafe.info site, which could help raise awareness of the committee’s work and up-to-date information on the safety issues that come before it.

Thank you for your attention to our comments.

Sincerely,



Jerry McCune  
President



Mark Vinsel  
Executive Administrator