

2019 Current Fiscal Year Report: Commercial Fishing Safety Advisory Committee

Report Run Date: 04/07/2020 06:28:23 AM

1. Department or Agency

Department of Homeland Security

2. Fiscal Year

2019

3. Committee or Subcommittee

Commercial Fishing Safety Advisory Committee

3b. GSA Committee No.

681

4. Is this New During Fiscal Year?

No

5. Current Charter

04/23/2019

6. Expected Renewal Date

04/23/2021

7. Expected Term Date

09/30/2020

8a. Was Terminated During Fiscal Year?

No

8b. Specific Termination Authority

September 30, 2020

8c. Actual Term Date

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

Not Applicable

10b. Legislation Pending?

Not Applicable

11. Establishment Authority

Statutory (Congress Created)

12. Specific Establishment Authority

46 U.S.C. 4508

13. Effective Date

09/09/1988

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee

National Policy Issue Advisory Board

16a. Total Number of Reports

No Reports for this Fiscal Year

17a. Open Meetings and Dates 1 17b. Closed Meetings and Dates 0 17c. Partially Closed Meetings and Dates 0 17d. Total Meetings and Dates 1

Purpose

Statutory Public Advisory Committee

Start

11/15/2018

End

- 11/16/2018

Number of Committee Meetings Listed: 1

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$92,174.00	\$94,000.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$7,203.00	\$20,000.00
18b(2). Travel and Per Diem to Federal Members	\$23,591.00	\$30,000.00
18b(3). Travel and Per Diem to Federal Staff	\$4,834.00	\$6,000.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$5,283.00	\$10,000.00
18d. Total	\$133,085.00	\$160,000.00

19. Federal Staff Support Years (FTE)

0.67

0.67

20a. How does the Committee accomplish its purpose?

The Coast Guard considers the committee's input when making certain management decisions and when drafting applicable regulations. The Committee represents the wide range of perspectives that are necessary to ensure that Coast Guard policies and rulemaking properly address the issues that matter to the industry. The Coast Guard is able to task specific assignments such as training, stability and voluntary standards to this group to obtain advice. The committee's input and recommendations are especially valuable now, as the Coast guard seeks to implement new requirements, included in the Coast Guard Authorization Act of 2010 and the Coast Guard and Maritime Transportation Act of 2012, the Coast Guard Authorization Act of 2015, and supporting regulatory reform of Coast Guard regulations via Executive Orders 13771 and 13783 through policy and rulemaking and the Frank LoBiondo Coast Guard Authorization Act of 2018.

20b. How does the Committee balance its membership?

The committee is composed of 18 members as follows: 10 members of the fishing industry who reflect regional and representational balance; 1 member representing naval architects or marine surveyors; 1 member representing manufacturers of fishing vessel safety equipment; 1 member representing education or training professionals relating to fishing vessels; 1 member representing underwriters that insure fishing vessels; 1 member representing owners of vessels to which Chapter 45 of Title 46, U.S.C. applies; and 3 members representing the general public composed of, whenever possible, an independent expert or consultant in maritime safety, a marine surveyor who provides services to vessels to which Chapter 45 of Title 46 U.S.C. applies, and a person familiar with issues affecting fishing communities and families of fishermen.

20c. How frequent and relevant are the Committee Meetings?

Meetings are required and normally held at least annually. The committee last met in October, 2019 via teleconference. The focus of this meeting was directed toward introducing and addressing task statement 01-19(b) Lifesaving/Man Overboard (MOB) Voluntary Best Practice Guide. In FY2019, the Committee additionally met once in person in Seattle, Washington in November of 2018 with no tasking's assigned. The Coast Guard did not receive any CVC recommendations. CG did advise and provide information back to member(s) on how best to proceed with general CG non CVC recommendations. The Committee met again in June of 2019 via teleconference for an administration meeting only (No official business conducted). Chair and Vice Chair were elected during this teleconference meeting.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

This committee acts in an advisory capacity to the Commandant of the United States Coast Guard, the Secretary of the Department of Homeland Security, and Congress on matters relating to the safety of commercial fishing industry vessels. The committee was instrumental in helping to develop the first ever safety regulations for the commercial fishing industry. The results of their work are evident in regulations that targeted, in their judgment, safety areas that the Coast Guard has authority to regulate under the legislative mandates of the Commercial Fishing Vessel Safety Act of 1988 and the Coast Authorization Act of 2010, 2012 and 2015 and 2018. There are no other committees which deal with exactly the same subject matter. However, the Magnuson-Stevens Act requires the Fishery Management Councils, administered by the Department of Commerce, to address safety in their fishery management decisions. The committee has continued to provide valuable recommendations on enforcement, education, outreach, and additional areas for regulations that could improve upon the safety record of this industry. The Coast Guard Authorization Act of 2010 expands construction, equipment, and oversight requirements for commercial fishing industry vessels. A series of proposed rules will be required to implement the new regulations over the next few years. The committee has convened several times since the 2010 Auth Act, continuing their work on safety issues. The meetings have focused largely on the implementing the new requirements of the Coast Guard Authorization Act of 2010. The committee addressed the training program for vessel masters; the alternate safety compliance programs that must be developed under the Act; the dissemination of information regarding the Act to the fishing industry; the validity of the 1992 Inspection Plan; record keeping; and several other issues to enhance safety and ensure that new requirements are implemented in the most effective manner. Subcommittees/working groups contribute to committee recommendations that have influenced the direction and Coast Guard initiatives to enhance the safety of fishermen engaged in one of the most hazardous occupations in the nation as articulated by the Department of Labor who considers all fatalities and vessel casualties. The Coast Guard is primarily concerned with operational casualties and fatalities. The passage of the Coast Guard Authorization Act makes the Committee's work especially important as the USCG works to implement the new requirements.

20e. Why is it necessary to close and/or partially closed committee meetings?

N/A

21. Remarks

Original formation of the Commercial Fishing Industry Vessel Advisory Committee was required by the Commercial Fishing Industry Vessel Safety Act of 1988 (P.L. 100-424)

was temporary. The committee was reauthorized by the Coast Guard Authorization Act of 2010 (P.L. 111-281). The Act also amended the committee name to the Commercial Fishing Safety Advisory Committee. The Coast Guard Authorization Act of 2010 passed by Congress on September 30, 2010 extends the termination date of the committee until September 30, 2020, and amends the committee's membership including adding a member.

Designated Federal Officer

Matt Edwards Chief, Office of Commercial Vessel Compliance (CG-CVC)

Committee Members	Start	End	Occupation	Member Designation
Boehmer, Kristian	05/02/2014	10/06/2020	Underwriter to insure commercial fishing vessels	Representative Member
Conrad, Karen	05/02/2013	06/27/2019	Executive Director of North Pacific Fishing Vessel Owners Association	Special Government Employee (SGE) Member
Dameron, Thomas	05/02/2014	10/06/2020	Commercial Fisherman, Safety Trainer	Representative Member
Dennehy, Edward	10/06/2017	10/06/2020	Director Safety Training	Representative Member
Derie, Joseph	06/27/2016	06/27/2019	Naval Architect and Marine Engineer	Representative Member
Dooley, Robert	11/28/2018	11/28/2021	Industry Rep	Representative Member
Hewlett, Glenn	10/06/2017	10/06/2020	Owner Operator charter / lobster/ crab businesses	Representative Member
Hockema, Hal	05/02/2014	10/06/2020	Naval Architect	Special Government Employee (SGE) Member
Howland, Nicholas	11/28/2018	11/28/2021	Industry Rep	Representative Member
Jacobsen, Erling	03/28/2007	06/27/2019	Commercial Fisherman, Marine Surveyor	Representative Member
Kampnich, Michael	06/27/2016	06/27/2019	Commercial Fishing Industry	Representative Member
Londrie, Greg	06/27/2016	06/27/2019	Commercial Fishing Industry	Representative Member
Mahoney, Chad	11/28/2018	11/28/2021	Representative Member	Representative Member
Martin, Jimmie	03/28/2007	11/28/2021	Vessel Owner	Representative Member
Rosvold, Eric	06/27/2016	06/27/2019	Commercial Fishing Industry	Representative Member
Vincent, Timothy	11/28/2018	11/28/2021	Industry Rep Maritime Services	Special Government Employee (SGE) Member
Woodley, Chris	01/16/2015	11/28/2021	Executive Director Non Profit representing interests of 5 fishing companies	Representative Member

Number of Committee Members Listed: 17

Narrative Description

The Committee will advise, consult with, and make recommendations reflecting the Committee's independent judgment on matters and actions relating to the safe operation of vessels to which Chapter 45 of Title 46 U.S.C. applies, including navigational safety, safety equipment and procedures, marine insurance, vessel design, construction, maintenance and operation and personnel qualification and training.

What are the most significant program outcomes associated with this committee?

Checked if Applies

- Improvements to health or safety
- Trust in government
- Major policy changes
- Advance in scientific research
- Effective grant making
- Improved service delivery
- Increased customer satisfaction
- Implementation of laws or regulatory requirements
- Other

Outcome Comments

Discussions by the committee with the Coast Guard and recommendations made to the Coast Guard also can have an affect on how the Coast Guard provides outreach and educational activities to the commercial fishing industry. This can improve service to the industry and increase satisfaction with the Coast Guard's actions relative to compliance with and enforcement of safety equirements.

What are the cost savings associated with this committee?

Checked if Applies

- None
- Unable to Determine
- Under \$100,000
- \$100,000 - \$500,000
- \$500,001 - \$1,000,000
- \$1,000,001 - \$5,000,000
- \$5,000,001 - \$10,000,000
- Over \$10,000,000
- Cost Savings Other

Cost Savings Comments

When new or revised rules require vessel owners/operators to add or upgrade safety and survival equipment on their vessels, there most likely is no cost saving to their operations. However, if one considers that the number of vessel losses and fatalities have decreased considerably since the safety requirements were mandated, there has been an overall cost savings to the industry and fishing community relative to property loss and loss of life.

What is the approximate Number of recommendations produced by this committee for the life of the committee?

Number of Recommendations Comments

For the period 1991 - 2019, 207 recommendations were made. 58 have action completed; 71 have actions pending or ongoing; 5 have not been accepted, and 1 has been withdrawn. 72 recommendations are under consideration. The Committee made 11 recommendations in FY2018. A current Rulemaking project under development for commercial fishing industry safety standards has considered the Committee's comments on safety requirements involving the commercial fishing industry. Additional emergency drill requirements, inspection and testing of survival equipment, deck safety and exam frequency are being considered in the rulemaking. There were no recommendations in FY19.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

28%

% of Recommendations Fully Implemented Comments

58/207 action completed= 28%

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

72%

% of Recommendations Partially Implemented Comments

Some recommendations have no end date, such as keeping the FishSafe website updated. In other cases the recommendation will be reflected in a rulemaking project or policy development that has not yet been completed. These are considered partially implemented with action pending. 71/207=34%

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes No Not Applicable

Agency Feedback Comments

Between meeting sessions, CFSAC members and the CFVS Program exchange emails with information. Periodically, a teleconference may be held to provide status updates on recommendations and information regarding program initiatives and actions; no business is conducted or recommendations entertained. Traditionally at the next meeting, the

committee will revisit Old Business to review the actions of the preceding meeting, review past recommendations and progress made on them, and the results of any action on recommendations.

What other actions has the agency taken as a result of the committee's advice or recommendation?

	Checked if Applies
Reorganized Priorities	<input type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input checked="" type="checkbox"/>
Proposed legislation	<input checked="" type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

Action Comments

Reorganization of priorities and reallocation of resources may not be as a direct result of committee recommendations, however, any changes implemented may be influenced by committee input. Input from the committee often influences how outreach and educational activities are conducted with the industry. Partially based upon recommendations of the committee over time within the last 10 years operational casualties and fatalities have decreased by 55% and 42% respectively to the lowest levels ever recorded by the United States Coast Guard (CG-INV data).

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

The Coast Guard Authorization Act of 2010 authorized \$3,000,000 for each fiscal year from 2010 through 2014 for each of two grants programs: (1) a Fishing Safety Training Grants Program, and (2) for the Fishing Safety Research Grants Program. \$6,000,000 for these programs were appropriated, in the Omnibus budget bill titled as "Consolidated Appropriations Act, 2017" The funds are solely for grants authorized by the Coast Guard Authorization Act of 2010 (46 U.S.C. 4502(i) and (j)). Funds are available through September 30, 2019. A Grants program was developed with the Department of Health and Human Services and the National Institute of Occupational Health for proper grant review and disbursement of funds. In FY19 NIOSH dispersed \$2,624,948 for 9 projects (4 research, 5 training)

How is access provided to the information for the Committee's documentation?

Checked if Applies

- | | |
|---------------------------|-------------------------------------|
| Contact DFO | <input checked="" type="checkbox"/> |
| Online Agency Web Site | <input checked="" type="checkbox"/> |
| Online Committee Web Site | <input type="checkbox"/> |
| Online GSA FACA Web Site | <input checked="" type="checkbox"/> |
| Publications | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

Access Comments

A link to the DCO CVC USCG mil page has been established

<https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5F>
where the CFSAC information is primarily posted.