



The Shrimp e-Advocate

The Southern Shrimp Alliance (SSA) is a non-profit alliance of members of the U.S. shrimp industry in eight states committed to preventing the continued deterioration of America's shrimp industry and to ensuring the industry's future viability. SSA serves as the national voice for the shrimp fishermen and processors in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas.

CONGRESS APPROVES COAST GUARD BILL WITH FISHING SAFETY PROVISIONS

October 4, 2010

Quick Links

[SSA Website](#)

Board of Directors

Florida:

Sal Versaggi
sal@versaggi-shrimp.com

Chris Gala
Tricocg@aol.com

Georgia:

Elaine Knight
kseafood@bellsouth.net

Mike Dubberly
DaddysBoy1775@aol.com

Alabama:

Mickey Johnson
jbuiltinc@aol.com

Rosa Zirlott
BrentRosa@aol.com

Mississippi:

CONGRESS APPROVES COAST GUARD BILL WITH FISHING SAFETY PROVISIONS

WASHINGTON - Oct. 1, 2010 - Congress this week approved legislation that includes a number of fishing vessel safety improvements championed by Congressman Barney Frank and Senator Kerry. The bill will now go to President Obama for his signature.

The 2010 Coast Guard Reauthorization bill (H.R. 3619) increases funding for the Coast Guard, and enhances its ability to carry out homeland security missions. Also, due to efforts by Congressman Frank and Senator Kerry that stretch back several years, the legislation also establishes marine safety as a core mission of the Coast Guard. The bill creates a fishing safety training grant program; it calls for new federally funded research on improving safety technology in the industry; and it updates the requirements relating to on-board safety drills and equipment. The legislation also establishes new safety standards for smaller vessels.

"Fishing is a very dangerous business," said Congressman Frank, "but there is a lot that can be done to minimize the hazards faced by fishermen. This bill makes safety training and research a high priority, and it provides the resources necessary to make an important difference."

Steve Bosarge
stevebosarge@hotmail.com

Tommy Schultz
revahopkins@bellsouth.net

Louisiana:

James Blanchard
cherib1961@gmail.com

Cathy Blanchard
Cathy_blanchard@us.aflac.com

Texas:

Wilma Anderson
texasshrimp@clearwire.net

Craig Wallis
wallis.shrimp@yahoo.com

North Carolina:

Nancy Edens
keywestnative57@yahoo.com

PD Mason
cmason5@ec.rr.com

South Carolina:

Wayne Magwood
tressymellichamp@att.net

Clay Cable
Claycable@aol.com

Executive Director:

John Williams
john@shrimpalliance.com

Director of Field Operations:

Richard Vendetti
vendetti@shrimpalliance.com

Executive Assistant:

Rachel Williams
rachel@shrimpalliance.com

Office Clerk:

Meghan Yopp
Meghan@shrimpalliance.com

"These safety provisions are a no brainer given that lives are at stake," said Sen. Kerry. "If we can improve safety equipment and preparedness, some accidents can be avoided and that saves lives. That's the bottomline."

In addition, previous versions of the bill contained a provision that would mandate that single hull oil barges traveling in Buzzards Bay use Massachusetts licensed pilots or federally licensed pilots with recent experience in the bay. This provision aimed specifically at addressing a gap in the Buzzards Bay safety standards that was identified following the disastrous oil spill there in 2003. Unfortunately, this provision was dropped during the bill's final negotiations.

"Memories of the 2003 Buzzard Bay oil spill and its impact on our region are still fresh," said Frank. "Despite the strong efforts of Senator Kerry and Senator Brown this important safeguard was dropped from the bill. I will continue to work with my Senate colleagues to pass this provision into law, and do everything possible to protect Buzzards Bay."

"No one is going to forget the damage delivered by the Buzzards Bay oil spill. The effects on the bay's fragile ecosystem and shell fishing activities can still be seen eight years later. I'm disappointed that this provision was dropped from the bill, but we won't stop working on this until we are satisfied that Buzzards Bay and the surrounding community are protected," said Senator Kerry.

The language regarding navigation in Buzzards Bay was meant to resolve a conflict between the Massachusetts State Legislature and the U.S. Coast Guard. Following the 2003 Buzzards Bay oil spill, the Massachusetts State Legislature passed a law which made a number of changes to the requirements for oil transport in the bay, including a state pilot mandate. The Coast Guard filed suit successfully against the portions of the new state law that it claimed infringed on federal authority to regulate navigation.

After criticism by the Congressional delegation, the Coast Guard eventually issued its own regulations requiring some of the same safety regulations that had been in the Massachusetts law, but these regulations did not include the state pilot requirement. The provision that was dropped from the bill would have permanently resolved this issue, requiring that single-hull tankers in Buzzards Bay use either pilots licensed in Massachusetts or those licensed by the federal government who have recent experience in Buzzards Bay.

Among the fishing vessel safety provisions in the Coast Guard bill are the following:

Fishing Safety Training Grants Program - Based on a proposal originally in Frank's proposed 2006 fishing legislation, this provision authorizes up to \$3 million annually for training programs similar to those hosted by

the City of New Bedford in recent years. The Coast Guard bill makes training mandatory for vessel operators, and also takes into account their years of experience as captains. It also requires vessel operators to take a refresher course every 5 years. Participation by crewmembers would be voluntary, and both operators and crewmembers would receive certificates of participation. In addition, the names of all those who participate in the training programs would be maintained in a publicly accessible database.

Fishing Safety Research Grant Program - At Frank's request, the Coast Guard bill adds fishing safety research to the Coast Guard's annual research and development efforts. Under this provision, research topics eligible for funding would include vessel design, emergency and survival equipment, communications devices, de-icing and severe weather technology, and safety enhancements for Vessel Monitoring Systems (VMS). The potential expansion of VMS technology for safety purposes was brought up by a number of fishermen at New Bedford public meetings.

Inspections, Drills and Equipment - Similar to a provision in Frank's 2006 bill, the Coast Guard bill requires fishing boats to keep logs of the onboard safety drills required under existing law. In addition, all federally permitted vessels would be required to undergo a dockside inspection twice within a five year period (expansion of dockside inspections was raised in New Bedford public meetings). Also, the bill standardizes the safety equipment required of fishing boats operating in federal waters, though the Coast Guard would maintain its current power to exempt vessels from some of the requirements, based on where, when and how they fish.

Safety Standards for Smaller Vessels - Frank's 2006 bill called for new safety standards for vessels between 50 - 79 feet in length, and he urged that this concept be included in the Coast Guard bill. The bill includes several provisions aimed at phasing in new standards, depending on the size of vessels and when they were built. Specifically, new fishing vessels 50 feet or over in length, or those that undergo major alteration after the bill is signed into law, would have to be constructed and maintained in accordance with the standards of a recognized classification society such as the American Bureau of Shipping (ABS). Beginning in 2018, existing vessels 50 feet and over that are 25 years old or older would have to meet either classification standards or alternative compliance standards to be developed by the Coast Guard in cooperation with industry. The alternate compliance standards could vary based on the specific region or fishery. Also, any new fishing vessel over 79 feet would have to obtain a "load line."

Frank had proposed an array of safety improvements as part of fishing legislation he introduced in 2006 (H.R. 4940). Most of those proposals were not included despite the urging of Frank and other House Members, in the Magnuson-Stevens Fishery Act reauthorization bill that

Congress passed in December 2006. The decision to exclude the safety provisions from the final Magnuson bill was made by Republican committee leaders, on the grounds that Coast Guard matters lie within the jurisdiction of the Transportation Committee as opposed to the Resources Committee (which covers the Magnuson Act).

When the Magnuson bill passed in that form, Frank and Kerry pledged to pursue safety improvements as part of separate legislation. In March 2007, Frank sponsored a public forum in New Bedford on fishing safety, and then testified before the Coast Guard Subcommittee at a safety hearing on April 25. At Frank and Kerry's request, Deb Shrader of the New Bedford-based organization Shore Support also testified. Following that hearing, Frank has worked with Coast Guard Subcommittee Chairman Elijah Cummings (D-MD) and Transportation Committee Chairman James Oberstar (D-MN) to develop safety provisions, which are included in the Coast Guard bill.