

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

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16711.10

AUG 29 1994

From: Commandant
To: Commander, Eleventh Coast Guard District (mvs)

Subj: EXEMPTION REQUEST FROM COMMERCIAL FISHING VESSEL
REGULATIONS

Ref: (a) Your letter 16720 dtd 8 July 94
(b) Title 46 USC §4506

1. We have reviewed your request as outlined in reference (a) asking that an exemption be granted from the survival craft requirements in title 46, Code of Federal Regulations (CFR), Section 28.120, for San Diego Urchin Producer's Association vessels transiting from San Diego to San Clemente Island, and within thirty miles of the coast or any of the Channel Islands. The request is approved as provided for below.

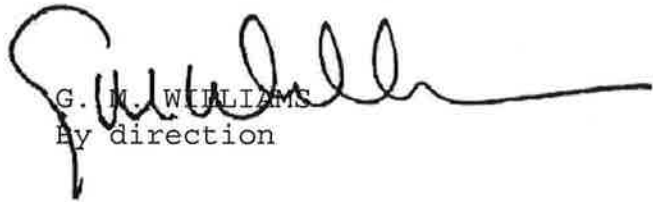
2. Reference (b) recognizes that there may be some cases where exemptions are warranted. Specifically, to grant an exemption, good cause must exist and the safety of the vessel and those on board must not be adversely affected. After considerable review and consideration, we have found both conditions are satisfied. Accordingly, this exemption specifically applies to commercial fishing industry vessel meeting the following criteria:

a. San Diego Urchin Producer's Association vessels operating with three or fewer individuals on board are exempt from the survival craft requirements in 46 CFR Section 28.120 while transiting from San Diego to San Clemente Island, and within thirty miles of the coast or any of the Channel Islands provided that an auxiliary craft of adequate capacity to carry all persons on board is maintained on board the vessel. A qualifying auxiliary craft must be a rigid dinghy or tender, workboat or skiff, each with installed flotation, or a fully inflated craft.

b. In addition, to ensure a minimum safety standard, as a condition of gaining an exemption, each vessel must annually undergo a dockside examination and meet all other federal requirements.

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3. To ensure consistent enforcement of this exemption, this letter should be given wide distribution to Coast Guard units and industry within the affected area. It is recommended that a copy of this letter be maintained on board or be readily accessible for each vessel exercising this exemption. This exemption is subject to change should future casualty data suggest survival craft carriage.


G. M. WILLIAMS
By direction

Copy: Mr. Bob Shea
San Diego Urchin Producers Association
5849 Beaumont Avenue
La Jolla, CA 92307

Distribution:

All District(m) Fishing Vessel Safety Coordinators (w/o encl.)