

## *Safe at Sea Network*

August 2, 2013

Samuel D. Rauch III  
Acting Assistant Administrator for Fisheries  
National Marine Fisheries Service  
National Ocean Atmospheric Administration  
1315 East-West Hwy #13632  
Silver Spring, MD 20910

Dear Administrator Rauch,

This letter is in reference to consideration of National Standard 10 in the development of fishery management plans.

Commercial fishing is the most deadly occupation in the country, according to the U.S. Department of Labor. Some fishery management plans, which are designed to promote the sustainability of commercial fishing, unintentionally contribute to unsafe conditions for a profession that already has an inherently high level of risk. As a result, Congress added National Standard 10 to the Magnuson-Stevens Fishery Conservation and Management Act in 1996. Standard 10 states, "Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea."

National Marine Fisheries Service (NMFS) adopted regulations/guidelines to implement National Standard 10 in 1998 [50 CFR 600.355]. In 2011, NMFS published a notice requesting comments on a proposal to revise the National Standard 10 guidelines, and held a series of public meetings to gather information from the public.

While the comment period has closed, we the undersigned participants in the Safe at Sea Network wish to offer the following informal comments in support of more robust guidelines to implement National Standard 10.

We are individuals with a variety of different backgrounds, including fishermen, fishing industry representatives, safety experts and family members of those who perished at sea during commercial fishing activities.

We all believe that efforts to reduce overfishing must not and need not come at the expense of fishing safety. The Standard 10 guidelines should be revised to make safety considerations a priority when devising plans to manage fisheries – rather than optional or an afterthought.

At a minimum Fishery Management Councils must consider and address the series of questions below as they develop fishery management plans. If there are potential negative safety impacts, the Council should be required to develop alternate methods for managing fishing or identify steps to mitigate any potential increased risk:

- Does the proposed policy result in a derby-style fishery?
- Does the proposed policy limit crew size?
- Does the proposed policy limit vessel size?
- Does the proposed policy result in vessels working further offshore?
- Does the proposed policy result in a vessel working in distant water more than 3 hours from SAR (Search and Rescue) assets?
- Does the proposed policy include daily catch limits or limited fish days that would encourage vessels to stay out in poor weather?
- Does the proposed policy favor retaining older vessels in a fishery?
- Does the proposed policy contain closed areas (marine reserves, sanctuaries) that force vessels to go around?
- Does the proposed policy force vessels to make deliveries to specific ports without exceptions for safety issues?
- Does the proposed policy prevent the vessel from seeking shelter in any port during poor weather?
- Does the proposed policy prevent the timely and temporary closure of fisheries in the event of poor weather conditions?

When it comes to fishing safety, management plans should “first do no harm.”

We urge NMFS to move the process of strengthening National Standard 10 forward expeditiously so that safety can be improved as quickly as possible.

Thank you for reviewing our comments. Please contact Peggy Barry by email ([Peggyb1234@aol.com](mailto:Peggyb1234@aol.com)) if you have any questions, or would like to discuss our suggestions further.

Sincerely,

The undersigned individuals and members of the [Safe at Sea Network](#)

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