



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543-1026

April 6, 2007

MEMORANDUM FOR: AIS Observers

FROM: David Potter
Branch Chief, FSB

SUBJECT: Wheel Watches

Three observers were recently involved in vessel collisions while at sea. In addition, many observers have reported that wheel watches are routinely ignored on scallop vessels creating a situation that makes them feel unsafe. For these reasons, and the fact that our observer providers and NMFS see this behavior as unsafe, FSB has added the question, "Will an underway wheel watch be maintained during this trip" to the Pre Trip Vessel Safety Checklist (PTVSC). It is understood that on some scallop vessels this happens all the time. Our aim is not to change how they fish all of the time, but we certainly expect them to change unsafe practices while the observer is onboard. Reporting such incidents will improve the safety of future observers deploying on the same vessel.

An underway wheel watch is defined as maintaining a proper navigational lookout during periods of travel or towing fishing gear. Underway, in USCG regulations, is defined as a vessel that is not at anchor, or made fast to the shore, or aground. Further, FSB does not consider hauling gillnets as underway.

USCG Navigational Rules Act, Rule 5, states: "Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.". If the individual that is on watch is sleeping, cutting scallops or on deck participating in some other activity then a proper look-out is not being maintained.

If, when you ask the captain if a wheel watch will be maintained, you get the answer "no" you are requested to inform the captain that NMFS will not allow you to make a trip on a vessel that won't maintain an underway wheel watch and you will need to contact your Area Coordinator (AC). It is important that the captain understands that the vessel is still selected for observer coverage but that you can't go until the matter is resolved. Contact your AC immediately and explain the situation. The AC should then speak with the captain directly. The AC is responsible for making it clear to the captain that the observer can not go on the trip because the



captain said he would operate his vessel in an unsafe manner that violates USCG regulations. It should also be made clear that the vessel is still selected for observer coverage. If the AC is successful at getting the captain to agree to maintain an underway wheel watch then the observer may deploy once cleared by the AC. If the AC is not successful at getting the captain to agree to maintain an underway wheel watch then the AC should give the captain Special Agent Tom Gaffney's cell phone number (508) 738-1471 and request that he call Tom before departing.

Another option would be for the AC to get a number where the captain could be immediately reached and then pass that number on to Tom. Again, it should be made clear that the vessel is still selected and that it can not leave without the observer. If Tom is successful at getting the captain to change his mind then the trip may proceed as planned. If that happens, Tom will speak with the observer to inform him/her that they are cleared to deploy. If Tom is not successful the observer may not deploy and Tom and the captain will work out the next steps that need to be taken.

If, for any reason, the observer can not contact their AC or Tom Gaffney, they should not deploy on a vessel whose captain has said that he will not maintain an underway wheel watch. Observers should always have a back-up contact in case their AC can not be reached.

If the captain does not maintain an underway wheel watch during the trip, the observer should document the specifics of each incident on their PTVSC. Those specific details should include the usual information regarding who, what, when, where, and why. As soon as the trip has landed the observer should contact their AC with the details. The AC will pass that information (phone or e-mail) on to Pat Yoos or Amy VanAtten, whom ever is appropriate. Since the details of the incident are documented on the PTVSC no additional written report is needed at this time. Once Eric has received the PTVSC he will make a copy and deliver it to the appropriate Area Lead and then file the original. It will be the Area Lead's responsibility to either gather more information or to deliver the copy, as is, to Special Agent Tom Gaffney. If more information is needed, Tom will work with the Area Lead.

Thank you for your cooperation with this matter. It is not NMFS's intention to harass the fishermen, but rather to take full advantage of every opportunity to improve observer safety.

If you have any questions regarding this memo, please contact Mike Tork at (508) 495-2339 or by email at Mike.Tork@noaa.gov.

Thank you.

