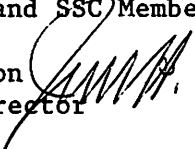


M E M O R A N D U M

TO: Council, AP and SSC Members
FROM: Jim H. Branson 
Executive Director
DATE: January 13, 1988
SUBJECT: Domestic Observer Program

ACTION REQUIRED

Status Report.

BACKGROUND

The Council's observer program will begin again in mid-February with observers deploying to Dutch Harbor and Kodiak. For the past few weeks, Dave Edick, hired by Alaska Sea Grant, has been contacting vessel owners and associations in the Northwest to line up rides for observers. This is part of the advance planning that the Council's Observer Committee deemed necessary to increase the success of the program.

Insurance problems also have been a major stumbling block. As a result, Alaska Sea Grant has revised its boarding contract and sponsored a seminar on January 11 in Seattle to discuss the pilot program and insurance with vessel association representatives, skippers and owners, insurance underwriters and agents, and maritime attorneys.

Ron Dearborn, Director of Alaska Sea Grant, will report on the Seattle meeting, Dave Edick's progress in contacting vessels, and plans for the upcoming season.

Under this tab you'll find the following:

- (a) Program Refinements for 1988
- (b) Proposed Observer Coverage
- (c) Participation Agreement for 1988
- (d) Observer Newsletter of December 30, 1987
- (e) Potential Uses of Observer Data
- (f) ADF&G Domestic Observer Update

December 6, 1987

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
PILOT DOMESTIC OBSERVER PROGRAM:
Program Refinements for 1988

A technical workgroup for the Council's observer program met in Anchorage on December 4, 1987. The meeting was chaired by Oscar Dyson and in attendance were Jim Campbell, Ron Dearborn, Brenda Melteff, Craig Weiss, Janet Wall, Dave Edick, Peter Craig, Al Burch, Chris Blackburn, and Clarence Pautzke.

The workgroup reviewed all aspects of the program and its performance during its first three months of operation, September to November, 1987. There have been many lessons learned from these first three months, but no problems appear to be insurmountable. The workgroup identified two major concerns that need to be addressed before the program recommences in February 1988:

1. All insurance problems need to be resolved.
2. There needs to be as much advance planning as possible with the vessel owner/managing partner.

The technical workgroup discussed the following refinements suggested for the program to promote its success in 1988:

1. Advance Planning. A seasoned observer from this program and the foreign program, David Edick, has been retained to contact vessel owners/managing partners over the next 6-8 weeks. He will attempt to resolve questions on insurance, logistics, communications, and accommodations, including any special concerns over sleeping berth availability, sampling equipment and space, and observer movement about the vessel during haul-back operations.
2. Vessel Participation Agreement Revised. Revisions to the agreement include the following:
 - a. Meal reimbursements are deleted because of charter implications.
 - b. Clearly states that observers are not crew members and do not perform crew duties, even voluntarily.
 - c. Clarified "hold harmless" provisions.
 - d. Still provides for Alaska Sea Grant to pay additional insurance costs if necessary for a vessel to carry an observer.
3. Insurance Meeting Scheduled. A meeting of insurance brokers and underwriters and vessel owners is scheduled for Seattle on January 11, 1988 to explain the program and resolve any problems.
4. Communications and Coordination with Vessels. Observers need to know when and where vessels will make port calls. Shore plants may provide contact with vessels delivering shoreside. Vessels processing at sea could be contacted through their companies or associations, or possibly through a central clearing point such as Peggy Dyson. These details need to be worked out with the owners/managing partners.

5. Interagency Coordination. There will be better coordination with ADF&G to minimize oversolicitation of particular vessels and to improve area and fisheries coverage.
6. Data Coordination. Confidentiality regulations now preclude merging ADF&G and NMFS data bases. To facilitate the development of a common data set, skippers may voluntarily provide their catch information to either agency. Identical data forms will be used by both ADF&G and Sea Grant observers.
6. Industry Associations. Associations can play a very important role in making the observer program successful:
 - a. They could take a leadership role in spreading the word to vessel owners/skippers about the observer program.
 - b. Association meetings could provide a forum to allow a Sea Grant representative to explain the program, meet the owners or managing partners, and work out any difficulties or misconceptions.
 - c. Associations could encourage their members to volunteer for the program and provide vessel names to Sea Grant.
 - d. Associations could provide communication and coordination with vessels to ensure that port calls and observers match up.

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Pilot Domestic Observer Program:

Proposed for 1987-88

Observer Coverage Proposed for 1987-88

Fall Fisheries (September - November 1987)

GOA: Pacific cod (all gear types) (6 mm)

BSA: Greenland turbot (trawl & longline) (6 mm)
Pollock (trawl) (3 mm)

Spring Fisheries (February - April 1988)

GOA: Shelikof Strait (trawl) (3 mm)
Sablefish (longline) (3 mm)
Rockfish/Sablefish (trawl) (6 mm)

BSA: Rock sole (trawl) (3 mm)
Spring cod fishery (all gear types) (3 mm)

Seasonal Distribution

Fall 15 man-months

Spring 18 man-months

33 man-months of 36-38 mm

University of Alaska

Domestic Fisheries Observer Program

1988 Domestic Observer Program Vessel Participation Agreement

Observer _____
Name of Vessel _____
Name of Owner _____
Mailing Address _____
Corporate Tax ID or Social Security Number _____

The vessel owner (Contractor) agrees to allow a University of Alaska observer to collect data on catch rates, fishing locations, species composition and incidental catch of prohibited species from approximately _____ to approximately _____ in accordance with the terms outlined herein.

1. The Contractor will carry a University of Alaska employee as an observer during the period of this agreement.
2. The Contractor will provide space for the observer to carry out his/her duties on board a seaworthy vessel manned by a skipper possessing adequate experience in the waters in which the vessel will be operated as well as a sufficient number of capable crewmen to carry out the successful completion of the fishing operation.
3. University of Alaska observer duties do not include any legal enforcement responsibilities or the duties of a crew person on a fishing vessel and they are not to perform crew duties on a voluntary basis.
4. The University of Alaska will hold harmless the Contractor for claims occurring as a result of the negligence of the employee of the University of Alaska.
5. The University of Alaska will accept responsibility for employment-related injury and illness of the observer through its Workers' Compensation Program.
6. The Contractor and the University of Alaska shall mutually indemnify and hold harmless each other from and against all claims, suits, costs (including attorney fees), expenses, and actions of whatsoever nature resulting from or arising out of the activities of the Contractor or its subcontractors, agents, or employees of the University of Alaska, its Board of Regents, officers, agents, and employees acting under this agreement.
7. The Contractor shall provide to the University of Alaska proof of and keep in effect during the term of this agreement Protection and Indemnity Insurance with minimum limits of \$500,000 per occurrence for personal injury (including death) and property damage. This insurance policy is to be issued by an insurance company authorized to do business in the State of Alaska. Should the insurance currently in effect require a rider in order to cover the observer while on board the vessel, the University of Alaska will cover the cost of such rider as described herein.

Nothing in this agreement is construed to relieve the vessel owner of his negligence or the negligence of his crew or of his vessel to other third parties, or for damage to his own vessel.

Contractor, by the signature of its authorized representatives, hereby acknowledges that he has read this agreement, understands it, and agrees to be bound by its terms and conditions.

Vessel Owner or Master

University of Alaska Representative

Date _____

Date _____

Insurance Information:

Name of Insurance Carrier _____

Cost of rider to cover observer \$ _____

Amount of coverage provided by rider \$ _____

Amount of Protection and Indemnity coverage \$ _____

North Pacific Fishery Management Council

James O. Campbell, Chairman
Jim H. Branson, Executive Director

411 West 4th Avenue
Anchorage, Alaska 99510



Mailing Address: P.O. Box 103136
Anchorage, Alaska 99510

Telephone: (907) 274-4563
FTS 271-4064

December 30, 1987

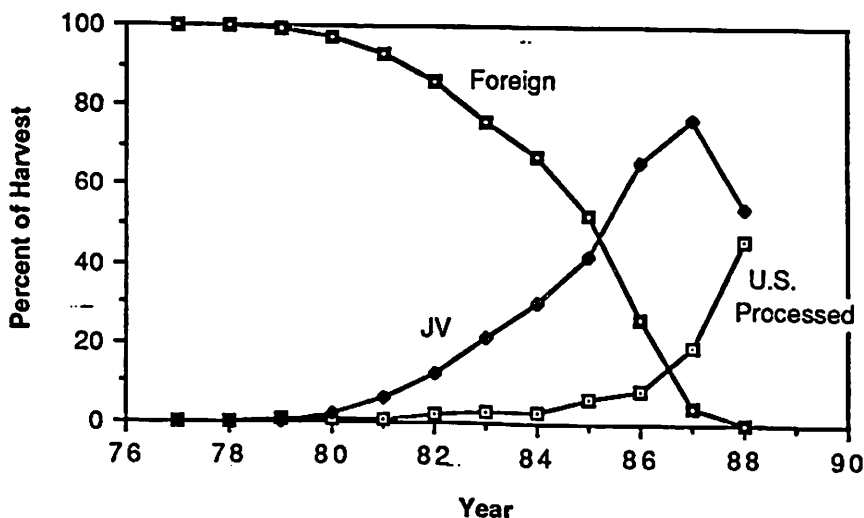
INSURANCE COVERAGE FOR DOMESTIC OBSERVERS SUBJECT OF SEATTLE CONFERENCE

University of Alaska Sea Grant, who administers the North Pacific Fishery Management Council's domestic observer program, will hold a meeting on January 11, 1988 to discuss the pilot program, insurance issues, and the revised preboarding agreement for vessels that volunteer to take observers when fishing groundfish off Alaska. Vessel associations, skippers and owners, insurance underwriters and agents, and maritime attorneys are being invited to the meeting which will begin at 1:30 p.m. in the Icicle Seafoods conference room at 4019 21st Avenue West in the Fishermen's Terminal area in Seattle.

Insurance was a major stumbling block to many vessels taking out observers this past fall, with owners and insurers asking: What kind of an insurance risk is an observer? Is an observer a "crewman" or a university employee? What coverage does the university provide? Does the vessel need extra insurance and, if so, how much and at what cost? The January meeting will be the place to get these questions answered and hopefully resolve insurance problems before the second phase of the observer program begins in mid-February.

There are many compelling reasons to make the pilot program a success. Foremost is the need for comprehensive, high quality fisheries data on stock conditions and the effects of fishing. Observers will collect data on the size and composition of the groundfish catch as well as incidental bycatches of crabs, halibut, and salmon. Scales and otoliths for age determination also will be collected. This information, which directly benefits domestic fishermen through better management and conservation of the stocks, was provided by U.S. observers on foreign fishing and processing vessels. However, as shown below, these sources are rapidly drying up.

ALASKA GROUNDFISH HARVEST



At its December meeting the North Pacific Council closed the door on further foreign directed fishing off Alaska and also turned the corner on the share of groundfish going to foreign joint ventures. So now, more than ever before, there is a need to start building a domestic data base. Beginning in February the Council will be emphasizing coverage in the Gulf of Alaska of domestic longlining and trawling for sablefish, trawling for pollock in Shelikof Strait and for rockfish. In the Bering Sea and Aleutians, trawling for rock sole, and all gears for the spring cod fishery will be emphasized.

The pilot observer program began in September and is intended to cover all segments of the fleet--longliners, trawlers, pot boats--fishing the Gulf of Alaska and Bering Sea and Aleutians. This fall four observers caught rides out of Dutch Harbor and Kodiak, and the Council greatly appreciates the assistance of the vessels that volunteered, the MARGARET LYNN, PEGGY JO, VANGUARD, ARCTURUS, ELIZABETH F, and MAR DEL NORTE, all trawlers delivering shoreside, and the OCEAN ENTERPRISE, a factory trawler working pollock in the Bering Sea.

To ensure the success of the program which restarts in February, Sea Grant has been doing lots of advance planning with the vessel owners to work out not only insurance issues, but questions about logistics, communications, and accommodations, including any special concerns over sleeping berth availability, sampling equipment and space, and observer movement about the vessel during haul-back operations. Dave Edick, a seasoned observer, has been hired by Sea Grant to contact vessel owners and may be getting in touch with you in the near future. The Council is still looking for volunteers and you're encouraged to attend the meeting on January 11. In the long run, the voluntary program will pay off with comprehensive biological and catch information for better management.

Happy New Year!

The Potential Uses of Pilot Program Domestic Observer Data

In Fisheries Management

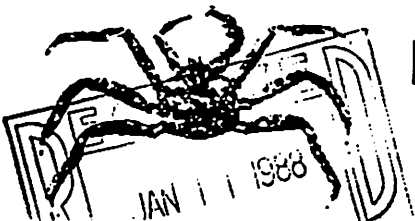
As Americanization of the fisheries proceed, the amount of data from the Foreign Fisheries Observer Program will diminish, and certain types of data will no longer be available unless a viable domestic observer program is instituted. The potential uses of data collected by observers from the North Pacific Fishery Management Council's (NPFMC) Pilot Domestic Observer Program aboard U.S. fishing vessels would be much the same as the present uses of data collected by observers in foreign and joint venture fishery operations. These uses include: helping to assess the status of the stocks; estimating the bycatch rates of non-target and prohibited species; investigating population interrelationships; assessing the impacts of proposed fishery management plan amendments; assessing the impacts on fisheries of proposed actions by other federal agencies (e.g. oil leasing); assisting fishery development activities; and analyzing fishery-marine mammal interactions.

Data obtained by the observers on catch size and species composition will give fishery biologists some idea of the catch per unit effort of each species in a fishery, an important factor in determining the status of the stocks. Length frequencies and age structure collections of the target species obtained from the commercial catch are also vital in determining the condition of a fishery resource, and hence, of determining how much is available to be caught without causing fishery deterioration. Mathematical models used to assess certain fish populations (such as Shelikof Strait pollock, Bering Sea pollock, yellowfin sole, Greenland turbot, and others) are dependent upon a measure of the current age composition of the commercial catch. Without these data and models, the ability of fishery scientists to determine the condition of commercially important stocks of fish will be diminished. Resulting decisions on allowable catches will be based on a higher degree of uncertainty and thus may be more conservative. At present, there is little joint venture fishing in the Gulf of Alaska, and no joint venture fishing on certain species in the Bering Sea, so the domestic fishery is the only potential source of commercial catch data for those fisheries.

Another main use of observer data is to obtain estimates of the percentage of bycatch in each of the domestic fisheries. As one fisherman's discarded bycatch may be another fisherman's target species, the determination of bycatch rates is important in calculating the total removal of each species. This also applies to the determination of the incidence of the salmon, halibut, and crab in the groundfish catches. These data, along with individual size, average weight, viability, and distribution data can help determine the impact the groundfish fisheries have on the shellfish, salmon, and halibut fisheries and provide information for studies in ways of reducing that impact. As a step in that direction, the prohibited species management proposals developed by the NPFMC's Bycatch Committee require that each target fishery's bycatch requirements be estimated annually based upon the best estimates of bycatch rates from each target fishery. These data do not currently exist for most domestic groundfish fisheries and data from

some other source such as joint venture catch rates will have to be used to determine DAP bycatch needs and to set the bycatch caps by which those DAP fisheries will be managed. Bycatch data collected by the pilot domestic observer program will be beneficial to both the industry and fishery managers in determining realistic DAP bycatch needs.

Data obtained by pilot program observers should be useful in studying particular fisheries questions, such as the stock relationships between pollock caught in the Shelikof Straits and those caught off East Kodiak. Another situation in which pilot program observers may play a part is the study analyzing the extent of interaction between killer whales and sablefish longline fishermen. Observer data will be used to estimate the frequency of the interactions and the economic impact to the fishermen of killer whale predation. In addition to planned uses, there are many other uses of data which come up as the need arises. Examples include the use of the data to help estimate the impact of impending oil lease sales on the commercial fisheries, or the location of marine cables or closed military activity areas. Our experience with the Foreign Fishery Observer Program has indicated that it is impossible to foresee all of the important questions that the observer data may help answer.



NEWS RELEASE

ALASKA DEPARTMENT
OF FISH & GAME



STATE OF ALASKA
Department of Fish and Game
Don W. Collinsworth, Commissioner

Ken Parker, Director
Division of Commercial Fisheries

IMMEDIATE RELEASE

	Westward Region
	211 Mission Road
	Kodiak, AK 99615
Contact:	Peter Craig Regional Groundfish Biologist
Date:	January 4, 1988

DOMESTIC OBSERVER UPDATE

An update for the domestic observer program is presented for the groundfish fishery in Western Alaska. Species composition and bycatch rates are listed for the period August - December, 1987.

As the domestic harvest of groundfish rapidly increases, the need for observer information becomes more vital because it provides the main source of information about bycatch rates and biological data. We thank those fishermen who participated in the observer program in 1987, and we hope for your cooperation again in 1988.

- I. AREA: Kodiak Island (East Side)
- GEAR: Bottom Trawl
- DATES: August 1 - December 20, 1987
- COVERAGE: 7 vessels, 63-76 hauls

	Catch Composition Percent	Incidental Kg/Mt	Catch Rates Number/Mt
Red King Crab	0.0	0.0	0.0
Tanner Crab	T	0.4	1.1
Halibut	4.4	60.0	7.4
Salmon	0.1	1.1	0.3
Herring	0.0	0.0	0.0
Cod	47.2		
Pollock	25.8		
Flounder	18.6		
Sablefish	1.4		
Rockfish	1.0		
Sculpins	0.4		
Other	1.1		

II. AREA: Kodiak Island (East Side)
 GEAR: Midwater Trawl
 DATES: August - October, 1987
 COVERAGE: 3 vessels, 15-19 hauls

	Catch Composition Percent	Incidental Kg/Mt	Catch Rates Number/Mt
Red King Crab	0.0	0.0	0.0
Tanner Crab	0.0	0.0	0.0
Halibut	T	0.1	T
Salmon	T	0.6	0.1
Herring	0.0	0.0	0.0
Cod	1.1		
Pollock	97.7		
Flounder	0.9		
Sablefish	T		
Rockfish	T		
Sculpins	T		
Other	0.3		

T = trace, less than 0.05
 MT = metric ton of landed weight

III. AREA: Southern Bering Sea
 GEAR: Midwater Trawl
 DATES: October - November, 1987
 COVERAGE: 3 vessels, 14-15 hauls

	Catch Composition Percent	Incidental Kg/Mt	Catch Rates Number/Mt
Red King Crab	0.0	0.0	0.0
Tanner Crab	T	0.1	0.7
Halibut	T	0.1	T
Salmon	T	T	T
Herring	0.0	0.0	0.0
Cod	1.3		
Pollock	99.4		
Flounder	0.3		
Sablefish	0.0		
Rockfish	0.0		
Sculpins	0.0		
Other	T		

T = trace, present but less than 0.05