


MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke 
Executive Director

DATE: November 28, 1989

SUBJECT: Domestic Observer Program

ACTION REQUIRED

Receive progress report from NMFS on domestic observer plan for 1990.

BACKGROUND

In June the Council approved as part of its groundfish amendment package a comprehensive data gathering program. On November 1, the Secretary approved the Council's framework approach to an observer program which is designed to provide the Council with flexibility in deployment of observers among fisheries and vessel/processor categories as management needs change. The framework calls for the annual development of an observer plan which would specify the details and requirements of the observer program for a given year. For 1990, the Council requested NMFS to prepare the observer plan.

You received a status report on the plan during the September meeting. The Notice of Proposed Rule Making (NPR) for the plan was submitted to Washington, DC on November 9 and is provided as item C-4(a). The NPR presents the specifics of the plan which require federal rulemaking for implementation. To have observers ready by January 1, 1990, NMFS has begun a process of certifying contractors. An information packet on the observer program and the responsibilities of the contractors was circulated to all those interested in providing observers to domestic fishermen and processors. A copy of the packet is provided as item C-4(b). NMFS has also begun a series of briefing seminars on the full data gathering program (i.e., new reporting requirements, logbooks, observers). Seminars have been held in Seattle and Kodiak and, on December 5, in Anchorage. Other locations scheduled for seminars include Sitka, Petersburg, Ketchikan, Seward, and Homer. NMFS staff are available to present an oral review of the observer plan and the agency's progress to date toward implementation.

Billing Code: 3510-22

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
50 CFR Parts 672 and 675
[Docket No.]
[RIN 0648-ACxx]

Groundfish of the Gulf of Alaska, Groundfish Fishery of the Bering Sea and Aleutian Islands Area

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NOAA proposes regulations to implement the Observer Plan provided for by Amendments 13 and 18 to the Fishery Management Plans for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and Groundfish of the Gulf of Alaska, respectively. This action is necessary to provide the public an opportunity to comment on these provisions. It is intended to further the goals and objectives contained in the fishery management plans that govern these fisheries.

DATE: Comments are invited until [insert date 15 days after date of filing with the Office of the Federal Register].

ADDRESS: Comments may be sent to Steven Pennoyer, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802. Copies of the environmental assessment/regulatory impact review/final regulatory flexibility analysis (EA/RIR/FRFA) that was prepared for Amendment 13 and 18 may be obtained from the same address.

FOR FURTHER INFORMATION CONTACT: Janet Smoker (Fishery Management Biologist, NMFS), 907-586-7230.

SUPPLEMENTARY INFORMATION:

Background

The domestic and foreign groundfish fisheries in the Exclusive Economic Zone (EEZ) of the GOA and BSAI areas are managed by the Secretary according to FMPs prepared by the North Pacific Fishery Management Council (Council) under the authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). The FMPs are implemented by regulations for the foreign fishery at 50 CFR Part 611 and for the U.S. fishery at 50 CFR Parts 672 and 675. General regulations that also pertain to the U.S. fishery are implemented at 50 CFR Part 620.

The Secretary of Commerce (Secretary) approved Amendments 13 and 18 under §304(b) of the Magnuson Act. Those amendments contained certain management measures as listed in the final rule published at 54 FR xxxxx (November xx, 1989). One of the measures implemented a

comprehensive domestic observer program. An Observer Plan to implement provisions of this program has been prepared by the Secretary in consultation with the Council.

The preamble prepared for proposed regulations to implement Amendments 13 and 18 contained the reasons for the observer program. At the time the proposed regulations were published, the Observer Plan was still being developed. NMFS has now prepared the Observer Plan, copies of which may be obtained from the Regional Director at the above address. It describes the responsibilities that will be imposed on NMFS, vessel operators and managers of shoreside processing facilities, and NMFS certified contractors who will act as agents of NMFS in providing observers to groundfish fishing vessels and shoreside processors. Minimum qualifications for observers are also stated in the Observer Plan. Descriptions of major parts of the Observer Plan are described, as follows:

Responsibilities of NMFS - NMFS is responsible for (1) the overall program administration, (2) training or certification of observers, (3) contractor certification, (4) final trip debriefing of observers, (5) specification of observer coverage for the subject fisheries, (6) logistical monitoring, and (7) management of the data collected by the observers. Each of the aspects of NMFS responsibilities is further described as follows:

1. **Program administration.** Within this task, general program policy is established, observer duties, sampling methods, and data format are specified, observer qualifications and contractor certifications are specified, NMFS personnel and budgets are administered, and regulations are promulgated that pertain to observer work, accommodations on board vessels and at shoreside processing facilities, and safety considerations for the observer.

2. **Observer training and certification.** Observers who meet the basic educational and experience qualifications stated in the Observer Plan and who are hired by certified contractors to be placed on board domestic vessels will be required to successfully complete a 2-1/2 week training certification program conducted by NMFS, or its designated agent, prior to being deployed on board a domestic vessel or at a shoreside processing facility. Individuals who have successfully completed either a foreign or domestic groundfish observer deployment administered by NMFS will be only required to attend a 2-4 day briefing. Certification training will be provided at a minimum on a scheduled quarterly basis and more frequently if required. The training of observers is critical to the overall success of the observer program and the quality of information collected. Because observers will act as agents of NMFS to collect fisheries information for Federal management of the Alaska groundfish fisheries, training must be consistent and must respond to changing management and data collection needs. The observer certification may be revoked if the observer fails to perform assigned duties satisfactorily, or does not adhere to standards of conduct prescribed by NMFS.

3. **Contractor certification.** NMFS will certify contractors prior to their providing observers to the industry to assure that the contractors do not have a financial or personal conflict of interest with the fishing vessel or shoreside processing facility owners, and to assure that the contractors understand their responsibilities, which will be defined by NMFS. NMFS will review technical proposals submitted by prospective contractors that describe task performance to ensure that they are able to adequately provide the required services as an agent of NMFS under the mandatory observer program. The costs of providing observers will not be considered in the evaluation. Firms submitting proposals judged adequate to provide services and which do not have a financial or personal conflict of interest will be included in a list of certified contractors from which industry members can obtain their required observers. A

contractor could lose certification if he is found to have a financial or personal conflict of interest with either vessel or shoreside processor owners or he is deficient in the performance of his duties as defined by NMFS.

4. Observer debriefing. Debriefing observers will be done by staff of the NMFS observer program and by the Alaska Department of Fish and Game (ADF&G) staff located at debriefing sites. Debriefing sites will be at Dutch Harbor and Kodiak, Alaska and such other major fishing ports as deemed necessary by NMFS, and at the Alaska Fisheries Science Center in Seattle, Washington. Observers will be debriefed between deployments to make information available for editing, assimilation, and analysis.

5. Coordination of observer coverage and logistics. NMFS will coordinate observer coverage with certified contractors to ensure scientifically adequate sampling and to ensure receipt of information from the observers.

6. Data management. NMFS is responsible for the entry, editing, and database management of the data collected by observers. Primary data storage of weekly catch data will be located at the NMFS Alaska Regional Office in Juneau with subsequent transmission to the Alaska Fisheries Science Center in Seattle. Primary data storage of trip reports will be at the Alaska Fisheries Science Center.

Responsibilities of vessel operators and managers of shoreside processing facilities. The vessel operators or owners and managers of shoreside processing facilities are responsible for the direct costs of deploying observers on board vessels or at shoreside processing facilities. They are also responsible for coordinating with NMFS certified contractors to assure that observer coverage meets requirements contained in regulations. Any vessel operator or manager of a shoreside processing facility who is required to accommodate an observer is responsible for obtaining a NMFS certified observer from any of the certified observer contractors.

The vessel operator or manager of a shoreside processing facility will pay the cost of the observer directly to the contractor. Prior to the vessel beginning fishing, the observer must notify NMFS that he is on board the vessel and prepared to perform his duties as an observer. Prior to receiving groundfish and commencement of processing operations by a shoreside processing facility, an observer must notify NMFS that he is on site and prepared to perform his duties.

A vessel operator must maintain safe conditions on the vessel for the protection of the observer during the time the observer is on board the vessel, by adhering to all U.S. Coast Guard and other applicable rules, regulations, or statutes pertaining to safe operation of the vessel and by keeping on board the vessel:

- (a) adequate fire fighting equipment;
- (b) a life raft capable of holding all persons on board; and
- (c) Any other equipment required by regulations pertaining to safe operation of the vessel.

Responsibilities of certified observer contractors - Contractors must be certified by NMFS. Firms holding a contract with NMFS to provide observer services will be included in the list of certified observers. To obtain certification, a firm must not have a financial or personal conflict of interest with the fishing companies and vessels to which they are providing observers and

must agree to provide directly to NMFS all data collected by observers. No limit is placed on the number of contractors which could participate in the observer program and a vessel owner or manager of a shoreside processing facility could choose to work with whichever contractor he chooses. As agents of NMFS, contractors are responsible for the following tasks:

1. Recruiting, evaluating, and hiring of qualified candidates to serve as observers.
2. Ensuring that prospective observers have obtained the required NMFS certification.
3. Providing observer salaries, benefits, and personnel services.
4. Providing workmen's compensation and insurance to cover and protect observers injured in the performance of their duties.
5. Providing all deployment logistics to place and maintain the observers on board the fishing vessels or at shoreside processing facilities.
6. Providing substitute observers in event an observer has to be removed from, or leaves, a vessel or a shoreside processing facility.
7. Arranging observer debriefings at specified debriefing ports.
8. Assuring that all observer catch messages and other required transmissions between the observer and NMFS are delivered to NMFS within a time specified by the Regional Director.
9. Assuring that all trip data, reports, and specimens collected by observers are delivered to NMFS within five working days of the completion of each observer trip.
10. Assuring that all gear and equipment issued to observers by NMFS is returned to a storage place designated by NMFS within five working days of the completion of the observer trip.

Vessel Participation

During the development of a plan to implement the observer program, the Secretary considered the numbers of vessels that participate in the fishery and the value of information that an observer on any one vessel may provide. In doing so, he has considered the levels of observer coverage that will be required relative to the sizes of vessels on which observers will be deployed and the magnitude of their groundfish landings. All vessels would be required to comply with the observer coverage requested by the Regional Director during a fishing year.

For the 1990 fishing year, and possibly for subsequent years, the Secretary proposes that operators of all domestic fishing and processing vessels equal to or longer than 125 feet will be required by the Regional Director to carry an observer at all times. Vessels of this size class harvest most of the groundfish off Alaska. For example, 63 vessels of this size harvested 59 percent of all the DAP groundfish landings in 1988 off Alaska. Through September 1989, 61 vessels harvested 68 percent of all the DAP groundfish landings off Alaska. In both years, the numbers of vessels equal to or longer than 125 feet, represented 4 percent of all the DAP vessels

making groundfish landings. Because these large vessels harvest more than 50 percent of all the groundfish, requiring them to have higher observer coverage relative to smaller vessels and shoreside processing facilities is appropriate. Furthermore, a single observer onboard a vessel will observe less than 100 percent of a vessel's fishing or processing activity, and likely will result in only 25 to 30 percent observer coverage of a vessel's operation. This level of observer coverage is necessary, at least initially, to gather adequate information on variability factors associated with different fisheries, bycatch species, and the experience of vessel operators themselves. Future levels of observer coverage may be modified once adequate information is collected to enable valid sampling within different elements of the groundfish fleet.

The 63 vessels 125 feet and longer in length that landed groundfish in 1988 fished an average of 142 days for that year. If similar patterns hold, 8,946 observer days could be required for this segment of the fleet in 1990 at a cost of \$2,236,500, based on a cost estimate of \$250 per observer day.

The Secretary also proposes for the 1990 fishing year that operators of all domestic fishing and processing vessels that are 50 feet and longer but less than 125 feet carry an observer, upon request by the Regional Director. Vessels must have observer coverage for at least 30 percent of the days they fish for each January-March, April-June, July-September, and October-December period of the fishing year. This level of observer coverage is proposed, because vessels of this size also harvest a significant amount of the domestic annual processing (DAP) harvest and should participate in the observer program. For example, 352 vessels of this size harvested 38 percent of all the DAP groundfish landings in 1988 off Alaska. Through September 1989, 317 vessels in this size category harvested 23 percent of all the DAP groundfish landings off Alaska. In these two years, the numbers of vessels of this size represented 20 and 23 percent, respectively, of all the DAP vessels making groundfish landings. The amount of observer information that would be received from these vessels justifies the costs of carrying an observer during a portion of their fishing effort as determined by the Regional Director.

The 352 vessels within this size category that landed groundfish in 1988 fished an average of 34 days per vessel. If similar patterns hold, 3,590 observer days could be required for this segment of the fleet in 1990 at a cost of \$897,500, based on a cost estimate of \$250 per observer day.

The Secretary also proposes for the 1990 fishing year, and possibly subsequent years, that all vessels less than 50 feet in length should not be requested by the Regional Director to carry an observer. The overall groundfish catch by these vessels is small even though their aggregate number is large. For example, 1,314 vessels of this size harvested 3 percent of all the DAP groundfish landings in 1988 off Alaska. Through September 1989, 1,000 vessels of this size, harvested only 8 percent of all the DAP groundfish landings off Alaska. In these two years, the numbers of vessels less than 50 feet in length represented 76 and 73 percent, respectively, of all the DAP vessels making groundfish landings. As a practical matter, the amount of observer information that would be received from these small vessels does not justify the costs of carrying an observer that would be imposed on them, nor the costs of program administration that would be imposed on NMFS.

Shoreside Processor Participation

The Secretary proposes that managers of shoreside facilities would be required to have an observer at the facility each day it receives groundfish from vessels regulated under this part, if

requested to do so by the Regional Director. In 1988, a total of 85 shoreside processors recorded Alaskan groundfish landings.

For the 1990 fishing year, and possibly for subsequent years, managers of shoreside facilities that annually receive 10,000 mt or more of groundfish would be requested by the Regional Director to have an observer each day it receives groundfish. Based on 1989 landings to date, an estimated 6 facilities will fall into this category, receiving groundfish an average of 250 days per year. If similar patterns hold, 1,080 observer days could be required for this category of processing facilities in 1990 at a cost of \$375,000, based on a cost estimate of \$250 per day.

Managers of shoreside facilities that annually receive between 1,000 mt and 10,000 mt of groundfish would be requested by the Regional Director to have an observer for 30 percent of the days they receive groundfish. It is estimated that 14 plants will fall into this category in 1989 and receive groundfish an average of 120 days. If similar patterns hold, 504 observer days could be required for this category of processing facility in 1990 at a cost of \$126,000, based on a cost estimate of \$250 per observer day.

Shoreside processing facilities that annually receive less than 1,000 mt of groundfish would not be requested by the Regional Director to have an observer.

Secretarial approval of the mandatory domestic observer program set forth in Amendments 13 and 18 was based upon his finding that reliable observer information is necessary and appropriate for the conservation and management of the Alaskan groundfish fisheries. He, therefore, proposes to implement specific provisions of the Observer Plan. The Secretary anticipates working with the industry to develop and refine the domestic observer program to meet the needs of both fishery management agencies and the fishing industry.

Classification

The Assistant Administrator For Fisheries has determined that this rule is necessary for the conservation and management of the groundfish fisheries off Alaska and that it is consistent with the Magnuson Act and other applicable law.

The Council prepared an environmental assessment (EA) for Amendments 13 and 18, and concluded that a significant impact on the environment will not occur as a result of this rule. The Assistant Administrator, Fisheries, found that no significant impact on the quality of the environment will occur as a result of this rule. A copy of the EA may be obtained from the Regional Director at the address above.

The Under Secretary for Oceans and Atmosphere (Under Secretary) determined that this rule is not a "major rule" requiring a regulatory impact analysis under Executive Order 12291. This determination is based on the EA/RIR/FRFA prepared by the Council for Amendments 13 and 18. A copy of the EA/RIR/FRFA may be obtained from the Regional Director at the address above.

The Under Secretary concludes that this rule, if adopted, would have significant effects on small entities. These effects have been discussed in the EA/RIR/FRFA, a copy of which may be obtained from the Regional Director at the address above.

This rule does not contain a collection of information requirement subject to the Paperwork Reduction Act.

NOAA has determined that this rule will be implemented in a manner that is consistent to the maximum extent practicable with the approved coastal zone management program of the State of Alaska. This determination has been submitted for review by the responsible State agencies under § 307 of the Coastal Zone Management Act.

This proposed rule does not contain policies with federalism implications sufficient to warrant preparation of a Federalism Assessment under Executive Order 12612.

List of Subjects in 50 CFR Parts 672 and 675

Fisheries, Fishing vessels,

Dated:

For the reasons set out in the preamble, 50 C.F.R. Parts 672 and 675 are proposed to be amended as follows:

PART 672 -- GROUND FISH OF THE GULF OF ALASKA

1. The authority citation for Part 672 reads as follows:

Authority: 16 U.S.C. 1801 et seq.

2. §672.27 is revised to read as follows:

§672.27 Observers.

(a) All fishing vessels subject to this part and all shoreside processor facilities that receive groundfish from vessels subject to this part, must comply with the following terms of an observer plan that has been prepared by the Secretary in consultation with the Council for purposes of providing data useful in management of the groundfish fishery, unless specifically exempt from such compliance by the observer plan.

(b) Purpose. The purpose of this section is to allow observers to collect fisheries data deemed by the Regional Director to be necessary and appropriate for research, management, and compliance monitoring of the groundfish fisheries, or for other purposes consistent with the Marine Mammal Protection Act, as amended.

- (c) General requirements. (1) Compliance by vessels .

Except when exempted under paragraph (f) of this section, all operators of vessels subject to this part must carry an observer while conducting fishing or processing operations, if requested to do so by the Regional Director.

- (2) Compliance by shoreside processing facilities.

Except as exempted under paragraph (f) of this section, managers of shoreside facilities that receive groundfish from vessels regulated under this part must have an observer at the facility each day it receives groundfish, if requested to do so by the Regional Director.

- (d) Responsibilities. (1) The operator of a vessel must:

(i) Provide, at no cost to the observer or the United States, accommodations on a participating vessel for the observer which are equivalent to those provided for crew members of the participating vessel;

(ii) Maintain safe conditions on the vessel for the protection of the observer during the time the observer is on board the vessel, by adhering to all U.S. Coast Guard and other applicable rules, regulations, or statutes pertaining to safe operation of the vessel and by keeping on board the vessel:

- (A) adequate fire fighting equipment;

(B) a life raft capable of holding all persons on board; and

(C) Other equipment required by regulations pertaining to safe operation of the vessel.

(iii) Allow the observer to use the vessel's communication equipment and personnel on request for the transmission and receipt of messages;

(iv) Allow the observer access to and the use of the vessel's navigation equipment and personnel on request to determine the vessel's position;

(v) Allow the observer free and unobstructed access to the vessel's bridge, trawl or working decks, holding bins, processing areas, freezer spaces, weight scales, cargo holds and any other space which may be used to hold, process, weigh, or store fish or fish products at any time;

(vi) Notify the observer at least 15 minutes before fish are brought on board or fish and fish products are transferred from the vessel to allow sampling the catch or observing the transfer, unless the observer specifically requests not to be notified;

(vii) Allow the observer to inspect and copy the vessel's daily fishing log, daily cumulative production log, transfer log, and any other log or document required by regulations, information from which will be kept confidential by the observer under Federal guidelines.

(viii) Provide all other reasonable assistance to enable the observer to carry out his or her duties;

(ix) Move his vessel to such places and at such times as may be designated by the contractor, as instructed by the Regional Director, for purposes of embarking and debarking the observer;

(x) Ensure that transfers of observers at sea via small boat or raft are carried out during daylight hours, under safe conditions, and with the agreement of the observer involved;

(xi) Notify the observer at least three hours before an observer is transferred so the observer can collect personal belongings, equipment, and scientific samples.

(xii) Provide a safe pilot ladder and conduct the transfer to ensure the safety of the observer during the transfer; and

(xiii) Provide an experienced crew member to assist the observer in the small boat or raft in which the transfer is made.

(2) Managers of shore-based processing facilities must:

(i) Accept an observer, at no cost to the observer or the United States, for purposes of complying with the Observer Plan;

(ii) Notify the observer on a daily basis of the planned facility operations and expected receipt of groundfish.

(iii) Allow the observer to use the processing facility's communication equipment and personnel on request for the transmission and receipt of messages;

(iv) Allow the observer free and unobstructed access to the processing facility's holding bins, processing areas, freezer spaces, weight scales, warehouses and any other space which may be used to hold, process, weigh, or store fish or fish products at any time;

(v) Allow the observer to inspect and copy:

(A) The shoreside processing facility's daily cumulative production log, transfer log, and any other log or document required by regulations, information from which will be kept confidential by the observer under Federal guidelines, and

(B) The catcher vessels' daily fishing log, transfer log, and any other log or document required by regulations, information from which will be kept confidential by the observer under Federal guidelines.

(vi) Provide all other reasonable assistance to enable the observer to carry out his or her duties;

(e) Prohibited actions. Operators and crew of vessels and managers and employees of shoreside processing facilities shall not:

(1) Forcibly assault, resist, oppose, impede, intimidate, or interfere with an observer;

(2) Interfere with or bias the sampling procedure employed by an observer, including sorting or discarding any catch before sampling; or tamper with, destroy, or discard an observer's collected samples, equipment, records, photographic film, papers, or personal effects without the express consent of the observer;

(3) Prohibit or bar by command, impediment, threat, coercion, or by refusal of reasonable assistance, an observer from collecting samples, conducting product recovery rate determinations, making observations, or otherwise performing the observer's duties; or

(4) Harass an observer by conduct which has sexual connotations, has the purpose or effect of interfering with the observer's work performance, or otherwise creates an intimidating, hostile, or offensive environment. In determining whether conduct constitutes harassment, the totality of the circumstances, including the nature of the conduct and the context in which it occurred, will be considered. The determination of the legality of a particular action will be made from the facts on a case-by-case basis.

(f) Exemptions. (1) Operators of vessels and managers of shoreside processing facilities who are requested by the Regional Director to obtain an observer under paragraph (c) of this section, must accept an observer unless a NMFS certified observer contractor notifies the Regional Director and the vessel operator or facility manager that an observer is not available at the time of the vessel's scheduled departure or within the time when a shoreside processing plant is scheduled to receive groundfish.

PART 675 -- GROUND FISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS AREA

3. The authority citation for Part 675 reads as follows:

Authority: 16 U.S.C. 1801 et seq.

Section 675.25 is amended to read as follows:

§675.25 Observers.

(a) All fishing vessels subject to this part and all shoreside processor facilities that receive groundfish from vessels subject to this part, must comply with the following terms of an observer plan that has been prepared by the Secretary in consultation with the Council for purposes of providing data useful in management of the groundfish fishery, unless specifically exempt from such compliance by the observer plan.

(b) Purpose. The purpose of this section is to allow observers to collect fisheries data deemed by the Regional Director to be necessary and appropriate for research, management, and compliance monitoring of the groundfish fisheries, or for other purposes consistent with the Marine Mammal Protection Act, as amended.

(c) General requirements. (1) Compliance by vessels .

Except when exempted under paragraph (f) of this section, all operators of vessels subject to this part must carry an observer while conducting fishing or processing operations, if requested to do so by the Regional Director.

(2) Compliance by shoreside processing facilities.

Except as exempted under paragraph (f) of this section, managers of shoreside facilities that receive groundfish from vessels regulated under this part must have an observer at the facility each day it receives groundfish, if requested to do so by the Regional Director.

(d) Responsibilities. (1) The operator of a vessel must:

(i) Provide, at no cost to the observer or the United States, accommodations on a participating vessel for the observer which are equivalent to those provided for crew members of the participating vessel;

(ii) Maintain safe conditions on the vessel for the protection of the observer during the time the observer is on board the vessel, by adhering to all U.S. Coast Guard and other applicable rules, regulations, or statutes pertaining to safe operation of the vessel and by keeping on board the vessel:

(A) adequate fire fighting equipment;

(B) a life raft capable of holding all persons on board; and

(C) Other equipment required by regulations pertaining to safe operation of the vessel.

(iii) Allow the observer to use the vessel's communication equipment and personnel on request for the transmission and receipt of messages;

(iv) Allow the observer access to and the use of the vessel's navigation equipment and personnel on request to determine the vessel's position;

(v) Allow the observer free and unobstructed access to the vessel's bridge, trawl or working decks, holding bins, processing areas, freezer spaces, weight scales, cargo holds and any other space which may be used to hold, process, weigh, or store fish or fish products at any time;

(vi) Notify the observer at least 15 minutes before fish are brought on board or fish and fish products are transferred from the vessel to allow sampling the catch or observing the transfer, unless the observer specifically requests not to be notified;

(vii) Allow the observer to inspect and copy the vessel's daily fishing log, daily cumulative production log, transfer log, and any other log or document required by regulations, information from which will be kept confidential by the observer under Federal guidelines.

(viii) Provide all other reasonable assistance to enable the observer to carry out his or her duties;

(ix) Move his vessel to such places and at such times as may be designated by the contractor, as instructed by the Regional Director, for purposes of embarking and debarking the observer;

(x) Ensure that transfers of observers at sea via small boat or raft are carried out during daylight hours, under safe conditions, and with the agreement of the observer involved;

(xi) Notify the observer at least three hours before an observer is transferred so the observer can collect personal belongings, equipment, and scientific samples.

(xii) Provide a safe pilot ladder and conduct the transfer to ensure the safety of the observer during the transfer; and

(xiii) Provide an experienced crew member to assist the observer in the small boat or raft in which the transfer is made.

(2) Managers of shore-based processing facilities must:

(i) Accept an observer, at no cost to the observer or the United States, for purposes of complying with the Observer Plan;

(ii) Notify the observer on a daily basis of the planned facility operations and expected receipt of groundfish.

(iii) Allow the observer to use the processing facility's communication equipment and personnel on request for the transmission and receipt of messages;

(iv) Allow the observer free and unobstructed access to the processing facility's holding bins, processing areas, freezer spaces, weight scales, warehouses and any other space which may be used to hold, process, weigh, or store fish or fish products at any time;

(v) Allow the observer to inspect and copy:

(A) The shoreside processing facility's daily cumulative production log, transfer log, and any other log or document required by regulations, information from which will be kept confidential by the observer under Federal guidelines, and

(B) The catcher vessels' daily fishing log, transfer log, and any other log or document required by regulations, information from which will be kept confidential by the observer under Federal guidelines.

(vi) Provide all other reasonable assistance to enable the observer to carry out his or her duties;

(e) Prohibited actions. Operators and crew of vessels and managers and employees of shoreside processing facilities shall not:

(1) Forcibly assault, resist, oppose, impede, intimidate, or interfere with an observer;

(2) Interfere with or bias the sampling procedure employed by an observer, including sorting or discarding any catch before sampling; or tamper with, destroy, or discard an observer's collected samples, equipment, records, photographic film, papers, or personal effects without the express consent of the observer;

(3) Prohibit or bar by command, impediment, threat, coercion, or by refusal of reasonable assistance, an observer from collecting samples, conducting product recovery rate determinations, making observations, or otherwise performing the observer's duties; or

(4) Harass an observer by conduct which has sexual connotations, has the purpose or effect of interfering with the observer's work performance, or otherwise creates an intimidating, hostile, or offensive environment. In determining whether conduct constitutes harassment, the totality of the circumstances, including the nature of the conduct and the context in which it occurred, will be considered. The determination of the legality of a particular action will be made from the facts on a case-by-case basis.

(f) Exemptions. (1) Operators of vessels and managers of shoreside processing facilities who are requested by the Regional Director to obtain an observer under paragraph (c) of this section, must accept an observer unless a NMFS certified observer contractor notifies the Regional Director and the vessel operator or facility manager that an observer is not available at the time of the vessel's scheduled departure or within the time when a shoreside processing plant is scheduled to receive groundfish.

**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration***National Marine Fisheries Service**P.O. Box 21668**Juneau, Alaska 99802-1668*

November 7, 1989

Dear Potential Observer Contractor:

On November 1, 1989, the Secretary of Commerce approved Amendments 13 and 18 to the groundfish fishery management plans for the Bering Sea/Aleutian Islands and the Gulf of Alaska areas. The proposed regulations implementing these amendments will require that the owners and operators of vessels and shoreside processing facilities participating in the groundfish fishery make arrangements for and pay for the cost of placing observers aboard their vessels and their shoreside processing facilities beginning in January 1990. An observer plan will be published shortly, specifying the proposed level of observer coverage for vessels of varying size categories, and the level of coverage for various shoreside facilities.

Observers will have to be obtained by the industry from contractors certified by NMFS to perform observer services. In order for a contractor to obtain NMFS certification, the contractor must submit a work plan in response to the statement of work developed by NMFS. Those firms or agencies who currently hold a contract with NMFS to provide observer services will be considered certified for this program but must notify NMFS in writing that their firm or agency will participate in the program.

You have previously indicated to NMFS an interest in acting as an observer contractor. Enclosed is a copy of the proposed NMFS statement of work for certified contractors under this program. If you wish to be considered for certification, you must submit a work plan to NMFS which describes in detail how you plan to perform and carry out each of the tasks included in the NMFS work statement. Each work plan received will be evaluated and graded in response to the evaluation factors listed at the end of the enclosed NMFS work statement. You should ensure that your work plan provides a response to each of these factors. Plans which simply list the tasks in the NMFS statement of work and which do not provide a detailed description on how that work will be performed, will be considered inadequate. In addition to submitting a work plan, you must demonstrate that your firm or organization does not have a conflict of interest with the industry and those to whom you will be providing observers. Conflict of interest in relation to this work is defined in the enclosed NMFS statement of work. You will be notified of any changes to the proposed program when the proposed regulations become a final rule.



The name of your firm or agency will be included in the list of certified contractors if your work plan is judged as adequate by NMFS and you have demonstrated that you do not have a conflict of interest. Firms whose work plans are judged inadequate will be notified as to why they were judged inadequate and given the opportunity to submit a revised work plan for evaluation.

Five copies of your complete response to this request for certification of contractors must be submitted by 2:00 p.m., November 24, 1989, to the following address:

Observer Program
ATTN: Russ Nelson
Alaska Fisheries Science Center
7600 Sand Point Way NE
Bin C15700, Building 4
Seattle, WA 98115

Any questions you may have regarding the certification process or the NMFS statement of work should be directed to Mr. Russ Nelson at the above address or by telephone at (206) 526-4194.

We look forward to receiving your response and to working with you in 1990 on the NMFS domestic groundfish observer program.

Sincerely,



Steven Pennoyer
Director, Alaska Region

Enclosure

Description/Specifications/Work Statement
for Certified Domestic Observer Contractors

1. Introduction

The National Marine Fisheries Service is responsible for implementing a domestic groundfish observer program to carry out the requirements of Amendments 18 and 13 to the Groundfish Fishery Management Plans for Bering Sea/Aleutian Islands and the Gulf of Alaska areas. The proposed regulations implementing these amendments require that all vessels of at least 125 feet in length carry an observer whenever conducting groundfish operations and that 30 percent of the fishing effort of vessels of at least 50 feet in length but less than 125 feet in length be sampled by observers. Shoreside processing facilities will also be required to accommodate observers. Shoreside facilities annually receiving groundfish deliveries of 10,000 mt or more will be required to have an observer at their facility each day that groundfish are received. Facilities which annually receive at least 1,000 mt but less than 10,000 mt of groundfish will be required to have an observer at their facility at least 30 percent of the days during each quarter of the year which they receive groundfish. Facilities receiving less than 1,000 mt of groundfish annually will be exempt from the observer requirement. The owners/operators of vessels or shoreside facilities required to accommodate an observer will pay for the costs of placing and maintaining observers aboard their vessels or in their facilities directly to a contractor certified by NMFS to provide observer services.

To be certified by NMFS to provide observer services to members of the U.S. fishing industry, a contractor must either hold a contract with NMFS to provide observer services through federal funding or must submit a work plan judged as adequate by NMFS in response to the following statement of work and must not have a conflict of interest involving industry members to whom observers are being provided. The purpose of this certification process is to provide observers who will obtain and provide NMFS data on the catch and catch composition of groundfish, the catch and mortality of prohibited species and marine mammals, and other fisheries data required for stock assessment, research and management.

2. Description of the Groundfish Observer Program

The proposed regulations implementing Amendments 13 and 18 require U.S. domestic vessels and shoreside processing facilities participating in the groundfish fisheries conducted in the EEZ of the Bering Sea and Gulf of Alaska to carry or accommodate fisheries observers. The 1988 amendments to the Marine Mammal Protection Act (MMPA) also require that vessels participating in the trawl fisheries for groundfish carry observers on 20% - 35%

of their fishing effort to determine the incidental take of marine mammals and the interaction between marine mammals and fishing operations. When the domestic groundfish observer program is implemented in 1990, observers deployed through that program will also provide the data.

The U.S. domestic groundfish fisheries (excluding joint venture fisheries with foreign processing vessels) generally operate throughout the year in the Bering Sea and Gulf of Alaska. In 1989, there were over 1,800 vessels permitted to participate in the groundfish fisheries off Alaska. About 800 of these vessels were greater than 50 feet in length and, therefore, of a size able to accommodate an observer. The groundfish fleet is composed of vessels which utilize a variety of fishing gear, including longlines, trawls and pots. Of the 800 vessels over 50 feet in length, 143 vessels are 125 feet or larger and the remaining 654 vessels are in the category between 50 and 125 feet in length. All of these vessels do not operate at one time. Vessels vary greatly in size and in the length of time which they operate off-shore. For shoreside processing facilities, it is estimated that there will be 6 plants which will process 10,000 mt or more of groundfish in 1990 and 14 plants which will process between 1,000 mt and 10,000 mt annually.

Observers placed aboard these vessels or in these facilities by the contractor are responsible for obtaining the following types of data:

- a. The total groundfish catch, location of fishing and fishing effort of every fishing operation conducted.
- b. Determination of the catch composition of the permitted catch of groundfish and determination of the incidental catches of prohibited species. Prohibited species are those species whose retention is prohibited in groundfish fishing operations.
- c. The collection of biological data from designated species which includes but is not limited to length and weight frequency measurements, collection of age structures, collection of stomach samples and food habits data, and collection of data on maturity, fecundity and reproductive habits.
- d. The species, number and condition of marine mammals taken in fishing operations or interacting with the fishing gear.
- e. The collection of biological data from the marine mammals incidentally killed in fishing operations.
- f. The sending of periodic (usually weekly or daily) radio

messages which report the estimated catches of permitted and prohibited species, the species and numbers of marine mammals incidentally caught and/or killed, and measures of the vessels fishing effort.

- g. Collection of data on the design and operation of the fishing gear, on fish processing techniques and on product recovery rates.

The work requirements, sampling methods, data recording and reporting requirements associated with the collection of the above data are described in detail in the "Instructions for Observers Sampling on Domestic Fishing Vessels" and the "Manual for Biologists Aboard Foreign Groundfish Vessels". Though the above data collections cover the types of data to be collected, the NMFS may add or delete data collection responsibilities during the course of the program in order to meet the changing fishery management and marine mammal data needs of the NMFS. Upon completion of the sea assignment, observers prepare reports and data for submission to NMFS. These reports and data will be delivered to the NMFS at a briefing at which the observer will be present to answer any questions concerning the data collected or reports submitted. All data collected by observers will be delivered to NMFS within the time periods specified below under "Responsibilities of the Contractor".

3. Responsibilities of the Contractor

The Contractor is responsible for the following tasks under this agreement:

- a. Providing qualified observers, including minorities and women: The Contractor is required to develop and implement a program which will recruit and hire qualified individuals to be certified by NMFS as observers and to be placed aboard domestic fishing vessels or at shoreside processing facilities. Observers placed aboard domestic vessels or at shoreside facilities by the Contractor must be certified by NMFS to serve as an observer under this program. To be certified by NMFS, an observer should have a bachelor's degree in fisheries or wildlife biology or related field of biology and natural resource management. If sufficient numbers of qualified and acceptable applicants with the above educational background are not available, individuals with senior standing within one of those programs listed above or individuals with an Associate in Arts (A.A.) degree in fisheries or wildlife science or technology may be substituted. If sufficient numbers of individuals with any of the above qualifications are not available, the Contractor may seek approval from NMFS to hire individuals with other relevant experience or training.

Prior experience as an observer through a program administered by the NMFS Observer Program of the Alaska Fisheries Science Center (AFSC) is not required. Individuals who have satisfactorily served as an observer for a program administered by the Observer Program of the AFSC during the past 24 months must attend a four day certification briefing provided by NMFS prior to deployment. Individuals who have not served as an observer or who last satisfactorily served as an observer prior to the past 24 months must attend and successfully complete a 2 1/2 week certification training provided by the AFSC prior to deployment. Prior to deployment, each observer must receive an NMFS certificate acknowledging successful completion of the NMFS training program, agreement to provide all data collected to NMFS and agreement to adhere to the NMFS standards of conduct for observers. Individuals who serve as observers must be U.S. citizens.

Work is conducted aboard commercial fishing vessels at sea and is, therefore, conducted in a difficult and hazardous environment. Commercial fishing was rated as one of the most hazardous occupations in the United States last year. The work requires strenuous physical activity which includes frequent lifting of heavy baskets of fish (60-85 lbs.) and long working hours. The nature of the job is also mentally stressful due to the confined living and working space and the differing objectives of the observer and crew aboard the vessel. As a result, individuals must be provided who are physically capable of performing the work, mature and capable of working independently without direct supervision and under stressful conditions. Vessels operate in remote areas of Alaska and, as a result, trained medical help and facilities are not easily nor immediately available. Due to the physical and mental demands of the job, all observers should have passed a physical examination within the past 12 months which would certify that there are no health problems or conditions which would jeopardize the observer's safety while at sea or prevent the observer from satisfactorily performing his/her duties. To accomplish this, the certifying physician must be made aware of the dangerous, remote and rigorous nature of the work at sea prior to the examination.

- b. Submitting a list of individuals to be hired and their respective qualifications to the NMFS for approval at least 7 working days prior to the beginning of certification training or briefing the individuals are scheduled to attend. The Contractor will be responsible for supplying alternate observer candidates if: one or more observers are rejected by the NMFS; an observer(s)

fails to successfully complete certification training; or an observer(s) resigns prior to completion of duties.

- c. Providing salaries and appropriate insurance for observers while the observer is employed: The salaries paid observers are to be determined by the contractor as well as whether the observers are to be paid for living expenses during certification training and the debriefing; travel cost to and from duty station prior to employment and after completion of the job; and, salary during certification training and final debriefing. The insurance requirement is to provide coverage for observers injured while on the job in the performance of their duties, not general health benefits.
- e. Scheduling and assigning observers to vessels or shoreside facilities in accordance with the observer coverage needs of their clients: It will be the responsibility of the Contractor and their clients to ensure that certified observers are available and aboard vessels or at the shoreside facilities when required by NMFS.
- f. Making all arrangements for embarkations, transfers of observers between vessels and debarkations of observers: The Contractor is responsible for making all travel arrangements and reservations for observers to and from ports of initial embarkation and final debarkation and any arrangements required for the travel of observers between ports in Alaska for embarkation or debarkation purposes while the observer is stationed in Alaska. Travel arrangements and costs include: reservations and airfare (if port is not serviced by air, then bus or other commercial travel) from duty station (during the initial phases of the program this will be Seattle, WA) to port of initial embarkation and from port of final debarkation to duty station; all travel required to move observers between ports in Alaska to embark/debark vessels while observers are stationed in Alaska; lodging and living costs while in travel status; subsistence living allowance while stationed in port between trips on vessels (it is up to the contractor's discretion if observers who are residents of the port are subject to subsistence living allowance); and, excess baggage costs for approximately 75 lbs. of scientific sampling gear. The contractor is required to make all of the above arrangements for observers stationed at shoreside processing facilities.
- g. Insuring that each certified observer notifies NMFS that they are aboard their designated vessel prior to the vessel beginning fishing operations or at the shoreside

processing facility when the plant is operating. The contractor will also notify NMFS when observer debark vessels or complete duty assignments at shoreside facilities.

- h. Arranging and scheduling vessel charters to transport observers from shore to vessel pick-up or debarkation positions (usually coastal vessel pilot points or positions in harbor) at sea to meet vessel schedules, if necessary: Charter services may need to be available at ports of embarkation/debarkation. Charter vessels should be licensed by the U.S. Coast Guard to carry passengers and have the proper liability insurance. It is expected that the need for these services will be infrequent.
- i. Maintaining communications with observers at sea and at shoreside facilities: Communications with domestic vessels and observers at sea will be difficult. There is no centralized communications system through the U.S. Coast Guard to use with U.S. fishing vessels as there was for foreign fishing vessels. It is not expected that communications with shoreside facilities will be as difficult to establish or maintain. The Contractor will be responsible for developing an effective means of communicating necessary logistics information and fishery notices to observers at sea and at shoreside facilities and receiving questions, weekly catch data and logistics information from observers. Weekly catch reports received by the Contractor will be passed to the AFSC within 12 hours of receipt. The Contractor should make arrangements to have an employee responsible for observer activities on call 24 hours a day whenever the contractor has observers at sea, stationed at a shoreside facility, in transit or in port awaiting boarding to handle possible emergencies involving observers, or last minute problems concerning observer logistics.
- j. Monitoring observer's performance of duties to ensure satisfactory execution of duties and conformance with NMFS standards of conduct: The Contractor must take necessary remedial action when performance is unsatisfactory or does not achieve required standards. The observer standards of conduct are part of the NMFS observer certification which each observer must agree to while employed.
- k. Submitting all in-season data and final data and reports from each observer to the NMFS: In-season data will be submitted by the observer according to the needs and schedule dictated by NMFS. Final data and reports will be submitted at a briefing with NMFS or its designated agent upon the completion of each deployment. The

individual observers shall be present at each briefing to answer any questions which may arise and the Contractor is ultimately responsible for making any changes or corrections requested by the NMFS prior to final NMFS acceptance of the data and reports from each trip. The trip briefing and final submission of data and reports are to be completed within five (5) working days of the observer's return from field deployment. Any delay in submission of data and reports must be approved by the NMFS.

1. Developing and maintaining communications (at times this will be daily) between NMFS program personnel and Contractor administrative personnel to ensure all tasks listed above are successfully carried out: The Contractor will provide the NMFS current listings of observer assignments, deployment plans and schedules. At a minimum this information will be provided to NMFS on the Monday of each week the contractor is involved in providing observer services. The NMFS shall be notified immediately of any emergency involving an observer at sea or in transit. The Contractor shall keep NMFS apprised of any problems experienced relating to the operation of the program.
- m. The NMFS certification of a contractor is valid only for 1990 unless revoked by NMFS prior to the end of the year.

4. Responsibilities of NMFS

The NMFS is responsible for the following tasks under this agreement:

- a. Specifying and notifying the owners of vessels or shoreside processing facilities of their requirements to carry or accommodate an NMFS certified observer obtained via an NMFS certified contractor.
- b. Approval of all observers proposed for hire: Proposed observers can be rejected if they do not meet required qualifications. Observers must successfully complete the NMFS certification training. Those who fail to abide by standards of conduct or who are determined by NMFS to have performed less than satisfactory work will have their certification revoked.
- c. Developing the observer work requirements, sampling methodology and data collection requirements.
- d. Conducting certification training and recertification briefings for all observers: The NMFS will notify all certified Contractors of schedules for certification

training and recertification briefings. The NMFS will conduct the full 2 1/2 week certification training session a minimum of once per quarter. Additional training sessions will be scheduled as needed. The four day certification briefing for recently experienced observers and recertification briefings (if required) will be scheduled more frequently than once per quarter, if needed.

- e. Supplying all observer sampling and safety equipment to the observers.
- f. Upon each observer's return from deployment, the NMFS will evaluate the data and reports received from each observer trip at a briefing at which the observer will be present. The NMFS will notify the observer or the Contractor of required changes or corrections which must be made to data or reports before final acceptance will be given.
- h. The NMFS will notify the Contractor of final acceptance of all trip reports and data collected on a field deployment by field deployment basis and will advise the Contractor of the quality of data and reports submitted by each of their observers.

5. Conflict of Interest Standards for NMFS Certified Observers and Contractors

Contractors certified by NMFS to provide observer services to the fishing industry and observers certified by NMFS to perform observer duties, cannot have either a financial or personal interest in the vessels or shorebased facilities they are employed to observe. A direct financial interest is defined as payment or compensation received directly from the owner or operator of the vessel or shorebased facility being observed that results from a property interest or business relationship in that vessel or shorebased facility. A personal interest is defined as an interest or involvement held by the contractor or observer, or the contractor's or observer's immediate family or parent, from which the contractor or observer, or the contractor's or observer's immediate family or parent, receives a benefit.

The provision of certified observers for remuneration does not constitute a conflict of interest under this paragraph.

- a. Conflict of interest standards for certified observers.
 - A certified NMFS observer
 - (1) must be employed by an independent contracting agent certified by NMFS to provide observer services to industry;

- (2) may not have a financial interest in the observed fishery;
 - (3) may not have a personal interest in the vessel to which he or she is assigned;
 - (4) may not solicit, accept, or receive, directly or indirectly, a gift, whether in the form of money, service, loan, travel, entertainment, hospitality, employment, promise, or in any other form, that is a benefit to the observer's personal or financial interests, under circumstances in which it could be reasonably inferred that the gift is intended to influence the performance of official duties, actions, or judgement.
- b. Conflict of interest standards for certified observer contractors. A certified observer contractor
- (1) may not be an individual, partnership or corporation with a personal or financial interest in the observed fishery or vessels, other than the provision of observers;
 - (2) shall assign observers to vessels without regard to requests from vessel owners or operators for a specific individual.

6. Contractor and Observer Certification Revocation

- A. The NMFS certification of an observer can be revoked by NMFS under the following conditions:
- (1) A certified observer fails to satisfactorily perform the duties of an observer as prescribed by NMFS.
 - (2) A certified observer fails to abide by the standards of conduct described by NMFS.
- B. The NMFS certification of a contractor to provide observer services to industry can be revoked by NMFS under the following conditions:
- (1) A certified contractor is shown to have a conflict of interest with respect to the fishery or vessels observers are being provided to.
 - (2) It can be clearly demonstrated that a certified contractor has failed to satisfactorily provide the observer services specified by this program to members of the fishing industry.

7. Evaluation Criteria for Proposals

Technical Evaluation

The following factors will be used to evaluate the technical proposals for determining which offers are technically acceptable.

1. Ability to supply required observer services by task:
-- 65%
 - a. Methods to be used to recruit, evaluate, and select qualified applicants to serve as observers.
 - b. Methods to be used in establishing, organizing and performance of all logistics associated with the deployment of observers.
 - c. Methods to be used in scheduling observers for certification training or briefing, observer deployments, assignments to vessels and shoreside facilities so that observer coverage and sampling requirements are met.
 - d. Provisions for communications with observers, vessels, shoreside facilities and NMFS to provide and exchange required information on scheduling, program status, weekly catch data, emergencies and instructions for observers, vessels and shoreside facilities
 - e. Methods to be used in monitoring of observer performance, observer work between cruises and upon return from sea or duty station, NMFS briefing upon completion of each deployment and final preparation and submission of reports and data.
2. Expertise and Capability of Offeror's Organization:
-- 20%
 - a. Technical competence of staff based on resumes of key personnel which show their abilities, education, training and experience in relation to their proposed assignments and areas of responsibilities on this project.
 - b. Organizational structure including number of personnel to be assigned, in categories of professional, technical and clerical positions, to each phase of the project including provisions for the backup of each key staff member during planned and unplanned absences.
3. Understanding the Concept of the Project: -- 10%

Expressed understanding of the purpose of the program, the role of the contractor and the important aspects of this type of project which lead to successful performance of work.

4. Examples of Previous and Demonstrated Abilities: -- 5%

Summaries of similar work recently completed including description of work and contact person and telephone number of client.

AGENDA C-4
DECEMBER 1989
SUPPLEMENTAL

December 1, 1989

Clarence Pautzke
Executive Director
North Pacific Fishery
Management Council
P.O. Box 103136
Anchorage, AK 99510

Dear Clarence,

The proposed rule for implementing the domestic fisheries observer program does provide for an exemption to the mandatory observer requirement. An exemption is allowed if a certified observer contractor advises that an observer is not available to be placed aboard a vessel or at a processing facility. On more thoughtful inspection of the exemption language (paragraph (f) of sections 672.27 and 675.25), a potential loophole may exist because the requirement is simply for "a certified observer contractor" to make the notification, inferring that not all contractors would need to be contacted for an observer. I think we can readily fix that in the final rule.

You raise a larger question in your letter, however--that being whether the Council intended that any exemptions be granted for any reason. Not to provide for an exemption in the legitimate case of nonavailability of an observer would make this program more restrictive than the administration of the foreign observer program.

I believe the foreign program has typically reported about 98 percent observer coverage, which is very good, but it does show that there are cases where we have determined an exemption could be granted for a few days until an observer became available without jeopardizing the quality of the data being gathered. There are also many instances where a request for an exemption was denied because we did not believe an adequate effort had been made to provide adequate notice as to when and where an observer would be needed. I think we should have the discretion to grant exemptions, and recognize the need to ensure that this option not be abused.

You may want to raise this question so the Council has the opportunity to comment on the language of the proposed rule.

Sincerely,

12/ Steve

Steven Pennoyer
Director, Alaska Region

North Pacific Fishery Management Council

Don W. Collinsworth, Chairman
Clarence G. Pautzke, Executive Director

605 West 4th Avenue
Anchorage, Alaska 99501



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

Telephone: (907) 271-2809
FAX (907) 271-2817

November 22, 1989

Steven Pennoyer, Director
NOAA Fisheries, Alaska Region
P.O. Box 21668
Juneau, Alaska 99802

Dear Steve:

First, let me commend you and your staff on the long hours you've put into implementing the Council's recommended observer program for 1990. We are way out ahead of other areas of the nation, and the information should help ensure the continued long-term viability of the resources.

Last week we talked about the Notice of Proposed Rulemaking that NOAA Fisheries will soon publish, embodying the details of the domestic observer program for 1990. My concern was that the required public comment period and cooling off period would delay implementation of the program past January 1, 1990. The efforts of the Region and GC-AK seem to have paid off and I understand now that this problem has been resolved. With a 15-day comment period and waiver of the APA 30-day cooling period, January 1 remains a viable start date for the program.

Now I have a second, much more critical concern with the observer plan. Though I have not seen a copy of the draft proposed rule, I understand it may have an escape clause allowing a vessel that is otherwise required to take an observer, to fish without one if no observer is available. If that is not the case, then please disregard the rest of this letter. However, if it is, we may have a problem on our hands.

It's my impression that the Council would not want to allow an exception for non-availability of an observer. In September, the Council read in your Progress Report (item C-5(a), page 4) the statement: "Vessels required to carry an observer but without an observer will not be allowed to fish. This requirement places the burden on industry and the contractor to ensure they meet the observer requirement." This statement clearly conveys what I believe is the intent of the Council.

Further, in the NMFS notice to potential observer contractors, dated November 7, there is no hint of an exception for non-availability. On page 3, under "responsibilities of the Contractor", backup levels of qualifications for observers are given to ensure sufficient numbers are available. On page 5, paragraph (e) states that it will be the responsibility of the Contractor and their clients to ensure that certified observers are available and aboard vessels or at the shoreside facilities when required by NMFS. There is no provision or criteria for the contractor and vessel to conclude that an observer is unavailable. And an escape clause would open the door to all sorts of creative excuses. Certainly plenty were given during our pilot domestic observer program.

Steven Pennoyer
November 22, 1989
Page 2

So then the question is: How can the Council best influence the final outcome of the proposed rule? The comment period will coincide with our December Council meeting and I'm sure the Council will want to review carefully all the details of the plan and make suggestions to NOAA Fisheries. If the Council recommends deletion of the above noted escape clause, is that an action the Secretary would be willing to take before the final rule is published? Or would it be better to delete the escape clause before the proposed rule is published (this Friday or Monday) and add it back for the final rule if the Council so desires? If the clause stays, will you want advice from the Council on what constitutes an acceptable reason for not taking an observer? Do you now have a list of criteria in mind?

I would appreciate a copy of the proposed rule as soon as possible so it can be distributed for Council review. Again, thanks for all your hard work in preparing for the comprehensive observer program for 1990. It will be a threshold year for improving our information base on the conduct of the groundfish fisheries.

Sincerely,



Clarence G. Pautzke
Executive Director



NOV 20 1989

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE ROUTE TO INITIAL
Alaska Fisheries Science Center Exec. Dir.
Resource Ecology and Fisheries Management Admin. Off.
7600 Sand Point Way NE Exec. Sec.
BIN C15700, Bldg. 4
Seattle, WA 98115-0070

November 15, 1989

MEMORANDUM FOR: F/AKC2 - Rich Marasco
FROM: F/AKC2 - Russ Nelson *Russ*
SUBJECT: Update on Report 3 on NMFS Domestic Observer Programs

The NMFS Observer Program has received several requests for an update of the tables of observer data included in Report 3. Report 3 included summaries of the preliminary observer weekly catch message data through the end of August. Attached are tables summarizing the observer weekly catch messages through the end of October. Once again, the data are preliminary as we are missing a few observer messages, and corrections are sometimes made after the observers return to Seattle. Due to the fact that the reported catch data (catcher/processor data and fish ticket data) lags so far behind the observer data, it was not feasible to update the observer coverage which was given in Report 3.

Attachment

- cc: F/EN1 - G. Wood
- F/EN1 - B. Rupli
- F/AKR - D. Evans
- F/NWR2 - W. Robinson
- NPFMC - C. Pautzke
- PFMC - L. Six
- IPHC - D. McCaughran
- F/AKC1 - G. Stauffer
- F/AKC2 - L. Low
- F/AKC2 - J. Balsiger
- F/AKC2 - J. Reeves
- F/AKC2 - J. Terry
- F/AKC11 - R. Otto
- ACC - A. Thomson
- AFTA - E. Evans



Table 1. Summary of the species composition and incidence of prohibited species in the 1989 Port Moller Pacific cod fishery.

Summary of 1989 Port Moller Fishery
(62.4 days on the ground; target = Pacific cod/pollock)

A. Preliminary estimate of groundfish catch (area 512):

	<u>Metric tons</u>	<u>Percent of catch</u>
Yellowfin sole	728.80	13.0
Rock sole	831.78	14.8
Other flatfish	78.21	1.4
Arrowtooth flounder	16.42	0.3
Walleye pollock	651.38	11.6
Pacific cod	2,854.29	50.9
Sablefish	0.01	<0.1
Other fish	120.87	2.2
<u>Nonallocated species</u>	<u>322.43</u>	<u>5.8</u>
Total	5,604.20	100.0

B. Preliminary estimate of prohibited species catch (area 512):

	<u>Estimated numbers</u>	<u>Number per metric ton</u>
Red king crab	13,940	2.487
Bairdi Tanner crab	5,225	0.932
Other Tanner crab	34	0.006
Chinook salmon	9	0.002
Other salmon	14	0.002
Pacific halibut	44,914	8.014

C.	<u>Estimated weight (kg)</u>	<u>Kg per metric ton</u>	<u>Percent of catch</u>
Pacific halibut	56,016	9.995	1.00
Pacific herring	102,870	18.358	1.84

Table 2. Preliminary summary of the species composition and incidence of prohibited species from observer data from the Bering Sea pollock midwater trawl fisheries.

Bering Sea Pollock Midwater Trawl Fisheries

A. PERCENT SPECIES COMPOSITION
SUBAREA

SPECIES	511 (%)	513 (%)	515 (%)	517 (%)	521 (%)
Pollock	96.88	97.90	98.64	98.94	98.45
Pacific cod	1.68	1.10	0.06	0.37	0.99
Rock sole	0.76	0.28	0.02	0.02	0.04
Yellowfin sole	0.02	0.00	0.00	<0.01	<0.01
Other flatfish	0.22	0.06	0.06	0.11	0.18
Arrowtooth flo.	0.02	0.02	0.01	0.04	0.11
Greenland turb.	0.00	0.00	0.01	0.01	0.01
Sablefish	0.00	0.00	<0.01	<0.01	0.00
Atka mackerel	0.00	0.00	<0.01	<0.01	<0.01
POP	0.00	<0.01	0.68	0.01	0.02
Other rockfish	0.00	<0.01	<0.01	<0.01	<0.01
Squid	0.00	0.00	0.49	0.34	<0.01
Other fish	0.03	0.52	0.01	0.05	0.09
Non-allocated	0.39	0.11	0.03	0.11	0.13

B. INCIDENCE OF PROHIBITED SPECIES
SUBAREA

SPECIES	511 (No./t)	513 (No./t)	515 (No./t)	517 (No./t)	521 (No./t)
<u>C. bairdi</u>	0.020	0.018	0.000	0.009	0.072
Other Tanner crab	0.006	0.136	0.000	0.105	0.313
Red king crab	0.002	0.000	0.000	<0.001	0.000
Blue king crab	0.000	0.002	0.000	0.000	0.000
Other king crab	0.000	0.000	0.000	0.000	0.000
Chinook salmon	0.005	0.002	0.022	0.006	0.001
Other salmon	0.000	0.000	0.000	0.006	0.001
Pacific halibut	0.181	0.124	0.009	0.032	0.046

C. INCIDENCE AS PERCENT BY WEIGHT OF CATCH
SUBAREA

SPECIES	511 (%)	513 (%)	515 (%)	517 (%)	521 (%)
Pacific halibut	0.05	0.01	<0.01	0.01	0.02
Pacific herring	<0.01	<0.01	0.01	0.08	0.04

Table 3. Preliminary summary of the species composition and incidence of prohibited species from observer data from the Bering Sea pollock bottom trawl fisheries.

Bering Sea Pollock Bottom Trawl Fisheries

A. PERCENT SPECIES COMPOSITION
SUBAREA

SPECIES	511&517 (%)
Pollock	93.30
Pacific cod	3.16
Rock sole	1.71
Yellowfin sole	0.04
Other flatfish	0.46
Arrowtooth flounder	0.60
Greenland turbot	0.00
Sablefish	0.00
Atka mackerel	<0.01
POP	<0.01
Other rockfish	0.00
Squid	<0.01
Other fish	0.22
Non-allocated	0.51

B. INCIDENCE OF PROHIBITED SPECIES
SUBAREA

SPECIES	511&517 (No./t)
<u>C. bairdi</u>	0.480
Other Tanner crab	0.059
Red king crab	0.000
Blue king crab	0.000
Other king crab	0.000
Chinook salmon	0.009
Other salmon	0.000
Pacific halibut	1.209

C. INCIDENCE AS PERCENT BY WEIGHT OF CATCH
SUBAREA

SPECIES	511&517 (%)
Pacific halibut	0.16
Pacific herring	<0.01

Table 4. Preliminary summary of the species composition and incidence of prohibited species from observer data from the Bering Sea other bottom trawl fisheries.

Bering Sea Other Bottom Trawl Fisheries

A. PERCENT SPECIES COMPOSITION
SUBAREA

SPECIES	511 (%)	513 (%)	515 (%)	517 (%)	521 (%)	540 (%)
Pollock	55.62	88.49	15.63	66.03	80.62	4.97
Pacific cod	30.60	8.58	7.52	22.73	11.16	6.45
Rock sole	2.62	0.38	0.26	0.30	0.15	0.13
Yellowfin sole	1.66	0.02	0.05	0.06	<0.01	0.00
Other flatfish	1.15	0.58	0.48	1.23	0.76	0.11
Arrowtooth flo.	4.59	0.65	8.36	3.05	1.10	14.00
Greenland turb.	0.00	<0.01	44.07	2.01	0.02	49.51
Sablefish	<0.01	<0.01	3.23	0.33	<0.01	3.14
Atka mackerel	0.00	0.00	3.73	0.47	<0.01	0.18
POP	0.00	<0.01	6.43	0.20	3.29	14.65
Other rockfish	0.00	<0.01	1.47	0.64	0.23	0.69
Squid	0.00	<0.01	0.62	0.04	0.01	0.56
Other fish	0.82	0.80	0.66	1.10	0.63	1.05
Non-allocated	2.94	0.48	7.48	1.83	2.03	4.56

B. INCIDENCE OF PROHIBITED SPECIES
SUBAREA

SPECIES	511 (No./t)	513 (No./t)	515 (No./t)	517 (No./t)	521 (No./t)	540 (No./t)
<u>C. bairdi</u>	1.937	0.433	0.108	0.313	0.165	0.012
Oth Tanner crab	0.060	1.926	1.088	1.472	1.280	0.706
Red king crab	0.074	0.000	0.001	<0.001	<0.001	0.001
Blue king crab	0.003	0.003	0.000	0.000	<0.001	0.000
Other king crab	0.000	0.000	0.003	0.001	0.000	1.177
Chinook salmon	0.002	0.001	0.002	0.008	0.004	0.009
Other salmon	0.501	0.019	0.025	0.027	0.004	0.002
Pacific halibut	3.486	0.414	0.510	0.324	0.156	0.594

C. INCIDENCE AS PERCENT BY WEIGHT OF CATCH
SUBAREA

SPECIES	511 (%)	513 (%)	515 (%)	517 (%)	521 (%)	540 (%)
Pacific halibut	0.72	0.16	0.20	0.12	0.11	0.38
Pacific herring	1.21	0.02	0.07	0.02	0.82	0.01

Table 5. Preliminary summary of the species composition and incidence of prohibited species from observer data from the Gulf of Alaska pollock midwater trawl fisheries.

Gulf of Alaska Pollock Midwater Trawl Fisheries

A. PERCENT SPECIES COMPOSITION		
SUBAREA		
SPECIES	62 (%)	63 (%)

Pollock	99.85	99.35
Pacific cod	0.02	0.41
Flatfish	<0.01	0.06
Sablefish	0.00	<0.01
Atka mackerel	0.00	0.00
Slope rockfish	0.01	0.01
Dem. shelf rockfish	0.00	0.00
Pelagic shelf rockfish	0.00	<0.01
Thornyhead rockfish	0.00	0.00
Squid	<0.01	<0.01
Other fish	0.06	0.10
Non-allocated	0.06	0.07

B. INCIDENCE OF PROHIBITED SPECIES		
SUBAREA		
SPECIES	62 (No./t)	63 (No./t)

<u>C. bairdi</u>	0.000	0.000
Other Tanner crab	0.000	0.000
Red king crab	0.000	0.000
Blue king crab	0.000	0.000
Other king crab	0.000	0.000
Chinook salmon	0.012	0.022
Other salmon	<0.001	0.000
Pacific halibut	0.000	<0.001

C. INCIDENCE AS PERCENT BY WEIGHT OF CATCH		
SUBAREA		
SPECIES	62 (%)	63 (%)

Pacific halibut	0.00	<0.01

Table 6. Preliminary summary of the species composition and incidence of prohibited species from observer data from the Gulf of Alaska flatfish trawl fisheries.

Gulf of Alaska Flatfish Trawl Fisheries

A. PERCENT SPECIES COMPOSITION
SUBAREA

SPECIES	62&63 (%)
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Pollock	11.49
Pacific cod	8.89
Flatfish	38.64
Sablefish	4.99
Atka mackerel	0.00
Slope rockfish	7.81
Dem. shelf rockfish	0.27
Pelagic shelf rockfish	1.63
Thornyhead rockfish	2.90
Squid	0.21
Other fish	0.63
Non-allocated	22.53

B. INCIDENCE OF PROHIBITED SPECIES
SUBAREA

SPECIES	62&63 (No./t)
-----	-----
<u>C. bairdi</u>	0.496
Other Tanner crab	0.000
Red king crab	0.006
Blue king crab	0.000
Other king crab	0.718
Chinook salmon	0.036
Other salmon	0.000
Pacific halibut	6.745

C. INCIDENCE AS PERCENT BY WEIGHT OF CATCH
SUBAREA

SPECIES	62&63 (%)
-----	-----
Pacific halibut	5.56

Table 7. Preliminary summary of the species composition and incidence of prohibited species from observer data from the Gulf of Alaska other bottom trawl fisheries.

Gulf of Alaska Other Bottom Trawl Fisheries

A. PERCENT SPECIES COMPOSITION
SUBAREA

SPECIES	63 (%)

Pollock	63.86
Pacific cod	23.47
Flatfish	5.26
Sablefish	2.60
Atka mackerel	0.00
Slope rockfish	0.04
Dem. shelf rockfish	0.00
Pelagic shelf rockfish	0.02
Thornyhead rockfish	0.74
Squid	0.00
Other fish	0.72
Non-allocated	3.28

B. INCIDENCE OF PROHIBITED SPECIES
SUBAREA

SPECIES	63 (No./t)

<u>C. bairdi</u>	0.462
Other Tanner crab	0.292
Red king crab	0.000
Blue king crab	0.000
Other king crab	0.000
Chinook salmon	0.142
Other salmon	0.000
Pacific halibut	4.733

C. INCIDENCE AS PERCENT BY WEIGHT OF CATCH
SUBAREA

SPECIES	63 (%)

Pacific halibut	0.83

DECEMBER 1989

**October 1989 Report of Observer, Foreign Fishery, and
Joint Venture Fishery Activities in the Northeast
Pacific Ocean and Eastern Bering Sea**

by

Michael A. Guttormsen and Russell E. Nelson, Jr.

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Resource Ecology and Fisheries Management Division
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November 1989

October 1989 Report of Observer, Foreign Fishery, and
Joint Venture Fishery Activities in the Northeast
Pacific Ocean and Eastern Bering Sea

The attached tables summarize observer coverage (Tables 1-3) and estimated catches of prohibited species (Tables 4-10) in the foreign and joint venture fisheries in the Alaska and Northwest regions in 1989. For comparison purposes, the prohibited species tables include 1988 data. All 1989 data are provisional at this time.

Observer Coverage

Observer coverage was 96.4% in foreign and joint venture fisheries in the Bering Sea in October. The level of coverage in October, 1988 was 95.6%. For October, the total fishing effort of 1,067 days on the fishing grounds was a 40.8% increase from the October, 1988 effort of 758 days. Coverage through October, 1989 was 94.4%. For the year to date, the fishing effort of 7,997 days represents a 48.4% decrease from the comparable period for 1988. Through October, 115 foreign processing vessels had participated in joint venture fisheries with U.S. fisherman in the Bering Sea/Aleutian region and 44 foreign processing vessels had participated in joint venture fisheries in the WOC region. Two Soviet vessels had participated in a foreign snail fishery.

Tables 2-3 provide more-detailed information on foreign and joint venture fishing effort and observer coverage.

Alaska Region Groundfish and Incidental Catches

Through October, 1989, no groundfish resources have been allocated for foreign fishing in the Gulf of Alaska region.

Bering Sea (Tables 4-7)

On January 1, 1989, all joint venture fisheries except pollock opened in the Bering Sea/Aleutian region. The pollock fishery opened on January 15 and closed on January 21. The Pacific cod fishery closed on February 11, the rock sole fishery closed on February 21, the yellowfin sole fishery closed on March 1, and fisheries for other species of flatfish (primarily Alaska plaice and flathead sole) closed on March 13. No joint venture fishing occurred in Bering Sea/Aleutian region from March 14 through the end of August. On September 3, the Bering Sea, except for Zone 1, reopened to all joint venture fisheries; Zone 1 remained closed because the red king crab quota had been exceeded. On September 29, the primary halibut quota (Zone 1 + Zone 2H) for the joint venture "other fishery" category was reached, closing the fishery to bottom trawling in Zone 2H.

The joint venture fishery in the Bering Sea caught 97,100 metric tons (t) of groundfish in October, an increase of 122.2% from the October, 1988, groundfish catch of 43,700 t. The year-to-date groundfish catch of 461,000 t represents a 63.6% decrease from the 1,266,800 t taken through October, 1988.

During October, joint venture operations were conducted with 11 Soviet vessels, 15 Japanese vessels, 12 Korean vessels, 4 Polish vessels, and 1 Chinese vessel.

For October, the incidental catches of 1,285,900 Tanner crab, 19,400 king crab, and 2,100 salmon represent increases from the October, 1988 catches of 185,300 Tanner crab, 1,200 king crab, and 500 salmon. The incidental catch of 20,700 halibut (131.6 t) represents a decrease from the 35,100 halibut (141.7 t) taken in October, 1988. Through October, the catches of 3,046,500 Tanner crab, 199,000 king crab, and 10,200 salmon represent increases of 2.2%, 146.6%, and 21.4% from the catches through October, 1988. The catch of 501,600 halibut (763.7 t) represents a decrease of 67.3% from the catch for the comparable period in 1988.

The expiration of Amendment 10 at the end of 1988 created an absence of regulatory control over the incidental catches of Chionoecetes bairdi Tanner crab, red king crab, and Pacific halibut in the Bering Sea. Emergency regulations controlled the fishery in order to monitor the prohibited species bycatch until the implementation of Amendment 12A in August, 1989. Catches estimated by subareas and zones are shown in Figure 1.

The total groundfish catch by zone was 171,000 t in Zone 1, 260,600 t in Zone 2, 120,800 t in Zone 2H, and 29,300 t in Zone 3. The total incidental catch of C. Bairdi by zone was 148,600 crab in Zone 1, 369,600 crab in Zone 2, and 157,200 crab in Zone 3. The total catch of red king crab by zone was 176,800 crab in Zone 1, 14,200 crab in Zone 2, and 400 crab in Zone 3. The total catch of halibut by zone was 171,200 fish in Zone 1, 322,200 fish in Zone 2, 255,300 fish in Zone 2H, and 8,200 fish in Zone 3. Catches of groundfish and incidentally-taken prohibited species by target fishery, zone, and subarea are provided in Tables 6-7.

On July 9, Soviet vessels began fishing on a quota of 3,000 t of snails. Through the end of October, 120 t had been taken.

WOC Region Groundfish and Incidental Catches (Tables 8-10)

The joint venture fishery targeting on Pacific whiting began on April 11, and the quota was attained on June 24. The total groundfish catch for 1989 of 204,200 t represented an increase of 49.2% over the 136,900 t taken by the Pacific whiting joint venture fishery in 1988. Over 99% of the groundfish catch was Pacific whiting. For 1989, the groundfish catch by International North Pacific Fisheries Commission (INPFC) area was 8,100 t in the

Vancouver area, 94,200 t in the Columbia area, 100,100 t in the Eureka area, and 1,800 t in the Monterey area.

During 1989, joint venture operations were conducted with 21 Soviet vessels, 13 Polish vessels, 6 Chinese vessels, 3 Japanese vessels, and 1 Korean vessel.

For 1989, the incidental catch of 9,200 salmon was a decrease from the 14,000 salmon taken in 1988. The catch of 100 halibut equaled the catch for 1988. The catch of salmon by INPFC area was less than 100 Chinook salmon and less than 100 other salmon in the Vancouver area, 5,300 Chinook salmon and 200 other salmon in the Columbia area, 3,600 Chinook salmon and less than 100 other salmon in the Eureka area, and 100 Chinook salmon in the Monterey area.



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

November 24, 1989

NOV 30 1989

Clarence Pautzke, Executive Director
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Dear Clarence,

As part of the ongoing development of NMFS' domestic groundfish observer plan, a meeting was held between NMFS staff and "outside experts" on October 19. This meeting was held at the Alaska Fisheries Science Center and consisted of a briefing session for invited participants and the public. Invitations were sent to University of Alaska, Oregon State University, University of Washington, Washington Department of Fisheries, Alaska Department of Fish and Game, and the Southwest Alaska Municipal Conference. A list of attendees is enclosed.

Dr. William Aron introduced the session. Russ Nelson presented a review of the program's proposed operational plan. Observer Program staff presented an in-depth review of observer training and qualification requirements. This was followed by an open question and answer session.

Much of the discussion revolved around the need for highly trained and motivated individuals to serve as observers, and emphasized the need to train the observer in what to expect as far as living conditions aboard vessels, and personal interactions between the crew and the observer.

Participants stressed the importance of educating the fishing community about the purpose and operation of the program, and the industry's role and responsibilities in the program. They recommended that this be included in the planned workshops at which NMFS will be explaining the new reporting requirements.

The first such workshop was held in Seattle on November 17, and included a presentation by Observer Program staff. The next will be held in Kodiak on November 30, and Observer Program staff will also make a presentation at that workshop.

Sincerely,

Steven Pennoyer
Director, Alaska Region

Enclosure



Helen Woods - Data Contractors Inc.

Howard Horton - OREGON STATE UNIVERSITY

Ken Parker - Alaska Dept. of Fish & Game JUNOON

Tyson Vogeler - University of AK / OBSERVER

Mandy Marklein - freelance Biologist (observer)

R. R. Francis - University of Washington - FRI.

Vince Additt (VINCE ADDINGTON) - PADILLA TUG CO. / DUTCH HARBOR

Carl Olsen - Univ. of Alaska

Ron Neserboen Univ. of Alaska Sea Grant

Gregg Williams - Halibut Commission

Michael Lake - Alaskan Observers, Inc.

Jed Evans - Alaska Factory Trawler Association

Mark Freeberg - North Pacific Fishing Vessel Councils Assoc / Nat. Res. Consultant

John Levy - SW ALASKA MUNICIPAL CONFERENCE / ANCHORAGE

Joe Terril - NMFS AFS C

Ben Deeble - Greenpeace

Henry S. Pratt - Municipality of Anchorage

Bill Subway - NORTHERN DEEP SEA FISHERIES