



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

May 23, 2023

Michael Lake, President
Alaskan Observers Inc.
130 Nickerson, Suite 206
Seattle, Washington 98109

Dear Mr. Lake:

Thank you for reaching out to me with your concerns. You may be partially relieved to know that the North Pacific Fishery Management Council's (Council) [motion](#) from February 2023 would require only a **Level 2** (not *Lead Level 2*) endorsement for observers deployed on pot CPs participating in BSAI groundfish fisheries. As opposed to a Lead Level 2 endorsement, the Level 2 endorsement only requires 60 data collection days, and expectations met on their last cruise (please see Table 2-1 from the [analysis](#) accompanying this action).

By requiring a **Level 2** observer, NMFS hopes to reduce the data deletions that commonly occur because of data collection errors in this fishery by first-time observers. With the fishery's small number of participants and short seasons, this data loss has led to substantial changes in the estimates of catch and bycatch, creating challenges in accurate management. NMFS is aware of the current challenge in obtaining Lead Level 2 observers, which is why we proposed this action to require the **Level 2** endorsement as a way to achieve higher data quality, while having as small of an impact as possible to the pool of Lead Level 2 observers.

At this time, the Council has submitted the proposed rule to NMFS for Secretarial review and we expect it to be published in the **Federal Register** shortly. My staff or I will let you know as soon as we hear, and I hope you will use this opportunity to provide public comment during the open period that will last for 30 days after its publishing. We will post status updates, including the publication information, on our [status of regulatory amendments website](#).

In regard to the Observer Program, all observer provider companies in the North Pacific are obligated to operate under the same federal regulations, regardless of which group(s) of vessels they currently place observers. Observers own their certifications, and may work for any provider, regardless of where the experience was gained. NMFS does not intercede in any business relationship between observer provider companies, including sub-contracting or observer recruitment. However, I am aware of ongoing discussions about current and future observer availability that you may be interested in. In response to a [motion](#) of the Council's Advisory Panel and public testimony during our February 2023 Council meeting, the Council added a topic on observer availability for discussion at the May 2023 Fishery Monitoring Advisory Committee (FMAC) meeting. [This](#) agenda item from the May 2023 FMAC meeting may provide you with the best contacts for this topic as these conversations move forward.



Thanks again for reaching out to me. We will stay in touch as these topics move forward.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jonathan M. Kurland', is positioned above the printed name.

Jonathan M. Kurland
Regional Administrator

cc: Gretchen Harrington, Sustainable Fisheries
cc: Jennifer Ferdinand, Fisheries Monitoring and Analysis