

April 7, 2002

David Benton, Chairman
North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, AK 99501

Dear Chairman Benton:

The Association for Professional Observers (APO) would like to thank NMFS and Council staff for the efforts that have gone into the Draft EA/RIR/IRFAA concerning proposed changes to the North Pacific Groundfish Observer Program (NPGOP). We feel that many of the proposals will have a positive effect on observers and the quality of their data. Below you will find our comments on some of the revised proposed alternatives.

The APO approves of Alternative 3, which would extend the current Groundfish Observer Program until December 31, 2007. We believe it will be necessary to set a sunset date in order to ensure that the program is reviewed in a timely manner. If Alternative 2 is approved we would like the Observer Program to be slated for review by a specific date.

Regarding Option 1 for Alternatives 2 and 3, we have the following comments:

- **Criminal Record:** The APO is in favor of making observers who have been convicted of a felony ineligible for certification (sub-option [i]).
- **Standards of Behavior:** The term "on duty" regarding the alcohol policy needs to be very clearly defined, and we would like observers to be able to take part in doing so. There are many different types of observer assignments, and it may be difficult to come up with a good definition. If this ends up being the case it may be simpler to instead require that observers not work or return to work if they would not meet the state's legal requirements for driving.
- **Grandfathering Provisions:** The changes to observer requirements are relatively minor, and the APO supports giving currently certified observers grandfather rights (sub-option [i]). Observer providers will be subject to more far-reaching changes and it is the APO's opinion that grandfather rights need not apply to them.
- **Fit for Duty:** The APO approves of the following definition of fit for duty: "Fully capable of performing all assigned duties, and, if the observer is sick or injured at the time of embarkation and there is access to a licensed health professional, having received clearance to work from a licensed health professional before deployment."
- **Observer Provider Reporting Requirements:** Regarding the issues that observer providers are required to report within 24 hours (i.e. harassment, standard of behavior problems), the APO would like to be able to review the expanded list of included situations that is to be provided by NMFS.
- **Applicant Interviews:** The APO approves of requiring observer providers to meet certain standards in the interview process and to furnish a NMFS-produced pamphlets to observer candidates (sub-option [iii]). We would like to see observers and observer providers should be included in the drafting process for the pamphlet.

The APO is strongly in favor of Option 2 for Alternatives 2 and 3, which would grant NMFS the authority to place staff and other qualified persons on fishing vessels and at processing plants.

Safety Considerations:

Certain areas of the observer safety-training curriculum are in need of improvement. Observer trainees take a thorough safety course during their first-time certification classes, but follow-up training for priors is far less than what is required of other divisions of NMFS such as Resource Assessment Conservation Engineering (RACE) and organizations such as the International Pacific Halibut Commission (IPHC).

For example:

The IPHC requires employees who work at sea to complete the NPVOA "Safety Equipment and Survival Procedures" class (8 hours) every two years. Course content includes in-water exercises with survival suit and life rafts, and hands-on training with signaling devices.

The RACE division of NMFS requires sea-going employees to complete the following:

- Remote Duty First Aid (12 hours) – every two years.
- First Aid Refresher (4 hours) – every two years.
- Oxygen Therapy (3 hours) – every five years.
- Survival at Sea (6 hours) – every five years.

The Pacific Drift Gillnet Program requires prior observers to take annual training that includes in-water survival suit practice.

In contrast, the NPGOP training for prior observers consists of a few hours of lecture time and the donning of survival suits in a classroom once a year. This disparity is especially striking considering the amount of time that observers typically spend at sea.

The NPGOP could, and should, upgrade its safety training for prior observers. This could be done cost-effectively, since there are staff members at both the Seattle and Anchorage training centers who are qualified to teach courses that have the content of AMSEA classes. By requiring a full safety-training day once every two years the Observer Program would bring its curriculum up to the standards of the IPHC. Until this happens, the NPGOP safety training for priors will continue to lag behind that of other programs.

We would greatly appreciate the Council's assistance in improving this situation.

Sincerely,

Irene Dorang
Executive Director

Cc: Dan Ito, Program Leader, Groundfish Observer Program
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Doug DeMaster, Science and Research Director