

October 15, 2001

Dr. Dan Ito
Task Leader
North Pacific Groundfish Observer Program
National Marine Fisheries Service
7600 Sand Point Way, NE
Seattle, WA 98115



P.O. Box 30167
Seattle, WA 98103

Dear Dr. Ito:

The Association for Professional Observers (APO) is an organization comprised of past and present observers who are interested in confronting issues that directly affect their living and working conditions on commercial fishing vessels in the Bering Sea and Gulf of Alaska. As certified North Pacific Groundfish Observers and members of the APO, the items highlighted in this letter were chosen based on interest and/or concern expressed by observers encountered in the field over the course of the past 6 years. The data collected by the Observer Program is inherently important in the management of the North Pacific Groundfish Stocks. Ensuring the integrity of the data and ultimately the safety of observers are some of the goals the APO wishes to address.

The APO has reviewed the Management Control Review of National Marine Fisheries Service Observer Programs / Service Delivery Model. We have specifically addressed issues concerning the Alaska Region North Pacific Groundfish Observer Program (GOP).

We would like the GOP to issue a status report of all recommendations and actions to date. If the deadlines are already past, please include an estimated timeline for when these will be completed. Listed below are a few of the issues that are of immediate concern to the APO. We have also offered suggestions or comments to help facilitate meeting the deadlines set by the Management Control Review panel.

Item B1 Recommendations (page 251)

- The GOP “should continue with the implementation of gear inventory and tracking system to keep track of gear.” We agree and also suggest maintaining a gear storage locker aboard the large factory vessels or all 100% coverage vessels and only require an observer to board with an immersion suit and certified scales. Observers, contractors, Alaska Airline personnel and the fishing industry have all supported this idea in the past.

Item B2 Recommendations (page 257)

- “Any changes to the Magnuson-Stevens Act (MSFMCA) needed to facilitate alternative funding sources should be initiated for inclusion in the Act’s next reauthorization.” (MCR)

1. One issue of major concern and that should be addressed is how will the observer be compensated for data collected for the Observer Program when the contractor defaults or goes bankrupt.
2. One possibility would be to require that contractors are bonded in order to be granted certification by NMFS, insuring payment to employees in the event of bankruptcy

Item C1 Recommendations (page 277)

- “As part of SDM restructuring, the NMFS should consider requiring a minimum level of experienced observers and create a consistent measure of experience.”
 1. One of the most essential elements to quality data collection and assurance of data integrity is the retention of experienced observers. The recommendations that the APO offers are that NMFS writes the following into the contractor certification regulations: (1) In any given year the contractor must retain a minimum of 65% prior observers with prior observers defined as individuals with a minimum of 100 field days. This idea is consistent with the current policies of the Alaska Department of Fish and Game Shellfish Observer Program.

Item C2 Recommendations (page 281)

- “The NMFS should initiate implementation of an SDM (Service Delivery Model) in which observer companies are responsible for the caliber of their recruits.”
 1. The APO agrees with this suggestion in order to maintain the high level of standards that are currently required for observers.
 2. Taking this a step further, an important point has been mentioned by members of the APO and stated in the MCR on page 235 that requires mentioning, is the lack of observer company performance reviews currently being conducted. “In the past, the OPO (Observer Program Office) has conducted annual performance reviews for each certified observer company. Currently, these structured reviews are not being done.”

The APO recognizes that this is an issue of concern since observers are held up to high standards and are required to go through the review process at the end of each contract in the field, for data quality and observer performance (i.e. were the minimum required job duties met). These observer reviews can happen several times in one year, yet the observer companies escape this scrutiny.

Item E1 Recommendations (page 298)

- “The OPO should document the procedures for responding to observer concerns about health or safety. These procedures should be distributed to observer companies, observers, fishing industry members....”
1. One of the most important issues facing groundfish observers is safety. The APO would like to reiterate that safety while performing our job duties is of primary concern while in the field. Of interest to many observers would be a document, distributed industry wide that lists the steps to take in situations where health and / or safety are compromised. This ensures that everyone is on the same page, so to speak, when safety issues arise.
 2. It has been suggested by observers on many occasions that NMFS implement a 1-hour safety lecture during trainings and 4-day briefings on “intangible” safety issues (i.e. poor fishing practices, vessel personnel falling asleep during “wheel watches”, poor water quality aboard vessel...). There has been little discussion in the past or it is not mentioned at all. Observers share many stories that involve situations of this nature. What we do in these situations is not consistent among observers and very few of us are reassured that we choose the most appropriate action.
 3. Require Maritime First Aid/CPR course for all observers.

Item G1 Recommendations (page 308-309)

- “The NMFS should establish the program’s mission, goals, and objectives.”
- “Program tasks and priorities should be reconsidered within the context of these goals and objectives.”
- “The goals and objectives should be reviewed and revised periodically.”

The APO agrees that in order for an organization to function efficiently and effectively, goals must be clearly defined and reviewed biennially at a minimum.

- “The NMFS should pursue actions which will reduce the impediments to random sampling on commercial fishing vessels.”

It has often been discussed and recommended by observers that NMFS should be able to develop vessel specific sampling guidelines to reduce sampling variation on the same vessels between different observers. While this is certainly not feasible for all commercial groundfish fishing vessels, it is so for a majority of the vessels. This could certainly reduce some variation in data collection, which in turn would provide a higher level of accuracy, something observers, NMFS and the fishing industry constantly strive to achieve.

Thank you for your time in addressing our concerns. Kim Rand will be available to answer any questions you may have regarding our request for information. She can be contacted at (206) 782-0618 or *kimberlyrand@aol.com*.

Sincerely,

Kimberly M. Rand
APO Member

Kimberly S. Dietrich
Executive Officer

Cc: Vicki Cornish (via email)

James Balsiger, Alaska Region (via email)

Nicole Kimball, North Pacific Fishery Management Council (via email)