

the Mail Buoy

A publication of the Association for Professional Observers
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UNION NEGOTIATIONS COMPLETE by Kim Dietrich

As of December 29, negotiations between the Alaska Fisherman’s Union (AFU) and the 5 certified contractors are complete. None of the contracts are actually signed yet but they will be soon. Once they are signed, you will receive a copy either through your contractor or directly from the AFU. If you don’t receive one, contact the AFU. The delay in signing is due to a “most favored nations” clause which allows the contractors to add or subtract things from their contract that the other contractors may or may not have included. We agreed to this clause so that we’d get an agreement quicker (i.e. less risk for the first one to sign). We didn’t want the first contractor who settled to end up in a position of economic disadvantage. The goal has never been to put anyone out of business. The clause has not necessarily been beneficial to our cause but we felt it was a necessary evil of the process.

The 4 contracts differ in a few ways; overall, the economic package is almost equal. Table 1 (p. 2) is a summary comparing the 4 contracts. Frank Orth will not be deploying any observers in AK during A-season. If FOA is your contractor, please contact one of the others.

Paying dues to be an AFU member or submitting an agency fee is a condition for rehire in all four contracts. For example, if you don’t pay your dues, you cannot be rehired for another contract.

What should observers do now?

- ⇒ Notify the AFU and/or the APO regarding your work plans. Are you working now? We also need to know how to contact you (name, address, phone, email). A place where we can leave a message is fine.
- ⇒ Dues are \$120. They are not officially due until 30 days after you’ve worked under the union contract but you can pay them any time. AOI observers will be given a release to sign so that dues can be taken directly from your paycheck and forwarded to the AFU. All other observers will receive a card stating

where to send dues. This card will be distributed either by your contractor or by the AFU.

- ⇒ Your contractor will most likely have you sign a contract addendum which will include the duration of your employment. This addendum is NOT the contract. You are obligated to the contract the AFU has negotiated for you.
 - ⇒ If you have comments, ideas or complaints about the contract, let the AFU and/or APO know. **You are the Union.** The union is only as good as its members. We want to establish a new set of goals for next years round of negotiations, but you need to tell us what you want & need.
 - ⇒ Let your contractor know what you like & dislike about the contract. Throughout this process, we have tried to include as many people as possible and incorporate your ideas into all stages of the unionization process. However, even after our overwhelming vote to unionize, many contractors are still under the impression that this has been only a personal crusade of a few individuals. Let them know you are aware, have an opinion and will support your union for the coming year.
- (Continued on page 4)*

Inside this issue

Union Negotiations Complete.....	1
Are the Contracts Good Enough-Editorial.....	4
Say Hallelujah! Editorial.....	5
Groundtruth: Science as a Vendor Activity-Editorial.....	5
1998 Observer Program Update.....	6
OAC Meeting Summary.....	7
Dec. Council Meeting.....	10
JPA - Editorial.....	10
IR/IU Summary.....	11
Job Opportunities.....	12
Misc. Notes & Tidbits.....	13

- ⇒ If you have any problems with your contract, follow the grievance procedure. First, talk to your supervisor (I.e. field personnel). Second, talk to your contractors main office. Third, alert Mark Coles at the AFU. He

is available to intervene and mediate problems before they get out of control.

⇒ If you encounter harassment during the season, try to deflect it to AFU/APO as much as possible. If you're feeling threatened in any way, contact one of the NMFS Observer Program offices (in Seattle, talk to Shannon Fitzgerald or Becky Renko), contact NMFS Enforcement locally if you are in Kodiak, Dutch Harbor or call the main office and speak to Todd Dubois at 907-486-3298, call your contractor and call the AFU at 206-441-3425. We need to know about these situations. Document the incident(s) in your logbook. This situation is not ideal but remind yourself and other fishers that you and your job are worth far more than what we've been able to negotiate. After all our efforts, observers are still paid approximately 30% less than a government biologist with the same experience. See *Mail Buoy* issues for the past year for more detail regarding the history of our efforts.

⇒ It's okay to discuss elements of the contract with industry if you are asked. Be very careful about discussing the AFU, union issues in general, and do not suggest unionization to industry. Your contract reads, "Employees agree not to engage in political activities or union organizing in the work place while employed as an observer."

The next *Mail Buoy* will have more information regarding the union. However, feel free to call Mark sooner if you have questions.

ARE THE CONTRACTS GOOD ENOUGH?

Editorial by Teresa Turk

The APO and the Alaska Fishermen's Union (AFU) have been working exhaustively to bargain an observer contract with the five certified contractors for 1998. These negotiations have been tough, tenuous affairs with stubborn persistence demonstrated on all sides. At the sunset of the first agreement, I am concerned that these hard won contracts may not correct all the problems of the observers.

When I began this quest-2 ½ years ago, it was because I witnessed a great deal of contractor abuse-7 observers sitting at a bunkhouse in Kodiak for over 10 days not being paid a dime-waiting on **their** contractor to find **them** a boat. They had not been told this could happen to them. In fact a few of these 7 observers were fresh out of training (3 weeks of unpaid work) and still had not earned any money but had to invest in a plane ticket to Seattle, all for the privilege of counting fish in the middle of Alaska. Once observers were finally able to board a vessel and start earning a small wage (\$70-80/day) their enthusiasm and commitment to hard work were shaken. They could have stayed home in Iowa or elsewhere, made a better wage, and continued on with their life. When their 3 months were up, most observers went back to Iowa or wherever home was and didn't come back-annually about 40% never return again. Those that did return, only hung around until they too, became

disenchanted or could no longer pretend to have pride in their work-about 30% only have 1-2 contracts under their belt.

A few of us began the long road to making sure these kinds of abuses were stopped. We had no union experience among us and frankly were apprehensive about approaching a union. Although I had some previous experience in organizing different sectors of the women's movement and other similar civil rights agendas, I had zero background with labor law, labor procedures or unions.

One of the many critical connections to our success has been working with Mark Coles, President of the Alaska Fishermen's Union. Mark was willing to take a chance with us when other unions wouldn't. We all knew it would be a tough battle-winning 5 elections and possibly negotiating 5 contracts plus all these different governing bodies-NMFS, ADFG, Council and others. His hard work and the resources of the AFU/Seafarers made this possible.

I am happy to say, I think we have ensured that these kinds of abuses will not occur or will be minimal for the coming year. Observers will get a fair deal and not be left unpaid for weeks at a time. Observers will be paid for training, days between boats, rain gear for priors as well as other forms of compensation. Yet it is the hard to quantify things that I am concerned about-observer morale, data quality, and data quantity. Will these contracts provide the motivation for the observer corps to overnight behave as professionals? Will this new era of observer representation by a Union and at the Council instill pride in being an observer? Will you not hide your blue baskets, observer jacket or delete the fact that you are an observer in conversations? Will you exercise your unique voice to the Council, to NMFS? And will you continue to go sample that haul the random sampling table calls for even though you are tired, the seas are bouncy and it is 3 in the morning? I hope so. For me that has been what this process was all about.

Certainly the 1998 contract is not ideal, we are still about 30% below what a federal fisheries biologist with the same experience would be earning. But this was a good start. The union negotiated gains were modest-about 20-30% increase in direct wages but the other forms of compensation were significant-rain gear, reimbursed meal expenses, training, briefing and debriefing pay. We have also tried to address data quality issues by requesting an observer work station and some qualifications for plant observer housing. We feel that NMFS should have implemented these provisions by regulation years ago. We still have a long way to go and need more help to keep this process alive. The AFU will be closely monitoring contractors' compliance with the Union agreement. If there is a problem with some aspect of the contract, let us know. Perhaps we overlooked it or the contractors were not bending on a particular issue. When we start to renegotiate for the 1999 season, we will push to close that loophole or work on an alternative approach to that problem. If you are unhappy with the way the contracts turned out, then help us fix them for 1999. The more help we get from you the better the contracts will be.

This past year of organizing ourselves has been fascinating, affirming in conviction and in some cases disappointing. My frustration has stemmed from many contractors not valuing their employees demonstrated by some of the comments about observers during these negotiations. In the past some contractors said it was the system that drove them to slide past the rules. Yet when the opportunity for the contractors to form their own association and bargain collectively, they would not come together. Having to bargain with 5 different companies with 5 different ways of doing business was very taxing by design. I believe that in some cases this was the strategy of some contractors all along—wear down the Union and the observers and call their bluff. I hope in the coming year, these contractors will sit back and reevaluate their business strategy to recognize the significant contribution made by observers as stewards of the resource, as great employees and as the exciting and diverse group of people they are. Thank you all for your support—without your dedication, perseverance and trust we would not have been successful.

SAY HALLELUJAH!
Editorial by Bill Monheimer

I just got back from a pitcher tiltin' longline season to find Kim & Teresa announcing that agreements had been reached with all five contractors. A standing ovation is due to our lead negotiator, Mark Coles, President of the AFU as well as Kim & Teresa who assisted Mark. This was no small task—four simultaneous negotiations with some very hard nosed people.

This is a great win for the AFU and the APO, but lets not kid ourselves. The fishing industry will never tire of trying to put observers back in their place. Probably the only thing the Council can agree on is their desire to keep observer expenses to a minimum. The Council can get pretty creative when it comes to sticking it to observers. So it's important that the APO maintain a presence on the Advisory Panel and at all the Council meetings.

What kind of potential does APO have? These new contracts prove APO has negotiating power. But why limit ourselves to dealing with just our employers. As an association we *may* be able to buy into a health insurance plan, maybe with pretax money. As an association we *may* be able to set up a retirement fund, again possibly with pretax dollars. These are two issues which need to be researched. There's a whole lot of good we can do for ourselves, but it's going to take someone dedicating a lot of time. The point I'm driving at is that the APO needs a staff person. One person could probably cover it. Of course, what I'm really driving at is we need money. Yes, we're already paying \$120/year to the AFU, but did you know that the dues could have been up to \$225/yr. Mark reduced the dues because he knows that 1) he's already too busy to take on APO duties and 2) the observer business is difficult to understand without firsthand experience. The APO is a separate entity that's affiliated with the AFU. We need an APO-dedicated staff person.

I'm told there were approximately 35,000 observer days last year. If we imposed a \$1.25/day tax on ourselves we could raise around \$45,000. This could be used to cover a salary, travel expenses when our staffer attends Council meetings, the *Mail Buoy*, etc...

On another note, let's not forget that the "P" in APO stands for Professional. Being professional means that regardless of how we're treated by the Council and the fishing industry, when we get on a boat, we must maintain our objectivity and do a fair, honest job. I'd also like to remind all of us, including myself, that being professional means no inappropriate behavior (i.e. excessive drinking) in the bars while waiting for your boat to go fishing, no missing airplanes, no soliciting industry jobs or becoming too 'friendly' with crewmembers. We've crammed the "Professional Observer" line down industry's collective throat so we had better act the part. When one of us screws up, you screw up for all of us.

I'm happy-ecstatic even-with the agreements. But, I want to put the industry on notice. I'm not satisfied and you shouldn't be satisfied either until observer compensation tops out at \$200/day. That would be a fair wage for a professional in Alaskan waters.

GROUNDTRUTH: Science as a Vendor Activity
by Tom Carrels

A lot of hard work went into the recent and successful effort to unionize Groundfish & Shellfish Observers. Some Observers may be unaware of what led to this (just as many are not thrilled it was necessary). The truth is that observers, working under the obligations of scientific professionalism, serve the profit-making interest of industry. We keep this industry afloat in fish. WATCH OUT for industry appreciates Observers about as much as it does the free fish it receives. The reason unionization was necessary is because Observers are meaningfully supported by no one; not industry, not the National Marine Fisheries Service (NMFS), nor even by our employers. Described below is a situation very likely to reoccur, for this fishery is badly overcapitalized. As happened, fishers may abruptly opt to go bankrupt and go fishing for pollock in Russian waters. Observers must remain committed to keeping the union intact, even if this means personal sacrifice. The union counterbalances the weighty interests serving themselves.

You won't be the first Observer to assume unnecessary risk and outright loss. From January to June of 1993, for example, twenty-plus Observers went unpaid to the tune of \$150,000. This occurred when several groundfish permit holders failed to pay Arctic Observer Corporation (AOC), leading to the nonpayment of the low totem on the pole—Observers. At-sea and working like fools, I'm proud to tell you, Observers kept course. In collecting high-quality data, Observers never wavered for a moment. Sadly, we seemed to be the only party performing as agreed.

The NMFS Observer Program, observer contractors, and fisher permit holders also agreed to specific duties. NMFS agreed to oversee Contractor (and Observer) certification. Contractors agreed to compensate Observers. Industry agreed to fund Observer coverage. In March of 1993, I learned that AOC—certified the entire time by NMFS—was quitting business. Subsequently, I learned AOC informed NMFS they were out-of-business on July 12. On July 28, NMFS wrote AOC that they were temporarily decertified: “based upon adequate evidence that AOC has failed to satisfactorily perform the responsibilities of an observer contractor...” The inaction of NMFS in not decertifying AOC long before they did allowed AOC to essentially loan observer coverage to permit holders. This gave economic advantage to AOC (while it lasted) and their clients, to the detriment of Observers and other rule-abiding fishers and Contractors. It further might be construed as an AOC investment and financial interest in a fishing operation. NMFS retained and utilized Observer data. Arguably, this data is Contractor property. The government is prohibited from “taking” private property to permit or facilitate uniquely public function. NMFS acted throughout this situation to continue our deployments by conducting mid-cruise debriefings, demanding weekly reports, and providing gear; enhancing “investment-backed expectations” by both Contractors and Observers. Contractors are still vulnerable to nonpayment by industry which could again affect observer compensation.

As scientists, Observers must take a stand on data integrity. As well, we must not tolerate being mistreated by NMFS, Contractors or fishery permit holders. The Observer union offers us a means for reacting to such effects. Be vigilant in documenting all harassment, all post-cruise medical problems resulting from deployment and the effects of a privatized management scenario on data quality. Think hard and long about this Observers rightly feel an obligation to good science and each other. Ask NMFS the proper procedure for reacting to Contractor mistreatment. Report all situations which affect you or your data negatively. We are crucial to the integrity of the North Pacific ecosystem. If need be, let NMFS and industry try to carry on without Observers. Our absence won't last long for we are the biological maintenance crew of this fishery. It would be like going to sea without an engineer.

STAND TOGETHER - WORK HARD - BE WELL!

The North Pacific Groundfish Observer Program in 1998

Bill Karp, Task Leader,
North Pacific Groundfish Observer Program

Kim Dietrich from the Association for Professional Observers asked me to write something about the new program organizational structure for the December newsletter. I thought I would take advantage of this opportunity to bring observers and program staff members up to speed on changes that are currently underway, and some of our plans for 1998.

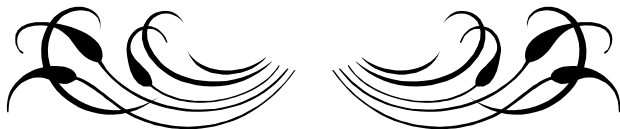
We now have two subtask leaders who report directly to me. Shannon Fitzgerald is responsible for observer services. This includes training, briefing, debriefing, and field office support. Martin Loefflad is responsible for information systems and other program support functions including safety and sampling gear, and administrative support. During 1998, Shannon will be concentrating on reviewing the program's training, briefing, and debriefing activities and making improvements in these functions. He and his staff, together with staff from the Observer Training Center in Anchorage, have already spent a considerable amount of time preparing for 1998 trainings and briefings. They have been focusing on several important issues including procedures for improving species composition sampling methods. Sarah Gaichas, the program's statistician, has played a lead role in developing teaching materials on sampling theory and practice, and in training observer trainers in these concepts. I expect that, in 1998, observers will be better prepared to collect random samples and document impediments to random sampling that they encounter.

Substantial improvements in our information systems were implemented by Martin and his staff in 1997 and further improvements are planned for 1998. Electronic reporting will be implemented in all fisheries by the end of 1998, this will provide us with an improved ability to solve problems which observers encounter at sea and allow us to streamline the debriefing process.

The final rule implementing the North Pacific Fishery Management Council's expanded Community Development Quota (CDQ) program should be published early in 1998 but, at this point, a date for implementation of the program has not been established. Under this program, 7.5% of all allocated groundfish species (together with proportional PSC limits) will be made available to CDQ groups. This program will require additional observer coverage and some changes in observer duties. As is the case with the current pollock CDQ program, most expanded CDQ vessels will carry two observers. We will establish qualifications and training requirements for these observers early next year.

You are all probably aware that NMFS is working with Pacific States Marine Fisheries Commission (PSMFC) to establish a JPA (Joint Project Agreement) for provision of observer services. Under this modified pay-as-you-go system, fishing companies would notify PSMFC of observer requirements. PSMFC would contract with observer companies to deploy observers, collect payments from fishing companies, and pay observer contractors for coverage provided. The North Pacific Fishery Management Council is scheduled to take preliminary action on this new program at its December, 1997 meeting. Final action is scheduled for February, 1998 with implementation on January 1999. We will have more information on this process after the December Council meeting.

This year has been successful because we have so many excellent observers and staff members. I feel confident that the changes planned for 1998 will serve only to strengthen the program and make it more effective. Thanks to all of you for your dedication and hard work in 1997.



<p align="center"><u>OBSERVER ADVISORY COMMITTEE</u> <u>Meets--Nov. 24, 1997</u> (excerpts from OAC minutes to the Council)</p>
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The OAC met on Nov. 24 to review the progress of the Joint Partnership Agreement (JPA) between NMFS and Pacific States Marine Fisheries Commission (PSMFC). At this time we were presented with an EA/RIR for the JPA structure. Of the 3 JPA options previously presented, only one, Alternative 3, was reviewed in the EA/RIR. See Tables 2-3, pp. 8-9 for a brief summary of this alternative.

After much discussion the OAC voted 8-1 on a motion to “recommend approval and development of JPA Alternative 3, with Option 3 regarding assignment of work, for ASAP implementation for the groundfish fisheries, and that development of a blended fee plan begin concurrently, recognizing that separate approval would be required and that implementation may not be concurrent. This blended fee plan would be limited to a 2% cap, with supplemental observer coverage being potentially available through the PSMFC for programs such as CDQs, IFQs or VBAs (this would need to be explicitly defined). Crab fisheries inclusion in the fee plan would be optional, pending implementation of their

cost recovery plan. The OAC recommends that a TAC-based cost recovery mechanism (similar to the State’s proposed BSAI crab plan) also be explored for groundfish.”

Other Discussion Points:

- **Disproportionate cost issue:** Regarding cost as a percentage of gross, the OAC was presented with updated projections which incorporate new assumptions on observer costs. These projections indicate that the cost as a percentage of gross will be very high for many operations. The OAC would like to see a further break-down by specific fishery. This will allow further resolution of which fisheries and which fishermen will be most impacted.
- **Conflict of interest issue** and whether it would be fully resolved by having the PSMFC as the sole observer source. Response is that 1) PSMFC is not a private, for profit business; 2) there is no optional place for industry to get an observer, so the ‘leverage factor’ is eliminated; and 3) there’s not a negotiation process, it’s a bid process.
- **Observer compensation:** The context of this point is how the PSMFC would deal with compensation barring a negotiated settlement, or in the presence of non-union contractors. It is clarified that the Service Contract Act would NOT apply. Establishing a minimum salary at this time is not envisioned by PSMFC. Rather, that would be dealt with via the review of bids, stipulations for minimum % of prior observers, or other means.
- **Science vs. Compliance:** The OAC feels that under any program structure an attempt should be made to separate observer compliance monitoring duties from basic scientific information collection. While these are difficult to separate in many cases, such an analysis may help in future determinations of optimal distribution of observer coverage.
- **Efficient placement of observers:** The OAC is still concerned that the JPA arrangement, which will assign modules of observer coverage (i.e. by fishery) may not allow for optimum cost efficiency. The current system allows for industry to make efficient use of observers, particularly among 30% vessels. Modules may also encourage overall fixed costs being frontloaded into bids submitted by contractors. The issue of observer specialization is also integrally related to this issue-cross trained observers would obviously facilitate flexibility and efficiency.
- **Criteria for grading observers:** The OAC discussions reflect a desire by industry to participate in future development of these criteria. It is recognized by NMFS and the PSMFC that this will need to be resolved in the final details of the JPA arrangement.

COUNCIL GIVES ANOTHER “GO AHEAD” TO DEVELOPMENT OF THE JPA by Teresa Turk

At the December 8-12 North Pacific Fisheries Management Council (Council) meeting in Anchorage, the Council voted unanimously to direct NMFS and Pacific States Marine Fisheries Commission (PSMFC) to continue developing the Joint Partnership Agreement (JPA) and send the EA/RIR out for public comment. This action flies in the face of the discussion and subsequent vote (18-1) by the Advisory Panel (AP) to have the Research Plan (RP) and the JPA be compared side by side in future analysis in the EA/RIR before taking final action. Bill Karp testified that to resurrect the RP for discussion and inclusion in an EA/RIR, would take the agency at least a year. Final action on the JPA is scheduled for the next Council meeting in February.

Much of the public testimony and AP's discussion centered on the cost equalization issue that is not addressed under the JPA. If the JPA is approved as is, there is no linkage to an alternative funding mechanism that was covered under the RP. The RP included a fee based system which assessed a 2% fee based on retained catch to each user of the North Pacific resource. Although the intention of the OAC and many proponents of the JPA stated they are committed to approving a fee as in the RP as the funding vehicle, many small boat representatives and others are skeptical of the RP's passage. As many of you remember, 2 ½ years ago, the Council voted 6-5 to defeat passage of the RP. The only thing different now is that observers are unionized and are the engine behind these new discussions.

As your representative on the AP, I was the lone “yes” vote on the AP to send the JPA forward. I voted to send the JPA forward because linking this plan to the RP would have delayed implementation until 2000 or possibly longer. Even if the Council stays on the fast track, the JPA will not be implemented until 1999. How long have we already been waiting for a fix? 8 years and counting! Many issues the AFU/APO have attempted to address through a union negotiated contract have fallen short due to legal constraints and contractor obstruction. NMFS/PSMFC can provide a much more formidable structure than the present system. The JPA still contains many unknowns that affect observers and we should be vigilant to ensure that all loopholes are plugged and the goal of a professional observer corps remains. Observers and the APO must continue to provide copious amounts of input, information and positive suggestions for amending this program. The squeaky wheel gets the grease. You are now free in 1998 to voice your opinion without contractor backlash.

As I have said many times over, I believe in the goals of the RP and without its passage the small boat fleet will continue to carry the heaviest financial burden. The

current situation is unfair and should be changed. The flip side of this argument is the small boat fleet did not support observers when the RP was before the Council for final approval in September 1995. We needed them then. If the RP had been passed, there would have been no Union and we would have been making a much better wage for the past 2 years. The delay of the RP has many other implications that do not directly affect observers. One example is that by not having a fee based system in place, NMFS has been unable to redirect observer effort that impacts the confidence levels of stock assessment and population estimates of the groundfish resource.

If the Council truly intends to revive, or resurrect, the Research Plan from the dead, it would behoove them to be foresighted in their efforts to optimize future management strategies. In the past, the Council has thrown observers at every new problem on the horizon-observers were cheap and accessible. Things have changed and observer salaries and other associated cost will continue to increase just like every other expense for a business. As has been proposed by Kim Dietrich in the past, the Council and NMFS should take this opportunity to amend the RP where fees will be based on 2% of the ex-vessel value of total catch rather than only retained catch as the current RP reads. This action would be courageous, demonstrate a commitment to following the Magnuson-Stevens Act, eliminate the need for yet another ridiculous program-the Vessel Bycatch Allocation (VBA), reduce observer cost, and provide an incentive for reducing bycatch. One of my goals for 1998 is to propose and gain passage of a “new” RP described above. If you have other ideas and suggestions, please contact me-I am your representative. Thank you for your letters of support in my reappointment for 1998.

**THE THIRD PARTY CONCEPT-
ONE OBSERVER'S OPINION**
by Mike Todd

The first time I heard of the third party plan was two years ago at the September, 1995, Council meeting in Seattle. The plan, now called a Joint Partnership Agreement (JPA), was introduced to the Council to delay and ultimately stop the implementation of the Research Plan. There are many reasons why I think the JPA is a bad idea.

There are approximately 18 staff members working for the 5 existing contractors as owners, general managers, logistics managers, field coordinators, and secretaries. Most, if not all, of these people have more than 5 years experience working directly with the North Pacific observer programs. The regulatory impact review published by NMFS, PSMFC, and NPFMC, suggests that PSMFC could hire 6 new people to do the job it now takes 18 highly experienced people to perform. Even if

PSMFC, located in Gladstone, OR, hired 12 people I don't think they could deploy observers as efficiently as the existing contractors. If PSMFC did hire enough people to make an honest attempt to deploy observers who's going to pay for it, the observers? Not if the APO and the Alaska Fisherman's Union can help it. That leaves the industry to foot the bill.

My last and most important reason for opposing the JPA is that I don't believe there is a conflict of interest problem. To my knowledge no contractor has ever been investigated for providing observers who alter their data or observers who intentionally collect biased data in exchange for a vessels' business? I have never heard of this happening and I don't think they could get away with it. Observers and crew spend long periods of time on small boats and small islands; there are no secrets. NMFS already has the power to remove any conflict of interest by revoking the certification of any contractor stupid enough to cross over to the dark side. If the JPA is implemented it will cost the industry more money, put some contractor staff out of work, and create an inefficient system. The JPA is a solution to a non-problem.

[Editor's Note: Data manipulation by the vessel can occur under any system. Vessel personnel can still bribe an observer or harass them to the point that they only sample certain tows.]

Improved Retention/Improved Utilization (IR/IU) Program for BSAI Pollock and Pacific Cod to Begin in January
by Mike Sloan (w/permission from MT2C newsletter)

The National Marine Fisheries Service (NMFS) Alaska Region is implementing new regulations requiring fishermen to retain all pollock and Pacific cod caught during open fisheries in the Bering Sea and Aleutian Islands (BSAI) management area beginning on January 3, 1998. The IR/IU regulations also specify that processors must meet a 15 percent minimum utilization standard guideline for IR/IU species during open fisheries. These standards will also apply to yellowfin sole and rock

sole in the year 2003. The IR/IU regulations will not eliminate waste of pollock and Pacific cod completely, since the current maximum retainable bycatch (MRB) standards may limit retention during periods in which these fisheries are closed to directed fishing. No retention of an IR/IU species would be allowed in the event that NMFS changes the IR/IU species to "prohibited status" to prevent exceeding the Total Allowable Catch (TAC) for that species. The following table (#4) specifies the retention standards for BSAI pollock and Pacific cod which begin on January 3, 1998.

Processors which catch or receive BSAI pollock and Pacific cod will be required to produce and retain a total product weight of each IR/IU species that is at least 15 percent of the total catch weight for that species during open fisheries. During closed fisheries, processors will be required to produce and retain a total product weight of each IR/IU species that is at least 15 percent of the total catch weight for that species or at least 15 percent of the total MRB, whichever is less. Currently the MRB is 20 percent for pollock and Pacific cod during periods when these species are closed to directed fishing. The following table (#5) illustrates the minimum utilization requirements for processors which catch or receive pollock and/or Pacific cod from the BSAI. The published Final Rule for this new regulation mentions that processors are required to produce a primary product from "every fish" brought onboard that is an IR/IU-managed species during the open fishery. The IR/IU regulations do not require processors to process or retain previously caught fish as a result of fishing or retrieval of lost gear. There are no provisions in the IR/IU regulations allowing fishermen to release IR/IU species prior to being brought onboard, so there is no authorization for trawlers to "bleed" codends for safety purposes or for longliners to shake IR/IU species from their lines. There are also no provisions for processors to discard damaged or diseased IR/IU fish, and processors without fishmeal plants may find that producing products from these fish is difficult or impossible. Concerns about the enforceability of the IR/IU regulations is the primary reason for the strict retention and utilization policies, since it is much easier to enforce regulations without these types of exceptions. Processors which find it necessary to discard an IR/IU species must log this in the NMFS Daily Cumulative Production Logbook (DCPL) along with the circumstances surrounding

Table 4 - IR/IU

If you own or operate a	Are	You must retain on board until lawful transfer
(G) Catcher vessel	(A) Directed fishing for an IFIU species is open (B) Directed fishing for an IFIU species is prohibited	all fish of that species brought on board the vessel all fish of that species brought on board the vessel up to the MRB amount for that species.
(H) Catcher/processor	(C) Retention of an IFIU species is prohibited (A) Directed fishing for an IFIU species is open (B) Directed fishing for an IFIU species is prohibited	no fish of that species. a primary product from all fish of that species brought on board the vessel. a primary product from all fish of that species brought on board the vessel up to the point that the round-weight equivalent of primary products on board equals the MRB amount for that species.
(I) Mothership	(C) Retention of an IFIU species is prohibited (A) Directed fishing for an IFIU species is open (B) Directed fishing for an IFIU species is prohibited (C) Retention of an IFIU species is prohibited	no fish or product of that species a primary product from all fish of that species brought on board the vessel. a primary product from all fish of that species brought on board the vessel up to the point that the round-weight equivalent of primary products on board equals the MRB amount for that species. no fish or product of that species.

Table 5 - IR/IU

IFIU species	When your total weight of retained or lawfully transferred products produced from your catch exceeds that IFIU species during a fishing trip must
(1) directed fishing for an IFIU species is open.	equal or exceed 15 percent of the round-weight catch or round-weight delivery of that species during the fishing trip.
(2) directed fishing for an IFIU species is prohibited.	equal or exceed 15 percent of the round-weight catch or round-weight delivery of that species during the fishing trip or 15 percent of the MRB amount for that species, whichever is lower.
(3) retention of an IFIU species is prohibited,	equal zero.

the discards. The new regulations will implement IR/IU standards for yellowfin sole and rock sole in the year 2003, and this five year delay is designed to allow the fishing industry time to improve selective fishing techniques and develop markets for these species. In 1996, the Alaska fishing industry discarded 77,043 metric tons of pollock, 28,659 metric tons of Pacific cod, 28,182 metric tons of yellowfin sole, and 27,119 metric tons of rock sole. It is uncertain how far discards of these species will be reduced under IR/IU management, but this regulation should help keep discards to a minimum. NMFS does not have the authority to impose these regulations on shoreside processors, but the State of Alaska will be implementing an identical set of regulations for this processing sector. Please contact NMFS for a complete copy of these new regulations, and shoreside processors may contact the Alaska Department of Fish and Game (ADF&G) for IR/IU regulations.

board commercial fishing vessels from Maine to North Carolina. Observer duties will include, but not be limited to, collection of trip, vessel and gear characteristics, catch (kept and discarded), environmental conditions, marine mammal sightings and biological information. Observers will be required to conduct at-sea fish and marine mammal dissections for the collection of biological samples.

Observer candidates will be selected based on education, work experience and knowledge of fish, marine mammals and sea turtles. Candidates must attend a 3 week training course to be held near Woods Hole, MA starting in mid January, 1998. Candidates will be tested and certified if successful. Certified Observers will be hired by contractors providing observer services to the Northeast Fisheries Science Center.

Current CPR/First Aid certification is required prior to attending training.

Contact: Professional and Technical Services, Inc.
18 Koger Center, Suite 203
Norfolk, VA 23502
Phone: (757) 461-6447
Fax: (757) 466-8721

For further information contact Dennis C. Hansford:
dennis.hansford@noaa.gov or (508) 495-2383

JOB OPPORTUNITIES

The **Northeast Fisheries Science Center**, NMFS is seeking individuals to serve as Certified **Observers** on

VOLUNTEER SEABIRD RESEARCH ASSISTANTS (5-6) needed for spring/summer

1998 on Southeast Farallon Island. RA duties include censusing and monitoring seabird and marine mammal populations, conducting demographic investigations on cormorants, gulls, and alcids, and conducting feeding ecology studies on alcids. RAs also contribute to the upkeep and maintenance of the research station. RAs will work full-time, 7 days a week, with a variable schedule that includes long days and night work. Applicants should enjoy working independently with a high level of responsibility in field work and data entry as well as working frequently with a partner or team. Preference will be given to applicants with a degree in biology or related field and prior ecological research experience. Enthusiasm for field work in windy, cold conditions essential. The ability to coexist on a small, isolated island with gulls and humans important. Positions available 15 March through 23 August with a minimum 8 week commitment. We provide great food and island housing. Transportation to boat in San Francisco not provided. Please send a cover letter explaining interests and dates of availability, resume, and names and phone numbers of 3 references to Kelly Hastings/Michelle Hester, Farallon Biologists, Point Reyes Bird Observatory, 4990 Shoreline Hwy., Stinson Beach, CA 94970. Applications accepted until December 31st; please apply early as positions fill quickly.

Two new job opportunities in the Department of Plants and Invertebrates at the Charles Darwin Research Station, Galapagos. The Charles Darwin Research Station seeks applications from qualified individuals for two new positions in the Dept of Plants and Invertebrates. One position is to work primarily on the program Ecology and Conservation of Native Plants, while the other is for the program of Ecology and Control of Introduced Plants. Depending on their experience, one of the appointees may also be given responsibility for management of the CDRS Herbarium.

Research Associate in the Ecology and Conservation of Native Plants. Precise terms of reference for this post will depend on the qualifications and experience of the person appointed. Major projects within the program include: ecology and conservation of the threatened endemic flora of Santiago Island; long-term monitoring of vegetation change associated with the presence of introduced herbivores, and of regeneration following the control of such animals. The appointee may also have the opportunity to work on other projects within the program and will be expected to assist in program expansion by developing and writing project proposals. Duties

will include research, conservation planning, project management, supervision of students, report and proposal writing, collaboration with other departments of CDRS and with the Galapagos National Park Service. Qualifications: Minimum essential qualifications include a first degree in a subject relevant to the post, with substantial experience in plant ecology and identification. Experience of herbarium management would be useful, as would knowledge of the Galapagos flora and of database management.

Research Associate in the Ecology and Control of Introduced Plants. The introduced plants program consists of studies of the distribution of introduced species, ecological effects of the worst invaders on the native vegetation communities, research into methods of control, and collaboration with the national park service and others in developing control campaigns. Current projects include a series of trials of control methods for the most serious invaders, a study of the effects of invasion by *Cinchona succirubra* (quinine) on native plants of the highlands of Santa Cruz Island, and development of a control manual for use by the national park service and private individuals. The appointee will be expected to continue these projects and to develop others, including the preparation of project proposals. Duties will include research, conservation planning, project management, supervision of students, report writing, collaboration with other departments of CDRS and with the Galapagos National Park Service. Qualifications: Essential qualifications include at least a first degree in a subject relevant to the post, with substantial experience in plant ecology, experimental design, and weed control techniques. Knowledge of the Galapagos flora would be useful, as would experience of herbarium management. General qualifications and conditions for both posts. Applicants must be fluent in either English or Spanish, with good knowledge of the other language. They must be physically fit, and prepared to spend long periods working in the field under difficult conditions. They should be committed to research for conservation of the Galapagos. The salary and level of appointment will depend on the qualifications and experience of the appointee.

Application procedure
Applications should be sent to Dr Alan Tye, Head of Department of Plants and Invertebrates, CDRS, Casilla 17-01-3891, Quito, Ecuador. Applications by email are preferred, and should be sent to atyefcdarwin.org.

Applicants should state for which post(s) they wish to be considered. They should send a curriculum vitae and letter explaining their interest in and

suitability for the post, a publications list, and names, addresses and email addresses or fax numbers of three referees. Applications must be received at CDRS by 6 February 1998; note that ordinary mail from outside Ecuador can take 3 weeks to reach Galapagos.

Leader of the Eradication Program Galapagos National Park Service / Charles Darwin Research Station.

The Galapagos National Park Service (GNPS) and the Charles Darwin Research Station (CDRS) need a Leader for their Eradication Program (LEP). The objective of this program is the eradication of introduced mammals in the Galapagos Islands. At present, the GNPS has projects to eradicate goats and donkeys on Isabela Island (northern part), goats from Pinta Island, and pigs from Santiago Island. The LEP, a new non-governmental position in the GNPS, will be responsible for those projects under a new eradication program. The work on Isabela and Pinta is incorporated within the Isabela Project, a bi-institutional project between the GNPS and the CDRS. The objective of this long-term project is the restoration of Isabela Island, with its ecological and evolutionary processes, to conditions as close as possible to pristine. The project has components of research, management, education, social aspects, public relations, and fund-raising, among others. The LEP will be responsible for the operations of the GNPS within the Plan for the Eradication of Ungulates from Northern Isabela, which has a strong component of training. This plan was developed during an international workshop about Isabela held in September 1997 with experts in eradication. The LEP will work for the GNPS, under the supervision of the GNPS Director, and in collaboration with the Coordinator of the Isabela Project (CIP), who works for both institutions, the GNPS and the CDRS. The LEP will be in charge of the management of the operations of the GNPS within the Eradication Plan, including the planning and undertaking of field work; data management and interpretation; coordination of operations with major contractors; and training, management, and supervision of personnel. The LEP will work with the CIP in the search for financing and the operational and financial administration of the program.

Applicants for the position of LEP should have wide experience in natural resource management in the field, the management and interpretation of data, and the management of projects and personnel. Preferably, applicants should have post-graduate education in Natural Resources or related subjects. Applicants should have good speaking, writing, and reading ability in both Spanish and English; should demonstrate leadership and the

ability to work in teams and with people of different cultures and education levels. The contract will be for 2 years with possibilities for extension. The plan for the eradication of goats from northern Isabela has a schedule of a minimum of 4 years. The position will be available in April 1998. Please send applications (curriculum vitae, letter of application, and the names of 3 references)

by e-mail to: lcayot@fcdarwin.org.ec

OR

Applications sent by regular mail send should be addressed to:

Dr. Linda Cayot

CDRS

Casilla 17-01-3891

Quito, Ecuador

Deadline for receipt of applications: 15 February 1998. Starting date: 1 April 1998

People for Puget Sound is seeking a full-time Phone bank/database Coordinator.

The ideal candidate should have two years membership coordination and phone bank experience, including some supervisory; be highly self-motivated and enthusiastic; and solid working knowledge of FilemakerPro.

Duties to include designing phone bank program, coordinating membership and direct mail campaigns, managing database. 40hrs/week (including after hours), competitive salary & benefits package (DOE).

Send letter/resume to People for Puget Sound, 1402 3rd Ave. #1200, Seattle, WA 98101; fax (206) 382-7006; msato@pugetsound.org.



MISC. NOTES & TIDBITS

NEW MEMBERSHIP: if you want to become a member of the APO, please write, email or call Kim Dietrich. An annual donation of \$10 is required. Donations are used to publish and distribute the *Mail Buoy* and to pay for costs of testifying at Council meetings out of state. Also, if you aren't an observer but would like to receive your own copy of the *Mail Buoy*, there is an annual charge of \$15.

CURRENT MEMBERS: I know I said this last issue but this time I really mean it! If you haven't sent your

donation for this year, **THIS will be the last issue** of the *Mail Buoy* sent to you. The APO has been operating in the red for most of the year so your contributions will be greatly appreciated.

dave_hanson@psmfc.org

APO T-SHIRTS are still available. Contact Kim. There are L & XL in purple & teal. The price is \$15.

LOOKING FOR SOMETHING TO DO WHILE IN SEATTLE?

Attend the UW School of Fisheries Quantitative Seminar every Friday, Rm. 288, Fisheries Center. Visit <http://weber.u.washington.edu/~calvarez/qua~nti.html> for more information.

There are two fisheries related organizations which are always looking for volunteers.

The **Women's Fisheries Network (WFN)** Northwest Chapter sponsors monthly dinner meetings on various fisheries related topics. The next meeting will be Tues., Jan. 20. Attendance is not limited to women. Meetings are the 3rd Tues. of each month. Contact the WFN office @ 789-1987 for more information regarding the next program topic.

The **Youth Maritime Training Association (YMTA)** is a non-profit organization dedicated to serving the youth of WA state. They seek to open new pathways to maritime employment and build awareness of the maritime industry's contribution to Pacific Northwest communities. For more information, contact Norm Manly @ 206-281-3821.

IMPORTANT PHONE NUMBERS/email

Teresa Turk 206-860-5828/
turk@fish.washington.edu
Kim Dietrich 206-547-4228/kdiet@aa.net

Mark Coles, AFU 206-441-3425

NMFS staff (email format *first.last@noaa.gov*):

Bill Karp 206-526-4194
Shannon Fitzgerald 206-526-4553
Martin Loefflad 206-526-4194
Heather Weikart 206-526-4213

OTC 907-257-2770/
NPFMC (Council) 907-271-2809
Al Didier, PSMFC 503-650-5400/
Al_Didier@psmfc.org
Dave Hanson, PSMFC 503-650-5400

NMFS BRIEFING/TRAINING SCHEDULE

(subject to change)

12/28	3-week	Anchorage
1/6	4-day	Seattle
1/12	4-day	Anchorage
1/19	4-day	Anchorage
1/20	4-day	Seattle
1/26	4-day	Anchorage
1/26	3-week	Seattle??

MEETINGS & OPENINGS

Jan. 1 BSAI P. cod fixed gear opens
Jan. 20 BSAI trawling opens for all spp. Except offshore pollock
Jan. 26 Offshore pollock opens
Feb. 2 Council meeting in Anchorage
Mar. 15 Sablefish & Halibut opens
Apr. 20 Council meeting in Anchorage

Cool Websites:

<http://home.istar.ca/~gadus/sci.html>

INTERESTED IN PUBLISHING THE MAIL BUOY IN March??? Volunteers needed--talk to Kim. We're also looking for extra help with some insurance research and grant writing.

IN THE NEXT ISSUE updates on ATLAS, Enhanced Data Collection Project, Donut Hole fisheries, How observer reports benefit observers and Pacific Marine Conservation Council.

The APO continues to be interested in your ideas - if you have an idea for an article or story, would like to respond to a previous article, or think the APO has overlooked some issues, drop us a letter or call any time. Contributions from all sectors are welcome. Thanks again for all of you who contributed articles and have been commenting on the union contract. Your efforts are greatly appreciated. (KD)