



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
GREATER ATLANTIC REGIONAL FISHERIES OFFICE  
55 Great Republic Drive  
Gloucester, MA 01930-2276

**Dear Vessel Owner, Operator, or Fisherman:**

NOAA's National Marine Fisheries Service has selected your fishing vessel,

F/V \_\_\_\_\_

(United States Coast Guard (USCG) documentation or state # \_\_\_\_\_) to take an observer on:

- your next fishing trip;
- all fishing trips between the dates of \_\_\_\_\_, when fishing the following gear type \_\_\_\_\_, or when fishing under the following Vessel Monitoring System (VMS) declaration code \_\_\_\_\_.

You must notify the Observer Service Provider representative noted below at least twenty four (24) hours before the start of the vessel's next fishing trip. If you received this letter on the same day as a planned fishing trip, you must notify the Observer Service Provider immediately upon receiving this letter.

You must contact:

\_\_\_\_\_ at phone number \_\_\_\_\_.

*(Contact name, completed by NMFS, Observer Service Provider staff, or observer and contact phone number)*

## **FREQUENTLY ASKED QUESTIONS:**

### **Am I legally required to carry an observer?**

Yes - if your vessel has certain Federal permits, or you are participating in certain fisheries, your vessel is required to carry an observer when selected for observer coverage.

- Any vessel issued a Federal permit to fish for Atlantic sea scallops, Northeast multispecies, monkfish, skates, Atlantic mackerel, squid, butterfish, scup, black sea bass, bluefish, spiny dogfish, Atlantic herring, tilefish, Atlantic deep-sea red crab, summer flounder (moratorium permit), and American lobster is required to carry an observer when selected for observer coverage.
- Any vessel participating in a state or Federal Category I or II fishery, occurring in either state or Federal waters, which appear in the Marine Mammal Protection Act (MMPA) List of Fisheries, is required to carry an observer when selected for observer coverage. To see if your fishery is listed, please visit <http://www.nmfs.noaa.gov/pr/interactions/lof/> or call the Greater Atlantic Regional Fisheries Office Protected Resources Division at 978-281-9328 for more information.
- Under the authority of the Endangered Species Act (ESA), NMFS identifies U.S. fisheries required to take observers upon request for the purpose of learning more about sea turtle interactions. For more information visit: [www.nmfs.noaa.gov/pr/species/turtles/observers.htm](http://www.nmfs.noaa.gov/pr/species/turtles/observers.htm).

If your vessel is issued one of the Federal permits noted above or is participating in a fishery where observer coverage is required by the ESA or the MMPA and your vessel is requested to carry an observer



or selected for observer coverage, your vessel may not lawfully fish in any fishery unless an observer is on board, or the observer requirement is waived.

**Why am I being notified through a Selection Letter?**

We sent you this letter to tell you that your vessel has been selected for observer coverage. Please call the Observer Service Provider contact listed on this letter to discuss your fishing activity. The Observer Service Provider will either send an observer to your vessel, or will verbally waive your next trip from coverage if an observer is not available.

**Are there other ways that I may be notified my vessel has been selected?**

Yes, in addition to being selected for observer coverage by letter, your vessel may also be selected in person or by telephone by someone from NMFS, Observer Service Provider staff, or by an observer, acting on behalf of the Regional Administrator.

**What are the Vessel Safety Requirements I must meet to carry an Observer?**

A vessel must meet all applicable USGC safety regulations. These requirements are generally outlined in the most current USCG publication 'Federal Requirements for Commercial Fishing Industry Vessels' available at: <http://www.fishsafe.info/>. All certificates, equipment and equipment servicing, registrations, and hydrostatic releases must be current/not expired. A vessel must have:

- USCG Commercial Fishing Vessel (CFV) Safety Examination decal or a USCG certificate of examination with proof of passing the USCG CFV Safety Examination,

To receive a commercial fishing vessel safety decal, contact the USGC in your region at:

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*(Observer Provider please include contact number of Commercial Fishing Vessel Safety exam coordinators and region)*

- Personal flotation devices/immersion suits for all crew onboard the vessel (note—observers will provide their own),
- Ring buoys or other allowable flotation,
- Distress signals (emergency signaling flares – night light and smoke or 3 day/night flares < 3 miles, 3 parachute, 6 hand held, 3 smoke > 3 miles),
- Fire extinguishing equipment,
- Emergency position indicating radio beacon (EPIRB) registered to the vessel, including NOAA Search and Rescue Satellite Aided Tracking registration, battery, and hydrostatic release,
- Survival craft, with sufficient capacity to accommodate the total number of crew on board, including the observer(s).

**Who will verify that my vessel safety requirements are up-to-date before sailing?**

Once a vessel is selected for coverage, the assigned observer is required to review emergency instructions with the vessel operator and complete a pre-trip safety check of the vessel's emergency equipment prior to departing on a trip. The observer will be verifying that the equipment, registrations, and certificates meet the requirements outlined above. If a vessel fails to pass the required pre-trip safety check, the observer may not deploy on a trip. The regulations at 50 CFR 600.746(i) prohibit a vessel from fishing without observer coverage.

**What if my life raft doesn't have enough capacity to carry my assigned observer?**

If selected for observer coverage, it is your responsibility to discuss the capacity of your life raft with the assigned observer or the Observer Service Provider. If your life raft is not large enough to carry the observer, you may request that the Observer Service Provider provide a Valise style life raft. Requests for Valise style life rafts may be granted, if feasible. **DO NOT ASSUME THE OBSERVER WILL HAVE HIS/HER OWN LIFE RAFT.** If you are selected for observer coverage and an observer cannot deploy because your vessel has inadequate life raft capacity, it is unlawful for your vessel to fish.

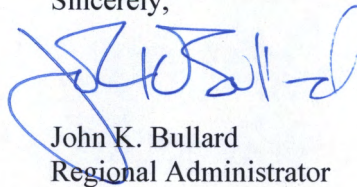
**What are my requirements for carrying an Observer?**

In addition, the regulations at § 648.14(e) also prohibit harassing, interfering, or assaulting an observer; refusing to carry an observer; failing to provide information notification, accommodations, access or reasonable assistance to an observer; and submitting false information to the observer program.

**Whom do I contact for more information?**

Please contact Amy Martins, Branch Chief, Northeast Fisheries Observer Program, at 508-495-2266 with questions or concerns.

Sincerely,



John K. Bullard  
Regional Administrator

OMB Control No.: 0648-0593

Expires on: 10/31/2018