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FISHERIES**

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Anne Richards, NEFSC/NOAA

Northeast Fisheries Observer Program (NEFOP) Observers in the Lobster Fishery

What vessels are eligible for coverage?

Any vessel that holds a federal American lobster permit is eligible to be selected for NEFOP observer coverage. The sampling frame was expanded to include all federally permitted lobster boats rather than only lobster boats which submit Fishing Vessel Trip Reports (VTRs). This change was made based on the broad agreement of committee members at the December 2015 ASMFC Lobster Technical Committee meeting held in Woods Hole, MA. During that meeting, a presentation was given on work conducted to expand the SBRM sampling frame as a follow-up to a regional workshop on lobster fishery observer programs held in October 2015 in Gloucester, MA. Attendees at the workshop and the meeting included representatives from industry, state agencies, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service.

Coverage Extent and Information

- The inclusion of all federally permitted vessels in the sampling frame increases the pool of vessels eligible for observer coverage and shifts the sea day coverage among New England states in the last quarter of the 2015-2016 Sea Day Schedule. There are now 33 sea days tasked to Maine, 6 tasked to Massachusetts and 1 each to New Hampshire and Rhode Island for the January-March 2016 time period.
- The Standardized Bycatch Reporting Methodology (SBRM) Omnibus amendment governs how NEFOP coverage is allocated to obtain discard estimates of the 14 federal managed species in the Northeast. Because many trips within the New England lobster fleet are made by vessels interacting with federal FMP species, these trips are subject to NEFOP coverage.
- **Vessels are not responsible for covering the cost of observers in the lobster pot/trap fishery.**
- **Observers carry liability insurance in the following areas: Marine General Liability (\$1,000,000), Workers Compensation (\$1,000,000), Maritime Employer's Liability (\$1,000,000) and Umbrella Liability (\$4,000,000). A waiver of subrogation is also available upon request.**

Lobster Pot/Trap Sampling

- Primary goals are to collect lobster catch data (kept, discarded) and sample bycatch
- Observer coverage levels are determined by the SBRM and are driven by the Population Dynamics Branch of the Northeast Fisheries Science Center
- Data are used by federal (National Marine Fisheries Service) and state agencies to inform stock assessments and determine levels of bycatch
- Observers record gear (i.e. number of pots, line type), haul level (i.e. location, depth, time), and trip level (i.e. trip costs, home port) information
- Biological information collected includes lobster sex, size, molt status, maturity status, shell disease, number of claws, and v-notch presence/absence
- Interactions with protected species (marine mammals, sea turtles, seabirds) are documented
- Observers are well trained to be aware of the fast paced nature of the lobster fishery and potential safety hazards, including remaining clear of lines, traps, and other gear during the hauling, stacking, and setting process. All observers take an intensive safety course during their initial observer training, and are required to renew their safety certification every 18 months.

For more information or
questions regarding observer
coverage in the lobster fishery
contact:

Sara Weeks: (508) 495-2227
or
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As a fishery participant, your cooperation is important to help NMFS collect the most complete, unbiased, and relevant data possible. Good data prevent over-regulation and ensure the sustainability of our fisheries and the conservation of protected species populations.

The image shows a 'NEFOP Safety Checklist' form. It includes sections for vessel information (name, ID, number), a 'PRE-TRIP VESSEL SAFETY CHECKLIST (PTVSC)' with checkboxes for various safety items like EPIRB, fire extinguishers, and life rafts, and a 'Comments' section at the bottom.

NEFOP Safety Checklist

For information on the Standardized Bycatch Reporting Methodology (SBRM) Sea Day Schedule visit: <http://www.nefsc.noaa.gov/fsb/SBRM/>



How will I be notified to carry an observer?

Fishermen and fishing industry representatives will be notified in advance, whenever possible, that observer coverage will be required. Fishermen may be notified that they have been selected for observer coverage either by selection letter, phone, or in person by NMFS personnel or a designated certified observer service provider.

What are my responsibilities when carrying an observer?

- Allowing the observer to access all areas of the vessel.
- Allowing the observer to view navigation and access communications equipment.
- Allowing observer to sample, retain & store marine mammal and other protected species specimens or target and non-target species specimens.
- Notifying the observer when all commercial fishing operations begin /end
- Providing accommodations & food equivalent to those provided to the crew.
- Allowing for the safe embarking & disembarking of the observer.

What are the vessel safety requirements I must meet to carry an observer?

- All vessels MUST have a current US Coast Guard safety decal; an observer may not depart on a trip selected for coverage until the decal is up to date.
- Personal flotation devices/immersion suits for all crew onboard (observers provide their own suit & PFD).
- Ring buoys or other allowable flotation.
- Unexpired distress signals / flares.
- Fire extinguishing equipment.
- EPIRB registered to vessel with current NOAA SARTSAT registration, battery and hydrostatic release.
- Survival craft with sufficient capacity to accommodate the total number of crew onboard including the observer.

Observers are 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 (observers arrive early to conduct the pre-trip safety checklist). Observers will be verifying that the equipment, registrations and certificates meet the requirements listed above.

What authority does NMFS have to cover federally permitted lobster vessels?

It is written in the federal limited access lobster permits that a vessel must carry a NMFS-approved observer when requested; CFR 697.12 At-sea sampler/observer coverage:

"(a) The Regional Administrator may request any vessel issued a Federal limited access American lobster permit to carry a NMFS-approved sea sampler/observer. If requested by the Regional Administrator to carry a sea sampler/observer, a vessel may not engage in any fishing operations in the respective fishery unless a sea sampler/observer is onboard or unless the requirement is waived"

NMFS also has the authority to select for observer coverage any category I or II vessels listed under the Marine Mammal Protection Act (MMPA). Northeast/ Mid-Atlantic lobster pot/trap vessels are listed as category I fisheries.

For more information on authorization to cover the Lobster fishery:

See CFR 697.12

<http://www.ecfr.gov/> (Title 50)

Magnuson-Stevens Fishery Conservation and Management Act:

<http://www.nmfs.noaa.gov/msa2005/>

For more information or questions regarding observer coverage requirements, visit www.nefsc.noaa.gov/femad/fsb/ or contact: Amy Martins: (508) 495-2266 or Amy.Martins@noaa.gov