

**S J R**

**52**

DATE: January 8 1990

FURTHER:

Date of 5-Day Notice: 3-15-90  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-20-90

Resources Committee considered SENATE JOINT RESOLUTION NO. 52

Supporting the establishment of a training and operations center in Anchorage for federal fishery observer programs off Alaska.

and recommended:

- replace with \_\_\_\_\_ CS 5JR52(Res)  same title
- attached amendment(s)  new title
- \_\_\_\_\_ letter of intent adopted

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

- fiscal note(s) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- zero fiscal note(s) FIG
- \_\_\_\_\_
- \_\_\_\_\_

- appropriation-no fiscal note
- Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

\_\_\_\_\_  
*Schrenk*  
 \_\_\_\_\_  
*Chris Sturgis*  
 \_\_\_\_\_  
*William*  
 \_\_\_\_\_  
*Chris Sturgis*  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
*[Signature]*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Vice Chair: Signature and Recommendation Do - Pass



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Commercial Fisheries	BILL NUMBER CS SJR 52	SPONSOR Sturqulewski
SHORT TITLE OF BILL NMFS Observer Training			
DEPARTMENT POSITION Support			
PREPARED BY Bob Clasby	DATE 3/19/90	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 3/19/90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL University of Alaska	CONSTITUENT GROUP(S) AFFECTED BY BILL Unknown
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT  NONE  FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT  
Provide job opportunities for Alaskans in the observer program.

ANALYSIS OF BILL PROGRAM EFFECTS

None

AMENDMENTS PROPOSED

None

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: NMFS Observer Training  
Sponsor: Sturqulewski  
Requestor: Governor

Agency Affected: Fish and Game  
BRU: Commercial Fisheries  
Components: All

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0					
TRAVEL	0					
CONTRACTUAL	0					
SUPPLIES	0					
EQUIPMENT	0					
LAND & STRUCTURES	0					
GRANTS, CLAIMS	0					
MISCELLANEOUS	0					
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL</b>	0	0	0	0	0	0
<b>REVENUE</b>	0	0	0	0	0	0

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

No FY 90 impact

Prepared by: AC Robert C. Clasby  
Division: Commercial Fisheries  
Approved by Commissioner: [Signature]  
Agency: \_\_\_\_\_

Phone: 465-4210  
Date: 3/19/90  
Date: 3/19/90

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

Original sponsor(s): SEN. STURGULEWSKI

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
 2 CS FOR SENATE JOINT RESOLUTION NO. 52 (Resources)  
 3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
 4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Requesting the National Marine Fisheries  
 6 Service to approve a groundfish observer  
 7 training program at the University of  
 8 Alaska for federal fishery observer  
 9 programs off Alaska.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 WHEREAS the domestic groundfish fishery off Alaska has rapidly ex-  
 12 panded in recent years and continues to grow; and

13 WHEREAS there is a requirement for the use of trained observers on  
 14 board groundfish vessels to collect essential scientific data necessary to  
 15 manage the domestic groundfish fishery; and

16 WHEREAS there have been several recent proposals to greatly increase  
 17 the number of observers on board domestic groundfish vessels off Alaska;  
 18 and

19 WHEREAS the existing training program conducted by the National Marine  
 20 Fisheries Service at its Seattle facilities will not be able to generate  
 21 the number of trained personnel necessary to effectively implement the  
 22 groundfish observer program; and

23 WHEREAS Sea Grant colleges, such as the University of Alaska, have the  
 24 technical capability to train domestic groundfish observers, thus providing  
 25 an important service to the federal government; and

26 WHEREAS the University of Alaska has experience in training observers  
 27 for domestic fisheries and has expressed interest in becoming an observer  
 28 training center in a letter to the National Marine Fisheries Service dated  
 29 February 23, 1990; and

1           WHEREAS an observer training program at the University of Alaska would  
2 provide the Alaska fishing industry with an alternative source of trained  
3 observers, thus increasing the availability of trained observers and fos-  
4 tering price competition for observer services; and

5           WHEREAS the lower operating costs of the observer program that will  
6 result from competition would reduce the costs of a mandatory observer  
7 program that are associated with observer training; and

8           WHEREAS an approved groundfish observer training program at the Uni-  
9 versity of Alaska can be used by the National Marine Fisheries Service as a  
10 model for other Sea Grant colleges that are interested in conducting train-  
11 ing for observers deployed in other fisheries throughout the nation;

12           BE IT RESOLVED that the Alaska State Legislature respectfully requests  
13 the National Marine Fisheries Service to approve the University of Alaska  
14 groundfish observer training program and establish procedures for certify-  
15 ing the Alaska trainees in time for the groundfish fishery off Alaska in  
16 the fall of 1990.

17           COPIES of this resolution shall be sent to the Honorable Robert A.  
18 Mosbacher, Sr., U.S. Secretary of Commerce; John Knauss, Administrator of  
19 the National Oceanic and Atmospheric Administration; William W. Fox, Jr.,  
20 Assistant Administrator for Fisheries, National Marine Fisheries Service;  
21 Steven Pennoyer, Regional Director, Alaska Region, National Marine Fisher-  
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### National Marine Fisheries Service Provides Observer Update

The Council's domestic groundfish observer program took effect on January 1, 1990. Vessels of 125' in length or longer must have a NMFS-certified observer on board. Vessels less than 125' but over 60' must carry an observer for 30 percent of their fishing time. Vessels under 60' must carry observers only if requested by NMFS. NMFS reported that observers are being deployed as soon as they are trained and that the program is running smoothly.

Onshore processing facilities are also required to have observers. A shore plant that annually receives 10,000 mt (round weight) or more of groundfish must have an observer present on each day it receives groundfish in those months with deliveries of 1,000 mt or more of groundfish. Shore plants that annually receive 1,000 mt - 9,999 mt (round weight) of groundfish, must have an observer 30 percent of the days of any month in which they receive 500 mt or more groundfish. Shore plants annually receiving less than 1,000 mt of groundfish do not need observers unless requested by NMFS.

To participate in the 1990 groundfish fishery off Alaska, industry must obtain NMFS-certified observers and pay their costs. Industry must obtain observers from the list of certified contractors. This list may be expanded during the year.

Alaskan Observers, Inc.  
150 Nickerson, Suite 104  
Seattle, WA 98109  
(206) 283-6604

Data Contractors, Inc.  
600 West 41st Ave, Suite 203  
Anchorage, AK 99503  
(907) 561-2055

Oregon State University  
Int'l Development & Research  
Observer Program  
Corvallis, OR 97331  
(503) 737-2683

Frank Orth & Associates  
10900 N.E. 4th St., Suite 930  
Bellevue, WA 98004  
(206) 455-9693

Pacific Observers, Inc.  
University of Washington/  
Fisheries Research Institute  
4055 21st Avenue West  
Seattle, WA 98199  
(206) 285-3480

Saltwater, Inc.  
540 L Street, Suite 202  
Anchorage, AK 99502  
(907) 276-3241



School of Fisheries and Ocean Sciences  
Alaska Sea Grant College Program  
138 Irving II  
Fairbanks, Alaska 99775-5040  
(907) 474-7086

February 23, 1990

Dr. William W. Fox Jr.  
Assistant Administrator for Fisheries  
NOAA/NMFS  
1335 East West Highway  
Silver Springs, MD 20910

Dear Dr. Fox:

This letter is a proposal by the University of Alaska, a Sea Grant College, to train NMFS certifiable marine resource observers for deployment to the North Pacific fishery. We are initiating the process via this letter with the assumption that subsequent discussions will be necessary as we move to solidify an institutional relationship between NMFS and the University.

The University proposes to provide training in two ways; 1) with a concentrated program located in Anchorage focused on the needs of NMFS and observer contractors for large numbers of observers on a quick turn around basis, and 2) a curriculum based program on campus for training students in the context of a larger program of study. The program as a whole would be administered by the Sea Grant College Program within the School of Fisheries and Ocean Sciences, a part of the University of Alaska Fairbanks. The University of Alaska Anchorage, particularly its College of Community and Continuing Education, will serve as our partnership linkage in Anchorage.

#### OBSERVER PROGRAM EXPERIENCE

This University and its Sea Grant College Program has experience with fisheries and mammal observer programs and is confident that in partnership with NMFS we will provide the quality training which is so important to the success of the new domestic observer program in the North Pacific.

- We operated the North Pacific Fishery Management Council's Pilot Domestic Observer Program. We were selected to manage that effort because of our successful history of working both with the fishing industry and with federal and state agencies on important and sometimes sensitive issues. Our success in managing the Pilot Domestic Observer Program is seen in the support of the

industry through the North Pacific Management Council for a continued observer process.

- We operated an observer program on the Copper River Delta near Cordova, Alaska for the purpose of observing fisheries/mammal interactions in that region. This program was undertaken by agreement with NMFS, the U.S. Fish and Wildlife Service, the Alaska Department of Fish and Game, and the fishermen of Cordova. Under contract to the NMFS we briefly extended observations into Prince William Sound to monitor whale populations there following the grounding of the Exxon Valdez. Our reports of mammal/fisheries interactions on the Copper River Delta have recently been appended to the NMFS request for proposals for mammal observer services in the Gulf of Alaska because they provide the most comprehensive set of observations in the region.

- We developed the curriculum and provided the training for observers required by the Alaska Department of Fish and Game for their mandatory crab processor observer program. Working with that agency and observer contracting personnel we developed on short notice the necessary training course for that new observer program.

#### QUALIFIED PERSONNEL

The University will use both faculty dedicated to observer training and specialists already existing on the faculty in the School of Fisheries and Ocean Sciences. Already on the faculty are ichthyologists, two experienced fishery observers, marine safety specialists and marine advisory faculty with substantial experience working on domestic fishing vessels. As special emphasis is needed, other fishery and oceanographic specialists are available on the faculty. To ensure that an observer training course which needs to be taught on a monthly basis receives the constant attention that it will need, a supervising faculty member, and one other, both well attuned to the NMFS observer program, would be selected and dedicated to this instructional program.

#### CURRICULUM

The Alaska Fisheries Center of NMFS has a long and successful history of observer training. Over the years their curriculum has undergone modification and improvement. We have reviewed that curriculum and feel that it provides a sound basis for training. We would adopt those program elements and continue, as the Alaska Fishery Center has in the past, to build from there. Currently within that curriculum are the following elements:

Introduction to the observer program

- An overview of the northeast Pacific fishery, its history, economic significance, and management under MFCMA

- The life of an observer; duties and life aboard, seasickness, communication difficulties, hardship

#### Duties and Professionalism

- conduct
- objectives, priorities, workload
- citizenship aboard

#### Technical Training

- fish identification
- mammal identification
- obtaining haul information and overall catch estimates
- sampling techniques
- data forms, species reports and report groups
- navigation
- computations and reporting ashore and at sea
- radio operations
- special scientific sampling; tagged animals, otolith and scale sampling, etc
- logbook entries, comparison of observer and vessel logs

#### Safety Training

- general safety aboard
- safe deck operations
- cold water survival
- medical emergencies
- fire control

#### Debriefing Expectations

As during its use by the Alaska Fisheries Center, the curriculum will continue to be adjusted to meet new demands, or to better serve continuing ones.

Modifications anticipated at this time include:

Safety training: The NMFS trained observers which we employed in the Pilot Domestic Observer Program stated a desire for increased emphasis on safety training. Given the greater variety of vessels in the domestic fleet compared to the foreign and joint venture fleets, we believe that an increased emphasis in this area is justified.

Crab emphasis: It is our experience that NMFS trained groundfish observers need a bit of additional training in order to become ADF&G crab processor observers. This training would include additional crab identification work, biological and legal measurement of crab, and an introduction to the Alaskan fishing laws. The observer contractors with whom we have worked provide observers to both federal and state fisheries. Having increased numbers of observers cross trained would be a benefit to both observer contractors and to the fleet. A more stable employment opportunity for observers will help reduce the current high

turnover rate. We believe that the benefits of the broadened pool will also accrue to the management agencies as well.

Statistical sampling: The sampling environment is substantially more complicated for the new domestic observer program than has been usual in the past, especially for the observers assigned to shore delivery vessels, or for the observer who is switching between shore based vessels, shore based plants, and factory trawlers, and even to crab processors between groundfish assignments. Additional emphasis on sampling strategies will probably be needed to accommodate this new flexible element in observing.

These additional areas of study could be accommodated by two or three additional days of training.

#### COORDINATION WITH NMFS

We are mindful of the importance of the data being collected via the observer program both to the long term health of the fishery and to its management agencies. The Magnuson Fishery Conservation and Management Act has left private industry, government, and educational institutions playing an unusual set of roles. Private industry and even educational institutions have been undertaking the normal government function of data collection. Government, not an educational institution, has been providing training. Because under this new domestic program the relationship between the fishing industry and the observer contractors may be closer than the relationship between government and those data gathering contractors, there remains the opportunity for errors or even mischief. The quality of education and training provided to the observers is a critical element to the success of the program. The University of Alaska is anxious to be a part of a success story in addressing these unusual circumstances and recognizes that its relationship with NMFS is a key element to that success.

To date there has been considerable advantage in NMFS providing the training of observers in-house. Consistent errors in data collection or transmittal uncovered as observers were debriefed would signal a need for increased emphasis on that particular element in the training program. Close communication must be established between University of Alaska training personnel and the NMFS Alaska Fishery Center in order to ensure the same degree of responsiveness of this training program. With the observer program now focused almost exclusively on the domestic fishery off Alaska, debriefing will necessarily move to Alaska in order to provide both timely debriefing and cost savings to the fleet and its observer contractors. The important linkage between training personnel and debriefing personnel may therefore actually be enhanced by the training taking place in Alaska. We look forward to establishing the cooperative linkages with NMFS which will speed the adaption to these new circumstances.

BUDGET

The present reading of the Magnuson Act leaves the National Marine Fisheries Service without the ability to recover costs directly from the industry for training and deployment of observer personnel, yet the agency is left with the task of administering an observer program required by the North Pacific Fishery Management Council. The costs for observer deployment will be borne directly by the fishing industry. Training costs, at one time funded by receipts from the foreign fishery, have not been provided to NMFS under this expanded domestic program. Neither has budget been provided to the University of Alaska for the training of observers. At the same time, the debriefing of this new Alaska based corps of observers and the new data handling demands are an increased burden on the agency. We believe that the training cost issue is one which we should join together in taking to the Congress. In the short term, the university would be willing to look to other sources of funds to pool with available NMFS funds to get this expanded training program underway.

In summary, the University of Alaska and its Sea Grant College Program looks forward to working in partnership with the National Marine Fisheries Service in providing the necessary training of marine resource observer personnel to ensure a successful domestic fishery/mammal observer program. Our experience with observer programs, our well qualified faculty, and our history of successfully working both with your agency and with the fishing industry provide assurance that we could undertake this new program successfully and to the benefit of your agency and the north Pacific domestic fishing industry. We look forward to continuing this discussion with you.

Cordially,



R.K. Dearborn  
Director

RKD

cc: Dr. Patrick O'Rourke, Chancellor UAF  
Dr. Donald Behrend, Chancellor UAA  
Dr. Vera Alexander, Dean SFOS  
Mr. Steven Pennoyer, Dir. NMFS Alaska Region  
Dr. William Aron, Dir. NMFS Alaska Science Center  
Mr. Donald Collinsworth, Chairman, NPFMC  
Dr. William McCaughan, Asst. Vice Chancellor, CCCE