



NOAA FISHERIES

Fisheries Sampling Branch

NEFOP Seaday Schedule Selection Protocols

NOAA, Northeast Fisheries Science Center (NEFSC), Fisheries Sampling Branch (FSB) Northeast Fisheries Observer Program Vessel Selection Procedures for 2019-2020

In the Northeast region of the United States, observer coverage is accomplished through three categories of observers: Northeast Fisheries Observer Program (NEFOP), At-Sea Monitoring (ASM), and Industry Funded Scallop (IFS) observers. Baseline sea day coverage is driven by the results of an annual analysis termed the Standardized Bycatch Reporting Methodology (SBRM), required under the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Observer coverage is supported by the MSA, Marine Mammal Protection Act (MMPA), the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA) and the Endangered Species Act (ESA). This document describes procedures related to vessel selection for the NEFOP observers working for a federally contracted observer provider, to accomplish the SBRM and MMPA driven sea days on the NEFOP Seaday Schedule in the Greater Atlantic region, from Maine to North Carolina.

The sea days needed to achieve a precision-based performance standard (30% coefficient of variation of the discard estimate) for 15 SBRM species groups (including sea turtles) are estimated, by the NEFSC. Funding levels are determined and a final NEFOP Seaday Schedule is established. The NEFOP Seaday Schedule is a compilation of sea days required under the SBRM and MMPA by fleet, excluding sea days required to monitor discards in the Multispecies groundfish and Industry Funded Scallop programs. Vessel selection for the NEFOP Seaday Schedule trips is done at the fleet level. Fleets are partitioned by 5 classification variables: geographic region (New England or Mid-Atlantic), gear type, mesh category, access area, and trip category. For example, the New England large mesh bottom trawl fleet consists of any vessel landing in a port from Maine to Rhode Island using bottom trawl gear with a codend mesh size of 5.5 inches or greater.

The FSB contracts with an observer service provider, who stations observers in ports throughout the Greater Atlantic Region, to achieve the sea days tasked on the Seaday Schedule. The NEFOP provider is responsible for selecting vessels for coverage and the day to day logistics of observer deployments and support, although a vessel may also be selected by a NMFS employee, or observer acting on behalf of the Regional Administrator. The NEFOP provider, as the NMFS designated contractor, has several ways to inform vessel representatives they have been selected for observer coverage:

- 1) The majority of vessel selections for NEFOP Seaday Schedule trips will occur via phone communication (text message or call). The provider will call the vessel representative to inform them the vessel is selected for it's next trip.
- 2) The provider or observer may also select a vessel in person. This can be done at any time, including shortly before a fishing trip. The provider should attempt phone or in-person selection before resorting to other selection methods.
- 3) If contact cannot be made by other means, or if the vessel has expressed a preference, the provider may send a Selection Letter to the permit holder address, permit holder email or VMS. Once a letter has been received the permit holder is responsible for ensuring the vessel carries an observer to meet the requirements of the letter. Letters may select a vessel for single or multiple trips, a date range or specified number of days at sea. Letters may also specify selection for a specific gear type, Vessel Monitoring System (VMS) declaration code, or mesh size category.

Once a vessel has been notified of observer selection, they must communicate with the designated contractor at least 24 hours prior to deploying on the selected trip. There is no limit to the number of trips a vessel can be selected for within a given month. Observer coverage will be based on sea day requirements and individual vessel activity. Individual fleets should be covered representative of vessel activity; vessels making more trips or longer trips will be responsible for carrying an observer for a greater number of sea days than those who fish less frequently. FSB staff review the previous year's fishing effort and provide guidance to the provider as an estimated target number of sea days needed on an individual vessel. This is based on the number of days the vessels are expected to actively fish within a given calendar quarter and can/should be adjusted based on realized effort within the quarter. FSB provides the Area Coordinators with graphical representations of federally permitted fishing effort and estimated required observer coverage in order to assist the coordinators in communicating target coverage, by vessel.

The NEFOP service provider attempts to cover a vessel no more than the minimum number of trips necessary to ensure that coverage is spread throughout the fleet. If a vessel participates in multiple fleets (uses more than one gear type/mesh category or fishes out of different regions), they may be requested to carry an observer to accomplish sea days for each of those fleets. For example, if an individual vessel uses both large and small mesh gillnet gear on different trips they may be asked to carry an observer on both types of trips.

The Observer program utilizes these procedures to collect representative data and aims to reduce vessel selection bias wherever possible (i.e. try to be fair and even with consistent procedures across all active vessels within a fleet, based on required levels of coverage under the SBRM and MMPA). Observer and/or service provider preference in vessel selection is strictly prohibited. In addition, observer assignment should not incorporate industry preferences. Representative and equitable coverage is required and necessary to prevent incorporating bias into observer data. A service provider's observer assignment must be fair, equitable, representative of fishing activities within the fishing fleet, and able to monitor fishing activity throughout the fishing year. Observer assignment is driven by homeport, observer certification, and observer availability, and should not be influenced by observer preference in accordance with contract requirements and the selection process. Observer discretion in trip coverage is specific only to those vessels with safety deficiencies or health and wellness concerns, and in these cases, the observer is instructed to not deploy for safety concerns.

For more information on NEFOP Seaday Schedule vessel selection contact (call or text) the NEFSC, Fisheries Sampling Branch at 508-642-6005 or visit our website <https://www.nefsc.noaa.gov/fsb/SBRM/>.