

Northwest Fisheries Science Center
2725 Montlake Boulevard East
Seattle, Washington 98112-2097
Phone (206) 860-3381
FAX (206) 860-3394
November 20, 2008

Dear:

As you know, a mandatory observer program for West Coast groundfish was established by federal regulations that went into effect on May 24, 2001 (50 C.F.R. Part 660). Copies of the regulations for this program are attached.

Under the authority of these regulations, **your permit, GF0280, and any vessel it is registered to, has been selected for observer coverage during the two-month period beginning January 1, 2009.** During the period for which your permit is selected, you will be required to notify NMFS at least 24 hours in advance of fishing so that an observer may accompany the trip. If you notify us that you do not plan to fish West Coast groundfish at any time during this period, you will be placed on a pending list. Once you have been placed on this pending list, you **MUST NOT** resume fishing in the West Coast groundfish fishery until you have notified us. A NMFS coordinator or designated agent can provide further information to you.

Prior to the date that the permit has been selected for observer coverage, the vessel registered to the permit, must obtain a Coast Guard safety inspection decal through a dockside examination. These can be obtained through your local US Coast Guard.

You are responsible for providing accommodations and food for the observer while he/she is aboard your vessel. Please review the "Observer Insurance Coverage Provided by Observer Contractor" overview that lists the minimum insurance requirements that the observer's employer provides. We strongly encourage each vessel to contact their insurance carrier to discuss their liability while an observer is aboard and determine if purchasing additional insurance is appropriate.

The observer can share the collected data with the permit owner only. If you are interested in having a copy of the data collected, please ask the observer after completing the trip.

The enclosed document entitled "Paperwork Reduction Act Information" informs you of your rights under the Paperwork Reduction Act (PRA). The PRA requires federal agencies to obtain clearance in order to ask questions of members of the public. All questions asked by west coast groundfish observers have been approved under OMB Control No. 0648-xxxx through xx/xx/2012. Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and implementing regulations, you are required to answer any question related to observer and vessel safety. However, you are not required to answer any other question asked by the observer. Your voluntary willingness to answer all questions asked by observers would be appreciated as it will ensure observer data collected on your vessel can be used in future analyzes.

The observer program can be contacted toll free at (866) 780-8064, or you can send questions to the program's email address at NWFSC.observerprogram@noaa.gov. Please contact us with any questions you may have.

Sincerely,

Janell Majewski
Program Lead,
West Coast Groundfish Observer Program

cc: F/NWR02 - F. Lockhar

Paperwork Reduction Act Information

Information collected through the observer program is used to: (1) monitor catch and bycatch; (2) understand the population status and trends of fish stocks and protected species, as well as the interactions between them; (3) determine the quantity and distribution of net benefits derived from living marine resources; (4) predict the biological, ecological, and economic impacts of existing management actions and proposed management options; and (5) ensure that the observer programs can safely and efficiently collect the information required for the previous four uses. In particular, these biological and economic data collection programs contribute to legally mandated analyses required under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Endangered Species Act (ESA), the Marine Mammal Protection Act (MMPA), the National Environmental Policy Act (NEPA), the Regulatory Flexibility Act (RFA), Executive Order 12866 (EO 12866), and other applicable law.

Most of the information collected by observers is obtained through "direct observation by an employee or agent of the sponsoring agency or through non-standardized oral communication in connection with such direct observations". Under the Paperwork Reduction Act (PRA) regulations at 5 C.F.R. 1320.3(h)(3), facts or opinions obtained through such observations and communications are not considered to be "information" subject to the PRA. The public reporting burden for responding to the questions that observers ask and that are subject to the PRA is estimated to average 34 minutes per trip, including the time for hearing and understanding the questions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: West Coast Groundfish Observer Program, 2725 Montlake Blvd. East, Seattle, WA 98112.

Providing information related to observer and vessel safety is mandatory under regulations at 50 C.F.R. 600.746. However, all other requested information is voluntary. Although you are under no legal obligation to answer non-safety related observer questions, we would appreciate your support as it ensures observer data can be used for its intended purpose.

The information collected will be kept confidential as required under Section 402(b) of the MSA (18 U.S.C. 1881a(b)) and regulations at 50 C.F.R. Part 600, Subpart E. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

OMB Control No. 0648-xxxx
Expires xx/xx 2012