

## **XII. OBSERVER COVERAGE**

NMFS Observers collect biological information on all HMS species and other fish species caught in the commercial fishery. Observers note information recorded on logbooks such as the gear used, fishing location, and the number of fish caught and discarded, as well as information not reported on logbook forms, including the species, sex, and size of fish. This information is used in stock assessments and to help NMFS verify logbook information. **NOTE:** Observers only observe fishing activities and are **not** considered crew or deckhands. Observers are **not** to be used in place of a certified dealer or proxy for HMS identification purposes.

The observer must have access to navigation equipment, logbook records, communication equipment, and other equipment in order to perform his/her job. The observer is **not** an enforcement officer; however, data gathered by the observer may be used in support of enforcement investigations. The observer may be able to offer help to fishermen in reviewing safe handling and gear removal techniques. However, the observer may not assist in the removal of fishing gear from trapped sea turtles.

### **Requirements to carry a NMFS Observer**

Fishermen who are notified by NMFS in writing that their vessel is selected must carry an observer on every trip unless notified otherwise. Information on how to comply with the observer requirement is included in the notification package. If selected, fishermen must comply with all U.S. Coast Guard and NMFS safety regulations per 50 CFR 635.7. These regulations include having a valid safety decal for the vessel, having a useable life raft that will fit everyone on the vessel, including the observer, and providing the observer with the same accommodations as any crewmember. Additional information regarding these regulations is included on the selection letter.

Fishermen that are selected and continue to fish without an observer, or without contacting the observer program office may be subject to penalties and sanctions. Harassing an observer or preventing an observer from carrying out his/her duties is illegal (50 CFR Part 635.7 (c)).

## **XIII. HMS WORKSHOPS**

### **PROTECTED SPECIES SAFE HANDLING, RELEASE, AND IDENTIFICATION**

The objective of the **Protected Species Safe Handling, Release and Identification Workshops** is to provide fishermen with the skills to reduce the mortality of protected species consistent with the 2004 and 2008 Biological Opinions for the pelagic longline and shark fisheries, respectively. These workshops are designed to educate longline and gillnet fishermen on the proper techniques for safe handling and release of entangled or hooked protected species, such as sea turtles, marine mammals, and smalltooth sawfish. Identification of protected species will also be taught at these workshops in an effort to improve reporting.

**All commercial shark and swordfish directed or incidental limited access permit** holders that use longline or gillnet gear on their vessel must attend a Protected Species Safe Handling, Release and Identification Workshop. Operators of these vessels, if different from the permit holder, must also attend the workshop. Both the permit holder and operator must attend the workshop and become certified prior to renewing the vessel's shark and swordfish limited access permit. As such, two safe handling, release, and identification workshop certificates must be on

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Please see 50 CFR part 635 for the current Atlantic HMS regulations, as regulations are subject to change. October 2008

board vessels with longline or gillnet gear – one issued to the vessel owner, even if the owner is not on board, and a second issued to the vessel operator. Applications for renewals or transfers will not be considered complete and a vessel permit will not be issued until a workshop certification from the vessel owner is presented. Vessels may not fish unless both the owner and operator certificates are on the vessel.

**Permit holders and operators** that are required to attend a protected species safe handling, release, and identification workshop may not send someone else, (*i.e.*, a proxy) to a workshop instead of attending themselves. Crew members may attend workshops; however, crew members are not required to attend workshops. Vessel owners and operators are not required to train crew members on safe handling, release, and identification of protected species, but NMFS highly recommends owners and operators share the information with their crew.

### **ATLANTIC SHARK IDENTIFICATION**

The objective of the **Atlantic Shark Identification Workshops** is to reduce the number of unknown and improperly identified sharks reported in the dealer reporting form and increase the accuracy of species specific dealer reported information. Reducing the number of unknown and improperly identified sharks will improve quota monitoring and the data used in stock assessments. These workshops are required for shark dealer permit holders or their proxies to train them on how to properly identify Atlantic shark carcasses. Shark fishermen, or any fishermen who may catch sharks, are also encouraged to attend.

**All federally permitted shark dealers or their proxies** must attend an Atlantic Shark Identification Workshop before renewing their permit. Shark dealers will be issued a workshop certificate for each location authorized to first receive sharks under a dealer permit. A workshop certificate must be available at every location which first receives sharks under a dealer permit. Trucks or other conveyances which are extensions of a dealer's place of business must possess a copy of a valid workshop certificate. If a shark dealer chooses to send a proxy to a workshop, instead of attending themselves, a proxy from every business location authorized to first receive sharks under the dealer's permit must attend a shark identification workshop. A proxy must be a person who is currently employed by a business authorized to first receive sharks under the dealer's permit; is a primary participant in the identification, weighing, and/or first receipt of fish as they are offloaded from a vessel; and is involved in filling out dealer reports. Applications for new dealer permits or permit renewals will not be considered complete and a renewal will not be issued until a workshop certification is presented.

### **WORKSHOP RENEWAL/RESTRICTIONS**

All Protected Species Safe Handling, Release and Identification and Atlantic Shark Identification Workshop certificates **must** be renewed, *prior to the expiration date on the certificate*, generally every three years. The time between workshops may be slightly more or less than three years depending on when the certificate is received in relationship to the permit renewal. Workshop dates and locations will be listed on the HMS website: <http://www.nmfs.noaa.gov/sfa/hms/>. The list will also be available by calling the HMS Management Division at (301) 713-2347.

Please note that workshop certificates are not transferable because the person issued the certificate is responsible for being familiar with the techniques and protocols for the safe handling and release of protected species or the proper identification of Atlantic shark carcasses. An individual interested in receiving an HMS permit must first attend a workshop, obtain a certification, and submit a copy of the certificate with the application to transfer the HMS permit.

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Please see 50 CFR part 635 for the current Atlantic HMS regulations, as regulations are subject to change. October 2008