



April 3, 2020

Mr. Chris Oliver
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20610

Mr. Samuel Rauch
Deputy Asst Administrator for Regulatory Programs
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20610

Mr. Oliver and Mr. Rauch,

We write today on behalf of our 18 member groups and thousands of fishermen from Alaska to Maine. We are proud stewards and harvesters of America's seafood, our nation's strategic protein reserve and a critical component of our country's food security, especially during this time. As our nation reels in the midst of the COVID-19 pandemic, we continue to go to sea to harvest and land seafood for American consumers. In light of the enormous health and safety risks associated with taking an observer onboard our fishing trips, we respectfully and strongly urge each Regional Administrator to waive observer requirements until June 30, 2020 or the end of fishing seasons underway at that time, whichever is later, for their regions consistent with the agency's emergency rule and the authority granted to them under 50 CFR 648.11(c).

The emergency action taken by the National Marine Fisheries Service (NMFS) on March 24, 2020 grants each Regional Administrator the authority to waive observer requirements on a "case-by-case" basis. Unfortunately, this process is too time consuming and wastes Agency resources that should be devoted to more pressing tasks. Furthermore, the "case-by-case" work in the West Coast office has developed into a vessel-by-vessel decision, a herculean task for regional staff, no doubt.

We respectfully and strongly urge NMFS Headquarters to work with each Regional Administrator (RA) to craft a blanket waiver similar to the one issued by Michael Pentony, RA for the Greater Atlantic Fisheries Region Office (GARFO). The blanket waiver issued for the Greater Atlantic Region removes the risk to our captains, skippers, crew, and shoreside communities in that region from being exposed to COVID-19 through an observer whose recent activities, actions, and health status are unknown. We believe it is irresponsible to continue requiring our fishing fleets to carry observers given the risks to health and human safety.

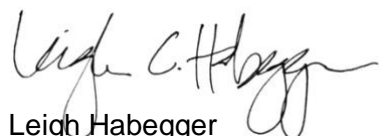
We urge you to use this opportunity to take full advantage of the many electronic monitoring (EM) pilot programs around the country to gather catch data during this time when human

observers should not be used, and to expand the use of EM systems where possible. Investment in the continued development of EM systems around the country *and* a concerted effort to incorporate EM data into the stream of catch data will likely have a profound effect on NMFS's ability to continue to collect the important catch data necessary to aid fisheries management during this period. With respect to the current ongoing EM EFP projects, we ask you to consider allowing additional vessels to become participants in these EM EFP projects if camera EM systems are available and the additional vessels meet the requirements of the EFP. We are strong supporters of EM systems and believe we have a great opportunity to work to advance these systems given the present challenges with human observers.

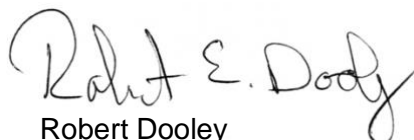
While we stand firmly behind our belief in accountability and fully support the Agency's work to gather important fishery data, this is not an issue of data or science. Many of our boats are designed such that maintaining six feet of distance while working is simply not possible. Additionally, crew sleeping quarters are, on nearly every boat, very small and observers may be sleeping less than 3 feet from other crew members. Many of our vessels are home ported in and/or offload in small, remote communities and observers pose additional risks to those communities who lack the medical resources and expertise that larger cities enjoy. Our industry is taking drastic strides to protect our captains and crew from exposure to COVID-19 including 14-day quarantines and remaining on the vessel through the fishing season (i.e. not disembarking the vessel when at the docks or offloading). Allowing observers on our boats will undermine our efforts to protect the health and safety of our captains, crew, and shoreside communities.

We ask NMFS and the Regional Administrators to support us in protecting our fishermen by waiving observer requirements until June 30, 2020 or the end of fishing seasons underway at that time, whichever is later, so we can continue to provide fresh, sustainable seafood in this time of need.

Respectfully,



Leigh Habegger
Executive Director



Robert Dooley
President

Alaska Bering Sea Crabbers • Alaska Whitefish Trawlers Association • Cape Cod Commercial Fishermen's Alliance • Cordova District Fishermen United • Fishermen's Marketing Association • Fishing Vessel Owners' Association • Fort Bragg Groundfish Association • Georges Bank Cod Fixed Gear Sector • Gulf Fishermen's Association • Gulf of Mexico Reef Fish Shareholders' Alliance • Maine Coast Fishermen's Association • Midwater Trawlers Cooperative • New Hampshire Community Seafood • North Pacific Fisheries Association • Purse Seine Vessel Owners' Association • Rhode Island Commercial Fishermen's Association • South Atlantic Fishermen's Association • United Catch Boats

CC: James Balsiger, PhD, Regional Administrator, Alaska Regional Office
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