

**Appendix 2: Internal reviews, evaluations, or inquiries that NMFS has conducted since January 1, 2008.**

To date there have been no internal reviews, evaluations, or inquiries that NMFS has conducted since January 1, 2008.

**Appendix 3: Mechanisms NMFS has in place to ensure that fisheries observers are encouraged to document evident marine resource violations.**

POP fisheries observers record potential marine resource violations on the data forms: gear log, haul log, animal log, sea bird form, mammal form, turtle life history form, and/or sea turtle release gear checklist. Evident marine resource violations witnessed by a POP observer are instructed to be written in to the field diary for that trip. On page 8 of the POP manual, the Field Diary section states, “The field diary should be used to document events or actions that occur during a single deployment and backup data information.” The POP manual then has another section called “Field Diary Guidelines”, which instructs the observer to write in marine mammal and sea turtle sightings and interactions as well as Compliance situations. In training, the observers are told repeatedly to document all observed violations in their field diary, and keep that diary in a safe place. They are also told that if they feel that their diary may not be secure, that they can use cryptic words to describe the violation which can be translated later during debriefing, as not to alert the potential violators of the documentation.

**Appendix 4: Internal control processes by which NMFS ensures that fisheries observers are encouraged to directly report to NMFS any mistreatment aboard fishery vessels.**

**I. Initial observer training**

- A. Conflict resolution/Harassment module
  - 1. Conflict resolution
    - a. Describe common conflict situations on vessels
    - b. Discuss methods to avoid and/or mitigate conflict
  - 2. Harassment
    - a. Discuss/define harassment
    - b. Response
      - i Personal safety-ways to request evacuation from vessel if necessary (Sat phone, EPIRB).
      - ii Documentation-(who/what/ where/when)
- B. Safety module
  - 1. Safety checklist-instructed to complete before deployment and notify POP staff about deficiencies
  - 2. Discussion of refusal policy-observer can refuse a trip for any documented concern with no repercussions
- C. General Field Instructions module
  - 1. Re-emphasizes the trip refusal policy

**II. Pre deployment**

- A. Observer is briefed on vessel, using debriefing reports from recent trips by other observers
  - 1. If observer has a concern, refusal policy is re-emphasized. If the observer decides to travel to the vessel, a discussion on how potential problem situations will be dealt with.
- B. Observer travels to vessel and completes safety checklist and inspects accommodations.
  - 1. If the vessel does not pass the safety checklist:
    - i Vessel is given notification of the deficiencies and a chance to rectify them.
    - ii If the vessel departs and fishes without rectifying the deficiencies, the vessel will be reported to OLE at the end of the selection quarter via a written noncompliance report to the SEFSC-OLE liaison.
  - 2. If the observer determines the accommodations are inadequate:
    - i Vessel is given notification of the deficiencies and a chance to rectify them.

ii If the vessel departs and fishes without rectifying the deficiencies, the vessel will be reported to OLE at the end of the selection quarter via a written noncompliance report to the SEFSC-OLE liaison.

### **III. During deployment**

- A. Observers instructed to report via sat. phone once per week during deployments and report (among other things) work status code
  - 1. Code 4: Observer is requesting extraction. OLE and USCG will be notified
  - 2. Code 3: some type of situation has occurred, documentation has commenced, OLE is notified.
- B. Observers can also contact USCG directly via sat phone and request extractions
- C. If above has failed, observer can activate their personal EPIRB

### **IV. Post deployment**

- A. Debriefing
  - 1. Debriefing reviews data, field notes, communications during trip
  - 2. During debriefing, observer is asked about concerns found in (1.).
  - 3. Even if there are no concerns, debriefing form standard question asks about problem situations during the trip.
- B. Harassment documentation
  - 1. If observer feels harassment occurs, observer is told to write a statement of what happened, to submit to the POP. This statement is kept in the vessel history folder for the use of future observers.
  - 2. OLE is contacted (or updated if already contacted via III A. above). This normally happens the same day the observer describes the harassment to the POP staff (usually upon vessel landing). Depending on where the vessel landed, POP staff will either contact an OLE agent in that area or the SEFSC-OLE liaison.

### **V. Refresher/update trainings (happens once a year minimum)**

- A. An enforcement/compliance discussion is conducted during update trainings. Common situations, new solutions, and emerging issues are dealt with. Refusal policy re-emphasized.