



Pacific Fishery Management Council

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Philip Anderson, Chair | Charles A. Tracy, Executive Director

April 15, 2020

Mr. Barry Thom, Regional Administrator
National Marine Fisheries Service, West Coast
Region 1201 NE Lloyd Blvd., Suite 1100
Portland, OR 97232-1274

Dear Mr. Thom,

Thank you for taking the time to address the Pacific Fishery Management Council (Council) regarding observer coverage during the COVID-19 pandemic. Council members appreciated your statements that National Marine Fisheries Service (NMFS) leadership values human life and safety and that these standards drive your decision making first and foremost.

The Council's Groundfish Advisory Subpanel, along with individual fishermen and industry representatives who testified under Open Comment and Groundfish Inseason Adjustments at the April 2020 Council Meeting, expressed strong concerns about the increased COVID-19 risk posed by human observers on catcher vessels and catch monitors in processing plants. We share these concerns, and request that you take additional action at this time to protect health and promote safety.

We recognize the measures NMFS has taken to date in response to the pandemic, including the provision of authority to waive observer coverage in West Coast fisheries in certain situations through emergency action on March 24, 2020. In light of the rapid spread of COVID-19 throughout the U.S. since that time, the uncertain rate of infection in many areas, and especially of new information on asymptomatic transmission of the virus, we urge you to now adopt stronger, more proactive protections for public health and the safety of fishermen, observers, and others with whom they have contact. In particular, the Council requests that NMFS temporarily suspend federally authorized at-sea observer coverage in all West Coast fisheries (including at-sea sectors) and trawl catch share program shoreside catch monitors.

The Council suggests that a blanket waiver could match the duration of "shelter-at-home" or similar orders by the governors of Washington, Oregon and/or California, or any local government. If a vessel is leaving from and delivering to (or returning to) a port within a jurisdiction in which a shelter-at-home order is in effect, the observer requirement should be waived. Shelter-at-home orders, which are based on the recommendations of public health experts, have the same intent and purpose of the travel restrictions that have been used to justify observer waivers in other parts of the country.

We appreciate the efforts that NMFS and observer providers have undertaken to reduce the probability that an observer will contract and spread COVID-19. Industry is also undertaking extensive efforts to minimize risk, including self-quarantining before fishing trips and scenario planning in processing plants. As you are aware, while these measures may reduce the probability of contagion on fishing vessels and in processing plants, measures such as social distancing are virtually impossible. If introduced into these environments the virus could spread rapidly, threatening not just the crews, observers, and community members, but also the continuation of the business itself.

In balancing the trade-offs associated with the short-term loss of the benefits that observer coverage provides, we ask that you consider a number of ways in which coastal communities are particularly vulnerable to COVID-19 along with mitigating factors within the fishery management system. With respect to coastal communities, decisions should not be based on impressions that the risk there is low because the virus is not currently prevalent in those communities. Minimal COVID-19 testing in coastal counties may be creating an illusion that the virus is not prevalent. For example, according to the Oregon Health Authority, less than 0.3 percent of the population in two of Oregon's largest fishing communities have been tested for the virus. Additionally, the virus can be asymptomatic for up to fourteen days, allowing individuals to unwittingly pose a serious risk to populations without realizing the danger.

Even if current prevalence is low, the consequence of sparking an outbreak in one of these communities could be very serious. Many rural coastal fishing communities have older populations, which are particularly vulnerable to the virus. This, combined with very limited health care capacity, creates a situation where even a small outbreak would lead to disastrous consequences for individuals, families, and the broader community.

Observers are critical to implementing our fishery management plans in the long term. However, as you recognized in your comments to the Council, the fishery is able to operate for a short period without observers, without long-term consequences for data integrity. During the immediate public health crisis, we suggest that alternative approaches to monitoring, catch accounting, and sampling are acceptable for a limited period of time. Vessel monitoring systems, logbook requirements, and documentation of landed catch on fish tickets will remain in place. Shoreside biological sampling is occurring in some areas. Existing observer data can be used to evaluate discard data self-reported by the fleet while observers are absent from the vessels. In the West Coast Groundfish Trawl Individual Fishing Quota program, there are nine years of data based on 100 percent observer coverage from which estimates of bycatch and discard can be developed. Further, for some vessels, electronic monitoring will continue providing information to inform the management process.

While we understand and appreciate that observer providers are doing their part to require safety precautions, the unnecessary risk of introducing this virus into our fishing community populations at this critical time is too great and the trade-off is not worth that risk. We believe that the entire West Coast fishing industry, deemed essential for food production, deserves our support during these highly uncertain and constantly evolving times. The Center for Disease Control recommends limiting face-to-face contact as the best method of stop the spread of the COVID-19 infection. Temporarily waiving observer and catch monitor requirements would reduce the risk of virus

transmission in environments of limited social distancing opportunity while allowing the sector to perform its essential functions.

We value our partnership with the agency and our shared responsibility for ensuring the conservation, safety, and economic success of our fishing industry. The Council urges NMFS' serious consideration of these recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Phil Anderson', with a stylized, cursive script.

Phil Anderson
PFMC Chair

JLS:acl

CC: Pacific Council Members
Mr. Chris Oliver
Mr. Kevin Werner
Ms. Kristen Koch
CPSAS Members
GAP Members
HMSAS Members
SAS Members

