

**Onboard Observer Programs (4 proposals)**

**PROPOSAL 269**

**5 AAC 39.143. Onboard observer certification and decertification.**

Amend observer trainee permit revocation regulation, as follows:

5 AAC 39.143 is amended to read:

...

(d) [THE COMMISSIONER MAY REVOKE A] A trainee permit **may be revoked** for the reasons **listed** [AND] under the procedures set out in (j) - (n) of this section, **and at the discretion of the department**. If revocation proceedings are pending on the date the permit would expire under (c)(1) of this section, the permit expires under that paragraph, and all rights under the permit cease. If revocation proceedings are pending on the date the permit would expire under (c)(2) of this section, the permit does not expire on that date, but is suspended until conclusion of the revocation proceedings. The trainee may not act under the permit during the period of suspension. The permit expires at the conclusion of the revocation proceedings unless the department determines that the permit should not be revoked and that the trainee should be certified as an observer under (f) of this section.

**What is the issue you would like the board to address and why?** The criteria used to revoke observer trainee and full observer certification are currently the same in regulation. It is not uncommon for observer candidates to pass the written exam to become observer trainees then later discover they are not suited for the physical and mental challenges experienced at sea. This results in poor data quality and added costs to the observer program. Allowing the department greater flexibility to revoke trainee certification when warranted will improve data quality and provide the needed flexibility to ensure qualified observers are deployed to meet management needs.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F19-169)  
\*\*\*\*\*

**PROPOSAL 270**

**5 AAC 39.146. Onboard observer briefing and debriefing.**

Specify briefing and debriefing requirements for trainee and certified observers, as follows:

5 AAC 39.146 is amended to read:

...

**(e) Trainee observers must be fully briefed and debriefed for each individual fishery they observe prior to observing any subsequent fisheries. Observers holding a current certification with the department may be considered for briefing and debriefing for multiple fisheries with prior authorization, at the discretion of the department.**

**What is the issue you would like the board to address and why?** The current regulation does not specify the number of fisheries a trainee or certified observer is permitted to observe for each departmental briefing and debriefing. Given the complexity of deploying observers across multiple

fisheries and the need to maintain data integrity, this proposal would prohibit trainee observers from deploying across multiple fisheries without briefing and debriefing between trips.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F19-170)  
\*\*\*\*\*

**PROPOSAL 271**

**5 AAC 39.645. Shellfish onboard observer program.**

Specify marine safety requirements for fishing vessels carrying observers, as follows:

5 AAC 39.645 is amended to read:

...

(i) When a vessel is required to carry an onboard observer, the vessel owner, owner's agent, or operator shall

**(11) maintain safe conditions on the vessel for the protection of observers including adherence to all U.S. Coast Guard and other applicable rules, regulations, or statutes pertaining to safe operation of the vessel.**

**What is the issue you would like the board to address and why?** Currently, there are no regulations that address the standard for maintaining safe conditions at sea for fishery observers. The proposed regulation closely parallels federal regulations regarding observer safety.

**PROPOSED BY:** Alaska Department of Fish and Game (HQ-F19-168)  
\*\*\*\*\*

**PROPOSAL 272**

**5 AAC 39.646. Shellfish onboard observer trainee program qualifications and requirements.**

Amend observer trainee minimum qualifications, as follows:

5 AAC 39.646 is amended to read:

(a) To qualify as a crab or scallop onboard observer trainee, an applicant must have one of the following:

(1) a Bachelor degree **or higher from an accredited college or university with a major in the sciences of biology, any branch of biology, or limnology, which includes a minimum of 30 semester hours in applicable biological sciences with use of dichotomous keys in at least one course, and the successful completion of at least one course each in mathematics and statistics with a minimum of five semester hours total for both;** or

**What is the issue you would like the board to address and why?** The current language does not specify a minimum amount of semester hours for applicable courses in the biological sciences and does not specify courses necessary to be successful performing the basic duties of an onboard observer. These requirements mirror the current minimum standards to qualify as a federal observer program trainee.

**PROPOSED BY:** Alaska Department of Fish and Game

(HQ-F19-171)

\*\*\*\*\*