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TO : John Carlson (SFD Chief, acting)

FROM : Larry Beerkircher,
Pelagic Observer Program

SUBJECT: Fourth quarter (2008) observer coverage summary.

The Pelagic Observer Program (POP) achieved an 8.9% overall coverage rate for the fourth quarter period of 2008 (October 1 to December 31). Selection letters were sent by certified mail service (return receipt) on October 15, 2008 to 40 vessel permit holders (owners and/or operators) who were selected for coverage based on fishing activity in the northwestern Atlantic and Gulf of Mexico for notification of observer coverage. The POP had the responsibility of the regular coverage requirement in the Northwest Atlantic and Gulf of Mexico as well as, during a part of this quarter, responsibility for deploying NSU observers on board 2 vessels fishing experimentally in the Florida East Coast Closed Area. In general this report will only cover regular fishery effort (i.e. only non- experimental coverage); however experimental effort and any associated incidental take will be shown in a table.

Of special note, there were two (2) vessels (Peaceful Lady and Eagle Eye) selected for coverage in Quarter 3 (2008) which had fishing effort in both Quarter 3 and Quarter 4. Further, there were two (2) vessels (Kim Nhi and Destiny) selected for coverage in Quarter 4 but had fishing effort in both Quarter 4 and Quarter 1 (2009). For the purposes of this quarterly report, vessel hauls beginning on or after October 1 and up to and including December 31, along with any incidental takes observed during this quarterly

period (number of sets observed, days at-sea, animals caught) will be included in this summary. Overall during this quarter, observers spent 341 days at sea on 29 fishing vessels, which resulted in 206 hauls observed and a coverage rate of 8.9%. During the 31 observed trips (Tables 1 and 2), set effort occurred in the geographical areas of the Gulf of Mexico (GOM), the Florida East Coast (FEC), the South Atlantic Bight (SAB) the Mid Atlantic Bight (MAB), the Northeast Coastal (NEC), the Northeast Distant (NED), and the Tuna North (TUN).

During the regular fishery pelagic longline trips covered by observers, a total of 159,839 hooks were fished. The total catch observed consisted of 6,107 fish representing 46 species of fish. The catch data was comprised of 1,799 swordfish, 407 bigeye tuna, 668 yellowfin tuna, 26 bluefin tuna, 420 albacore tuna, 440 other tuna species, 187 dolphin fish (mahi), 28 wahoo, 135 billfish species, 765 other finfish (escolar, lancetfish, etc.), 449 skates/rays, 9 small coastal sharks, 210 large coastal sharks, and 839 pelagic sharks. During the quarter, observers also recorded incidental takes of protected species (Table 3) which included 13 sea turtles (6-leatherback-alive; 7-loggerhead-alive), in addition to 8 marine mammals (3-pilot whale-alive, 3-Risso's dolphin-alive, 2-unid marine mammal-alive) and 0 seabirds. No sawfish catches during the quarter; this species is not likely to occur in the pelagic environment. Table 4 shows effort during Closed Area experimental fishing (experimental effort); no incidental take during this fishery was observed in Quarter 4.

During the quarter, the POP did not place observers on 15 of 40 of these vessels selected (38%, Table 5); thus reducing the target coverage of the POP by 86 sets. There were 5 selected vessels listed in Table 5 as not being covered due to not participating in the pelagic fishery during the quarter, these vessels reduced the POP's coverage opportunities by a minimum of 32 sets. Five vessels did not contact the POP before conducting at least one trip and 3 vessels did not have a current safety decal, reducing potential coverage by 30 sets. The remainder (two vessels) did not take an observer because one was not available for their departures, reducing potential coverage by 14 sets.

In keeping with the BO reporting requirements from the POP office, observers filled out the turtle handling and release gear

forms on all of the 29 third quarter covered vessels. Of the vessels selected and observed in Quarter 4, 90% of the vessels had the equipment needed for removing gear from turtles in the water (at least 3 of 4 items aboard), and 90% had most of the equipment for removing gear if the turtle is boated (6 or more items aboard).

Additionally, 45% of the observed vessels also had the turtle tether aboard, which was voluntary during the selection period. A PDF document of the observer turtle gear forms will be posted on a secure site of the POP website. Finally, the cumulative number of unique vessels observed since the effective date of the sea turtle conservation regulations (July, 2004), now stands at 103 vessels covered (Table 6).

Attachments:

Tables 1, 2, 3, 4, 5 and 6.

cc: The POP office files; Matt Clark, NOAA-Fisheries SERO/OLE liaison.

Table 1: Regular coverage (8%) of the longline fleet. Number of vessels observed, areas of fishing activity, total hauls observed, and total days-at-sea conducted by the SEFSC Miami Laboratory POP from October 1 to December 31, 2008.

Vessel Code	Vessel Name	Trip Number	Area	Total Hauls	Total Sea Days
1029594	QUEEN MARY	E05006	GOM	6	8
1031845	DESTINY	D04057	SAB	1	5
1075516	JAMIE B	T03007	MAB	3	4
1094947	VICTORIA	P01142	GOM	8	14
539456	BOOKIE	T02048	NEC	11	14
552675	OLYMPIC JAVELIN	S01105	MAB	11	14
597421	MONICA	T02049	MAB/NEC	9	13
602041	PROVIDER	S02006	SAB	3	7
602788	JENNY G	X03012	FEC/SAB	4	13
609121	CAROL ANN	S02005	SAB	5	9
618782	WATERSPORT	T03008	MAB	4	5
628471	REBEL LADY	J02083	TUN	11	26
650401	SHARON G II	S01104	MAB	6	9
656259	KRISTIN LEE	C05001	FEC	1	4
656259	KRISTIN LEE	C05002	FEC	4	8
656259	KRISTIN LEE	M03001	FEC	5	8
668316	CAPT LUU	X03011	GOM	10	17
669872	EAGLE EYE	T03006	NED	9	15
690722	SOUTHERN LADY	C05003	SAB	3	8
902659	NIGHT STAR II	P01141	GOM	11	16
904300	KIM NHI	P04009	GOM	1	3
905679	CAPT MIKE	J02082	GOM	12	15
911014	PEACEFUL LADY	P01140	GOM	6	10
911431	CAPT DAVID	E05007	GOM	8	16
911631	ST JOSEPH & PETER	P04008	GOM	12	17
919844	FORTUNA II	J02084	MAB	5	6
923317	SEA QUEEN	E05005	GOM	7	11
937416	KIM THANH PN	D05008	GOM	12	22
938537	LEROY TENNISHOE	D05007	GOM	12	16
NC5126DC	FINNALI	P04007	MAB	4	5
NC8831WR	BODY COUNT	P04006	MAB	2	3
TOTAL		31		206	341

Table 2: Experimental effort observed in the Closed Areas. Number of vessels observed, areas of fishing activity, and total hauls observed by the SEFSC Miami Laboratory POP from October 1st to December 31st, 2008.

Vessel Code	Vessel Name	Trip Number	Area	Total Hauls	Total Sea Days
656259	KRISTIN LEE	C05002	FEC	1	N/A
690722	SOUTHERN LADY	C05003	FEC/SAB	2	N/A
TOTAL		2		3	N/A

Table 3: Percent coverage (by hauls), the incidental take of Protected Resource species (turtles, mammals, seabirds), and hook effort summarized by geographical area for October 1 to December 31, 2008 during regular fishing operations.

(A=Alive, D=Dead, U=Unknown. LB=Leatherback, LH=Loggerhead, O=other)

AREA	TOTAL HAULS OBSERVED	REQUIRED 8% COVERAGE	TURTLES			MAMMALS		BIRDS		
			A	D	U	A	D	A	D	
			LB/LH/O							
GOM-2	105 (10.5%)	80	4/	1/0	0	0	0	0	0	0
FEC-3	11 (8.0%)	11	0/	1/0	0	0	0	0	0	0
SAB-4	15 (5.5%)	22	0/	0/0	0	0	0	0	0	0
MAB-5	43 (6.3%)	55	0/	0/0	0	0	7	0	0	0
NEC-6	12 (32.0%)	3	1/	0/0	0	0	0	0	0	0
NED-7	9 (9.0%)	8	0/	5/	0	0	0	0	0	0
OFF (TUN)	11 (14.7%)	6	1/	0/0	0	0	1	0	0	0
TOTAL	206 (8.9%)	185	6/	7/0	0	0	8	0	0	0

Hook effort Summary:

Area	Hook effort
GOM	82,686
FEC	4,792
SAB	7,793
MAB	33,789
NEC	7,955
NED	7,056
OFF (TUN)	15,768
TOTAL	159,839

Table 4: Incidental take of Protected Resource species (turtles, mammals, seabirds) and hook effort summarized by geographical area for October 1 to December 31, 2008 during experimental fishing operations. (A=Alive, D=Dead, U=Unknown. LB=Leatherback, LH=Loggerhead, O=other)

AREA	TOTAL HAULS OBSERVED	TURTLES			MAMMALS		BIRDS		
		A	D	U	A	D	A	D	
FEC-3	2	0/	0/0	0	0	0	0	0	0
SAB-4	1	0/	0/0	0	0	0	0	0	0
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TOTAL	3	0/	0/0	0	0	0	0	0	0

Hook effort Summary:

<u>Area</u>	<u>Hook effort</u>
FEC	704
SAB	449
TOTAL	1,153

Table 5: Listing of selected vessels that were not covered by Pelagic Observer Program (POP) during Quarter 4, 2008 (October 1 to December 31). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation. The following categories are provided: (1)No bunk available;(2)Observer presence exceeds the liferaft capacity;(3) Lack of current CFVSE decal; (4)No communication with observer office/staff; (5)Not fishing (involved in another fishery);(6)Not fishing (new owner, repair, sunk, no permits); and (7)other.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
ADAM C	297535	Reason 5. Certified letter received. Owner contacted POP to say that vessel would not be pelagic fishing during quarter. POP requested 10 sets for the quarter. Logbook submissions: None.
BEAU	647878	Reason 4. Certified letter received. Vessel made one trip during the quarter but the POP was not contacted prior to the trip. POP requested 9 sets for the quarter.
BOBALOU	600322	Reason 7. Certified letter received. Vessel contacted POP multiple times, but observer not available. POP requested 3 sets for the quarter. Departures reported on 10/7, 10/13, 12/2.
DEFIANCE	630306	Reason 4. Certified letter received. Vessel made one trip during the quarter but the POP was not contacted prior to the trip. POP requested 4 sets for the quarter.

Table 5 (continued): Listing of selected vessels that were not covered by Pelagic Observer Program (POP) during Quarter 4, 2008 (October 1 to December 31). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation.

The following categories are provided: (1)No bunk available;(2)Observer presence exceeds the liferaft capacity;(3) Lack of current CFVSE decal;(4)No communication with observer office/staff;(5)Not fishing (involved in another fishery);(6)Not fishing (new owner, repair, sunk, no permits); and (7)other.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
EYELANDER	659026	Reason 7. Certified letter received. Owner called the POP with advance notice, and trip was scheduled, but airline lost observer's safety gear. Vessel waited a few days for gear to arrive, but when it did not they departed and observer went home (airlines never found observer's gear). POP requested 11 sets for the quarter. Departures reported 10/25, 11/25.
IRON MAIDEN	683311	Reason 3. Certified letter received. Vessel made multiple trips without obtaining USCG examination decal. POP requested 3 sets for the quarter. Departures reported 10/20, 11/8, 11/22, 12/4.
MARY B	MS1284AR	Reason 4. Certified letter received. POP requested 2 sets for the quarter. No vessel departures reported as of 1/12/2009, but POP has reason to believe vessel fished.
NOVI	NJ3558GR	Reason 5. Certified letter received. POP requested 2 sets for the quarter. No departures reported.

Table 5 (continued): Listing of selected vessels that were not covered by Pelagic Observer Program (POP) during Quarter 4, 2008 (October 1 to December 31). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation.

The following categories are provided: (1)No bunk available;(2)Observer presence exceeds the liferaft capacity;(3) Lack of current CFVSE decal;(4)No communication with observer office/staff; (5)Not fishing (involved in another fishery);(6)Not fishing (new owner, repair, sunk, no permits); and (7)other.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
PROVIDER	588064	Reason 3. Certified letter received. POP requested 5 sets for the quarter. Vessel reported departures on 10/10, 10/25, 11/6, 11/22, 12/3, 12/14. Vessel has been submitted to Office of Law Enforcement for observer non-compliance violation.
RETRIEVER	918890	Reason 5. Certified letter received. Owner got selection letter 2 days after vessel departed for final pelagic trip of the year. POP requested 8 sets for the quarter. Vessel reported departure on 10/12.
SARAH BRENT	NC2087WV	Reason 5. Certified letter received. POP requested 3 sets for the quarter. No departures reported.
SEA ANGEL	926754	Reason 5, 4. Certified letter received. POP requested 9 sets for the quarter. Vessel made one trip departing on 12/13/09 without contacting POP.

Table 5 (continued): Listing of selected vessels that were not covered by Pelagic Observer Program (POP) during Quarter 4, 2008 (October 1 to December 31). Short explanations provided. Vessel non-compliance of observer coverage may be based on more than one category of explanation.

The following categories are provided: (1)No bunk available;(2)Observer presence exceeds the liferaft capacity;(3) Lack of current CFVSE decal; (4)No communication with observer office/staff; (5)Not fishing (involved in another fishery);(6)Not fishing (new owner, repair, sunk, no permits); and (7)other.

<u>Vessel Name</u>	<u>Doc #</u>	<u>Remarks</u>
SEAHAWK	620096	Reason 3. Certified letter received. No current CFVS decal. POP requested 6 sets for the quarter. No vessel departures reported as of 1/12/2009, but POP has reason to believe vessel fished.
TIKI XIV	512432	Reason 4. Certified letter received. Vessel made one trip during the quarter but the POP was not contacted prior to the trip. POP requested 2 sets for the quarter. Vessel departure reported on 10/8.
VITAMIN SEA	671127	Reason 5. Certified letter received. POP requested 9 sets for the quarter. No departures reported.

Table 6: The POP coverage completed aboard the pelagic longline fleet by quarter and year since the publication of the 2004 Biological Opinion. The number of trips observed include vessels that are covered multiple times during a quarter. The number of unique vessels observed represents those vessels only covered at least once by an observer.

Quarter	Year	No. of Vessels Selected	No. of Trips Observed	No. of Unique Vessels Observed
3	2004	44	29	29
4	2004	30	28	14
1	2005	34	26	12
2	2005	45	22	9
3	2005	41	19	7
4	2005	28	14	1
1	2006	31	20	4
2	2006	33	23	2
3	2006	39	22	2
4	2006	24	17	1
1	2007	20	17	1
2	2007	65	43	4
3	2007	42	28	4
4	2007	29	20	1
1	2008	81	33	1
2	2008	77	79	4
3	2008	46	28	3
4	2008	40	29	4
Cumulative Totals			497	103
