



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
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Johanne Fischer
Executive Secretary
SPRFMO Secretariat
P.O. Box 3797
Wellington 6140
New Zealand

Dear Dr. Fischer:

SUBJECT: 2nd Draft of the Initial Proposal for the SPRFMO Observer Programme

I would like to thank the OPWG for their detailed input and comments on the first draft of the initial proposal for the SPRFMO Observer Programme. In reviewing the comments, I believe they can be grouped into three general categories: (1) comments that can be readily incorporated into the text of the CMM; (2) comments that require additional review and discussion among the OPWG before the development of text for the CMM; and (3) comments that are better addressed in future work of the OPWG. Several comments were submitted that do not fall into these three categories and I have provided responses to those comments at the end of this letter.

Enclosed is a 2nd draft of the CMM that includes updated language incorporating comments and also provides explanatory notes for the updated language and for items that require additional consideration by the OPWG. Below are two lists of items based on comments received. The first list includes items that I believe need further discussion by the OPWG at this time. The second list includes items that I believe are better left for future work of the OPWG.

OPWG Current Discussion Items

- Definitions to include in the CMM, including the definition of “independent and impartial”
- Specific data collection requirements
- Requirements for transshipment operations
- Safety requirements
- Observer coverage levels and metrics
- Data sharing requirements between observers and vessel operators
- Standards for debriefing



OPWG Future Discussion Items

- Development of the accreditation process and standards for accreditation
- The specific role and responsibilities of the Secretariat
- Coordination with existing regional or national observer programmes
- Penalty provisions
- Use of electronic monitoring

I have also developed a draft letter for submission to the Scientific Committee (SC), which I have enclosed for the OPWG's review. I propose the following as a way forward, which is consistent with the Terms of Reference of the OPWG, but includes slight modifications to the process detailed in that document, as I believe that additional time and input from the OPWG is needed to develop the next comprehensive draft of the CMM:

- (1) by August 1, 2016, OPWG participants provide me with edits or comments on the letter to the SC as well as comments on this letter;
- (2) by September 1, 2016, OPWG participants provide me with edits or comments on the 2nd draft of the CMM, as well as input on the items listed as current discussion items and thoughts on whether items listed as future discussion items should be re-categorized;
- (3) by September 15, 2016, I circulate final lists of items to be included in the initial CMM and items to be included in the OPWG's future workplan, requesting any final comments on this matter from the OPWG be provided by September 30, 2016;
- (4) by November 1, 2016, I circulate another draft of the CMM to the OPWG participants, incorporating input from the SC, and requesting comments by November 30, 2016.

Below are specific responses to comments that are not addressed elsewhere:

- A comment indicated that the OPWG should focus on the development of scientific matters and not consider specific management measures. Response: according to the Terms of Reference of the OPWG, the OPWG is a joint scientific and technical working group and has been tasked to develop specific management recommendations.
- A comment indicated that domestic observer programs that are currently providing qualified observers on vessels operating in the SPRFMO Convention Area should be considered to have prior certification by the Commission and should be included in the SPRFMO Observer Programme. Response: the draft CMM includes provisions for any existing observer programs to provide information to the Secretariat and receive interim authorization before the full SPRFMO Observer Programme accreditation process has been developed and implemented. Development of the accreditation process and standards needs to be discussed further by the OPWG.

I welcome comments on all aspects of this letter and the enclosed documents. As some comments provided similar or competing suggestions for particular provisions of the CMM, not all comments have been incorporated or addressed as submitted, so if OPWG participants have concerns or questions about how specific comments were addressed, please do not hesitate to contact me.

I look forward to the continued collaboration of the OPWG as we make further progress on the CMM.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. D. Tosatto", with a stylized flourish at the end.

Michael D. Tosatto
Regional Administrator

Enclosures

