



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Northeast Fisheries Science Center  
166 Water Street  
Woods Hole, MA 02543-1026

July 10, 2014

MEMORANDUM FOR: Northeast Fisheries Observer Program NEFOP, ASM and IFS  
Observers

FROM:

Amy Martins   
Branch Chief, Fisheries Sampling Branch (FSB)

SUBJECT: Incident Report Updates for 2014

The purpose of this memo is to:

- Inform observers of changes and additions made to the Incident Report
- Provide observers with an example of a correctly filled out Incident Report for reference with the objective of improving documentation.

**The following have been added as choices to their respective fields on the incident report**

- **Position Title**
  - “NEFOP Staff Member” ( NEFOP staff use only)
- **Employer Name**
  - “NMFS, FSB” (NEFOP staff use only)
- **Incident Type**
  - “Notification Non Compliance” (NEFOP staff use only) (Non PTNS trips)
    - Use to document incidents when a vessel was selected for NEFOP coverage and did not notify the NMFS of fishing activities. This should not be used to document PTNS non compliance.
  - “Failed to Provide Equal Accommodations”
    - CFR Title 50 Part 648.11 At-sea sea sampler/observer coverage states the following:

*“(a) The Regional Administrator may request any vessel holding a permit for Atlantic sea scallops, NE multispecies, monkfish, skates, Atlantic mackerel, squid, butterfish, scup, black sea bass, bluefish, spiny dogfish, Atlantic herring, tilefish, or Atlantic deep-sea red crab; or a moratorium permit for summer flounder; to carry a NMFS-certified fisheries observer. A vessel holding a permit for Atlantic sea scallops is subject to the additional requirements specific in paragraph (g) of this section. Also, any vessel or vessel owner/operator that fishes for, catches or lands hagfish, or intends to fish for, catch, or land hagfish in or from the exclusive economic zone*

must carry a NMFS-certified fisheries observer when requested by the Regional Administrator in accordance with the requirements of this section.

(b) If requested by the Regional Administrator to carry an observer or sea sampler, it is the responsibility of the vessel owner to arrange for and facilitate observer or sea sampler placement. Owners of vessels selected for sea sampler/observer coverage must notify the appropriate Regional or Science and Research Director, as specified by the Regional Administrator, before commencing any fishing trip that may result in the harvest of resources of the respective fishery. Notification procedures will be specified in selection letters to vessel owners.

(c) The Regional Administrator may waive the requirement to carry a sea sampler or observer if the facilities on a vessel for housing the observer or sea sampler, or for carrying out observer or sea sampler functions, are so inadequate or unsafe that the health or safety of the observer or sea sampler, or the safe operation of the vessel, would be jeopardized.

(d) An owner or operator of a vessel on which a NMFS-approved sea sampler/observer is embarked must:

**(1) Provide accommodations and food that are equivalent to those provided to the crew.**

(2) Allow the sea sampler/observer access to and use of the vessel's communications equipment and personnel upon request for the transmission and receipt of messages related to the sea sampler's/observer's duties.

(3) Provide true vessel locations, by latitude and longitude or loran coordinates, as requested by the observer/sea sampler, and allow the sea sampler/observer access to and use of the vessel's navigation equipment and personnel upon request to determine the vessel's position.

(4) Notify the sea sampler/observer in a timely fashion of when fishing operations are to begin and end.

(5) Allow for the embarking and debarking of the sea sampler/observer, as specified by the Regional Administrator, ensuring that transfers of observers/sea samplers at sea are accomplished in a safe manner, via small boat or raft, during daylight hours as weather and sea conditions allow, and with the agreement of the sea samplers/observers involved.

(6) Allow the sea sampler/observer free and unobstructed access to the vessel's bridge, working decks, holding bins, weight scales, holds, and any other space used to hold, process, weigh, or store fish.

(7) Allow the sea sampler/observer to inspect and copy any the vessel's log, communications log, and records associated with the catch and distribution of fish for that trip."

○ "MARPOL Violation"

- MARPOL is an international convention for the prevention of pollution from ships. It was designed to minimize the pollution of the seas including, dumping, oil, and exhaust pollution. Use this incident type to document incidents involving pollution. Further instructions for documenting MARPOL violations will be provided in the future .

Please read the example incident report (attached). This example is included to help observers understand how to better document incidents. The most common mistake is that the documentation of the incident is lacking details and required information. Information commonly missing includes hull numbers, permit numbers, name of captain or anyone involved in the incident. Observers should include details such as PTNS trip

confirmation numbers, phone numbers, times, dates, and details of any conversations that occurred between parties. Even if observers do not know names they should include any relevant details, such as, nicknames or physical descriptions.

For safety deficiencies the incident report should be sent within 12 hours of the incident or vessel landing. The incident report should document, specific details, including if the observer gave the captain the Office of Law Enforcement letter. A copy of the letter and safety checklist showing the deficiency should be sent to the NEFOP within 24 hours. Please see the example for more information.

For refusals the incident report should document the conversation had with that captain while soliciting the trip and whether a selection letter was issued.

Observers should use their field diary to contemporaneously document the events that they will later document in the incident report. Field diaries should be sent in with the trip data, while all incident reports must be submitted within 12 hrs after the incident occurs, or the vessel lands.

Please contact **Nichole Rossi (NEFOP)** at **(508)-495-2128** or **KB McArdle (ASM)** at **(508)-495- 2377** with any questions. We thank you for your attention.

Attachments:

Incident Report example

## NORTHEAST FISHERIES OBSERVER PROGRAM INCIDENT REPORT INSTRUCTIONS

The Incident Report (found under "Observer Program Forms" at <http://www.nefsc.noaa.gov/bsb/forms/>) is applicable to Northeast Fisheries Observer Program (NEFOP) Observers, Industry Funded Scallop (IFS) Observers, and At-Sea Monitors (ASM). As this report contains sensitive information it will not be publicly available **unless all sensitive information is redacted**. This report is interactive and requires Adobe Reader 9.0 (or later) software. To download the most up to date free version of Adobe Reader go to <http://get.adobe.com/reader/>. Please read the instructions **before** filling out the report to ensure all required information is included.

The Office of Law Enforcement (OLE) has provided a hotline number (1-800-853-1964) for the reporting of urgent/time sensitive issues that do not require immediate response and are not emergency situations. If observers/monitors have been assaulted, threatened with assault, or are in a situation that requires immediate response, they should call 911. If you have reported an incident to the OLE hotline number or 911, you are still required to complete and submit an incident report.

### *Filling Out the Report*

Please note, this report serves as a written affidavit of the incident, therefore, it is **essential that the individual reporting the event complete the report. No other parties (program manager, area coordinator, etc.) should complete this report on behalf of an observer or ASM.** All incident reports must include a **digital signature** to certify the document (see directions below). **All incidents must be reported within 12 hours after the incident occurred or within 12 hours of landing, depending on which is applicable.** Please note, all incidents, including mishaps (minor sprains, strains, cuts, abrasions) and serious injuries must be reported.

Each data field is specific to a particular element (e.g., vessel name, incident location, etc.), please do not enter alternate information in the data fields. If you have additional information not listed as a data field you would like to include, please add those details in the "Incident Description" field. If a specific field is unknown, please leave it blank. If the event occurs over the course of several days, enter the last or most recent associated date in the "Incident Date" field and include the other dates in the "Incident Description" field. Please avoid using **commas** in the "Incident Description" field.

If you are a MAC user using the built-in software "Preview" to fill out the report as opposed to Acrobat, please follow these instructions. Once you have completed the report (using Preview software) instead of saving the report, select "print." Select "save as a PDF" from the drop down menu, save the report using the naming convention outlined below, and follow instructions for emailing the report. This will create a file that is readable. If the fields appear blank after completing the report or you are unable to add a digital signature, "Preview" software is most likely the problem. Please note, MAC users may also opt to use Acrobat to complete the report and would follow the instructions outlined below.

### **Observer/ASM ID or Trip ID**

If the incident occurred on a trip, provide the trip ID, if the incident did not occur on a trip (trip refusal, etc.) provide your identification ID (i.e., Observer or ASM ID).

### **Position Title**

Please select your position title from the drop down list. The choices include; NEFOP Observer, Industry Funded Scallop (IFS) Observer, ASM, or NEFOP staff member.

### **Employer Name**

Please select your employer from the drop down list. Choices include; *NEFOP* (MRAG Americas), *IFS* (A.I.S. Inc., East West Technical Services, Fathoms Research), *ASM* (A.I.S. Inc., East West Technical Services, MRAG Americas), or *NEFOP Staff Member* (NMFS, FSB).

### **Incident Type**

Please select the type of incident from the drop down list. Please note, options may be only applicable to certain positions (i.e., NEFOP, IFS, ASM), please be sure you are selecting the correct incident type for your position. The choices include; Refusal, Safety Deficiency, Unsafe Vessel Operation, Harassment, Interference, Intimidation, Gear Tampering/Theft, Assault, Discard of Legal Sized Groundfish (Sector Trips only), Concerns about Safety, Description of any Injuries, Captain did not Show to Vessel at Arranged Time, Difficulty in Setting up Trip, Pre-Trip Notification System (PTNS) Non-compliance, Notification Non-compliance (non-PTNS trips), Failed to Provide Equal Accommodations, MARPOL Violation, Other.

### Digital Signature

When you click on the digital signature box in the lower left hand corner you will be prompted to "Sign Document" (digital signature previously created, click "sign" button) or "Add Digital ID" (no digital signature created). If you are prompted to "Add Digital ID," click on the "A new digital ID I want to create now" button and then follow the steps. A box will pop up and provide you with two choices ("New PKCS#12 digital ID file" or "Windows Certificate Store") to create a digital signature. Either choice should work. After you have selected a digital signature option, you will be prompted to enter your identity information (name, organization unit, email address, etc.). Fill in the information (keep the defaults) and click "Next." You will now be prompted to set your password and you will then be ready to "sign" the report.

### *Saving the Report*

After completing the report with all the required information, you must save the report to your computer, in order to email it. If you are not working on your own computer you should delete the file from the directory and trash folder (*after you have verified that the report was emailed*). To save the file in Adobe Acrobat select "File" and then "Save As" (or Shift+Ctrl+S), and rename the file to a directory.

When saving the file include the following information in the title: **position type, last name, incident type, and the date (month, two-digit day, and four digit year) of the incident.** Examples of the naming convention are included below.

**Incident\_Report\_NEFOP\_Smith\_Harrassment\_Oct012010**

**Incident\_Report\_ASM\_Smith\_SetupDifficulty\_May152010**

### *Emailing the Report*

After you have completed the report and added your digital signature you will need to email the report as a PDF attachment. Open up your internet email account, add the saved PDF report as an attachment, and send it to the email address listed below. **Report recipients are dependent upon your position and/or incident type, hence, it is very important you use the correct email distribution address.** Please remember to **capitalize** the "NEFSC" portion of each email group and copy your program manager when emailing the report. **Do not copy other staff outside of the distribution email list other than your program manager.** Please include the **new report name** (see above "Saving the Report" for instructions on naming convention) in the subject line of your email. Please see the "positions" and associated email address below.

#### NEFOP Observers:

[NEFSC.uefopincident@noaa.gov](mailto:NEFSC.uefopincident@noaa.gov)

*\*Copy Program Manager*

#### Industry Funded Scallop (IFS) Observers:

[NEFSC.scallopincident@noaa.gov](mailto:NEFSC.scallopincident@noaa.gov)

*\*Copy Program Manager*

#### At-Sea Monitors (ASM):

[NEFSC.asmincident@noaa.gov](mailto:NEFSC.asmincident@noaa.gov)

*\*Copy Program Manager*

If you have any questions, please contact Sara Weeks (508) 495-2227 or Amy Martins (508) 495-2266.

**Fisheries Sampling Branch  
National Marine Fisheries Service  
25 Bernard Saint Jean Drive  
East Falmouth, MA 02536-4420  
ATTN: Branch Chief**

# INCIDENT REPORT

Name Last, First	Rossi, Nichole	Home Address & Phone Number	234 Station Ave, Gloucester, MA, 212-321-2121
Observer/ASM ID or Trip ID	G80	Position Title	NEFOP Observer
Incident Location (Port, Town, State)	Gloucester, MA	Incident Date	Jan 12, 2014
Vessel Name	Sea Squirt	Vessel Permit Number	310432
Vessel Hull Number	231621	VTR Serial Number	
Employer Name	MRAG Americas Inc., (MRAG)	Names of Persons Involved	Joe - crew, John - captain
Incident Type	Safety Deficiency		

**\*\*\*For a list of Incident Types, please use drop down list or see instructions "Filling out the Report" above**

Provide a description of the incident with as much detail as possible. Include date, location, time, persons involved, exact quotes/statements, and other pertinent information.

Solicited vessel at the state pier in Gloucester. Told captain John he was selected for coverage for small mesh trip today 1/12/14. Joe helped me begin my safety checklist. The safety decal expired in November 2013. I told Joe that the decal was expired and that I could not take the trips with the vessel. I then gave captain John the letter from the office of law enforcement which states that when selected if vessel does not have the safety decal it may be illegal for this vessel to engage in fishing. I thanked them for their time and left the vessel. I sent the copy of the office of law enforcement letter plus my safety checklist showing the deficiency in an envelope to NEFOP. The captain was also given the outreach material that lists the Coast Guard contacts for scheduling a safety inspection.

**I declare under penalty of perjury that the foregoing is true and correct.**

Signature

ROSSI.NICHOLE.A.1032222  
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Digitally signed by ROSSI.NICHOLE.A.1032222745  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=OTHER, cn=ROSSI.NICHOLE.A.1032222745  
Date: 2014.03.13 22:07:04 -04'00'

Date

Jan 12, 2014