**TESTIMONY OF STEFANIE MORELAND,
FISHERIES POLICY ADVISOR TO GOVERNOR SEAN PARNELL,
ON BEHALF OF THE STATE OF ALASKA**

**U.S. SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES AND COAST GUARD**

"THE ROLE OF CERTIFICATION IN REWARDING SUSTAINABLE FISHING"

SEPTEMBER 24, 2013

Good Morning, Chairman Begich, Ranking Member Rubio, and distinguished members of the Committee.

My name is Stefanie Moreland, and I am the Policy Advisor for Fisheries to Alaska Governor Sean Parnell. I am honored to be here today representing the State of Alaska, the 63,000 hard-working men and women in our seafood industry, and the many communities that depend upon our fishery resources.

To Alaskans across our state, fish are not only an economically and socially significant source of food, but a vital and integral mainstay to our economy as a renewable natural resource. The fishing industry is our largest private sector employer, providing gainful employment to tens of thousands of residents and non-residents alike each year in both the harvesting and processing sectors. Alaska is home to four of the nation's top ten fishing ports when measured by volume of landings, and six of the top ten when measured by value.[1] If Alaska were a nation, it would rank among the top ten in the world for seafood production. The seafood industry is second only to the Alaska oil industry in generating State revenue. At the same time, fish support customary and traditional subsistence needs for Alaska Natives, supplement the food needs of thousands of Alaskans, and provide recreational opportunities for Alaskans as well as for hundreds of thousands of Americans who visit our state, bringing income to businesses and communities of all sizes. It is no exaggeration to say that fishing touches the life of every single Alaskan.

Alaska is home to fisheries managed by the State and federal governments, jointly. The Alaska Department of Fish and Game, under regulations crafted by the Alaska Board of Fisheries, manages about 750 distinct fisheries within State waters that extend to three miles from Alaska's shoreline. The National Marine Fisheries Service (NMFS), a branch of the National Oceanic and Atmospheric Administration, manages fisheries outside of State waters and within the 200 mile U.S. exclusive economic zone (EEZ), which comprises roughly 842,000 square nautical miles around Alaska. The North Pacific Fisheries Management Council is the regulatory body tasked with creating the programs, conservation, and fishery objectives that NMFS implements.

In Alaska, sustainability is not a trend, a movement, a fad, a marketing ploy, or a label; it is a way of life and the law of the land. It is an industry and scientific imperative. Alaska is the only State which mandates the sustainability of fisheries in its Constitution, which states in Article 8, Section 4 that

[1] State of Alaska, Department of Labor and Workforce Development, *Alaska's Fishermen: Harvests, Earnings, and Their Other Jobs*, by Jack Cannon and Josh Warren (Alaska Economic Trends, November 2012), 4.

"Fish...and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle...." We put fish first in our management practices, and fishermen are often called upon to make short term sacrifices for the long term health of the resource. During the last two summers, for example, multiple fisheries in Upper Cook Inlet, targeting a variety of species, endured severe restrictions in order to ensure adequate spawning escapement for one specific salmon species migrating through the area to spawn in streams. No species of Alaska seafood is listed as over-fished and the North Pacific Fishery Management Council has never set a catch limit above the level recommended by our scientists. In many cases, Alaska has pioneered management initiatives that have been adopted nationwide.

Alaska's first Department of Fisheries was created in 1949 – a full decade before Alaska gained statehood. The goal of the Territorial Legislature in instituting the Department was to "overcome the present depleted condition of the salmon runs," strengthen Alaskan control of Alaskan fisheries, and coordinate with federal fisheries management.[2] Challenges at the time included salmon stocks devastated by the use of fish traps, which essentially created local monopolies over fish runs, and foreign encroachment into Alaskan fishing waters. Shortly thereafter, in accordance with a vote of the people, fish traps were removed across the state.

The Department worked in ensuing years to protect the fishing rights of Alaskans and gain a stronger voice for individual fishermen in the creation of regulations over their livelihoods. Alaska's independent ability to manage its own fisheries was seen as inextricably linked to another issue under debate – statehood. Bill Egan, our first State Governor, stated shortly after the passage of Alaska statehood, "it is a requirement toward remolding the shattered remnants of a once unparalleled fishery which, under distant bureaucratic control, has been in sharp decline for more than two decades. Now for the first time, Alaskans are free to exercise their own judgment on a course of action to rebuild this resource in the common good to its earlier position of eminence."[3]

Alaska's efforts to return depleted salmon runs to sustainable levels centered around scientific understanding, conservation, and rehabilitation. In the early 1970s, salmon levels were alarmingly low, and a hatchery program was introduced by the State Legislature to augment salmon production.

The Department manages salmon fisheries strictly to meet a stock's escapement goal – the number of fish needed to migrate upriver and spawn to ensure a stock not only survives, but thrives. This means fishermen are often denied the opportunity to fish if necessary to ensure adequate escapement and robust future yields. Alaska's efforts to conserve wild salmon runs paid off richly in the early 1980s, which saw record returns in historic Bristol Bay fisheries and on the Kuskokwim, and strong runs throughout other regions of the state. While salmon continued to dominate Alaska fisheries policy, other fisheries developed under State management. King crab, shrimp, herring roe, and other species types gained new prominence as species sought across the world, and the State took on the responsibility for managing these for sustainable yield as well. The 2013 salmon season saw the highest overall salmon harvest in recorded history, with a record 269 million salmon harvest to date in the waters off Alaska.

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[2] State of Alaska, Department of Fish and Game, *Sustaining Alaska's Fisheries: Fifty Years of Statehood*, by Bob King (January 2009), 6.
[3] Ibid., 9.

Our state's commitment to the sustainability of Alaska's salmon resources is further codified in regulation with the policy for the management of sustainable salmon fisheries and the companion policy for statewide salmon escapement goals. The sustainable salmon fisheries policy was a comprehensive effort on behalf of the Alaska Department of Fish and Game and the Alaska Board of Fisheries, with unparalleled public and user group input conducted from 1996-1999. This policy was the first of its kind for Pacific salmon and preceded policies from both national and international agencies.

The success of our management and regulatory framework as it pertains to the present health and vitality of Alaska's salmon resource is directly linked to: the health of our salmon spawning and rearing environments; the application of sound, responsible, conservative management practices; and our observation and application of lessons learned in other jurisdictions regarding what wild Pacific salmon need to sustain healthy productive populations. The aforementioned policies in concert offer direct instruction on all aspects of salmon life history, what processes must be followed if a particular salmon stock is challenged at maintaining sustained yield and finally, that defined escapement goals are the underpinning of our management responsibility.

Sustainability is also mandated by U.S. law in the Magnuson-Stevens Fishery Conservation and Management Act (MSA). With the passage of the MSA in 1976, the United States EEZ limit was extended to 200-miles offshore, and foreign overfishing was banned. The Act also created regional councils to oversee management of fisheries within the EEZ and outside of state waters, with Alaska alone constituting a single region due to the tremendous range and size of its fisheries. Comprehensive amendments in 2006 mandated adherence to scientific catch limits and rebuilding timeframes for overfished stocks, codifying nationwide policies that had been in place in the North Pacific region for decades.

Both Alaska and the U.S. have been held up as models of responsible management and have some of the best-managed fisheries in the world. This globally recognized success has been achieved through a transparent, science-based, and participatory fisheries governance structure, and not because of any private, changeable environmental NGO sustainability standard. Recently, European Union Commissioner for Maritime Affairs and Fisheries, Oceans, and Seas, now faced with righting a failed common fishery policy in Europe, remarked that "I want to pay tribute to the U.S. for their great achievements in managing fisheries in accordance with the best available science and ending overfishing.... The U.S. has shown us the way on sustainability...."[4]

The Pew Charitable Trust and Ocean Conservancy just released a report stating "success in managing and rebuilding America's fisheries ranks among the leading achievements of marine resource management in the world."[5]

Alaska operates in a global marketplace exporting fish products to over 100 countries. Despite our decades old track record of sustainable, science-based management, a recent movement has gained

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[4] PECH Committee of the European Parliament, *Our Common Future Hearing*, 30 May 2012, http://europa.eu/rapid/press-release_SPEECH-12-398_en.htm?locale=en.

[5] *The Law That's Saving American Fisheries: The Magnuson-Stevens Fishery Conservation and Management Act.* The Pew Charitable Trusts, and Ocean Conservancy Washington (May 6, 2013), http://www.pewenvironment.org/news-room/reports/the-law-thats-saving-american-fisheries-the-magnuson-stevens-fishery-conservation-and-management-act-85899472108.

momentum that requires third party certification of sustainability as a precursor or qualification to maintain market access. We believe this is completely unnecessary for Alaska or U.S. fisheries, but the reality is that certification has become important in some markets as the only way to provide outside verification of sustainability.

Just over ten years ago, Alaska salmon was the first major fishery certified by the private London-based Marine Stewardship Council (MSC). The MSC touted Alaska salmon as a "pioneer in sustainability," a "very special and iconic fishery" and a "best environmental choice in seafood." They stated "Alaska's fishery management system is among the most comprehensive and intensive of any fishery in the world."[6] We believe this high praise was and is still well-deserved. Alaska's fisheries have thrived under a system of local management and world class research embraced in Alaska since the formation of the first Department of Fisheries, and are still known today for cutting-edge expertise in genetics, pathology, and population abundance modeling that informs management decisions on a day-to-day basis during busy fishing seasons and in the crafting of regulations. Regulations pertaining to overall management schemes for all fisheries are developed and regularly reviewed in a process that was designed to keep management apolitical, public, and accessible to stakeholders. This management model is respected worldwide and was the original example of what a fishery certified by the MSC should look like.

However, over the years, we have found that the eco-label movement has become more about brand protection and restricting market access than sustainability. In 2011, Alaska's leading salmon producers decided to withdraw from the MSC program. They saw the Alaska brand being eroded and replaced by a generic eco-label. They were frustrated with increased fees and most of all with the fact that the conditions for maintaining certification were continually changing, despite the fact that the fishery management system has maintained the same high standards. This certification model effectively undermines the management of our authority over our fisheries governance process and structure by threatening to restrict access to markets based on our adherence to the changing standards of an entity completely unconnected and unaccountable to our state or nation.

Furthermore, the MSC model allows for conditional certification, thus providing equivalent market access and credentials for lower-achieving fisheries. For example, the Russian pollock fishery has just achieved MSC certification despite some very significant conditional requirements for future improvement, providing it with the same market credentials as the much higher-achieving Alaska pollock fishery. Responsibly managed fisheries are disadvantaged by this approach and consumers are unable to distinguish a truly sustainable fishery from one that has been granted heavily conditioned certification.

As a result, Alaska, in collaboration with other high-achieving fisheries like those in Iceland, advanced an alternative certification model. We undertook this effort in order to provide a business to business certification that does not impart labeling fees on the industry and one robust enough to satisfy any reasonable Corporate Social Responsibility policy. This alternative, called the Responsible Fishery Management (RFM) certification program, is directly based on the United Nations (U.N.) Food and Agriculture Organization (FAO) Code of Conduct for Responsible Fisheries, and assesses

[6] http://www.msc.org/get-certified/news/newsitem/alaska-salmon-re-certified-for-sustainable-fishing; http://www.msc.org/track-a-fishery/fisheries-in-the-program/in-assessment/pacific/template-fishery-in-assessment/sustainability-notes.

whether or not a fishery is conforming to criteria and principles set forth in the following FAO documents:

- The FAO Code of Conduct for Responsible Fisheries, 1995
- The FAO Guidelines for Eco-labeling of Fish and Fishery Products from Marine Capture Fisheries, 2005/2009
- The FAO Fisheries Circular No. 917, J. Caddy, October 1996

These guiding documents are considered the best globally acceptable and balanced framework for fisheries certification, and were developed through the U.N.'s Committee on Fisheries and a multi-stakeholder process which involved relevant U.N. agencies and international government and non-governmental organizations. The Code itself was the subject of a technical consultation open to the involvement of all FAO members, intergovernmental and non-governmental organizations, and interested non-FAO members, in order to gain the broadest possible range of stakeholder input. They are publicly owned and utilized by many certification schemes and fisheries managers. An International Organization for Standardization (ISO) accredited Certification Body (Global Trust) simply took the FAO documents that were created through a multi-stakeholder process, and put them into an auditable format.

The RFM program has achieved ISO 65 accreditation, ensuring that it is an objective third party process. ISO is a global standards setting organization founded in 1947 that promotes worldwide proprietary, industrial and commercial standards. Strong stakeholder engagement and access is a hallmark of ISO certification. The ISO process includes site visits by the Assessment Team at the validation and assessment stages to meet with the applicant and the fishery's scientific, enforcement, and management entities.

Opportunity for independent public stakeholder input is provided for both during the assessment process, and on an ongoing basis throughout the annual surveillance audit process. The State of Alaska's Seafood Marketing Institute, for example, has conducted extensive stakeholder outreach, meetings, and publicized information online in order to assist the Alaska seafood industry and other interested stakeholders in understanding and engaging in the new certification process.

In reviewing how the FAO Code of Conduct for Responsible Fisheries is referenced as a standard, it is clear that RFM Certification honors the intentions of FAO:

> The Code of Conduct for Responsible Fisheries was approved in 1995 by the Twenty-eighth session of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations as a suitable basis for judging whether living aquatic resources are being harvested in a way which is compatible with sustainable development.... Which can be used for an evaluation by the managers themselves or those involved in certification of a fishery as 'responsible' as defined under the Code. (FAO Circular #917).

In this way, RFM provides independent verification that a fishery is managed in accordance with these respected international norms agreed to by the 194 member nations of the FAO. No other fishery certification has achieved the ISO's rigorous, high level of accreditation.

Alaska has led the way in promoting choice in seafood certification to ensure a monopolistic private eco-labelling scheme does not block market access for responsible fisheries. No single eco-label should serve, or should strive to serve, as the only litmus test for sustainability. This monopolistic situation only harms seafood producers, wholesalers, retailers, and consumers who deserve an objective evaluation of fisheries sustainability and a choice in who they do business with.

As evidenced by our record salmon returns this year, Alaska's science-based approach to fishery management works. But despite our collective efforts we have experienced a restriction to market access due to environmental NGO pressure on global retail, foodservice, and seafood distributors to subscribe to only one third party certification program. This undermines the U.S. system of fishery governance, and a world-class fisheries management system responsible for making Alaska renowned as the source of some of the world's best seafood. Ultimately, it undermines thousands of Alaskans working some of the hardest jobs, from those working entire days hauling crab pots or seine nets, to those carefully processing seafood, to the communities that live around the cycles of the fishing seasons.

We were particularly troubled to learn that some U.S. federal agencies have relied upon MSC certification as an indicator of seafood sustainability in their policies regarding procurement and sale of seafood on federal property. This disadvantages Alaska and other seafood from around the country. We understand Senator Murkowski has recently introduced legislation to address these current misguided federal policies and request your attention to the issue.

While it is outside the scope of this committee, continued funding for the Farm Bill's Market Access Program is also important. This program is an essential funding source which helps us promote Alaska seafood and the RFM alternative certification program internationally.

We will continue our efforts to ensure that Alaskan fishermen and processors have access to markets for their products and American and international consumers have access to the quality, sustainable seafood we produce along with the information to make an informed choice. Thank you.