

August 11, 2014

The Honorable Lisa Murkowski
United States Senate
Washington, DC 20510

Dear Senator Murkowski,

I am writing in response to the recent letter you sent to Mr. Donald Thompson, President and CEO of McDonalds Corporation. We found your letter, and the accompanying press release and social media posts, to contain significant inaccuracies about the effort to protect the Bering Sea Canyons, the science about the canyons, and the findings of the agencies responsible for managing and conserving our nation's marine resources in Alaska.

In your letter to Mr. Thompson you say you are writing "to begin a conversation on an issue of great importance to my state and your company – the sourcing of sustainable seafood for your restaurants throughout the US and around the world." We absolutely agree on the importance of such a conversation; it is one that Greenpeace has been having with McDonalds for years. We know them to be a company that is interested in issues of conservation and management that impact the health of the ecosystems that provide their seafood.

The Bering Sea is one of our nation's richest marine resources. The waters that are so important for your state, and Washington state for that matter, where the majority of fishing revenue actually goes, are also extremely important for all Americans as well as people around the world who rely on the protein that comes from the area. We catch more than half of all US seafood in the Bering Sea. Zhemchug and Pribilof canyons (the Canyons), where a very small portion of the Bering Sea's massive pollock catch – less than 4% - is caught¹ are in national waters, and are part of the natural resources managed for the benefit of all Americans.

In your letter you tell Mr. Thompson that our group is engaged in a misleading effort that is not based in science or fact, and that we are asserting that the Bering Sea Canyons are at risk from mid-water trawling for pollock, and you claim "nothing could be further from the truth." Your letter additionally states that the two agencies responsible for fisheries management in Alaska, the National Oceanic and Atmospheric Administration (NOAA) and the North Pacific Fisheries Management Council (NPFMC) have concluded that the area is not at risk from fishing activity.

Monterey Bay Aquarium's Seafood Watch Report on Walleye Pollock effectively summarizes the findings of NOAA's National Marine Fisheries Service on the question of mid-water trawl gear impacts on Green Belt² (slope) habitat:

¹ NPFMC Canyon Discussion Paper, May 2013. Table 2, pg. 17.

² Springer, A.M. *et al.* 1996. *The Bering Sea Green Belt: shelf-edge processes and ecosystem production.* Fish.Oceanogr., 5, 205-223.

Fishing gear used in Alaska fisheries was evaluated in the Final Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska (EFH EIS) to determine the ecological impact on the seafloor habitat. This analysis included calculation of a long-term effect index (LEI), or the estimated eventual reduction in habitat if current fishing intensity and distribution are continued until fishery impacts and habitat recovery rates reach equilibrium, for a variety of gear types. The LEI on living structure attributed to commercial fishing in the EBS was calculated at 10.9% for both the continental shelf and the continental slope (NMFS 2005b). The pollock mid-water trawl fishery was the largest single component of both LEIs (Table 7) (NMFS 2005b). In addition, this analysis found that in the Bering Sea slope soft substrate, pollock midwater trawls actually had a greater overall impact on the seafloor habitat than the total impact of bottom trawls in the region (Table 7), accounting for the majority of the LEI, as noted in Appendix B of the Alaska EFH EIS:

While the pollock pelagic trawl fishery was the largest single component (4.6 percent) of the total effects on living structure in the EBS sand/mud habitat, the combined effects of the bottom trawl fisheries made up all of the remaining 6.3 percent (total LEI of 10.9 percent). This was not true for living structure on the EBS slope, where nearly all (7.2 percent out of 10.9 percent) of the LEI was due to the pollock pelagic trawl fishery

The conversation about the need to protect the habitat in the Canyons and a portion of the vital Green Belt has been ongoing with NOAA/NMFS and the NPFMC for more than a decade. Proposals going back to 2001, including two from the Ocean Conservancy and Oceana, are publically available on the NPFMC website and provide an overview of the science that underpins the case for Canyons and Green Belt protections. The NPFMC's public record on the issue includes numerous research and white papers from experts, NPFMC staff, and Alaska Fisheries Science Center NOAA scientists that bring to light what is known scientifically about the Canyons today, and what is the known threat from fishing in the area.

NOAA scientists at the Alaska Fisheries Science Center confirmed last year that the Canyons and the greater Green Belt stand out as the place in the Bering Sea that is known to contain, and is also predicted contain the greatest amount of coral and sponge habitat in the Bering Sea. The Canyons and the Green Belt are known breeding, nursery and foraging grounds for commercially important species. Yet, despite the knowledge that this area is most at risk from fishing impacts, it is the only major habitat type in the Bering Sea where no protections exist.

We applaud the recent decision of the NPFMC to encourage some long overdue research on the Green Belt and Canyons. While the Council cited a lack of information when it voted against conservation measures for this area in 2006, in accordance with the recommendations of fishing industry representatives, they did make research in the area a top priority. In 2007 and 2012, Greenpeace

organized expeditions into the Canyons that returned important new scientific data and analysis³, and tremendous amounts of public testimony calling for action to protect this vulnerable area.

Public input has been submitted to the NPFMC by some of our nation's largest supermarkets chains. In a comment letter from Ahold USA earlier this year they characterize themselves this way: "As a leading provider of commercial seafood in the US, we are an important stakeholder in US fisheries..." We agree. We believe seafood providers have a unique role to play in encouraging balanced policies in our nation's fisheries, as public stakeholders who are committed to encouraging responsible fishing practices that can best insure the ongoing supply of the products they sell. In their letter, Ahold USA provided additional motivation for the NPFMC to move swiftly to protect the Canyons: "the motions adopted by the Council in 2013 were an important step towards realizing NOAA's number one stated objective for deep-sea coral and sponge conservation and management: protect areas containing known deep-sea coral and sponge communities from impacts of bottom-tending fishing gear."⁴ In fact, multiple reports to Congress state the Canyons are areas known to contain coral and sponge habitat awaiting protection.

It is true that the available science we have to manage our fisheries is never enough, yet always improving, despite being hampered by a lack of available funding. Significant decisions continue to be made, always with the best available science at hand. Where there is insufficient data, or uncertainty, which is inherent in fisheries management, precautionary management is the accepted rule.

While the Bering Sea may be, as McDonalds says on their website, "one of the best places to catch wild Alaskan pollock" today – the question we are asking is what is needed to ensure that it always will be so. The answer, unfortunately, is elusive and only as good as the best available science. Despite the fact that the North Pacific is viewed by many as having the best managed fisheries, thanks in part to some of the most robust research and monitoring that money can buy, there is still a great deal of information missing, which increases uncertainty for decision makers. Scientists still lack a good deal of information about the pollock stock, or stocks as some would say. In fact, some of the best places to catch wild AK pollock historically – Shelikof Strait, the Aleutian Islands, and the Bering Sea Donut Hole - are now nearly empty of the fish, leaving many questions still unanswered. Scientists, also, don't yet understand all of the important connections in the Bering Sea food web. Their advice, given what they do know, is that maintaining the complex ecosystem in a healthy and resilient state is the best way to ensure its continued productivity. We agree.

Your letter raised the specter of a boycott on Alaska pollock – an alarming idea, naturally, since it is the largest food fishery in America. Our campaign is not calling for a boycott of AK pollock, nor is it an "anti-fishing campaign." This campaign is about a place, and not about any individual fishery. It is about the

³ Miller, Robert A., *et al.* 2012. *Structure-forming corals and sponges and their use as fish habitat in Bering Sea submarine canyons*, PLoS ONE *in press*.

⁴ National Oceanic and Atmospheric Administration, Coral Reef Conservation Program. 2010. NOAA Strategic Plan for Deep-Sea Coral and Sponge Ecosystems: Research, Management and International Cooperation. Silver Spring, MD: NOAA Coral Reef Conservation Program. NOAA Technical

long overdue need to protect a portion of the Green Belt – the crowned jewel of the Bering Sea where the world’s largest underwater canyons harbor the lion’s share of coral and sponge habitat, essential fish habitat that is important for numerous commercially important species and is a vital component of a healthy, functioning ecosystem.

Our message to seafood providers is this: Given the enormous economic and ecological value of the Green Belt region, it makes sense to protect a small portion of the overall area through precautionary measures, to ensure productive fisheries over the next several years, until permanent protections are implemented. Since less than 4% of AK pollock is sourced from the canyons, precautionary measures to avoid fishing there in the interim will not impact the availability of product, but will absolutely remove the threat of irreversible habitat loss, until the NPFMC can arrive at a permanent solution.

Fishery managers had an opportunity in April to set aside some of these vulnerable areas now, while the longer-term process of developing a Fishery Ecosystem Plan unfolds. Instead, they have left this vital habitat vulnerable to adverse impacts from ongoing fishing. Seafood consumers want to be confident that they are purchasing products that are caught responsibly, and businesses should take steps now to ensure they are not contributing to destruction of vulnerable habitats in the Bering Sea.

Senator, we know Alaska’s marine ecosystems, coastal communities and fisheries are important to you. The fishing industry is an important stakeholder in considering policies to ensure the health of the Bering Sea and Gulf Alaska, but other voices are needed to balance the conversation. We would welcome an opportunity to discuss these important issues with you further.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hocevar". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John Hocevar
Oceans Campaign Director