

Alaska Salmon Fisheries

Surveillance Report 2002 - 2003

Prepared by: **Chet Chaffee, Ph.D., Scientific Certification Systems, Inc.**
 Dr. Louis Botsford, University of California
 Dr. D. Lee Alverson, Natural Resources Consultants

General Information

| | | |
|-------------------------------|--|-----------------------|
| Certified Fisheries | Commercial Alaska Salmon Fisheries | Alaska, United States |
| Fishery Agency | State of Alaska, Department of Fish and Game | |
| Fishery Contacts | Doug Mecum | |
| Species | 5 species of salmon | |
| MSC Registration No. | SCS-MFCP-F-0004 | |
| Certification Date | October 2000 | |
| Certification Expiration Date | October 2005 | |
| Certification Body | Scientific Certification Systems, Inc. (SCS) | |
| Surveillance Team | Chet Chaffee, Ph.D. (SCS) | Project Leader |
| | Dayton Lee Alverson, Ph.D. (Natural Resources Consultants) | |
| | Louis Botsford, Ph.D. University of California, Davis, California) | |
| Surveillance Stage | Annual Surveillance 2002 - 2003 | |

Summary of Findings

This report describes the second full surveillance audit of the Marine Stewardship Council (MSC) certified Alaska salmon fisheries. This surveillance audit focuses on evaluating progress on the requirements for continuing certification as specified in the original MSC assessment report, along with a select number of other matters chosen by the evaluation team to determine if the salmon fisheries in Alaska remain in compliance with the MSC standards of sustainable fisheries management.

The surveillance for Alaska salmon was unable to be completed in the timeframe required by the certification body due to the inability of the Alaska Department of Fish and Game (ADF&G) to be able to agree to the contract for the surveillance audit along with the inability to provide answers to the questions submitted by the surveillance team in a reasonable time frame.

The SCS evaluation team therefore identified 3 major non-conformances:

1. ADF&G has not yet signed the contract to acknowledge the responsibility for the annual surveillance audit.
2. ADF&G has not provided information to prove it has met the 'Requirements for Continued Certification' that have come due during this surveillance audit.
3. ADF&G has not provided the necessary data or information to properly answer the annual surveillance audit questions submitted by SCS.

As a result of the Non-Conformances noted above, SCS has made the following Corrective action Requests:

1. ADF&G has been advised that it must sign the contract with SCS acknowledging its responsibility to fund an annual surveillance audit that must take place between 15 June - 15 July 2003. The contract must be put in place prior to 15 June 2003.
2. ADF&G must submit data and/or information to show that it has met the 'Requirements for Continued Certification' due for completion at the annual surveillance audit of 2002 - 2003. This data must be submitted to SCS no later than 15 June 2003.
3. ADF&G must submit data and/or information to properly answer the questions submitted by SCS as part of the annual surveillance audit of 2002 - 2003. This data must be submitted to SCS no later than 15 June 2003.

Background

Initial evaluations of fisheries considering certification under the MSC program include the review of information in three key areas:

1. Health of target resources (stocks),

2. Impacts on the ecosystem from fishing, and
3. The robustness and transparency of the fishery management system.

A fishery that is assessed and shown to be in compliance with the MSC Principles and Criteria is then awarded a certificate of achievement that is valid for a period of 5 years. Although the initial certification is valid for 5 years, the certified fishery is still responsible for contracting an MSC accredited certification body each year to monitor the fishery for continued compliance with the MSC standard and with any requirements for change placed upon it by the initial assessment team.

Section 17 of the MSC Certification Manual (Appendix 1) requires all certified fisheries to be subject to an annual surveillance visits to ensure ongoing compliance with the MSC Principles and Criteria. Section 17.4 of the MSC Certification Methodology provides specific guidance on what is required in an annual surveillance:

"17.4 In addition to focusing on compliance/progress with stipulated conditions and any issues raised in prior assessments, the assessor(s) will, on a random basis, select areas to inspect within the fishery of current or recent management activity for consistency with the standards of certification, including:

- Meetings with Managers, Scientists, Industry and Stakeholders to get their views
- Review any potential changes in management structure
- Review any changes or additions/deletions to regulations
- Review any personnel changes in science, management or industry to evaluate impact on the management of the fishery
- Review any potential changes to scientific base of information."

In addition to the required random audit of the fisheries' compliance with MSC standards, ADF&G must also show progress toward meeting any requirements imposed on it from deficiencies found in the original evaluation. For the Alaska salmon fisheries, several "Requirements for Continued Certification" were identified by the Evaluation Team and later agreed in a signed Memorandum of Understanding between SCS and ADF&G acknowledging that ADF&G would meet these requirements as part of receiving MSC certification for the commercial salmon fisheries in Alaska.

The specific 'Requirements for Continued Certification' identified in the initial evaluation report (October 2000) and agreed in writing in a formal Memorandum of Understanding signed by SCS and ADF&G are:

Performance Indicator 1E - Target Reference Points

Within 3 years of certification the Alaska Department of Fish & Game must:

1. Determine the number of salmon spawning stocks or spawning stock aggregates in the state that are managed on the basis of (1) escapement goals determined by stock-recruitment analysis, (2) escapement goals determined by average escapements, and (3) no established escapement goals.

2. Categorize each spawning stock or spawning stock aggregate according to relevant characteristics such as: whether it is a mixed stock fishery, the number of individual stocks exploited, methods used to estimate escapement, whether escapement goals were based on data before or after the mid-1970s, and whether the monitored stocks exploited in the mixed stock fisheries are representative of unmonitored stocks exploited.
3. Present the distributions in terms of the number of spawning populations, the number of fish, and the economic value of the fishery.

Performance Indicator 1F - Limit Reference Points

1. Within 3 years after certification ADF&G must provide an explanation to the certification body about how Alaska salmon fisheries will continue to be sustainably managed even if there is an event that changes ocean survivals back to rates equivalent to those seen in the 1950s, 1960s, and 1970s. The explanation provided should at a minimum include:
 - a) What type of analyses are being conducted to understand how potentially lower ocean survival rates effect population abundance and commercial catches (use stock recruitment data where available).
 - b) An assessment of the projected distribution of catches over spawning populations, the distribution of fisheries that would be shut down, and the socio-economic impact.
 - c) A description of how ADF&G would respond to these conditions and to well-reasoned arguments that most escapement goals are arbitrarily set at an average level, therefore are not based on population dynamics and should be lowered.
 - d) A description of the department's response to poor salmon survival conditions experienced historically including the 3 years in the early 1970s.
2. Within 1 year after certification ADF&G must provide evidence to the certification body that the joint stock status report for northern coho required by the Pacific Salmon Treaty is being undertaken in a timely and cooperative manner. This can take the form of presenting the certification body with ADF&G's portion of the report, or presenting copies of the correspondence from ADF&G to the appropriate PST representatives regarding progress being made.
3. Within 2 years after certification ADF&G must present to the certification body an explanation of why ADF&G believes the stocks being co-managed under the PST are considered sustainable based on the current management paradigm.

Performance Indicator 2A - Bycatch and discards

1. Within 3 years after certification the state must implement a sampling program to identify major non-salmon fish species, birds and marine mammals taken in the salmon net fisheries of the State. The program should be designed to provide a reasonable understanding of fish, shellfish, birds and marine mammals taken

incidentally in the fisheries. This requirement can be met in a number of ways. For example, one solution is that the sampling program may involve collection of bycatch information in the course of the department's test fisheries, and reference to similar data collected by the National Marine Fisheries Service. The certification body is not requiring any specific method, merely evidence that ADF&G is utilizing some process to collect the necessary information to adequately understand bycatch in the net fisheries.

2. Before 5 years pass after certification, ADF&G must provide evidence and a summary regarding its findings on bycatch of non-salmon species taken in the Alaskan salmon fisheries to an accredited certification body.

Performance Indicator 3C - Management system incentives and subsidies for sustainable fishing

1. Within 2 years of certification ADF&G must present information to the certification body reporting on progress made by the Commercial Fisheries Entry Commission on reducing the number of permits to the numbers determined to be consistent with the limited entry law on an annual basis.
2. The Department must identify long-range research needed to assess the magnitude of the interaction of hatchery programs on the wild stock gene pool and the effect on the reproductive fitness of those stocks. The department must document the programs, policies and regulations and statutes as well as specific actions taken to assure the consistency of the hatchery program with the Genetics Policy.

However, as agreed in the last surveillance report, the 'Requirement for Continued Certification' under Principle 1, Indicator 1E has been changed such that ADF&G is now required to provide the following information for the one-third of the salmon stocks under review by the Board of Fisheries for this year and next (Surveillance Audits 1 and 2) during the 2002 - 2003 surveillance audit:

For each stock under review:

- A. Indicate whether it is managed using a Target Reference Point (TRP) that is (1) an escapement goal determined from stock-recruitment analysis, or (2) an escapement goal determined by average escapements, or (3) some other TRP.
- B. Indicate whether it is a mixed stock fishery, and if so the number of individual stocks exploited.
- C. Indicate the methods used to estimate escapement, and the data used to estimate escapement.
- D. Present the Limit Reference Point, and the derivation of its value.

- E. Specify the control law, which includes responses in terms of the TRP, the LRP and indicators of population status.

Methodology

The specific 'Requirements for Continued Certification', coupled with the complexity of the issues identified for coverage during the 2002-2003 surveillance, resulted in SCS concluding that it was necessary to utilise 2 members of the initial evaluation team (Dr. D. Lee Alverson, Natural Resources Consultants, Seattle, Washington, USA and Dr. Louis Botsford, University of California, Davis, California, USA). Although these noted scientists provided expertise for the review, all conclusions and reporting requirements under the MSC program are the sole responsibility of SCS as the certification body of record.

The approach followed by the SCS surveillance team during the review is outlined below in Table 1:

Table 1. Steps in the Surveillance Audit for 2001- 2002.

| | | | |
|-------|---|---|--|
| 1. | Confirm MSC Requirements with ADF&G | | |
| 2. | Advise client regarding information needs and time requirements to complete the annual surveillance audit. | | |
| 2.a | Collect information from the client on progress made toward meeting all 'Requirements for Continued Certification'. | | |
| 2.a.1 | Requirement 1 | Principle 1, Criterion F, Item 3 | Proof that co-managed stocks under PST are sustainable using the current management paradigm |
| 2.a.2 | Requirement 4 | Principle 3, Criterion C, Items 1 and 2 | Permit Reduction Hatchery Programs |
| 2.b | Collect information in general areas of concern or importance | | |
| 2.b.1 | | Status of stocks -Escapement Goal and Reference Point data for all fisheries covered under Board of Fisheries Reviews for 2001- 2002 and 2002 - 2003. | |
| 2.b.2 | | The effects of management changes | |
| 2.b.3 | | Hatchery systems | |
| 3 | Review comments submitted by Stakeholders. | | |
| 4 | Evaluate Information collected by the surveillance team. | | |
| 5 | Analysis and recommendations of the surveillance team | | |
| 5.a | | Progress re: requirements | |
| 5.b | | Stability of fisheries | |

| | | |
|-----|---------------------|---|
| 5.c | | Modifications to schedule re: meeting requirements for continued certification. |
| 6 | Surveillance Report | |
| 6.a | | Non-conformance Issues |
| 6.b | | Corrective Action Requirements |

Discussions to initiate the first annual surveillance were begun at the end of the first annual surveillance. The certifier of record, Scientific Certification Systems Inc. (SCS), provided The State of Alaska Department of Fish & Game (ADF&G) with an overview of the surveillance requirements noting the agreement that the surveillance data collection would be regularly required to be completed by April and a final report issued in May of each following year. In addition, SCS submitted a set of questions that would form the basis of the annual surveillance (see Appendix 2).

Surveillance Results and Discussion

Situation

A contract between SCS and ADF&G has been submitted by SCS to ADF&G. In addition, SCS submitted questions for the annual surveillance audit.

Two major problems were encountered in initiating the 2002 - 2003 surveillance audit:

1. ADF&G was unable to get approval to sign the required contract to conduct the surveillance audit. A recent change in government in Alaska caused a change in the appointed Commissioner of Fish and Game and the subsequent appointment of Deputy Commissioners. As a result, none of these individuals was properly versed on the MSC program and requirements. In addition, the Governor's office expressed concern that the money required for the surveillance audit may not be warranted if the MSC program was not providing benefits to fishers and processors of Alaska salmon, and would not authorize the expenditure without researching the costs and benefits of the program. Up to the point of this report (15 May 2003) ADF&G has still not signed the required contract.
2. ADF&G was unable to provide SCS with the answers to the questions submitted for the 2002-2003 surveillance audit within the timeframe required (by April 15, 2003). The questions for this surveillance were more expansive than in the previous year's surveillance as a result of additional 'Requirements for Continued Certification' and requests for information on the status of stocks that were not only for the third of the fisheries covered by Board of Fish Review for 2002-2003 (Southeast Alaska, Yakutat, Prince William Sound) but also for the fisheries reviewed the previous year (2001-2002 Cook Inlet, Kodiak, Chignik areas).

ADF&G has provided some information on the effects of the change to the Habitat Division, but no other substantive information.

ADF&G advised SCS that it should have a contract in place and all the data/information required for the annual surveillance audit by 15 June 2003.

No reviews of data or information have taken place at the time of this report.

Non-Conformances

Three major non-conformances have been identified during this annual surveillance.

1. ADF&G has not yet signed the contract to acknowledge the responsibility for the annual surveillance audit.
2. ADF&G has not provided information to prove it has met the 'Requirements for Continued Certification' that have come due during this surveillance audit.
3. ADF&G has not provided the necessary data or information to properly answer the annual surveillance audit questions submitted by SCS.

SCS Corrective Action Requests

1. ADF&G has been advised that it must sign the contract with SCS acknowledging its responsibility to fund an annual surveillance audit that must take place between 15 June - 15 July 2003. The contract must be put in place prior to 15 June 2003.
2. ADF&G must submit data and/or information to show that it has met the 'Requirements for Continued Certification' due for completion at the annual surveillance audit of 2002 - 2003. This data must be submitted to SCS no later than 15 June 2003.
3. ADF&G must submit data and/or information to properly answer the questions submitted by SCS as part of the annual surveillance audit of 2002 - 2003. This data must be submitted to SCS no later than 15 June 2003.

Additional Surveillance Requirements

Given the non-conformances raised and the corrective action requests noted in this report, there is a need for additional surveillance by the SCS evaluation team.

SCS will conduct an additional surveillance starting 15 June 2003 with a final report on the continued compliance of the Alaska salmon fisheries by 15 July 2003.

Conclusion

If ADF&G fails to properly acknowledge the Non-Conformance issued raised in this report and respond to the associated Corrective Action Requests, the Surveillance Team Leader will recommend to the SCS Certification Body that the MSC Certificate for

Alaska Salmon Fisheries be suspended for a period of 6 months effective immediately. A suspension of the certificate would mean that no entity (e.g. organization, government agency, fisher, processor, wholesaler, distributor, retailer, etc.) will be allowed to use the MSC logo or make a claim that Alaska salmon is MSC certified beginning at the time of the suspension. All Chain of Custody certificate holders (see www.msc.org for a list of Chain of Custody certificate holders certified for Alaska salmon), which now have the right to make a claim that the Alaska salmon they purchase and sell is MSC certified, will have to cease and desist from making the claim. This means that all MSC Chain of Custody Certificate holders certified for Alaska salmon will be required to stop any and all on-product uses of the MSC name or logo such as packaging and product and all off-product uses such as marketing literature and in-store signage.

If after 6 months the fishery has not fully responded to the Corrective Action Requests to the satisfaction of the Surveillance Team, the SCS Surveillance Team Leader will recommend to the SCS Certification Body that the MSC Certificate for Alaska salmon be officially revoked. Should a full revocation of the certificate occur, the Alaska salmon fisheries will not be eligible to use the MSC logo, MSC name, or the MSC claim unless a full re-certification is conducted by an accredited MSC certifier.

Appendix 1

MSC Requirements For Maintenance of Certification

(Extract from MSC Certification Methodology; issue 3 of March 2001)

Section 17 On-going Maintenance Of Certification

17.1 It is not sufficient to simply certify a fishery at one point in time and then allow a MSC Label to appear on fish containers or fish products thereafter. It is important to know that the claim made by the MSC Label is still accurate and can be substantiated on an ongoing basis. As a result, it is necessary as part of the overall certification process to establish a monitoring program that keeps the substantiation of the claim in the marketplace up-to-date and accurate. The monitoring period may be different for different fisheries, and will be established by the certification team and the client before final certification is awarded.

17.2 Certified fisheries are required to have, as a minimum, an annual on-site visit by the certification body in order to maintain their certified status. Members from the original Assessment team shall conduct the annual maintenance assessments. Annual on-site visits are an important follow-up to an initial assessment for two reasons:

- 1) They enable the certification body to monitor a fisheries continued compliance with stated goals and,
- 2) Any conditions in place at the time of the original assessment.

They establish an ongoing framework by which the certification body may track any specific issues or concerns raised in the initial evaluation by the Assessment team and/or the peer review committee.

17.3 Prior to conducting an annual assessment, the assessors designated by the certification body shall have reviewed the original certification report and any prior annual assessment reports as well as receive written and/or oral direction from the Certifiers designated “MSC Program Manager” and, as appropriate, the Assessment team Leader.

17.4 In addition to focusing on compliance/progress with stipulated conditions and any issues raised in prior assessments, the assessor(s) will, on a random basis, select areas to

inspect within the fishery of current or recent management activity for consistency with the standards of certification, including:

- Meetings with Managers, Scientists, Industry and Stakeholders to get their views
- Review any potential changes in management structure
- Review any changes or additions/deletions to regulations
- Review any personnel changes in science, management or industry to evaluate impact on the management of the fishery
- Review any potential changes to scientific base of information

The findings of the assessor will be presented in a written report. The certification body's MSC Program Manager will transmit the assessment report to the fisheries along with any requests, conditions, or recommendations that may arise from the assessor's findings.

17.5 A Public Summary Report shall also be generated and forwarded to the MSC within a month of completing the on-site visit for publication on the MSC website. The content of the Surveillance Visit Public Summary shall include the following:

1. TITLE & HEADING INFORMATION

Title ("Surveillance Visit - Public Summary for XYZ Hake Fishery")

Certificate Number

Name and Address of Certification Body

Date of Summary

2. GENERAL INFORMATION

Name and contact information for the certified fishery: Source name, contact person, address, tel/fax/email.

General background about the fishery

3. THE CERTIFICATION ASSESSMENT PROCESS

Date(s) of the Surveillance Visit

Member(s) of the Assessment team.

Assessment process: describe general context, scope and history of assessment(s), if applicable; generally outline activities, e.g., what was inspected.

Guidelines: Reference the guidelines and methodologies used.

4. RESULTS, CONCLUSIONS AND RECOMMENDATIONS

General discussion of findings and statement confirming the status of the Certification.

Status of previously raised conditions:

The progress being made by the Fishery to address any conditions that were placed on the certification from previous assessment visit(s) shall be detailed.

Any conditions that have not been closed out within previously agreed timescales shall be detailed together with the reasons (if any). The report shall detail what actions are required by the fishery, including revised timescales, and what the implications are for continued certification.

Any conditions that have been closed out to the satisfaction of the Certifier shall be detailed.

Surveillance visit results: Specifically or generally describe any new conditions and recommendations and agreed timescales for implementation and timeframes for achievement. Quote the actual conditions raised.

- 17.6 In addition to annual assessments, the certification body shall ensure that its contractual documentation with the client reserves the right to conduct irregularly timed short-notice inspections

17.7 Ongoing Chain-of-Custody Compliance

17.7.1 Each certification body shall ensure that all chain-of-custody participants undergo annual on-site assessments related to the segregation of, processing and distribution of certified fish products. In addition to annual assessments, the certification body shall ensure that in its contractual documentation with a chain of custody client, that it reserves the right to conduct irregularly-timed short-notice inspections, and/or to request and

examine documentation related to the processed product's chain-of-custody (i.e. bills of lading).

Appendix 2

2003 Surveillance Questions for Alaska Salmon Fisheries

Question 1. Hatcheries

- a. An explanation of number and location of all salmon hatcheries in Alaska.
- b. A description of the numbers of fish produced and released at each hatchery (for past 5 years).
- c. An explanation of the number of hatchery returns compared to wild returns (on a species by species basis) in each fishery where hatchery fish return (for past 5 years).
- d. Current management measures to understand and keep potential impacts from hatchery fish to a minimum (ex. genetics, tagging, etc.).
- e. Plans for hatchery production over the next 2 years.

Question 2. Changes in management

- a. Provide a written summary of the potential impacts from moving the Habitat Division away from ADF&G and to DNR.
- b. Provide a written explanation of whether ADF&G will continue to interact with decisions on habitat protection, and if so, how?
- c. Provide a written explanation of the changes in management that have occurred over the past year. Please include at a minimum:
 - New Fish Commissioner
 - New deputy commissioners
 - Change in numbers of area biologists (and support personnel) and areas coverage by each.
 - New regulations, if any, over past year (what are they, and what effects do they have).
 - Changes in budget allocation for ADF&G as a whole, and ADF&G divisions/programs in specific.

Question 3. Stocks (same questions submitted separately at an earlier date)

1. A list of fisheries by name for the two thirds of the fisheries covered by the state board of fish reviews last year (2201/2002) and this year (2002/2003).
2. For each fishery listed in (1) above, is it a Mixed Stock (Y/N)?
3. For each fishery listed in (1) above, number of stocks in the fishery.
4. Are indicator stocks used in any of the fisheries listed in (1) above? (Y/N) If so, list which fisheries.
5. How many indicator stocks are used in each fishery identified as using indicator stocks?
6. What is the TRP for each fishery listed in (1) above?
7. What is the analytic basis of each TRP listed in (6) above?
8. What date was the initiation of each TRP listed in (6) above?
9. What changes have been made to the TRPs over the past 10 years?
10. What was the basis for any changes to any of the TRPs noted above?
11. What LRPs are in force for the salmon fisheries listed in (1) above?
12. When was each LRP listed in (11) above initiated (date)?

13. What changes, if any have occurred to the LRPs listed in (11) over the past 10 years?
14. What is the analytical basis for any changes listed in (13) above from the initial value of the LRP?
15. List the control rules for the fisheries listed in (1) above.
16. For fisheries with TRPs, how many years was each fishery at or above its TRP over the past 10 years?
17. For fisheries with LRPs, how many years was each fishery above or below its LRP over the past 10 years?