



Via e-mail to hakeobjections@msc.org

July 8, 2009

Michael Lodge
Independent Adjudicator
c/o Marine Stewardship Council
Mountbarrow House, 3rd floor, 6-20 Elizabeth Street
London, SW1W 9RB, UK

RE: Pacific hake trawl fishery certification

Dear Mr. Lodge:

On behalf of the Marine Fish Conservation Network (Network) and its nearly 200 member groups nationwide, we are writing in support of a jointly filed objection by the Monterey Bay Aquarium and Oceana to the proposed MSC certification of the Pacific hake (whiting) fishery. As you may recall, the Network co-signed comments dated April 30, 2009 on TAVEL Certification Inc.'s assessment of the Pacific hake fishery in which we objected to TAVEL's conclusion that the hake fishery should be certified by the MSC. We reiterate that current management of the fishery would not be consistent with any of the three MSC principles and therefore certification should be denied.

Pacific hake is a major forage species in the California Current and is the largest fishery by volume off the west coast of the continental U.S. and Canada, thus we are especially concerned by the prospect of MSC giving its seal of approval to a risk-prone, recruitment-driven fishery that is almost certain to be overfished by next year and that has been managed with little regard for its impacts on the marine food web. Our reasons for supporting the objection include:

- The current 40-10 harvest strategy has been found deficient for management of Pacific hake by the Pacific Fishery Management Council's own Scientific and Statistical Committee (SSC). The SSC has written: "*Given that whiting recruitment is very variable, application of the 40-10 harvest policy will lead to frequent excursions into the overfished zone. The SSC recommends that an appropriate harvest policy for whiting be further investigated*" (SSC Supplemental Report March 2008 and SSC Supplemental Report March 2009).

- The estimated stock biomass is currently at a historic minimum, is well below the target biomass, and is projected to continue to decline under the current fishing strategy, with a high likelihood of dropping below the overfished threshold by 2011. Recruitment has been weak, and the fishery has relied on a single large year class to sustain historically high catch levels.
- The TAVEL certifier has not considered the most recent assessment data in making its determination. The TAVEL report is based on the 2008 stock assessment, but newer information in the 2009 assessment paints a bleaker picture of the stock's status. The uncertainties associated with the status of this stock illustrate the importance of considering the most recent scientific information to assess the "sustainability" of this fishery.
- The management of the fishery does not consider or account for ecosystem impacts on dependent and related species in the California Current ecosystem, even though Pacific hake is a major forage fish. The current fishing strategy does not address predator needs, either in aggregate or in specific areas where fishing occurs. The 40-10 control rule does not account for the scientific uncertainty associated with predation when setting of acceptable biological catch (ABC).
- The management system has failed to assess or address the impacts of midwater trawl gear on benthic habitat, despite recognition that the gear contacts the seafloor and could be having significant impacts.
- The management system lacks an effective system of bycatch monitoring to reduce rockfish and endangered salmon bycatch. Incidents involving illegal dumping and disabling of on-board video monitoring equipment have led to calls for more effective measures that have not been adopted.

For all these reasons, as detailed in the Notice of Objection and in earlier correspondence, we urge the Independent Adjudicator to reject the determination and find that the Pacific hake fishery does not warrant certification at this time.

Sincerely,

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