

August 16, 2009

TESTIMONY OF DAVID BENTON  
EXECUTIVE DIRECTOR  
MARINE CONSERVATION ALLIANCE  
Before the  
SENATE COMMITTEE ON APPROPRIATIONS  
HOMELAND SECURITY SUBCOMMITTEE  
Regarding  
THE STRATEGIC IMPORTANCE OF THE ARCTIC AND U.S.POLICY  
August 20, 2009

Thank you, Senator Murkowski, for chairing this hearing today to discuss the strategic importance of the Arctic to the United States, and emerging issues regarding Arctic fisheries management and conservation. I also want to thank the Subcommittee Chairman, Senator Byrd, for this opportunity to come before the Subcommittee on these important issues.

For the record, my name is David Benton, and I am the Executive Director of the [Marine Conservation Alliance](#) (MCA). MCA is a broad based coalition of harvesters, processors, coastal communities, Community Development Quota (CDQ) organizations, and support services businesses involved in the groundfish and shellfish fisheries of Alaska. MCA was formed to promote the sustainable use of North Pacific marine resources by present and future generations. MCA supports research and public education regarding the fishery resources of the North Pacific, and seeks practical solutions to resource conservation issues. Our members collectively represent roughly 70% of the production of North Pacific fisheries.

MCA has been actively engaged for several years now in the development of U. S. policy regarding the Arctic, and Arctic fisheries. MCA recognized early on that climate change in the high Arctic was causing a rate of change in that region that argued for a unique precautionary approach to fishery management. There are many concerns regarding the loss of sea ice and the potential for new fisheries in the Arctic not only within our Exclusive Economic Zone (EEZ), but also in the EEZs of Russia and Canada as well as the international waters of the Arctic Ocean beyond the 200 mile limits of any of the Arctic nations. These include concerns regarding our state of knowledge about Arctic marine ecosystems, the status of potential fishery resources, the effects fisheries might have on other living marine resources such as marine mammals and seabirds, and the potential for impacts arising from fisheries beyond our EEZ on the resources and people of the U.S. Arctic to name a few. Because of these concerns, we worked closely with the members of Congress including this Committee to secure passage of Senate Joint Resolution 17. Similarly we worked very closely with the North Pacific Fishery Management Council on the recently adopted Fishery Management Plan (FMP) for the Arctic.

SJR 17 establishes a policy direction for the United States to engage the international community in negotiations to develop comprehensive international agreements for the

management and conservation of fish stocks in the Arctic Ocean, and to take actions to prevent the development of commercial fisheries in the high seas of the Arctic until such comprehensive agreements are in place.

The North Pacific Fishery Management Council adopted a Fishery Management Plan (FMP) for U.S. federal waters north of Bering Strait that adopts an ecosystem approach to management, sets forth scientific procedures to gauge future fisheries, and closes the U.S. Arctic EEZ to commercial fishing until the scientific information is available to make a determination whether or not to initiate commercial fisheries.

MCA believes that, taken together, these two initiatives form a solid foundation for U.S. policy. We have also been fortunate in the assistance to date from the Department of State and NOAA in pursuing these initiatives. Ambassador Balton at State has taken a lead role in pursuing implementation of SJR 17, and I want to publicly acknowledge his work. Additionally, NOAA Fisheries worked very hard with the North Pacific Fishery Management Council to help develop the Arctic FMP. Yet, considerable work remains to be done, particularly on the international front, to secure a sound, science driven management regime for Arctic fisheries. Madame Chair, today I would like to discuss these actions further, and steps that can be taken to protect U.S. interests in the Arctic.

Information that is now readily available should leave no doubt that the rate of loss of sea ice in the high Arctic has exceeded earlier forecasts. The potential is for large areas of the Arctic Ocean to become ice free for large portions of the year. In conjunction with this trend, there is evidence that marine resources are redistributing themselves accordingly. For example, the distribution and migrations of ice dependent marine mammals and seabirds is changing rapidly and many of these species are experiencing environmental stress. Similarly, there is evidence of fishery resources such as salmon, crab, and groundfish moving west and north from the North Pacific into the Arctic, although comprehensive data are lacking. What data we have indicate that the distribution of salmon is expanding in the Chukchi and Beaufort Seas, and there is evidence that certain crab species and some groundfish may be moving northward into the Chukchi as well.

Beyond our own waters, the status of fishery resources is less clear. There is some information regarding fish stocks in the Russian and Canadian EEZs, but like the U.S. comprehensive data are lacking. In the case of the international waters beyond our respective EEZs data are even more sparse. With the retreat of sea ice and changing ocean conditions there is also the potential for species from the Atlantic side to move into the high Arctic waters on the Pacific side, yet there is little or no data available to assess this possibility.

This lack of scientific information should mean that the nations of the world will restrain themselves until the necessary data are available. Unfortunately, the record is often just the opposite. The situation is similar to what occurred in the international waters of the Bering Sea in the early 1980's, a series of events we should avoid repeating if at all possible.

During the late 1970's and early 1980's, foreign fleets were pushed out of the 200 mile zones of coastal states around the world. In the Bering Sea, where large fisheries were being conducted by a number of distant water fleets, this led to the rapid expansion of a multi-national fleet entering the international waters beyond the Russian and U.S. zones. This area, referred to as the Donut Hole, had not been scientifically surveyed to assess stock status, there were no controls on the fishery, and enforcement consisted almost solely of the U.S. and Russians trying to patrol their respective maritime boundaries to prevent incursions into their domestic waters. These fleets came from Japan, China, Poland, and the Republic of Korea and by the late 1980's numbered several hundred vessels. They were concentrating on Pollock and harvests peaked at a reported 2 million plus tons before the stock collapsed.

In the late 1980's the U.S. and Russia initiated negotiations with the distant water fishing nations with the intent of securing an international management regime to conserve the stocks and regulate the fishery. These negotiations lasted several years and only came to a conclusion when the pollock stock collapsed. The treaty that should have been in place from the beginning, before the fishery started, is now in place but the pollock resource remains at extremely low levels. There is no fishery in the Donut Hole now with the exception of tightly controlled experimental fishing to assess stock status.

This experience should be a warning about how events may unfold in the high Arctic. Several non-Arctic nations are already establishing a presence in the region through research cruises and other means. There are fisheries in the Atlantic taking place north of the Arctic Circle. There are international fishery management agreements already in place for fisheries in the north Atlantic and Barents Sea with authorities extending into Arctic waters on the Atlantic side. There is talk of extending their jurisdiction. The European Union, among others, has indicated an interest in asserting influence in the high Arctic. The point being, numerous interests and nations that have been prevented from moving into the Arctic Ocean off our shores by the presence of sea ice are looking north.

MCA believes that the United States needs to aggressively pursue a multi-pronged strategy to prevent what occurred with the Bering Sea Donut Hole from unfolding in the Arctic. This strategy needs to be built on developing bi-lateral understandings with our Russian and Canadian neighbors. It is in their interests just as much as it is ours to pursue a course of action to close the international waters of the Arctic Ocean to commercial fisheries now, and not repeat the experience we had with the Bering Sea Donut Hole. If we can secure agreement with Russia and Canada that there be no commercial fishing in the high seas of the Arctic Ocean, then the three largest Arctic nations can present a united front to the rest of the world with some likelihood of success in securing such an agreement.

From our perspective this is the best way to realize the intent and purpose behind SJR 17.

A closely related matter is the conservation and management of resources within the EEZs of the United States, Russia, and Canada. It is in the United States interest to engage our two neighbors in bi-lateral discussions to ensure consistent management and

conservation actions for transboundary stocks we might share between our respective EEZs. This is particularly true for Russia. The Chukchi shelf extends from Alaska across the maritime boundary to the Russian coast. Many of the marine mammals, seabirds, and fishery resources of the Chukchi move through Bering Strait which we share with the Russians. If fisheries develop on the Pacific side of the Arctic north of Bering Strait, they are most likely to start in the Chukchi and it may be the Russians who commence fisheries first. Because of the interconnectedness of resources within U.S. and Russian waters it is important that the two nations cooperate in developing complimentary scientific assessment and resource management programs now before fisheries commence.

The same can also be said regarding the need to initiate bi-lateral talks with Canada. However, there is probably less urgency, as the likelihood of significant fisheries beginning in the Beaufort Sea in the near term is less than it is with the Russians in the Chukchi.

It is our understanding that there has been some exploration of these matters with both nations, and MCA applauds those efforts. However, MCA also believes that serious bi-lateral negotiations need to commence in the near future to make progress. MCA recognizes that these bi-lateral talks will be time consuming and difficult. In both instances they will be complicated by other issues, including boundary disputes. However, failure to reach an understanding with our Arctic neighbors regarding fisheries will put at jeopardy the conservation efforts the United States initiated with the Arctic FMP. With this in mind, MCA urges the United States to segregate fishery talks from other, more controversial negotiations.

A key component of a comprehensive strategy for U.S. Arctic fisheries involves actions within our own waters. MCA supports the adoption of the Arctic FMP and related regulations. Attached, for the record, is our recent letter to Secretary Locke requesting his approval of the Arctic FMP. Successful implementation of the Arctic FMP is contingent upon good scientific information on Arctic marine resources, including fish stocks, and the Arctic ecosystem. U.S. Arctic research in recent years has received significantly more attention, due largely to the International Polar Year with its emphasis on the Arctic. This will be a short lived boost, unless a stable, long term source of funds and resources is put in play for Arctic research.

This Committee has, in the past, taken a lead role in developing stable sources of funding for marine research. In Alaska, the North Pacific Research Board is providing a long term vision and stable funding for marine research. The NPRB is in the process of conducting, in conjunction with the National Science Foundation, a multi-year multi-discipline ecosystem assessment of the Bering Sea. This \$50 million program will provide important insights into the Bering Sea ecosystem, and factors affecting it like climate change and loss of sea ice. A similar model could be looked at for Arctic research.

The final component for a comprehensive strategy for the U.S. Arctic goes beyond fisheries considerations. The United States Coast Guard (USCG) has a critical and

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enormously complicated mission in Alaska. With search and rescue operations in two oceans and three seas, enforcing several international agreements spanning the North Pacific and the Bering Sea, patrolling one of the worlds longest contiguous maritime boundaries, and not to mention maintaining a robust enforcement presence in the nation's largest domestic fisheries the USCG already has a lot on its plate. Now, with the opening of the Arctic and the need for an increasing presence in this vast region, MCA is concerned that sufficient new funding and resources be made available to the USCG to accomplish its new Arctic mission without diminishing its existing mission and presence in other parts of the North Pacific and Alaska. We strongly urge the Congress, and this Committee to fully fund the USCG mission in Alaska, and not allow this new challenge in the Arctic to undermine the excellence of the USCG in meeting the demands of its existing mission.

Madame Chair, I want to thank you and members of the Committee for providing this opportunity to testify before you today. I will be happy to answer any questions you may have.

Encl: (1) MCA Letter to Secretary of Commerce, 24 July 2009



# Marine Conservation Alliance

*promoting sustainable fisheries to feed the world*

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Adak Fisheries, LLC  
Alaska Seafoods  
Alaska Crab Coalition  
Alaska Dragners Association  
Alaska Groundfish Data Bank  
Alaska Pacific Seafoods  
Alaska Scallop Association  
Aleutian Pribilof Island  
Community Development  
Association  
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At-Sea Processors Association  
Bristol Bay Economic  
Development Corp.  
Aleknagik, Clark's Point, Dillingham, Egegik, Ekwik,  
Ekwik, King Salmon, Levelock, Manokotak, Naknek,  
Pilot Point, Fort Heiden, Portage Creek, South Naknek,  
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Unisea Fleet Cooperative  
Westward Fleet Cooperative  
U.S. Seafoods  
Waterfront Associates  
Western Alaska Fisheries, Inc.  
Yukon Delta Fisheries  
Development Association  
Alakanuk, Emmonak, Grayling, Kotlik, Mountain Village,  
Nursam Igua

July 24, 2009

Ms. Sue Salvesson  
Assistant Regional Administrator, Sustainable Fisheries Division  
Alaska Region  
National Marine Fisheries Service  
PO Box 21668  
Juneau, AK 99802-1668

Attn: Ellen Sebastian.

Dear Ms. Salvesson:

Re: 0648-AX71 (PR) Arctic FMP

The Marine Conservation Alliance (MCA) wishes to express its support for Secretarial approval of the Fishery Management Plan for Fish Resources of the Arctic Management Area (Arctic FMP) and Amendment 29 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crab (Crab FMP). The MCA is a coalition of harvesters, processors, Community Development Quota organizations, and coastal communities involved with Alaska groundfish and crab fisheries.

Our support for adoption of the Arctic FMP includes the establishment of the Arctic Management Area, the approach used in the FMP to establish target and ecosystem component species groups, and the general prohibition on commercial fishing in the Arctic Management Area until stock assessments are completed. Based on stock assessments and other scientific analyses, and following the Council's thorough public review and decision making process, we expect future management actions to be taken, including establishment of commercial fisheries, in accordance with the national standards and other provisions of the Magnuson Stevens Act (MSA) and other applicable law. We urge the Secretary, and the National Marine Fisheries Service (NMFS) to approve the Arctic FMP and Amendment 29 in their entirety.

MCA has supported the development and adoption of the Arctic FMP from the very beginning. We recognized early on that climate change in the high Arctic was causing a rate of change in that region that argued for a unique precautionary approach to fishery management. There are many concerns regarding the loss of sea ice in the Arctic, and existing scientific research hasn't answered these concerns. Preventing the incursion of commercial fisheries until the science is

available to make sound decisions is the only logical approach to management in this region.

Future decisions regarding whether or not to initiate fisheries in the Arctic Management Area will be guided by this FMP and the Magnuson Stevens Act. Authorizing a fishery will require an amendment to the FMP, with the full suite of analyses and public participation the Council process entails. Through this process, issues such as Essential Fish Habitat (EFH), defining optimum yield and how to achieve it, setting harvest specifications and determining overfishing limits, vessel licensing or effort control rules, fishery monitoring and observer coverage, bycatch controls, and impacts on ecosystem components will all have to be addressed. In addition, concerns regarding marine mammals, seabirds and other waterfowl will also have to be addressed and impacts avoided. The Council's deliberative process is well suited to ensure that this is a robust process that will in the end result in sustainable fisheries if they are authorized.

To ensure that the Council process keeps pace with the rate of change in the Arctic, it is important that the Council and NMFS make scientific research in the Arctic a priority. MCA recommends that the NMFS and Council develop a suite of research priorities, including stock assessments, for the Arctic for implementation by NOAA. These research priorities should also be forwarded to the North Pacific Research Board (NPRB) for their consideration as well.

In addition, we encourage NMFS and the Council to continue work through the committee process to develop further guidance and criteria for initiating analysis of potential new fisheries, including conditions that would need to be addressed if and when fisheries are authorized in the Arctic Management Area.

Adoption of the Arctic FMP and Amendment 29 sets the stage for thoughtful and science driven deliberations regarding future fishery development in the Arctic region. These deliberations not only need to be guided by good science, but also by active engagement with the people who live along Alaska's Arctic coast. MCA fully supports efforts to include Alaska's Arctic residents in decisions that affect them. During development of the Arctic FMP, the Council made exceptional efforts to engage the residents, communities, and organizations representing the people of Alaska's Arctic. The Council has recently established a strong outreach program to continue this effort, as well as a new committee to more fully engage Alaska's subsistence communities in the fishery management process. We are confident that the Council will continue this effort to include meaningful participation by the people of the communities along the Arctic coast in future management decisions.

As a final point, we also wish to encourage the Secretary to fully engage in international discussions regarding fishery management in the high Arctic. MCA believes that bi-lateral discussions with our Russian and Canadian neighbors are extremely important to ensuring coordination throughout the Arctic region. This coordination is necessary to ensure that the conservation actions taken by the United States through the Arctic FMP are complemented, and not undermined, by any management actions taken by our Arctic neighbors in their waters, or by other nations in the international waters of the Arctic Ocean. It would be unfortunate to have a repeat of our experience in Bering Sea "donut hole" in the Arctic.

Thank you for this opportunity to comment.

Sincerely

A handwritten signature in black ink, appearing to read "Dave Benton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dave Benton  
Executive Director

Copy: Senator Lisa Murkowski  
Senator Mark Begich  
Congressman Don Young  
Governor Sean Parnell, State of Alaska  
Mr. Eric Olson, Chair, North Pacific Fishery Management Council  
Commissioner Denby Lloyd, Alaska Department of Fish and Game