

**WRITTEN TESTIMONY FROM THE
FISHING VESSEL OWNERS' ASSOCIATION**

TO THE

**COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES
1324 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515**

My name is Bob Alverson. I am Manager of the Fishing Vessel Owners' Association (FVOA) of Seattle, Washington. The FVOA is a trade association of 95 family-owned fishing vessels. The vessels are generally between 50 and 85 feet in length, with crews of 4-to-7 persons. We target primarily Pacific halibut and sablefish with longline gear. The fish are dressed and iced at sea and delivered to shorebased processors. Our vessels operate as far south as the port of Fort Bragg, California to as far north as the waters adjacent to the boundary line with Russia in the Bering Sea and Western Aleutian Islands. I want to thank the Committee for the opportunity to testify on this important subject.

The members of the FVOA have concerns regarding high seas aquaculture, including interaction with foraging species; escaped farm fish; water-born illnesses common for fish species that are grown in crowded conditions; economic and regulatory parity with the wild fish industry; and interaction with marine mammals.

Foraging species. Fish pens in Canada and other parts of the world, in order to offset their feed costs, have used bright lights at night to attract forage species such as herring and the sand lance. These smaller fin fish species often swim through fish pens and the farmed species are able to feed on these forage species which supplement feed

costs. These forage species are important to the wild fish species, including many that are listed as endangered or are overfished. The interception of forage species should not be allowed. Any allowed harvest by fish pens of these species would negatively affect the Allowable Biological Catch limits of all wild commercial fish species. Notably, the Pacific Fishery Management Council has banned the harvest of krill off Washington, Oregon and California because that species is considered a very important food source for many wild fish and marine mammal species. The North Pacific Fishery Management Council has similarly restricted any commercial harvest of important forage species such as Capelin, smelts, lantern fishes, deep sea smelts, Pacific sand lance, as well as krill. High seas aquaculture farms should not be allowed to have their farmed species grazing on these important forage species as they are critical to the overall health of the wild fish species.

Nevertheless, if such interceptions are allowed, any permitted take of forage species by domestic operations must be in compliance with existing laws and regulations, including establishment of harvest limits associated with approved Allowable Biological Catch (ABC) limits regulated by the Magnuson-Steven's Act. Foreign operations affecting US fish stocks must be addressed by international agreements, or if foreign cooperation is lacking, by targeted trade sanctions.

Escaped Farmed Species. There are several troubling aspects of farmed fish that are released or escape from fish pens. Any diseased fish, of course, risk contamination of wild species. The public was told at one time that farmed salmon in the Pacific Northwest would not present a problem, should they escape as they are modified such that they could not reproduce. Salmon have escaped from pens from Puget Sound and Canada and have

been documented entering river systems in order to spawn, thus competing for limited spawning areas with wild species, some of which are listed. The development of modified genetic species also presents a risk to the wild fish environment. This is a potentially great concern as a threat to wild fish ecosystems. Aqua Bounty Farms is about to receive approval from the U.S. Food & Drug Administration for a cross of Atlantic and Pacific King salmon that include the Chinook growth hormone. High seas aquaculture species need to be contained and genetic modification carefully restricted. The burden must be on aquaculture operations to prove that genetic modification will not have adverse effects on wild species and their environment, and the threshold for approval must be appropriately high to avoid significant risk.

Farmed fish are typically raised under crowded conditions and hence, diseases are quickly spread. Farmed salmon in Chile have recently had a problem with infectious salmon anemia (I.S.A.). As reported in SeafoodSource.com, harvest of farmed fish in Chile will be reduced by 67% to 120,000 mt in 2009. Fish do escape and infected species will interact with the larger ecosystem. It is very important that the containment of aquaculture be well monitored. There should be a federal observer or inspection program to complement any high seas aquaculture program. I note that the West Coast fisheries have significant federal observer programs currently in place for the wild fish harvest.

Waste. We are opposed to open net cage fish farm operations that allow the fecal waste to be dropped into the open ocean. Studies show that 25-to-50 percent of dry feed ends up as feces. Fish pens that are not self-contained contribute to large amounts of waste settling on the sea floor and resulting in the deoxygenation of the area. By placing

sediment traps beneath farms, researchers have shown that for each square meter of seabed, 14.7 - 52 kilograms of waste can accumulate beneath the farm and 4.9 kilogram at the farm's perimeters each year. (David Suzuki Foundation). High seas fish pens must be self contained and adhere to all regulations that the wild fish industry are governed by, including EPA restrictions and the Clean Water Act.

"The 49,600 tons of farmed salmon produced by British Columbia in 2000 contributed as much nitrogen as the untreated sewage from 682,000 people or as much phosphorous as the sewage from 216,000 people." ...**David Suzuki Foundation**

The wild fish industry, while operating within the United States Exclusive Economic Zone (EEZ), is limited as to their discharges by EPA regulations and the Clean Water Act. If fish pens are going to operate in the same ecosystem as the wild fish industry, then the same pollution standards that apply to wild fish fishers need to apply to the aquaculture of pen operations. Additionally, since the farmed products and wild harvest are likely destined to similar markets, it would be unfair to treat one sector differently than the other on this matter.

Parity with wild fish producers. Currently, the processors that our vessel owners deliver to must abide by very strict EPA water quality restrictions, national and state employment requirements, including minimum wage requirements, the Jones Act requirements relative to employers' liability while on the high seas, and the Marine Mammal Act. In the past, proposed aquaculture legislation would have exempted the

farmed fish operations specifically from the Jones Act and the state and national wage requirements.

It bears repeating that, since wild fish and farmed fish both compete for the U.S. market and will operate in the same EEZ, compliance to all U.S. laws regarding minimum wage and U.S. labor standards, compliance to EPA waste water restrictions, and adherence to the U.S. Marine Mammal Act should not be any different for fish pen operations than for the wild fish operators.

In Canada fish pen operators can receive a permit to shoot and kill nuisance harbor seals and California sea lions. One of the wild fish objections is to Canadian salmon and sablefish pen operators having equal access to markets in the United States, even though Canadians are permitted to receive licenses to shoot and kill marine mammals. Our fishermen would lose their fishing rights and go to jail for taking such actions. Other countries also permit the use of lethal takings to protect fish pens. The Secretary of Commerce should be authorized and directed to determine and publicize that foreign farmed species have not been raised in compliance with U.S. Marine Mammal standards. Especially in view of the fact that Canadians are permitted to shoot transboundary stocks of marine mammals the US protects, there should be either a negotiated end to such practices in Canada, or a regime of sanctions to be imposed on imports into the US of fish products from operations that kill marine mammals from such shared stocks.

In summary, the members of the Fishing Vessel Owners' Association request Congress to require aquaculture operations to adhere to the same kinds of forage species

restrictions as those developed by the Pacific and the North Pacific Fishery Management Councils, and require pens to be as self-contained as possible in order to limit the number of escaped fish and fecal waste materials. There needs to be parity between the wild fish harvester and their processors and high-seas aquaculture operations. The rules relative to national wage requirements, the Jones Act, EPA restrictions, the Clean Water Act, and the Magnuson-Stevens Act need to be fairly applied to both wild fish harvesters and aquaculture interests where appropriate. The aquaculture industry should not be exempted from any of these acts.

Foreign operations that produce for the US market should be subject to the same, reasonable restrictions as those applying to or proposed here for US aquaculture operations. In particular, Canadian operations that affect shared stocks of forage species and marine mammals must be brought into line with sound management practices or be subjected to US sanctions.

Thank you, again, for the opportunity to testify at this important hearing. I would be pleased to respond to any questions.

Sincerely,

FISHING VESSEL OWNERS' ASSOCIATION

Robert D. Alverson
Manager

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