



1/18/11

Sam Schuchat
California Ocean Protection Council
Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

Re: Environmental Defense Fund Comment on the California Sustainable Seafood Initiative Draft Protocol

Dear Mr. Schuchat,

Environmental Defense Fund appreciates the opportunity to comment on the California Sustainable Seafood Initiative Draft Protocol. The Protocol represents a considerable effort both on the part of the involved stakeholders and Ocean Protection Council (OPC) staff. We feel it represents a solid foundation for advancing the goals of AB 1217 and has the potential to effectively promote sustainable fishing in California.

However, while we appreciate the concern expressed regarding recent controversial certifications by the Marine Stewardship Council (MSC), we don't feel that the elevated "California" standards relating to endangered species and stock status are the best means for addressing those concerns. Controversial certifications have occurred often as a result of a failure of certifiers to effectively apply and adhere to the standards of MSC as opposed to there being a problem with MSC standards themselves. Certifiers have financial incentives to certify fisheries and similarly, fisheries have an incentive to select the certifier that is most likely to grant it certification. However, the CSSI program creates an opportunity to remove those incentives by putting the OPC in a position to act as the client and both select the most robust certifiers and to work with them throughout certification to ensure the integrity of the process.

The alternative of raising the bar for certain criteria creates a more complicated certification landscape that consumers are already struggling to navigate. More importantly, the number of fisheries that are currently able to even meet existing MSC certification criteria is already very small given their data poor condition. We feel that this approach will make participation in the certification element of this protocol even less likely for these smaller more data poor fisheries. While we all want the California label to be meaningful and reliable, setting the bar too high will put certification out of reach and undermine the program's underlying goal of promoting

sustainable fishing. Over the longer term, the program can be evaluated to ensure that these standards remain adequate. We therefore respectfully suggest that you adopt MSC standards without modification and work to minimize any threat of improper certification through certifier selection and oversight.

Additionally, one of the most important elements of the initiative is to promote fisheries management reform where appropriate as a prerequisite to certification. The protocol should therefore state that funding fisheries improvement projects identified as necessary for certification is a priority and will represent a significant portion of the initiative's funding.

Thank you again for the opportunity to comment. If you have any question please contact Huff McGonigal at 831-333-6038.

Sincerely,

A handwritten signature in cursive script that reads "Johanna Thomas". The signature is written in black ink and has a long, sweeping horizontal line extending to the right.

Johanna Thomas
Pacific Regional Director – Oceans
Environmental Defense Fund