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Summary of Comments received during Public Comment period 2

Preamble

The following summarizes public comments on the Seafood Watch (SFW) Criteria for Fisheries during the second public comment period. Responses to comments, including topics to be discussed with the Fisheries Technical Advisory Committee (TAC) are *italicized*. SFW welcomes input from TAC members throughout the standard revision process and from all others during defined public comment periods.

Criterion 1

Productivity Susceptibility Analysis (PSA)

Seafood Watch received several comments about the PSA table, but only one about the proposed scoring changes (supportive). We received two comments about the habitat quality attribute in the Productivity table. One commenter asked about assessing habitat quality for non-diadromous species, while another believes that habitat quality is too qualitative to be scored numerically.

Habitat will only be included in the PSA for diadromous species. Thus, there is no need to provide additional guidance, however we will doublecheck that the guidance provided for diadromous species is sufficient. PSAs are broadly qualitative, and the numerical scoring system is not considered a fully quantitative approach. The scoring methodology provides a numerical system to display the scoring decision tree behind the standard. This factor will be assessed rarely because Seafood Watch only conducts a PSA in data-absent situations and we only will assess the habitat quality attribute for diadromous species.

One commenter felt it was not appropriate to use the Susceptibility table for quota fisheries that have stock assessments. Seafood Watch also received a comment questioning the applicability of conducting a PSA in general.

Seafood Watch agrees that the PSA should not be used when there is a stock assessment, which is why analysts conduct a PSA only in data-absent situations. If there are stock assessments, data limited methods or ETP listings, Seafood Watch relies on those to help score abundance. The PSA essentially is a last resort when no other information about a species' vulnerability is available. PSA is a commonly used and accepted method to determine species vulnerability and Seafood Watch uses it only under the following, very limited circumstances: 1) when there is no information about the abundance of a species and the only known variables are species (sometimes just a family), gear and location; 2) it informs the scoring of one factor (abundance) that is only a portion of the total score for one criterion (Impacts to the Stock - Criterion 1); and 3) if a species scores a low vulnerability under the PSA, the highest or best it can score under Factor C1.1 is a "moderate concern." Seafood Watch hopes that scoring data-absent



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fisheries in a precautionary manner will provide an incentive for those fisheries to collect information to eventually improve their scores.

Abundance Scoring

Another comment discussed the factors that should be included in “up-to-date life history traits” that was added as a result of the TAC meeting in May. The commenter suggested including selective fishing or environmental factors that may have affected life-history traits of the species and to be sure to reference historical information.

Following discussion with the TAC, Seafood Watch made minor edits to the language of the criteria as shown in the following example, on the basis that there is some consideration given to the appropriateness of data and the reference points based upon them during the Seafood Watch assessment process.

“Biomass is estimated to be above or fluctuating around a target reference point (that is appropriate given the species’ ecological role) appropriate for the species (that is based on up-to-date life-history and spatial distribution information) with no scientific controversy”

Substantial Contributor

Several comments focused on the substantial contributor decision tree and language. One commenter found Substantial Contributor Decision Tree helpful but offered suggestions to add clarity and appropriate language around the scoring at each terminal branch to complete the tree. Seafood Watch acknowledged this missing piece and made the appropriate additions to the decision tree.

Another comment focused on the language around if a fishery is a 'substantial contributor'. The commenter suggested that should be distinctly clear that it only applies when assessing C2 fisheries and that it is not a concept used for target species.

*Seafood Watch believes that the language of the standard is clear in that this only applies to species assessed under criterion 2 “**For species assessed under C2:** Fishery is not a substantial contributor to fishing mortality or its contribution to mortality is expected to be low enough to not adversely affect population.” It should be noted that species assessed under criterion 1 may not be considered ‘target species’ by all stakeholders; inclusion in criterion 1 is based on retention of the species and the prioritization of a rating for that species by Seafood Watch.*

One comment notes that in table 1.2.1 under moderate concern, "species ecological role" is still referenced, although it has been removed elsewhere in the document. Seafood Watch changed the language for #3 in Moderate concern to "F is below a reference point, but the suitability of the reference point is unknown."

Use of IUCN Status

One commenter inquired about Seafood Watch’s confidence in relying on IUCN listings in scoring abundance.



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Seafood Watch will clarify in the guidance that the IUCN listings can be over-ridden with more recent and/or more local information including species stock assessments. When an IUCN assessment is greater than 10-years old, Seafood Watch analysts will consider whether it is still appropriate, which could mean that it will not score a low concern.

Biomass

Seafood watch received a request to better-define “adequate biomass” in reference to forage fish. *The definition of adequate biomass likely will remain amorphous as it is often has not been calculated. This specific language will not appear in the final standard; however, Seafood Watch intends to provide guidance that may be informed by broad definitions that already exist, e.g. Lenfest report.*

Criterion 2

Definition of Main Species

A comment was made regarding the most effective place to include both the Main Species and Substantial Contributor Decision Tree within the criteria. The suggestion was to place them in order of operations and it was assumed the main species ID would be first, followed by the substantial contributor. The current inclusion is seemingly confusing.

Seafood Watch determined that the placing of the ‘Substantial Contributor Decision Tree’ within the glossary section was appropriate as in most assessments this is not needed (as fisheries are generally considered to be substantial contributors to a particular stock, especially if it is being retained). The ‘Main Species Decision Tree’ is included in the body of the criteria as this will be used in every assessment.

Defining ‘negligible and/or sporadic level of catch’

A comment was received requesting greater definition of the term ‘negligible and/or sporadic level of catch’ which is used to determine whether at risk species should be included as main species. The current guidance provides an example of less than 5% of a sustainable level of fishing. In many cases, the sustainable level of mortality is poorly defined or unknown, as may the mortality caused by an individual fishery making such a comparison challenging.

Bait Fisheries

One comment suggested bait inclusion in the Main Species decision tree - the definition is confusing in determining when it should be considered a 'main species' and when it should be considered 'bycatch'. As it's written right now, it says that if a bait species meets all the criteria in the list to define a main species, it should be treated as bycatch, so it's unclear what conditions would lead to bait being considered a main species, ever? This could be resolved by moving the bullet point out of that list to make it a standalone statement. The inclusion in the decision tree would also clear this right up. Seafood Watch recognizes that clarity is needed in this section as this comment is creating a difference



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that in practice does not exist. We need to review and clarify guidance such that when bait species meet the definition of main species we include them in the assessment and consider abundance and mortality as any other main species. Assessment instructions are on page 27.

Seafood Watch added language to address this concern on page 19 under the Assessment instructions: "In fisheries that use bait, the bait species should be treated as a bycatch species if it meets the main species criteria outlined above. If the species used as bait are unknown but together account for greater than 5% of the catch and no other main species have been identified, then add 'unknown finfish' with abundance and fishing mortality both scored as "moderate concern"."

There was one comment questioning how "main species" differs from "substantial contributor" as both have a threshold of 5%.

*In determining whether an Endangered, Threatened or Protected species should be considered a 'main species', Seafood Watch considers whether fishing mortality from the fishery being assessed is more than **5% of a sustainable level** (e.g. F_{MSY}); in contrast, when determining whether a fishery is a substantial contributor to mortality, Seafood Watch considers whether fishing mortality from the fishery being assessed is more than **5% of total fishing mortality**.*

Criterion 3

Flexible and resilient fisheries management

There was one comment about the added language in 3.1 and the appendix pertaining to flexible and resilient fisheries management, acknowledging that this area/definition is a work in progress and asking that SFW pay attention to the proactive management strategies added to the appendix. SFW requested clarification on this comment, noting that the rationale for these additions is to ensure that a fishery has a flexible and resilient approach to changes in stock status such that managers can either anticipate fluctuations and manage for them OR if a change has already occurred the management system is able to adjust.

Seafood Watch has added guidance to Appendix 3 to ensure precautionary, flexible and resilient management practices are included. These edits were made to improve Seafood Watch's assessment of forage fish management and account for the impacts of climate change in management but are relevant to all fisheries.

Also pertaining to new language on flexible and resilient fisheries management, there was a comment asking to better define "appropriate timeframes" in table 3.1.1. The commenter pointed out we have a definition for "reasonable timeframe (for rebuilding)" in the glossary, which SFW notes describes a different situation. SFW will define "appropriate timeframes" (or rename this term and provide a definition) and rectify any confusion with similar sounding terms in the standard.

Seafood Watch added a footnote to table 3.1.1 to address the definition of "reasonable timeframe" on page 29: ¹ When determining an appropriate timeframe it is important to consider the ability of



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managers to adjust management measures to take into account the latest scientific information and advice, for example, if a stock assessment identifies that overfishing took place in the previous fishing season, do managers adjust the harvest controls for the upcoming season?

Forage fisheries

There was one comment asking to define “sufficient frequency” for conducting stock assessments for forage fish species in table 3.1.1. SFW will provide additional information in the glossary defining this term in respect to the frequency of fluctuations in biomass and environmental regime.

Seafood Watch understands the desire to quantify terms such as ‘sufficient frequency’, however in some cases this is not possible due to the large variety of species that could be assessed using the standard. Additional language has been added “based on the specific attributes of the species”, which aims to highlight the species specific nature of such timeframes, based on life history characteristics which will determine how soon a stock assessment is likely to be outdated.

Subsidies

There was one comment about subsidies, noting that while they are not relevant for sustainability, consideration should be given to report them.

Seafood Watch agrees that the use of subsidies can result in unsustainable fisheries and have clarified in the guidance that overcapacity (which can be created by subsidies) should be considered when scoring factor 3.1. Beyond this however, we consider subsidies to be a socio-economic issue which falls outside the scope of a Seafood Watch assessment.

Ghost Gear

There was one comment about ghost gear, noting that is extremely difficult to identify the origin of most fishing gears, particularly nets and there are currently no means to mark gears in ways that make them identifiable.

Seafood Watch recognizes this challenge and also recognizes that minimizing ghost gear is an important component of sustainable fisheries management. SFW recommends that fisheries use best practices as set forth by the Global Ghost Gear Initiative (GGGI) and will provide this as guidance to analysts. SFW proposes modifying Factor 3.2 Bycatch Strategy to incorporate the best practices recommended by GGGI. To achieve a highly effective score for fisheries with a demonstrated concern with or a significant likelihood of ghost fishing, a comprehensive plan that incorporates all three best practice measures (prevention, mitigation and cures) must be implemented. For moderately effective, managers must implement at least one of the measures, and an ineffective score means that fishing methods with a high likelihood of ghost fishing are not taking any measures to address the issue. As this guidance is updated by GGGI, SFW will provide new versions to analysts.

General Language

There were several comments on language used in the management criterion.

Three comments on language were straightforward and require no additional response 1) agreement with the proposed changes in table 3.1.1, 2) keeping the language for "Assessing Management



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Effectiveness across multiple species" in 3.1 and 3) agreement with the proposed changes in monitoring 3.3.

There was a comment asking to clarify the terminology about “retained” and “non-retained” species as well as “target” and “non-target” to ensure we are being consistent in the Management criterion and throughout the standard. Also the commenter asked that we clarify language on main species included in the report and where their management is assessed, i.e. in 3.1 or 3.2, including bait species. SFW will rectify our terminology on species caught in a fishery (in respect to target and retention) and provide these terms either within the standard body or in the glossary.

Seafood Watch has added clarifying language in the form of definitions within the glossary:

Catch:

The catch of a fishery refers to any species that interacts with the fishing gear and is brought to the vessel during hauling. In some instances, it may not be brought onboard, for example purse seiners are able to release catch prior to bailing onto the deck. The catch can be further divided and referred to using the following terms:

- *Retained Catch – Catch that is retained onboard vessel and landed. Traditionally retention occurred based on the economic value of the catch, however full-retention fisheries are becoming increasingly popular as a way of ensuring all catch is quantified and to reduce discarding.*
- *Non-retained catch – Catch that is discarded, typically at sea. This may include low-value species or species that cannot be landed for regulatory reasons (lack of quota, prohibited species, protected species).*
- *Target Catch – Species that fishers aim to catch when setting gear. This is typically higher value or more abundant species within the catch composition. Some fisheries will have one target species e.g. purse seine, while others may have several e.g. bottom trawl.*
- *Non-target Catch – Species that are encountered in the fishery but are not the focus of the fishing effort. Such species may form part of the retained catch (if they have some value and/or can legally be landed) or non-retained catch (e.g. marine mammals, low value species)*

Criterion 4

Ecosystem Based Fisheries Management

There were two opposing comments about the proposed scoring changes to 4.3, Ecosystem Based Fisheries Management, one from industry in support of maintaining the “status quo”, i.e. keeping 4.3 as



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written in the current version of the SFW fisheries standard and one from an NGO in support of adding a Critical scoring option to be added where demonstrable ecosystem impacts result from the fishery.

Seafood Watch discussed this issue with the TAC, noting that the TAC is supportive of more conservative scoring to protect ecosystem services provided by forage species where there is evidence of detrimental impacts resulting from a fishery. In an effort to better account for the ecosystem level impacts of fishing on forage species Seafood Watch proposes the following scoring changes to C4

- 1) Add a Decision Rule: Introduce a decision rule to reflect the importance of forage species to the ecosystem such that where a high concern is scored for factor 4.3, Criterion 4 is considered red for the purposes of other decision rules, and*
- 2) Add a Critical Scoring Option: As identified in the Table 4.3.1 below, a critical scoring option could be added where demonstrable ecosystem impacts result from the fishery. This critical score would result in an overall rating of Avoid.*

Other General Comments

Scope of Assessments

A commenter suggested providing additional information in the standard to better explain the scope of SFW assessments. SFW will add a section at the beginning of the standard to explain how assessment scopes are determined based on target species, body of water, gear types and management regimes. *Seafood Watch has added the following language to clarify how the scope of an assessment is developed:*

Fisheries assessments generally focus on a single fishery, as defined by region and target species (which may include multiple target species, in the case of a multispecies fishery). A single assessment may contain multiple recommendations to address different gear types, biological stocks, or regional variations in ecological impacts and management, as needed. If a portion of a fishery is eco-certified to a standard that benchmarks to equivalent to Seafood Watch yellow or better, we may create an assessment that addresses only the uncertified portion of the fishery. The certified portion will be listed separately on our website.

Definitions

There were two comments on definitions. One was supporting our glossary definition of “endangered/threatened”, another was questioning the difference between the use of “highly precautionary” and “precautionary” approach.

Seafood Watch will clarify our language on the use of the term precautionary by removing the word ‘highly’. Seafood Watch believes the precautionary principle should applied in broadly within fisheries management.