Gaspésie lobster trap fishery

Public Certification Report

Conformity Assessment Body (CAB)	Global Trust Certification
Assessment team	Lead Assessor, Dr. Géraldine Criquet Assessor, Dr. Jean-Claude Brêthes Assessor, Mr. Bob Allain
Fishery client	Regroupement des Pêcheurs Professionnels du Sud de la Gaspésie (RPPSG)
Assessment Type	First Reduced Reassessment
Report Code	MSC015/02
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2 Glossary

ACDR	Announcement Comment Draft Report
AFR	Atlantic Fishery Regulations
ALSM	Atlantic Lobster Sustainable Measures
AZMP	Atlantic Zone Monitoring program
BAPAP	Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec
CC	Communal commercial
CHP	Conservation Harvest Plan
C&P	DFO Conservation and Protection
CPUE	Catch Per Unit Effort
DFO	Fisheries and Oceans Canada
EMA	Ecosystem Approach Management
ETP	Endangered, Threatened and Protected species
F	Fishing mortality
FPPS	Fisheries Proctection Policy Statement
FRCC	Fisheries Resource Conservation Council
FSC	Food, Social and Ceremonial fishing
GOSLIM	Gulf of St Lawrence Integrated Management
GSL	Gulf of St Lawrence
IFMP	Integrated Fisheries Management Plan
LFA	Lobster Fishing Area
LRP	Limit reference point
MAPAQ	Ministère de l'Agriculture des Pêcheries et de l'Alimentation du Québec
MPA	Marine protected area
MLS	Minimum landing size
MSC	Marine Stewardship Council
MSE	Management Strategy Evaluation
MSY	Maximum Sustainable Yield
NAFO	Northwest Atlantic Fisheries Organisation
NARW	North Atlantic right whale
PI	Performance Indicator
RAP	Regional Advisory Process
RPPSG	Regroupement des Pêcheurs Professionnels du Sud de la Gaspésie
RPWG	Rebuilding Plan Working Group
SARA	Species at Risk Act
SSB	Spawning stock biomass
UoA	Unit of Assessment
UoC	Unit of Certification
USR	Upper stock reference
VME	Vulnerable Marine Ecosystem

3 Executive summary

This report sets out the details of the MSC reduced re-assessment for the Gaspésie lobster trap fishery against the MSC Principles and Criteria for Sustainable Fishing.

Global Trust Certification's team used the information provided by the client through the Client Document Checklist, information provided by DFO, information available online, information from previous surveillance audit reports, information collected at the site visit, additional information provided after the site visit, the peer reviewer's comments, the MSC's Technical Oversight findings, and the outcome of harmonisation activities to draft this Public Certification Report.

3.1 Changes since previous assessment

Two significant changes occurred to the management system of the LFA 19-21 Lobster fishery during the initial certification cycle. An Integrated Fisheries Management Plan (IFMP) was adopted and published in 2018 that included explicit short-term and long-term objectives which served to support the decision-making processes with respect to MSC Principles 1 and 2 outcomes. And new regulatory measures were introduced to protect the presence of migrating North Atlantic Right whales (NARW) in an effort to mitigate impacts associated with fishing entanglements and vessel strikes.

3.1.1 Principle 1

There are some changes since the previous assessment. The Gaspésie lobster stock is in good condition and remains in the healthy zone. The lobster fishery is still a limited entry fishery managed by controlling fishing effort and by escapement measures: number of licences, number and size of traps, fishing season and daily schedule, minimum and maximum legal sizes, release of berried females and release of females with a V-notch on their uropods (V-notch marking is on a voluntary basis). A device to prevent seals to access the content of the traps is authorised since 2017 fishing season. The maximum carapace length size is reduced from 155 mm (2016) to 150 mm (2018) in LFAs 19 and 21; the minimum carapace length size is increased to 82.55 mm in 2018 in LFAs 20 and 21.

Harvest control rules are well defined and tools in place are still appropriate and effective in controlling exploitation. Information is still collected to support the harvest strategy.
There is an adequate assessment of the lobster stock status.

3.1.2 Principle 2

The level of non-target species catch remains low. Male rock crab is the only non-target species allowed to be retained. Main primary species are species used as bait purchased from outside the UoA. The team determines that there is no main secondary species. There is a partial strategy in place that is designed to maintain or to not hinder rebuilding of primary and secondary species. Information on the nature and amount of non-target species is collected through logbooks.

Regulations dealing with the fleets' fishing practices were modified significantly in 2018 with the introduction of new mandatory measures to protect the North Atlantic Right Whale population aimed at preventing entanglements principally by reducing the amount of rope in the water, prohibiting floating lines on the surface, and requiring the reporting of lost and retrieved gear. These measures have been enhanced for the 2019 fishing season. There is a partial strategy in place that is designed to ensure that the UoA does not hinder the recovery of ETP species. However, it was determined that the combined effects of the MSC UoAs on the population of North Atlantic right whale are not higly likely to be within national limit set for the protection and rebuilding of the population, trigerring the setting of a condition on Perfornace Indicator (PI) 2.3.1.

The UoA does not cause serious or irreversible harm to habitats including VMEs.

Overall, information continues to be collected to assess the impact of the UoA on the ecosystem.

3.1.3 Principle 3

The LFA 19-21 Lobster fishery continues to be managed effectively through a comprehensive framework of federal statutes, regulations and policies, including annual licence conditions, that achieve the conservation and sustainability objectives for the fishery while also addressing species-at-risk and habitat protection requirements, marine mammal interactions, enforcement and compliance imperatives, and ongoing stakeholder and public engagements.

The Assessment Team notes that there have been a number of statutory changes to the overall management system for commercial fisheries since the initial assessment (2015) of the LFA 19-21 lobster fishery, including associated regulatory amendments. Chief among the statutory changes were a modernization of the *Fisheries Act* and, to a lesser extent, the *Oceans Act.*

DFO has also embarked on a series of national policy framework initiatives which are aimed in part at securing better commercial fisheries information and data through a revamped monitoring system.

An IFMP was adopted and published in 2018 that included explicit short-term and long-term objectives for the LFA 19-21 lobster fishery.

DFO and other federal departments launched a Reconciliation Strategy with Indigenous Peoples which includes 10-year Fisheries Agreements that re-affirm the recognition of the right to pursue a moderate livelihood from the commercial fisheries and a greater role in the decision-making processes.

The Assessment Team believes that the statutory and program changes highlighted here will have a positive impact on the ongoing management system for the fishery throughout the re-certification period, The team will continue to monitor how the roll-out of the changes impact the fishery.

3.1.4 Main strengths and weaknesses

Table 1. Main strengths and weaknesses of the Gaspésie lobster trap fishery.

	Main strengths	Mean weaknesses
Principle 1	– The lobster stock is healthy – Robust harvest strategy in place – Well-defined HCRs are in place – Tools are effective in controlling exploitation – Relevant information is collected to support the harvest strategy	– Stock status is only expressed in relative terms, based on empirical indicators (landings)
Principle 2	– The non-target species catches remain low – There is a partial strategy in place that is designed to maintain or to not hinder rebuilding of primary and secondary species – Management measures are regularly reviewed – The interactions of the fishery with ETP species are low – Information continues to be collected to assess the impact of the UoA on the ecosystem	– It cannot be said that the combined effects of the MSC UoAs on the population of North Atlantic right whale are higly likely to be within national limit set for the protection and rebuilding of the population

Table 1. Main strengths and weaknesses of the Gaspésie lobster trap fishery.

	Main strengths	Mean weaknesses
Principle 3	– Effective national legal and/or customary framework including ongoing negotiations with First Nations relative to a national Reconciliation Strategy. – Effective consultation processes that support the management system – Comprehensive short and long-term objectives – Effective decision-making processes – Proven enforcement and compliance systems – Effective monitoring programs with appropriate performance evaluation	– No particular weakness in Principle 3

3.1.5 Determination reached by the assessment team

A rigorous assessment against the MSC Principles and Criteria was undertaken by the assessment team and detailed, fully referenced scoring rationale is provided in this report. The Gaspésie lobster trap fishery achieves the minimum required score of 80 or above on each of the three MSC Principles independently and does not score less than 60 against any individual PI. Thus, the assessment team did not identify any issues that could prevent the fishery from continuing to conform with the MSC Fisheries Standard.

3.1.6 Condition

A condition was raised on PI 2.3.1 as a result of a harmonisation process with overlapping fixed gears fisheries operating in the Canada Atlantic.

Table 2. Summary of the condition

Condition number	Condition	Performance Indicator (PI)	Related to previous condition?
1	The client shall provide evidence that the combined effects of the MSC UoAs on the North Atlantic right whale are known and are highly likely to be within the national limit.	2.3.1	No

4 Report details

4.1 Authorship and peer review details

4.1.1 Assessment team

Dr. Géraldine Criquet (Lead Assessor, primarily responsible for Principle 2, Traceability and RBF)
Géraldine is an MSC approved Fisheries Team Leader for SAI Global - experienced fishery scientist in both Finfish and Shellfish fisheries, and ecosystems considerations. Géraldine holds a PhD in Marine Ecology (École Pratique des Hautes Études, France) which focused on coral reef fisheries management, Marine Protected Areas, fish biology and ecology and ecosystem impacts. She worked 2 years for the Institut de Recherche pour le Développement (IRD) at Reunion Island for studying fish target species growth and connectivity between fish populations in the Indian Ocean using otolith analysis. She served as Consultant for FAO on a Mediterranean Fisheries Program (COPEMED) and developed and implemented a monitoring program of catches and fishing effort in the Marine Natural Reserve of Cerbère-Banyuls (France). Géraldine is an experienced full time MSC Lead Assessor with SAI Global, successfully leading MSC certifications and assessment teams and acting as Principle 2 expert for multiple MSC Pre, Full and Surveillance audits including full assessments and surveillance audits of Canadian lobster trap fisheries. Géraldine led the assessment team for the initial assessment of the Gaspésie lobster trap fishery as well as for all previous surveillance audits.

Dr. Jean-Claude Brêthes (Assessor, primarily responsible for Principle 1)
Jean-Claude is a fisheries biology professional at the Institut des sciences de la mer at the Université du Québec a Rimouski. Previously he has held positions at Board, Chair and Director level for University undergraduate and post graduate fishery science/marine/oceanography courses, scientific advisory councils and committees for various government organizations such as the Canadian Atlantic Fisheries Advisory Council. His key experiences have been focused upon the dynamics and ecology and management of exploited species. In particular, Jean- Claude has conducted various projects on the ecology of snow crab, lobster and cod in locations in Atlantic Canada. He has published and presented several scientific papers in lobster fisheries in key journals and science fora and has also taken part in several MSC and related studies including lobster fisheries in this and other regions.

Bob Allain (Assessor, primarily responsible for Principle 3)
R. J. (Bob) Allain is the president and principal consultant of OceanIQ Management Services Inc. He is a former senior executive with over 30 years experience with Canada's Federal Department of Fisheries and Oceans in fisheries management, strategic policy development and analysis, facilitation and conflict resolution, and mentoring. He has consulted internationally for the Canadian International Development Agency, the (former) International Centre for Ocean Development, the World Bank, and the Food and Agricultural Organization of the United Nations. Bob has participated in several Atlantic Canadian pelagic, demersal, and crustacean fishery assessments under the MSC Standard since 2010 as a P3 expert, auditor, client representative, and, most recently, as a peer reviewer. He has also undertaken assessments and annual surveillance audits of U.S. fisheries of the Gulf of Mexico and along the Atlantic Coast. In 2014, Bob was inducted into the Atlantic Marine Industries Hall of Fame in the Builders Category in recognition of his long service to and involvement with the Atlantic fishery.

4.1.2 Peer Reviewers

The Peer Review shortlist for this re-assessment was published on the MSC website on the 24th September 2019. One of the peer review was selected from the following list:

- Gerald Ennis
- Julian Addison

A summary of their qualifications an experience is included in the Peer Reviewer Shortlist Consultation available at: https://fisheries.msc.org/en/fisheries/gaspesie-lobster-trap-fishery/@@assessments.

Note that the Peer Review College anonymises review, so the CAB and stakeholders are not informed of who has been selected.

4.2 Version details

The MSC Fisheries Program documents used for the re-assessment of the Gaspésie lobster trap fishery re-assessment are listed in Table 3.

Table 3. Fisheries program documents versions.

Document	Version number
MSC Fisheries Certification Process	Version 2.1
MSC Fisheries Standard	Version 2.1
MSC General Certification Requirements	Version 2.4.1
MSC Reduced Re-assessment Reporting Template	Version 2.1

5 Confirmation of scope

The Gaspésie lobster trap fishery continues to be within the scope of the MSC fisheries Standard.

- The target species under Principle 1 is neither an amphibian nor a reptile nor a bird nor a marine mammal.
- The fishery does not use destructive fishing practices such as poisons or explosives.
- The fishery is not conducted under a controversial unilateral exemption to an international agreement.
- The client group does not include an entity that has been successfully prosecuted for a forced labour or child labour violation in the last 2 years.
- The client group has provided the Certificate Holder Forced and Child Labour Policies, Practices and Measures Template.
- The fishery applying for re-certification is not the subject of controversy and/or dispute, and there is a mechanism for resolving disputes within the fishery management system.
- The Gaspésie lobster trap fishery is not an enhanced fishery.
- The Gaspésie lobster trap fishery is not an introduced species based fishery.
- There are no catches of non-target stocks that are inseparable or practicably inseparable (IPI) from the target stock.

6 Unit of Assessment and Certification and results overview

6.1 Unit of Assessment and Unit of Certification

6.1.1 Unit of Assessment

Table 4. Unit of Assessment (UoA).

UoA	Description
Species	*Homarus americanus*, American lobster
Stock	Gaspésie lobster stock
Geographical area	FAO Fishing Area 21 Northwest Atlantic, NAFO Division 4T, Canada EEZ, Gaspe Peninsula, Lobster Fishing Areas (LFAs) 19, 20 and 21
Harvest method/gear	Baited lobster trap
Client group	Regroupement des Pêcheurs Professionnels du Sud de la Gaspésie (RPPSG)
Other eligible fishers	There are no other eligible fishers. All commercial lobster harvesters entitled to fish lobster in LFAs 19, 20 and 21 are members of the client group. In LFA 21, there is a Food, Social and Ceremonial (FSC) fishery which is conducted by Aboriginal groups for food, social and ceremonial purposes under the rights affirmed by the Supreme Court of Canada in the *Sparrow* decision (1990). Products from the FSC fishery are not for sale and therefore operators are not considered as other eligible fishers.

6.1.2 Unit(s) of Certification

Table 5. Unit of Certification (UoC).

UoC	Description
Species	*Homarus americanus*, American lobster
Stock	Gaspésie lobster stock
Geographical area	FAO Fishing Area 21 Northwest Atlantic, NAFO Division 4T, Canada EEZ, Gaspe Peninsula, Lobster Fishing Areas (LFAs) 19, 20 and 21
Harvest method/gear	Baited lobster trap
Client group	Regroupement des Pêcheurs Professionnels du Sud de la Gaspésie (RPPSG). All commercial lobster harvesters entitled to fish lobster in LFAs 19, 20 and 21 are members of the client group.

6.2 Assessment results overview

6.2.1 Determination, formal conclusion and agreement

6.2.1.1. Recommendation of Global Trust Certification's Assessment Team

On the completion of the re-assessment process to the point of the Public Certification Report, the assessment team formally determines that:

- **The Gaspésie lobster trap fishery is awarded recertification.**

6.2.1.2. Determination of Global Trust Certification's decision-makers

Following a meeting on 12 January 2020, Global Trust Certification's decision-makers determined that:

- **The Gaspésie lobster trap fishery should be recertified.**

6.2.2 Principle level scores

Table 6 presents the overall score for each of the three MSC Principle.

Table 6. Principle level scores.

Principle	Overall score
Principle 1 – Target species	85.8
Principle 2 – Ecosystem impacts	85.3*
Principle 3 – Management system	97.5

* One of the Performance Indicator did not reach the unconditional pass mark of 80. The assessment team has then raised a condition (Table 7).

6.2.3 Summary of conditions

Table 7 presents the condition raised on PI 2.3.1 as a result of a harmonisation process for overlapping fixed gears fisheries operating in the Canada Atlantic.

Table 7. Summary of the condition

Condition number	Condition	Performance Indicator (PI)	Related to previous condition?
1	The client shall provide evidence that the combined effects of the MSC UoAs on the North Atlantic right whale are known and are highly likely to be within the national limit.	2.3.1	No

6.2.4 Recommendations

A recommendation is non-binding and therefore does not require the client to provide a client action plan. However, the client is encourage to act upon within the spirit of the MSC certification for improvement and continuing efforts to ensure the long-term sustainability of the fishery.

Table 8. Recommendations made by the assessment team

Recommendation number	PI	Recommendation
1	1.2.1	The assessors note that the legal carapace size for the lobster fishery in LFAs 19-21 has been adjusted on a few occasions in the past for the purpose of promoting conservation and sustainability. It appears to us that these adjustments were introduced without a corresponding assessment as to whether the dimensions of the mandatory escape vents on each lobster trap required an adjustment. The current escape vent dimensions have been in effect since at least 2002. We understand that it is a common practice in other lobster fisheries to assess if a change to the dimensions of the escape vents is necessary when a carapace size is changed.

Table 8. Recommendations made by the assessment team

Recommendation number	PI	Recommendation
		Accordingly, we recommend that the RPPSG, in collaboration with DFO and industry stakeholders, undertake an assessment of whether the current dimensions of the escape vents are appropriate for the fishery's carapace size in LFAs 19-21.
2	2.3.2 2.3.3	Following the 2017 North Atlantic right whale entanglements in snow crab gears and mortalities event, management measures have been implemented in 2018 in Quebec, Gulf and Maritimes Regions to minimise the risks of interactions between the North Atlantic right whale and fixed gears. These measures have been renewed and refined in 2019. As part of these measures, a very extensive North Atlantic right whale monitoring has been implemented in 2018 and renewed in 2019. The team recommends the continuation of management measures as well as the monitoring program to further reduce the risk of interaction of fixed gears with the North Atlantic right whale in Quebec, Gulf and Maritimes Regions.

7 Evaluation results

7.1 Eligibility date

The eligibility date is the date of re-certification.

7.2 Traceability within the fishery

Table 9. Traceability within the fishery.

Factor	Description
Will the fishery use gears that are not part of the Unit of Certification (UoC)?	No. Lobster trap is the only fishing gear allowed to be used to target lobster.
Will vessels in the UoC also fish outside the UoC geographic area?	No. Fishing vessels from the UoC do not fish outside the geographical area covered by the UoC. By regulation, lobster harvesters licenced to fish in LFAs 19-21 are not allowed to fish for lobster outside LFAs 19-21.
Do the fishery client members ever handle certified and non-certified products during any of the activities covered by the fishery certificate? This refers to both at-sea activities and on-land activities. - Transport - Storage - Processing - Landing - Auction If Yes, please describe how any risks are mitigated.	No.
Does transhipment occur within the fishery?	No. Transhipment is prohibited.
Are there any other risks of mixing or substitution between certified and non-certified fish?	No, no other risk has been identified.

7.3 Eligibility to enter further chains of custody

Chain of Custody commences at the point of first sale for any party not included in the fishery certificate and for parties within the fishery certificate as outlined.

The point of intended change of ownership of product is at first sale.

The point from which subsequent Chain of Custody is required is at first sale.

The scope of the fishery certificate includes all eligible vessels within the region of Gaspésie which is covered 100% by the UoC. The certificate is owned by the client, RPPSG, who represent all eligible fishers (all Gaspésie lobster fishermen are members).

Vessels that operate under RPPSG and land lobster from the certified fishery do not require chain of custody certification. An active list of eligible vessels within RPPSG, the client group, has been provided to the team and will be maintained available to potential buyers. All lobsters from the fishery under assessment are landed in LFAs 19, 20 and 21.

The system for recording the transfer of product to buyers is sufficient to identify that all product is eligible for MSC CoC. The point of commencement of the CoC is the first point of transfer of ownership outside the client group.

However, the following categories of parties will also require chain of custody certification even though they are members of the fishery certificate:

- Any parties that purchase lobsters from outside of the UoC
- Any parties that transform live lobsters

All parties that take title of product and are not included in the fishery certificate and wish to claim the product as coming from an MSC certified fishery or entities that they sell to wish to make the claim must obtain MSC Chain of Custody certification; except in the following circumstances;

- Parties that act as transporters between vessels and buyers within the fishery certificate or those that have separate chain of custody must be included in the scope of their management procedure, identifiable by name and have available documentation that allows traceability to a certified vessel to be confirmed for every delivery.

All handlers, buyers, dealers, distributors, live shippers and processors in all Atlantic Canadian provinces are required by regulation to be licensed with the competent provincial authority. All buyers are registered with the provincial government (MAPAQ) and as such must keep and submit records of purchases, first generated at the point of vessel landing by the buyers on transfer of product.

Purchases of lobsters must be documented on a purchase slip by the registered buyer containing details of purchases within a week. Information on the purchase slip includes the name of the permit holder, the name of the fishing vessel, the place of landing, the quantity of product per permit holder and the value. Therefore, the system allows buyers to know which LFA the fishing vessel/licence holder is part of. Upon landing, harvesters work with dealers to complete landing documentation as required by condition of the Quebec fish buyers licence. As a condition of license, Quebec receives weekly buying activity summaries by port, lobster size and price by size from the licensed buyers. Buyers must generate accurate detailed purchase slips regarding each landing from harvesters including vessel identification, landing port, date, landed weight and value. Fish buying licence holders are also subject to physical inspection by provincial authorities to ensure compliance to licence conditions.

The purchase slip booklets are obtained from the Regional DFO Office. They are used for other fisheries but buyers must identify species in each case. When a purchase slip is generated for each landed purchase of lobster, two carbon copies are generated. One is retained in the booklet, one is received by the harvester and one copy is returned to DFO Regional Statistical office. This creates options for catch reporting and verification using logbook, purchase slips (DFO) and weekly returns to the Provincial Government Office. Once submitted to provincial department, landings data are entered into the department's statistical database and used as information to publish provincial landings and values statistics.

GTC determines that the system of tracking and tracing in the UoA are sufficient to ensure all lobster and lobster products are harvested and landed from the UoC, and are therefore eligible to carry the MSC ecolabel.

8 Scoring

8.1 Summary of Performance Indicator level scores

Principle	Component	Weight	Performance Indicator (PI)		Weight	Score
One	Outcome	0.333	1.1.1	Stock status	1.000	90
			1.1.2	Stock rebuilding	0.000	n/a
	Management	0.667	1.2.1	Harvest strategy	0.250	90
			1.2.2	Harvest control rules & tools	0.250	80
			1.2.3	Information & monitoring	0.250	80
			1.2.4	Assessment of stock status	0.250	85
Two	Primary species	0.200	2.1.1	Outcome	0.333	80
			2.1.2	Management strategy	0.333	85
			2.1.3	Information/Monitoring	0.333	80
	Secondary species	0.200	2.2.1	Outcome	0.333	80
			2.2.2	Management strategy	0.333	95
			2.2.3	Information/Monitoring	0.333	85
	ETP species	0.200	2.3.1	Outcome	0.333	75
			2.3.2	Management strategy	0.333	85
			2.3.3	Information strategy	0.333	80
	Habitats	0.200	2.4.1	Outcome	0.333	90
			2.4.2	Management strategy	0.333	85
			2.4.3	Information	0.333	85
	Ecosystem	0.200	2.5.1	Outcome	0.333	100
			2.5.2	Management	0.333	85
			2.5.3	Information	0.333	90
Three	Governance and policy	0.500	3.1.1	Legal &/or customary framework	0.333	100
			3.1.2	Consultation, roles & responsibilities	0.333	100
			3.1.3	Long term objectives	0.333	100
	Fishery specific management system	0.500	3.2.1	Fishery specific objectives	0.250	100
			3.2.2	Decision making processes	0.250	95
			3.2.3	Compliance & enforcement	0.250	95
			3.2.4	Monitoring & management performance evaluation	0.250	90

8.2 Principle 1

8.2.1 Principle 1 background

8.2.1.1. Overview of the Gaspésie lobster trap fishery

Lobster life history

The American lobster (*Homarus americanus*) ranges along the west coast of the Atlantic, from Labrador to Cape Hatteras. Adults prefer rocky substrates where they can find shelter, but also live on sandy or even muddy bottoms.

Lobsters begin life by going through a planktonic larval phase that lasts about three to four weeks. Over the course of the planktonic phase, lobsters are exposed to high mortality due to predator action and displacement by currents, which can carry larvae far from the sites that would be optimal for the continuation of their life cycle. At the end of this planktonic phase, the post-larvae drift down from the surface layer and settle on the bottom in coastal habitats that offer many crannies where they can find shelter (nurseries). Lobsters leave the nursery when they reach a carapace length (CL) of about 40-50 mm and outgrow their shelters. At this stage, the lobsters are about 3 to 4 years old. It is estimated that lobsters in Gaspésie reach 83 mm CL at around 8 years of age or older in cold regions, after they have moulted about 16 times since settling on the bottom. Females reach sexual maturity at a size of about 82 mm CL in the southern part of the Gaspé; the size is higher in the northern part. Males reach sexual maturity at a smaller size. Females spawning for the first time can produce around 8,000 eggs, while large females measuring 127 mm (jumbo size) can lay up to 35,000 eggs. Although recruitment cannot be predicted on the basis of egg numbers, this nevertheless plays a key role in the productivity of populations. Maintaining adequate egg production and increasing the contribution of multiparous females to this production are key stock management goals.

Location of the fishery

The Gaspésie lobster fishery occurs in FAO Fishing Area 21 (Northwest Atlantic) in Division 21.4T. The Gaspésie lobster harvesters have access to LFAs 19, 20 and 21 (Figure 1) as described in the Schedule XIII/Annexe XIII of the *Atlantic Fishing Regulations* (*AFR*), *1985*[1].

These areas are subdivided into 28 sub-areas (Figure 1) around the Gaspé Peninsula.

[1] http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-21/page-41.html#docCont

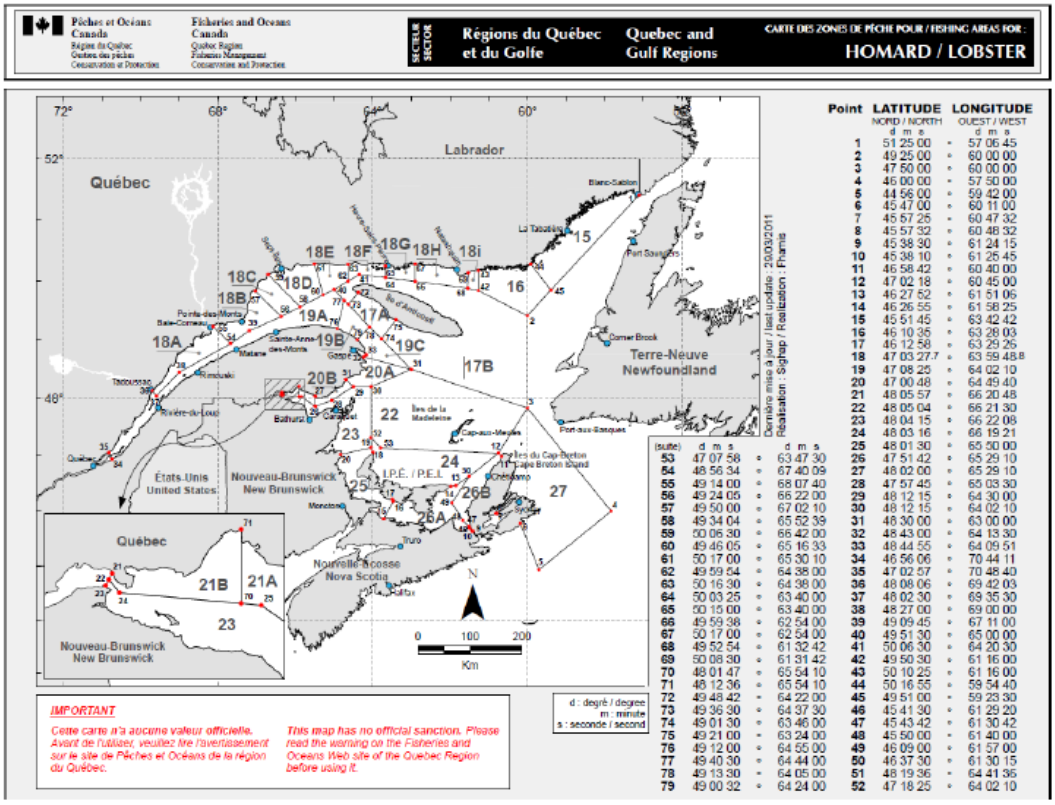

Figure 1. The main LFAs and sub-areas in the Estuary and Gulf of St Lawrence. Source: DFO 2018a.

A brief history of the lobster fishing and management (DFO 2018a)

Lobster harvesting in North America dates back to ancient times, over 10,000 years ago, when the ancestors of the Mi'kmaq settled in the coastal regions around the Gaspé and the Maritime provinces east of the Saint John River, in what became the Mi'kma'ki, traditional Mi'kmaq territory.

The Canadian lobster fishery has provided a means of income for many in Atlantic Canada since the mid-1850s Motorised boats, mechanized haulers and the parlour trap were introduced in the early 1900s. The lobster fishery has been essentially a small-boat inshore fishery, using passive gear, for much of its history.

The Canadian lobster fishery grew in the mid-19th century when American operators set up canneries to compensate for declining catches in the USA. After an initial increase, landings underwent a long decline from the late 1800s to the mid-1920s apparently as the pristine unexploited populations were fished down.

Following the mid-1920s, total landings in the Atlantic region showed little overall trend until the mid-1970s, although long-term fluctuations were observed with peaks in the 1930s and in the 1950s.

In Quebec, landings peaked in 1992 and have since declined. In the Gaspé Peninsula, landings showed a gradual increase in the 1980s until the mid 1990s, followed by a slight decrease until the mid 2000s. They have increased constantly since then.

The Canadian lobster trap fishery has one of the longest histories of fishery regulation in Canada with the implementation of several of the measures currently in place dating back to over a century.

The *Fisheries Act* was enacted in 1868. The first known regulation in 1873 forbade the taking of egg-bearing female weighing less than one and a half pounds as well as soft-shelled, newly moulted lobsters. In 1874, the first closed season was established during July and August to protect lobster during the spawning period. The

same year, the first size limit of nine inches overall length was established. Today, the regulated minimum carapace size of lobster is set with the objective of ensuring at least 50% of female lobsters reach sexual maturity before capture.

In addition to the limited size of the traps, the presence of escape vents has been mandatory since 1994. The Listuguj Mi'gmaq First Nation has been practicing a fall subsistence fishery in 21B since 2002.

The lobster fishery has been the subject of two reviews by the former Fisheries Resource Conservation Council (FRCC 1995, 2007). Two conservation plans (1998 and 2005) were developed to double the 1996 level of egg production per recruit by increasing the minimum legal size (MLS), and to reduce the fishing effort through licences buybacks and reduction of the number of traps occurred. The establishment of the Atlantic Lobster Sustainability Measures (ALSM) program in 2009[2] helps Canada's lobster fishery to ensure its long-term sustainability and economic prosperity. The program supports industry efforts to maintain healthy lobster stocks in all Lobster Fishing Areas, and improve lobster abundance in areas where stocks have declined. It also supports economic prosperity by helping to set the conditions for commercial success. The RPPSG has submitted a Lobster Conservation Plan in 2009 as part of this program. Between 2007 and 2016, a total of 55 lobster licences in the Gaspé were bought back, including 48 by the Regroupement des pêcheurs professionnels du sud de la Gaspésie (RPPSG) with financial assistance from the Ministère de l'Agriculture des Pêcheries et de l'Alimentation du Québec (MAPAQ) and the DFO.

Lobster can only be retained if they comply with a minimum legal size (MLS) designed to allow 50% of females to reach sexual maturity before being harvested. Egg-bearing females must be released. In 2008, a maximum catch size of 155 mm CL was implemented in LFA 20. On a voluntary basis, fishers mark berried females by V-notching their uropods. However, the release of V-notched lobsters is mandatory.

The use of an electronic logbook (e-log) is mandatory and it must be completed for each fishing day since the 2012 fishing season.

Number of commercial licences

Table 10 details the number of commercial licences per LFA. The overall number of licences did not change from 2018 to 2019. The 4 experimental fishing licences issued in 2018 for Area 19A-1 (Figure 2) have been re-issued in 2019.

Table 10. Number of commercial licences per LFA, 2017-2018. Source: DFO.

LFA	2018	2019
19	8 (+ 4 for experimental lobster fishing)	8 (+ 4 for experimental lobster fishing)
20	140	140
21 (commercial fishery)	13	13
TOTAL	161 (+ 4 for experimental lobster fishing)	161 (+ 4 for experimental lobster fishing)

[2] http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/fish-ren-peche/lobster-homard/alsm-mdih-eng.htm

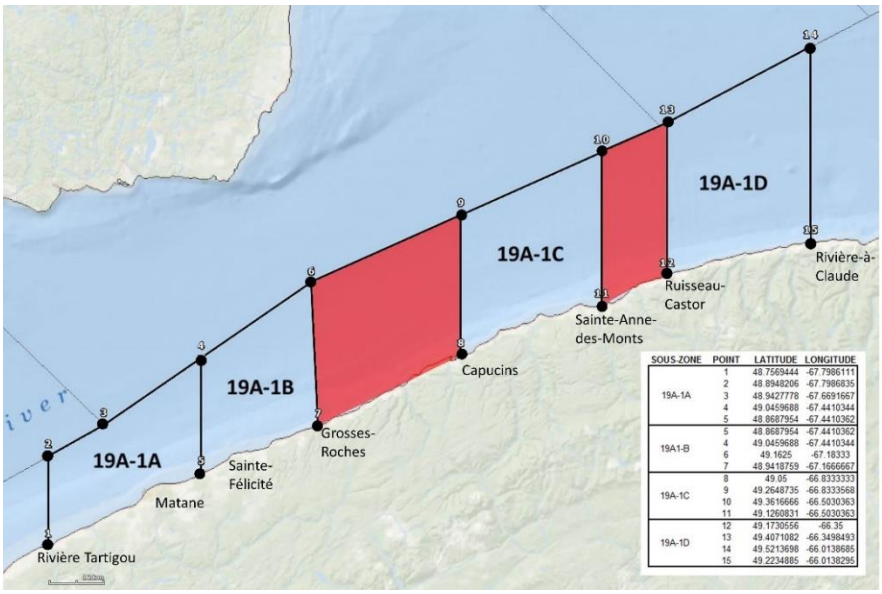

Figure 2. Map showing Area 19A-1 for which experimental fishing licences have been issued. Source: DFO.

2019 fishing season opening and closing dates

In the Gaspésie, the commercial lobster fishery is mainly a spring activity that lasts 69 days in LFAs 20 and 21 and 71 days in LFA 19, including the first day where traps are set (Table 11).

Table 11. 2019 commercial fishing season opening and closing dates per sub-areas in Gaspé Peninsula. Source: DFO.

Sub-areas	2019 Opening and closing dates
19A2	4 May -13 July
19A3	4 May -13 July
19B	4 May -13 July
19C1	11 May – 20 July
19C2	4 May – 13 July
20A1	4 May – 6 July
20A2-20A8	1 May – 8 July
20A9-20A10	4 May – 11 July
20B8	4 May - 11 July
21A	10 May – 17 July
21B	4 May -13 July

8.2.1.2. Lobster stock assessment and status

There is no direct measurement of lobster biomass (empirical or analytical). The lobster stock assessment is based on the analysis of trends of stock indicators. Stock status indicators including abundance, demographic structure, fishing pressure and production.

Lobster stock status is assessed every three years, however indicators are monitored annually.

The Gaspésie lobster stock was assessed in March 12th-14th, 2019. The Stock Assessment Report was published in November 2019 (DFO 2019a).

The stock status is assessed by examining abundance, demographic, fishing pressure and productivity indicators. Data sources from which the indicators are derived include: landings recorded on processing plant, purchase slips, data from sampling done by area or sub-area at sea or dockside since, respectively, 1986 and 1997; logbooks used since 2012; catches from experimental traps with closed vents used by 25–35 participating fish harvesters since 2006; and the post-season trap surveys carried out since 2011 (Table 12).

Table 12. Sources of data lobster stock status indicators are derived from DFO.

Area	Landings from purchase slips	Logbook	Experimental trap logbook	At-sea sampling	Dockside monitoring	In season recruitment index	Post-season recruitment index
19	X	X		2001-2011 and 2016	2005-2015		
20	X	X	2006-2015	1986-2019		2006-2019	2011-2019
19C and 20A1	X			2001–2004, 2011, 2016-2019 *Park Canada:* 2008- 2019	2005-2010		
21	X	X		*Spring:* 1997-2004 *Spring+Fall*: 2017–2019	2005-2016		

Abundance indicators

Landings

Landings have continued to increase (Figure 3). 2018 landings increased of 25.6% compared to 2015. The slight decline observed in 2018 is attributed to the measures to protect the North Atlantic right whale (NARW) which included spatial closures In LFA 20.

According to the Precautionary Approach, landings have been above the Upper Stock Reference (USR) since 1990.

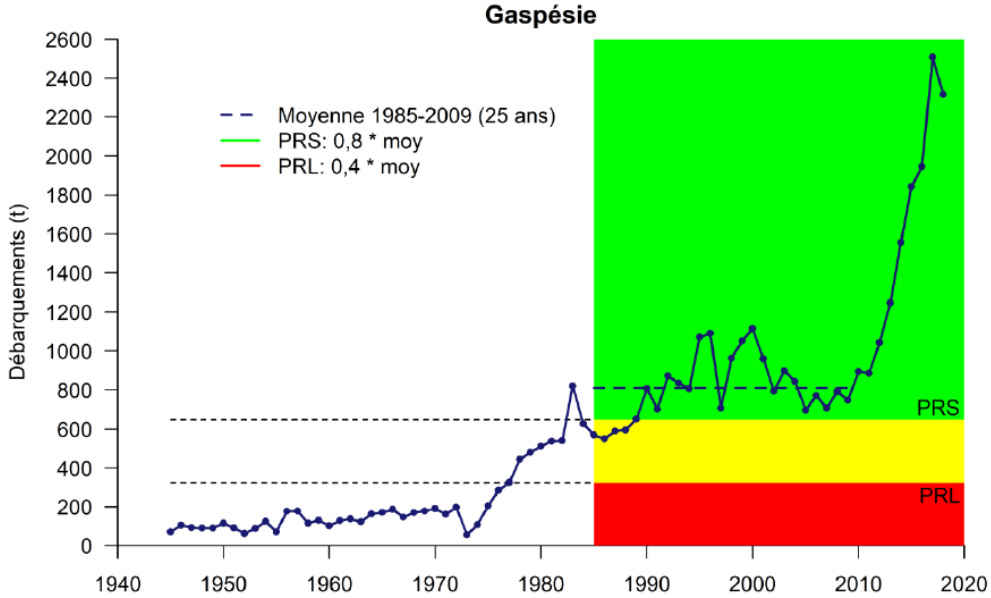

Figure 3. Lobster landings in Gaspésie from 1945 to 2018. Green, yellow ad read areas correspond to the healthy, cautious ad critical zones, respectively, according to the precautionary approach. The dashed line from 1985 to 2009 represents the average used as a proxy for B_{MSY}. Source: DFO 2019a.

Catch Per Unit Effort (CPUE)

CPUEs derived from the commercial sampling have increased between 2015 and 2018 (Figure 4). In LFA 20, CPUEs in number were 53% higher than in 2015 and 117% higher than the 1993-2017 average (Figure 4A). CPUEs in weight were 59% higher than in 2015 and 133% higher than the 1993-2017 average (Figure 4B).

In LFA 19, CPUEs in umber and weight increased of 64% and 60%, respectively, compared to 2015 (Figure 4C and D). In LFA 21B, CPUEs increased of 74% compared to 2015 (Figure 4E).

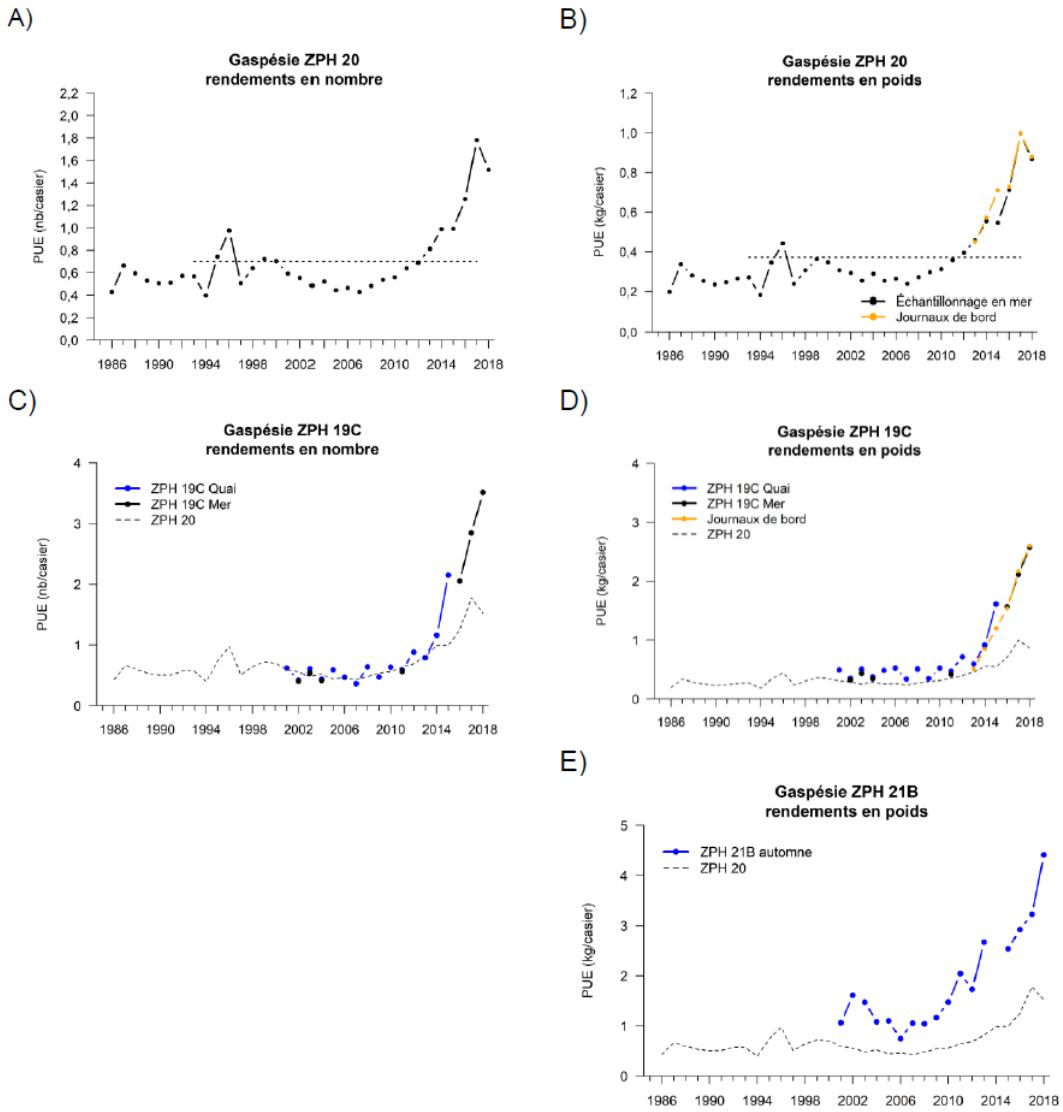

Figure 4. CPUEs of commercial lobster in numbers (A) and kg (B) for LFA 20 from 1986 to 2018. CPUEs in umbers (C) and in kg (D) for LFA 19C from 2001 to 2018. CPUEs in kg (E) for LFA 21B during fall from 2001 to 2018. For A and B, dashed line represets the average of the last 25 years excluding 2018. For C and D, the black line represents at-sea sampling, the yellow line represents logbooks, and the blue line represents dockside monitoring. Source: DFO 2019a.

Demographic indicators

Size distribution

In LFA 20, size distribution remains truncated, represented by one molt class (Figure 5A), meaning a high exploitation rate. The mean size, however has increased from 88.0 mm in 2015 to 89.6 mm in 2018. The proportion of jumbo lobster remains low, between 0.2% and 0.3% from 2015 to 2018. In LFA 19, the sizes are more broadly distributed (Figure 5B) compared to LFA 20. The proportion of jumbo lobster is higher although it has slightly decreased from 2.2% in 2015 to 2.0% in 2018. Mean sizes and weights have also decreased. The decrease in jumbos as well as in the mean size are due to an increase in number of small-sized commercial lobster (recruits) showed by the significant increase in the number of lobster < 96 mm between 2015 and 2018 (Figure 5B).

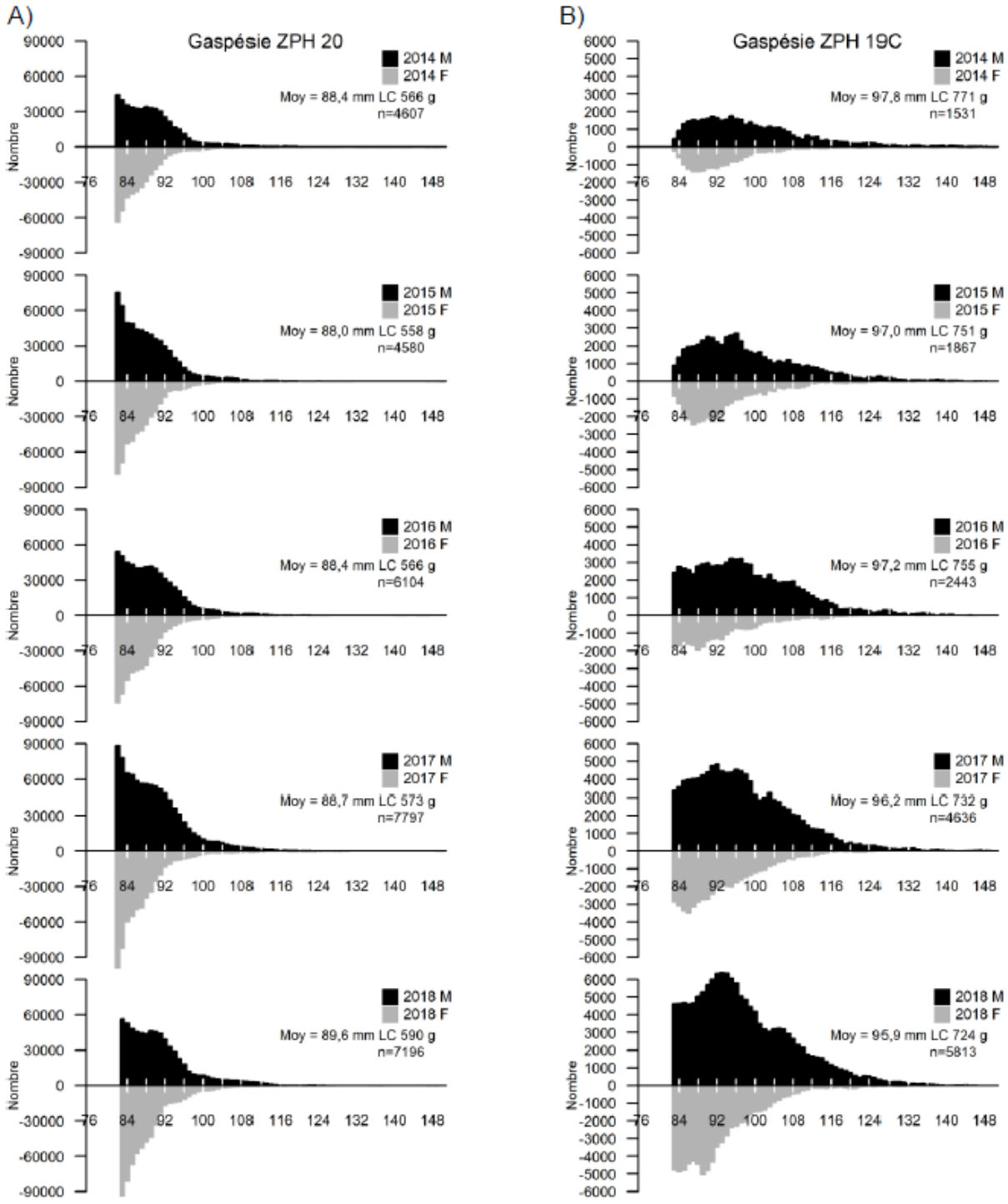

Figure 5. Size distribution of male (black) and female (grey) commercial lobster form 2014 to 2018 for LFA 20 (A) and LFA 19C (B). Mean size and weight (moy) and the total number of lobster measured (n) are indicated. Source: DFO 2019a.

Exploitation rates

Truncated size structures indicate high exploitation rates in all LFAs. However, the size structure in LFA 19C indicates lower exploitation rates (30%) than in LFA 20 (81% in 2017). Note that exploitation rates are not available for LFA 21B.

Productivity indicators

Berried females and egg production

Abundance of berried females is increasing since 2011 (Figure 6). Berried female abundance is at least 5 times higher than when the MLS was 76 mm.

In 2018, the egg production indice was 7.7 times higher than during the period 1994-1996.

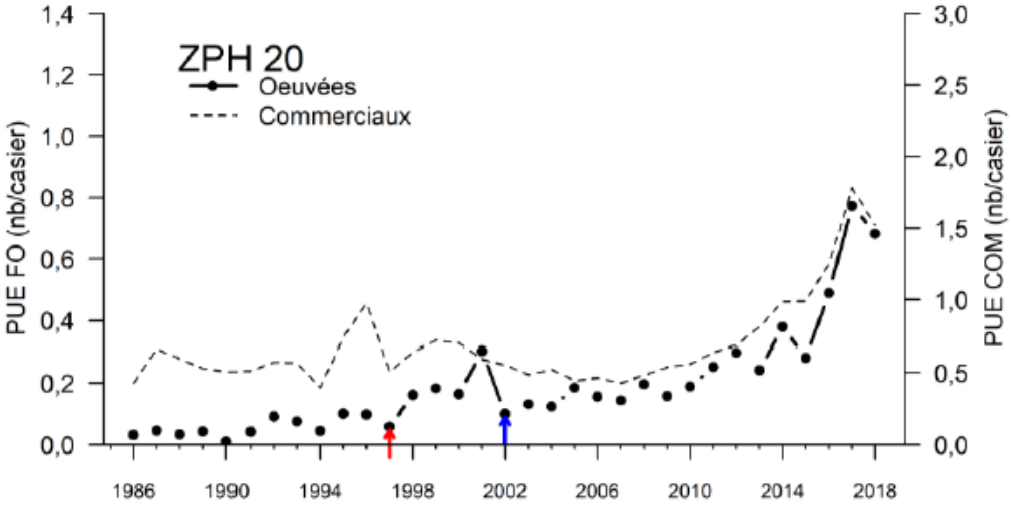

Figure 6. Catch rate of berried females (oeuvres) and of commercial lobster (commerciaux) in LFA 20 from 1968 to 2018. The red arrow indicates the beginning in increasing of the MLS, and the blue one indicates the year when the heigh of escapement vents was increased from 43 mm to 46 mm. Source: DFO 2019a.

Recruitment

Pre-recruits abundance indices in LFA 20 show a slight increasing trend since 2011. The abundance observed in 2018 suggests that high landings of the last two years could be maintained if the catchability is similar (DFO 2019a)

Conclusion

The conclusion is that the Gaspésie lobster stock is in good condition and remains in the healthy zone.

Table 13. Summary of main indicators of lobster stocks status in Gaspésie and the trend compared to reference values.

Indicator	LFA	Value 2018		Trend
Landings	20	1813 t	Average 1993-2017: 1071 t	+
	19	269 t	Average 1993-2017: 962 t	+
	21	233 t	Average 1993-2017: 60 t	+
Commercial CPUE (≥ MLS) – no/trap	20	1.52	Average 1993-2017: 0.70	+
	19	3.51	2015: 2.15	+
	21B (Fall)	-	-	+
Commercial CPUE (≥ 83 MLS) – kg/trap	20	0.87	Average 1993-2017: 0.37	+
	19	2.57	2015: 1.61	+
	21B (Fall)	4.41	Average 2002-2017: 1.43	+
Average size of landed lobsters (mm)	20	89.6 mm	2007-2016: 88 mm	+
	19C	95.9	2015: 97 mm	-
Average weight of landed lobsters (g)	20	590 g	2007-2016: 560 g	+
	19C	724 g	2015: 751 g	-
Berried females CPUE (no/trap)	20	0.68	2015: 0.28 1986-1996 (MLS = 76 mm): 0.06	+
Theoretical egg production	20	7.7 times > 1994–1996 (MLS=76 mm)		+

8.2.1.3. Harvest strategy

The lobster fishery is a limited entry fishery managed by controlling fishing effort and by escapement measures: number of licences, number and size of traps, fishing season and daily schedule, minimum and maximum legal sizes, release of berried females and release of females with a V-notch on their uropods (V-notch marking is on a voluntary basis).

In 1995, the Conservation Framework for Atlantic Lobster ("1995 Report") published by the FRCC[3] indicated that most of the Atlantic lobster stocks were overexploited. The FRCC formulated objectives and recommended conservation measures. The two main objectives were to increase the egg production (eggs-per-recruit) and to reduce the exploitation rate and the effective fishing effort.

In 1997, in reaction to FRCC's report, the fishing industry adopted, on a voluntary basis, a 8 year conservation[4] plan which was accepted by DFO in 1999. This plan aimed at multiplying by three the egg production by 2003 and included a progressive MLS increase and a reduction of the number of licences.

Table 14 shows the major changes to the management measures from 1992 to 2018 and Table 15 summarizes the main management measures for the 2019 fishing season. Changes from 2018 are related to the measures to minimise the risk of interaction with the North Atlantic right whale (NARW).

[3] FRCC (Fisheries Resource Conservation Council) 1995. A conservation framework for Atlantic lobster. Report to the Minister of Fisheries and Oceans. November 1995. 49 p. + appendices.
[4] DFO. 1998. Plans de conservation du homard de la region Laurentienne. Note de service 8350-13, 15 avril 1998.

Table 14. Major changes to management measures since 1992. Source: DFO 2018a.

Year	Minimum size	Other conservation measures
1992	76 mm	Cutting a v-shaped notch in females on a voluntary basis.
1994	76 mm	Mandatory release of v-notched females.
		Introduction of escape vents and gaps with rot cords.
1995	76 mm	216 licences (LFAs 20–21).
1997	78 mm	
2002	81 mm	Increase in size of the vertical opening in trap escape vents from 43 mm to 46 mm.
2003	82 mm (LFAs 20 and 21); 83 mm (LFA 19)	Introduction of a single hauling of traps per day.
2004–2006		Buy-back of 7 licences.
2006		Decrease in the number of traps per licence from 250 to 235. Season shorted from 70 to 68 days in areas 20 and 21.
2007		Buy-back of 9 licences.
2008		Buy-back of 8 licences.
2009		Maximum size reduced to 150 mm CL (LFA 20). Introduction of a maximum size of 155 mm CL (LFA 20).
2010		Buy-back of 11 licences.
2011		Buy-back of 8 licences. Introduction of a maximum of 12 fathoms between traps and a minimum of six traps per line.
2012		Standardization of traps in areas 20 and 21. Maximum size reduction to 145 mm CL (LFA 20). Electronic logbook mandatory. Precautionary approach developed in collaboration with the industry and integrated into the fishery management.
2013		Buy-back of 11 licences.
2014 to 2016		Buy-back of 1 licence.
2016		Introduction of a maximum size of 155 mm CL (LFAs 19 and 21).
2018		Decrease in the maximum catch size to 150 mm in areas 19 and 21. Increase in the minimum catch size to 82,55 mm in areas 20 and 21.

Table 15. Main management measures for the Gaspésie lobster fishery for 2019 fishing seasons. Source: DFO.

Lobster Fishing Area (LFA)	19	20	21
Lobster maximum and minimum landing sizes (MLS, mm)	Min: 83 Max: 150	Min: 82.55 Max: 145	Min: 82.55 Max: 150
Maximum number of traps	250	235 435 (permanent licences merging done before December 1, 2018) 335 (permanent licences merging from December 1, 2018) 435 (temporary licences merging)	235 335 (permanent licences merging licences)
Size of traps	92 cm length 61 cm width 50 cm height	<u>Wire traps</u> 92 cm length 54 cm width 39 cm height <u>Wood traps (or hybrid wood/other materials)</u> 92 cm length 61 cm width 46 cm height	<u>Wire traps</u> 92 cm length 54 cm width 39 cm height <u>Wood traps (or hybrid wood/other materials)</u> 92 cm length 61 cm width 46 cm height
Escape vents	<u>Circular Vents</u> Two unobstructed circular openings of a diameter no less than 65 mm, the top of the openings is at most 102 mm from the floor of the trap in at least one of the outer walls of each parlour. <u>Rectangular Vents</u> One unobstructed rectangular opening no less than 127 mm in length and 46 mm in height in at least one of the outer walls of each parlour, the top of the opening is at most 102 mm from the floor of the trap.		
Trap lines		When fishing is carried out using lines of traps in sub-areas 20AB and 21A, they must count at least (minimum) 6 traps. The maximum distance authorised between each trap of a same trawl is 12 fathoms.	
Device against seals	The only authorized device to prevent seals to access the content of traps is a simple horizontal bar made of wood or wire located at the entry of the trap, of which the height is not more than 40 mm, fixed in a manner that the space located between this bar and the top of the runner is at a minimum of 165 mm.		
Other management measures	● Release of V-notched females is mandatory. ●It is prohibited to haul the traps on the opening day. ● It is prohibited to haul and bait the traps more than once a day. ● It is the responsibility of fishermen to haul their trap at least every 72 hours. ● Tagging of all traps is mandatory. ● Floating cables are not allowed. ● New management measures to minimise the risk of interactions with the NARW, see section 5.3.2.		

An IFMP was adopted in June 2018. This Plan describes a comprehensive strategy for the fishery aiming at:

- Ensuring sustainable harvesting of lobster;
- Developing and apply an ecosystem approach for the lobster fishery;
- Improving compliance with fisheries regulations;
- Fostering economic prosperity;
- Encouraging the active participation of First Nations in the lobster fishery and the development of their capacities;
- Improve governance.

The IFMP includes decision rules established according to the Precautionary Approach in order to allow the implementation of management measures depending on lobster stock status from the Gaspé Peninsula (Figure 7).

Decision rules are based on reference points which were defined in 2014 (DFO, 2014). According to the definition in the decision-making framework (DMF, DFO, 2009), a stock is considered to be in the Critical zone if the biomass, or its index, is less than or equal to 40% of maximum sustainable yield (BMSY). In other words, 40% of the BMSY corresponds to the LRP. Similarly, a stock is considered to be in the Healthy zone if the biomass, or its index, is greater than 80% of BMSY; 80% of the BMSY corresponds to the USR.

The DMF also specifies that if no stock status estimates are available from a formal model, tentative estimates of the BMSY may be used. The mean biomass (or index of biomass) during a productive period is one potential substitute; 50% of the maximum historical biomass is another. Therefore, the average biomass for 1985 to 2009 was used as a proxy for BMSY, just as it was for the Magdalen Islands (Gendron and Savard 2012) and the Maritimes (Tremblay et al. 2012). This corresponds to a productive period during which two generations of lobsters were produced in large numbers. Average landings for the Gaspé (LFAs 19, 20 and 21) from 1985 to 2009 totaled 810 t. The LRP (40% of the average) is 325 t and the USR (80% of the average) is 650 t.

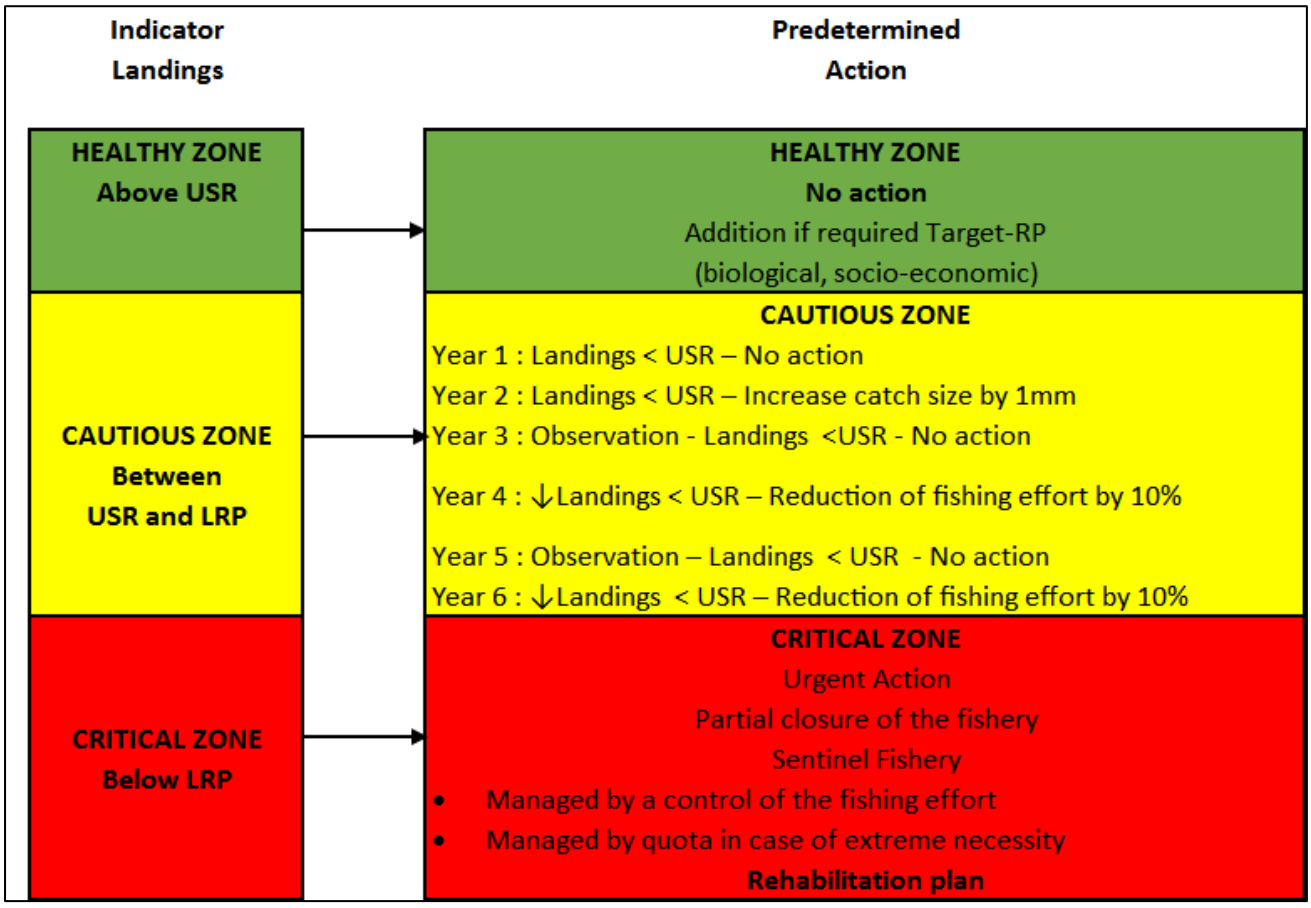

Figure 7. Decision rules (predetermined actions) for each stock status zone (healthy, cautious and critical). Source: DF0 2018a.

8.2.2 Catch profiles

Figure 8 shows lobster landings in Gaspésie from 1945 to 2018. Landings remained relatively stable between 2003 and 2009. Starting in 2010, landings increased steadily from 741 t in 2009 to 1,926 t in 2016.

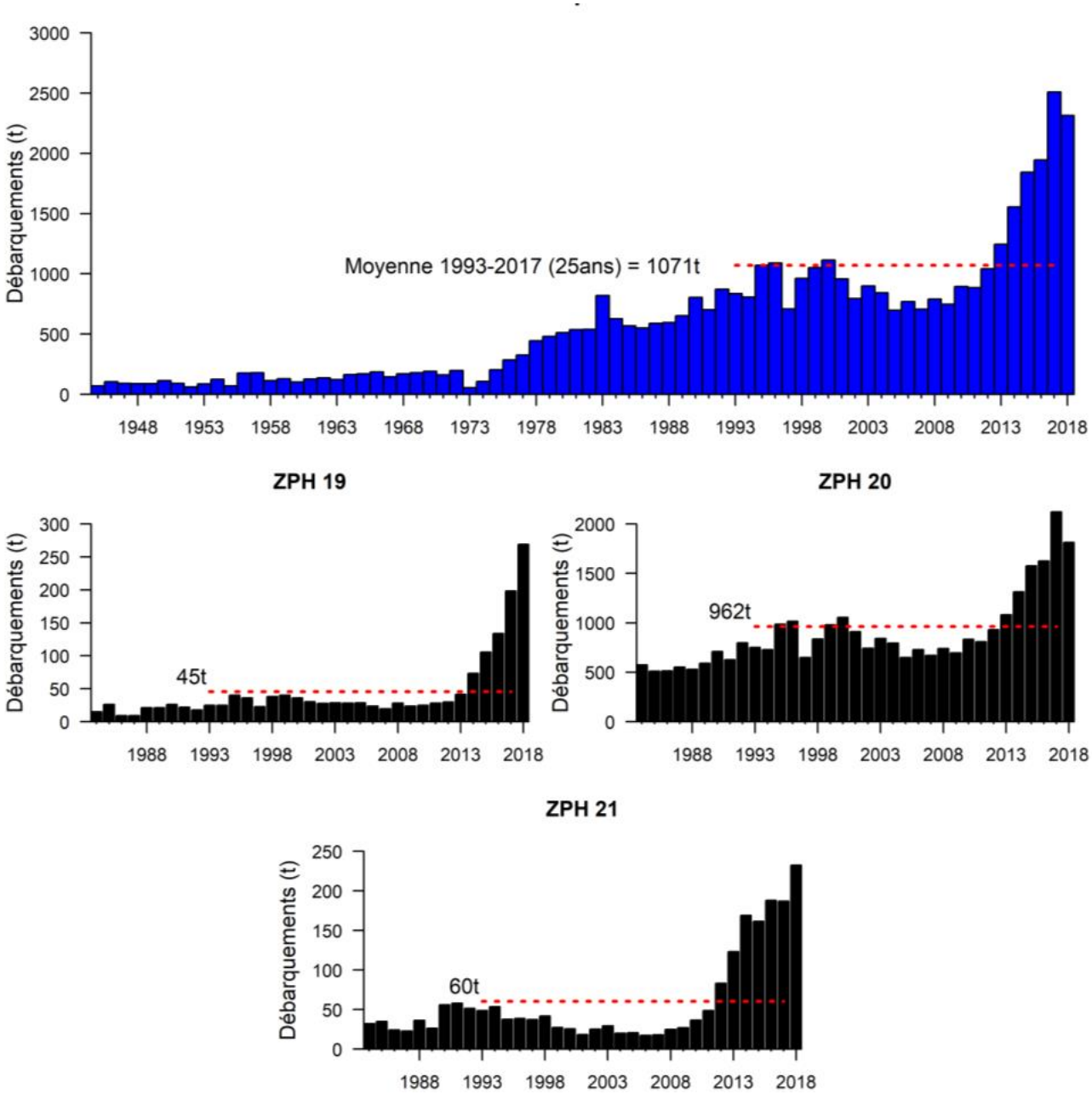

Figure 8. Lobster total landings in Gaspésie from 1945 to 2018 (upper panel); and from 1984 to 2018 per LFA (ZPH). Dotted red lines indicates the average of the last 25 years excluding 2018. Source: DFO 2019a.

8.2.3 Total Allowable Catch (TAC) and catch data

The fishery is not TAC managed.

Table 16 and Table 17 present lobster landings (t), from both commercial and FSC fishery, per LFA for 2017 and 2018. Commercial landings represent 99% of lobster total landings in Gaspésie. Commercial landings decreased from 2017 to 2018 as a result of a decrease in landings in LFA 20, while landings in LFAs 19 and 21 increased.

In 2018, 80% of commercial landings came from LFA 20, 11% from LFA 19 and 9% from LFA 21.

In 2017, lobster landings from the commercial fishery in Gaspésie account for approximately 30% of lobster total landings in Québec and for approximately 2.5 % of lobster total landings in the whole Canada Atlantic[5].

Table 16. Total Allowable Catch (TAC) and catch data. Source: DFO.

TAC	Year	N/A	Amount	N/A
UoA share of TAC	Year	N/A	Amount	N/A
UoA share of total TAC	Year	N/A	Amount	N/A
Total green weight catch by UoC	Year (most recent)	2018	Amount	2,294.984 t
Total green weight catch by UoC	Year (second most recent)	2017	Amount	2,486.181 t

Table 17. Total catch data (t) by Lobster Fishing Area (LFA). Source: DFO.

LFA	2017			2018		
	Commercial fishery	Food, Social and Ceremonial Fishing	TOTAL	Commercial fishery	Food, Social and Ceremonial Fishing	TOTAL
19	198.403	0	198.403	261.060	0	261.060
20	2,123.468	0	2,123.468	1,811.159	0	1,811.159
21	164.310	22.631	186.941	222.765	9.914	232.679
TOTAL	2,486.181	22.631	2,508.812	2,294.984	9.914	2,304.898

Lobster catches from the experimental fishing operating in Area 19A1 were 14.352 t and 7.882 t in 2018 and 2019, respectively.

[5] http://www.dfo-mpo.gc.ca/stats/commercial/land-debarq/sea-maritimes/s2017aq-eng.htm

8.2.4 Principle 1 Performance Indicator scores and rationales

PI 1.1.1 – Stock status

PI 1.1.1		The stock is at a level which maintains high productivity and has a low probability of recruitment overfishing		
Scoring Issue		SG 60	SG 80	SG 100
a	Stock status relative to recruitment impairment			
	Guide post	It is **likely** that the stock is above the point where recruitment would be impaired (PRI).	It is **highly likely** that the stock is above the PRI.	There is a **high degree of certainty** that the stock is above the PRI.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

There is a **high degree of certainty** that the stock is above the PRI.

The Gaspésie Lobster stocks were assessed in March, 12-14, 2019. The scientific advice was published in November 2019.
In summary:

- In 2018, landings reached 2,315 t, declining from the 2,509 t in2017; that decline was attributed to fisheries closures in agreement with the conservation plan for the NARW. However, 2018 landings were 26 % higher than 2015 and 116 % higher than the historical mean (1993-2017).
- CPUEs derived from the commercial sampling have increased between 2015 and 2018. They were higher than the historical mean (2001-2017): 202% in LFA 19, 133% in LFA 20, 162% in area 21B. CPUEs from logbooks show the same trend.
- In LFAs 19 and 21, mean lobster sizes were high in 2018, but smaller than in 2015, possibly due to recruitment. In LFA 20, mean lobster size remains unchanged and size structure was less broad than in other areas.- Exploitation rates in area 20 were inferior in the period 2015-2017 (76%) than between 2011-2014, but remain high.
- In LFA 20, productivity indicators were high. Abundance of berried females is increasing since 2011. Compared to the period 1994-1996, theoretical egg production was 8.6 time higher. In 2018, pre-recruits abundance has increased by 16% compared to 2015, which means that landings could increase in the future.

The conclusion is that the Gaspésie lobster stocks are in good condition and remains in the healthy zone. However, the lobster sizes in LFA 20 raise some concerns.
Landings are accepted as a proxy for the biomass. The Limit Reference points of 325 t defined in the Lobster Precautionary Approach can be considered as equivalent to the PRI. Landings are above the LRP since 1980 reaching now 2,300 t.
Therefore the team determines that SG60, SG80 and SG100 are met.

b	Stock status in relation to achievement of Maximum Sustainable Yield (MSY)			
	Guide post		The stock is at or fluctuating around a level consistent with MSY.	There is **a high degree of certainty** that the stock has been fluctuating around a level consistent with MSY or has been above this level over recent years.
	Met?		**Yes**	**No**

Rationale

The stock is at or fluctuating around a level consistent with MSY.

Landings are used as a proxy of the fishable biomass The Upper Reference points of 650 t defined in the Lobster Precautionary Approach. Landings are above the URP since 1990 reaching now 2,300 t.

PI 1.1.1	The stock is at a level which maintains high productivity and has a low probability of recruitment overfishing

However, there is no formal estimation of B_{MSY}. Landings are used as a proxy. They may be influenced by lobster catchability and fishing capacity. It is not possible to affirm that there is a high degree of certainty that the stock has been fluctuating around a level consistent with MSY or has been above this level over recent years. SG 100 is not met.

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DFO 2019a. Assessment of lobster (*Homarus americanus*) in the Gaspé (LFAs 19-21), Quebec, in 2018. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2019/060.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2019/2019_060-eng.html

Stock status relative to reference points

	Type of reference point	Value of reference point	Current stock status relative to reference point
Reference point used in scoring stock relative to PRI (SIa)	Limit Reference Points corresponding to 40% of the average landings over the period 1985-2009	325 *t*	Landings/LRP = 9.8
Reference point used in scoring stock relative to MSY (SIb)	Upper Reference Points corresponding to 80% of the average landings over the period 1985-2009	650 t	Landings/URP = 4.9

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	1 of 1	2 of 2	1 of 2	**90**
Condition number (if relevant)				**N/A**

PI 1.1.2 – Stock rebuilding

PI 1.1.2		Where the stock is reduced, there is evidence of stock rebuilding within a specified timeframe		
Scoring Issue		SG 60	SG 80	SG 100
a	Rebuilding timeframes			
	Guide post	A rebuilding timeframe is specified for the stock that is the **shorter of 20 years or 2 times its generation time**. For cases where 2 generations is less than 5 years, the rebuilding timeframe is up to 5 years.		The shortest practicable rebuilding timeframe is specified which does not exceed **one generation time** for the stock.
	Met?	**NA**		**NA**
Rationale				
This PI is not scored as PI 1.1.1 achieve a score ≥80 (SA2.3.1).				
b	Rebuilding evaluation			
	Guide post	Monitoring is in place to determine whether the rebuilding strategies are effective in rebuilding the stock within the specified timeframe.	There is **evidence** that the rebuilding strategies are rebuilding stocks, **or it is likely** based on simulation modelling, exploitation rates or previous performance that they will be able to rebuild the stock within the **specified timeframe**.	There is **strong evidence** that the rebuilding strategies are rebuilding stocks, **or it is highly likely** based on simulation modelling, exploitation rates or previous performance that they will be able to rebuild the stock within the **specified timeframe**.
	Met?	**NA**	**NA**	**NA**
Rationale				
This PI is not scored as PI 1.1.1 achieve a score ≥80 (SA2.3.1).				
References				

DFO. 2016a. 2015 Lobster stocks assessment in the Gaspé, Quebec area (LFAS 19, 20 and 21). DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2016/043.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2016/2016_043-eng.html

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

DFO 2019a. Assessment of lobster (*Homarus americanus*) in the Gaspé (LFAs 19-21), Quebec, in 2018. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2019/060.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2019/2019_060-eng.html

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	

PI 1.1.2	Where the stock is reduced, there is evidence of stock rebuilding within a specified timeframe			
	X of x	X of x	X of x	**Not scored**
Condition number (if relevant)				

PI 1.2.1 – Harvest strategy

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
Scoring Issue		SG 60	SG 80	SG 100
a	Harvest strategy design			
	Guide post	The harvest strategy is **expected** to achieve stock management objectives reflected in PI 1.1.1 SG80.	The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy **work together** towards achieving stock management objectives reflected in PI 1.1.1 SG80.	The harvest strategy is responsive to the state of the stock and is **designed** to achieve stock management objectives reflected in PI 1.1.1 SG80.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

The harvest strategy is responsive to the state of the stock and is **designed** to achieve stock management objectives reflected in PI 1.1.1 SG80.

An IFMP was adopted in June 2018. This Plan describes a comprehensive strategy for the fishery and aims at:
- Ensuring sustainable harvesting of lobster;
- Developing and apply an ecosystem approach for the lobster fishery;
- Improving compliance with fisheries regulations;
- Fostering economic prosperity;
- Encouraging the active participation of First Nations in the lobster fishery and the development of their capacities;
- Improve governance.

The IFMP includes decision rules established according to the Precautionary Approach in oder to allow the implementation of management measures depending on lobster stock status from the Gaspé Peninsula.

The lobster fishery is a limited entry fishery managed by controlling fishing effort and by escapement measures: number of licences, number and size of traps, fishing season and daily schedule, minimum and maximum legal sizes, release of berried females and release of females with a V-notch on their uropods (V-notch marking is on a voluntary basis).
A multiyear integrated management plan was implemented in 1999, in order to address 1995 FRCC's recommendation. The long term objectives were to ensure the continued sustainability of the lobster fishery by implementing a precautionary approach to conservation of the resource. In 1998, a conservation plan aimed at doubling egg production by 2000. To achieve that target, the harvest strategy resulted in a progressive increase of the carapace size (from 76 mm to 82 mm, reached in 2002), reduction of nominal fishing effort (number of traps per license, number of licenses, length of the season).
The harvest strategy was adjusted over time, through a succession of conservation plans proposed by the industry and DFO. In 1998, a plan to increase minimum legal size was proposed. Other measures were implemented: voluntary V-notching (1992), escape vents and biodegradable twine (1993), reduction of the number of licences (starting in 2003), reduction of the number of traps per license (250 to 235, 2003), diminution of the number of days fished (70 to 68, in 2006), maximum legal size (2007). As a result, the nominal fishing effort has decreased by 16% between 1995 and 2009.
In 2014, a new set of references points, based on landings, was peer-reviewed and approved. Landings are used as the stock status indicator and as a proxy for the estimation of BMSY. The median landing for the 1985-2009 period for the entire Gaspésie is proposed as a proxy value for BMSY. The USR value is defined as 80% of BMSY and the LRP is defined as 40% of BMSY. Landings from 2018 indicate that the stock is in the healthy zone, above both the USR and BMSY values. It is obviously premature to anticipate the efficiency of this new approach. However, this approach is similar to the approaches defined for other lobster stocks (Magdalen Islands). The harvest strategy was adjusted in response to the state of the stock and clear limits and reference points were set.
Therefore the team determines that SG60, SG80 and SG100 are met.

b	Harvest strategy evaluation

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
	Guide post	The harvest strategy is **likely** to work based on prior experience or plausible argument.	The harvest strategy may not have been fully **tested** but evidence exists that it is achieving its objectives.	The performance of the harvest strategy has been **fully evaluated** and evidence exists to show that it is achieving its objectives including being clearly able to maintain stocks at target levels.
	Met?	**Yes**	**Yes**	**No**

Rationale

The harvest strategy may not have been fully **tested** but evidence exists that it is achieving its objectives.

The harvest strategy was primarily designed to increase egg production. In 2005, the FRCC recognized that the objective was reached. Along with the various measures implemented, the abundance of berried females has increased. The nominal fishing effort was reduced and the exploitation rate was reduced. The stock status if fully evaluated every three years, through the SCAS cycle. Indicators are updated annually and presented at the Lobster Advisory Committee, where the result of the strategy are discussed. The stock is in the healthy zone since the mid 90' and is reaching now historical highs. Evidence exists that the strategy has achieved its objective. Objective of maintaining the stock above the Upper Reference point is achieved.
Therefore the team determines that SG60 and SG80 are met.
The new reference points and harvest control rules have been adopted recently, so it is obviously premature to anticipate the efficiency of this new approach, especially when landings are still increasing, preventing the fishery from meeting SG100.

c	Harvest strategy monitoring			
	Guide post	Monitoring is in place that is expected to determine whether the harvest strategy is working.		
	Met?	**Yes**		

Rationale

Monitoring is in place that is expected to determine whether the harvest strategy is working.

The lobster stock assessment is based on the analysis of trends of stock indicators including abundance, fishing pressure and production, derived from fishery-dependent and fishery-independent data. The fishery-dependent data include DFO official catch statistics, at-sea sampling activities, and voluntary recruitment-index program. The stock status if fully evaluated every three years, through the SCAS cycle., however, indicators are updated annually.
The new mandatory electronic logbook has improved catch data collection and the monitoring of the fishery.
Therefore SG60 is met.

d	Harvest strategy review			
	Guide post			The harvest strategy is periodically reviewed and improved as necessary.
	Met?			**Yes**

Rationale

The harvest strategy is periodically reviewed and improved as necessary.

The global performance of the fishery is evaluated every three years through the Regional Advisory Process.

PI 1.2.1	There is a robust and precautionary harvest strategy in place

The harvest strategy is reviewed during the Lobster Advisory Committee, which meets every year. Every two years, a workshop is held with industry, Fisheries and Oceans and the Quebec Department of Agriculture Food and Fisheries (MAPAQ), to address the main issues that the fishery is facing. Changes in the harvest strategies are discussed and proposed to the Advisory Committee.
The harvest strategy was adjusted over time, through a succession of conservation plans proposed by the industry and DFO. A multiyear integrated management plan was implemented in 1999, in order to address 1995 FRCC's recommendation. The long term objectives were to ensure the continued sustainability of the lobster fishery by implementing a precautionary approach to conservation of the resource. In 1998, a conservation plan aimed at doubling egg production by 2000. Other measures were implemented: voluntary V-notching (1992), escape vents and biodegradable twine (1993), reduction of the number of licences (starting in 2003), reduction of the number of traps per license (250 to 235, 2003), diminution of the number of days fished (70 to 68, in 2006), maximum legal size (2007). As a result, the nominal fishing effort has decreased by 16% between 1995 and 2009.
In 2014, a new set of references points, based on landings, was peer-reviewed and approved.
In 2018, the MLS was increased from 82 mm to 82.55 mm in LFAs 20 and 21. The maximum size was reduced from 155 mm to 150 mm in LFAs 19 and 21. This change of the maximum size aims to improve stock productivity and was supported by an industry survey.
Therefore SG100 is met.

e	Shark finning			
	Guide post	It is **likely** that shark finning is not taking place.	It is **highly likely** that shark finning is not taking place.	There is a **high degree of certainty** that shark finning is not taking place.
	Met?	**NA**	**NA**	**NA**

Rationale

This scoring issue is not scored as the target species is not a shark (SA2.4.3).

f	Review of alternative measures			
	Guide post	There has been a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock.	There is a **regular** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock and they are implemented as appropriate.	There is a **biennial** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock, and they are implemented, as appropriate.
	Met?	**Yes**	**Yes**	**No**

Rationale

There is a **regular** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock, and they are implemented, as appropriate.

Unwanted catches are undersized lobster, berried and V-notch females. Trap must be equipped with escapement vent to prevent catches of undersized lobsters. Escapement vent size was increased following the increase in the MLS. Traps are regularly controlled for their conformity. Unwanted catches, fishers must release animals with minimal harm. Anecdotal information suggest that the survival is very high.
The lobster fishery is a live-market industry which requires that the species be robust and highly resilient to handling. Undersize and berried females must be released immediately after capture and handling/release practices in the fishery must ensure high post-release survival. Much of the unwanted catch is of commercial size, for example, berried and v-notched females. It is impossible to ensure escapement of all unwanted catch. Management measures attempt to reduce unwanted catch to the fullest extent that is practical without unduly reducing retention of legal catch over the course of the annual fishing season.

PI 1.2.1	There is a robust and precautionary harvest strategy in place

Experiments were conducted to study alternative measures to minimize the impact of the release of lobsters at sea, and especially on the females. One intend was to reduce egg losses, and various types of releasing were tested (Voegtlin et al 2010). A slide channel was also tested (Grelon et al 2015), but the results were not convincing compared to good handling and release practices.

The effectiveness of current measures are controlled throughout the season by dockside and at-sea inspections. An annual post-fishing season review is conducted to evaluate the effectiveness of management measures. This post-season review is followed by the Lobster Advisory Committee meeting during which effectiveness of current management measures is discussed and new management measures, including traps modifications and other measures to minimise UoA-related impact of the target species, can be proposed and discussed. Minutes of the annual Lobster Advisory Committee meeting are available.
Therefore the team determines that SG60 and SG80 are met.

However, there appears to be opportunity for potential alternative measures to more effectively minimize catch and mortality of unwanted catch than current gear and practices by way of increased escape vent sizes. While escape vent size has been a consideration in management of these fisheries in the past, it has not been considered in connection with more recent landing size changes. It is considered that the objective of biennial review has not been achieved and SG100, therefore, is not met. A recommendation with respect to this concern is raised.

The team was advised that the adjustments on legal size were introduced without a corresponding assessment as to whether the dimensions of the mandatory escape vents on each lobster trap required an adjustment. The current escape vent dimensions have been in effect since at least 2002. We understand that it is a common practice in other lobster fisheries to assess if a change to the dimensions of the escape vents is necessary when a carapace size is changed.
Accordingly, the team **recommends** that the RPPSG, in collaboration with DFO and industry stakeholders, undertakes an assessment of whether the current dimensions of the escape vents are appropriate for the fishery's carapace size in LFAs 19-21.

References

DFO. 2016a. 2015 Lobster stocks assessment in the Gaspé, Quebec area (LFAS 19, 20 and 21). DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2016/043.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2016/2016_043-eng.html

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

Grelon, D. 2015. Étude d'implantation d'une glissière à homard sur les bateaux en Gaspésie. MERINOV, rapport de projet 15-02, 6p.

Voegtlin, M., L. Seychelles, C. Jabouin, J. Laurent & M.L. Larrivée. 2010. HAIRE. Homard: atténuation des impacts de la remise à l'eau. Halieutec, Service de technologie en pêches (STEP). Rapports de R-D RDD-179, 17p.

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	4 of 4	3 of 3	2 of 4	**90**
Condition number (if relevant)				**N/A**

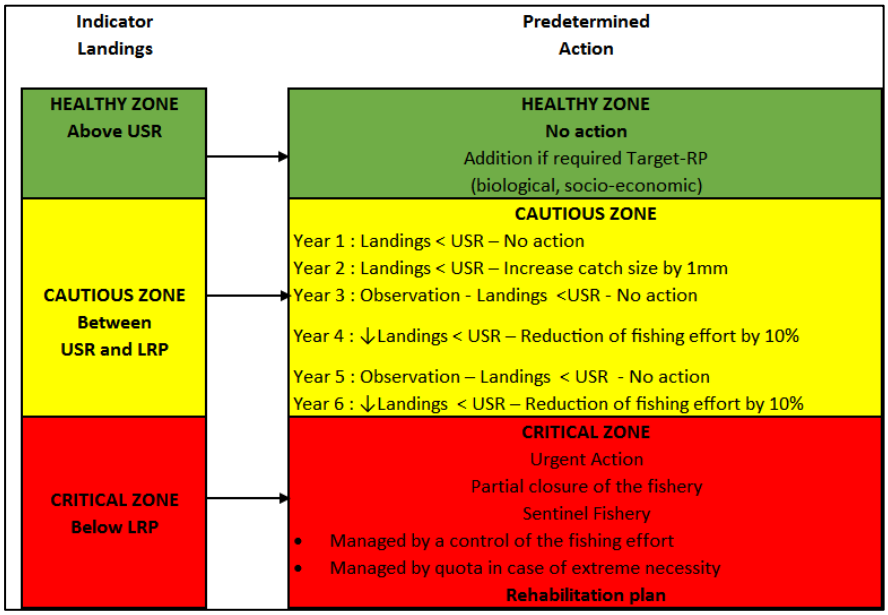
PI 1.2.2 – Harvest control rules and tools

PI 1.2.2		There are well defined and effective harvest control rules (HCRs) in place		
Scoring Issue		SG 60	SG 80	SG 100
a	HCRs design and application			
	Guide post	**Generally understood** HCRs are in place **or available** that are **expected** to reduce the exploitation rate as the point of recruitment impairment (PRI) is approached.	**Well defined** HCRs are **in place** that **ensure** that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock **fluctuating around** a target level consistent with (or above) MSY, or for key LTL species a level consistent with ecosystem needs.	The HCRs are expected to keep the stock **fluctuating at or above** a target level consistent with MSY, or another more appropriate level taking into account the ecological role of the stock, **most** of the time.
	Met?	**Yes**	**Yes**	**No**

Rationale

Well defined HCRs are **in place** that **ensure** that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock **fluctuating around** a target level consistent with (or above) MSY.

The IFMP includes decision rules established according to the Precautionary Approach in order to allow the implementation of management measures depending on lobster stock status from the Gaspé Peninsula, see below.



Harvest control rules are well defined along with reference points. Both SG 60 and 80 are met.

Until now, the stock is above a target level consistent with MSY, however, the ecological role of lobster is not taken into account in the HCR, preventing the fishery from meeting SG100.

b	HCRs robustness to uncertainty			
	Guide post		The HCRs are likely to be robust to the main uncertainties.	The HCRs take account of a **wide** range of uncertainties including the ecological role of the stock, and there is **evidence** that the

PI 1.2.2		There are well defined and effective harvest control rules (HCRs) in place		
				HCRs are robust to the main uncertainties.
	Met?		**Yes**	**No**

Rationale

The HCRs are likely to be robust to the main uncertainties.

The main uncertainties identified are the climate change (long term) and weather conditions (short term). Those factors may have impacts on all stages of lobster development. Interannual or seasonal variability in climate and weather conditions can therefore have impacts on several demographic assessment indicators, including and commercial fishery catch rates, which are considered to be abundance indicators and which are used in calculating indexes of exploitation rates. Another source of uncertainties is the low coverage of at-sea sampling is low (0.13% of fishing activities), which gives rise to uncertainties in the representativeness of the CPUEs estimated.

Harvest control rules include a broad set of measures aiming at preventing the lobster stock to decline in a changing environment. Those uncertainties are clearly mentioned in the 2009 Conservation Plan, which consider the implementation of an ecosystemic approach for the lobster fishery management. The gradation of measures to be implemented if the stock status would deteriorate should face emerging problems. The assessment team concludes that SG80 is met.

However, it is not possible to affirm that the HCR take into account a wide range of uncertainties. The use of landings as a proxy for the biomass remains debatable, and the robustness of HCR is not certain. This prevents the fishery from meeting SG100.

	HCRs evaluation			
C	Guide post	There is **some evidence** that tools used **or available** to implement HCRs are appropriate and effective in controlling exploitation.	**Available evidence indicates** that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.	**Evidence clearly shows** that the tools in use are effective in achieving the exploitation levels required under the HCRs.
	Met?	**Yes**	**Yes**	**No**

Rationale

Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.

Exploitation is well controlled.
In order to achieve the objectives defined in the harvest strategy, fishing pressure was reduced with the diminution of the nominal fishing effort. The effort of reducing fishing pressure was done even if the various biological indicators show that the stock is healthy, under the new reference points (landings above the Upper Reference Limit) and that the trends are positive. The objective of increasing egg production was reached. A secondary objective was to reduce exploitation rate. That objective was also reached as, since 1995, this exploitation rate has been reduced by 50% (for the same fraction of the stock)
The tools have demonstrated to be effective to achieve the targets defined in the harvest strategy and in the newly defined precautionary approach, the fishery meeting SG60 and SG80.
However, the team determines that there is no clear evidence that the tools are effective, preventing the fishery from meeting SG100. Stock status is only expressed in relative terms, based on empirical indicators. Landings are used by default as a proxy for B_{MSY} and it is not evident that the current exploitation level is adapted to the stock productivity, even if landings are increasing.

References

DFO. 2016a. 2015 Lobster stocks assessment in the Gaspé, Quebec area (LFAS 19, 20 and 21). DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2016/043.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2016/2016_043-eng.html

PI 1.2.2	There are well defined and effective harvest control rules (HCRs) in place

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

DFO 2019a. Assessment of lobster (*Homarus americanus*) in the Gaspé (LFAs 19-21), Quebec, in 2018. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2019/060.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2019/2019_060-eng.html

Fogarty, M.J. and L. Gendron. 2004. Biological reference points for American lobster (Homarus americanus) populations: limits to exploitation and the precautionary approach. Canadian Journal of Fisheries and Aquatic Science 61: 1392-1403.

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	3of 3	0 of 3	**80**
Condition number (if relevant)				**N/A**

PI 1.2.3 – Information and monitoring

PI 1.2.3		Relevant information is collected to support the harvest strategy		
Scoring Issue		SG 60	SG 80	SG 100
a	Range of information			
	Guide post	**Some** relevant information related to stock structure, stock productivity and fleet composition is available to support the harvest strategy.	**Sufficient** relevant information related to stock structure, stock productivity, fleet composition and other data are available to support the harvest strategy.	A **comprehensive range** of information (on stock structure, stock productivity, fleet composition, stock abundance, UoA removals and other information such as environmental information), including some that may not be directly related to the current harvest strategy, is available.
	Met?	**Yes**	**Yes**	**No**

Rationale

Sufficient relevant information related to stock structure, stock productivity, fleet composition and other data are available to support the harvest strategy.

Fleet composition is well known with the licensing system. A wide range of information is collected on the lobster stock on a yearly basis through various tools: at-sea sampling, recruitment index program, SCUBA divers survey. Size composition of catches, abundance of pre-recruits and berried females are thus available. Those data allow to provide information on the global trends of the lobster population and to verify if the harvest strategy is reached.
Therefore the team determines that SG60 and SG80 are met.
However, while the number of indicators is quite high, they are not comprehensive. *E.g.*: stock abundance estimates rely on indirect indicators (landings, CPUEs), and natural fluctuations due to environment is uncertain, preventing the fishery from meeting SG100.

b	Monitoring			
	Guide post	Stock abundance and UoA removals are monitored and **at least one indicator** is available and monitored with sufficient frequency to support the harvest control rule.	Stock abundance and UoA removals are **regularly monitored at a level of accuracy and coverage consistent with the harvest control rule**, and **one or more indicators** are available and monitored with sufficient frequency to support the harvest control rule.	**All information** required by the harvest control rule is monitored with high frequency and a high degree of certainty, and there is a good understanding of inherent **uncertainties** in the information [data] and the robustness of assessment and management to this uncertainty.
	Met?	**Yes**	**Yes**	**No**

Rationale

Stock abundance and UoA removals are **regularly monitored at a level of accuracy and coverage consistent with the harvest control rule**, and **one or more indicators** are available and monitored with sufficient frequency to support the harvest control rule.

Catches are controlled through logbooks, sale slips, and random controls at sea and at dockside. Catches retained for direct consumption and direct sale are required to be recorded in logbooks. For those reasons, recorded catches are considered to reflect the actual catches.

PI 1.2.3	Relevant information is collected to support the harvest strategy

Stock abundance and fishery removals are regularly monitored at a level of accuracy and coverage consistent with the harvest control rule, and one or more indicators are available and monitored with sufficient frequency to support the harvest control rule.
The lobster stock assessment is based on the analysis of trends of stock indicators including abundance, fishing pressure and production, derived from fishery-dependent and some fishery-independent data. The fishery-dependent data include DFO official catch statistics, and voluntary recruitment-index program. Fishery-independent data are being developed and consist of post-season trap survey.
All information required by the harvest control rule is regularly monitored. The coverage allow to analyze the effectiveness of the harvest control rules. Several indicators are followed: catch rates, exploitation rates, individual size, abundance of berried females, recruitment indices, abundance of large animals ("jumbo").
Therefore the team determines that SG60 and SG80 are met.

However, it is not possible to affirm that information is gathered at a high frequency and a high degree of certainty, and there is not a good understanding of inherent uncertainties in the information and the robustness of assessment and management to this uncertainty. Although it is considered that catch rates reflect lobster abundance on the sea floors, they can also be affected by catchability variations that bring about uncertainty in their interpretation. Changes in catchability can also create uncertainty in the calculation of exploitation rate indices. Spatial fishing patters can affect the abundance index of berried female if, for example, fishers avoid areas where these female can gather. There is also uncertainty as the representativeness of small-scale observations for the entire population. This prevents the fishery from meeting SG100.

c	Comprehensiveness of information			
	Guide post		There is good information on all other fishery removals from the stock.	
	Met?		**Yes**	

Rationale

There is good information on all other fishery removals from the stock.

Lobster caught by the FSC fishing is recorded and catch data were provided to the team.
Due to condition of licence, lobster shall not be retained without a lobster licence and must be released immediate in water.
Recreational fishing for lobster is not permitted.
Post capture mortality is recognized to be low and actual removals should be minor.
Removals from the experimental fishing in Area 19A-1 are monitored.
Lobster retained by harvesters for personal consumption and direct sales is required to be reported in logbooks. In 2019, lobster harvesters have reported 34.5 t of lobster retained for personal consumption and direct sales. These landing data are not included in official landings statistics.
Poaching and illegal fishing is no longer a significant concern. According to stakeholders and enforcement staff, removals remain minor, due to self-policy, surveillance and heavy penalties.
Therefore the team determines that SG80 is met.

References

DFO. 2016a. 2015 Lobster stocks assessment in the Gaspé, Quebec area (LFAS 19, 20 and 21). DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2016/043.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2016/2016_043-eng.html

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

DFO 2019a. Assessment of lobster (*Homarus americanus*) in the Gaspé (LFAs 19-21), Quebec, in 2018. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2019/060.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2019/2019_060-eng.html

PI 1.2.3	Relevant information is collected to support the harvest strategy

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	3 of 3	0 of 2	**80**
Condition number (if relevant)				**N/B**

PI 1.2.4 – Assessment of stock status

PI 1.2.4		There is an adequate assessment of the stock status		
Scoring Issue		SG 60	SG 80	SG 100
a	Appropriateness of assessment to stock under consideration			
	Guide post		The assessment is appropriate for the stock and for the harvest control rule.	The assessment takes into account the major features relevant to the biology of the species and the nature of the UoA.
	Met?		**Yes**	**Yes**

Rationale

The assessment takes into account the major features relevant to the biology of the species and the nature of the UoA.

Harvest control rules are based on landings, used as a proxy for the biomass. The assessment also considers indicators: recruitment index (experimental trap survey), CPUEs, abundance of berried females, and egg production.
The assessment is appropriate for the stock and for the harvest control rule, meeting SG 80. It takes into account the major features relevant to the biology of the species, such as benthic settlement, size and abundance of berried females, the fishery meeting SG100.

b	Assessment approach			
	Guide post	The assessment estimates stock status relative to generic reference points appropriate to the species category.	The assessment estimates stock status relative to reference points that are appropriate to the stock and can be estimated.	
	Met?	**Yes**	**Yes**	

Rationale

The assessment estimates stock status relative to reference points that are appropriate to the stock and can be estimated.

Reference points are based on landings which are considered to be appropriate for the stock. Same approach is used for other lobster stocks in the Gulf of St Lawrence.
However, the assessment is also based on a set of indicators (landings, CPUEs, berried female, recruitment indices). Landings are periodically compared with defined reference points (LRP, URP), other indicators are used to complement landings to evaluate stock status and trends, especially during the Regional Advisory Process.
Both SG 60 and 80 are met.

c	Uncertainty in the assessment			
	Guide post	The assessment **identifies major sources** of uncertainty.	The assessment **takes uncertainty into account**.	The assessment takes into account uncertainty and is evaluating stock status relative to reference points in a **probabilistic** way.
	Met?	**Yes**	**Yes**	**No**

Rationale

The assessment **takes uncertainty into account**.

PI 1.2.4	There is an adequate assessment of the stock status

The stock status report formally specified the sources of uncertainties such as: weather condition, which influence catchability, and can therefore have impacts on several demographic assessment indicators; low sat-sea sampling coverage and spatial fishing patterns, which bring uncertainty on the value of the CPUEs. Both SG60 and SG80 are met.
The uncertainties are not evaluated in terms of probability, preventing the fishery from meeting SG100.

	Evaluation of assessment			
d	Guide post			The assessment has been tested and shown to be robust. Alternative hypotheses and assessment approaches have been rigorously explored.
	Met?			**No**

Rationale

The robustness of the assessment has not been formally tested, especially as landings are used as reference points. It is not possible to say that alternative hypotheses and assessment approaches have been rigorously explored, preventing the fishery from meeting SG100.

	Peer review of assessment			
e	Guide post		The assessment of stock status is subject to peer review.	The assessment has been **internally and externally** peer reviewed.
	Met?		**Yes**	**No**

Rationale

The assessment of stock status is subject to peer review.

The stock assessment is subject to peer review at the Regional Advisory Process (RAP), which takes place every three years, which justifies SG80. The assessment is not externally peer reviewed, as RAP essions only include DFO representatives and some industry members, preventing the fishery from meeting SG100.

References

DFO. 2016. 2015 Lobster stocks assessment in the Gaspé, Quebec area (LFAS 19, 20 and 21). DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2016/043: http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2016/2016_043-eng.html

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

DFO 2019a. Assessment of lobster (*Homarus americanus*) in the Gaspé (LFAs 19-21), Quebec, in 2018. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2019/060: http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2019/2019_060-eng.html

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	4 of 4	1 of 4	**85**
Condition number (if relevant)				**N/A**

8.3 Principle 2

8.3.1 Principle 2 background

Table 18 presents scoring elements assigned to components within Principle 2.

Table 18. Scoring elements.

Component	Scoring elements	Designation	Data-deficient
Primary	Atlantic mackerel (*Scomber scrombus)* in Subareas 3 and 4	Main	No
Primary	Fall spawner component of Atlantic herring (*Clupea harengus)* in NAFO Div. 4T (Gulf of St Lawrence)	Main	No
Primary	Redfish (*Sebastes mentella and Sebastes fasciatus*) in Unit 1 (Gulf of St Lawrence)	Main	No
Secondary	Rock crab (*Cancer irroratus*)	Minor	Yes
Secondary	Sculpin (*Myoxocephalus Scorpius*)	Minor	Yes
Secondary	Sea urchin	Minor	Yes
Secondary	Cunner (*Tautogolabrus adspersus)*	Minor	Yes
Secondary	Atlantic spiny lumpsucker (*Eumicrotremus spinosus)*	Minor	Yes
Secondary	Ocean pout (*Zoarces americanus)*	Minor	Yes
Secondary	Toad crab (*Hyas spp*)	Minor	Yes
Secondary	Common whelk (*Buccinum undatum*)	Minor	Yes
Secondary	Atlantic eel (*Anguilla rostrate*)	Minor	Yes
Secondary	Lumpfish (*Cyclopterus lumpus)*	Minor	Yes
Secondary	Greenland cod (*Gadus ogac*)	Minor	Yes
ETP species	Atlantic wolffish (*Anarhichas lupus)*	N/A	No
ETP species	Spotted wolffish (*Anarhichas minor)*	N/A	No
ETP species	Leatherback turtle (*Dermochelys coriacea*)	N/A	No
ETP species	North Atlantic right whale (*Eubalaena glacialis*)	N/A	No
ETP species	Blue whale (*Balaenoptera musculus*)	N/A	No
Habitats	Muddy/sandy sediments with gravels	Main (commonly encountered habitats)	No
Habitats	Coral and sponge areas	VMEs	No
Habitats	Eel grass meadows	VMEs	No

8.3.1.1. The ecosystem the Gaspésie lobster fishery depends on

The Gulf of St. Lawrence is similar to an inland sea with a distinct ecosystem, characterized by partial isolation from the North Atlantic, freshwater runoff from the land, and a deep trough running along its depths, seasonal ice, the presence of a cold intermediate layer, shallow depths, and high biological productivity and diversity. The distinct qualities of physical and biological components of the Gulf combine to create its unique environment.

The Gulf of St. Lawrence is a semi-enclosed sea, covering an area of about 240 x 10^3 km^2, which opened to the Atlantic Ocean through the Cabot Strait and the Strait of Belle Isle (Figure 9). The Laurentian Channel is a long, continuous trough over 300 m deep that runs 1,500 km from the continental shelf in the Atlantic Ocean to where it ends abruptly in the St. Lawrence Estuary at the mouth of Saguenay River near Quebec City. This trough brings deep oceanic waters to the estuary. There are secondary troughs and plateaus such as the Magdalen Shallows, which cover the southern part of the Gulf. The Gulf's submarine topography is considered complex, and strongly affects how water circulates. Circulation in the Gulf is generally counter-clockwise.

Figure 9. Boundary of the Gulf of St Lawrence. Source: http://www.dfo-mpo.gc.ca/oceans/management-gestion/gulf-golfe-eng.html

A comprehensive overview of the ecosystem within the Gulf of St. Lawrence is given in the "Estuary and Gulf of St. Lawrence Marine Ecosystem Overview and Assessment Report" (Dufour and Ouellet 2007).

The physical, chemical and biological oceanographic conditions on the Gulf of St Lawrence is regularly analysed as part of the Atlantic Zone Monitoring Program (AZMP), the last report was published in 2018[6].

The GSL Integrated Management (GOSLIM) plan was published in 2013 (DFO 2013b): *"the plan provides a framework for inter-jurisdictional collaborative engagement of the regulatory authorities relevant to different management issues. Such collaboration gives rise to a process for effectively addressing different management issues within the GOSLIM area, when and where they arise."*

Lobster in the GSL food web

Larvae lobster are omnivorous, they feed on zooplankton (copepods, crab larvae, eggs) and phytoplankton (diatoms, dinoflagellates and filamentous algae)[7]. Juveniles and adults are mainly carnivorous and prey on crab, small sea stars, lobster, marine worms, molluscs and fish. Rock crab is a key food resource for lobster. Stomach analysis in Magdalen Islands, Gulf of St Lawrence, showed that lobsters feed principally on horse mussels, rock crabs, lobsters, gastropods and ectoprocts (Hudon and Lamarche 1989). Hudon and Lamarche (1989) also observed in one sampling station that large crabs appeared to eat lobster (necrophagy and active predation as well). The natural diet of juveniles and adult was investigated by stomach content analysis in Magdalen Islands (Sainte-Marie and Chabot 2002). Results showed an ontegenic shift in diet with increasing size of lobsters: the contribution of bivalves and animal flesh decreased from the smallest lobsters (28% and 39%, respectively) to the largest lobsters (2% and 11 %, respectively), whereas the reverse trend was seen for rock crab (7% in smallest lobsters to 53% in largest lobsters. Stomach analysis in Northumberland Strait

[6] http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ResDocs-DocRech/2018/2018_037-eng.html
[7] http://slgo.ca/en/lobster/context/foodchain.html

showed that rock crab was the single most important component of the diet (between 45 and 68% of prey biomass) (Hanson 2009). Small see stars and lobster represented between 0.7 and 12.9% of the prey biomass. Molluscs, polychaetes, and fish remains each did not exceed 7.5% of prey biomass. Predation on planktonic stages of lobster is rare and predation upon benthic stages of lobster is uncommon, principally restricted to finfish (sculpin and cod) and cannibalism (during the moult). DFO investigated lobster and predator-prey relationships using samples collected during trawl surveys in LFA 25 and part of LFA 26 (Comeau et al. 2008). Stomach analysis showed that decapods were the principal prey (57% to 84% of prey biomass), with rock crab being the single most important component of the diet (45% to 78%). Lobster represented 8% to 13% of the prey biomass. It has also been observed that the only demersal fish demonstrated to consume large amounts of lobster was the sculpin.

8.3.1.2. Primary and secondary species

According to MSC Fisheries Standard v.2.1, primary and secondary species are non-target species that are not Endangered Threatened and Protected (ETP) species. Table 19 gives the definition of these two components bearing in mind that primary and secondary species can be either landed or discarded or species used as bait.

Table 19. Definition of Primary and Secondary Species (Table GSA2 of MSC Guidance to MSC Fisheries Standard v.2.01.).

Primary Species	Secondary Species
– In scope species, e.g. fish and shellfish – Managed with tools controlling exploitation – Reference points are in place – Analytical or empirical derived stock assessment in place	– Fish and shellfish, and out of scope species (birds, reptiles, amphibians and mammals) that are not ETP species – Not managed according to reference points – No analytical or empirical derived stock assessment in place

The assessment team determines which species are considered as main and which are considered as minor according to the MCS Fisheries Standard v.2.1. A species is considered as main if:

- The catch of a species by the UoA comprises 5% or more by weight of the total catch of all species by the UoA; or
- The species is classified as less resilient and the catch of the species by the UoA comprises 2% or more by weight of the total catch of all species by the UoA.
- In the case of very large fisheries with exceptionally large catches (MSC GSA 3.4.4), the assessment team shall still classify species that do not meet the threshold of 5% and 2% as main. It is not the case for the Gaspésie lobster trap fishery which total catches cannot be considered as exceptionally large.

Under licence condition, lobster harvesters are not authorized to keep any groundfish species caught incidentally. All bycatches species must be returned to the water and released in the exact capture location with as little harm as possible. Nonetheless, under the section 55 of the AFR, lobster harvesters are allowed to retain male rock crab without requiring a rock crab licence. A portion of the rock crab caught is retained to be used as bait (12 t and 9.5 t in 2018 and 2019, respectively, according to data from logbooks) but the vast majority of rock crab caught is discarded.

Non-target species catches are mandatory to be recorded in logbooks. In addition, two independent bycatch projects were carried out: a bycatch survey was carried out by DFO during the 2011 fishing season (Gendron and Duluc, 2012) and a bycatch project was carried out by Merinov in LFA 20 during the 2015 fishing season (Merinov 2015).

The bycatch composition from logbooks and the two independent bycatch surveys is similar, and both bycatch data collection methods show a very low level of bycatch with most of the bycatch species accounting for less than 2% of the total catch.

There is strong scientific evidence that individuals are release alive with very low post-capture mortality. As per GSA3.4.3, very low post capture mortality is interpreted as no less than a 90% survival rate.

In cases where scientific evidence is not available for the particular fishery, studies pertaining to similar fisheries can be used with appropriate rationales provided.

A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015 (DFO 2017a). The results of the bycatch study was presented during the Southern Gulf of St Lawrence Lobster Advisory Committee meeting held in January 2017. DFO Gulf also presented the results during the 11th International Conference & Workshop on Lobster Biology and Management that has been held in Portland (Maine, US) in June 2017.Consequences for the status of affected populations have been investigated through the study of bycatch survival by noting injuries and evaluating vitality every minute for 10 minutes. There was no mortality during vitality observations, 98% of observed individuals had no visible injury, there was very little variation in individuals vitality over time. Sorting is manual and bycatch species are quickly returned to water; lobster fishing occurs in shallow waters so there is no everted stomach or bloated swim bladder in fish caught. It was determined that survival of all returned species is very high.

Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations, and the bycatch composition is very similar with rock crab, cunner and sculpin accounting for the bulk of bycatch.

Note that where individual are released alive, they shall not contributed to the definition of main (MSC SA3.4.3).

Given that 1) Gaspésie lobster fishery total catches are not considered as exceptionally large, 2) only male rock crab can be retained, 2) the amount of rock crab retained to be used as bait is less than 1% of total catches; and 3) there is evidence that individuals of all other bycatch species are released alive, the assessment team determines that there is no main secondary species.

Main primary species are species used as bait, Atlantic mackerel and the fall spawner component of the herring caught in the Gulf of St Lawrence which amount used as bait is ≥5%. The redfish caught in the Gulf of St Lawrence is also determined to be main primary species as the amount used as bait is approximately 2% and redfish fish species are less resilient (slow growth, long-lived species).

Except rock crab which can be retained and used as bait by lobster harvesters, all secondary species are unwanted catches. There is no unwanted primary species.

Table 20 lists primary and secondary species for the Gaspésie lobster trap fishery.

Table 20. Primary and secondary species for the Gaspésie lobster trap fishery. Source: Gendron and Duluc 2012, Merinov 2015 and data from logbooks provided by DFO and the RPPSG.

Species	Out of scope	Managed according to reference point	% UoA catch 2011	% UoA catch 2016	% UoA catch 2017	% UoA catch 2018	% UoA catch 2019	Stock	Category	Stock status	Reference
Rock crab, crabe commun *Cancer irroratus*	No	No	10%	<1%	<1%	<1%	<1%	Gaspé Peninsula	minor secondary	CPUEs are stable, size structure and average sizes have improved.	DFO 2018b
Sculpin, chaboisseau *Myoxocephalus scorpius*	No	No	<1%	<1%	<1%	<1%	<1%	Gulf of St Lawrence	minor secondary	Stock not assessed. But according to DFO, the species is very abundant in the GSL	-
Sea urchin, oursin	No	No	<5%	<2%	<2%	<2%	<2%	Gaspé Peninsula	minor secondary	Stock not assessed.	-
Common whelk, buccin *Buccinum undatum*	No	No	<1%	<1%	<1%	<1%	<1%	Gaspé Peninsula	minor secondary	Stock not assessed.	-
Cunner, tanche tautogue, *Tautogolabrus adspersus*	No	No	<1%	<1%	<1%	<1%	<1%	Gaspé Peninsula	minor secondary	Stock not assessed. But according to DFO, the species is very abundant in the GSL	-
Toad crab, crabe araignée *Hyas* spp	No	No	<1%	<1%	<1%	<1%	<1%	Southern Gulf of St Lawrence	minor secondary	Stock not assessed.	-
Ocean pout, loquette de mer *Zoarces americanus*	No	No	<1%	<1%	<1%	<1%	<1%	Southern Gulf of St Lawrence	minor secondary	Stock not assessed.	-
Greenland cod, ogac, *Gadus ogac*	No		<1%	<1%	<1%	<1%	<1%	Southern Gulf of St Lawrence	minor secondary	Stock not assessed.	-

Table 20. Primary and secondary species for the Gaspésie lobster trap fishery. Source: Gendron and Duluc 2012, Merinov 2015 and data from logbooks provided by DFO and the RPPSG.

Species	Out of scope	Managed according to reference point	% UoA catch 2011	% UoA catch 2016	% UoA catch 2017	% UoA catch 2018	% UoA catch 2019	Stock	Category	Stock status	Reference
Atlantic eel, anguille d'Amérique *Anguilla rostrata*	No	No	-	<1%	<1%	<1%	<1%	Western North Atlantic Ocean	minor secondary	Stock not assessed.	-
Atlantic spiny lumpsucker, poule de mer *Eumicrotremus spinosus*	No	No	<1%	<1%	<1%	<1%	<1%	Southern Gulf of St Lawrence	minor secondary	Stock not assessed.	-
Lumpfish, lompe *Cyclopterus lumpus*	No	No	-	<1%	<1%	<1%	<1%	Southern Gulf of St Lawrence	minor secondary	Stock not assessed.	-
Species used as bait											
Herring, hareng *Clupea harengus* (frozen)	No	Yes			≥5%	≥5%	≥5%	Fall spawner component in Southern Gulf of St Lawrence (NAFO Div. 4T)	Main primary species	SSB below the upper stock reference level and well above the limit reference point, and overfishing is not occurring	DFO 2018c
Atlantic mackerel, maquereau *Scomber scrombus* (frozen)	No	Yes			>5%	>5%	≥5%	Northwest Atlantic	Main primary species	Stock is overfished, 2018 SSB is 77% of the LRP compared to 59% of the LFP in 2016. SSB shows a slow increasing trend from 2016 to 2018. However, short term	DFO 2019b

Table 20. Primary and secondary species for the Gaspésie lobster trap fishery. Source: Gendron and Duluc 2012, Merinov 2015 and data from logbooks provided by DFO and the RPPSG.

Species	Out of scope	Managed according to reference point	% UoA catch 2011	% UoA catch 2016	% UoA catch 2017	% UoA catch 2018	% UoA catch 2019	Stock	Category	Stock status	Reference
										projections over three years shows that, even under the most restrictive exploitation scenarios, SSB will unlikely be greater than the LRP.	
Redfish, Sébastes, *Sebastes fasciatus* and *S. mentella.* (frozen)	No	Yes			2%	2%	2%	Gulf of St Lawrence (Unit 1)	Mainprimary species	Although mature biomasses are still below the limit reference point, stock has improved. Prospects are positive due to large cohorst from 2011-2013. There is a significant increase in biomass and recent strong recruitment.	Brassard et al 2017 DFO 2018d
Rock crab, crabe commun *Cancer irroratus*	No	No			<1%	<1%	<1%	Gaspé Peninsula	minor secondary	CPUEs are stable, size structure and average sizes have improved.	DFO 2018b

Cumulative impacts will be considered for the main species which are all species used as bait. The species are also used as bait by other Canada Atlantic shellfish trap fisheries certified or under assessment. These fisheries overlap with the Gaspésie lobster fisheries and are listed in section 10.9.

In July 2016, MSC released the following interpretation regarding the assessment of cumulative impacts for Principle 2 species between FCR v.2.0 and CR v.1.3 fisheries[8]:
"The MSC has noted the points raised in relation to difficulties of assessing cumulative impacts between fisheries on v2.0 and v1.3 of the standard. We have consulted with the MSC Technical Advisory Board (TAB) and Board of Trustees and have reconsidered the language in Table GSA3. Due to the points raised in the request, the first two paragraphs of guidance on 'MSC UoAs and the assessment of cumulative impacts' in Table GSA3 may be taken as a suggestion and does not need to be implemented. The expectation would be that fisheries assessed against v2.0 of the standard shall only be required to consider cumulative impacts with other v2.0 fisheries."

There is a partial strategy in place that is designed to maintain or to not hinder rebuilding of primary and secondary species. Lobster fishing is limited in time, there is a trap allocation, fishing effort was reduced though a reduction in the number of licences and traps per licence from 1998 to 2005 and after 2009, all non-target species (except male rock crab) must be returned to the water and released in the exact capture location with as little harm as possible, escape vents are required, it is prohibited to haul and bait traps more than once a day.

8.3.1.3. ETP species

According to MSC Standard v.2.01, ETP species are species recognized by national ETP legislation and/or listed in binding international agreements listed in SA3.1.5.2. Binding in this context refers to the agreement being binding on the parties to the agreement and does not require the state in whose waters the fishery takes place to be a signatory to the agreement for it to be applicable. Also ETP species are species classified as out-of-scope (amphibians, reptiles, birds and mammals) that are listed in the IUCN Red List as vulnerable, endangered or critically endangered.

Table 21 lists ETP species that are found in the Gulf of St Lawrence and may potentially overlap with the Gaspésie lobster trap fishery, and provides interactions data from the Species at Risk Act (*SARA*) logbooks.

Table 21. ETP species that may overlap with the Gaspésie lobster trap fishery. Their *SARA* status is specified, as well as information on reported interactions with the fishery.

Group	Species	SARA status	Reported interactions with the fishery over the period of 2016-2018
Fish	Atlantic wolffish, *Anarhichas lupus*	Special concern	85 kg in 2018 7 individual in 2019
	Spotted wolffish, *Anarhichas minor*	Threatened	45 individuals in 2016 43 kg in 2018 0 kg in 2019
Sea turtle	Leatherback turtle, *Dermochelys coriacea*	Endangered	0
Marine mammals	North Atlantic right whale, *Eubalaena glacialis*	Endangered	0
	Blue whale, *Balaenoptera musculus*	Endangered	0

The NARW is the only species for which there is a national limit set for the protection and conservation of the species. The NARW is listed as endangered and protected under Schedule 1 of SARA, as such no person can:

[8] https://mscportal.force.com/interpret/s/article/Assessing-P2-species-cumulatively-between-v2-0-and-1-3-fisheries-GSA3-1-9-1527262006140

kill, harm, harass, capture or take, possess, collect, buy, sell or trade NARW. The Recovery Potential Assessment (RPA) for the NARW developed in 2007 states: "There is no scope for allowable human-induced mortality, since population abundance is estimated as critically low and the population appears to be declining toward extinction". DFO confimed that the national limit for the protection and rebuilding of the NARW is a zero-mortality. Fisheries do not have a SARA Permit or a Fisheries Act Authorization or an exemption in their Commercial fishing licences conditions allowing to harm the species.

Combined impacts is considered only for NAWR, this species may potentially interact with other Canada Atlantic fisheries certified or under assessment. The MSC Interpretation related to P2 species cumulative between fisheries under different version of the Standard also applies for ETP species.

In addition, the team uses GSA3.10 to assess the combined impacts of MSC UoAs. The NARW distribution overlaps with the Canada and U.S. EEZs. In the U.S., the Potential Biological Removal (PBR) has been set as a national limit. There is no international limit set through an international agreement for the NARW. This corresponds with GSA3.10 Example 2: Two EEZs both with different limits. In that case, the team should consider the combined impacts of the Canada UoAs in Canada EEZ in relation to the Canada national limit.
Considering the MSC Interpretation and GSA3.10, the team assessed the combined impacts of Canada v.2.0/v.2.1 UoAs in relation to the Canada national limit.

Wolffish species

All bycatch of ETP species must be returned to the water and release in the exact capture location with as little harm as possible.

Fact sheets including tips on how to handle and release woflffish[9] to maximise survival have been published by DFO and distributed to harvesters. Post-release survival of wolffish caught in lobster traps is considered to be high, see section 8.3.1.2 regarding the bycatch program research conducted by DFO Gulf.

Leatherback turtle

Satellite telemetry data from 70 leatherback turtles tracked in Atlantic Canadian waters were used to identify important habitat for the species (DFO 2012). It shows that the relative probability of residency of leatherbacks around Gaspé peninsula is low. Although it was noted that notable areas not sampled by tagged turtles included Gaspésie peninsula, the author of the analysis pointed out that while opportunistic sightings of leatherbacks have occurred in this area, such records are rare relative to those corresponding to the high-use areas identified via satellite telemetry.

Fact sheets including tips on how to disentangle leatherback turtles[10] safely to help increase successful disentanglement and release and improve survival have been published by DFO and distributed to harvesters.

Whale species

For blue whale, accidental entanglements in fishing gear was classified as low-risk anthropogenic threats in comparison with whale watching and collisions with vessels which were classified as medium-risk anthropogenic threats, and acoustic environmental degradation and food availability which were classified as high-risk anthropogenic threats (DFO 2016b).

2019 management measures to minimise the risk of interaction with the North Atlantic right whale

The measures were formally announced to fishers by means of a Notice to Fish Harvesters issued on April 12th, 2019 (DFO 2019c). The management measures are similar to the ones applied in 2018 but have been refined. They remain focused on preventing entanglements.

[9] http://www.dfo-mpo.gc.ca/species-especes/publications/sara-lep/wolffish-loup/tips-conseils-eng.html
[10] http://www.dfo-mpo.gc.ca/species-especes/publications/sara-lep/leatherback-luth/index-eng.html

The main adjustments for the 2019 season include:

- Adjusting the area closed to snow crab, lobster fisheries and all other non-tended fixed-gear fisheries in Atlantic Canada and Quebec to include the area where 90% of the North Atlantic Right Whale were sighted last year during the prime fishing season (Figure 10). This area is a little less than half the size it was in 2018 and is more elongated North-to-South than in 2018.
- Keeping the overall protection area the same in terms of the combined season-long closure area and the area where temporary 15-day closures may occur for snow crab, lobster fisheries and all other non-tended fixed-gear fisheries from the date when right whales are sighted (Figure 10).
- If a NARW is seen in waters between the 10 and 20 fathom shallow water protocol lines, a temporary closure will occur up to the 10 fathom shallow water protocol line. Licence holders will then be required to move their fishing gear close to the coast and will be allowed to continue fishing in waters shallower than 10 fathoms.
- If a NARW is seen in waters less than the 10 fathom shallow water protocol line, a temporary closure will occur up to the coast.
- Requirement to report retrieved gear: lobster harvesters must report the retrieval of ay of their own previously reported lost gear to DFO by completing the Retrieval of previously Reported Fishing Gear Form.

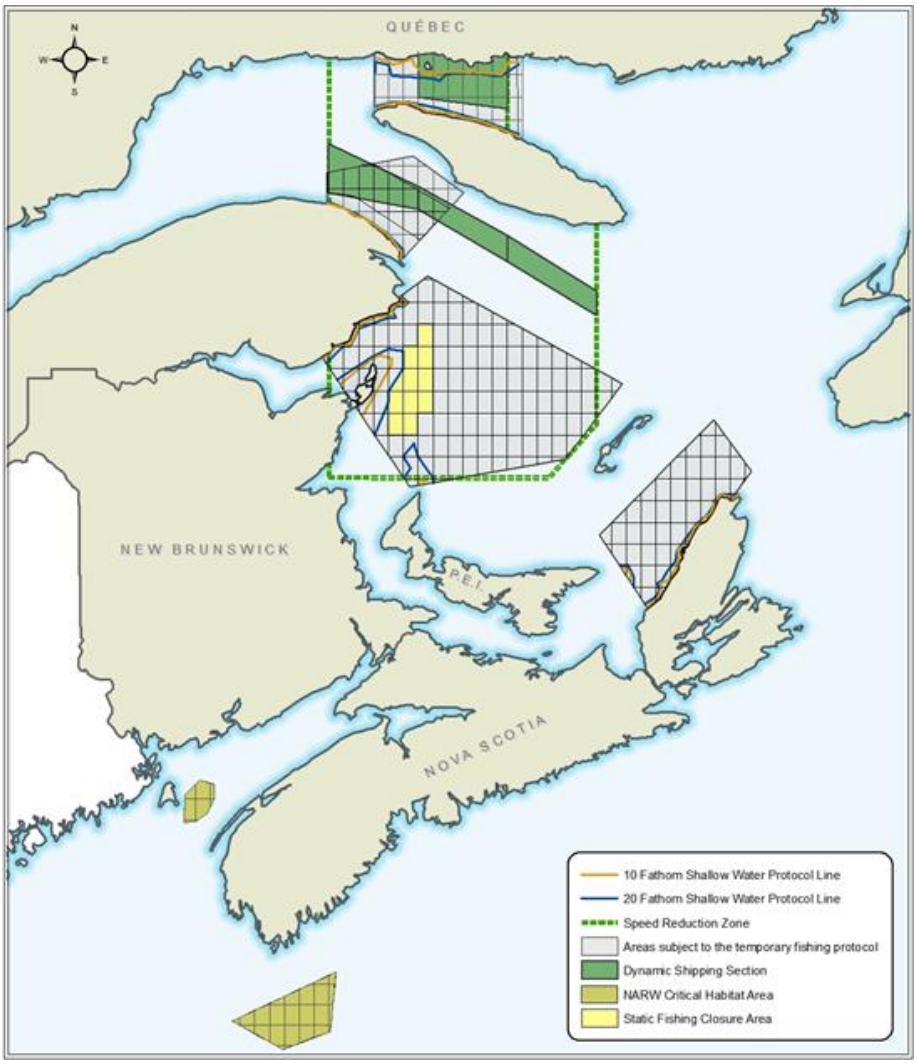


Figure 10. North Atlantic Right Whale management measures 2019. The static fishing closure area is in yellow and areas subject to temporary closure protocol are in grey. Source: DFO 2019b.

Note that the following 2018 measures remain unchanged for 2019. These measures are detailed in the 3rd Surveillance Report (July 2018)[11].

- Minimising the amout of rope floating on the surface of the water
- Additional identification of buoys
- Requirement to report lost gears
- Requirement to report marine mammal interaction using the Marine Mammal Interaction Form

Due to the characteristics of fishing operations, risk of interactions with endangered whales is considered to be low. Lobster traps are set very close to the shore in shallow waters (verified by the assessment team during the initial assessment site visit). There is thus low overlapping between lobster fishing grounds and areas where whales occur. This has been confirmed by a review of NARW occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters published in June 2019 (DFO 2019d). This review mentions that available data indicate that NARW are rare in shallow waters (<20 ftm/50 m) although NARW may use shallow waters to transit among deep-water foraging areas. It concludes that although NARW appear to be relatively rare in shallow waters, the risk of entanglement is not zero.

DFO confirmed that NARW has not been observed in waters less than 20 ftm and 10 ftm in Gaspé Peninsula, therefore the shallow protocole lines have not been applied.

2018 and 2019 NARW mortalities and entanglements in Canada

In 2018, there was zero NARW mortality reported/observed in Canada (Figure 11).

In November 2018, DFO reported three entanglement incidents for 2018: 2 in the GSL and one from either the GSL or Bay of Fundy. These reported entanglements occurred when GSL losbter and snow crab fisheries were closed, and there is no evidence that they have led to mortalities.

Whale # 3960 was seen entangled in the GSL on August 20th, 2018 (Pettis *et al* 2018). This whale was sighted in Cape Cod Bay (U.S.) on March 2019 alive and gear free.

Whale # 3312 was seen entangled in the GSL on July 13th, 2018 (Pettis *et al* 2018) when all lobster and snow crab fisheries, except in Crab fishing Area 19, where closed. 2018 Monitoring of NARW presence shows that most of NARW presence was detected outside CFA 19. This whale has not been resighted. It's not one of the dead whale recorded in 2019 and there is no update regarding its entanglement status in 2019 (Pettis *et al* 2020).

Whale # 3843 was seen entangled in the Bay of Fundy on 30th July, 2018. It was partially disentangled in August 2018. She has been resighted southeast to Nantucket (U.S) in December 2018 alive with remaining lines. There is no update regarding its entanglement status in 2019 (Pettis *et al* 2020).

Two additional NARWs with fresh entanglement scars have bee reported. They may have become entangled and disentangled without notice from fishermen or authorities. The gear responsible for the wounds/scars is unknown.

In 2019, nine dead NARW were reported in Canadian waters including 7 in the GSL (Table 22, Figure 11). Among these 9 mortalities, 7 were detected in June and 2 in July (Table 22; Pettis *et al* 2020).

Five necropsies were performed following the 7 June mortalities. 3 mortalities were attributed to vessel strikes (Pettis *et al* 2020). Preliminary results for the other two were inconclusive. For all individual, additional analyses are being conducted and final results are still pending.

[11] https://fisheries.msc.org/en/fisheries/gaspesie-lobster-trap-fishery/@@assessments

According to DFO, none of the NARW found dead in Canadian waters had fresh entanglements scars and for now there is no confirmation that mortalities in Canadian waters were caused by entanglement in fishing gears (Pettis *et al* 2020).

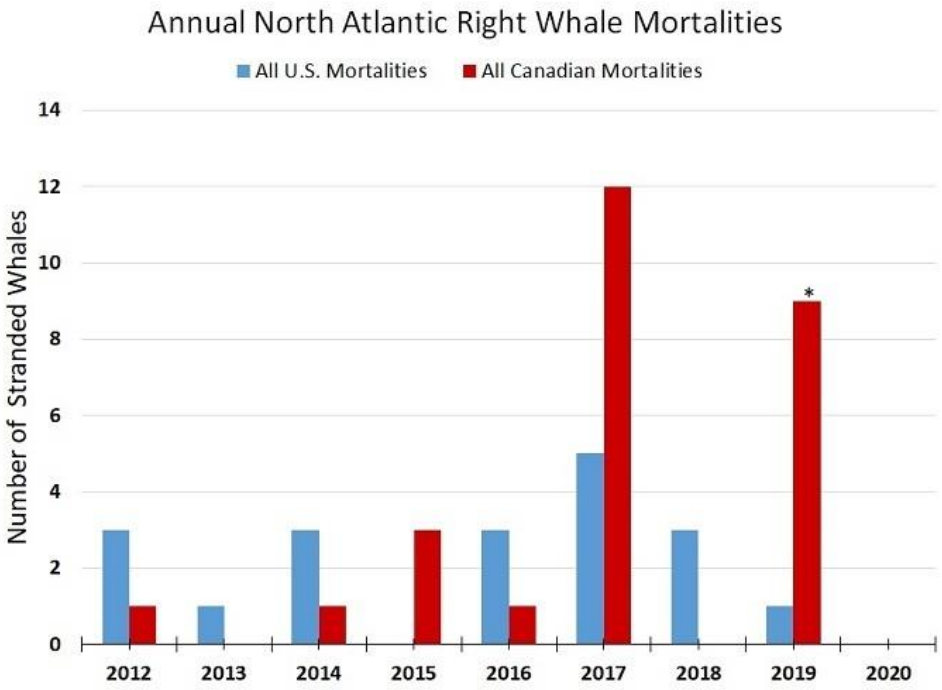
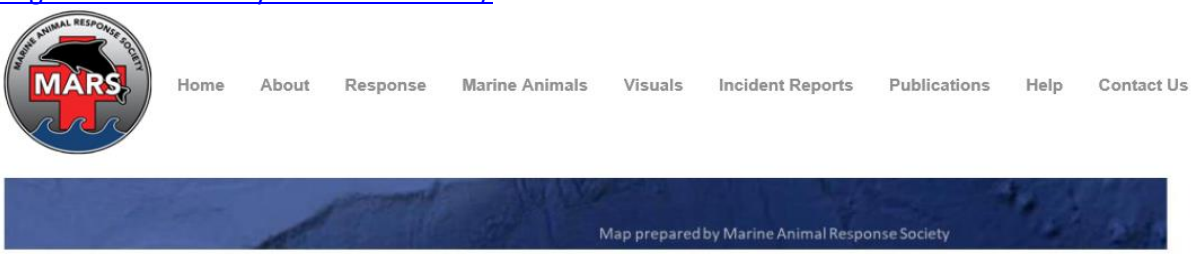


Figure 11. 2012-2019 confirmed NARW mortalities in U.S. waters (blue) and Canadian waters (red); * the last whale is unconfirmed since it could be relocated and determination of it being a re-sighted carcass was inconclusive. Souce: NOAA Fisheries[12].

[12] https://www.fisheries.noaa.gov/national/marine-life-distress/2017-2020-north-atlantic-right-whale-unusual-mortality-event

Table 22. NARW mortalities in Canada in 2019. Source: http://marineanimals.ca/site/incident-reports/2017-2019-right-whale-mortality-events-in-canada/



North Atlantic right whale mortalities in Canada in 2019

Year	Month	NARW Catalog ID# and/or Name	Sex	Location first observed	Preliminary Cause of Death (investigations still underway) [1]
2019	June	#4023, Wolverine	M	Gulf of St Lawrence	Pending
2019	June	#1281, Punctuation	F	Gulf of St Lawrence	Compatible with sharp force trauma, consistent with vessel strike (probable)
2019	June	#1514, Comet	M	Gulf of St Lawrence	Highly compatible with blunt force trauma, consistent with vessel strike (probable)
2019	June	#3815	F	Gulf of St Lawrence	Undetermined; not examined
2019	June	#3329	F	Gulf of St Lawrence	Undetermined; basic sampling only
2019	June	#3450, Clipper	F	Gulf of St Lawrence	Compatible with blunt force trauma, consistent with vessel strike (probable)
2019	June	Unknown[2]	U	Northern tip Cape Breton	Undetermined; not examined
2019	July	#3421	M	Gulf of St Lawrence	Pending
2019	July	Unknown[2]	U	Atlantic Coast Cape Breton	Undetermined; not examined

[1] The terms 'confirmed', 'probable' and 'suspect' were adapted from Moore et al (2013)

[2] Upon review of all available information, we were not able to conclusively determine that these two whales were the same individual. Thus, they are considered separate incidents and individuals.

Between June 29th and August 6th, 2019, four free-swimming entangled right whales were reported in the GSL. However, fishing gear has not been identified and there is no evidence that these entanglement led to mortalities in Canada waters.

Whale # 4423 was sighted entangled in the GSL in July 2019. However, this whale has been first sighted entangled in the Great South Channel (U.S) on April 25th, 2019. The whale has been resighted on October 28th, 2019 in the GSL gear free but in poor condition (Pettis *et al* 2020).

Whale # 4440 was sighted entangled on June 29th, 2019. The whale was resighted in August gear free (Pettis *et al* 2020).

Whale # 3125 was sighted entangled in July 4th, 2019. Several disentanglement attempts were made in July and August. A disentanglement team east of Cape Cod was able to cut some lines on August 2nd, 2019. The whale was able to open its mouth but was in poort condition (Pettis *et al* 2020).

Whale # 1226 was found dead off the coast of New York (U.S.) on 16th September, 2019 and as per Pettis et *al* (2020), entanglement (the gear responsible for the entanglement has not been identified) was identified as the cause of death. However, NOAA Fisheries mentioned that the cause of death is pending determination[12]. This whale was last sighted gear free in the GSL in July 2019 and was re-sighted in the GSL entangled on August 6th, 2019 (Pettis *et al* 2020) when all lobster and snow crab fisheries were closed.

8.3.1.4. Habitats

Fishing grounds remain basically the same over time, lobster fishing activities occur on sandy/muddy sediments mixed with gravels which are considered as commonly encountered habitats.

Vulnerable Marine Ecosystems (VMEs) are coral and sponge areas and eel grass (*Zostera marina*) meadows.

Significant coral and sponge areas have been mapped and significant areas have been identified in the Gaspésie peninsula (Figure 12). However, these areas are not in the inshore portion of the peninsula where lobster fishing grounds are located.

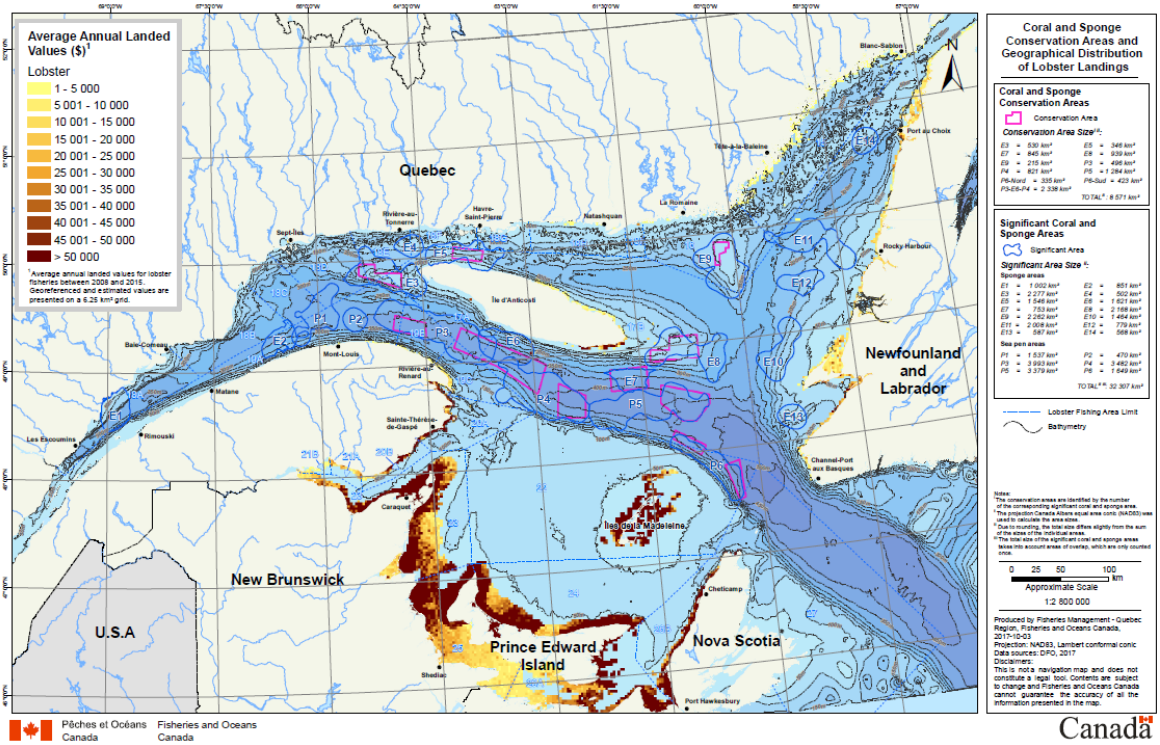


Figure 12. Map of the geographical distribution of the lobster average annual landed value and significant coral and sponge areas (blue) in the GSL. Source: http://www.qc.dfo-mpo.gc.ca/golfe-gulf/coraux-eng.html

In December 2017, 11 coral and sponge conservation areas have been implemented in the Estuary and Gulf of St Lawrence (Figure 13). Fisheries management measures have been implemented and were effective on 15th December 2017 with the release of the Quebec Region Variation Order 2017-Q-104[13]. Lobster traps, and all other bottom-contact fishing gears, are prohibited in these conservation areas.

[13] http://www.qc.dfo-mpo.gc.ca/peches-fisheries/commerciale-commercial/documents/2017-Q-104_EN.pdf

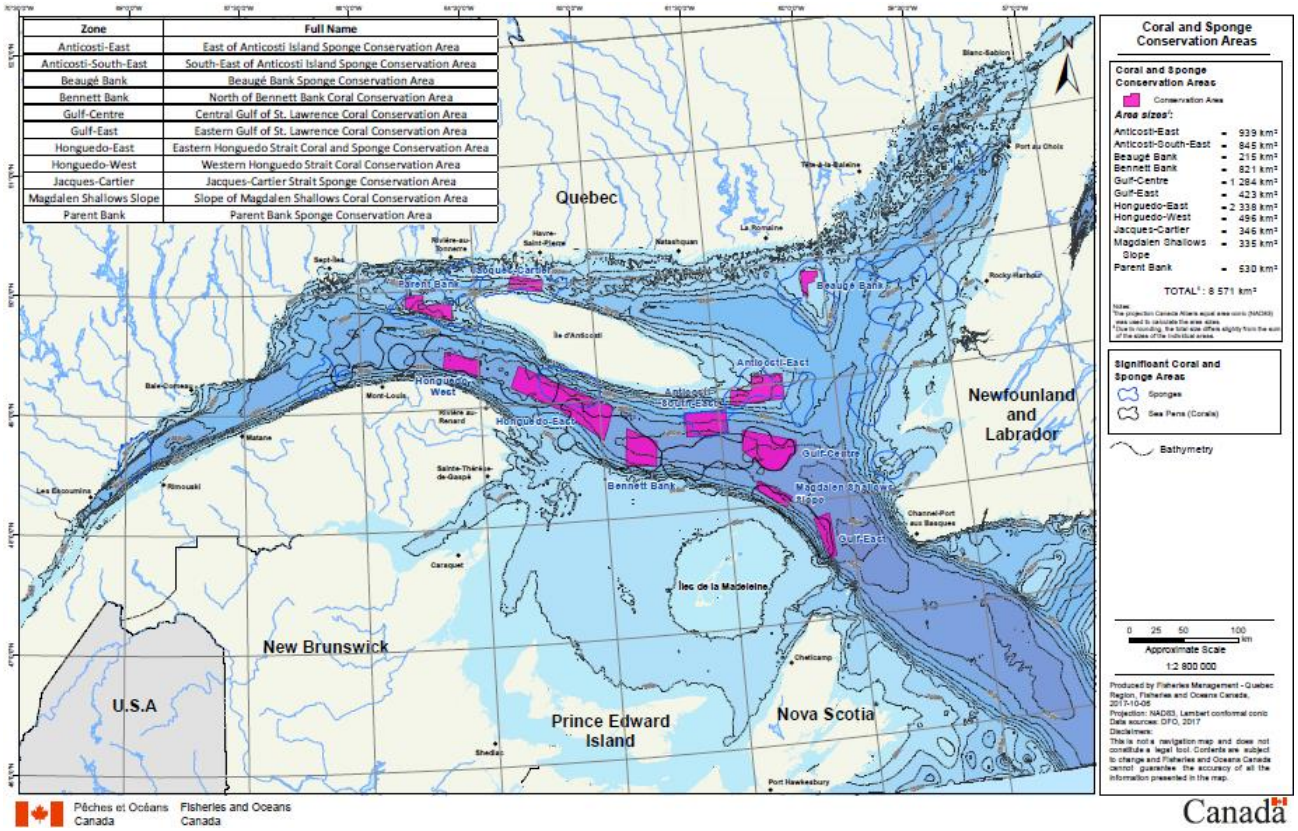


Figure 13. Map of areas identified for coral and sponge conservation in the GSL (pink). Source: http://www.qc.dfo-mpo.gc.ca/golfe-gulf/coraux-eng.html.

According to Martel et al (2009), eel grass beds are located inside rive mouths where the estuaries form bays, lagoons, and in estuaries and lagoons behind baymouth bars (known as a “barachois” in Québec) (Figure 14). Lobster fishing does not occur in these areas, so there is no overlapping between eel grass beds and lobster fishing grounds.

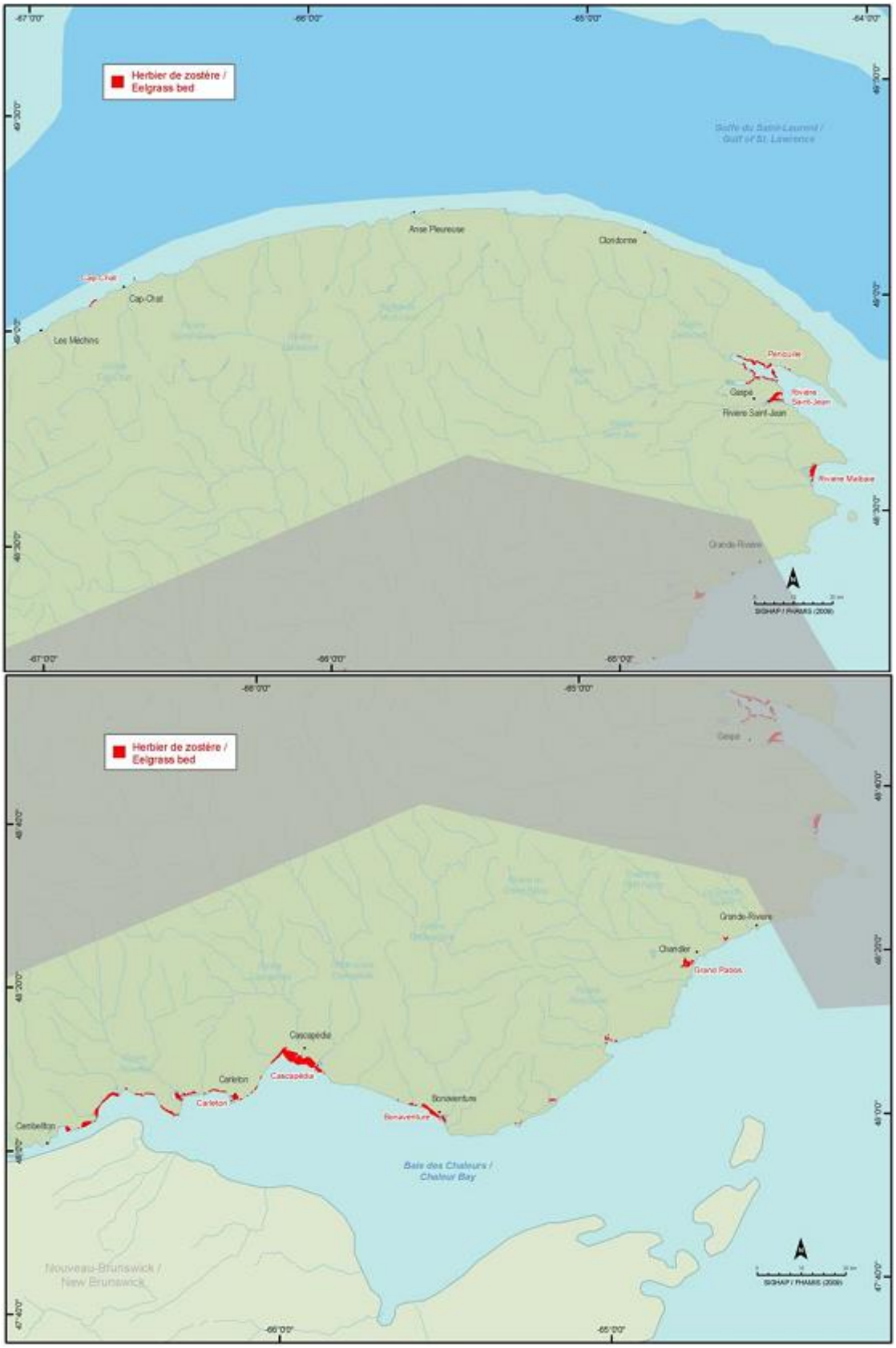


Figure 14. Distribution of eel grass beds in the GSL: Gaspé Peninsula (top panel) and Chaleur Bay (bottom panel). Source: Martel et al 2009.

In March 2019, DFO announced the establishment of Banc-des-Américains Marine Protected Area (MPA), an area of 1,000 km^2 located off the coast of the Gaspé Peninsula[14] (Figure 15). The MPA is designed to:

- Conserve and protect benthic (seabed) habitats;
- Conserve and protect pelagic (water column) habitats and forage species and forage species; and
- Promote the recovery of at-risk whales and wolffish.

It has a dual status, as an aquatic reserve under Quebec law, and as a marine protected area under Sub-section 35(3) of the *Oceans Act*.

Banc-des-Américains Marine Protected Regulations adopted in March established two management areas (6). Anchoring, commercial and recreational fishing activities are prohibited in Zone 1, the most sensitive area, but Indigenous fishing for food, social and ceremonial purposes will continue to be allowed. In Zone 2, commercial traps, longlines and hand line fishing will be allowed as long as they are not used to fish forage species. Oil and gas activities, discharge of sewage and release of grey water from large vessels are prohibited throughout the entire Marine Protected Area.

Other activities may be carried out in the MPA if they are carried out for the purpose of public safety, national defence, national security, law enforcement or to respond to an emergency. Moreover, any person may submit to the Minister an activity plan for the carrying out of any scientific research or monitoring, habitat restoration, educational or commercial marine tourism activity in the MPA.

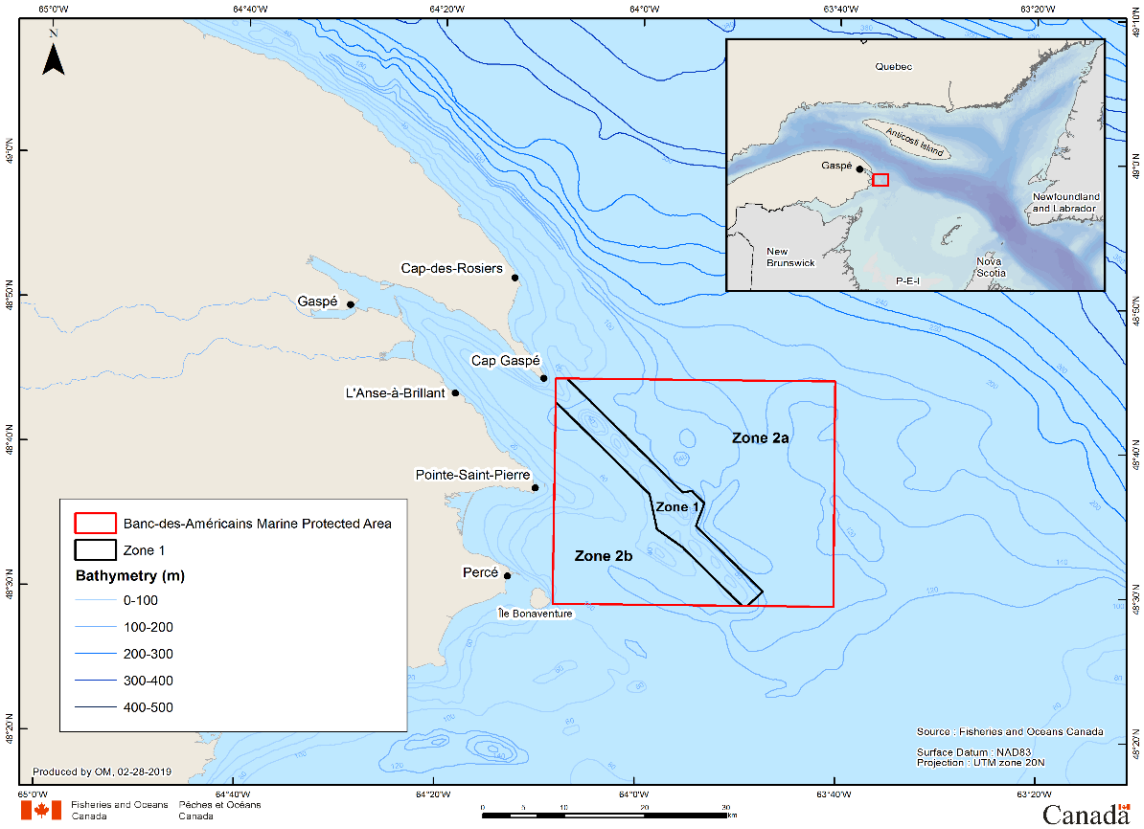


Figure 15. Banc-des-Américains MPA.

[14] https://www.canada.ca/en/fisheries-oceans/news/2019/03/a-new-marine-protected-area-at-the-eastern-tip-of-the-gaspe-peninsula.html

8.3.2 Principle 2 Performance Indicator scores and rationales

PI 2.1.1 – Primary species outcome

PI 2.1.1		The UoA aims to maintain primary species above the point where recruitment would be impaired (PRI) and does not hinder recovery of primary species if they are below the PRI		
Scoring Issue		SG 60	SG 80	SG 100
a	Main primary species stock status			
	Guide post	Main primary species are **likely** to be above the PRI. OR If the species is below the PRI, the UoA has measures in place that are **expected** to ensure that the UoA does not hinder recovery and rebuilding.	Main primary species are **highly likely** to be above the PRI. OR If the species is below the PRI, there is either **evidence of recovery** or a demonstrably effective strategy in place **between all MSC UoAs which categorise this species as main**, to ensure that they collectively do not hinder recovery and rebuilding.	There is a **high degree of certainty** that main primary species are above the PRI **and are** fluctuating around a level consistent with MSY.
	Met?	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish - Yes	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish - Yes	Atlantic mackerel – No GSL fall spawner herring – No Unit 1 redfish - No

Rationale

Main primary species are **highly likely** to be above the PRI. If the species is below the PRI, there is either **evidence of recovery** or a demonstrably effective strategy in place **between all MSC UoAs which categorise this species as main**, to ensure that they collectively do not hinder recovery and rebuilding.

Main primary species are Atlantic mackerel, GSL fall spawner herring and Unit 1 redfish used as bait. These species are not caught in lobster traps but purchased from outside the UoA. These species are also used as bait and categorised as main primary species in other Canada lobster trap fisheries MSC certified. All Canada lobster trap fisheries have a similar harvest strategy in place: lobster fishing is limited in time, there is a trap allocation, it is prohibited to haul and bait traps more than once a day. Regarding the Atlantic mackerel, the amount of mackerel used as bait decreased over time and the RPPSG strongly advocated the improvement of the mackerel fishery management participating in the Mackerel Advisory Committee meetings. Bait used (species, amount, and condition) is reported

Atlantic mackerel

The stock is currently in the Critical Zone of the Precautioary Approach with 2018 SSB being 77% of the LRP. Atlantic mackerel stock is considered to be below the PRI. SSB shows a slow increasing trend from 2016 to 2018. However, short term projections over three years shows that, even under the most restrictive exploitation scenarios, SSB will unlikely be greater than the LRP.
Lobster fishing is limited in time, there is a trap allocation, fishing effort was reduced though a reduction in the number of licences and traps per licence from 1998 to 2005 and after 2009, it is prohibited to haul and bait traps more than once a day. The amount of mackerel used as bait decreased over time. Information recorded in the logbooks shows that 664 kg of mackerel were used in 2017 whereas 823 kg and 775 kg were used in 2016 and 2015, respectively.
The RPPSG as well as client groups of other lobster certified fisheries strongly advocated the improvement of the mackerel fishery management participating in Mackerel Advisory Committee meetings.
A rebuilding plan working group (RPWG) is currently developing a management strategy evaluation (MSE) framework and has met several times a year since 2017. The group has discussed management measures and options to facilitate the mackerel stock recovery. Measures discussed and implemented in 2019 are as follow:

- Improvement in monitoring and reporting of catches
- Implementation of a daily cap (2,000 lb/907 kg) for the bait fishery in certain areas
- Implementation of a minimal mesh size and a maximum lengh for gillnets

PI 2.1.1	The UoA aims to maintain primary species above the point where recruitment would be impaired (PRI) and does not hinder recovery of primary species if they are below the PRI

- A management measure to limit catch of recreational fishing is currently being finalized
- Increase in the MLS from 263 mm to 268 mm
- Adjustement of fishing seasons in the Southern Gulf of St Lawrence

Therefore, the team determines that SG60 and SG80 are met. SG100 is not met mackerel stock being below the PRI.

GSL fall spawner herring

SSB below the upper stock reference level and well above the limit reference point, and overfishing is not occurring. Therefore SG60 and SG80 are met but not SG100.

Unit 1 redfish stocks

Although mature biomasses are still below the limit reference point, redfish stocks being considered to be below the PRI, stocks have improved. Prospects for redfish stocks in Unit 1 are extremelly positive with a strong recruitment and biomass increase. The Unit 1 redfish fishing is under a moratorium since 1995. A TAC is established for index fishing since 1999.The harvest strategy includes conservation measures such as a MLS, a bycatch protocol, closure periods to protect redfish mating and spatial closures.

Therefore, the team determines although redfish stocks remain below the PRI, there is a strategy in place to ensure that recovery and rebuilding are not hindered and evidence of recovery, therefore SG60 and SG80 are met. SG100 is not met redfish stocks being below the PRI.

b	Minor primary species stock status			
	Guide post			Minor primary species are highly likely to be above the PRI. OR If below the PRI, there is evidence that the UoA does not hinder the recovery and rebuilding of minor primary species.
	Met?			**Not scored**

Rationale

There are no minor primary species.

References

Information on bait used provided by the RPPSG and DFO

Brassard, C., Bourdages, H., Duplisea, D., Gauthier, J., and Valentin, A. 2017. The status of the redfish stocks (*Sebastes fasciatus* and *S. mentella*) in Unit 1 (Gulf of St. Lawrence) in 2015. DFO Can. Sci. Advis. Sec. Res. Doc. 2017/023. ix + 53 p. http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ResDocs-DocRech/2017/2017_023-eng.html

DFO 2018c. Assessment of the southern Gulf of St. Lawrence (NAFO Div. 4T) spring and fall spawner components of Atlantic herring (*Clupea harengus*) with advice for the 2018 and 2019 fisheries. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2018/029. http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2018/2018_029-eng.html

DFO. 2018d. Assessment of Redfish Stocks (Sebastes mentella and S. fasciatus) in Units 1 and 2 in 2017. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2018/032. https://waves-vagues.dfo-mpo.gc.ca/Library/40713684.pdf

DFO. 2019b. Assessment of the Atlantic Mackerel stock for the Northwest Atlantic (Subareas 3 and 4) in 2018. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2019/035.

PI 2.1.1	The UoA aims to maintain primary species above the point where recruitment would be impaired (PRI) and does not hinder recovery of primary species if they are below the PRI

http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2019/2019_035-eng.html

Overall Performance Indicator scores added at Public Certification Report

Individual scoring elements		Applicable SGs met per individual scoring element			Scoring element scores
		SG60	SG80	SG100	
1	Atlantic mackerel	1 of 1	1 of 1	0 of 1	**80**
2	GSL fall spawning herring	1 of 1	1 of 1	0 of 1	**80**
3	Unit 1 redfish	1 of 1	1 of 1	0 of 1	**80**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
		1 of 1	1 of 1	0 of 1	**80**
Condition number (if relevant)					**N/A**

PI 2.1.2 – Primary species management strategy

PI 2.1.2		There is a strategy in place that is designed to maintain or to not hinder rebuilding of primary species, and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch		
Scoring Issue		SG 60	SG 80	SG 100
a	Management strategy in place			
	Guide post	There are **measures** in place for the UoA, if necessary, that are expected to maintain or to not hinder rebuilding of the main primary species at/to levels which are likely to be above the PRI.	There is a **partial strategy** in place for the UoA, if necessary, that is expected to maintain or to not hinder rebuilding of the main primary species at/to levels which are highly likely to be above the PRI.	There is a **strategy** in place for the UoA for managing main and minor primary species.
	Met?	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – N/A GSL fall spawner herring – N/A Unit 1 redfish – N/A Gaspésie lobster fishery - Yes

Rationale

Primary species are species used as bait that lobster harvesters buy from bait suppliers and are from local or GSL fisheries. None of the primary species used as bait is caught in lobster traps during lobster fishing season.
As per GSA3.4.2 "If bait is purchased and it is main, teams need to assess the management and information PIs for the bait fishery for all scoring issues at the SG60 and SG80 levels". Therefore the rationale is structured to consider the management strategy in place for the UoA itself to minise the impact on the primary species and the management strategy in place within the fisheries the bait species are caught in.

Gaspésie lobster trap fishery

Lobster fishing is limited in time, there is a trap allocation, fishing effort was reduced though a reduction in the number of licences and traps per licence from 1998 to 2005 and after 2009, it is prohibited to haul and bait traps more than once a day. Regarding the Atlantic mackerel, the amount of mackerel used as bait decreased over time. Information recorded in the logbooks shows that 664 kg of mackerel were used in 2017 whereas 823 kg and 775 kg were used in 2016 and 2015, respectively. The RPPSG strongly advocated the improvement of the mackerel fishery management participating in the Mackerel Advisory Committee meetings. Bait used (species, amount, and condition) is reported in logbooks. All non-target species (except male rock crab) must be returned to the water and released in the exact capture location with as little harm as possible, escape vents are required. Information on non-target species catches is recorded in logbooks.
Therefore, the audit team determined that there is a strategy in place for the UoA for managing main and minor primary species, the fishery meeting SG60, SG80 and SG100.

Atlantic mackerel

There is a partial strategy in place for the mackerel fishery that is expected to maintain or to not hinder rebuilding of the main primary species at/to levels which are highly likely to be above the PRI.
Atlantic mackerel fishery is managed under an IFMP, there is a MLS; a TAC that was reduced from 36,000 t in 2013 to 8,000 t in 2014. The TAC was then increased to 10,000 t in 2017 and 2018. New management measures have been implemented in 2017 in the Gulf of St Lawrence to improve monitoring and reporting of catches in mackerel fisheries. These measures include mandatory hail-in reporting estimated weight of catch for every fishing trip and 25% dockside monitoring coverage for landings. A rebuilding plan working group (RPWG) is currently developing a management strategy evaluation (MSE) framework and has met several times a year since 2017. The group has discussed management measures and options to facilitate the mackerel stock recovery. Measures discussed and implemented in 2019 are as follow:

- Improvement in monitoring and reporting of catches
- Implementation of a daily cap (2,000 lb/907 kg) for the bait fishery in certain areas
- Implementation of a minimal mesh size and a maximum lengh for gillnets
- A management measure to limit catch of recreational fishing is currently being finalized
- Increase in the MLS from 263 mm to 268 mm

PI 2.1.2	There is a strategy in place that is designed to maintain or to not hinder rebuilding of primary species, and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch

- Adjustement of fishing seasons in the Southern Gulf of St Lawrence

The stock is currently in the Critical Zone of the Precautioary Approach with 2018 SSB being 77% of the LRP. Atlantic mackerel stock is considered to be below the PRI. SSB shows a slow increasing trend from 2016 to 2018.
Therefore, the team determines that SG60 and G80 are met.

GSL fall spawner herring

There is a partial strategy in place for the GSL fall spawner herring fishery that is expected to maintain or to not hinder rebuilding of the main primary species at/to levels which are highly likely to be above the PRI.
The GSL herring fishery is managed under an IFMP, there is a fishing season, a TAC, daily and weekend closures, and a depth restriction. SSB is below the upper stock reference level and well above the limit reference point, and overfishing is not occurring. Therefore, the team determine that SG60 and SG80 are met.

Unit 1 redfish stocks

There is a partial strategy in place for the redfish stocks that is expected to maintain or to not hinder rebuilding of the main primary species at/to levels which are highly likely to be above the PRI.
Although mature biomasses are still below the limit reference point, redfish stocks being considered to be below the PRI, stocks have improved. Prospects for redfish stocks in Unit 1 are extremelly positive with a strong recruitment and biomass increase.
The Unit 1 redfish fishing is under a moratorium since 1995. A TAC is established for index fishing since 1999.The harvest strategy includes conservation measures such as a MLS, a bycatch protocol, closure periods to protect redfish mating and spatial closures. Therefore, the team determines that SG60 and SG80 are met.

b	Management strategy evaluation			
	Guide post	The measures are considered **likely** to work, based on plausible argument (e.g., general experience, theory or comparison with similar fisheries/species).	There is some **objective basis for confidence** that the measures/partial strategy will work, based on some information directly about the fishery and/or species involved.	**Testing** supports **high confidence** that the partial strategy/strategy will work, based on information directly about the fishery and/or species involved.
	Met?	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – N/A GSL fall spawner herring – N/A Unit 1 redfish – N/A Gaspésie lobster fishery - No

Rationale

Note that as per GSA3.4.2 "If bait is purchased and it is main, teams need to assess the management and information PIs for the bait fishery for all scoring issues at the SG60 and SG80 levels". The rationale is structured as for scoring issue (a).

Gaspésie lobster trap fishery

There is some objective basis for confidence that the measures/partial strategy will work, based on some information directly about the fishery and/or species involved.
Bait used (species, amount, and condition) is reported in logbooks. Records show that the amount of bait used shows a general decreasing trend. Information recorded in the logbooks shows that 664 kg of mackerel were used in 2017 whereas 823 kg and 775 kg were used in 2016 and 2015, respectively. Regarding the Atlantic mackerel,the RPPSG strongly advocated the improvement of the mackerel fishery management participating in the Mackerel Advisory Committee meetings. Species used as bait as well as non-target species catches are mandatory to be recorded in logbooks.
Therefore, the team determines that SG60 and SG80 are met. However, there is no testing specific to the Gaspésie lobster fishery, preventing the fishery from meeting SG100.

Atlantic mackerel

There is some objective basis for confidence that the measures/partial strategy will work, based on some information directly about the fishery and/or species involved.
The stock is currently in the Critical Zone of the Precautioary Approach with 2018 SSB being 77% of the LRP. Atlantic mackerel stock is considered to be below the PRI. SSB shows a slow increasing trend from 2016 to 2018. Although short term projections

PI 2.1.2	There is a strategy in place that is designed to maintain or to not hinder rebuilding of primary species, and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch

over three years shows that, even under the most restrictive exploitation scenarios, SSB will unlikely be greater than the LRP, SSB shows a slow increasing trend from 2016 to 2018.
Therefore, the team determines that SG60 and SG80 are met.

GSL fall spawner herring
There is some objective basis for confidence that the measures/partial strategy will work, based on some information directly about the fishery and/or species involved.
The GSL herring fishery is managed under an IFMP, there is a fishing season, a TAC, daily and weekend closures, and a depth restriction. SSB below the upper stock reference level and well above the limit reference point, and overfishing is not occurring.
Therefore, the team determines that SG60 and SG80 are met.

Unit 1 redfish
There is some objective basis for confidence that the measures/partial strategy will work, based on some information directly about the fishery and/or species involved.
The Unit 1 redfish fishing is under a moratorium since 1995. A TAC is established for index fishing since 1999.The harvest strategy includes conservation measures such as a MLS, a bycatch protocol, closure periods to protect redfish mating and spatial closures. Although mature biomasses are still below the limit reference point, redfish stocks being considered to be below the PRI, stocks have improved. Prospects for redfish stocks in Unit 1 are extremelly positive with a strong recruitment and biomass increase.
Therefore, the team determines that SG60 and SG80 are met.

C	Management strategy implementation			
	Guide post		There is **some evidence** that the measures/partial strategy is being **implemented successfully**.	There is **clear evidence** that the partial strategy/strategy is being **implemented successfully and is achieving its overall objective as set out in scoring issue (a).**
	Met?		Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – N/A GSL fall spawner herring – N/A Unit 1 redfish – N/A Gaspésie lobster fishery - No

Rationale

Note that as per GSA3.4.2 "If bait is purchased and it is main, teams need to assess the management and information PIs for the bait fishery for all scoring issues at the SG60 and SG80 levels". The rationale is structured as for scoring issue (a).

Gaspésie lobster trap fishery
There is some evidence that the measures/partial strategy is being implemented successfully.
Bait used (species, amount, and condition) is reported in logbooks. Records show that the amount of bait used shows a general decreasing trend. Information recorded in the logbooks shows that 664 kg of mackerel were used in 2017 whereas 823 kg and 775 kg were used in 2016 and 2015, respectively. Information on bait is mandatory to be recorded in logbooks.
There is no minor primary species. Although the team determines that SG100 is met for minor primary species that may be caught in traps, SG100 is not met for main primary species as it's not clear yet if the fishery strategy to manage species used as bait is achieving its overall objective, preventing the fishery from meeting SG100.

Atlantic mackerel
There is some evidence that the measures/partial strategy is being implemented successfully.
New management measures have been implemented in 2017 in the Gulf of St Lawrence to improve monitoring and reporting of catches in mackerel fisheries. These measures include mandatory hail-in reporting estimated weight of catch for every fishing trip and 25% dockside monitoring coverage for landings.
A rebuilding plan working group (RPWG) is currently developing a management strategy evaluation (MSE) framework and has met several times a year since 2017. The group has discussed management measures and options to facilitate the mackerel stock recovery. Measures were discussed and implemented in 2019. The stock is currently in the Critical Zone of the

PI 2.1.2	There is a strategy in place that is designed to maintain or to not hinder rebuilding of primary species, and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch

Precautioary Approach with 2018 SSB being 77% of the LRP. Atlantic mackerel stock is considered to be below the PRI. SSB shows a slow increasing trend from 2016 to 2018. Although short term projections over three years shows that, even under the most restrictive exploitation scenarios, SSB will unlikely be greater than the LRP, SSB shows a slow increasing trend from 2016 to 2018.
Therefore, the team determines that SG80 is met.

GSL fall spawner herring
There is some evidence that the measures/partial strategy is being implemented successfully.
The GSL herring fishery is managed under an IFMP, there is a fishing season, a TAC, daily and weekend closures, and a depth restriction. SSB below the upper stock reference level and well above the limit reference point, and overfishing is not occurring.
Therefore, the team determines that SG80 is met.

Unit 1 redfish stocks
There is some evidence that the measures/partial strategy is being implemented successfully.
The Unit 1 redfish fishing is under a moratorium since 1995. A TAC is established for index fishing since 1999.The harvest strategy includes conservation measures such as a MLS, a bycatch protocol, closure periods to protect redfish mating and spatial closures. Although mature biomasses are still below the limit reference point, redfish stocks being considered to be below the PRI, stocks have improved. Prospects for redfish stocks in Unit 1 are extremelly positive with a strong recruitment and biomass increase.
Therefore, the team determines that SG80is met.

d	Shark finning			
	Guide post	It is **likely** that shark finning is not taking place.	It is **highly likely** that shark finning is not taking place.	There is a **high degree of certainty** that shark finning is not taking place.
	Met?	**NA**	**NA**	**NA**

Rationale

There is no shark caught.

e	Review of alternative measures			
	Guide post	There is a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of main primary species.	There is a **regular** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of main primary species and they are implemented as appropriate.	There is a **biennial** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of all primary species, and they are implemented, as appropriate.
	Met?	**NA**	**NA**	**NA**

Rationale

There are no unwanted catches of primary species. All primary species are species used as bait that are not caught and landed during lobster fishing but buy from outside the UoA. There are no minor primary species caught in lobster traps.

References

Information on bait used provided by the RPPSG and DFO

Brassard, C., Bourdages, H., Duplisea, D., Gauthier, J., and Valentin, A. 2017. The status of the redfish stocks (*Sebastes fasciatus* and *S. mentella*) in Unit 1 (Gulf of St. Lawrence) in 2015. DFO Can. Sci. Advis. Sec. Res. Doc. 2017/023. ix + 53 p. http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ResDocs-DocRech/2017/2017_023-eng.html

PI 2.1.2	There is a strategy in place that is designed to maintain or to not hinder rebuilding of primary species, and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch

DFO 2017a. Composition, quantity, and survival of incidental catch during the southern Gulf of St Lawrence lobster (*Homarus americanus*) fishery. Presentation made for the 11th International Conference & Workshop on Lobster Biology and Management held in Portland (Maine, US) in June 2017.

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

DFO 2018c. Assessment of the southern Gulf of St. Lawrence (NAFO Div. 4T) spring and fall spawner components of Atlantic herring (*Clupea harengus*) with advice for the 2018 and 2019 fisheries. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2018/029. http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2018/2018_029-eng.html

DFO. 2018d. Assessment of Redfish Stocks (Sebastes mentella and S. fasciatus) in Units 1 and 2 in 2017. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2018/032.
https://waves-vagues.dfo-mpo.gc.ca/Library/40713684.pdf

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Gendron, L. et C. Duluc. 2012. Bycatch in the lobster fishery in the Gaspé (LFAs 19 and 20) and the Magdalen Islands (LFA 22), Quebec, in 2011. DFO Can. Sci. Advis. Sec. Res. Doc. 2012/100.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ResDocs-DocRech/2012/2012_100-eng.html

Information gap indicator	Information sufficient to score PI

Overall Performance Indicator scores added at Public Certification Report

Individual scoring elements (add rows as required; delete if not scoring by elements)		Applicable SGs met per individual scoring element			Scoring element scores
		SG60	SG80	SG100	
1	Atlantic mackerel fishery	2 of 2	3 of 3	N/A	**80**
2	Fall spawner herring in the GSL fishery	2 of 2	3 of 3	N/A	**80**
3	Redfish stocks in Unit 1 fishery	2 of 2	3 of 3	N/A	**80**
4	Gaspésie lobster trap fishery	2 of 2	3 of 3	1 of 3	**85**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
		2 of 2	3 of 3	1 of 3	**85**
Condition number (if relevant)					**N/A**

PI 2.1.3 – Primary species information

PI 2.1.3		Information on the nature and extent of primary species is adequate to determine the risk posed by the UoA and the effectiveness of the strategy to manage primary species		
Scoring Issue		SG 60	SG 80	SG 100
a	Information adequacy for assessment of impact on main primary species			
	Guide post	Qualitative information is **adequate to estimate** the impact of the UoA on the main primary species with respect to status. **OR** **If RBF is used to score PI 2.1.1 for the UoA:** Qualitative information is adequate to estimate productivity and susceptibility attributes for main primary species.	Some quantitative information is available and is **adequate to assess** the impact of the UoA on the main primary species with respect to status. **OR** **If RBF is used to score PI 2.1.1 for the UoA:** Some quantitative information is adequate to assess productivity and susceptibility attributes for main primary species.	Quantitative information is available and is **adequate to assess with a high degree of certainty** the impact of the UoA on main primary species with respect to status.
	Met?	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – N/A GSL fall spawner herring – N/A Unit 1 redfish – N/A Gaspésie lobster fishery - No

Rationale

As per GSA3.4.2 "If bait is purchased and it is main, teams need to assess the management and information PIs for the bait fishery for all scoring issues at the SG60 and SG80 levels". Therefore the rationale is structured to consider the adequacy of information for the UoA and the adequacy of information within the fisheries the bait species are caught in.

Gaspésie lobster trap fishery

Some quantitative information is available and is adequate to assess the impact of the UoA on the main primary species with respect to status.

Main primary species are Atlantic mackerel, GSL fall spawner herring and Unit 1 redfish used as bait. These species are not caught in lobster traps but purchased from outside the UoA. Bait used (species, amount, and condition) is reported in logbooks. Atlantic mackerel, GSL fall spawner herring and Unit 1 redfish stock status is assessed. The amount used as bait during a lobster fishing season is approximately 700 t of mackerel, 110 t of herring and 60 t for redfish.

In addition, an independent research project on bait use was carried out by the Quebec Aquaculture and Fisheries Innovation Center (MERINOV) during the 2012 lobster fishing season. This study concluded that Atlantic mackerel and GSL fall spawner herring were the main species used as bait.

The stock status of species of main primary species is assessed.

Therefore, the team determines that SG60 and SG80 are met. However, the team determines that SG100 is not met because the information on bait use (species, amount, origin) recorded in lobster logbooks cannot be defined as "high degree of certainty" and a higher quality data collection such as the Merinov bait project has not been conducted since 2012.

Atlantic mackerel

New management measures have been implemented in 2017 in the Southern Gulf of St Lawrence to improve monitoring and reporting of catches in mackerel fisheries. These measures include mandatory hail-in reporting estimated weight of catch for every fishing trip and 25% dockside monitoring coverage for landings.

Atlantic mackerel stock status is assessed.

Therefore, the team determines that SG60 and SG80 are met.

GSL fall spawner herring

PI 2.1.3	Information on the nature and extent of primary species is adequate to determine the risk posed by the UoA and the effectiveness of the strategy to manage primary species

The fishery is subject to 100% dockside monitoring since 2000 in most Herring Fishing Areas. In addition, DFO conduct interviews with herring gillnet fishers.
GSL fall spawner herring stock status is assessed.
Therefore, the team determines that SG60 and SG80 are met.

Unit 1 redfish stocks
Redfish conservation measures include 100% dockside monitoring, mandatory radio reports upon departure and arrival, imposition of a level of coverage by observers (25% or 10% with the Vessel Monitoring System (VMS), and the implementation of a bycatch protocol (5% to 15%).
Unit 1 redfish stocks status is assessed.
Therefore, the team determines that SG60 and SG80 are met.

b	Information adequacy for assessment of impact on minor primary species			
	Guide post			Some quantitative information is adequate to estimate the impact of the UoA on minor primary species with respect to status.
	Met?			**N/A**

Rationale

There is no minor primary species.

c	Information adequacy for management strategy			
	Guide post	Information is adequate to support **measures** to manage **main** primary species.	Information is adequate to support a **partial strategy** to manage **main** primary species.	Information is adequate to support a **strategy** to manage **all** primary species, and evaluate with a **high degree of certainty** whether the strategy is achieving its objective.
	Met?	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – Yes GSL fall spawner herring – Yes Unit 1 redfish – Yes Gaspésie lobster fishery - Yes	Atlantic mackerel – N/A GSL fall spawner herring – N/A Unit 1 redfish – N/A Gaspésie lobster fishery - No

Rationale

As per GSA3.4.2 "If bait is purchased and it is main, teams need to assess the management and information PIs for the bait fishery for all scoring issues at the SG60 and SG80 levels". Therefore the rationale is structured to consider the adequacy of information for the UoA and the adequacy of information within the fisheries the bait species are caught in.

Gaspésie lobster trap fishery
Information is adequate to support a partial strategy to manage main primary species.
Main primary species are Atlantic mackerel, GSL fall spawner herring and Unit 1 redfish used as bait. These species are not caught in lobster traps but purchased from outside the UoA. Bait used (species, amount, and condition) is reported in logbooks.
Atlantic mackerel, GSL fall spawner herring and Unit 1 redfish stocks status is assessed.
In addition, an independent research project on bait use was carried out by the Quebec Aquaculture and Fisheries Innovation Center (MERINOV) during the 2012 lobster fishing season. This study concluded that Atlantic mackerel and GSL fall spawner herring were the main species used as bait.
The stock status of species of main primary species is assessed.
Therefore, the team determines that SG60 and SG80 are met. However, the team determines that SG100 is not met because the information on bait use (species, amount, origin) recorded in lobster logbooks cannot be defined as "high degree of certainty" and a higher quality data collection such as the Merinov bait project has not been conducted since 2012.

PI 2.1.3	Information on the nature and extent of primary species is adequate to determine the risk posed by the UoA and the effectiveness of the strategy to manage primary species

Atlantic mackerel

Information is adequate to support a partial strategy to manage main primary species.

New management measures have been implemented in 2017 in the Southern Gulf of St Lawrence to improve monitoring and reporting of catches in mackerel fisheries. These measures include mandatory hail-in reporting estimated weight of catch for every fishing trip and 25% dockside monitoring coverage for landings.

Atlantic mackerel stock status is assessed.

Therefore, the team determines that SG60 and SG80 are met.

GSL fall spawner herring

Information is adequate to support a partial strategy to manage main primary species.

The fishery is subject to 100% dockside monitoring since 2000 in most Herring Fishing Areas. In addition, DFO conduct interviews with herring gillnet fishers.

GSL fall spawner herring stock status is assessed.

Therefore, the team determines that SG60 and SG80 are met.

Unit 1 redfish stocks

Information is adequate to support a partial strategy to manage main primary species.

Redfish conservation measures include 100% dockside monitoring, mandatory radio reports upon departure and arrival, imposition of a level of coverage by observers (25% or 10% with the Vessel Monitoring System (VMS), and the implementation of a bycatch protocol (5% to 15%).

Unit 1 redfish stocks status is assessed.

Therefore, the team determines that SG60 and SG80 are met.

References

Information on bait used provided by the RPPSG

Brassard, C., Bourdages, H., Duplisea, D., Gauthier, J., and Valentin, A. 2017. The status of the redfish stocks (*Sebastes fasciatus* and *S. mentella*) in Unit 1 (Gulf of St. Lawrence) in 2015. DFO Can. Sci. Advis. Sec. Res. Doc. 2017/023. ix + 53 p. http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ResDocs-DocRech/2017/2017_023-eng.html

DFO 2017a. Composition, quantity, and survival of incidental catch during the southern Gulf of St Lawrence lobster (*Homarus americanus*) fishery. Presentation made for the 11th International Conference & Workshop on Lobster Biology and Management held in Portland (Maine, US) in June 2017.

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DFO. 2018d. Assessment of Redfish Stocks (Sebastes mentella and S. fasciatus) in Units 1 and 2 in 2017. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2018/032. https://waves-vagues.dfo-mpo.gc.ca/Library/40713684.pdf

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Laplante, J.F., J. Laurent, M.H. Bénard, A. Kenny 2013. Utilisation des appâts traditionnels dans les pêcheries commerciales de homard des Îles-de-la-Madeleine et de la Gaspésie. MERINOV, Rapport de Recherche-Développement n°13-04. 28 p.

Overall Performance Indicator scores added at Public Certification Report

Individual scoring elements	Applicable SGs met per individual scoring element	

PI 2.1.3	Information on the nature and extent of primary species is adequate to determine the risk posed by the UoA and the effectiveness of the strategy to manage primary species				
(add rows as required; delete if not scoring by elements)		SG60	SG80	SG100	Scoring element scores
1	Atlantic mackerel fishery	2 of 2	2 of 2	N/A	**80**
2	Fall spawner herring in the GSL fishery	2 of 2	2 of 2	N/A	**80**
3	Redfish in Unit 1 fishery	2 of 2	2 of 2	N/A	**80**
4	Gaspésie lobster fishery	2 of 2	2 of 2	0 of 2	**80**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
		2 of 2	2 of 2	1 of 3	**80**
Condition number (if relevant)					**N/A**

2 of 2

PI 2.2.1 – Secondary species outcome

PI 2.2.1		The UoA aims to maintain secondary species above a biologically based limit and does not hinder recovery of secondary species if they are below a biological based limit		
Scoring Issue		SG 60	SG 80	SG 100
a	Main secondary species stock status			
	Guide post	Main secondary species are **likely** to be above biologically based limits. OR If below biologically based limits, there are **measures** in place expected to ensure that the UoA does not hinder recovery and rebuilding.	Main secondary species are **highly likely** to be above biologically based limits. OR If below biologically based limits, there is either **evidence of recovery** or a **demonstrably effective partial strategy** in place such that the UoA does not hinder recovery and rebuilding. AND Where catches of a main secondary species outside of biological limits are **considerable**, there is either **evidence of recovery** or a, **demonstrably effective strategy in place between those MSC UoAs that have considerable catches of the species**, to ensure that they collectively do not hinder recovery and rebuilding.	There is a **high degree of certainty** that main secondary species are above biologically based limits.
	Met?	**N/A**	**N/A**	**N/A**
Rationale				
There are no main secondary species.				
b	Minor secondary species stock status			
	Guide post			Minor secondary species are highly likely to be above biologically based limits. OR If below biologically based limits', there is evidence that the UoA does not hinder the recovery and rebuilding of secondary species
	Met?			**Yes**
Rationale				
The team elected not to score minor secondary species using the RBF. Minor secondary species are listed in Table 18 of section 8.3.1.2.				

PI 2.2.1	The UoA aims to maintain secondary species above a biologically based limit and does not hinder recovery of secondary species if they are below a biological based limit

Rock crab constitutes the majority of non-target species catch. According to the last stock startut report, CPUE are stable and size structure and average sizes have improved.

Although the status of minor secondary species related to biologically based limits is unknown, there is evidence that the UoA does not hinder the recovery and rebuilding of secondary species. There is strong scientific evidence that non-target species are release alive with very low post-capture mortality.

As per GSA3.4.3," very low post capture mortality is interpreted as no less than a 90% survival rate. In cases where scientific evidence is not available for the particular fishery, studies pertaining to similar fisheries can be used with appropriate rationales provided."

A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations, and the bycatch composition is very similar with rock crab, cunner and sculpin accounting for the bulk of bycatch.

As per PF5.3.2.1, if the team has not scored minor species using the PSA analysis (RBF), the final PI score shall not be greater than 80.

References

Information provided by DFO

DFO 2017a. Composition, quantity, and survival of incidental catch during the southern Gulf of St Lawrence lobster (*Homarus americanus*) fishery. Presentation made for the 11th International Conference & Workshop on Lobster Biology and Management held in Portland (Maine, US) in June 2017.

DFO 2018b. Assessment of rock crab stock status in Quebec in 2016. DFO Can. Sci. Adv Secr., Sci. Adv. 2018/044. http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2018/2018_044-eng.html

Overall Performance Indicator scores added at Public Certification Report

Individual scoring elements (add rows as required; delete if not scoring by elements)		Applicable SGs met per individual scoring element			Scoring element scores
		SG60	SG80	SG100	
1	Minor secondary species	0 of 0	0 of 0	1 of 1	**100**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
		0 of 0	0 of 0	1 of 1	**80 as per PF5.3.2.1**
Condition number (if relevant)					**N/A**

PI 2.2.2 – Secondary species management strategy

PI 2.2.2		There is a strategy in place for managing secondary species that is designed to maintain or to not hinder rebuilding of secondary species and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch		
Scoring Issue		SG 60	SG 80	SG 100
a	Management strategy in place			
	Guide post	There are **measures** in place, if necessary, which are expected to maintain or not hinder rebuilding of main secondary species at/to levels which are highly likely to be above biologically based limits or to ensure that the UoA does not hinder their recovery.	There is a **partial strategy** in place, if necessary, for the UoA that is expected to maintain or not hinder rebuilding of main secondary species at/to levels which are highly likely to be above biologically based limits or to ensure that the UoA does not hinder their recovery.	There is a **strategy** in place for the UoA for managing main and minor secondary species.
	Met?	**N/A**	**N/A**	**Yes**

Rationale

There is no main secondary species.

MSC FCP v.2.1 Table SA8 Principle 2 Phrases states that "if necessary" is used in management PIs at SG60 and 80 for P2 component for excluding the assessment of UoAs that do not impact the relevant component at these SG levels. Therefore in the absence of main secondary species, SG60 and SG80 are not scored.

Lobster fishing is a limited entry fishery, there is a trap allocation, number of licences are capped, there is a fishing season, size of traps are lmited. Fishing effort was reduced though a reduction in the number of licences and traps per licence from 1998 to 2005 and after 2009, it is prohibited to haul and bait traps more than once a day. All non-target species, except male rock crab which is allowed to be retained, must be returned to the water and released in the exact capture location with as little harm as possible, escape vents and biodegradable panels are required. Information on non-target species catches is recorded in logbooks. In addition, two independent bycatch projects were carried out: a bycatch survey was carried out by DFO during the 2011 fishing season and a bycatch project was carried out by Merinov in LFA 20 during the 2015 fishing season.
Therefore, the team determines that there is a strategy in place for the UoA for managing main and minor secondary species.
SG100 is met.

b	Management strategy evaluation			
	Guide post	The measures are considered **likely** to work, based on plausible argument (e.g. general experience, theory or comparison with similar UoAs/species).	There is **some objective basis for confidence** that the measures/partial strategy will work, based on some information directly about the UoA and/or species involved.	**Testing** supports **high confidence** that the partial strategy/strategy will work, based on information directly about the UoA and/or species involved.
	Met?	**N/A**	**N/A**	**No**

Rationale

There is no main secondary species so SG60 and SG80 are not scored.

Non-target species catches are mandatory to be recorded in logbooks. In addition, two independent bycatch projects were carried out: a bycatch survey was carried out by DFO during the 2011 fishing season and a bycatch project was carried out by Merinov in LFA 20 during the 2015 fishing season.The bycatch composition from logbooks and the surveys is similar, and both bycatch data collection methods show a very low level of bycatch with most of the bycatch species accounting for less than 2% of the total catch.
There is strong scientific evidence that non-target species are release alive with very low post-capture mortality.

PI 2.2.2	There is a strategy in place for managing secondary species that is designed to maintain or to not hinder rebuilding of secondary species and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch

As per GSA3.4.3,*" very low post capture mortality is interpreted as no less than a 90% survival rate. In cases where scientific evidence is not available for the particular fishery, studies pertaining to similar fisheries can be used with appropriate rationales provided."*

A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations, and the bycatch composition is very similar with rock crab, cunner and sculpin accounting for the bulk of bycatch.

However, there is no testing specific to the Gaspésie lobster fishery, preventing the fishery from meeting SG100.

c	Management strategy implementation			
	Guide post		There is **some evidence** that the measures/partial strategy is being **implemented successfully**.	There is **clear evidence** that the partial strategy/strategy is being **implemented successfully and is achieving its objective as set out in scoring issue (a).**
	Met?		**N/A**	**Yes**

Rationale

There is no main secondary species so SG80 is not scored.

There is **clear evidence** that the partial strategy/strategy is being **implemented successfully and is achieving its overall objective as set out in scoring issue (a).**

Non-target species catches are mandatory to be recorded in logbooks. In addition, two independent bycatch projects were carried out: a bycatch survey was carried out by DFO during the 2011 fishing season and a bycatch project was carried out by Merinov in LFA 20 during the 2015 fishing season. The bycatch composition from logbooks and the two independent bycatch surveys is similar, and both bycatch data collection methods show a very low level of bycatch with most of the bycatch species accounting for less than 2% of the total catch.

There is strong scientific evidence that non-target species are release alive with very low post-capture mortality.

As per GSA3.4.3,*" very low post capture mortality is interpreted as no less than a 90% survival rate. In cases where scientific evidence is not available for the particular fishery, studies pertaining to similar fisheries can be used with appropriate rationales provided."*

A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations, and the bycatch composition is very similar with rock crab, cunner and sculpin accounting for the bulk of bycatch.

Moreover, a comprehensive monitoring, control and surveillance system continues to be implemented in the fishery and compliance to regulations remains very high with a level of recidivism in the fishery to be extremely low.

Therefore, the team determines that SG100 is met.

d	Shark finning			
	Guide post	It is **likely** that shark finning is not taking place.	It is **highly likely** that shark finning is not taking place.	There is a **high degree of certainty** that shark finning is not taking place.
	Met?	**NA**	**NA**	**NA**

PI 2.2.2	There is a strategy in place for managing secondary species that is designed to maintain or to not hinder rebuilding of secondary species and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch		
Rationale			
Sharks are no caught in lobster traps.			
e	Review of alternative measures to minimise mortality of unwanted catch		
	Guide post	There is a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of **unwanted** catch of main secondary species.	There is a **regular** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of **unwanted** catch of main secondary species and they are implemented as appropriate.	There is a **biennial** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of **unwanted** catch of all secondary species, and they are implemented, as appropriate.
	Met?	**N/A**	**N/A**	**Yes**

Rationale

There is no main secondary species so SG60 and SG80 are not scored.

There is a **biennial** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of **unwanted** catch of all secondary species, and they are implemented, as appropriate.

Unwanted catches of rock crab discarded, and all other non-target species that must be returned to the sea with less possible harm. Traps are equipped with mandatory escape vents and biodegradable panels.
The effectiveness of current measures are controlled throughout the season by dockside and at-sea inspections. An annual post-fishing season review is conducted to evaluate the effectiveness of management measures. This post-season review is followed by the Lobster Advisory Committee meeting during which new management measures, including traps modifications and other measures to minimise UoA-related impact of non-target species, can be reviewed, proposed and discussed.
Also, A collaborative research project, “Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence”, led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations, and the bycatch composition is very similar with rock crab, cunner and sculpin accounting for the bulk of bycatch.
Therefore, the audit team considers that there is a biennial review of the effectiveness of alternative management measures, the fishery meeting SG60, SG80 and SG100.

References

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

Gendron, L. et C. Duluc. 2012. Bycatch in the lobster fishery in the Gaspé (LFAs 19 and 20) and the Magdalen Islands (LFA 22), Quebec, in 2011. DFO Can. Sci. Advis. Sec. Res. Doc. 2012/100.
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Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met	Overall score

PI 2.2.2	There is a strategy in place for managing secondary species that is designed to maintain or to not hinder rebuilding of secondary species and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch			
	SG60	SG80	SG100	
	N/A	N/A	3 of 4	**95**
Condition number (if relevant)				**N/A**

PI 2.2.3 – Secondary species information

PI 2.2.3		Information on the nature and amount of secondary species taken is adequate to determine the risk posed by the UoA and the effectiveness of the strategy to manage secondary species		
Scoring Issue		SG 60	SG 80	SG 100
a	Information adequacy for assessment of impacts on main secondary species			
	Guide post	Qualitative information is **adequate to estimate** the impact of the UoA on the main secondary species with respect to status. OR **If RBF is used to score PI 2.2.1 for the UoA:** Qualitative information is adequate to estimate productivity and susceptibility attributes for main secondary species.	Some quantitative information is available and **adequate to assess** the impact of the UoA on main secondary species with respect to status. OR **If RBF is used to score PI 2.2.1 for the UoA:** Some quantitative information is adequate to assess productivity and susceptibility attributes for main secondary species.	Quantitative information is available and **adequate to assess with a high degree of certainty** the impact of the UoA on main secondary species with respect to status.
	Met?	**Yes**	**Yes**	**No**

Rationale

Some quantitative information is available and **adequate to assess** the impact of the UoA on main secondary species with respect to status.

There are no main secondary species.
Non-target species catches are mandatory to be recorded in logbooks. In addition, two independent bycatch projects were carried out: a bycatch survey was carried out by DFO during the 2011 fishing season and a bycatch project was carried out by Merinov in LFA 20 during the 2015 fishing season. The bycatch composition from logbooks and the two independent bycatch surveys is similar, and both bycatch data collection methods show a very low level of bycatch with most of the bycatch species accounting for less than 2% of the total catch.

There is strong scientific evidence that non-target species are release alive with very low post-capture mortality.
As per GSA3.4.3,*" very low post capture mortality is interpreted as no less than a 90% survival rate. In cases where scientific evidence is not available for the particular fishery, studies pertaining to similar fisheries can be used with appropriate rationales provided."*
A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations, and the bycatch composition is very similar with rock crab, cunner and sculpin accounting for the bulk of bycatch.

Therefore the the team determines that SG60 and SG80 are met. However, the team determines that quantitative information is not available and **adequate to assess with a high degree of certainty** the impact of the UoA on main secondary species with respect to status, preventing the fishery from meeting SG100.

b	Information adequacy for assessment of impacts on minor secondary species

PI 2.2.3		Information on the nature and amount of secondary species taken is adequate to determine the risk posed by the UoA and the effectiveness of the strategy to manage secondary species		
	Guide post			Some quantitative information is adequate to estimate the impact of the UoA on minor secondary species with respect to status.
	Met?			**Yes**

Rationale

Some quantitative information is adequate to estimate the impact of the UoA on minor secondary species with respect to status.

Non-target species catches are mandatory to be recorded in logbooks. In addition, two independent bycatch projects were carried out: a bycatch survey was carried out by DFO during the 2011 fishing season and a bycatch project was carried out by Merinov in LFA 20 during the 2015 fishing season. The bycatch composition from logbooks and the two independent bycatch surveys is similar, and both bycatch data collection methods show a very low level of bycatch with most of the bycatch species accounting for less than 2% of the total catch.
There is strong scientific evidence that non-target species are release alive with very low post-capture mortality.
As per GSA3.4.3," very low post capture mortality is interpreted as no less than a 90% survival rate. In cases where scientific evidence is not available for the particular fishery, studies pertaining to similar fisheries can be used with appropriate rationales provided."
A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations, and the bycatch composition is very similar with rock crab, cunner and sculpin accounting for the bulk of bycatch.
Therefore the fishery meets SG100.

C	Information adequacy for management strategy			
	Guide post	Information is adequate to support **measures** to manage **main** secondary species.	Information is adequate to support a **partial strategy** to manage **main** secondary species.	Information is adequate to support a **strategy** to manage **all** secondary species, and **evaluate** with a **high degree of certainty** whether the strategy is **achieving its objective**.
	Met?	**Yes**	**Yes**	**No**

Rationale

Information is adequate to support a **partial strategy** to manage **main** secondary species.

Non-target species catches are mandatory to be recorded in logbooks. In addition, two independent bycatch projects were carried out: a bycatch survey was carried out by DFO during the 2011 fishing season and a bycatch project was carried out by Merinov in LFA 20 during the 2015 fishing season. The bycatch composition from logbooks and the two independent bycatch surveys is similar, and both bycatch data collection methods show a very low level of bycatch with most of the bycatch species accounting for less than 2% of the total catch.
There is strong scientific evidence that non-target species are release alive with very low post-capture mortality.
As per GSA3.4.3," very low post capture mortality is interpreted as no less than a 90% survival rate. In cases where scientific evidence is not available for the particular fishery, studies pertaining to similar fisheries can be used with appropriate rationales provided."
A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations

PI 2.2.3	Information on the nature and amount of secondary species taken is adequate to determine the risk posed by the UoA and the effectiveness of the strategy to manage secondary species

are similar to the Southern Gulf of St Lawrence lobster fishery operations, and the bycatch composition is very similar with rock crab, cunner and sculpin accounting for the bulk of bycatch.

Therefore the the team determines that SG60 and SG80 are met. However, the team determines that quantitative information is not **adequate to assess with a high degree of certainty** whether the strategy is achieving its objectives as, preventing the fishery from meeting SG100.

References

Information from logbooks provided by DFO

DFO 2017a. Composition, quantity, and survival of incidental catch during the southern Gulf of St Lawrence lobster (*Homarus americanus*) fishery. Presentation made for the 11th International Conference & Workshop on Lobster Biology and Management held in Portland (Maine, US) in June 2017.

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Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	2of 2	1 of 3	**85**
Condition number (if relevant)				**N/A**

PI 2.3.1 – ETP species outcome

PI 2.3.1		The UoA meets national and international requirements for the protection of ETP species The UoA does not hinder recovery of ETP species		
Scoring Issue		SG 60	SG 80	SG 100
a	Effects of the UoA on population/stock within national or international limits, where applicable			
	Guide post	Where national and/or international requirements set limits for ETP species, the **effects of the UoA** on the population/ stock are known and **likely** to be within these limits.	Where national and/or international requirements set limits for ETP species, the **combined effects of the MSC UoAs** on the population /stock are known and **highly likely** to be within these limits.	Where national and/or international requirements set limits for ETP species, there is a **high degree of certainty** that the **combined effects of the MSC UoAs** are within these limits.
	Met?	Wolffish – **N/A** Leatherback turtle – **N/A** Blue whale – **N/A** NARW- **Yes**	Wolffish – **N/A** Leatherback turtle – **N/A** Blue whale – **N/A** NARW- **No**	Wolffish – **N/A** Leatherback turtle – **N/A** Blue whale – **N/A** NARW- **Not scored**

Rationale

ETP species that may overlap with the Gaspésie lobster trap fishery includes wolffish species, leatherback turtle, blue whale and NARW.
According to GSA3.10 (when there are two EEZs both with different limit and no international limit set) and MSC 2016 interpretation on cumulative impacts, the team assessed the combined impacts of Canada v.2.0/v.2.1 UoAs in relation to the Canada national limit. Overlapping fisheries considered are the Gulf of St Lawrence snow crab trap fishery, Scotian Shelf snow crab trap fishery, the Newfoundland & Labrador snow crab trap fishery, the Îles-de-la-Madeleine lobster trap fishery, the AQIP snow crab trap, the Maritime Canada inshore lobster trap fishery, and the Canada Scotian Shelf prawn trawl and trap.

Wolffish species
Not scored as there are no national or international requirements that set limits for wolffish species (SA3.10.1.1).

Leatherback turtle
Not scored as there are no national or international requirements that set limits for leatherback turtle (SA3.10.1.1).

Blue whale
Not scored for blue whale as there are no national or international requirements that set limits for blue whale (SA3.10.1.1).

NARW
The NARW is listed as endangered and protected under Schedule 1 of SARA, as such no person can: kill, harm, harass, capture or take, possess, collect, buy, sell or trade NARW. The Recovery Potential Assessment (RPA) for the NARW developed in 2007 states: "There is no scope for allowable human-induced mortality, since population abundance is estimated as critically low and the population appears to be declining toward extinction". The national limit for the protection and rebuilding of the NARW is a zero-mortality. In the U.S., the PBR has been set as a limit and is 1 per year for NARW. There is no international limit set through an international agreement for the NARW. Fisheries do not have a SARA Permit or a Fisheries Act Authorization or an exemption in their Commercial fishing licences conditions allowing to harm the species.
NARW mortality and entanglement incidents involving the Gaspésie lobster trap fishery have not been reported in the last decade. The probability of interaction between the lobster fishey and NARW is very low based on the fishing effort distribution and lobster fishing operations. Lobster traps are set very close to the shore in shallow waters (verified by the assessment team during the initial assessment site visit). There is thus low overlapping between lobster fishing grounds and areas where whales occur. This has been confirmed by a review of NARW occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters published in June 2019. This review mentions that available data indicate that NARW are rare in shallow waters (<20 ftm/50 m) although NARW may use shallow waters to transit among deep-water foraging areas. It concludes that although NARW appear to be relatively rare i shallow waters, the risk of entanglement is not zero.
DFO confirmed that NARW has not been observed in waters less than 20 ftm and 10 ftm in Gaspé Peninsula, therefore the shallow protocol lines have not been applied.

PI 2.3.1	The UoA meets national and international requirements for the protection of ETP species The UoA does not hinder recovery of ETP species

Therefore, the team determines that SG60 is met.

In 2017, an unprecedented NARW mortality event occurred in the GSL. Necropsies were performed on 7 of the 12 dead whales, it was confirmed that 2 of the NARW mortalities was caused by an entanglement in commercial snow crab fishing gear.
In 2018, there was zero NARW mortality reported/observed in Canada. In November 2018, DFO reported three entanglement incidents for 2018: 2 in the GSL and one from either the GSL or Bay of Fundy. These reported entanglements occurred when GSL losbter and snow crab fisheries were closed, and there is no evidence that they have led to mortalities.
In 2019, 9 dead NARW were reported in Canadian waters including 7 in the GSL. Five necropsies were performed. Preliminary examinations determined that death of three whales was due to vessel strike. Preliminary results for the other two were inconclusive. For all individual, additional analyses are being conducted and final results are still pending. According to DFO, none of the NARW found dead in Canadian waters had fresh entanglements scars and for now there is no confirmation that mortalities in Canadian waters were caused by entanglement in fishing gears.
Between June 29th and August 6th, 2019, four free-swimming entangled right whales were reported in the GSL. However, fishing gear has not been identified and there is no evidence that these entanglement led to mortalities in Canada waters. Whale # 4423 was sighted entangled in the GSL in July 2019. However, this whale has been first sighted entangled in the Great South Channel (U.S) on April 25th, 2019. The whale has been resighted on October 28th, 2019 in the GSL gear free but in poor condition. Whale # 4440 was sighted entangled on June 29th, 2019. The whale was resighted in August gear free. Whale # 3125 was sighted entangled in July 4th, 2019. Several disentanglement attempts were made in July and August. A disentanglement team east of Cape Cod was able to cut some lines on August 2nd, 2019. The whale was able to open its mouth but was in poort condition.
Whale # 1226 was found dead off the coast of New York (U.S.) on 16th September, 2019 and as per Pettis et *al* (2020), entanglement (the gear responsible for the entanglement has not been identified) was identified as the cause of death. However, NOAA Fisheries mentioned that the cause of death is pending determination. This whale was last sighted gear free in the GSL in July 2019 and was re-sighted in the GSL entangled on August 6th, 2019 when all lobster and snow crab fisheries were closed.
The team has taken into account the above information and MSC SA3.10.3, which states that, "…when assessing (PI 2.3.1) scoring issue (a) and (b), the team shall take into account whether there are any changes in the catch or mortality of ETP species resulting from the implementation of measures to minimize their mortality (PI 2.3.2 scoring issue (e)).
Following the unprecedent mortality and entanglement event in 2017, management measures to minimise the risk of interactions with NARW have been implemented in 2018 and again in 2019 (section 8.3.1.3 and PI 2.3.2). Available data and information show that there is a change in the mortality of NARW following the implementation of these mitigation measures, as presented above.
However, entanglements and mortalities are still reported in Canada waters mainly in the Southern Gulf of St Lawrence. Given the uncertainty regarding the condition and survival of entangled whales and the fact that the cause of mortality is not identified in all cases, the assessment team determines that it cannot be concluded that the combined effects of the MSC UoAs are highly likely to be within the national limit. Therefore, SG80 is not met.

b	Direct effects			
	Guide post	Known direct effects of the UoA are likely to not **hinder recovery** of ETP species.	Direct effects of the UoA are **highly likely** to not **hinder recovery** of ETP species.	There is a **high degree of confidence** that there are no **significant detrimental direct effects** of the UoA on ETP species.
	Met?	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **No** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Not scored**

Rationale

Wolffish species

Catches of wolfish are presented in Table 18 of section 8.3.1.3. All bycatch of ETP species must be returned to the water and release in the exact capture location with as little harm as possible.
Post-release survival of wolffish caught in lobster traps are considered to be high. A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species including wolffish

PI 2.3.1	The UoA meets national and international requirements for the protection of ETP species The UoA does not hinder recovery of ETP species

is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations.
Therefore the fishery meets SG60 and SG80. However the team determines that SG100 is not met as there is no testing for the Gaspésie lobster that can demonstrate high degree of confidence.

Leatherback turtle
The relative probability of residency of leatherbacks around Gaspé peninsula is low. Although it was noted that notable areas not sampled by tagged turtles included Gaspésie peninsula, the author of the analysis pointed out that while opportunistic sightings of leatherbacks have occurred in this area, such records are rare relative to those corresponding to the high-use areas identified via satellite telemetry. Catch of leatherback turtles has not been reported in the Gaspésie lobster fishery.
Therefore the fishery meets SG60, SG80 and SG100.

Blue whale
Accidental entanglements in fishing gear was classified as low risk anthropogenic threats in comparison with whale watching and collisions with vessels which were classified as medium-risk anthropogenic threats, and acoustic environmental degradation and food availability which were classified as high-risk anthropogenic threats.
There have been no reported or observed blue whale interactions with the Gaspésie lobster trap fishery. Therefore the assessment team determine that both SG60, SG80 and SG100 are met.

NARW
NARW mortality and entanglement incidents involving the Gaspésie lobster trap fishery have not been reported in the last decade. The probability of interaction between the lobster fishery and NARW is very low based on the fishing effort distribution and lobster fishing operations. Lobster traps are set very close to the shore in shallow waters (verified by the assessment team during the initial assessment site visit). There is thus low overlapping between lobster fishing grounds and areas where whales occur. This has been confirmed by a review of NARW occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters published in June 2019. This review mentions that available data indicate that NARW are rare in shallow waters (<20 ftm/50 m) although NARW may use shallow waters to transit among deep-water foraging areas. It concludes that although NARW appear to be relatively rare i shallow waters, the risk of entanglement is not zero.
DFO confirmed that NARW has been observed in waters less than 20 ftm and 10 ftm in Gaspé Peninsula, therefore the shallow protocole lines have ot been applied.Therefore the assessment team determines that SG60 and SG80 are met.

C	Indirect effects			
	Guide post		Indirect effects have been considered for the UoA and are thought to be **highly likely** to not create unacceptable impacts.	There is a **high degree of confidence** that there are no **significant detrimental indirect effects** of the UoA on ETP species.
	Met?		Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Not scored**

Rationale

There is a **high degree of confidence** that there are no **significant detrimental indirect effects** of the UoA on ETP species.

Wolffish species
The lobster trap fishery does not interact with the food sources of wolffish species. Lobster traps are higly unlikely to damage wolffish habitats.
Therefore the fishery meets SG80 and SG100.

Leatherback turtle

PI 2.3.1	The UoA meets national and international requirements for the protection of ETP species The UoA does not hinder recovery of ETP species

The lobster trap fishery does not interact with the food sources of leatherback turtle. Entanglement in fishing gear can limit leatherback turtle's ability to feed, dive, breath or perform other essential behaviour. Lobster fishery interactions with leatherback turtle has not been reported in the Gaspésie lobster fishery.
Therefore the fishery meets SG80 and SG100.

Blue whale

Food availability is classified as one of the high-risk anthropogenic threats. The lobster trap fishery does not interact with the food sources of blue whale. Entanglement in fishing gear can lead to infection, difficulty moving about and feeding to the point where reproduction and survival can be compromised. Accidental entanglements in fishing gear was classified as low risk anthropogenic threats. There have been no reported or observed blue whale interactions with the Gaspésie lobster trap fishery.
Therefore the assessment team determines that SG80 ad SG100 are met.

NARW

The lobster trap fishery does not interact with the food sources of NARW. Entanglement in fishing gear can lead to infection, difficulty moving about and feeding to the point where reproduction and survival can be compromised. NARW mortality and entanglement incidents involving the Gaspésie lobster trap fishery have not been reported in the last decade. The probability of interaction between the lobster fishey and NARW is very low based on the fishing effort distribution and lobster fishing operations. Lobster traps are set very close to the shore in shallow waters (verified by the assessment team during the initial assessment site visit). There is thus low overlapping between lobster fishing grounds and areas where whales occur. This has been confirmed by a review of NARW occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters published in June 2019. This review mentions that available data indicate that NARW are rare in shallow waters (<20 ftm/50 m) although NARW may use shallow waters to transit among deep-water foraging areas. It concludes that although NARW appear to be relatively rare i shallow waters, the risk of entanglement is not zero.
DFO confirmed that NARW has been observed in waters less than 20 ftm and 10 ftm in Gaspé Peninsula, therefore the shallow protocole lines have ot been applied.
Therefore the assessment team determines that SG80 is met.

References

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https://www.narwc.org/report-cards.html

PI 2.3.1	The UoA meets national and international requirements for the protection of ETP species The UoA does not hinder recovery of ETP species

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NOAA Fisheries website
https://www.fisheries.noaa.gov/national/marine-life-distress/2017-2020-north-atlantic-right-whale-unusual-mortality-event

Overall Performance Indicator scores added at Public Certification Report

Individual scoring elements (add rows as required; delete if not scoring by elements)		Applicable SGs met per individual scoring element			Scoring element scores
		SG60	SG80	SG100	
1	Wolffish species	1 of 1	2 of 2	1 of 2	**90**
2	Leatherback turtle	1 of 1	2 of 2	2 of 2	**100**
3	Blue whale	1 of 1	2 of 2	2 of 2	**100**
4	NARW	2 of 2	2 of 3	Not scored	**75**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
		All SG60 are met	One scoring element does not meet SG80	One scoring element does not meet all SG100	**75**
Condition number (if relevant)					**1**

PI 2.3.2 – ETP species management strategy

PI 2.3.2		The UoA has in place precautionary management strategies designed to: - meet national and international requirements; - ensure the UoA does not hinder recovery of ETP species. Also, the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of ETP species		
Scoring Issue		SG 60	SG 80	SG 100
a	Management strategy in place (national and international requirements)			
	Guide post	There are **measures** in place that minimise the UoA-related mortality of ETP species, and are expected to be **highly likely to achieve** national and international requirements for the protection of ETP species.	There is a **strategy** in place for managing the UoA's impact on ETP species, including measures to minimise mortality, which is designed to be **highly likely to achieve** national and international requirements for the protection of ETP species.	There is a **comprehensive strategy** in place for managing the UoA's impact on ETP species, including measures to minimise mortality, which is designed to **achieve above** national and international requirements for the protection of ETP species.
	Met?	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **No** Leatherback turtle - **No** Blue whale - **No** NARW- **No**

Rationale

There is a **strategy** in place for managing the UoA's impact on ETP species, including measures to minimise mortality, which is designed to be **highly likely to achieve** national and international requirements for the protection of ETP species.

As per Table SA8, *a **strategy** represents a cohesive and strategic arrangement which may comprise one or more measures, an understanding of how it/they work to achieve an outcome and which should be designed to manage impact on that component specifically. A strategy needs to be appropriate to the scale, intensity and cultural context of the fishery and should contain mechanisms for the modification fishing practices in the light of the identification of unacceptable impacts. A **comprehensive strategy** is a complete and tested strategy made up of linked monitoring, analyses, and management measures and responses*.

The lobster fishery harvest strategy and fishing operations can be considered as a strategy for minimising mortality of ETP species. Lobster fishing is limited in time, there is a trap allocation, fishing effort was reduced though a reduction in the number of licences and traps per licence from 1998 to 2005 and after 2009, traps are required to set in lines in sub-areas 20B and 21A, and floating cables are not allowed. Lobster traps are set very close to the shore in shallow waters which limits the interactions with whales and spotted wolffish.

ETP species are subject to recovery strategies. The recovery strategy for the leatherback turtle and wolffish species was published in 2007, for blue whale and NARW in 2009. Recovery strategies include recovery goals and objectives.

Wolffish species

All bycatch of ETP species must be returned to the water and release in the exact capture location with as little harm as possible. Banc-des-Américains MPA was designed to also promote the recovery of wolffish.
Fact sheets including tips on how to handle and release wolffish to maximise survival have been published by DFO and distributed to harvesters. Post-release survival of wolffish caught in lobster traps is considered to be high, see section 8.3.1.2 regarding the bycatch program research conducted by DFO Gulf.
Considering this and the above, the team determines that the fishery meets SG60 and SG80. However, the strategy cannot be defined as comprehensive, preventing SG100 to be met.

Leatherback turtle

Fact sheets including tips on how to disentangle leatherback turtles safely to help increase successful disentanglement and release and improve survival have been published by DFO and distributed to harvesters. The relative probability of residency

PI 2.3.2	The UoA has in place precautionary management strategies designed to: - meet national and international requirements; - ensure the UoA does not hinder recovery of ETP species. Also, the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of ETP species

of leatherbacks around Gaspé peninsula is low. Although it was noted that notable areas not sampled by tagged turtles included Gaspésie peninsula, the author of the analysis pointed out that while opportunistic sightings of leatherbacks have occurred in this area, such records are rare relative to those corresponding to the high-use areas identified via satellite telemetry.
Considering this and the above, the team determines that the fishery meets SG60 and SG80. However, the strategy cannot be defined as comprehensive, preventing SG100 to be met.

Blue whale

Considering the above and the measures implemented for minimizing interactions with the NARW which are considered to benefit to other whale species, the team determines that the fishery meets SG60 and SG80. In addition, Banc-des-Américains MPA was designed to also promote the recovery of at-risk whales. However, the strategy cannot be defined as comprehensive, preventing SG100 to be met.

NARW

The probability of interaction between the lobster fishery and NARW is very low based on the fishing effort distribution and lobster fishing operations. Lobster traps are set very close to the shore in shallow waters (verified by the assessment team during the initial assessment site visit).
The 2019 measures to minimise interactions with NARW in the GSL were formally announced to fishers by means of a Notice to Fish Harvesters issued on April 12th, 2019. The management measures are similar to the ones applied in 2018 and remain focused on preventing entanglements.
The main adjustments for the 2019 season include:

- Adjusting the area closed to snow crab, lobster fisheries and all other non-tended fixed-gear fisheries in Atlantic Canada and Quebec to include the area where 90% of the North Atlantic Right Whale were sighted last year during the prime fishing season. This area is a little less than half the size it was in 2018 and is more elongated North-to-South than in 2018.
- Keeping the overall protection area the same in terms of the combined season-long closure area and the area where temporary 15-day closures may occur for snow crab, lobster fisheries and all other non-tended fixed-gear fisheries from the date when right whales are sighted.
- If a NARW is seen in waters between the 10 and 20 fathom shallow water protocol lines, a temporary closure will occur up to the 10 fathom shallow water protocol line. Licence holders will then be required to move their fishing gear close to the coast and will be allowed to continue fishing in waters shallower than 10 fathoms.
- If a NARW is seen in waters less than the 10 fathom shallow water protocol line, a temporary closure will occur up to the coast.
- Requirement to report retrieved gear previously reported as lost

Note that the following 2018 measures remain unchanged for 2019:

- Minimising the amout of rope floating on the surface of the water
- Additional identification of buoys
- Requirement to report lost gears
- Requirement to report marine mammal interaction using the Marine Mammal Interaction Form

In addition, Banc-des-Américains MPA was designed to also promote the recovery of at-risk whales.
Considering this and the above, the team determines that the fishery meets SG60 and SG80. However, the strategy cannot be defined as comprehensive in regards to the “tested” component, preventing SG100 to be met. Also, the team recommends the continuation of management measures as well as the monitoring program to further reduce the risk of interaction of foxed gears with the North Atlantic right whale in Quebec, Gulf and Maritimes Regions.

	Management strategy in place (alternative)			
b	Guide post	There are **measures** in place that are expected to ensure the UoA does not hinder the recovery of ETP species.	There is a **strategy** in place that is expected to ensure the UoA does not hinder the recovery of ETP species.	There is a **comprehensive strategy** in place for managing ETP species, to ensure the UoA does not hinder the recovery of ETP species.

PI 2.3.2		The UoA has in place precautionary management strategies designed to: - meet national and international requirements; - ensure the UoA does not hinder recovery of ETP species. Also, the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of ETP species		
	Met?	Wolffish – **NA** Leatherback turtle - **NA** Blue whale - **NA** NARW- **NA**	Wolffish – **NA** Leatherback turtle - **NA** Blue whale - **NA** NARW- **NA**	Wolffish – **NA** Leatherback turtle - **NA** Blue whale - **NA** NARW- **NA**
Rationale				
Not scored, SIa is scored as there are requirements for protection and rebuilding provided through national ETP legislation (SA3.11.2 and 3.11.2.1)				
C	Management strategy evaluation			
	Guide post	The measures are **considered likely** to work, based on **plausible argument** (e.g., general experience, theory or comparison with similar fisheries/species).	There is an **objective basis for confidence** that the measures/strategy will work, based on **information** directly about the fishery and/or the species involved.	The strategy/comprehensive strategy is mainly based on information directly about the fishery and/or species involved, and a **quantitative analysis** supports **high confidence** that the strategy will work.
	Met?	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **No** Leatherback turtle - **No** Blue whale - **No** NARW- **No**
Rationale				

There is an **objective basis for confidence** that the measures/strategy will work, based on **information** directly about the fishery and/or the species involved.

Wolffish species

Post-release survival of wolffish caught in lobster traps are considered to be high. A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations.
Therefore the fishery meets SG60 and SG80.

Leatherback turtle

The relative probability of residency of leatherbacks around Gaspé peninsula is low. Although it was noted that notable areas not sampled by tagged turtles included Gaspésie peninsula, the author of the analysis pointed out that while opportunistic sightings of leatherbacks have occurred in this area, such records are rare relative to those corresponding to the high-use areas identified via satellite telemetry. Catch of leatherback turtles has not been reported in the Gaspésie lobster fishery.
Therefore the fishery meets SG60 and SG80.

Blue whale

Accidental entanglements in fishing gear was classified as low risk anthropogenic threats in comparison with whale watching and collisions with vessels which were classified as medium-risk anthropogenic threats, and acoustic environmental degradation and food availability which were classified as high-risk anthropogenic threats.
There have been no reported or observed blue whale interactions with the Gaspésie lobster trap fishery. Therefore the assessment team determine that both SG60 and SG80 are met.

PI 2.3.2	The UoA has in place precautionary management strategies designed to: - meet national and international requirements; - ensure the UoA does not hinder recovery of ETP species. Also, the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of ETP species

NARW

NARW mortality and entanglement incidents involving the Gaspésie lobster trap fishery have not been reported in the last decade. The probability of interaction between the lobster fishery and NARW is very low based on the fishing effort distribution and lobster fishing operations. Lobster traps are set very close to the shore in shallow waters (verified by the assessment team during the initial assessment site visit). There is thus low overlapping between lobster fishing grounds and areas where whales occur. This has been confirmed by a review of NARW occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters published in June 2019. This review mentions that available data indicate that NARW are rare in shallow waters (<20 ftm/50 m) although NARW may use shallow waters to transit among deep-water foraging areas. It concludes that although NARW appear to be relatively rare i shallow waters, the risk of entanglement is not zero.
DFO confirmed that NARW has been observed in waters less than 20 ftm and 10 ftm in Gaspé Peninsula, therefore the shallow protocole lines have ot been applied. Therefore the assessment team determine that both SG60 and SG80 are met.

The fishery does not meet SG100 for all scoring elements as there is no quantitative analysis specific to the Gaspésie lobster fishery.

d	Management strategy implementation			
	Guide post		There is some **evidence** that the measures/strategy is being implemented successfully.	There is **clear evidence** that the strategy/comprehensive strategy is being implemented successfully and **is achieving its objective as set out in scoring issue (a) or (b).**
	Met?		Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **No** Leatherback turtle - **No** Blue whale - **No** NARW- **No**

Rationale

There is some **evidence** that the measures/strategy is being implemented successfully.

Wolffish species

Post-release survival of wolffish caught in lobster traps are considered to be high. A collaborative research project, "Bycatch composition and vitality assessment of species caught as bycatch during the lobster fishery in the Southern Gulf of St Lawrence", led by DFO Gulf Region has been implemented in 2015. It was determined that survival of all returned species is very high with 98% of observed individuals had no visible injury, no mortality observed during vitality observations and there is no averted stomach or bloated swim bladder in fish caught. Gaspésie lobster fishery operations are similar to the Southern Gulf of St Lawrence lobster fishery operations.
Therefore the fishery meets SG80.

Leatherback turtle

The relative probability of residency of leatherbacks around Gaspé peninsula is low. Although it was noted that notable areas not sampled by tagged turtles included Gaspésie peninsula, the author of the analysis pointed out that while opportunistic sightings of leatherbacks have occurred in this area, such records are rare relative to those corresponding to the high-use areas identified via satellite telemetry. Catch of leatherback turtles has not been reported in the Gaspésie lobster fishery.
Therefore the fishery meets SG80.

Blue whale

Accidental entanglements in fishing gear was classified as low risk anthropogenic threats in comparison with whale watching and collisions with vessels which were classified as medium-risk anthropogenic threats, and acoustic environmental degradation and food availability which were classified as high-risk anthropogenic threats.

PI 2.3.2	The UoA has in place precautionary management strategies designed to: - meet national and international requirements; - ensure the UoA does not hinder recovery of ETP species. Also, the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of ETP species

There have been no reported or observed blue whale interactions with the Gaspésie lobster trap fishery. Therefore the assessment team determine that both SG80 is met.

NARW

NARW mortality and entanglement incidents involving the Gaspésie lobster trap fishery have not been reported in the last decade. The probability of interaction between the lobster fishery and NARW is very low based on the fishing effort distribution and lobster fishing operations. Lobster traps are set very close to the shore in shallow waters (verified by the assessment team during the initial assessment site visit). There is thus low overlapping between lobster fishing grounds and areas where whales occur. This has been confirmed by a review of NARW occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters published in June 2019. This review mentions that available data indicate that NARW are rare in shallow waters (<20 ftm/50 m) although NARW may use shallow waters to transit among deep-water foraging areas. It concludes that although NARW appear to be relatively rare i shallow waters, the risk of entanglement is not zero.
DFO confirmed that NARW has been observed in waters less than 20 ftm and 10 ftm in Gaspé Peninsula, therefore the shallow protocole lines have ot been applied.
Therefore the assessment team determines that SG80 is met.

In addition, a comprehensive monitoring, control and surveillance system continues to be implemented in the fishery and compliance to regulations remains very high with a level of recidivism in the fishery to be extremely low. However, the fishery does not meet SG100 for all scoring elements as evidence is not considered to be clear.

e	Review of alternative measures to minimize mortality of ETP species			
	Guide post	There is a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of ETP species.	There is a **regular** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of ETP species and they are implemented as appropriate.	There is a **biennial** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality ETP species, and they are implemented, as appropriate.
	Met?	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**	Wolffish – **Yes** Leatherback turtle - **Yes** Blue whale - **Yes** NARW- **Yes**

Rationale

There is a **biennial** review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality ETP species, and they are implemented, as appropriate.
An annual post-fishing season review is conducted to evaluate the effetiveness of management measures. This post-season review is followed by the Lobster Advisory Committee meeting during which new management measures can be proposed and discussed.

Wolffish species

A progress report to evaluate the progress of Recovery Strategy implementation was published in 2013. Banc-des-Américains MPA was implemented in 2019 and is designed to also promote the recovery of wolffish. Fact sheets including tips on how to handle and release wolffish to maximise survival have been published by DFO and distributed to harvesters.
Considering this and the above, the team determines that the fishery meets SG60, SG80 and SG100.

Leatherback turtle

A progress report to evaluate the progress of Recovery Strategy implementation was published in 2013. The relative probability of residency of leatherbacks around Gaspé peninsula is low. Catch of leatherback turtles has not been reported in the Gaspésie lobster fishery.
Considering this and the above, the team determines that the fishery meets SG60, SG80 and SG100.

PI 2.3.2	The UoA has in place precautionary management strategies designed to: - meet national and international requirements; - ensure the UoA does not hinder recovery of ETP species. Also, the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of ETP species

Blue whale

Accidental entanglements in fishing gear was classified as low risk anthropogenic threats in comparison with whale watching and collisions with vessels which were classified as medium-risk anthropogenic threats, and acoustic environmental degradation and food availability which were classified as high-risk anthropogenic threats. A progress report to evaluate the progress of Recovery Strategy implementation was published in 2016. New measures implemented in 2018 and 2019 for minimizing interactions with the NARW are considered to benefit to other whale species.
Considering this and the above, the team determines that the fishery meets SG60, SG80 and SG100.

NARW

Following the 2017 unprecedented NARW entanglements and mortality events, DFO undertook engagement sessions with the fishing industry in different provinces, including Quebec, between October and November 2017 to discuss options of measures to be implemented to reduce risks of interactions with NARW. In addition, a Meeting of the NARW Consortium is held annually and all stakeholders have the opportunity to gather and discuss research, new techniques and management strategies to minimise fishing interactions with NARW.
New measures were implemented in 2018. The effectiveness of these measures have been reviewed and discussed during post-season meetings between lobster industry and DFO. New measures have been implemented for the 2019 fishing season. In addition a review of NARW occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters published in June 2019.
Considering this and the above, the team determines that the fishery meets SG60, SG80 and SG100.

References

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DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

PI 2.3.2	The UoA has in place precautionary management strategies designed to: - meet national and international requirements; - ensure the UoA does not hinder recovery of ETP species. Also, the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of ETP species

DFO 2019b. Announcement of management measures to minimise the risk of interaction with the North Atlantic right whale in 2019. Notice to Fish Harvesters. Lobster – 19 to 21 – Gaspe-Lower St Lawrence. April 12th, 2019. https://inter-l01.dfo-mpo.gc.ca/applications/opti-opei/notice-avis-detail-eng.php?pub_id=1851&todo=view&type=1&region_id=4&sub_type_id=5&species=700&area=1862

DFO 2019d. Review of North Atlantic right whale occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2019/028. http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2019/2019_028-eng.html

Overall Performance Indicator scores added at Public Certification Report

Individual scoring elements (add rows as required; delete if not scoring by elements)		Applicable SGs met per individual scoring element			Scoring element scores
		SG60	SG80	SG100	
1	Wolffish species	3 of 3	4 of 4	1 of 4	**85**
2	Leatherback turtle	3 of 3	4 of 4	1 of 4	**85**
3	Blue whale	3 of 3	4 of 4	1 of 4	**85**
4	NARW	3 of 3	4 of 4	1 of 4	**85**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
		All are met	All are met	All scoring elements meet only one SG100	**85**
Condition number (if relevant)					**N/A**

PI 2.3.3 – ETP species information

PI 2.3.3		Relevant information is collected to support the management of UoA impacts on ETP species, including: - Information for the development of the management strategy; - Information to assess the effectiveness of the management strategy; and - Information to determine the outcome status of ETP species		
Scoring Issue		SG 60	SG 80	SG 100
a	Information adequacy for assessment of impacts			
	Guide post	Qualitative information is **adequate to estimate** the UoA related mortality on ETP species. **OR** **If RBF is used to score PI 2.3.1 for the UoA:** Qualitative information is **adequate to estimate productivity and susceptibility** attributes for ETP species.	Some quantitative information is **adequate to assess** the UoA related mortality and impact and to determine whether the UoA may be a threat to protection and recovery of the ETP species. **OR** **If RBF is used to score PI 2.3.1 for the UoA:** Some quantitative information is **adequate to assess productivity and susceptibility attributes** for ETP species.	Quantitative information is available to assess with a high degree of certainty the **magnitude of UoA-related impacts, mortalities and injuries and the consequences for the status** of ETP species.
	Met?	**Yes**	**Yes**	**No**
Rationale				
Some quantitative information is **adequate to assess** the UoA related mortality and impact and to determine whether the UoA may be a threat to protection and recovery of the ETP species. There is a variety of information sources that provides qualitative and quantitative information to assess the impact of the fishery on ETP species and to determine whether the fishery is a threat to protection and recovery of ETP species. These sources include the logbooks where lobster harvesters must report all incidental captures of ETP species, marine mammal responses networks and the turtles observation network collecting information from opportunistic sightings of marine mammals and turtles strandings and human interactions. Therefore, the team determines that SG60 and SG80 are met. However, quantitative information is not available to assess with a high degree of certainty the magnitude of UoA- related impacts, mortalities and injuries and the consequences for the status of ETP species, preventing the fishery from meeting SG100. Also, the team recommends the continuation of management measures as well as the monitoring program to further reduce the risk of interaction of foxed gears with the North Atlantic right whale in Quebec, Gulf and Maritimes Regions.			
b	Information adequacy for management strategy			
	Guide post	Information is adequate to support **measures** to manage the impacts on ETP species.	Information is adequate to measure trends and support a **strategy** to manage impacts on ETP species.	Information is adequate to support a **comprehensive strategy** to manage impacts, minimize mortality and injury of ETP species, and evaluate with a **high degree of certainty** whether a strategy is achieving its objectives.
	Met?	**Yes**	**Yes**	**No**
Rationale				

PI 2.3.3	Relevant information is collected to support the management of UoA impacts on ETP species, including: - Information for the development of the management strategy; - Information to assess the effectiveness of the management strategy; and - Information to determine the outcome status of ETP species

Information is adequate to measure trends and support a **strategy** to manage impacts on ETP species.

There is a variety of information sources that provides qualitative and quantitative information to assess the impact of the fishery on ETP species and to determine whether the fishery is a threat to protection and recovery of ETP species. These sources include the logbooks where lobster harvesters must report all incidental captures of ETP species, marine mammal responses networks and the turtles observation network collecting information from opportunistic sightings of marine mammals and turtles strandings and human interactions.
In addition, following the 2017 NARW mortality and entanglement event, collaborative efforts between DFO, Transport Canada and NOAA have been implemented in the form of aerial surveillance, near real time passive acoustic monitoring and ship-based observations.
Therefore, the team determines that SG60 and SG80 are met.
However, the strategy in place is not comprehensive and information is not available to assess with a high degree of certainty to assess whether the strategy is achieving its objectives, preventing the fishery form meeting SG100.

References

DFO 2019d. Review of North Atlantic right whale occurrence and risk of entanglements in fishing gear and vessel strikes in Canadian waters. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2019/028.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2019/2019_028-eng.html

Data from SARA logbooks and logbooks provided by DFO

Overall Performance Indicator scores added at Public Certification Report

	SG60	SG80	SG100	
	2 of 2	2 of 2	0 of 2	**80**
Condition number (if relevant)				**N/A**

PI 2.4.1 – Habitats outcome

PI 2.4.1		The UoA does not cause serious or irreversible harm to habitat structure and function, considered on the basis of the area covered by the governance body(s) responsible for fisheries management in the area(s) where the UoA operates		
Scoring Issue		SG 60	SG 80	SG 100
a	Commonly encountered habitat status			
	Guide post	The UoA is **unlikely** to reduce structure and function of the commonly encountered habitats to a point where there would be serious or irreversible harm.	The UoA is **highly unlikely** to reduce structure and function of the commonly encountered habitats to a point where there would be serious or irreversible harm.	There is **evidence** that the UoA is highly unlikely to reduce structure and function of the commonly encountered habitats to a point where there would be serious or irreversible harm.
	Met?	**Yes**	**Yes**	**No**

Rationale

The UoA is highly unlikely to reduce structure and function of the commonly encountered habitats to a point where there would be serious or irreversible harm.

Commonly encountered habitats are sandy/muddy sediments mixed with gravels.

- Traps are passive gear types that rely on bait to attract the target species, and are generally considered to have slight impacts on the habitat. Eno et al (2001) examined the effects of fishing with crustacean traps on benthic fauna in UK through qualitative and quantitative experiments. This study examined the effects of lobster and crab traps being hauled from rocky substrates in southern England, and found that the habitats and their communities appeared relatively unaffected by potting.
- A study carried out by Chuenpagdee et al (2003) ranked fishing gears regarding their collateral impacts on bycatch and on habitats in U.S. each Fishery Management Council region. They found that traps have low and medium impacts on biological and physical component of habitat, respectively.
- Shester and Micheli (2011) quantify and compare the ecosystem impacts of four gears (lobster traps, fish traps, set gillnets, drift gillnets) used in small-scale fisheries of Baja California, Mexico, using at-sea observations and field experiments. Results indicated that traps caused minimal immediate damage to habitats.

There have been significant efforts to document habitat impacts associated with various fishing gears used in Canadian waters and to implement measures to mitigate negative impacts where possible. Trap fisheries in general are considered to have low impact on habitat structure and function. No habitat impact issues have been identified for Gaspésie lobster fishery and there is no evidence that it is likely to reduce habitat structure and function.
However, while SG60 and SG80 are met, there is no specific evidence derived from a habitat specific study in relation to the fishery, preventing the fishery from meeting SG100.

b	VME habitat status			
	Guide post	The UoA is **unlikely** to reduce structure and function of the VME habitats to a point where there would be serious or irreversible harm.	The UoA is **highly unlikely** to reduce structure and function of the VME habitats to a point where there would be serious or irreversible harm.	There is **evidence** that the UoA is highly unlikely to reduce structure and function of the VME habitats to a point where there would be serious or irreversible harm.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

There is evidence that the UoA is highly unlikely to reduce structure and function of the VME habitats to a point where there would be serious or irreversible harm.

PI 2.4.1	The UoA does not cause serious or irreversible harm to habitat structure and function, considered on the basis of the area covered by the governance body(s) responsible for fisheries management in the area(s) where the UoA operates

VMEs are coral and sponges areas and eel grass meadows.
Although trap fisheries are generally considered to have slight impacts on the habitat, traps can impact biogenic structures (e.g. sponges, corals) through crushing or entanglement. Crushing and scouring effects can result if traps are dragged across the bottom during retrieval or during periods of strong currents (e.g. storms, tides).
Significant coral and sponge areas have been mapped and significant areas have been identified in the Gaspésie peninsula. However, these areas are not in the inshore portion of the peninsula where lobster fishing grounds are located.
Eel grass beds are located inside rive mouths where the estuaries form bays, lagoons, and in estuaries and lagoons behind baymouth bars (known as a "barachois" in Québec).
Lobster fishing does not occur in these areas, so there is no overlapping between eel grass beds and lobster fishing grounds.
The team determines that there is evidence that the UoA is highly unlikely to reduce structure and function of the VME habitats to a point where there would be serious or irreversible harm, SG100 is met.

C	Minor habitat status			
	Guide post			There is **evidence** that the UoA is highly unlikely to reduce structure and function of the minor habitats to a point where there would be serious or irreversible harm.
	Met?			**N/A**

Rationale

There are no minor habitats.

References

Map of the geographical distribution of the lobster average annual landed value and significant coral and sponge areas (blue) in the GSL. Source: http://www.qc.dfo-mpo.gc.ca/golfe-gulf/coraux-eng.html

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http://www.dfo-mpo.gc.ca/csas-sccs/publications/resdocs-docrech/2009/2009_050-eng.htm

Overall Performance Indicator scores added at Public Certification Report

Individual scoring elements (add rows as required; delete if not scoring by elements)		Applicable SGs met per individual scoring element			Scoring element scores
		SG60	SG80	SG100	
1	Commonly encountered habitats	1 of 1	1 of 1	0 of 1	**80**
2	Coral and sponge areas	1 of 1	1 of 1	1 of 1	**100**
3	Eel grass meadows	1 of 1	1 of 1	1 of 1	**100**
Overall Performance Indicator score		Applicable SGs/elements met			Overall score
		SG60	SG80	SG100	
		All scoring elements meet SG60	All scoring elements meet SG80	One of the scoring element does not meet SG100	**90**

PI 2.4.1	The UoA does not cause serious or irreversible harm to habitat structure and function, considered on the basis of the area covered by the governance body(s) responsible for fisheries management in the area(s) where the UoA operates
Condition number (if relevant)	**N/A**

PI 2.4.2 – Habitats management strategy

PI 2.4.2		There is a strategy in place that is designed to ensure the UoA does not pose a risk of serious or irreversible harm to the habitats		
Scoring Issue		SG 60	SG 80	SG 100
a	Management strategy in place			
	Guide post	There are **measures** in place, if necessary, that are expected to achieve the Habitat Outcome 80 level of performance.	There is a **partial strategy** in place, if necessary, that is expected to achieve the Habitat Outcome 80 level of performance or above.	There is a **strategy** in place for managing the impact of all MSC UoAs/non-MSC fisheries on habitats.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

There is a strategy in place for managing the impact of all MSC UoAs/non-MSC fisheries on habitats.

To address threats to fish from habitat loss/degradation and changes to natural flow regimes, the Fisheries Protection Program (formerly the Habitat Protection Program) administered the habitat protection provisions of the Fisheries Act.
Until 2012, the habitat protection provisions included two principal prohibitions :

- a prohibition against of the destruction of fish by means other than fishing (Section 32);
- a prohibition against the harmful alteration, disruption or destruction of fish habitat, informally called the HADD prohibition (Section 35)

The Fisheries Act was amended in 2012/2013. A key amendment was the replacement of the two prohibitions in the former Act with one new prohibition (also numbered Section 35) against "the carrying on of a work, undertaking or activity that results in serious harm to fish that are part of or support a commercial recreational or Aboriginal fishery."
In the amended Act, "serious harm to fish" is defined as: "the death of fish or the permanent alteration to, or destruction of, fish habitat," with fish habitat defined as "spawning grounds and any other areas, including nursery, rearing, food supply and migration areas, on which fish depend directly or indirectly in order to carry out their life processes."
Through the FPPS, DFO objectives are to provide consistent guidance through regulations, standards and directives, and to make regulatory decisions in a timely manner. In this way, proponents will have the necessary information and direction to avoid, mitigate and offset harmful impacts to fish and fish habitat so that they will meet the goal of this policy, and thereby comply with the fisheries protection provisions of the Fisheries Act. The prohibition against serious harm to fish applies to fish and fish habitat that are part of or support commercial, recreational or Aboriginal fisheries.
In 2009, DFO published the Policy for Managing the Impact of Fishing on Sensitive Benthic Areas under the auspices of the Sustainable Fisheries Framework in response to the 2006 United Nations Resolution 61/10530. The purpose policy is to help DFO manages fisheries to mitigate impacts of fishing on sensitive benthic habitats or avoid impacts of fishing that are likely to cause serious or irreversible harm to sensitive marine habitat, communities and species. This national policy applies to all commercial, recreational and Aboriginal fishing activities licenced and/or managed pursuant to the Fisheries Act and the Coastal Fisheries Protection Act, including fishing inside and outside of Canada's EEZ. A key tool for use in the implementation of the policy is the Ecological Risk Assessment Framework, which outlines a process for identifying the level of ecological risk of fishing activity and its impacts as sensitive benthic areas in the marine environment. DFO has developed this framework specifically for use in managing cold-water corals and sponge-dominated communities.

In December 2017, 11 coral and sponge conservation areas have been implemented in the Estuary and Gulf of St Lawrence. Fisheries management measures have been implemented and were effective on 15th December 2017 with the release of the

PI 2.4.2	There is a strategy in place that is designed to ensure the UoA does not pose a risk of serious or irreversible harm to the habitats

Quebec Region Variation Order 2017-Q-104[15]. Lobster traps, and all other bottom-contact fishing gears, are prohibited in these conservation areas.
In March 2019, DFO announced the establishment of Banc-des-Américains MPA, an area of 1,000 km^2 located off the coast of the Gaspé Peninsula[16]. The MPA is designed to conserve and protect benthic and pelagic habitats and the associated species. Anchoring, commercial and recreational fishing activities are prohibited in Zone 1 of the MPA.
There are also two National Parks including a marine area in Gaspésie: Forillon National Park and National Park of Îles de Bonaventure and of Rocher Percé.

Impacts on habitats are limited by restricting the number and size of traps in use, the number of fishermen and a limited fishing season. It is not authorized to haul the traps more than once per day. Moreover, the strategy of fishing effort reduction adopted by DFO and the RPPSG from 1998 to 2005 and after 2009 also reduce the impacts on habitats.

Therefore, the team determines that SG60, SG80 and SG100 are met.

	Management strategy evaluation			
b	Guide post	The measures are **considered likely** to work, based on plausible argument (e.g. general experience, theory or comparison with similar UoAs/habitats).	There is some **objective basis for confidence** that the measures/partial strategy will work, based on **information directly about the UoA and/or habitats** involved.	**Testing** supports **high confidence** that the partial strategy/strategy will work, based on **information directly about the UoA and/or habitats** involved.
	Met?	**Yes**	**Yes**	**No**

Rationale

There is some **objective basis for confidence** that the measures/partial strategy will work, based on **information directly about the UoA and/or habitats** involved.

Traps are passive gear types that rely on bait to attract the target species, and are generally considered to have slight impacts on the habitat. Significant coral and sponge areas have been mapped and significant areas have been identified in the Gaspésie peninsula. However, these areas are not in the inshore portion of the peninsula where lobster fishing grounds are located.
There is no overlapping between eel grass beds and lobster fishing grounds.
Therefore SG60 and SG80 are met. However while there has been considerable effort to document habitat impacts associated with various fishing gears used in Canadian waters, there is not testing that supports high confidence that the strategy will work based on information directly about the UoA and/or habitats involved, preventing the fishery from meeting SG100.

	Management strategy implementation			
c	Guide post		There is **some quantitative evidence** that the measures/partial strategy is being implemented successfully.	There is **clear quantitative evidence** that the partial strategy/strategy is being implemented successfully and is achieving its objective, as outlined in scoring issue (a).
	Met?		**Yes**	**No**

Rationale

There is **some quantitative evidence** that the measures/partial strategy is being implemented successfully.

[15] http://www.qc.dfo-mpo.gc.ca/peches-fisheries/commerciale-commercial/documents/2017-Q-104_EN.pdf
[16] https://www.canada.ca/en/fisheries-oceans/news/2019/03/a-new-marine-protected-area-at-the-eastern-tip-of-the-gaspe-peninsula.html

PI 2.4.2	There is a strategy in place that is designed to ensure the UoA does not pose a risk of serious or irreversible harm to the habitats

- Eno et al (2001) examined the effects of fishing with crustacean traps on benthic fauna in UK through qualitative and quantitative experiments. This study examined the effects of lobster and crab traps being hauled from rocky substrates in southern England, and found that the habitats and their communities appeared relatively unaffected by potting.
- A study carried out by Chuenpagdee et al (2003) ranked fishing gears regarding their collateral impacts on bycatch and on habitats in U.S. each Fishery Management Council region. They found that traps have low and medium impacts on biological and physical component of habitat, respectively.
- Shester and Micheli (2011) quantify and compare the ecosystem impacts of four gears (lobster traps, fish traps, set gillnets, drift gillnets) used in small-scale fisheries of Baja California, Mexico, using at-sea observations and field experiments. Results indicated that traps caused minimal immediate damage to habitats.

The UoA has a harvest strategy including management measures that minimise the impacts on habitats : permanent fishing spatial closures to protect fish habitats and VMEs, gear restrictions (size), trap allocation, season (number of days, fishing not allowed on certain days and in time windows).
A comprehensive monitoring, control and surveillance system continues to be implemented in the fishery and compliance to regulations remains very high with a level of recidivism in the fishery to be extremely low.
Therefore, SG80 is met. However, it cannot be said that there is clear quantitative evidence, presenting the fishery from meeting SG100.

d	Compliance with management requirements and other MSC UoAs'/non-MSC fisheries' measures to protect VMEs			
	Guide post	There is **qualitative evidence** that the UoA complies with its management requirements to protect VMEs.	There is **some quantitative evidence** that the UoA complies with both its management requirements and with protection measures afforded to VMEs by other MSC UoAs/non-MSC fisheries, where relevant.	There is **clear quantitative evidence** that the UoA complies with both its management requirements and with protection measures afforded to VMEs by other MSC UoAs/non-MSC fisheries, where relevant.
	Met?	**Yes**	**Yes**	**No**

Rationale

There is **some quantitative evidence** that the UoA complies with both its management requirements and with protection measures afforded to VMEs by other MSC UoAs/non-MSC fisheries, where relevant.

In December 2017, 11 coral and sponge conservation areas have been implemented in the Estuary and Gulf of St Lawrence. Fisheries management measures have been implemented and were effective on 15th December 2017 with the release of the Quebec Region Variation Order 2017-Q-104. Lobster traps, and all other bottom-contact fishing gears, are prohibited in these conservation areas.
In March 2019, DFO announced the establishment of Banc-des-Américains MPA, an area of 1,000 km^2 located off the coast of the Gaspé Peninsula. The MPA is designed to conserve and protect benthic and pelagic habitats and the associated species. Anchoring, commercial and recreational fishing activities are prohibited in Zone 1 of the MPA.
There are also two National Parks including a marine area in Gaspésie: Forillon National Park and National Park of Îles de Bonaventure and of Rocher Percé.
The UoA has a harvest strategy including management measures that minimise the impacts on habitats : permanent fishing spatial closures to protect fish habitats and VMEs, gear restrictions (size), trap allocation, season (number of days, fishing not allowed on certain days and in time windows).
A comprehensive monitoring, control and surveillance system continues to be implemented in the fishery and compliance to regulations remains very high with a level of recidivism in the fishery to be extremely low.
Therefore the team determines that SG60 and SG80 are met. However, the team does not considered there is clear quantitative evidence, preventing the fishery from meeting SG100.

References

Fisheries Protection Provisions of the Fisheries Act
http://www.dfo-mpo.gc.ca/pnw-ppe/changes-changements/index-eng.html

PI 2.4.2	There is a strategy in place that is designed to ensure the UoA does not pose a risk of serious or irreversible harm to the habitats

Map of the geographical distribution of the lobster average annual landed value and significant coral and sponge areas (blue) in the GSL. Source: http://www.qc.dfo-mpo.gc.ca/golfe-gulf/coraux-eng.html

Map of areas identified for coral and sponge conservation in the GSL. Source: http://www.qc.dfo-mpo.gc.ca/golfe-gulf/coraux-eng.html.

Martel, M.-C., Provencher, L., Grant, C., Ellefsen, H.-F. and Pereira, S. 2009. Distribution and description of eelgrass beds in Québec. DFO Can. Sci. Advis. Sec. Res. Doc. 2009/050. Viii + 37 p.
http://www.dfo-mpo.gc.ca/csas-sccs/publications/resdocs-docrech/2009/2009_050-eng.htm

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	3 of 3	4of 4	1 of 4	**85**
Condition number (if relevant)				**N/A**

PI 2.4.3 – Habitats information

PI 2.4.3		Information is adequate to determine the risk posed to the habitat by the UoA and the effectiveness of the strategy to manage impacts on the habitat		
Scoring Issue		SG 60	SG 80	SG 100
a	Information quality			
	Guide post	The types and distribution of the main habitats are **broadly understood**. **OR** **If CSA is used to score PI 2.4.1 for the UoA:** Qualitative information is adequate to estimate the types and distribution of the main habitats.	The nature, distribution and **vulnerability** of the main habitats in the UoA area are known at a level of detail relevant to the scale and intensity of the UoA. **OR** **If CSA is used to score PI 2.4.1 for the UoA:** Some quantitative information is available and is adequate to estimate the types and distribution of the main habitats.	The distribution of all habitats is known over their range, with particular attention to the occurrence of vulnerable habitats.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

The distribution of all habitats is known over their range, with particular attention to the occurrence of vulnerable habitats.

Coastal and epipelagic habitats of the estuary and Gulf of St Lawrence, including the Gaspésie peninsula have been mapped.
DFO Sustainable Fisheries Framework (SFF) provides the basis for ensuring Canadian fisheries are conducted in a manner which supports conservation and sustainable use. As part of the SFF, DFO published the Policy on Managing the Impacts of Fishing on Sensitive Benthic Areas (the Policy) in 2009 to provide a more systematic, transparent, and consistent approach to mitigate fishery impacts on benthic habitats, species, and communities.
A SAR (DFO 2010) previously provided the foundation for the delineation of concentrations of coldwater corals and sponges in Canadian waters by providing maps of known locations. Further refinement of the delineation of aggregations of coldwater coral and sponge have been published in 2010 and 2017.
Eel grass meadows have also been mapped.
Therefore the fishery meets SG100.

b	Information adequacy for assessment of impacts			
	Guide post	Information is adequate to broadly understand the nature of the main impacts of gear use on the main habitats, including spatial overlap of habitat with fishing gear. OR **If CSA is used to score PI 2.4.1 for the UoA:** Qualitative information is adequate to estimate the consequence and spatial attributes of the main habitats.	Information is adequate to allow for identification of the main impacts of the UoA on the main habitats, and there is reliable information on the spatial extent of interaction and on the timing and location of use of the fishing gear. OR **If CSA is used to score PI 2.4.1 for the UoA:** Some quantitative information is available and is adequate to	The physical impacts of the gear on all habitats have been quantified fully.

PI 2.4.3		Information is adequate to determine the risk posed to the habitat by the UoA and the effectiveness of the strategy to manage impacts on the habitat		
			estimate the consequence and spatial attributes of the main habitats.	
	Met?	**Yes**	**Yes**	**No**

Rationale

Information is adequate to allow for identification of the main impacts of the UoA on the main habitats, and there is reliable information on the spatial extent of interaction and on the timing and location of use of the fishing gear.

There have been significant efforts to document habitat impacts associated with various fishing gears used in Canadian waters. Trap fisheries in general are considered to have low impact on habitat structure and function. No habitat impact issues have been identified for the lobster fishery and there is no evidence that it is likely to reduce habitat structure and function.
Habitats, including VMEs, have been mapped as well as the lobster fishing effort spatial distribution. Lobster fishing is timely limited with a fishing season.
Therefore the fishery meets SG60 and SG80. However, SG100 is not met as physical impacts of the lobster traps on all habitats have not been fully quantified.

	Monitoring			
C	Guide post		Adequate information continues to be collected to detect any increase in risk to the main habitats.	Changes in all habitat distributions over time are measured.
	Met?		**Yes**	**No**

Rationale

Adequate information continues to be collected to detect any increase in risk to the main habitats.

There has been and will continue to be an ongoing focus on habitat changes as part of Canada's commitment to ecosystem based management, especially in the Gulf of St. Lawrence. The distribution of lobster fishing effort continues to be monitored. As part of Canada's commitment to implementation of an ecosystem approach to management, habitat impact of fishing activity continues to be researched and monitored. DFO C&P staff continues to control lobster harvesters and monitor lobster harvesters' compliance with management measures for fishing spatial and temporal closures, trap allocation and trap characteristics. A SAR (DFO 2010) previously provided the foundation for the delineation of concentrations of coldwater corals and sponges in Canadian waters by providing maps of known locations. Further refinement of the delineation of aggregations of coldwater coral and sponge have been published in 2010 and 2017.
Therefore the team determines that SG80 is met. However, it is not considered that all habitats distribution over time are measured, preventing the fishery from meeting SG100.

References

DFO. 2010. Occurrence, susceptibility to fishing, and ecological function of corals, sponges, and hydrothermal vents in Canadian waters. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2010/041.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2010/2010_041-eng.html

DFO. 2017c. Delineation of Significant Areas of Coldwater Corals and Sponge-Dominated Communities in Canada's Atlantic and Eastern Arctic Marine Waters and their Overlap with Fishing Activity. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2017/007.
http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2017/2017_007-eng.html

Dutil J.-D., S. Proulx, P. S. Galbraith, J. Chassé, N. Lambert and C. Laurian 2012. Coastal and epipelagic habitats of the estuary and Gulf of St. Lawrence. Can. Tech. Rep. Fish. Aquat. Sci. 3009: ix + 87 pp

PI 2.4.3	Information is adequate to determine the risk posed to the habitat by the UoA and the effectiveness of the strategy to manage impacts on the habitat

Kenchington, E., Lirette, C., Cogswell, A., Archambault, P., Archambault, P., Benoît, H., Bernier, D., Brodie, B., Fuller, S., Gilkinson, K., Lévesque, M., Power, D., Siferd, T., Treble, M., and Wareham, V. 2010. Coral and sponge concentrations in the biogeographic regions of the East Coast of Canada using spatial analyses. DFO Can. Sci. Advis. Sec. Res. Doc. 2010/041. Vi + 202 pp. http://www.dfo-mpo.gc.ca/csas-sccs/publications/resdocs-docrech/2010/2010_041-eng.htm

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	3 of 3	1 of 3	**85**
Condition number (if relevant)				**N/A**

PI 2.5.1 – Ecosystem outcome

PI 2.5.1		The UoA does not cause serious or irreversible harm to the key elements of ecosystem structure and function		
Scoring Issue		SG 60	SG 80	SG 100
a	Ecosystem status			
	Guide post	The UoA is **unlikely** to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.	The UoA is **highly unlikely** to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.	There is **evidence** that the UoA is highly unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

There is evidence that the fishery is highly unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.

Larvae lobster are omnivorous, they feed on zooplankton (copepods, crab la rvae, eggs) and phytoplankton (diatoms, dinoflagellates and filamentous algae). Juveniles and adults are mainly carnivorous and prey on crab, small sea stars, lobster, marine worms, molluscs and fish. Rock crab is a key food resource for lobster.Grabowski et al (2009) examined the diet and growth of lobsters at different sites in Maine, U.S. and New Brunswick, Canada. The results suggested that the bottom-up forcing (food limitation) can have important consequence for lobster population dynamics and the productivity of lobster fisheries. At the contrary, a study based on local ecological knowledge (interviews of fishermen) suggested a top-down (predation) control mechanism of lobster populations in the Gulf of Maine. There is a large amount of literature that describing undesired effects of fishing on marine ecosystems. Fishing impacts include changes in size composition of target species, impacts on benthic communities, loss of diversity, disequilibrium of food web and impacts on habitats.
The assessment team could not find any concern indicating that the Gaspésie lobster fishery causes any disruption of the key elements underlying ecosystem structure and function. The main impact of the fishery on target, primary, secondary and ETP species, and habitat are identified and there is no indication that the fishery causes disruption to the ecosystem main structure and function. There is a comprehensive assessment of the target species, non-target species catch is monitored, information is available to show the fishery impacts on ETP species is slow, and there is no indication that the fishery causes serious or irreversible harm to habitats.
Therefore the team determines that SG100 is met.

References

Boudreau S.A. and B. Worm 2010. Top-down control of lobster population in the Gulf of Maine: insights from local ecological knowledge and research surveys. Marine Ecology Progress Series 403: 181-191.

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

Grabowski J.H., J. Gaudette, E.J. Clesceri, P.O. Yund 2009. The role of food limitation in lobster population dynamics in coastal Maine, United States, and New Brunswick, Canada. New Zealand Journal of Marine and Freshwater Research 43: 185-193.

Hanson, J.M. 2009. Predator-prey interactions of American lobster (*Homarus americanus*) in the Southern Gulf of St. Lawrence, Canada. New Zealand Journal of Marine and Freshwater Research 43: 69-88.

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	

PI 2.5.1	The UoA does not cause serious or irreversible harm to the key elements of ecosystem structure and function			
	1 of 1	1 of 1	1 of 1	**100**
Condition number (if relevant)				**N/A**

PI 2.5.2 – Ecosystem management strategy

PI 2.5.2		There are measures in place to ensure the UoA does not pose a risk of serious or irreversible harm to ecosystem structure and function		
Scoring Issue		SG 60	SG 80	SG 100
a	Management strategy in place			
	Guide post	There are **measures** in place, if necessary which take into account the **potential impacts** of the UoA on key elements of the ecosystem.	There is a **partial strategy** in place, if necessary, which takes into account **available information and is expected to restrain impacts** of the UoA on the ecosystem so as to achieve the Ecosystem Outcome 80 level of performance.	There is a **strategy** that consists of a **plan**, in place which contains measures to **address all main impacts of the UoA** on the ecosystem, and at least some of these measures are in place.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

There is a strategy that consists of a plan, in place which contains measures to address all main impacts of the UoA on the ecosystem, and at least some of these measures are in place.

Under the Oceans Act and the Policy and Operational Framework for Integrated Management of Estuarine, Coastal and Marine Environments in Canada, DFO is committed to the development of large-scale and local integrated management plans for all of Canada's oceans. This includes implementation by DFO of an Ecosystem Approach to management in all activities for which it has management responsibility. Canada has developed a SFF which builds on existing fisheries management practices to form a foundation for implementing an ecosystem approach in the management of its fisheries to ensure continued health and productivity while protecting biodiversity and fisheries habitat. The primary goal of the SFF is to ensure that Canada's fisheries are environmentally sustainable, while supporting economic prosperity. It is designed to foster a more rigorous, consistent, and transparent approach to decision making across all key fisheries in Canada. Overall, the SFF provides the foundation of an ecosystem-based and precautionary approach to fisheries management in Canada.
On November 2016, Canada launched a national Ocean Protection Plan that aims to protect Canada's marine environment. One of the objectives of this Plan is Preserving and Restoring marine ecosystems by protecting marine mammals, restoring coastal ecosystems and addressing abandoned, derelict and wrecked vessels.

The GSL Integrated Management (GOSLIM) plan was published in 2013: *"the plan provides a framework for inter-jurisdictional collaborative engagement of the regulatory authorities relevant to different management issues. Such collaboration gives rise to a process for effectively addressing different management issues within the GOSLIM area, when and where they arise."*

The IFMP for the Gaspésie lobster fishery adopted in 2018 includes a section on short and long-term objectives related, among other, to the lobster stock productivity, habitats and ecosystem considerations.
Management measures in place for the lobster fishery includes : traps size restrictions, a lobster fishing season, fishing spatial closures to protect VMEs and fish habitats, MLS for lobster, mandatory escape vents and biodegradable panels, other non-target species except male rock crab are allowed to be retained and must be discarded with less possible harm and new measures to minimise the risk of interactions with the NARW.
Therefore, the assessment team determines that SG100 is met.

b	Management strategy evaluation			
	Guide post	The **measures** are considered likely to work, based on plausible argument (e.g., general experience, theory or comparison with similar UoAs/ ecosystems).	There is **some objective basis for confidence** that the measures/ partial strategy will work, based on some information directly about the UoA and/or the ecosystem involved.	**Testing** supports **high confidence** that the partial strategy/ strategy will work, based on information directly about the UoA and/or ecosystem involved.

PI 2.5.2		There are measures in place to ensure the UoA does not pose a risk of serious or irreversible harm to ecosystem structure and function		
	Met?	**Yes**	**Yes**	**No**

Rationale

There is **some objective basis for confidence** that the measures/ partial strategy will work, based on some information directly about the UoA and/or the ecosystem involved.

No issues with the Gaspésie lobster fishery have been identified and there is no indication that the fishery causes any form of ecosystem disruption or harm to ecosystem structure and function. The assessment team could not find any concern indicating that the fishery causes any disruption of the key elements underlying ecosystem structure and function. Given the generalist role of lobster in the ecosystem, as well as the range of other benthic and bentho-pelagic predators and scavengers present in the stock area, it is likely that functional group composition, community distribution and trophic dynamics would be virtually unchanged from natural background levels. The main impact on target, primary, secondary and ETP species, and habitat are identified and there is no indication that the fishery causes disruption to the ecosystem main structure and function. There is a comprehensive assessment of the target species, non-target species catch is monitored, information is available to show the fishery impacts on ETP species is slow, and there is no indication that the fishery causes serious or irreversible harm to habitats.

Therefore, SG60 and SG80 are met. However, there is not testing that supports high confidence that the strategy will work based on information directly about the UoA and/or ecosystem involved, preventing the fishery from meeting SG100.

	Management strategy implementation			
C	Guide post		There is **some evidence** that the measures/partial strategy is being **implemented successfully**.	There is **clear evidence** that the partial strategy/strategy is being **implemented successfully and is achieving its objective as set out in scoring issue (a).**
	Met?		**Yes**	**No**

Rationale

There is **some evidence** that the measures/partial strategy is being **implemented successfully**.

No issues with the Gaspésie lobster fishery have been identified and there is no indication that the fishery causes any form of ecosystem disruption or harm to ecosystem structure and function
Management measures in place for the lobster fishery includes : traps size restrictions, a lobster fishing season, fishing spatial closures to protect VMEs and fish habitats, MLS for lobster, mandatory escape vents and biodegradable panels, other non-target species except male rock crab are allowed to be retained and must be discarded with less possible harm and new measures to minimise the risk of interactions with the NARW.
A comprehensive monitoring, control and surveillance system continues to be implemented in the fishery and compliance to regulations remains very high with a level of recidivism in the fishery to be extremely low.

Therefore, SG80 is met. However, it cannot be said that there is clear evidence, presenting the fishery from meeting SG100.

References

DFO 2013b. Gulf of St Lawrence Integrated Management Plan. Ocean Management Division, DFO Quebec, Gulf and Newfoundland and Labrador regions, DFO/2013-1898.
https://waves-vagues.dfo-mpo.gc.ca/Library/356406.pdf

DFO 2018a. Integrated Management Plan for Lobster in Areas 19, 20 and 21. Quebec Region, Gaspé-Lower St Lawrence. Approved June 8, 2018.

Canada Ocean Protection Plan
http://www.tc.gc.ca/eng/oceans-protection-plan.html

PI 2.5.2	There are measures in place to ensure the UoA does not pose a risk of serious or irreversible harm to ecosystem structure and function

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	3 of 3	1 of 3	**85**
Condition number (if relevant)				**N/A**

PI 2.5.3 – Ecosystem information

PI 2.5.3		There is adequate knowledge of the impacts of the UoA on the ecosystem		
Scoring Issue		SG 60	SG 80	SG 100
a	Information quality			
	Guide post	Information is adequate to **identify** the key elements of the ecosystem.	Information is adequate to **broadly understand** the key elements of the ecosystem.	
	Met?	**Yes**	**Yes**	
Rationale				
Information is adequate to **broadly understand** the key elements of the ecosystem. There is considerable information available with regards to key biotic and abiotic elements of the Gulf of St Lawrence. There is a substantial programme of environmental monitoring undertaken by DFO and Universities. In 2000, the GOSLIM project was created to develop and implement a management plan for ocean resources in the Gulf. The initial goal of GOSLIM was to describe the Gulf of St. Lawrence ecosystem and to identify activities and issues from a broad Gulf-wide perspective. It provides detailed information and description of the biotic aspect including plankton, fish communities, benthic communities, and marine mammals. The GOSLIM plan was published in 2013. Chemical, biological and oceanographic conditions in the Estuary and Gulf of St Lawrence are published on an annual basis. Therefore, the team determines that SG60 and SG80 are met.				
b	Investigation of UoA impacts			
	Guide post	Main impacts of the UoA on these key ecosystem elements can be inferred from existing information, but **have not been investigated** in detail.	Main impacts of the UoA on these key ecosystem elements can be inferred from existing information, and **some have been investigated in detail**.	Main interactions between the UoA and these ecosystem elements can be inferred from existing information, and **have been investigated in detail**.
	Met?	**Yes**	**Yes**	**No**
Rationale				
Main impacts of the UoA on these key ecosystem elements can be inferred from existing information, and **some have been investigated in detail**. Serious or irreversible harm to ecosystem structure and function would be indicated by trophic cascade, depletion of top predators, severely truncated size structure of target species and non-target species, changes in species biodiversity which have not been observed. However it cannot conclude that the main interactions between the UoA and these ecosystem elements have been investigated in details, preventing the fishery from meeting SG100.				
c	Understanding of component functions			
	Guide post		The main functions of the components (i.e., P1 target species, primary, secondary and ETP species and Habitats) in the ecosystem are **known**.	The impacts of the UoA on P1 target species, primary, secondary and ETP species and Habitats are identified and the main functions of these components in the ecosystem are **understood**.
	Met?		**Yes**	**Yes**
Rationale				

PI 2.5.3	There is adequate knowledge of the impacts of the UoA on the ecosystem		

The impacts of the UoA on lobster, primary, secondary and ETP species and Habitats are identified and the main functions of these components in the ecosystem are known and understood.

Information is available to understand the main functions of lobster, species used as bait, non-target speies, ETP species and habitats. Information on lobster and non-target species catch and stock status, on interaction with ETP species and ETP species population trend, and on the spatial extent of interaction with habitats are available.
Therefore, SG80 and SG100 are met.

d	Information relevance			
	Guide post		Adequate information is available on the impacts of the UoA on these components to allow some of the main consequences for the ecosystem to be inferred.	Adequate information is available on the impacts of the UoA on the components **and elements** to allow the main consequences for the ecosystem to be inferred.
	Met?		**Yes**	**No**

Rationale

Adequate information is available on the impacts of the UoA on these components to allow some of the main consequences for the ecosystem to be inferred.

Information on lobster and non-target species catch and stock status, on interactions with ETP species and ETP species population trend, and on the spatial and temporal extent of overlapping with habitats are available, SG80 is met. However, SG100 is not met since there is no information on impacts on all elements of the ecosystem.

e	Monitoring			
	Guide post		Adequate data continue to be collected to detect any increase in risk level.	Information is adequate to support the development of strategies to manage ecosystem impacts.
	Met?		**Yes**	**Yes**

Rationale

Information is adequate to support the development of strategies to manage ecosystem impacts.

The lobster stock is formally assessed every three years; however, stock indicators are monitored annually. Non-target species catches are reported in logbooks; primary species stock status is assessed; interaction with ETP are reported in the SARA logbooks and by marine mammals networks and turtle observation network; and habitats including VMEs and fishing effort spatial distribution are mapped. Biotic and abiotic elements of the Gulf of St Lawrence Large Ocean Management Area continue to be monitored.
The assessment team determines that the fishery meets SG80 and SG100 as the information available and the ongoing monitoring is adequate to detect any increase in risk level and to support the development of strategies to manage ecosystem impacts.

References

DFO 2013b. Gulf of St Lawrence Integrated Management Plan. Ocean Management Division, DFO Quebec, Gulf and Newfoundland and Labrador regions, DFO/2013-1898.
https://waves-vagues.dfo-mpo.gc.ca/Library/356406.pdf

Information on non-target catches, bait and ETP species interactions form logbooks provided by DFO

Map of the geographical distribution of the lobster average annual landed value and significant coral and sponge areas (blue) in the GSL. Source: http://www.qc.dfo-mpo.gc.ca/golfe-gulf/coraux-eng.html

PI 2.5.3	There is adequate knowledge of the impacts of the UoA on the ecosystem

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	5 of 5	2 of 4	**90**
Condition number (if relevant)				**N/A**

8.4 Principle 3

8.4.1 Principle 3 background

The Gaspésie commercial lobster fishery consists of the established boundaries of LFAs 19, 20 and 21 of NAFO Division 4T and FAO Fishing Area 21. The LFAs were divided into smaller sub-LFAs beginning with the 2015 fishing season (Figure 16). LFA 19 was further divided into smaller management units 19A-1A to 19A-1D in 2018 to facilitate the issuance of 4 experimental lobster licences so that lobster abundance and distribution in unexploited areas of northern Gaspé could be assessed.

The UoA operates enterely in the Canadian EEZ as a single jurisdiction that is not sugject to any international management.

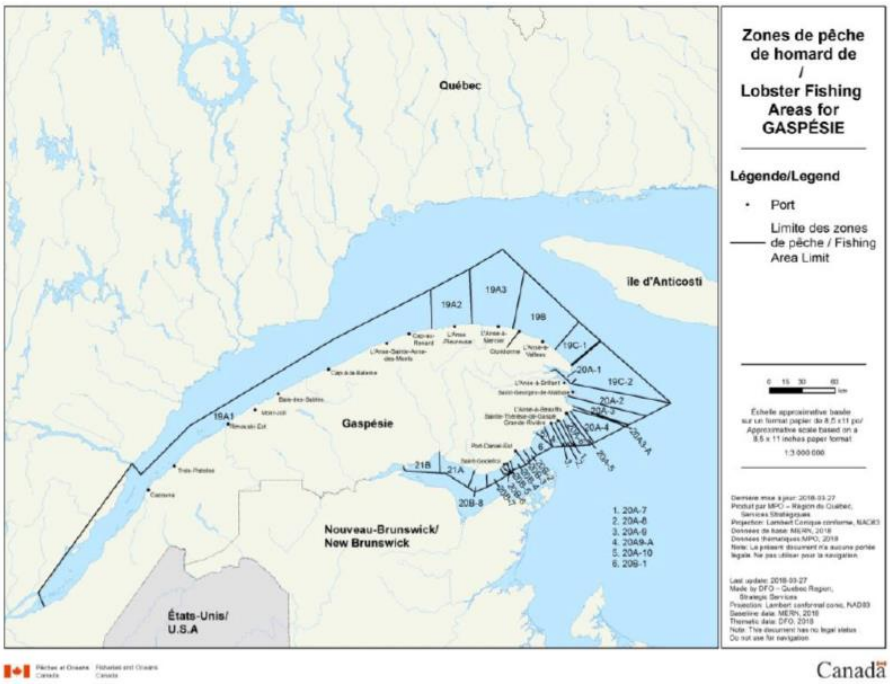

Figure 16. Representation of Lobster fishing sub-areas in Gaspésie: LFA 19 (19A1 to 19A3, 19B, 19C1 and 19C2), LFA 20 (20A1 to 20A10 and 20B1 to 20B8) and LFA 21 (21A and 21B). Source: DFO 2018a.

8.4.1.1. Legal and/or Customary Framework

The management regime of the fishery is established as a single jurisdiction with indigenous component (per MSC Fisheries Standard v2.01, SA4.1.1, 31st August 2018). As such, it remains the exclusive responsibility of the federal Department of Fisheries, Oceans and the Canadian Coast Guard (represented as DFO) and is exercised through various statutes including the *Fisheries Act,* the *Oceans Act,* the *Species-at-Risk Act,* and the *Navigable Waters Protection Act* and associated regulations including the *Atlantic Fishery Regulations,* the *Aboriginal Communal Fishing Licences Regulations,* the *Fishery (General) Regulations,* the *Marine Mammal Regulations,* and the *Aquatic Invasive Species Regulations.* The management system of the fishery may also include, as necessary, various *Prohibitions* (such as for contaminated areas) and *Orders* (such as for the protection of critical habitats)

The legal and/or customary framework is also defined by a suite of departmental strategic policies that guide the decision-making processes in pursuing sustainable fisheries. Key policies include: (i) the precautionary approach, (ii) the development of rebuilding plans, (iii) growing stocks out of the critical zone, (iv) managing the impacts of fishing on sensitive benthic areas, (v) managing bycatch; (vi) managing aboriginal food, social and ceremonial fishing; (vii) administering commercial licensing activities; (viii) protecting species-at-risk; and (ix) designating and regulating activities in marine protected areas and marine refuges.

The Assessment team is aware that important statutory and regulatory changes to DFO's legal and policy frameworks are either under active consideration or have been approved recently. These include the passage of Bill C-68 (amendments to the *Fisheries Act*) which received Royal Assent in June 2019. The amended Act will have implications for several of DFO's programs, including its fisheries, habitat and oceans management programs.

DFO's Forward Regulatory Plan 2018-2020[17] includes several anticipated regulatory changes or actions, such as to:

- Section 115.2 of the *Atlantic Fishery Regulations (1985)* that will prohibit any person from leaving fishing gear unattended in the water for more than 72 consecutive hours. The purpose of the regulation is to minimize loss of fishing gear, incidental mortality, the potential for gear conflict and spoilage of catch;
- Schedules of the *Contraventions Regulations* pursuant to the *Fisheries Act* to expand and update the use of ticketing to cover minor fisheries offences in regions not currently covered; and
- Biodiversity Protection Provisions under Section 43.3 of the *Fisheries Act* (in Bill C-68) to provide the Minister with authority to establish long term spatial restrictions to fishing activities, specifically for the purpose of conserving and protecting marine biodiversity.

A number of changes to DFO's policy frameworks are also included in the Forward Regulatory Plan. The first two policies (below) have consequential implications (largely positive) for commercial lobster fish harvesters in LFAs 19-21:

- Amendments aimed at preserving the independence of commercial inshore and coastal licence holders;
- Professionalization (regulatory amendments for fish harvester registration); and
- Regulations regarding rebuilding plans and the listing of major fish stocks.

DFO has also embarked on a national review of its commercial fisheries monitoring systems, and has recently developed both a policy statement[18] and procedural guidelines[19] that will form the basis fro planned stakeholder consultations over the coming months. The team understands that revisions to the systems will be implemeted during the winter 2020. During the 23rd September site visit meeting with DFO Gaspé staff, the team was informed that any enhanced monitoring of the commercial lobster fisheries was not likely to be introduced in the short-term.

Lastly, the team has taken note of DFO's Reconciliation Strategy[20] with Indigenous Peoples that includes negotiating multi-year fisheries agreements with Gaspé-based First Nations who are reportedly seeking greater access to the commercial fisheries, greater autonomy, and equal participation in decision-making.

The team anticipates that the strengthened national legal system and policy frameworks will serve to modernise DFO's approaches to management of fisheries and fish habitat throughout the re-assessment certification period.

8.4.1.2. Eligible fishers and vessel list

All commercial lobster fish harvesters who are authorized to fish in LFAs 19-21 continue to be members of the Client Group for the purpose of the re-assessment of the fishery. The Group includes aboriginal commercial communal lobster fish harvesters who operate pursuant to the *Aboriginal Communal Commercial Licensing Regulations.*

[17] http://www.dfo-mpo.gc.ca/acts-lois/initiatives-eng.htm
[18] http://www.dfo-mpo.gc.ca/fisheries-peches/consultation/policy-politique-eng.html
[19] http://www.dfo-mpo.gc.ca/fisheries-peches/consultation/fmp-implementation-eng.html
[20] https://www.canada.ca/en/fisheries-oceans/news/2019/09/transformative-change-underway-at-fisheries-and-oceans-canada-to-advance-reconciliation.html

The list of all vessels that was compiled at the initial assessment in March 2015 may no longer be current due to the reassignment of licences between fish harvesters (e.g. when the enterprise is reissued to a new eligible recipient) or to the replacement of a fishing vessel (e.g. damaged or new construction).

In the updated MSC Fisheries Certification Process v2.1 which became effective on 28th February 2019, a vessel list is no longer required to be maintained and submitted when the entire fleet is certified, such as is the case with this fishery. However, SAI Global has been provided with an updated list of fishing vessel included in the certificate.

8.4.1.3. Consultations processes

Zonal Lobster Advisory Committee

The revised and implemented IMP (DFO 2018a) describes the formal consultation process that is in place for the Gaspésie commercial lobster fishery in LFAs 19-21. Although the mandate and activities of this zonal committee are not formally described in Terms of Reference, the views expressed by the committee's representatives during the initial site visit discussions were positive in regard to (i) how and when meetings were scheduled, (ii) their ability to contribute to the formulation of the agendas, (iii) the quality of the background information on items discussed, (iv) the collegial nature of the discussions, (v) a resolve to collaborate in solving issues, and (vi) finding ways and means to reach consensus on new or evolving changes to the fishery's management measures. Meetings of the committee have always been open to the public.

As reported in the initial assessment report, the DFO Quebec Region's approach to consultation is influenced by its regional policy which enshrined the principles of (i) process consistency and transparency, (ii) industry responsibility, and (iii) respect; and the key objectives of (i) optimal information sharing, (ii) consensus seeking, (iii) well-documented decision-making.

The committee's core membership continues to consists of representatives of DFO's regional programs, the harvester and onshore processing sectors, aboriginal communities, and the provincial department of MAPAQ. Discussions are largely centered on a mix of current or emerging issues including (i) stock assessment outcomes and recommendations), (ii) proposed new policy and regulatory initiatives, (iii) the performance of the fishery, (iv) protection measures for species-at-risk, (v) fishery-related partnerships and new ventures, and (vi) changes to management measures of the fishery (e.g. opening and closing dates, fishing gear adjustments, reporting requirements etc.). Other matters may be discussed if they have implications for the harvesting sector such as (i) proposed changes to the status of marine species under the SARA listing protocol, (ii) proposed creations of new marine protected areas or marine refuges, and (iii) other ocean use activities.

The committee meets every thre years, it last met on on 26th March 2019. Meeting minutes were provided by DFO following the site visit discussions. During the years when the committee does not meet, the parties continue to engage in discussions through workshops that are inclusive of stakeholders and other interested parties.

Regional Assessment Process (RAP)

The RAP is a DFO Science focussed peer review and advisory process that results in the best possible science advice to the Minister, managers, stakeholders and the public. It is a component of the Canadian Science Advisory Secretariat (CSAS). Participants in the process are encouraged to question, comment and constructively challenge the science presented; as well as seeking consensus on conclusions during the meeting. The Science peer review process is evidence-based, objective, impartial and respectful. Participation to DFO science peer-review meetings is by invitation only.

The RAP's governance system[21] consists of various policies on participation; documentation submission, translation and publication; and consensus and decision-making. A listing of the CSAS-published reports in 2019 includes (i) Science Advisory Reports, (ii) Research Documents, (iii) Proceedings, and (iv) Science Responses and is available at: http://www.isdm-gdsi.gc.ca/csas-sccs/applications/events-evenements/result-eng.asp?year=2018.

Informal engagement opportunities

DFO Quebec Region personnel are also regularly engaged in other, less formal engagement activities such as community-based workshops and via social media platforms to solicit comments from the general public and special interests groups on program and policy initiatives that extend beyond the harvesting measures for the fishery.

The effectiveness of these consultation fora is underscored by the consistency inherent in how the processes are structured, scheduled and delivered throughout the current certification cycle, and even prior to. The turnover rate amongst representatives of the provincial government, harvesters and processors remains low. This includes adhoc working groups that may be established to provide input on very specific initiatives under the *Oceans Act*, the *Species-at-Risk Act*, or the *Canada Shipping Act*.

The Assessment team anticipates that these consultation fora and engagement activities will continue to operate during the re-assessment certification period in much the same manner as they have during the initial certification period. Of note, however, is the growing frustration and displeasure expressed by the RPPSG represetatives during teh 24th September site visit with their lack of information about and involvement in teh ongoing reconciliation negotiations between DFO and the Gaspé-based First Nations, negotiations that include additional access to the commercial lobster fishery.

The following public announcements were posted on DFO's Newsroom website[22] and are included here because of their likely ongoing relevance to the LFA 19-21 Lobster fishery.

June 20-21, 2019

Fisheries and Oceans Canada announced that Bill C-68, an Act to amend the *Fisheries Act*, passed Parliament and received Royal Assent. The modernized *Act* includes a number of new provisions including (i) restoring previously-repealed fish and fish habitat protection measures, (ii) requiring mandatory fish rebuilding plans, (iii) strengthening the role of Indigenous peoples in decision-making processes, (iv) protecting the independence of the inshore fleets.

July 2, 2019

DFO released a draft document entitled *Standard for the Development of Vessel Monitoring System (VMS) Hardware* and invited comments from the fishing and hardware industries on proposed new technical specifications that units will be required to meet in order to be approved for use, including a revised application process. The new standard will reflect changing technology and allow for innovation. The consultation period closed on 30th August. DFO anticipates that the new standard will be finalized in Fall 2019 and implemented in Winter 2020.

July 22, 2019

Fisheries and Oceans Canada announced that measures that will ensure that key policies relating to owner-operator and fleet-separation policies are being enshrined in regulation under the new *Fisheries Act.* The owner-operator policy requires fish harvesters to fish their licences personally so that those who actively fish,

[21] http://www.dfo-mpo.gc.ca/csas-sccs/process-processus/index-eng.html
[22] http://www.dfo-mpo.gc.ca/media/media-room-salle-des-medias-eng.html

receive the benefits from their licences. The fleet-separation policy maintains a separation between the fishing and fish processing sectors.

July 24, 2019
Fisheries and Oceans Canada announced that the Government of Canada will invest nearly $3 million for 12 new whale science initiatives, through various government funding programs. The whale science initiatives aim to support the conservation and recovery of endangered marine mammals through:

- upgrading field research equipment used to gather and analyze critical data to support protective measures;
- developing new tools and technologies to help detect whales in near real-time, such as a vessel-based infrared camera that detects whale blows;
- the continued development and testing of systems to alert mariners and large commercial vessel operators of nearby whales;
- creating a real-time movement forecast tool to help predict the direction of whale movements;
- new research tools to manage and analyze underwater noise data to help determine measures to reduce the impact on marine mammals; and
- expanding acoustic surveillance and monitoring to collect near real-time data on the presence of whales and better understand the impact of underwater noise on whales.

August 28, 2019
Fisheries and Oceans Canada announced the coming into force of strengthened fish and fish habitat protection provisions under the modernized *Fisheries Act*, as well as regulations that support these provisions. These changes include: (i) protection for all fish and fish habitats; (ii) restoring the previous prohibition against the "harmful alteration, disruption or destruction of fish habitat"; and, (iii) restoring a prohibition against causing "the death of fish by means other than fishing".

8.4.1.4. Decision-making processes

The decision-making processes associated with the management of the LFAs 19-21 lobster fishery and associated science-based stock assessment remain as described in the initial certification report. Essentially, the previously-noted Zonal Lobster Advisory Committee continues to be the principle industry forum of engagement with harvester and processor sector representatives, aboriginal communities, other governmental organizations and stakeholders, and members of the general public. The committee generates advice and recommendations for consideration by DFO's executive management team who have delegated authority to make decisions and oversee the implementation of the fishery's measures within a jurisdictional setting that does not involve other DFO administrative regions or provinces.

An important distinction arises when decisions are required for measures that have a broader application beyond the local LFA. For example, measures that were introduced in 2018 aimed at better protecting the NARW population were applied across eastern Canada, and mirrored somewhat those that were under consideration for U.S. Atlantic waters. In this example, decisions were taken at the federal level by the DFO Minister (for entanglements) and the Minister of Transport Canada (for shipping restrictions). Similarly, decisions associated with the listings of species-at-risk and the creation of marine protected areas and marine refuges are the purview of a small number of federal Ministers, including the DFO Minister.

Resource management decisions are closely aligned with DFO's long-established Precautionary Approach (PA) framework[23] specifically and to its Sustainable Fisheries Framework generally.[24] The PA framework is also the foundation of a number of DFO policies that incorporate Ecosystem-based approaches into fisheries

[23] http://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/precaution-eng.htm
[24] http://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/overview-cadre-eng.htm

management decisions.[25] The manner in which the elements of these frameworks have been adapted to the LFAs 19-21 IFMP are described at Sections 2 (Stock assessment), 4 (Management issues), 5 (Objectives) and 7 (Management measures) of the plan.[26]

The procedures and suite of administrative policies that govern DFO's Science-based RAP process remain as described in the initial certification report, as are the types of reports that are publicized. The most recent formal stock assessment for the LFAs 19-21 lobster fishery[27] also incorporates elements of the PA framework in defining the stock's reference points (p.11).

In assessing the decision-making features of the fishery, the Assessment team is required to consider the extent to which transparency and accountability is embedded within the fishery-specific management system. This includes public access to information on the fishery's performance and fisheries data; the availability of information to stakeholders on actions taken by management that have implications for sustainable use of fisheries resources, and the transparency of the decision-making process so that it is clear to all stakeholders that decisions were arrived at based on available evidence and due process.

The fishery-specific information and data associated with the LFAs 19-21 lobster fishery are collected from both fishery-dependent and fishery-independent sources (e.g. stock surveys, at-sea/port sampling, harvester logbooks, enforcement activities, partnerships etc.). They are used to generate a variety of reports from stock assessments and advice to managers, to in-season and post-season monitoring of the performance of the fishery, to harvester compliance with regulations, and to undertake economic analyses and studies. Other than certain types of information and data that cannot be disclosed publicly for reasons of confidentiality, the vast majority of what is collected can be found in public documents that are available from the DFO website or upon request. The outcomes of decisions taken are similarly posted on the website either as press releases or Notices to Harvesters. Proposed statutory changes that may have direct and indirect impacts on the fishery (i.e. creation of marine protected areas, SARA listings) are subjected to a rigorous process of public disclosure and input, and impact analyses before being registred in the *Canada Gazette.*

While the team anticipates that these decision-making processes will continue to operate during the re-assessment certification period, the team will continue to monitor how the current decision-making processes may be impacted by the aforementioned negotiations with First Nations representatives.

8.4.1.5. Long-term objectives

PI 3.1.3 relates to the long-term objectives that guide decision-making, consistent with MSC Fisheries Standard and the precautionary approach within management policy. Interpretive guidance provided in the standard (FSv2.01, SA4.5.1) stipulates that ''management policy'' shall be interpreted to mean outside the specific UoA (i.e. at a higher level or within a broader context than the fishery-specific management system).

The following frameworks include clear long-term objectives that are both implicit and explicit within and required by management policy.

The **Atlantic Fisheries Policy Framework** (2004)[28] provides policy direction for the management of fisheries on the Atlantic coast over the long term. It advocates a broad, inclusive approach to fisheries management while managing in a manner consistent with the constitutional protection provided to Aboriginal and treaty rights. The framework identifies two core objectives and two supporting objectives. These four objectives describe the outcomes that Fisheries and Oceans Canada will strive to achieve in collaboration with resource

[25] http://www.dfo-mpo.gc.ca/reports-rapports/regs/sff-cpd/ecosys-back-fiche-eng.htm
[26] http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/ifmp-gmp/lobster-homard/index-eng.htm
[27] https://waves-vagues.dfo-mpo.gc.ca/Library/40595432.pdf
[28] http://www.dfo-mpo.gc.ca/fm-gp/policies-politiques/afpr-rppa/framework-cadre-eng.htm

users and others who have an interest in the Atlantic fisheries. The principles that underpin these objectives and strategies are outlined below.[29]

The two core objectives are:

Conservation and Sustainable Use

Conservation of marine resources and habitat, and rebuilding of resources and restoration of habitat where necessary, will remain the highest priority for the management of all fisheries. Within the limits of available knowledge, all fishing activities will be conducted in a manner that leads to sustainable levels of resource use.

Self-reliance

Self-reliant fisheries and collaboration among all orders of government will contribute to the well-being of coastal communities. To be more self-reliant, resource users will have more flexibility to make decisions about their own economic and social objectives.

The two supporting objectives are:

Shared Stewardship

Participants will be effectively involved in fisheries management decision-making processes at appropriate levels; they will contribute specialized knowledge and experience, and share in accountability for outcomes. Achieving shared stewardship requires:

Stable and Transparent Access and Allocation Approach

The access and allocation of fisheries resources will be more stable and predictable, and decisions will be made and conflicts resolved through fair, transparent and rules-based processes. The principles that underpin these objectives and strategies are outlined below. They are intended to guide decision making on management of the Atlantic fisheries. They will also serve as a tool for evaluating future fisheries management policies and decisions and ensuring their coherence with the framework's objectives. There are nine principles:

1. **Conservation of fisheries resources and habitat** — defined as sustainable use that safeguards ecological processes and genetic diversity for present and future generations — is the first priority of fisheries management decision making;
2. The fishery is a **common property resource** to be managed for the benefit of all Canadians, consistent with conservation objectives, the constitutional protection afforded Aboriginal and treaty rights, and the relative contributions that various uses of the resource make to Canadian society;
3. The **Minister** of Fisheries and Oceans, on behalf of all Canadians, **retains authority** for the sustainable use of fisheries resources and their habitat, and for the access and allocation thereof;
4. DFO recognizes the **historic and continued importance of commercial fisheries** on the Atlantic Coast as well as the legitimacy and importance of other users, such as recreational fishers and aquaculturists;
5. Governments, resource users and others with an interest in the fisheries **share responsibility** for the sustainable use and economic viability of fisheries;
6. Fisheries management decision-making processes will provide opportunities for **increased Aboriginal participation and involvement;**
7. Fisheries management **decision-making processes** must be, and must be seen to be, fair, transparent and subject to clear and consistent rules and procedures;
8. Fisheries management **decision-making processes** will be more inclusive so that resource users and others will have appropriate opportunities to participate; and
9. **Operational decision making** affecting specific fisheries will normally be made as close to those fisheries as possible and will primarily involve resource users.

[29] Supporting policies and strategies in support of the AFPR objectives and principles are described in the aforementioned footnote.

DFO's **Sustainable Fisheries Framework**[30] provides the basis for ensuring Canadian fisheries are conducted in a manner which support conservation and sustainable use. It incorporates existing fisheries management policies with new and evolving policies. The framework also includes tools to monitor and assess those initiatives geared towards ensuring an environmentally sustainable fishery, and identifies areas that may need improvement. Overall, the Framework provides the foundation of an ecosystem-based and precautionary approach to fisheries management in Canada.

The Framework comprises two main elements: (1) conservation and sustainable use policies, and (2) planning and monitoring tools.

(1) Conservation and Sustainable Use policies incorporate precautionary and ecosystem approaches into fisheries management decisions to ensure continued health and productivity of Canada's fisheries and healthy fish stocks, while protecting biodiversity and fisheries habitat. Combined, these policies demonstrate Canada's commitment to the principles of ecosystem-based fisheries management. These policies include:

- A Fishery Decision-Making Framework Incorporating the Precautionary Approach (April 2009);
- Managing Impacts of Fishing on Benthic Habitat, Communities and Species (April 2009);
- Ecological Risk Assessment Framework (ERAF) for Coldwater Corals and Sponge Dominated Communities (April 2013); and
- Policy on New Fisheries for Forage Species (April 2009)

(2) The application of the sustainable use policies will be implemented into the fisheries management process through various **Planning and Monitoring Tools**. Integrated Fisheries Management Plans identify goals related to conservation, management, enforcement, and science for individual fisheries; and they describe access and allocations among various fish harvesters and fleet areas. The plans also incorporate biological and socio-economic considerations that are factored into harvest decisions. Integrated Fisheries Management Plans are an important reporting tool, and a valuable source of information on a given fishery for fisheries managers, industry, and other resource users. They also include a requirement to conduct a regular review of the fishery against the plan's objectives. In addition, self-diagnostic tools like the Fishery Checklist (a tool for internal use) can help the Department monitor improvements that support sustainable fisheries, and identify areas of weakness that require further work.

DFO has developed additional strategic policy frameworks such as for Integrated Fisheries Resource Management, Fisheries Sustainability, Species-at-Risk, Integrated Ocean Management, Aquatic Invasive Species, and Sensitive Benthic Habitats. These also contain long-term objectives with implications for the broader management policy context.

Regional Framework

DFO Quebec Region's fisheries management programs are informed by five overarching strategic objectives which embrace an Ecosystem Approach to Management (EAM). These have been tailored to reflect the management policy for the LFAs 19-21 Lobster fishery as described at Section 5 (Objectives) and Section 7 (Decision-making) of the IMP. The regional EAM's framework of long-term objectives include:

Conservation objectives

- *Productivity*: Do not cause unacceptable reduction in productivity so that components can play their role in the functioning of the ecosystem.
- *Biodiversity*: Do not cause unacceptable reduction in biodiversity in order to preserve the structure and natural resilience of the ecosystem.
- *Habitat*: Do not cause unacceptable modification to habitat in order to safeguard both physical and chemical properties of the ecosystem.

[30] http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/fish-ren-peche/sff-cpd/overview-cadre-eng.htm

Social, cultural and economic objectives

- *Culture and Sustenance*: Respect Aboriginal and treaty rights to fish.
- *Prosperity*: Create the circumstances for economically prosperous fisheries.

The conservation objectives require consideration of the impact of the fishery not only on the target species but also on non-target species and habitat. The social, cultural and economic objectives reflect the Aboriginal right to fish for food, social and ceremonial purposes. They also recognize the economic contribution that the fishing industry makes to Canadian businesses and many coastal communities. While the economic viability of the commercial fisheries depends on the industry itself, DFO is committed to managing the fisheries in a manner that helps participants be economically successful while using the ocean's resources in an environmentally sustainable manner.

The EAM approach to the region's management policy requires that all resource users, other stakeholders and DFO collaborate to develop objectives, strategies and review standards designed to meet the following criteria:

- Establish measurable, clearly stated management objectives and strategies;
- Consider biological, economic and social factors;
- Utilize a precautionary approach to risk management on an ecosystem based scale to promote sustainable resource utilization, and;
- Develop a structured and systematic approach to fisheries management.

The Assessment team anticipates that these long-term objectives will continue to inform the management system and guide decision-making during the re-assessment certification period in much the same manner as they have during the initial certification period.

8.4.1.6. Fishery-specific objectives

The MSC's Fisheries Standard provides interpretive guidance for evaluating this PI and its lone component. Specifically, SA 4.7.1 requires that the Assessment team verify that the individual harvest or management strategies that are scored in PIs under P1 and P2 are consistent with the fishery-specific objectives being scored under P3. SA 4.7.2 requires that the team interpret ''measurable'' at the SG 100 to mean that in addition to setting fishery-specific objectives that make broad statements, objectives are operationally defined in such a way that the performance against the objectives can be measured.

The fishery-specific objectives for the LFAs 19-21 lobster fishery are set out in Section 5 of the IFMP (DFO 2018a). They include:

1. Ensure sustainable harvesting of lobster

The stock assessment in 2016 concluded that high abundance, productivity and landings indicate that the Gaspé lobster stock is in good condition and in the healthy zone according to the Precautionary Approach. However, in Area 20, the small average size of commercial lobsters and the high exploitation rate suggest that the work already undertaken to reduce fishing effort must be continued.

With the electronic logbook, reliable data about fisheries can be gathered, on which science management and processes are based. However, it is necessary to acquire fishery-independent data to support implementation of the Precautionary Approach, as part of a sustainable strategy for fishery management activities.

Initiatives must be put forward to adopt a comprehensive approach when making management and conservation decisions regarding fishing areas in the same breeding grounds, taking into account population connectivity.

Objectives

- Keep stock abundance in the healthy zone
- Protect reproductive potential
- Reduce waste from ghost fishing and the impact of releases
- Consider population connectivity when establishing conservation and management measures
- Obtain reliable information on fisheries to support management and science processes
- Educate all industry stakeholders on conservation issues

2. Develop and apply an ecosystem approach for the lobster fishery [31]

Establishment of an ecosystem approach is consistent with integration of the Sustainable Fisheries Framework into fisheries management. Since habitat quality is a determining factor in successful benthic development and lobster recruitment, the interrelations between various fishing activities (other than the lobster fishery) and other activities (for instance, aquaculture, dredging deposits, etc.) that have an impact on the seabed and on lobster populations must be taken into consideration when establishing management measures for the diverse species or activities.

The impact of the lobster fishery on other species, especially on species at risk, must be assessed to minimize the risk of serious harm to non- targeted species. A follow-up on the evaluation of predation is necessary to better describe the impacts on lobster populations in the Gaspé. In terms of climate change, it is important to continue monitoring environmental conditions to identify and analyze the effects that these changes could have on lobster stocks.

Objectives

- Protect lobster habitat.
- Assess the risk of the fishery causing serious harm to habitat andvulnerable benthic communities
- Assess the risk of the fishery causing serious harm to non-targeted species stocks
- Assess bait needs and the risk of the fishery causing serious harm to bait species stocks, while adopting a comprehensive approach to management
- In the context of climate change, monitor environmental conditions and identify the effects on lobster stocks and the ecosystem
- Assess and consider the impact of the species that prey on lobster

3. Improve compliance with fisheries regulations

The Conservation and Protection (C&P) branch of DFO continues to dedicate a large portion of its resources to monitoring the commercial fishery. Over the last few years, several strategies were developed to ensure compliance with critical measures.

All fishery stakeholders, as well as the public, need to be educated about the importance of adopting practices to ensure resource conservation and motivated to do so. In addition, given the resource's proximity and how easy it is to access, the public should be the first target of any strategy seeking to reduce the intensity of poaching activities.

Objectives

- Develop a comprehensive approach involving all fishing industry participants to reduce illicit activity
- Adopt more deterrents to encourage compliance with regulations
- Continue the monitoring plan that addresses the critical management measures

[31] The contextual information presented here was condensed by the Assessment team strictly to improve readability.

- Within the limits of DFO's mandates and responsibilities, increase compliance monitoring with buyers, processors and sellers
- Educate and engage the public on the importance of complying with resource conservation regulations
- Standardize management measures across regions for fishing areas in the same production area

4. Foster economic prosperity[32]

The industry develops through various marketing and fisheries diversification strategies that require DFO's support. Among other considerations, management decisions must take into account the costs of lobster harvesting and the accessibility of fishing businesses to the next generation.

Objectives

- When making decisions, take into account the potential increase in operating costs associated with lobster management measures and keep them as low as possible
- Establish management measures that take into account the situation in the industry and support profitability for fishing businesses
- Within the limits of DFO's mandates and resources, support industry initiatives related to traceability, eco-certification and other marketing and fisheries diversification strategies:
  - Industry should implement initiatives related to traceability, eco-certification and other marketing and fisheries diversification strategies
  - Promote accessibility of fishing businesses to the next generation

5. Encourage the active participation of First Nations in the lobster fishery and the development of their capacities

Aboriginal communities, the industry and DFO have highlighted the importance of maintaining ongoing communications and a collaborative approach fostering participation of First Nations in decision-making processes. It is also crucial to help First Nations develop their capacities to create a prosperous and sustainable lobster fishery by providing financial leverage to communities.

Objectives

- Support First Nations' participation in the lobster fishery and the development of their capacities
- Foster a prosperous and sustainable fishery by providing financial leverage to communities
- Foster First Nations' participation in decision making
- Encourage communication between Aboriginal and non-Aboriginal peoples
- Educate the non-Aboriginal population on the importance of the food, social and ceremonial fishery
- Gather data on Aboriginal traditional knowledge and traditional ecological knowledge of lobster biology and population status

6. Improve governance

It is necessary to maintain the existing consultation processes and implement a governance model that allows for active participation of fish harvesters and a comprehensive approach with coordination among all fisheries management decision makers.

Objectives

- Foster a local approach to fisheries management
- Maintain ongoing communication with associations and First Nations and ensure their involvement in decision making
- Encourage orderly use of fishing grounds
- Develop a collaborative, coherent management approach involving all levels of government

[32] The initiatives listed here are identified as Industry driven, and are not the responsibility of DFO.

The IMP sets out the sub-objectives and performance indicators for each of the plan's 6 objectives (Table 23). These were developed over a period of several years and involved considerable discussions with and contributions from stakeholders. The plan notes that the responsibility for achieving the ''fostering economic properity'' objective is assigned to the RPPSG.

Table 23. LFAs 19-21 IFMP Objectives, Sub-objectives and Indicators. Source: DFO 2018a.

Objectives	Sub-objectives	Indicators
5.1 Ensure sustainable harvesting of lobster	5.1.1 Keep stock abundance in the healthy zone	Keep stock status indicators in the healthy zone; Monitoring programs to obtain reliable, fisheries-independent indicators are developed
	5.1.2 Protect reproductive potential	The minimum and maximum catch sizes are enforced in all areas and adjusted based on the reproductive characteristics of the stocks
	5.1.3 Reduce waste from ghost fishing and the impact of releases	Biodegradable panels and escape vents are 100% compliant. Rot cords are smaller; A system for managing the tracking of lost traps is put in place; Good release practices are applied by all fishers, and work and initiatives related to good release practices reduce the impact of releases.
	5.1.4 Consider population connectivity when establishing conservation and management measures	The connectivity of lobster populations is considered when establishing management and conservation measures; Work and initiatives on population connectivity are undertaken.
	5.1.5 Obtain reliable information on fisheries to support management and science processes	Work and initiatives to acquire fishery-independent data are in progress; The implementation of electronic logbooks allows the Department integrates the data collected using logbooks into the national database
	5.1.6 Educate all industry stakeholders on conservation issues	Fishery officers undertake the initiatives of awareness and compliance monitoring initiatives with fish processors and dealers.
5.2 Develop and apply an ecosystem approach	5.2.1 Protect lobster habitat.	Work on identifying important habitats and critical lobster habitat are in progress and activities affecting these habitats are identified; The artificial reef project is continued; Work and initiatives, in consultation with industry, related to the Marine Protected Area (MPA) Strategy are progressing.
	5.2.2 Assess the risk of the fishery causing serious harm to habitat and vulnerable benthic communities.	The impacts of lobster and ghost fishing on habitats, species and benthic communities are assessed and documented; Initiatives are put in place to identify habitats of importance for vulnerable benthic species and protection measures are in place; The risks of the identified fisheries impacts are taken into account in the recommendations and decision making.
	5.2.3 Assess the risk of the fishery causing serious harm to non- targeted species stocks.	The RPPSG's system for managing the tracking of lost traps is maintained, and the data are sent to DFO; A system for managing the tracking of lost traps is implemented through electronic logbooks; The data collected supports decision-making and scientific processes; Data on marine mammal entanglements are collected and analyzed and new mitigation measures are put in place; Cases of marine mammal entanglement in lobster trap ropes are

Table 23. LFAs 19-21 IFMP Objectives, Sub-objectives and Indicators. Source: DFO 2018a.

Objectives	Sub-objectives	Indicators
		recorded and decrease from year to year; Bycatch is reported in electronic logbooks; Work and initiatives are undertaken to document the impact of the fishery on bycatch; Bycatch reduction strategies are put in place; The catch of rock crab by lobster harvesters are taken into account in the rock crab stocks assessment.
	5.2.4 Assess bait needs and the risk of the fishery causing serious harm to bait species stocks, while adopting a comprehensive approach to management.	Implementation of a partial strategy to ensure that the lobster fishery does not hinder the recovery and rebuilding of the Canadian mackerel stock and all pelagic species; Work meeting held with the various regions to develop a joint management strategy for bait species; The initiatives in place reduce the use of rock crab and mackerel as bait; The development of fishery-independent indicators of rock crab stock trends supports management and conservation decisions and science processes.
	5.2.5 In the context of climate change, monitor environmental conditions and identify the effects on lobster stocks and the ecosystem.	Progress in work to monitor environmental conditions and identify the effects of climate change on lobster stocks and the ecosystem.
	5.2.6 Assess and consider the impact of the species that prey on lobster.	Implementation of collaborative initiatives among the different levels of government to manage the striped bass.
5.3 Improve compliance with fisheries regulations	5.3.1 Develop a comprehensive approach involving all fishing industry participants to reduce illicit activity.	Maintenance, throughout the year, of advisory committee meetings, workshops, and ongoing communications between the RPPSG, First Nations and DFO; Management is by sub-area.
	5.3.2 Adopt more deterrents to encourage compliance with regulations.	Continued work on initiatives to allow contravention records to be issued pursuant to the *Contraventions Act*.
	5.3.3 Continue the monitoring plan that addresses the critical management measures.	Number of hours allocated to the lobster fishery; Compliant use of electronic logbooks is 100%.
	5.3.4 Increase compliance monitoring with buyers, processors and sellers.	Number of compliance check activities with buyers, processors and sellers.
	5.3.5 Educate and engage the public on the importance of complying with resource conservation regulations.	Number of information meetings in schools (number of students met); Number of individuals intercepted while poaching during the current year compared to previous years.
	5.3.6 Standardize management measures across regions for fishing areas in the same production area.	Work meetings are held between regions for fishing areas in the same production area, and initiatives to standardize management measures are implemented.

Table 23. LFAs 19-21 IFMP Objectives, Sub-objectives and Indicators. Source: DFO 2018a.

Objectives	Sub-objectives	Indicators
Objectives	Sub-objectives	Indicators
5.4 Foster economic prosperity	5.4.1 When making decisions, take into account the potential increase in operating costs associated with lobster management measures and keep them as low as possible.	Impact of new initiatives associated with lobster fishery management on the operating costs of lobster harvesters taken into account.
	5.4.2 Establish management measures that take into account the situation in the industry and support profitability for fishing businesses.	Number of businesses that take advantage of flexibility measures (temporary and permanent merger, traps transfer).
	5.4.3 As much as possible with DFO mandates and resources, support industry initiatives related to traceability, eco-certification and other marketing and fisheries diversification strategies	Progress in work carried out by DFO to support the industry; Achievement and maintenance of MSC sustainable fishery certification conditions.
	5.4.4 Industry should implement initiatives related to traceability, eco-certification and other marketing and fisheries diversification strategies.	Progress in initiatives related to traceability and eco-certification; Commercial tourist fishery is developed.
	5.4.5 Promote accessibility of fishing businesses to the next generation.	Research initiatives and implementation of measures facilitate the facilitate access to fishing business for the next generation.
5.5 Encourage the active participation of First Nations	5.5.1 Support First Nations' participation in the lobster fishery and the development of their capacities.	First Nations are supported in terms of their technical and financial needs, development of their capacities, and in the implementation of various programs and CHPs.
	5.5.2 Foster a prosperous and sustainable fishery by providing financial leverage to communities	Percentage of harvesting performed by an Aboriginal crew using equipment belonging to the communities; Marketing initiatives are put in place.
	5.5.3 Foster First Nations' participation in decision making.	Initiatives to increase First Nations participation in advisory processes are implemented.
	5.5.4 Support communication between Aboriginal and non-Aboriginal peoples.	Non-native fisheries stakeholders participate in Aboriginal Fisheries Workshops.
	5.5.5 Educate the non-Aboriginal population on the importance of the food, social and ceremonial fishery.	Awareness initiatives about the food, social and ceremonial fishery are implemented.
	5.5.6 Gather data on Aboriginal traditional knowledge and traditional ecological knowledge of	Aboriginal traditional knowledge and traditional ecological knowledge of lobster biology and population status are considered when making management decisions and in scientific processes.

Table 23. LFAs 19-21 IFMP Objectives, Sub-objectives and Indicators. Source: DFO 2018a.		
Objectives	Sub-objectives	Indicators
	lobster biology and population status.	
5.6 Improve governance	5.6.1 Foster a local approach to fisheries management.	Management of the lobster fishery is maintained by area and sub-area.
	5.6.2 Maintain ongoing communication with associations and First Nations and ensure their involvement in decision making.	Communications between RPPSG, First Nations and DFO are maintained throughout the year through advisory committees and workshops.
	5.6.3 Encourage orderly use of fishing grounds.	Measures to minimize conflicts between lobster harvesters and other fishing activities are developed and implemented.
	5.6.4 Develop a collaborative, coherent management approach involving all levels of government.	Meetings are held with different levels of government regarding common issues.

The Assessment team anticipates that these fishery-specific objectives will continue to support achieving the outcomes expressed by MSC's Principles 1 and 2 and while remaining explicit within the fishery-specific management system throughout the re-assessment certification period.

8.4.1.7. Compliance and Enforcement

National Framework

DFO's National Conservation and Protection (C&P) Program promotes and maintains compliance with legislation, regulations, and management measures implemented to achieve the conservation and sustainable use of Canada's aquatic resources and the protection of species at risk, fish habitat, and oceans. The program is delivered through a balanced regulatory management and enforcement approach, including the promotion of compliance through education and shared stewardship; monitoring, control and surveillance (MCS) activities; and the management of major cases/special investigation related to complex compliance issues.

The MCS program consists of a number of traditional compliance and enforcement activities aimed at detecting and deterring illegal activities. Monitoring fishing and other activities provides an oversight function to determine participants' compliance with the legislation, regulations, and management measures in effect. Surveillance activities are supported by the use of modern technology such as vessel monitoring systems (VMS), electronic log record keeping, as well as partnerships and joint operations with other enforcement agencies. The general public assists in reporting violations through Crime Stoppers and ''observe, record and report'' initiatives).

The Assessment team is aware that DFO has undertaken work associated with two new C&P initiatives for which we have only limited information. The initiatives are: National Joint Performance Evaluation, and Enhanced Compliance Monitoring Initiative. The team will continue to seek information relating to these initiatives**.**

Regional Program Components

Quebec-based C&P Fishery Officers carry out a number of compliance activities for the LFAs 19-21 lobster fishery, including:

- Land-based patrols: catch inspections, fishing gear inspections, licence checks, both overt and covert patrols, and monitoring buy/sell operations;
- Sea patrols: fishing gear and catch inspections, logbook and licence documentations;
- Aerial patrols: surveillance of closed areas and periods, and investigating unauthorized activities;

- Detachment Supervisors: prepare annual work plans in which they allocate human, materiel and financial resources, and establish priorities; and
- Program staff assists in making recommendations and /or proposing solutions to issues that arise during the fishing season.

C&P staff also participate in the region's shared stewardship initiatives and interactions with key stakeholders. Examples of activities undertaken include:

- Interactions with fishers and members of the aboriginal communities on the wharves, their fishing vessels and communities;
- Participation in community events and school visits;
- Community volunteering outside work hours; and
- Participation in internal regional post-season reviews and analyses to assess the effectiveness of enforcement activities and to adjust operational plans in response to emerging issues.

Compliance strategy

The strategy is described at Section 9.6 of the IMP (2018) and is intended to address enforcement priorities associated with the LFAs 19-21 lobster fishery. Essentially, collaboration between C&P officers and the industry will be promoted at meetings of the LFA Advisory Committee (every 3 years) and at workshops for in-between years.

Dockside and at-sea monitoring will be more targeted by taking into account the information received and the fish harvesters' records. Random checks conducted by fishery officers will ensure that critical management measures are monitored, including compliance with the use of the electronic logbook (first piloted in 2012).

The *Poaching Alert* program allows citizens to anonymously report illegal practices. Alleged poaching cases which may become major cases will be prioritized by fishery officers. Furthermore, over the next few years, compliance awareness and monitoring activities with processors and fish dealers will be increased. Lastly, fishery officers will also continue their information and education activities in schools and businesses in the region to raise awareness about resource conservation.

The team anticipates that the Conservation and Protection Program for the fishery will continue to demonstrate an ability to enforce relevant management measures, strategies and/or rules; sanctions will continue to be consistently applied; fishers will continue to comply with the management system; and there will continue to be no evidence of systematic non-compliance.

Enforcement and compliance outcomes

Enforcement and compliance statistics provided by the Conservation and Protection Division of DFO's Gaspé Area are summarized at Tables 24 (2019) and 25 (2016 to 2018) for the commercial Lobster fishery in LFAs 19-21. The data show that the program has continued to operate at comparable levels of effort year-over-year and has produced outcomes which suggest that the regulatory requirements of the fishery are monitored at a level that is appropriate for the scope and intensity of the fishery, and that systemic non-compliance is not occurring.

Table 24. Surveillance and enforcement outcomes for the Lobster fishery by Area for 2019. Source: DFO Gaspé Area Office

Activity	Gaspé North	Gaspé South	Totals
Surveillance hours[1]	437	276	713
Inspections	33	81	114
Warnings issued[2]	4	16	20
Violations[3]	2	9	11

Table 24. Surveillance and enforcement outcomes for the Lobster fishery by Area for 2019. Source: DFO Gaspé Area Office

Activity	Gaspé North	Gaspé South	Totals
Complaints[4]	4	2	6
Unauthorized fishing	3	0	3
Gear checks	12,051	20,243	32,294
At-sea inspections (%)	20	20	20

Explanatory notes:

1. Excludes hours spent on conducting investigations; outcomes are recorded based on the Fishery Officer's district office and not where surveillance or the offence occurred.
2. For Gaspé South, includes incompleted electronic logbooks and trap tags registry; for Gaspé North, includes incompleted electronic logbooks, buoys not properly marked, illegal lobster traps, licence conditions not onboard.
3. For Gaspé North, includes 3 violations for fishing without a licence, 1 violation for retention of lobster while fishing snow crab, and 1 violation of licence condition in respect of the electronic logbook; for Gaspé South, includes 2 violations for floating ropes, 5 violations for electronic logbooks, 1 violation for fishing extra traps, and 1 violation for retention of lobster with eggs attached.
4. Excludes reports from experimental licence holders in 19A1 that their traps were vandalized.

Table 25. Summary of surveillance and enforcement outcomes for LFAs 19-21 from 2016 to 2018. Source: DFO Gaspé Area Office

Outcomes/Year	2016	2017	2018	Totals
Surveillance activities (hours)	576	734.5	558.5	1,869
Verifications (numbers)	98	110	73	281
At-sea verifications (% average)	31.6	33.6	36.0	33.7
Warnings	34	38	17	89
Infractions	41	45	5	91
Complaints	16	18	12	46
Unauthorized fishing	7	3	5	15

8.4.1.8. Monitoring and management performance evaluation

The IFMP describes at Section 10 (Performance Review) the approach to be taken in monitoring and evaluating the fishery's objectives as defined at Section 5 (refer to Table 9). The indicators listed are intended to guide how the fishery will be monitored and how the performance of its management system will be evaluated. The Plan stipulates that the indicators will be updated annually to account for progress made.

The relevant parts of the fishery-specific management system that may be included in the review are defined by the MSC's Guidance to the Fisheries Standard v2.01, GSA 4.10 (below):

- The decision-making process
- Data collection
- Scientific research
- Monitoring, Control and Surveillance
- Collaboration in and initiating a research plan
- Responding to feedback and response, and
- Monitoring systems as required in P1 and P2

Following the site visit meeting with DFO officials, the team was informed that the performance of the fishery-specific management system will be reviewed during the 2019 fall/2020 winter period. The review will include the fishery-specific objectives that were developed in 2018 and incorporated in the IFMP. The team anticipates that the plan's review performance will continue to be monitored and evaluated during the re-assessment certification period.

8.4.2 Principle 3 Performance Indicator scores and rationales

PI 3.1.1 – Legal and/or customary framework

PI 3.1.1		The management system exists within an appropriate legal and/or customary framework which ensures that it: - Is capable of delivering sustainability in the UoA(s); - Observes the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood; and - Incorporates an appropriate dispute resolution framework		
Scoring Issue		SG 60	SG 80	SG 100
a	Compatibility of laws or standards with effective management			
	Guide post	There is an effective national legal system **and a framework for cooperation** with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2	There is an effective national legal system and **organised and effective cooperation** with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2.	There is an effective national legal system and **binding procedures governing cooperation with other parties** which delivers management outcomes consistent with MSC Principles 1 and 2.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

There is an effective national legal system and **binding procedures governing cooperation with other parties** which delivers management outcomes consistent with MSC Principles 1 and 2.

The national legal system consists of a comprehensive and modern suite of federal statutes and regulations (and Prohibitions and Orders) that are relied upon when necessary to account for changes to the management regime for commercial, recreational and indigenous fisheries, new strategic policy frameworks, and judicial decisions. A well-defined parliamentary/public consultation process is triggered when statutory changes are contemplated for the purpose of promoting organized and effective cooperation with affected or interested parties. Additionally, DFO Quebec Region has specific consultation fora in place to inform and seek effective collaboration on a wide range of fisheries programs and related outcomes consistent with MSC Principles 1 and 2 i.e. management measures, enforcement and compliance, oceans and ecosystems, species-at-risk, and stock assessments. Accordingly, **SG 60 and 80 are met**.

The LFAs 19-21 lobster fishery is not subject to international cooperation for management of the stock, or other fisheries under the same management framework. As to whether there are binding procedures in place which deliver management outcomes consistent with P1 and P2, the scope of the required cooperation is defined in the MSC's GSA 4.3.2.3. and applies to inter-jurisdictional, high seas or highly-migratory fisheries. Canada is a signatory to UNCLOS and UNFSA and participates in RFMOs for those Atlantic and Pacific coasts fisheries that are subject to bilateral and multi-lateral management (e.g. NASCO, NEAFC, NAFO). Canada has also endorsed a variety of International Agreements through the auspices of the UNFAO. These undertakings are examples of binding procedures that deliver management outcomes consistent with P1 and P2.

Accordingly, **SG 100 is met.**

b	Resolution of disputes			
	Guide post	The management system incorporates or is subject by law to a **mechanism** for the resolution of legal disputes arising within the system.	The management system incorporates or is subject by law to a **transparent mechanism** for the resolution of legal disputes which is **considered to be effective** in dealing with most issues and that is appropriate to the context of the UoA.	The management system incorporates or is subject by law to a **transparent mechanism** for the resolution of legal disputes that is appropriate to the context of the fishery and has been **tested and proven to be effective**.

PI 3.1.1		The management system exists within an appropriate legal and/or customary framework which ensures that it: - Is capable of delivering sustainability in the UoA(s); - Observes the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood; and - Incorporates an appropriate dispute resolution framework		
	Met?	**Yes**	**Yes**	**Yes**

Rationale

The management system incorporates or is subject by law to a **transparent mechanism** for the resolution of legal disputes that is appropriate to the context of the fishery and has been **tested and proven to be effective**.

The Canadian judicial system provides for the resolution of legal disputes that is both appropriate to the context of the LFAs 19-21 lobster fishery and has been tested and proven to be effective. Most but not all legal disputes involving the fishery are argued at the provincial and federal court levels; plaintiffs also can apply for judicial review of a federal government decision and/or launch legal action up to the Supreme Court. In addition, DFO has had a longstanding independent, quasi-administrative tribunal process in place whereby licence holders can seek to have certain departmental licensing decisions reviewed. The tribunal process provides recommendations to the Minister who has the authority to render a final decision. The Assessment team believes that very few legal disputes are filed annually with the Courts across Eastern Canada.
Accordingly, **SG 60, SG 80 and SG 100 are met.**

	Respect for rights			
c	Guide post	The management system has a mechanism to **generally respect** the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.	The management system has a mechanism to **observe** the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.	The management system has a mechanism to **formally commit** to the legal rights created explicitly or established by custom of people dependent on fishing for food and livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

The management system has a mechanism to **formally commit** to the legal rights created explicitly or established by custom of people dependent on fishing for food and livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.
In the Gaspésie like elsewhere in eastern Canada, Indigenous Peoples have a constitutionally-affirmed and protected right to fish for FSC purposes as a result of the Supreme Court of Canada's decision in *Sparrow*. Additionally, the Supreme Court's decision in *Marshall* confirmed that the Mi'gmaq and Maliseet First Nations hold a communal right to access the commercial fisheries for the purpose of pursuing a moderate livelihood from fishing.

FSC fishing access is subject to management measures linked to the fishery's conservation requirements. Consultations between First Nations and the Federal Government must comply with binding legal requirements stipulated by the Supreme Court. Fishery management measures for communal commercial (CC) fishing are well defined and generally consistent with regulations and policies in effect for non-indigenous commercial fishing. All Gaspésie-located aboriginal communities have access to the LFA 19-21 lobster fishery for both FSC and CC fishing.

DFO and other federal departments have recently embarked on a national initiative aimed at implementing the Government's Reconciliation Strategy with Indigenous Peoples[33] that will continue to **formally commit** to respecting their legal rights and achieving improved governance and capacity building in the areas of fishing, oceans, aquatic habitat, and marine waterways. For example, in August 2019, DFO and the Maliseet of Viger First Nation based in the Gaspésie entered into a 10-year Fisheries Agreement that will foster improved relationships with, and outcomes for, the members of the First Nation by:

- recognizing the First Nation's Treaty rights to harvest and sell fish in pursuit of a moderate livelihood;

[33] https://www.rcaanc-cirnac.gc.ca/eng/1536350959665/1539959903708

PI 3.1.1	The management system exists within an appropriate legal and/or customary framework which ensures that it: - Is capable of delivering sustainability in the UoA(s); - Observes the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood; and - Incorporates an appropriate dispute resolution framework

- helping to reduce socio-economic gaps by providing funding to the First Nation to acquire more fisheries licences and quota, as well as vessels and gear; and
- establishing a process for a collaborative fisheries management approach.

Accordingly, **SG 60, SG 80 and SG 100 are met.**

References

Departmental Acts: http://www.dfo-mpo.gc.ca/acts-lois/acts-lois-eng.htm
Departmental Regulations: http://www.dfo-mpo.gc.ca/acts-lois/regulations-reglements-eng.htm
Aboriginal Fisheries: http://www.dfo-mpo.gc.ca/fm-gp/aboriginal-autochtones/afs-srapa-eng.htm
Departmental Fisheries Policies and Frameworks: http://www.dfo-mpo.gc.ca/reports-rapports/regs/policies-politiques-eng.htm.
Integrated Management Plan for LFAs 2019-21 (2018): Sections 4.5 and 5.5.
A Guide to the Atlantic Fisheries Licence Appeal Process: http://www.dfo-mpo.gc.ca/fm-gp/policies-politiques/licences-permis/aflap-pappa/pamphlet_e.pdf
DFO News Release: Transformative change underway at Fisheries and Oceans Canada to advance reconciliation: https://www.canada.ca/en/fisheries-oceans/news/2019/09/transformative-change-underway-at-fisheries-and-oceans-canada-to-advance-reconciliation.html
DFO News Release: Government of Canada and the Maliseet of Viger First Nation reach agreement on fisheries: https://www.canada.ca/en/fisheries-oceans/news/2019/08/government-of-canada-and-the-maliseet-of-viger-first-nation-reach-agreement-on-fisheries.html
Government of Canada's Reconciliation Framework: https://www.rcaanc-cirnac.gc.ca/eng/1536350959665/1539959903708
Government of Canada's International Treaties and Agreements: http://www.dfo-mpo.gc.ca/international/dip-trt-eng.htm

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	3 of 3	3 of 3	3 of 3	**100**
Condition number (if relevant)				**N/A**

PI 3.1.2 – Consultation, roles and responsibilities

PI 3.1.2		The management system has effective consultation processes that are open to interested and affected parties The roles and responsibilities of organisations and individuals who are involved in the management process are clear and understood by all relevant parties		
Scoring Issue		SG 60	SG 80	SG 100
a	Roles and responsibilities			
	Guide post	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are **generally understood**.	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are **explicitly defined and well understood for key areas** of responsibility and interaction.	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are **explicitly defined and well understood for all areas** of responsibility and interaction.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are **explicitly defined and well understood for all areas** of responsibility and interaction.

The LFAs 19-21 Lobster Advisory Committee continues to be the focal point of discussion between DFO, industry representatives and other stakeholders on all matters of relevance to the management of the fishery (i.e. policy development, management measures, science-based imperatives, program performance, new initiatives etc.). Deliberations are informed by well established principles and objectives dating to 2004. Committee membership has remained largely the same with minimal personnel turnover; representatives have acknowledged that they fully understand their roles and responsibilities; the functional aspects of the committee's business have evolved in keeping with the scope of the fishery and the emergence of new policy and regulatory schemes.
Accordingly, **SG 60, 80 and 100 are met.**

b	Consultation processes			
	Guide post	The management system includes consultation processes that **obtain relevant information** from the main affected parties, including local knowledge, to inform the management system.	The management system includes consultation processes that **regularly seek and accept** relevant information, including local knowledge. The management system demonstrates consideration of the information obtained.	The management system includes consultation processes that **regularly seek and accept** relevant information, including local knowledge. The management system demonstrates consideration of the information and **explains how it is used or not used**.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

The management system includes consultation processes that **regularly seek and accept** relevant information, including local knowledge. The management system demonstrates consideration of the information and **explains how it is used or not used**.

As noted in the main report, the management system is committed to an open sharing of information and data of relevance to the committee's business. This extends beyond the formal meetings of the committee (every 3 years) and includes workshops and local community interactions. The client group (RPPSG) is thus able to share the same information with their members, and, in the process, obtain important advice on formulating its views and recommendations. Both DFO and the client group

PI 3.1.2	The management system has effective consultation processes that are open to interested and affected parties The roles and responsibilities of organisations and individuals who are involved in the management process are clear and understood by all relevant parties

place considerable importance on local knowledge in developing new policies and guidelines (e.g. protection measures for the NARW, designation of new MPAs).
DFO's longstanding practice of timely communicating its fisheries management decisions to stakeholders, the media and general public through press releases, notices to harvesters, and now various social media platforms provides it with the opportunity to explain how information was used or not used. As well, local and regional media outlets are generally well informed of the management system's evolving measures.

The RAP remains an important science-based peer review forum for generating the best available scientific advice in support of the fishery's management system. As indicated, it has a well-defined and longstanding set of governance principles that revolve primarily around structure and scope. While its discussions are not open to the public, a representative of the client group would be invited to participate in the review process but not in the capacity of an advocate for the group. The forum considers all available information and perspectives in formulating its analysis and advice. Its peer-reviewed reports are posted on the CSAS website.
Accordingly, **SG 60, 80 and 100 are met**

c	Participation			
	Guide post		The consultation process **provides opportunity** for all interested and affected parties to be involved.	The consultation process provides **opportunity and encouragement** for all interested and affected parties to be involved, and **facilitates** their effective engagement.
	Met?		**Yes**	**Yes**

Rationale

The consultation process provides **opportunity and encouragement** for all interested and affected parties to be involved, and **facilitates** their effective engagement.

LFAs 19-21 lobster harvesters are strongly engaged in the affairs of the RPPSG and contribute positively to the group's perspectives at meetings of the committee. Other interested parties, such as environmental associations and individuals, can attend meetings and participate in the discussions at hand. DFO and/or RPPSG-initiated workshops provide an excellent opportunity for interested and affected parties to acquire and share information, and exchange perspectives.
Meetings of the LFAs 19-21 committee are facilitated by simultaneous translation services and dial-ins for those who cannot attend in person. Documents are forwarded to participants in advance of the Committee meetings to facilitate preparations and encourage constructive exchanges.
Accordingly, **SG 80 and SG 100 are met.**

References

IFMP (2018): Section 5 (objectives), Section 8 (Shared Stewardship) and Section 9 (Consultation)

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	3of 3	3 of 3	**100**
Condition number (if relevant)				**N/A**

PI 3.1.3 – Long term objectives

PI 3.1.3		The management policy has clear long-term objectives to guide decision-making that are consistent with MSC Fisheries Standard, and incorporates the precautionary approach		
Scoring Issue		SG 60	SG 80	SG 100
a	Objectives			
	Guide post	Long-term objectives to guide decision-making, consistent with the MSC Fisheries Standard and the precautionary approach, are **implicit** within management policy.	**Clear** long-term objectives that guide decision-making, consistent with MSC Fisheries Standard and the precautionary approach are **explicit** within management policy.	**Clear** long-term objectives that guide decision-making, consistent with MSC Fisheries Standard and the precautionary approach, are **explicit** within **and required by** management policy.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

Clear long-term objectives that guide decision-making, consistent with MSC Fisheries Standard and the precautionary approach, are **explicit** within **and required by** management policy.

DFO's management policy at the regional level consists of a comprehensive suite of frameworks of clear long-term objectives that guide decision-making consistent with MSC Fisheries Standard and the precautionary approach, and are explicit within and required by management policy. The Assessment team notes that with the recent passage of Bill C-68 (an Act to amend the *Fisheries Act*) and royal assent given in June 2019, many of the underlying management policy long-term objectives described therein have been enshrined in the new *Fisheries Act.*

Policy frameworks have been developed for DFO's Fisheries Management, Science, and Ecosystem and Oceans sectors and all are posted on the department's national website. Science-based frameworks have been peer-reviewed where required. In several instances, guidance and planning and monitoring tools have been developed to ensure associated decision- making within management policy meets the long-term objectives. DFO's Sustainability Fisheries Framework and supporting policy guidance best reflects the requirements of MSC Principles and Criteria. It lays the foundation for an ecosystem-based and precautionary approach to fisheries management in Canada. In 2010, DFO Science initiated work on identifying those indicators that would best serve as reference points for the eventual design and implementation of the precautionary approach for the various lobster stocks of Atlantic Canada and Québec.
Accordingly, **SG 60, SG 80 and SG 100 are met.**

References

A Framework for the Application of Precaution in Science-based Decision-Making about Risk
http://www.pco.bcp.gc.ca/index.asp?lang=eng&page=information&sub=publications&doc=precaution/precaution_e.htm
DFO's Oceans Management Approach
http://www.dfo-mpo.gc.ca/oceans/management-gestion/index-eng.htm
A New Ecosystem Science Framework in Support of Integrated Management
http://www.dfo-mpo.gc.ca/science/Publications/Ecosystem/index-eng.htm
Ecosystem Considerations in Fisheries Management
http://www.dfo-mpo.gc.ca/fgc-cgp/documents/parsons_e.pdf
Guidelines on Evaluating Ecosystem Overviews and Assessments
http://www.dfo-mpo.gc.ca/csas/Csas/status/2005/SAR-AS2005_026_e.pdf
Policy for Managing the Impact of Fishing on Sensitive Benthic Areas
http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/fish-ren-peche/sff-cpd/benthi-backfiche-eng.htm
Canada's Ocean Strategy – Policy and Operational Framework
http://www.dfo-mpo.gc.ca/oceans/publications/cosframework-cadresoc/pdf/im-gieng.pdf
Sustainable Fisheries Framework
http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/fish-ren-peche/sff-cpd/overviewcadre-eng.htm

PI 3.1.3	The management policy has clear long-term objectives to guide decision-making that are consistent with MSC Fisheries Standard, and incorporates the precautionary approach

A Fishery Decision-Making Framework Incorporating the Precautionary Approach
http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/fish-ren-peche/sff-cpd/precautioneng.htm
Policy on Managing Bycatch
http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/fish-ren-peche/sff-cpd/bycatch-policyprise-access-eng.htm
Application of the Sustainable Fisheries Framework through the Integrated Fisheries Management Planning Process
http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/fish-ren-peche/sff-cpd/ifmp-pgip-backfiche-eng.htm
DFO Gaspé Integrated Management Plan for LFAs 19-21 (revised in 2018)

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	1 of 1	1 of 1	1 of 1	**100**
Condition number (if relevant)				**N/A**

PI 3.2.1 – Fishery-specific objectives

PI 3.2.1		The fishery-specific management system has clear, specific objectives designed to achieve the outcomes expressed by MSC's Principles 1 and 2		
Scoring Issue		SG 60	SG 80	SG 100
a	Objectives			
	Guide post	**Objectives**, which are broadly consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are **implicit** within the fishery-specific management system.	**Short and long-term objectives**, which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are **explicit** within the fishery-specific management system.	**Well defined and measurable short and long-term objectives**, which are demonstrably consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are **explicit** within the fishery-specific management system.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

Well defined and measurable short and long-term objectives, which are demonstrably consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are **explicit** within the fishery-specific management system.

The fishery-specific objectives for the LFAs 19-21 lobster fishery have been established and inserted in the IMP (2018) for the fishery. This was not the case when the fishery underwent the initial assessment resulting in a PI score of 60. A Condition was created at that time to improve the PI's performance to at least the SG 80 level.

The fishery includes 6 specific objectives that are identified in the plan as being both short and long-term. The Assessment team has determined that the objectives are consistent with achieving the MSC's Principle 1 outcomes (i.e. stock status, harvest strategy, harvest control rules and tools, information/monitoring, and assessment of stock status) and Principle 2 outcomes (i.e. primary and secondary species, ETP species, habitats, and ecosystem). The team has also determined that the fishery-specific objectives meet the MSC's interpretation of ''explicit'' as found at SA 4.2 of the Fisheries Standard in that (i) they are documented management measures and mechanisms, (ii) the measures are established in the UoA, (iii) the measures are well understood and applied by users within the UoA, and (iv) the measures are considered to be durable and unambiguous. Accordingly, **SG 60 and SG 80 are met.**

According to SA4.7.2 of the MSC Standard, ''the team shall interpret 'measurable' at SG100 to mean that in addition to setting fishery-specific objectives that make broad statements objectives are operationally defined in such a way that the performance against the objective can be measured.''. The team is satisfied the objectives are now defined in a way that the performance against the objectives can be measured. Section 10 of the IFMP defines quantitative and qualitative indicators that serve to assess progress in measuring the objectives; these indicators are listed in section 8.4.1.6 Table 21.
Accordingly, **SG 100 is met.**

References

FAs 19-21 lobster fishery's Integrated Fishery Management Plan (DFO 2018a)

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	1 of 1	1 of 1	1 of 1	**100**
Condition number (if relevant)				**N/A**

PI 3.2.2 – Decision-making processes

PI 3.2.2		The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery		
Scoring Issue		SG 60	SG 80	SG 100
a	Decision-making processes			
	Guide post	There are **some** decision-making processes in place that result in measures and strategies to achieve the fishery-specific objectives.	There are **established** decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.	
	Met?	**Yes**	**Yes**	

Rationale

There are **established** decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.
The management system's specific objectives for the LFAs 19-21 lobster fishery are described in te IFMP and are supported by federal statutes and regulations and a broad array of strategic policy frameworks that are designed to achieve positive conservation outcomes for the target stock and associated habitat and marine ecosystems.

There ahave been well-established DFO decision-making processes in place for several eyars that result in measures and strategies to achieve the fishery-specific objectives. With the exception of the IMP's objective of ''fostering economic prosperity'', all other objectives listed in the IMP for which decision-making is required is delegated to the region's senior management cadre. The DFO Minister is generally responsible for fisheries decisions that are international, interregional or interprovincial in scope. The adoption of new measures in 2018 and 2019 to protect the NARW population from entanglements is an example of a decision that was taken by the DFO Minister and may have implicated the Federal Cabinet given the international dimension of the issue. The creation of the MPA is another example of a decision-making process that occurs ate the ministerial level.

Accordingly, **SG 60 and SG 80 are met.**

b	Responsiveness of decision-making processes			
	Guide post	Decision-making processes respond to **serious issues** identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take some account of the wider implications of decisions.	Decision-making processes respond to **serious and other important issues** identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.	Decision-making processes respond to **all issues** identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.
	Met?	**Yes**	**Yes**	**No**

Rationale

Decision-making processes respond to **serious and other important issues** identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.
It is important to note that there has been a general absence of serious/systemic issues that would compromise the objectives established for the LFAs 19-21 lobster fishery for which the DFO has jurisdictional responsibility and authority.

That said, the decision-making processes for the fishery are conditioned to operate effectively, transparently, and in a timely manner in the event that serious and other issues arise that would affect the management system and its fishery-specific

PI 3.2.2	The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery

objectives. The aforementioned decision to introduce urgent protection measures for the Right Whale population that frequents the Gulf of St. Lawrence is an example of a decision-making process that was transparent, timely and adaptive and took into account the wider (Canada-U.S.) implications of the decision.

The Canadian decision-making processes described in the main report operate on a continuous cycle of internal in-season and post-season reviews, stakeholder input, scientific research, and compliance monitoring. An ongoing partnership with the RPPSG contributes to the effectiveness of the fishery's management system through monitoring, evaluation and consultation.
Accordingly, **SG 60 and SG 80 are met.**

While the decision-making processes have been shown to be generally effective, transparent and timely, they are not necessarily structured to be responsive to all issues that arise, particularly in terms of timeliness. This is especially true of integrated ocean use issues which, by their nature, are complex, require extensive scientific research and monitoring, involve multiple stakeholders with competing interests, and a mix of government agencies and perhaps jurisdictions.
Accordingly, **SG 100 is not met.**

c	Use of precautionary approach			
	Guide post		Decision-making processes use the precautionary approach and are based on best available information.	
	Met?		**Yes**	

Rationale

Decision-making processes use the precautionary approach and are based on best available information.
DFO's decision-making processes have a strong and well-established link to the suite of policy frameworks listed in the main report, and, as such, reflect the precautionary approach and a reliance on the best available information.
Accordingly, **SG 80 is met.**

d	Accountability and transparency of management system and decision-making process			
	Guide post	Some information on the fishery's performance and management action is generally available on request to stakeholders.	**Information on the fishery's performance and management action is available on request**, and explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.	Formal reporting to all interested stakeholders **provides comprehensive information on the fishery's performance and management actions** and describes how the management system responded to findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

Formal reporting to all interested stakeholders **provides comprehensive information on the fishery's performance and management actions** and describes how the management system responded to findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.
A variety of Information on the fishery's performance is available to stakeholders and interested parties either on request or from DFO's regional and national websites including from press releases and social media platforms. Information generated by DFO typically includes stock status reports, research survey activities and results, economic analyses of conditions and trends affecting the fishery and industry, enforcement and compliance outcomes, fisheries management policy changes, regulatory

PI 3.2.2	The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery

amendments, species at risk assessments and recovery plans, habitat protection initiatives, and ecosystem interactions with and from the lobster fishery.

Members of the LFAs 19-21 lobster advisory committee regularly receive comprehensive information during and between committee meetings on the fishery's management system and performance from resource managers, enforcement officers, economists, and biologist. The associated interactions provide all parties with knowledge and responses on relevant recommendations and findings emerging from research, monitoring, evaluation, and review activities. DFO and/or Industry-led community-based workshops provide similar access to relevant information and responses.
Accordingly, **SG 60, SG 80 and SG 100 are met.**

e	Approach to disputes			
	Guide post	Although the management authority or fishery may be subject to continuing court challenges, it is not indicating a disrespect or defiance of the law by repeatedly violating the same law or regulation necessary for the sustainability for the fishery.	The management system or fishery is attempting to comply in a timely fashion with judicial decisions arising from any legal challenges.	The management system or fishery acts proactively to avoid legal disputes or rapidly implements judicial decisions arising from legal challenges.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

The management system or fishery acts proactively to avoid legal disputes or rapidly implements judicial decisions arising from legal challenges.
The management authority or the fishery is not subjected to continuing court challenges, and respects court decisions that are handed down. On occasion, DFO will consider appealing a provincial or federal lower court decision if, for example, it has been determined that a serious error has arisen or if the decision has the potential to seriously fetter the Minister's discretionary powers under the federal *Fisheries Act*. The management system or fishery does comply in a timely fashion with judicial decisions arising from any legal challenges.

In the majority of cases, the management system or fishery acts proactively to avoid legal disputes or rapidly implements judicial decisions arising from legal challenges. DFO's formal and informal consultation and engagement processes have been effective in minimizing potential legal disputes involving other levels of government, industry stakeholders and the general public. Of note, Fishery Officers have the authority to intervene to resolve certain types of conflicts between fishers outside of the legal system.
Accordingly, **SG 60, SG 80 and SG 100 are met.**

References

LFAs 19-21 Lobster Advisory Committee meeting minutes and backgrounders
DFO Science - Reports and Publications: http://www.dfo-mpo.gc.ca/science/Publications/index-eng.htm
DFO Marine Protected Areas: http://www.dfo-mpo.gc.ca/oceans/mpa-zpm/index-eng.html
DFO Program Reports (multiple types): http://www.dfo-mpo.gc.ca/reports-rapports-eng.htm
DFO Reports – Aquatic Species: http://www.dfo-mpo.gc.ca/species-especes/publications/index-eng.html
MInistère de l'Agriculture, des Pêcheries et de l'Alimentation (MAPAQ) Publications (multiple types):
https://www.mapaq.gouv.qc.ca/fr/md/Publications/Pages/Publications.aspx
Standing Committee on Fisheries and Oceans (Studies): https://www.ourcommons.ca/Committees/en/FOPO/Work

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met	Overall score

PI 3.2.2	The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery			
	SG60	SG80	SG100	
	4 of 4	5 of 5	2 of 3	**95**
Condition number (if relevant)				**N/A**

PI 3.2.3 – Compliance and enforcement

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with		
Scoring Issue		SG 60	SG 80	SG 100
a	MCS implementation			
	Guide post	Monitoring, control and surveillance **mechanisms** exist, and are implemented in the fishery and there is a reasonable expectation that they are effective.	A monitoring, control and surveillance **system** has been implemented in the fishery and has demonstrated an ability to enforce relevant management measures, strategies and/or rules.	A **comprehensive** monitoring, control and surveillance system has been implemented in the fishery and has demonstrated a consistent ability to enforce relevant management measures, strategies and/or rules.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

A **comprehensive** monitoring, control and surveillance system has been implemented in the fishery and has demonstrated a consistent ability to enforce relevant management measures, strategies and/or rules.

Throughout the course of the initial certification period of the LFAs 19-21 lobster fishery, DFO's Conservation and Protection Program has implemented a comprehensive suite of MCS mechanisms that have demonstrated a consistent ability to enforce relevant management measures, strategies and rules. There is no evidence to indicate that the program's funding levels have been reduced such that they would impact that ability of staff to implement the program's objectives and strategies over the medium term.

The Gaspé sector's C&P program for the fishery is highlighted in the IFMP and includes a synopsis of prevailing enforcement issues, strategies and performance indicators. The Assessment team reviewed the enforcement activities and associated outputs of the C&P program as reported during the annual surveillance audits for the LFAs 19-21 lobster fishery. The information indicates that the enforcement activities continued to be conducted by a combination of land, at-sea and air operations aimed at monitoring the harvesters' compliance with regulations and licence conditions. Where non-compliance issues were detected, Fishery Officers issued warnings or recommended the laying of formal charges. Conviction rates appear to have remained high, suggesting that Officers were well trained in the legal imperatives and professional in their approaches.

Accordingly, **SG 60, SG 80 and SG 100 are met.**

b	Sanctions			
	Guide post	Sanctions to deal with non-compliance exist and there is some evidence that they are applied.	Sanctions to deal with non-compliance exist, **are consistently applied** and thought to provide effective deterrence.	Sanctions to deal with non-compliance exist, are consistently applied and **demonstrably** provide effective deterrence.
	Met?	**Yes**	**Yes**	**No**

Rationale

Sanctions to deal with non-compliance exist, **are consistently applied** and thought to provide effective deterrence.

Available sanctions for the LFAs 19-21 lobster fishery consist of a range of legal and administrative sanctions, including licence suspension, catch and equipment seizures and forfeitures, monetary fines, and incarceration for the most serious offences. Federal prosecutors are experienced in prosecuting fisheries charges, and magistrates appear to have a good understanding of fisheries law. Data provided by DFO during the annual surveillance audits indicate that monetary fines and licence suspensions are the most common sanctions issued by the courts, and are generally thought to provide effective deterrence. Media

PI 3.2.3	Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with		

reporting of fisheries prosecutions and DFO's practice of reporting out on the outcomes of legal proceedings on the regional website also serve to reinforce deterrence. Accordingly, **SG 60 and SG 80 are met.**

In the absence of any analysis of the impacts of sanctions and other penalties levied relative to their deterrence effect, the team concludes that the requirements of SG 100 have not been demonstrated. Accordingly, **SG 100 is not met.**

c	Compliance			
	Guide post	Fishers are **generally thought** to comply with the management system for the fishery under assessment, including, when required, providing information of importance to the effective management of the fishery.	**Some evidence exists** to demonstrate fishers comply with the management system under assessment, including, when required, providing information of importance to the effective management of the fishery.	There is a **high degree of confidence** that fishers comply with the management system under assessment, including, providing information of importance to the effective management of the fishery.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

There is a **high degree of confidence** that fishers comply with the management system under assessment, including, providing information of importance to the effective management of the fishery.

An examination of available data and third party opinions suggest that the vast majority of LFAs 19-21 lobster licence holders comply with the management system for the fishery, and are diligent in their reporting of information of importance for the effective management of the fishery. The moderate level of infractions and likely low level of recidivism further suggest that some evidence exists to demonstrate compliance with the requirements of the management system. Industry fleet representatives routinely provide information of importance to the effective management of the fishery through their participation in a variety of formal and informal advisory and assessment processes, as well as through their ongoing stewardship activities with DFO. Accordingly, **SG 60 and SG 80 are met**.

The RPPSG has played an important role in the design and performance of the fishery's management system, including the decision-making process. It also continues to collaborate with DFO Science on various research-related projects. Guidance provided in the MSC Fisheries Standard (v2.01) at SA 4.9.1 for scoring issue (c) indicates that the team should consider whether ''fishers cooperate, where necessary, with management authorities in the collection of catch, discard and other information that is of importance to the effective management of the resources and the fishery'' as one of the elements that should influence scoring. The team is satisfied that sufficient information exists to demonstrate that fishers do cooperate with authorities in the suggested areas. Accordingly, **SG 100 is met**

d	Systematic non-compliance			
	Guide post		There is no evidence of systematic non-compliance.	
	Met?		**Yes**	

Rationale

There is no evidence of systematic non-compliance.

The MCS data provided at the time of the initial assessment and at the annual surveillance audits as well as the opinions of industry stakeholders and DFO staff indicate no evidence of systematic non-compliance by licence holders/operators in the fishery.
Accordingly, **SG 80 is met**.

References

PI 3.2.3	Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with

LFAs 19-21 IMP:Enforcement and Compliance Strategy and Objectives.
DFO Enforcement and Compliance statistics: initial assessment report and annual surveillance audits.

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	3 of 3	4 of 4	2 of 3	**95**
Condition number (if relevant)				**N/A**

PI 3.2.4 – Monitoring and management performance evaluation

PI 3.2.4		There is a system of monitoring and evaluating the performance of the fishery-specific management system against its objectives There is effective and timely review of the fishery-specific management system		
Scoring Issue		SG 60	SG 80	SG 100
a	Evaluation coverage			
	Guide post	There are mechanisms in place to evaluate **some** parts of the fishery-specific management system.	There are mechanisms in place to evaluate **key** parts of the fishery-specific management system.	There are mechanisms in place to evaluate **all** parts of the fishery-specific management system.
	Met?	**Yes**	**Yes**	**Yes**

Rationale

There are mechanisms in place to evaluate **all** parts of the fishery-specific management system.

MSC Guidance to the Fisheries Standard (v2.01, GSA 4.10) indicates that this PI is intended to focus on whether (i) the management system has a process of monitoring and evaluating management performance appropriate to the cultural context, scale and intensity of the fishery, and (ii) relevant to fishery-specific management and supporting structures that are able to effect change. This PI intends to evaluate if the management system itself is reviewed, not to re-assess the efficiency of the previous PIs.

Section 10 of the IFMP for the LFAs 19-21 lobster fishery lists the management system's objectives that are subject to evaluation. Appendix 2 further captures the most recent post-season outcomes as of May 2018. The post-season review of the IFMP's management system includes an assessment internal to DFO with input from the RPPSG, and typically involves two primary processes: the Science-based RAPs and the Fisheries Management-led Advisory Committee. The RAP and stock status update processes are aligned to evaluate the performance and effectiveness of the strategies and tactics associated with the productivity, biodiversity and habitat EAM-based objectives for the fishery. More broadly, the Science-based CSAS program is also used to evaluate the performance of those components of the fishery-specific management system that are defined by P1 and P2, and to generate proposals for future changes. Performance monitoring and evaluation undertaken by the Advisory Committee is generally focused on the operational elements of the management system, including compliance with regulations, licence conditions and other measures. The Team understands that additional departmental supportive evaluations are triggered on an opportunistic basis, such as (i) climate change impacts, (ii) MPA-created impacts, and (iii) economic outcomes.

During the site visit discussion with DFO Gaspé staff, the Reassessment team was informed that a performance evaluation of the revised IMP's provisions (per Section 10, Appendix 2) would be undertaken over the fall 2019/winter 2020 period.

Accordingly, **SG 60, SG 80 and SG 100 are met.**

b	Internal and/or external review			
	Guide post	The fishery-specific management system is subject to **occasional internal** review.	The fishery-specific management system is subject to **regular internal** and **occasional external** review.	The fishery-specific management system is subject to **regular internal and external** review.
	Met?	**Yes**	**Yes**	**No**

Rationale

The fishery-specific management system is subject to **regular internal and occasional** review.

At SG 80 and SG 100, ''external review'' means external to the fisheries management system, but not necessarily international. Depending on the scale and intensity of the fishery, it could be by: (i) another department within an agency, (ii) another agency

PI 3.2.4	There is a system of monitoring and evaluating the performance of the fishery-specific management system against its objectives There is effective and timely review of the fishery-specific management system

or organization within the country, (iii) a Government audit that is external to the fisheries management agency; (iv) a peer organization nationally or internationally, and (v) external expert reviewers.

Having paid considerable attention over many years as to how this PI has performed in a number of other Atlantic Canadian MSC assessments and audits, the Assessment team is satisfied that there is appropriate available evidence to conclude that the fishery-specific management system is subject to regular internal and occasional external review through both formal and informal processes. However, the fishery-specific management system is not subject to regular external review in accordance with the scale and intensity of the fishery (per references below).

Accordingly, SG 60 and SG 80 are met, SG 100 is not met.

References

Internal reviews:
MP (2018) for LFAs 19-21
DFO CSAS Science publications (e.g. stock assessment, ecosystem, habitat, species-at-risk): http://www.dfo-mpo.gc.ca/science/Publications/index-eng.htm

External reviews:
DFO Internal Audits and Evaluations (pre-2016, 2016-17 to 2018-19): http://www.dfo-mpo.gc.ca/rpp/2016-17/SupplementaryTables/iae-eng.html#b2
Standing Committee of Fisheries and Oceans (42nd Parliament, 1st Session) - Past Work (e.g. licensing system, species-at-risk): http://www.ourcommons.ca/Committees/en/FOPO/Work
Federal Auditor-General Reports – Fisheries and Oceans: http://www.oag-bvg.gc.ca/internet/English/parl_lpf_e_1205.html
Commissioner for the Environment and Sustainable Development – Fisheries and Oceans (e.g. IMPs, rebuilding strategies): http://www.oag-bvg.gc.ca/internet/English/parl_lp_e_901.html
Oceana Canada: https://www.oceana.ca/en/press-center/press-releases
Oceans North: https://oceansnorth.org/en/our-work/where-we-are-working

Overall Performance Indicator scores added at Public Certification Report

Overall Performance Indicator score	Applicable SGs/elements met			Overall score
	SG60	SG80	SG100	
	2 of 2	2 of 2	1 of 2	**90**
Condition number (if relevant)				**N/A**

9 References and MSC Interpretations

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DFO Gaspé written responses to the Assessment Team's questions at the site visit meeting

MSC Interpretations

The MSC requires that the use in an assessment report of an interpretation from the interpretation log must be properly referenced with the date, title and web link of the interpretation being provided.

Relevant Interpretation 1	
Title:	Assessing P2 species "cumulative" between v2.0 and 1.3 fisheries (FCR v.20 – Table GSA3)
Date:	Original publish date is 18/07/2016 Last published date is 29/08/2018
Weblink:	https://mscportal.force.com/interpret/s/article/Assessing-P2-species-cumulatively-between-v2-0-and-1-3-fisheries-GSA3-1-9-1527262006140
Question:	In Guidance section GSA3.1.9, Table GSA3 the discussion on the topic of 'MSC UoAs and the assessment of cumulative impacts' indicates that 'a UoA assessed against standard v2.0 may need to consider the combined impact of itself and other overlapping UoAs. This determination will include other UoAs assessed against earlier versions of the CR (e.g. v1.3). However, there are a number of problems with comparing v2.0 fisheries against those from v1.3. First, the species categories are differently defined (v1.3 uses 'retained' and 'bycatch' and v2.0 uses 'primary' and 'secondary'; species are categorised in these components based on different criteria). In order to be able to compare these, teams would have to reconsider the species allocations for the v1.3 fisheries, which would be very time consuming. Second, fisheries on the same version of the standard (v2.0) have an incentive to provide necessary information to each other and/or work collectively in order to fulfil the cumulative requirements. There is no requirement to include this information in the assessment reports in v1.3, and the impact of each fishery is assessed on its own. Therefore, these fisheries do not have an incentive to share information on P2 species catches with others or to work with v2.0 fisheries to ensure they do not collectively hinder recovery of any species triggering the cumulative requirements. This could lead to a v2.0 fishery not being able to meet the requirements/fulfil conditions because of unwillingness to cooperate or lack of information from a v1.3 fishery. Could the guidance in Table GSA3.1.9 be re-considered in light of the above
Answer:	The MSC has noted the points raised in relation to difficulties of assessing cumulative impacts between fisheries on v2.0 and v1.3 of the standard. We have consulted with the MSC Technical Advisory Board (TAB) and Board of Trustees and have reconsidered the language in Table GSA3. Due to the points raised in the request, the first two paragraphs of guidance on 'MSC UoAs and the assessment of

	cumulative impacts' in Table GSA3 may be taken as a suggestion and does not need to be implemented. The expectation would be that fisheries assessed against v2.0 of the standard shall only be required to consider cumulative impacts with other v2.0 fisheries. The last paragraph cross-referencing additional Guidance in Annex GPB still applies. Annex GBP does not reference specific versions of the standard when considering harmonisation of scores and conditions when evaluating cumulative impacts, but the same principle applies – any harmonisation activities on cumulative only needs to take place between fisheries on v.2.0. However, it should be noted that it may be in the interest of v1.3 fisheries to consider their cumulative impacts with v2.0 fisheries to assist with transition to the new version of the standard. Note: this interpretation replaces a previous response on this topic. The old interpretation has been removed from this website.

10 Appendices

10.1 Assessment information

10.1.1 Previous assessments

The Gaspésie lobster trap fishery was previously assessed and certified in 5th March 2015. The Public Certification report and all surveillance audits reports are available on the MSC website: https://fisheries.msc.org/en/fisheries/gaspesie-lobster-trap-fishery/@@view

Three conditions were raised during the initial assessment as presenting in Table 26.

Table 26. Summary of previous assessment conditions.

Condition	PI(s)	Year closed	Justification
Condition 1 The client must provide evidence that a partial strategy of demonstrably effective management measures is in place such that the Gaspésie lobster fishery does not hinder the recovery and rebuilding of the mackerel stock.	2.1.1	Closed at 3rd surveillance audit in 2018	The audit team has been provided with evidence that the amount of mackerel used as bait is monitored since 2015 being recorded in logbooks. Data from logbooks provided clearly show a significant decrease in the amount of mackerel used as bait. Improvement in mackerel fisheries management have been implemented with new management measures to better monitor and report mackerel catches. DFO has undertaken a number of activities to improve stock assessment methodology and management. The Northwest Atlantic mackerel stock assessment was carried out in March 2017 and the stock assessment report has been published in August 2017. The censored statistical catch-at-age model takes into account uncertainties due to unrecorded catches. There is evidence of recovery and rebuilding of mackerel stock.
Condition 2 The client must provide evidence that a partial strategy of demonstrably effective management measures is in place such that the Gaspésie lobster fishery does not hinder the recovery and rebuilding of the mackerel stock.	2.1.2	Closed at 3rd surveillance audit in 2018	The audit team has been provided with evidence that the amount of mackerel used as bait is monitored since 2015 being recorded in logbooks. Data from logbooks provided clearly show a significant decrease in the amount of mackerel used as bait. Improvement in mackerel fisheries management have been implemented with new management measures to better monitor and report mackerel catches. DFO has undertaken a number of activities to improve stock assessment methodology and management. The Northwest Atlantic mackerel stock assessment was carried out in March 2017 and the stock assessment report has been published in August 2017. The censored statistical catch-at-age model takes into account uncertainties due to unrecorded catches. There is evidence of recovery and rebuilding of mackerel stock.

Condition 3 The client must provide evidence that short and long-term objectives which are consistent with achieving the outcomes expressed by MSC's Principle 1 and 2 are explicit within the fishery's management system. To do so, the client must provide evidence that the IFMP under development, identifying the lobster fishery-specific objectives, has been finalized and adopted for use for the fishery.	3.2.1	Closed at 3rd surveillance audit in 2018	An Integrated Fisheries Management Plan (IFMP) for lobster in Areas 19, 20 and 21 has been approved on June 8, 2018. Section 5 of the IFMP defines the fishery-specific objectives as identified by DFO, the RPPSG and First Nations.

10.1.2 Small-scale fisheries

Table 27. Small-scale fisheries.

Unit of Assessment (UoA)	Percentage of vessels with length <15m	Percentage of fishing activity completed within 12 nautical miles of shore
Gaspésie lobster trap	100%	Fishing activity is concentrated between the shore and about 20 nautical miles offshore, approximately 60%.

10.2 Evaluation processes and techniques

10.2.1 Site visits

A site visit was held in Gaspé, Chandler and l'Anse-à-Beaufils, Gaspésie on September 23rd and 24th, 2019. The team meet with the Management and Science agency (DFO), the client and inspected a lobster fishing vessel and lobster trap at a fishing harbour.

10.2.2 Stakeholder participation

The re-assessment announcement and the ACDR were posted on the MSC website on June 4th, 2019. Stakeholders have also been notified about the re-assessment by email with the re-assessment announcement attached. Stakeholders have been invited to comment on the ACDR, meet with the assessment team and/or to provide information relevant for the re-assessment process.

Details of public announcements of the progression of the re-assessment are described in Table 28.

Table 28. Stakeholder consultation process

Date	Purpose	Media
4th June 2019	Fishery announcement template Announcement Comment Draft Report	Notification on MSC website Direct email
24th September 2019	Proposed peer reviewers	Notification on MSC website Direct email (Peer Review College)
19th December 2019	Revised timeline4	Notification on MSC website Direct email
7th February 2020	Revised timeline4	Notification on MSC website Direct email
24th February 2020	Additional stakeholder consulation period	Notification on MSC website Direct email
25th February 2020	Variation Request and MSC'S acceptance	Notification on MSC website Direct email
4th December 2020	Release of the Public Comment Draft Report	Notification on MSC website Direct email
18th December 2020	Variation Request and MSC'S acceptance	Notification on MSC website Direct email
13th January 2021	Release of the Final Draft Report	Notification on MSC website Direct email

Table 29 lists meetings held and stakeholder met during the site visit.

Table 29. Summary of consultation meetings during the September 2019 site visit.				
Date and time	**Location**	**Organization**	**Attendees**	**Topics discussed**
23rd September 2019 at 9.00 am	DFO Gaspé offices, Gaspé	DFO	**DFO** Éric St-Laurent Magalie Hardy Caroline Leclerc Benoît Bruneau (by conference call) Jérôme Beaulieu (by conference call) Élaine Bouchard Antoine Rivière Jean-Michel Poulin **GTC audit team** Géraldine Criquet Jean-Claude Brêthes Bob Allain **MSC Observers** Amanda Lejbowicz Guy-Pascal Weiner	- Lobster landings - Reporting of lobster kept for personal use - Lobster removals from other fisheries - DFO Framework for the quality assessment of the dependability of catch data - 2019 Conditions of Licences - Elog - Additional measures to improve lobster size structure - Fishery-specific objectives set in the IFMP - Data used for the lobster stock assessment - Non-target species catches - Reporting of rock crab discarded - Bait - Interaction with ETP species - Reported lost traps - Bill C-55 Amendments to *Oceans Act* - Consultation process - Lobster Advisory Committee meeting in 2019 - Enforcement and compliance
24th September 2019 at 9.30 am	RPPSG offices, Chandler	RPPSG (client group)	**RPPSG** Jean Côté O'Neil Cloutier Gilles Duguay Steeve Lelièvre Mitch Girard Maxime Lelièvre **GTC audit team** Géraldine Criquet Jean-Claude Brêthes	- Buyers - Reporting of lobster kept for personal use - Fishery-specific objectives set in the IFMP - Window size for lobster - Bait - Elog - Reporting of interaction with marine mammals - Scientific projects - Consultation process - Compliance - Impact of climate change on lobster

Table 29. Summary of consultation meetings during the September 2019 site visit.				
Date and time	**Location**	**Organization**	**Attendees**	**Topics discussed**
			Bob Allain **MSC Observers** Amanda Lejbowicz Guy-Pascal Weiner	
24th September 2019 at 12.15 pm	Anse-à-Beaufils harbour	Lobster harvester	**RPPSG** Jean Côté Lobster harvester **GTC audit team** Géraldine Criquet Jean-Claude Brêthes Bob Allain **MSC Observers** Amanda Lejbowicz	- Fishing practices and operations - Bait - Traps - Status of lobster stock
24th September 2019 at 1.45 pm	Percé	RPPSG (client group) – closing meeting	**RPPSG** Jean Côté **GTC audit team** Géraldine Criquet Jean-Claude Brêthes Bob Allain **MSC Observers** Amanda Lejbowicz	- Summary of the site visit - Summary of additional information requested - Re-assessment timeline

10.2.3 Evaluation techniques

10.2.3.1. Justification for choosing the media for public announcement

Public announcements relating to the fishery were posted on the MSC website as this was felt to be the most appropriate media for such announcements. In addition all identified stakeholders were contacted directly via email informing them of the substance of any announcements and advising where the announcements themselves could be accessed. All identified stakeholders were also furnished with copies of consultation announcements including the "MSC Template for Stakeholder Input into Fishery Assessments".

10.2.3.2. Methodology used

The Announcement Comment Draft Report was prepared by the assessment team using the information and data from the Client Document Checklist, the information an data provided by stakeholers as part of the 4th surveillance audit and information available online.
DFO and the RPPSG were provided in advance to the site visit with meeting agendas that included a list of questions and required information specific to each Principle. During the site visit, the assessment team met with the client, the management and science agency and lobster harvesters incluing interviewing a lobster harvester are the harbour (Table 29).

After the site visit, the assessment team compiled and analysed all relevant information before scoring the UoA against Performance Indicator Scoring Guideposts (PISGs) in the Default Assessment Tree. In scoring the UoA, the team used the methodology set ou in MSC FCP v.2.1 § 7.17.2, the team:

- Discussed evidence together;
- Weighted up the balance of evidence; and
- Used their expert judgement to agree a final score.

SAI Global's team used the information provided by the client through the Client Document Checklist, information provided by DFO, information available online, information from previous surveillance audit reports, information collected at the site visit, additional information provided after the site visit, the peer reviewer's comments, the MSC's Technical Oversight findings, and the outcome of harmonisation activities to draft this Final Draft Report and Determination.

10.2.3.3. The scoring process

There are 4 distinct elements of the assessment tree that contribute to the UoA's score and the determination whether the fishery is eligible to certification. These are:

- Principles (1, 2 and 3)

Scoring at the Principle level is pass or fail. In order to be eligible for certification, an UoA is required to achieve a score of 80 or more as the weighted average score of all PIs within a Principle. If any Principle scores less than 80, the UoA fails.

- Performance Indicators (PI)

At the PI level, the performance of the fishery is assessed as a 'score' taking into account whether or not each Scoring Guidepost (SG60, SG80, SG100) was met for each Scoring Issue. In order for the UoA to eligible for certification, each PI must score 60 or more.
If any PI scores 60 or more but less than 80 a Condition is raised for that PI. Any Conditions must be addressed by an agreed upon Client Action Plan (CAP). Any PI that scores 80 or more is awarded an unconditional pass. PIs are normally scored to the nearest five units (60, 65, 70, etc.).

- Scoring Guideposts (SG)

Scoring Guideposts identify the level of performance necessary to achieve 60, 80 (a pass score), and 100 scores for each Scoring Issue under each Performance Indicator.

- Scoring Issues (SI)

Scoring Issues are different parts of a PI covering related but different topics. Each PI has one or more SIs against which the fishery is assessed at the SG60, 80 and 100 levels; note there may not be a SI at every SG level.

If one or more of the SG60 scoring issues is not met, the UoA fails, and no further scoring is required for the PI.

The scoring process is fully explained in the MSC FCP v.2.1 § 7.17 and can be summarized as follows:

- If all the SG60 SIs are met, the PI must achieve at least a 60 score.
- In order to achieve a 80 score, all 60 SGs and all SGs 80 shall be met.
- In order to achieve a 100 score, all 60 SGs, all SGs 80 and all SGs 100 shall be met.
- Award 65 when performance against the scoring issues is slightly above SG60 (a few scoring issues are fully met, but most are not fully met).
- Award 70 where performance against the scoring issues is mid-way between SG60 and SG80 (some scoring issues are fully met, and some are not fully met).
- Award 75 when performance against the scoring issues is almost at SG80 (most scoring issues are fully met, but a few are not fully met).
- Award 85 when performance against the scoring issues is slightly above SG80 (a few scoring issues are fully met, but most are not fully met).
- Award 90 where performance against the scoring issues is mid-way between SG80 and SG100 (some scoring issues are fully met, and some are not fully met).
- Award 95 when performance against the scoring issues is almost at SG100 (most scoring issues are fully met, but a few are not fully met).

10.3 Peer Review reports

10.3.1 General Comments

Fishery	Assess-ment Start Year	Peer Reviewer (A/B/C)	Question	Yes/No	**Peer Reviewer Justification (as given at initial Peer Review stage).** Peer Reviewers should provide brief explanations for their 'Yes' or 'No' answers in this table, summarising the detailed comments made in the PI and RBF tables.	**CAB Response to Peer Reviewer's comments (as included in the Public Comment Draft Report - PCDR)**
Gaspésie lobster Trap fishery	2019	PR A	Is the scoring of the fishery consistent with the MSC standard, and clearly based on the evidence presented in the assessment report?	Yes	The assessment team has scored the fishery appropriately and consistent with the MSC standard based on the evidence presented in the report. I agree with the assessment team's conclusion that the fishery should be recertified. The initial certification of this fishery raised three conditions all of which were closed at the 3rd surveillance audit, and therefore it is appropriate to undertake a reduced reassessment of the fishery. There are a number of PIs for which I have questioned the scores, but none of these have implications for the overall conclusion that the fishery should be recertified. In relation to the scoring of Principle 1, my main concern (which is highlighted by the assessment team as a weakness) is the use of landings as a proxy for biomass and therefore as the main stock indicator used for defining both reference points and the subsequent development of HCRs. Landings (or catch) per unit effort are conventionally considered to be a better index of stock biomass than landings *per se* , and there appears to be good data on LPUE. In relation to Principle 2 the main potential impact of the UoA is on ETP species, and I think that there should be a condition in relation to PI 2.3.1 because of the continuing potential of other MSC UoAs in the region to cause entanglements of North Atlantic right whales (see comments under PI 2.3.1). The UoA is unlikely to have any impact on other bycatch species, because there are low bycatch rates and high survival of any discarded bycatch, or on habitat or ecosystem features as there is a DFO-wide ecosystem approach to fisheries management that ensures that any impacts on the wider ecosystem are minimised. In relation to Principle 3, as with all Canadian Atlantic fisheries, there is comprehensive and robust national and fishery-specific governance and evidence of very low levels of non-compliance with management regulations.	The assessment team thanks the peer reviewer for the comments. The fishery is eligible for a reduced re-assessment given that 1) the fishery is covered by a current certificate, 2) there is no remaining conditions after the 3rd surveillance audit, and 3) standard related stakeholder comments have been addressedd by teh 3rd surveillance audit (note that standard related stakeholder comments have ot been received during the surveillance audits). The teams' responses to the peer reviewer's comments specific to PIs are included in the PI comments sheet. Regarding the peer reviewer's main concern in relating to Principle 1, the use of landings as a proxy for abundance and defining reference points and associated HCRs was peer reviewed an also used for other lobste fisheries operating in the Gulf of St Lawrence. Other stock status indicators are available including demographic stucture, production and fishing pressure. These indicator are monitored annually. The peer reviewer's comment regarding the combined effects of MSC UoAs is addressed in the PIs comments sheet. There were no comments related on Principle 3.
Gaspésie lobster Trap fishery	2019	PR A	Are the condition(s) raised appropriately written to achieve the SG80 outcome within the specified timeframe? [Reference: FCP v2.1, 7.18.1 and sub-clauses]		NA - No conditions were raised by the assessment team.	N/A
Gaspésie lobster Trap fishery	2019	PR A	Enhanced fisheries only: Does the report clearly evaluate any additional impacts that might arise from enhancement activities?		NA - the Gaspésie lobster fishery is not an enhanced fishery.	N/A

Gaspésie lobster Trap fishery	2019	PR A	Optional: General Comments on the Peer Review Draft Report (including comments on the adequacy of the background information if necessary)	NA	The assessment report provides a concise, but good review of the fishery, its regulations and management and the biology of the target species. The report is clearly written and fully referenced. I have some general comments that hopefully will help clarify and improve the report. Priniciple 1. - The most recent stock assessment of lobster in Quebec is now published as SAR 2019/060 and so should be referenced as such in the report. - On page 20 it states that landings in the Gaspé Peninsula showed a slight decrease since the 1990s, yet this is contradicted by the landings trend described in Figure 3. - The P1 background section needs to have an explicit description of the reference points and how they were defined, i.e. 80% and 40% of average landings over a historical period which is considered as a proxy for MSY, an approach outlined in the DFO Precautionary Approach. In addition, the HCR states that in the healthy zone, a target reference point may be introduced. This needs clarification, e.g. will the TRP be equivalent to Bmsy instead of 80% of Bmsy? - Are the catches in the experimental areas included in Table 15? Principle 2. There are updated assessments of the status of redfish which should be referenced in relation to primary species PIs. Traceability - any chance of trawl-caught lobsters being mixed with certified lobsters from the trap fishery? There are two recommendations made by the assessment team in relation to a review of the current dimensions of the escape vents in relation to the minimum landing size, and the continuation of management measures as well as the monitoring program to further reduce the risk of interaction with the North Atlantic right whale. The recommendations should be highlighted in the rationales of the relevant PIs. There are a few key acronyms missing from the Glossary - e.g. CHP, EAM, FPPS, MSY, RAP, RPA, NAFO etc. The report is well-referenced, but there are a few references in the text that are not included in the reference list e.g Boudreau and Worm 2010, Comeau et al. 2008, DFO 1998, Dufour and Ouellet 2007, Fogarty and Gendron 2004, FRCC 1995 & 2007. However these are very minor points which should not distract from this well-written and comprehensive report.	The assessment team thanks the peer reviewer for the comments that increase clarity and help improving the quality of the report. **Principle 1** • The most recent SAR published is now referenced in the report. • The statement on page 20 was amended to reflect the landings trend presented in Figure 3. • The Principle 1 background section related to the reference points an HCRs in section 8.2.1.3 on page 31 was amended to address the peer reviewer's comments. • Catches from the experimental fishing are not included in Table 15. **Principle 2** • The assessment teams used the stock assessment report/update that was available and published at the time of the last day of the site visit. **Traceability** • Lobster caught in fishing gears other than lobster traps are not allowed to be retained. **General comments** • Recommendations have been highlighted in the rationale of the relevant PIs. • Acronyms missing from the Glossary have been added. • References mentioned have been added in the References listing.

10.3.2 PI comments

Fishery	Year	UoA stock	UoA gear	PR (A/B/C)	PI	PI Information	PI Scoring	PI Condition	Peer Reviewer Justification (as given at initial Peer Review stage)	CAB Response to Peer Reviewer's comments (as included in the Public Comment Draft Report - PCDR)	CAB Response Code
Fishery	Assess-ment Start Year	Insert extra rows for P1 PIs if separate scores given for different UoA stocks	Insert extra rows for P2 PIs if separate scores given for different UoA gear types	Peer Revie-wer (A/B/C)	Perfor-mance Indica-tor (PI)	Has all available relevant information been used to score this PI?	Does the information and/or rationale used to score this PI support the given score?	Will the condition(s) raised improve the fishery's performance to the SG80 level?	PRs should provide support for their answers in the left three columns by referring to specific scoring issues and/or scoring elements, and any relevant documentation as appropriate. Additional rows should be inserted for any PIs where two or more discrete comments are raised e.g. for different scoring issues, allowing CABs to give a different answer in each case. Paragraph breaks may also be made within cells using the Alt-return key combination. Detailed justifications are only required where answers given are one of the 'No' options. In other (Yes) cases, either confirm 'scoring agreed' or identify any places where weak rationales could be strengthened (without any implications for the scores).	CABs should summarise their response to the Peer Reviewer comments in the CAB Response Code column and provide justification for their response in this column. Where multiple comments are raised by Peer Reviewers with more than one row for a single PI, the CAB response should relate to each of the specific issues raised in each row. CAB responses should include details of where different changes have been made in the report (which section #, table etc).	See codes page for response options
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	1.1.1	Yes	Yes	NA	Scoring and rationale agreed. Whilst the current landings are approximately 5 x the URP, I agree that the uncertainties in using landings (instead of e.g. CPUE) as a proxy for biomass mean that the SG100 is not met for SIb. Nevertheless the CPUE data (Figure 4) suggest that the stock is currently healthy.	The assessment team acknowledges the peer reviewer's comment.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	1.1.2				The stock is not depleted and therefore this PI is not scored.	The assessment team acknowledges the peer reviewer's comment.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	1.2.1	Yes	No (no score change expected)	NA	SIe. The rationale for this SI states that "There is a **biennial** review of the potential effectiveness and practicality of alternative measures….", yet the rationale goes on to state that the SG100 is not met. The rationale needs overall revision as the difference between the SG80 and SG100 relates primarily to how often the reviews are undertaken, and the assessment team's rationale for not meeting the SG100 is that some alternative measures have not been implemented. The lack of a re-evaluation of the size of escape vents following increases in minimum landing size has triggered a recommendation by the assessment team, and this recommendation should be highlighted in the rationale for this PI.	The assessment team thanks the peer reviewer for his comment and the rationale of SIe has been amended to better explain the reasoning behind the team's determination that SG100 is not met. The recommendation has been added in the rationale.	Accepted (no score change)

Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	1.2.2	No (no score change expected)	No (no score change expected)	NA	For SIb, I agree that the SG80 is met, but the rationale needs to provide more information on the uncertainties that are taken into account in the HCRs and the evidence that the HCRs are indeed robust to these uncertainties.	The assessment team thanks the peer reviewer for his comment. The ratioale for SIb has been strengthened to provide more information on the uncertainties that are taken into account in the HCRs and how robust are the HCRs to these uncertainties.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	1.2.3	Yes	No (no score change expected)	NA	SIb. The rationale provides no evaluation of the accuracy and coverage of UoA removals, e.g. is there 100% dockside monitoring?	The rationale has been amended to include information on the level of accuracy and coverage of the UoA removals. There is no 100% dockside monitoring.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	1.2.3	No (no score change expected)	Yes	NA	SIc. Is there any recreational fishing permitted?	No, recreational fishing for lobster is not allowed. This information was added in the rationale.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	1.2.4	Yes	No (non-material score reduction expected)	NA	The score of 100 for SIa seems generous in that there is no analytical stock assessment, only cursory review of exploitation rates in the fishery, and the main stock indicator is landings which will be influenced by fishing effort and /or catchability.	The assessment team disagrees. SG100 requires that "The assessment takes into account the major features relevant to the biology of the species…". Although there is no analytical stock assessment and the main indicator of the stock status is landings, the assessment, as a whole, takes into account several biological indicators: recruitment indices, abundance of berried females and egg production. Those elements can be considered as the major features relevant to the biology of the species.	Not accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.1.1	No (no score change expected)	Yes	NA	Scoring and rationale agreed for all three main primary species used for bait, but for redfish there is a recent DFO evaluation of reference points which suggests that both *Sebastes fasciatus* and *S. mentella* are above the LRP (SAR 2018/033). This analysis has been updated in SAR 2020/019. For all primary species PIs, the rationales state that the use of mackerel as bait has declined and hence the potential impact of the UoA on the mackerel fishery has decreased. Some quantitative information should be provided to back up this statement.	The team thanks the peer reviewer to point out that a more recent SAR for redfish has been posted in 2020. However, under MSC FCPv2.1 the information cut-off point is the last day of teh site visit. Therefore, teh team used the assessment report that was publically available at that time. Regarding the use of mackerel as bait, some quantitative information has been added into primary species PIs.	Accepted (no score change)

Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.1.2	Yes	Yes	NA	I agree with the scoring for all scoring issues. However the rationales could be structured better to clarify how the assessment team have scored this PI. I fully recognise that the three main primary species are bait species and not caught by the lobster fishery (UoA), and therefore it is necessary to consider two separate components of management measures/strategy - those management measures implemented in the UoA itself to minimise impact on all potential primary species, but also management measures in place within the specific bait species fisheries to ensure sustainability. I think that this should be stated explicitly in the first sentence of the rationale for scoring issue a.	The assessment team thanks the peer reviewer for this comment. A statement was added at the beginning of the rationale to better explain how this PI was scored.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.1.3	Yes	Yes	NA	Should SIc be scored at 100 if there are no minor primary species? Should it not be scored as NA (cf. PI 2.2.1 which is not scored as there are no main secondary species)?	Did the peer reviewer mean scoring issue (b)? Given that scoring issue (b) is specific to minor primary species and there is no minor primary species caught in the fishery, 100b is not scored and Yes was replaced to NA. As a result teh overall score for the PI was revised to 80.	Accepted (non-material score reduction)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.2.1	Yes	Yes	NA	Scoring and rationale agreed. The assessment team has chosen not to score minor secondary species with the RBF (PF4.1.4), and therefore has correctly concluded that the overall score for this PI should be capped at 80 (PF5.3.2).	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.2.2	Yes	Yes	NA	Scoring and rationale agreed.	No response needed. Note	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.2.3	Yes	Yes	NA	SIa. As there are no main secondary species, should this scoring issue be scored as NA, as with PI 2.2.1? N.B. Typo in rationale for SIc. It should read "quantitative information is NOT adequate to assess with a high degree of certainty whether the strategy…"	MSC FCP v2.1 SA3.3.1 states that *If a team determines that the UoA has no impcat on a particular component, the information PI shall still be scored.* Therefore the team has scored this PI at all scoring issues. The typo has been corrected, thak you for pointing out.	Accepted (no score change)

Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.3.1	Yes	No (material score reduction expected to <80)	NA	For SIa the rationale states that "The national limit for the protection and rebuilding of the NARW is a zero-mortality. In the U.S., the PBR has been set as a limit and is 1 per year for NARW" and therefore it is necessary to score this PI for NARW. Whilst I agree that there is no evidence that the UoA has been implicated in any NARW mortalities and therefore the SG60 is met, there is clear evidence that another MSC UoA has been implicated in NARW mortalities and therefore there is not sufficient justification to conclude that the SG80 is met. The assessment team provide detailed information on recent analysis of NARW mortalities which appears to substantiate their rationale, but this analysis is still preliminary and that to meet the SG80, I believe that there needs to be consistent evidence across a few years that MSC UoAs are not causing NARW mortalities. A review of the MSC UoAs highlights some differences in the way in which this PI has been scored in relation to NARW, and I would recommend that there is full harmonisation across fisheries before the assessment for this fishery is finalised. Table 33 highlights significant differences between fisheries in the scores for PI 2.3.1, but provides no rationales for those differences.	The assessment team thanks the Peer Reviewer for these comments. The current PBR for the NARW is 0.9. Following the 2017 entanglements and mortalities event, the Gulf of St Lawrence snow crab fishery that has been identified as causing mortality of NARW was suspended. Also, SG80 at 2.3.1 scoring issue (a) was determined to be no longer met for the Canada shellfish trap fisheries assessed with the Standard v.2.0 (Scotian Shelf snow crab, Newfoundland snow crab and Îles-de-la-Madeleine lobster). . The assessment team reviewed the recent documentation available (DFO 2019d and Pettis et al 2020) and determined that no mortality was recorded in Canada waters in 2018, there is no evidence that the 2019 mortalities in Canada waters were caused by entanglements in fishing gear, and that there is no evidence that 2018 and 2019 entanglement in fishing gears led to mortalities. The assessment team agrees that 2.3.1 scoring is yet to be harmonised with other fisheries before the assessment is completed. SAIG had shared the 2.3.1 scoring table with the other CAB involved in assessment of other fixed gear fisheries in the Atlantic Canada in September and November 2020 Also a harmonisation mleeting was held on 26th November 2020 but the harmonisation is yet to be completed. The outcome of the harmonisation activities will be reflected in the Final Report to ensure consistency of scoring across fisheries. Section 10.6 has been updated and more information has been added in Tabls 33 and 34.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.3.2	Yes	Yes	NA	Scoring and rationale agreed. The assessment team made a recommendation that there should be a continuation of management measures as well as the monitoring program to further reduce the risk of interaction with the North Atlantic right whale, and this recommendation should be highlighted within the rationale for this PI.	The assessment teams thanks the peer reviewer for his comments. The recommendation has been added into the rationale.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.3.3	Yes	Yes	NA	Scoring and rationale agreed. The assessment team made a recommendation that there should be a continuation of management measures as well as the monitoring program to further reduce the risk of interaction with the North Atlantic right whale, and this recommendation should be highlighted within the rationale for this PI.	The assessment teams thanks the peer reviewer for his comments. The recommendation has been added into the rationale.	Accepted (no score change)

Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.4.1	Yes	Yes	NA	Scoring and rationale agreed.	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.4.2	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.4.3	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.5.1	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.5.2	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	2.5.3	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	3.1.1	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	3.1.2	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	3.1.3	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	3.2.1	Yes	Yes	NA	Scoing and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	3.2.2	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	3.2.3	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)
Gaspésie lobster Trap fishery	2019	Gaspésie lobster stock	Baited trap	PR A	3.2.4	Yes	Yes	NA	Scoring and rationale agreed	No response needed.	Accepted (no score change)

10.4 Stakeholder input

Stakeholder submissions have not been received.

10.5 MSC's Technical Oversight findings

Date: 21/12/2020

SUBJECT: MSC Technical Oversight for Gaspésie lobster Trap fishery - Public Comment Draft Report

Dear Geraldine Criquet (SAI Global (SAI))

Please find below the results of our Technical Oversight review. This was completed by the Supply Chain Standards Team.

Ref	Type	Page	Requirement	Reference	Details	PI
30886	Minor	15	FCP-7.9.1 v.2.1	The CAB shall determine whether the fishery client has sufficient systems of tracking and tracing to ensure all fish and fish products identified and sold as certified by the fishery client originate from an appropriate UoC.	Traceability systems within the fishery have not been included in the report.	

This report is provided for action by the CAB and ASI in order to improve consistency with the MSC scheme requirements; MSC does not review all work products submitted by Conformity Assessment Bodies and this review should not be considered a checking service. If any clarification is required, please contact the relevant FAM or SCS manager for more information.

Marine Stewardship Council
cc: Assurance Services International

CAB's response: section 7.3 of the report has been strengthened to better describe the system of tracking and tracing in place within the fishery to ensure that all lobster and lobster products identified and sold as certified by the fishery client originate from the UoC.

10.6 Condition

Table 30 presents the condition raised on PI 2.3.1 as a result of harmonisation activities with overlapping Canada Atlantic fixed gears fisheries (see section 10.9) held during the Public Comment Draft Report (PCDR) stage.

Table 30. Condition 1 (of 1) – PI 2.3.1 ETP species outcome	
Performance Indicator and scoring issue	**2.3.1 ETP species outcome** **Scoring issue a**
Score	75
Justification	In 2017, an unprecedented NARW mortality event occurred in the GSL. Necropsies were performed on 7 of the 12 dead whales, it was confirmed that 2 of the NARW mortalities was caused by an entanglement in commercial snow crab fishing gear. In 2018, there was zero NARW mortality reported/observed in Canada. In November 2018, DFO reported three entanglement incidents for 2018: 2 in the GSL and one from either the GSL or Bay of Fundy. These reported entanglements occurred when GSL lobster and snow crab fisheries were closed, and there is no evidence that they have led to mortalities. In 2019, 9 dead NARW were reported in Canadian waters including 7 in the GSL. Five necropsies were performed. Preliminary examinations determined that death of three whales was due to vessel strike. Preliminary results for the other two were inconclusive. For all individual, additional analyses are being conducted and final results are still pending. According to DFO, none of the NARW found dead in Canadian waters had fresh entanglements scars and for now there is no confirmation that mortalities in Canadian waters were caused by entanglement in fishing gears. Between June 29th and August 6th, 2019, four free-swimming entangled right whales were reported in the GSL. However, fishing gear has not been identified and there is no evidence that these entanglements led to mortalities in Canada waters. Whale # 4423 was sighted entangled in the GSL in July 2019. However, this whale has been first sighted entangled in

	the Great South Channel (U.S) on April 25th, 2019. The whale has been resighted on October 28th, 2019 in the GSL gear free but in poor condition. Whale # 4440 was sighted entangled on June 29th, 2019. The whale was resighted in August gear free. Whale # 3125 was sighted entangled in July 4th, 2019. Several disentanglement attempts were made in July and August. A disentanglement team east of Cape Cod was able to cut some lines on August 2nd, 2019. The whale was able to open its mouth but was in poor condition. Whale # 1226 was found dead off the coast of New York (U.S.) on 16th September, 2019 and as per Pettis et *al* (2020), entanglement (the gear responsible for the entanglement has not been identified) was identified as the cause of death. However, NOAA Fisheries mentioned that the cause of death is pending determination. This whale was last sighted gear free in the GSL in July 2019 and was re-sighted in the GSL entangled on August 6th, 2019 when all lobster and snow crab fisheries were closed. The team has taken into account the above information and MSC SA3.10.3, which states that, "…when assessing (PI 2.3.1) scoring issue (a) and (b), the team shall take into account whether there are any changes in the catch or mortality of ETP species resulting from the implementation of measures to minimize their mortality (PI 2.3.2 scoring issue (e)). Following the unprecedent mortality and entanglement event in 2017, management measures to minimise the risk of interactions with NARW have been implemented in 2018 and again in 2019 (section 8.3.1.3 and PI 2.3.2). Available data and information show that there is a change in the mortality of NARW following the implementation of these mitigation measures, as presented above. However, entanglements and mortalities are still reported in Canada waters mainly in the Southern Gulf of St Lawrence. Given the uncertainty regarding the condition and survival of entangled whales and the fact that the cause of mortality is not identified in all cases, the assessment team determines that it cannot be concluded that the combined effects of the MSC UoAs are highly likely to be within the national limit. Therefore, SG80 is not met.
Condition	The client shall provide evidence that the combined effects of the MSC UoAs on the North Atlantic right whale are known and are highly likely to be within the national limit.
Milestones	**At 1st surveillance audit:** the client shall provide documented evidence that a strategy for the protection and conservation of the NARW has been implemented successfully for all MSC Canadian fisheries that could potentially interact with the NARW population. **Resulting score: 75.** **At 2nd surveillance audit**: the client shall provide documented evidence that the combined effects of all MSC UoAs on the North Atlantic right whale are known and are highly likely to be within the national limit. **Resulting score: 80.**
Consultation on condition	The Client Action Plan relies primarily upon the involvement, funding and/or resources of DFO. The assessment team sought evidence of support from DFO. A letter of support is presented in section 10.7.2.

10.7 Client Action Plan

During the PCDR stage, the RPPSG was supplied with the MSC Action Plan Template which has been developed by the MSC for fishery client groups to be used in developing their Client Action Plan (MSC FCP v2.1 §7.19.6.b).

According to the MSC FCP v2.1 §7.19.7, the Client Action Plan should include:

- A description of the actions that will be implemented by the client and other parties (where relevant) to address the condition and associated milestones;
- Responsibilities in implementing these actions;
- The specific timeframe within which the condition and associated milestones will be addressed;
- A description of how the actions are expected to improve the performance of the fishery;
- A description of how the CAB will assess outcomes and milestones in each subsequent surveillance or assessment; and
- A description of how progress toward meeting the condition will be shown to the CAB.

10.7.1 Client Action Plan

Table 31. Client Action Plan for Condition 1 (of 1) – PI 2.3.1 ETP species outcome

1	**Condition number**
	1
2	**Performance Indicator(s)**
	2.3.1 ETP species outcome
3	**Score**
	75
4	**Condition(s)**
	The client shall provide evidence that the combined effects of the MSC UoAs on the North Atlantic right whale are known and are highly likely to be within the national limit.
5	**Milestone(s)**
	At 1st surveillance audit: the client shall provide documented evidence that a strategy for the protection and conservation of the NARW has been implemented successfully for all MSC Canadian fisheries that could potentially interact with the NARW population. **Resulting score: 75.** **At 2nd surveillance audit**: the client shall provide documented evidence that the combined effects of all MSC UoAs on the North Atlantic right whale are known and are highly likely to be within the national limit. **Resulting score: 80.**
6	**Summary of action plan**
	1) RPPSG will cooperate with the department of Fisheries and Ocean Canada (DFO) in the application of the management measures identified in DFO's plan to protect the North Atlantic right whales (NARW), including: a. Introduction of static and dynamic closure zones b. Exclusion zones for the 10 and 20 fathoms coastal area c. Limitation of lines floating at the surface d. Additional identification and marking of lines and buoys e. Mandatory reports to DFO of lost gears using emails

f. Respect 100m minimal distance between boat and NARW and report to DFO interactions with NARW and other marine mammals

2) RPPSG will participate at various meetings or workshops regarding the NARW population, the management measures to protect it and the new fishing gear technologies that could reduce entanglements.

3) RPPSG will collaborate with DFO to keep lobster fishermen informed of the presence of any NARW in the Gaspésie lobster fishing areas 19, 20 and 21, especially if they are detected or seen in coastal waters (< 20 fathoms).

4) RPPSG will collaborate with DFO, other fishermen's associations, research organizations and whale experts in order to improve management measures protecting NARW and cohabit with them.

5) RPPSG will encourage lobster fishermen to report any interactions with NARW, or other marine mammals, using emails and their JOBEL elog.

6) RPPSG will document lost fishing gears through the replacement tags program and will make the fishermen aware of their obligation to notify DFO of any lost traps via e-mail.

7) RPPSG will collaborate with DFO, other fishermen's associations, research organizations and whale experts in order to find possible gear modifications that could reduce or eliminate risk of whale entanglements.

8) RPPSG will collaborate with DFO, other fishermen's associations and research organizations in order to ensure that the impacts of the fishing activities on the NARW are within national limits as to the protection and the conservation of the species.

Milestone	Action	Roles & Responsibilities	Outputs
The client shall provide documented evidence that a strategy for the protection and conservation of the NARW has been implemented successfully for all MSC Canadian fisheries that could potentially interact with the NARW population	Task 1 to task 7	DFO, Transport Canada and RPPSG	DFO's and Transport Canada annual plan of measures to protect NARW Lis of meetings regarding protection of NARW that RPPSG attended to NARW Consortium annual meeting report and card Ropeless Consortium annual meeting report RPPSG's reports on any of its project regarding NARW and marine mammal's protection
The client shall provide documented evidence that the combined effects of all MSC UoAs on the North Atlantic right whale are known and are highly likely to be within the national limit.	Task 8	DFO, Transport Canada, other MSC certificate holders and RPPSG	DFO's and other organization report's providing evidence that the combined effects of all MSC UoAs on NARW are known and are highly likely to be within the national limit.

10.7.2 DFO's letter of support

Pêches et Océans Canada | Fisheries and Oceans Canada

Direction régionale de la gestion des pêches
Région du Québec

Regional Fisheries Management Branch
Quebec Region

Classif. sécurité / Security

Québec, le 18 février 2021

Votre réf. /Your ref.

Notre réf. /Our ref.

Mme Géraldine Criquet
NSF Global Food Division
gcriquet@nsf.org

Objet : Réponse du MPO au plan d'action proposé par le RRPSG dans le cadre de la re-certification MSC de la pêcherie de homard de la Gaspésie

Madame,

Le ministère des Pêches et des Océans (MPO) a pris connaissance du plan d'action déposé par le Regroupement des pêcheurs professionnels de la Gaspésie (RPPSG) en réponse à la condition posée par le Comité d'évaluation dans le cadre de la re-certification MSC de la pêcherie de homard de la Gaspésie (ZPH 19 à 21). Nous comprenons que le Comité exige une lettre d'appui du MPO au plan d'action afin de compléter son évaluation.

Le MPO salue l'engagement du RPPSG à l'égard de la durabilité de la pêche du homard en Gaspésie. Nous tenons également à souligner la collaboration du RPPSG et des divers partenaires de l'industrie de la capture dans la mise en œuvre de la stratégie visant la protection et la conservation de la baleine noire de l'Atlantique Nord.

Nous sommes d'avis que le plan d'action proposé contribuera à l'atteinte de la condition et des jalons identifiés par le Comité d'évaluation et nous appuierons le RPPSG dans la mise en œuvre de ce plan d'action. De concert avec le RPPSG, les autres clients et partenaires de l'industrie de la capture, nous continuerons à faire tous les efforts nécessaires et à adapter, s'il y a lieu, la stratégie et les mesures de gestion pour minimiser les impacts des activités de pêche sur la baleine noire de l'Atlantique Nord.

En espérant le tout à votre satisfaction, je vous prie d'accepter, Madame, l'expression de mes sentiments les meilleurs.

Lemire, Maryse
Signature numérique de Lemire, Maryse
Date : 2021.02.18 16:37:32 -05'00'

Maryse Lemire
Directrice régionale de la gestion des pêches
MPO, Région du Québec

c.c. M. Jean Côté, directeur scientifique, RPPSG
M. Jean Picard, directeur, Gestion de la ressource et des Affaires autochtones,
M. Érick St-Laurent, directeur de secteur, Gaspésie Bas-St-Laurent

10.8 Surveillance

This section includes a proposed surveillance programme, including the timing of surveillance audits as well as supporting rationales for the various determinations contained herein.

During each assessment, the assessment team is required to determine the level at which subsequent surveillance of the fishery shall be undertaken provided the fishery ultimately achieves and maintains certification. Surveillance audits shall take place according to the default surveillance level (requiring 4 on-site surveillance audits), unless the team decides on a reduced surveillance program in accordance with MSC requirements. A determination as to whether a fishery is eligible for a reduced surveillance level is dependent upon the number of conditions outstanding and the ability of the CAB to remotely verify information and progress against the conditions. Surveillance level 1 may only be chosen if the fishery has no outstanding conditions.

To assess the fishery under assessment against the remote verification of information criteria the assessment team elected to use MSC FCP v2.1 §Table G13 (Table 32) to determine the likelihood that future surveillance teams will be able to remotely access, and confirm the veracity of, the required information.

Table 32. Assessment of the fishery under assessment against verification of information criteria.

	Ability to verify remotely is low	Ability to verify remotely is high	Global Trust Certification's evaluation
Client and stakeholder input	Electronic forms of communication and other mechanisms to engage with clients and stakeholders (such as video conferencing, phone conferencing, email, phone) are absent, limited or inefficient and ineffective in providing the information required for an audit in the particular circumstances of the fishery.	There are ample opportunities and mechanisms to engage with clients and stakeholders including electronic forms of communication, such as videoconferencing phone conferencing, email, phone. The mechanisms are effective in the particular circumstances of the fishery.	Electronic forms of communication are widely and readily available as evidenced by the successful completion of a remote site visit for this assessment. Global Trust Certification's ability to remotely verify information is determined to be **High.**
Fishery reports, government documents, stock assessment reports and/or other relevant reports	Fishery reports and other types of reports required for the surveillance, and to demonstrate fishery performance in relation to any relevant conditions and on-going performance against the MSC's standard are not available publicly and cannot be transmitted electronically. There is no remote access to the information and there are none, or very limited other sources available to triangulate and confirm status of the fishery with respect to the MSC standard	Fishery reports and other documented evidence that can be used to demonstrate progress against conditions and other issue relevant to the MSC Principles and criteria can be easily and transparently checked remotely, due to such information being available publicly, such as being available on a website or having been widely distributed and made publicly available to several stakeholders. The reports can be transmitted electronically and veracity easily confirmed.	Document relating to fisheries advice, research and management are available online or can be obtained electronically. Global Trust Certification's ability to remotely verify information is determined to be **High**.
Information appropriate to determination of Principle 1 and 2 information requirements.	Information from electronic monitoring of position, observer data, logbooks, fisher interviews, dockside monitoring etc. is required for audits but cannot be easily transmitted to a remote auditor in a form that can be easily interpreted.	Where Information from electronic monitoring of position, observer data, logbooks, fisher interviews, dockside monitoring etc. is required to verify performance against MSC standard, this information is available to be transmitted electronically to auditors in a form that can be easily interpreted.	Information that might be required can be transmitted in an electronic form. Global Trust Certification's ability to remotely verify information is determined to be **High**.
Transparency of the management system	Level of transparency of information by management is low such that information about performance of	There is a high level of transparency in management, such that information on the fishery is widely	Information on the fishery is transparent and generally available online. Information can easily be

Table 32. Assessment of the fishery under assessment against verification of information criteria.			
	Ability to verify remotely is low	Ability to verify remotely is high	Global Trust Certification's evaluation
	the fishery is generally not easily and widely available.	and publicly available or known to the wider group of stakeholders. Any information provided on the fishery can be easily verified.	verified by checking online sources or through direct contact with relevant officials. Global Trust Certification's ability to remotely verify information is determined to be **High**.
Vessels, gear or other physical aspect of the fishery	There are milestones and conditions that require inspection of vessels or other physical aspects of the fishery during the audit and there are no reliable mechanisms for verifying these aspects of the fishery from a remote location.	There are no milestones that require investigation of physical aspects of the fishery or if there are, there are reliable mechanisms to enable verification of developments with respect to that milestone from a remote location.	There are no conditions or milestones that not require investigation of physical aspects of the fishery. Global Trust Certification's ability to remotely verify information is determined to be **High**.

Following the above evaluation, it was determined that the fishery's ability to verify information remotely is generally high such that future assessment teams conducting surveillance audits should be able to access the required information and confirm its veracity remotely.

Based on the above, and in accordance with MSC FCP v2.1 §G7.28.4 and 7.28.6 which requires the CAB to use their expert judgement and knowledge of the fishery to determine a surveillance level that is commensurate with the fishery's ability to provide the information remotely, the assessment team has determined that determine the appropriate surveillance level at this time (i.e. one that is commensurate with the fishery's ability to provide the information remotely) is Level 4 (2 on-site, 2 off-site); this may be revised at subsequent surveillance audits if appropriate.

Presented in Tables 33, 34 and 35 below are the proposed fishery surveillance programme, proposed timing of surveillance audits and rationale relating to surveillance audits in each year respectively.

Table 33. Fishery surveillance program.

Surveillance level	Year 1	Year 2	Year 3	Year 4
Level 4	Off site audit	On site audit	Off site audit	On-site surveillance audit & re-certification site visit

Table 34. Timing of surveillance audit.

Year	Anniversary date of certificate	Proposed date of surveillance audit	Rationale
1-4	To be defined based on the re-cetification date (pending re-certification is awarded)	30 days prior to the anniversary date	In accordance with FCP v.2.1 §7.28.8

Table 35.Surveillance level rationale.

Year	Surveillance activity	Number of auditors	Rationale
1	Off site audit	2 auditors off-site	Based on the above evaluation of verification of information criteria, information needed to verify progress towards conditions should be available to be provided remotely.
2	On site audit	1 auditor on-site with remote support from 1 auditor	The CAB proposes to have an on-site audit with 1 auditor on-site with remote support – this is to ensure that all information is collected and because the information can be provided remotely.
3	Off site audit	2 auditors off-site	Based on the above evaluation of verification of information criteria, information needed to verify progress towards conditions should be available to be provided remotely.
4	On site audit (likely combined with re-assessment)	Likely 3 auditors on-site	As this will potentially be both a 4th surveillance and a re-assessment audit, SAI Global proposes to conduct an on-site audit with 3 auditors on-site.

10.9 Harmonised fishery assessments – delete if not applicable

Fisheries highlighted in light orange were/are assessed by Global Trust Certification. Fisheries assessed by other CAB are highlighted in light grey.

Table 36. Overlapping fisheries

Fishery name	Certification status and date	Performance Indicators to harmonise
Îles-de-la-Madeleine lobster	Re-certified on 12th October 2018 using FCR v2.0 1st surveillance report posted on 27th November 2019	PIs 2.3.1 PIs 3.1.1, 3.1.2 and 3.1.3
Maritime Canada inshore lobster trap (results form the merging of the Prince Edward Island lobster trap and the Bay of Fundy, Scotian Shelf and Southern Gulf of St Lawrence lobster trap fisheries)	Fishery announced on 28th August 2019. PCDR published on 25th November 2020	PIs 2.3.1 PIs 3.1.1, 3.1.2 and 3.1.3
Eastern Canada offshore lobster	Withdrawn on the 30th December 2020.	N/A
Gulf of St Lawrence snow crab trap	Suspended since March 2018. 1st surveillance report posted on 4th March 2019.	PIs 2.3.1 PIs 3.1.1, 3.1.2 and 3.1.3
Scotian Shelf snow crab trap	Re-certified on 15th September 2017 using FCR v.2.0. 2nd surveillance report posted on 5th May 2020.	PIs 2.3.1 PIs 3.1.1, 3.1.2 and 3.1.3
Newfoundland & Labrador snow crab	Re-certified on 21st August 2018 using FCR v.2.0. 1st surveillance report poste on 20th Deccember 2019	PIs 2.3.1 PIs 3.1.1, 3.1.2 and 3.1.3
Canada Scotian Shelf prawn trawl and trap	Re-certified on 4th September 2019	PIs 2.3.1 PIs 3.1.1, 3.1.2 and 3.1.3
AQIP snow crab trap	Full assessment announced on 18th December 2018. Final Report & Determination posted on 17th August 2020	PIs 2.3.1 PIs 3.1.1, 3.1.2 and 3.1.3

Table 37. Overlapping fisheries – Harmonisation activities.

Supporting information	
GTC and Lloyd's Register held a harmonisation meeting on 11th July 2019 regarding GTC's approach for scoring the NARW. GTC shared with Lloyd's Registered PI 2.3.1 revised scoring table on 11th September 2020 and 24th November 2020.	
Was either FCP v2.1 Annex PB1.3.3.4 or PB1.3.4.5 applied when harmonising?	**Yes**
Date of harmonisation meeting	**11th July 2019** **26th November 2020**
If applicable, describe the meeting outcome	

An agreement couldn't be reached on the 11th July 2019 meeting. Teams agreed to reach out DFO to seek further clarification on the definition of the national limit for the NARW. This has been done during the Maritimes inshore lobster site visit held on 30th September-2nd November 2019, during which DFO confirmed the National zero limit. This nationale limit has been then used by both Lloyd's Register and GTC for scoring the NARW at 2.3.1 scoring issue (a).
A harmonisation meeting was held on 26th November 2020 between GTC and Lloyd's Register lead assessors to discuss GTC's 2.3.1 scoring and rational. An agreement has not been reached and both CABs agreed that the next step is for Lloyd's Register to forward GTC 's rational and scoring to their P2 assessors and then that teams will reconvine for another harmonisation meeting. Given continuing disagreement among teams, MSC FCP v2.1 PB1.3.4.5.a.ii. GTC's assessment team then amended the rationale for 2.3.1 scoring issue a and rescored the PI to 75.

Table 38. Overlapping fisheries – Scoring differences.

Performance Indicators (PIs)	Maritime Canada inshore lobster trap	Gaspésie lobster	Îles-de-la-Madeleine lobster	Gulf of St Lawrence snow crab trap	Scotian Shelf snow crab trap	Newfoundland & Labrador snow crab	Canada Scotian Shelf prawn trawl and trap (Trap UoA)	AQIP snow crab trap
PI 2.3.1	75	75	95	<60	80	80	75	75
PI 3.1.1	95	100	85	90	90	90	100	100
PI 3.1.2	85	100	100	85	85	85	95	95
PI 3.1.3	100	100	100	90	90	90	100	100

Table 39. Overlapping fisheries – Rationale for scoring differences.

If applicable, explain and justify any difference in scoring and rationale for the relevant Performance Indicators (FCP v2.1 Annex PB1.3.6)
Differences in P2 scoring results from the difference in impacts on the P2 components. The GSL snow crab trap fishery scores below 60 for 2.3.1 as a result of the fishery not reaching SG60 for scoring issue (b) which is fishery-specific and not related to the combined impact of MSC UoAs. At the moment, 2.3.1 scoring of 75 is harmonised for Maritime Canada inshore lobster trap, Gaspésie lobster trap, AQIP snow crab trap and Canada Scotian Shelf prawn trawl and trap as the current harmonisation activities were held as part of current asessments/audits for these fisheries. The score of 2.3.1 for Îles-de-la-Madeleine lobster, Scitiand Shelf lobster and Newfoundland snow crab will be rescored below 80 at the next surveillance audit.
If exceptional circumstances apply, outline the situation and whether there is agreement between or among teams on this determination
N/A

10.10 Objection Procedure

No objections were received.

11 Template information and copyright

This document was drafted using the 'MSC Reduced Reassessment Reporting Template v2.1'. Note amendments have been made to formatting in order to comply with SAI Global's corporate identity; however, content and structure follow that of the original template.

Template version control

Version	Date of publication	Description of amendment
1.0	08 October 2014	Date of first release
1.0 Erratum	8 April 2015	Appendix 1.1 & 1.2 – amendments made in line with April 2015 release of FCR v2.0 erratum
2.0	17 December 2018	Release alongside Fisheries Certification Process v2.1
2.1	29 March 2019	Minor document changes for usability

A controlled document list of MSC program documents is available on the MSC website (www.msc.org).

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