

MSC Variation Request

Mexico Baja California red rock lobster

Marine Stewardship Council variation request

Table X – Variation request

1	Date submitted to the MSC
	- Please note the MSC will usually respond within 14 days, but for complex variations, longer may be necessary. The MSC will keep you informed if it will take longer than 14 days.
	July 16, 2021
2	CAB
	SCS Global Services
3	Fishery name and certificate number or CoC certificate number
	Mexico Baja California red rock lobster MSC-F-31290 (F-SCS-0100)
4	Lead auditor or program manager
	Gabriela Anhalzer
5	Request prepared by
	Andy Bystrom
6	Scheme requirement(s) for which variation requested
	Referencing MSC Fisheries Certification Process (v2.2), the requested variation is against clause 7.28.16.4 (If a condition is not closed by its deadline, the CAB shall: a. Consider progress as inadequate. b. Apply the requirements of GCR Section 7.4 (suspension or withdrawal)).
	The variation requested is for the fishery's fourth-year surveillance audit
7	How many times has a variation for this requirement been accepted for the same assessment of the same fishery?
	- e.g. Fill in 2 nd if a previous extension request on the 60 days requirement for surveillance reports has been accepted, and this request is for an additional time extension on top of that.
	n/a

Table X – Variation justification

1	Proposed variation	
	<ul style="list-style-type: none"> Please describe how the CAB proposes to vary from the requirement including, where required, any original deadline date, the length of additional time requested and the exact modified deadline date. 	
	<p>SCS proposes to grant a one-year extension to the fishery's condition 1-1 (PI 1.1.2 SIb) at the time of the fourth-year surveillance (9/2021). The condition was set in 2016 during the full assessment and scheduled to close by the fourth annual surveillance. SCS proposes to carry over the condition to the reassessment with its anticipated closure during the first surveillance audit (06/2023). The expiration date of the certificate is 30/06/2022.</p>	
2	Additional time requested	
	Original deadline date	Fourth-year surveillance (9/2021)
	Modified deadline date requested	The modified deadline date will coincide with the first-surveillance audit (approximately 06/2023)
	Length of additional time requested	1 year 9 months
3	Justification	
	<ul style="list-style-type: none"> Please explain in detail why the variation is requested and why the change is necessary. This helps the MSC decide whether the variation request should be granted. 	
	<p>Due to COVID-19, the public process required to fully develop reference points based on stakeholder input and feedback – in coordination with the Mexican government and FEDECOOP's 9 cooperatives – will not be completed by the fourth-year surveillance. As a result, 1.1.2 SIb cannot be rescored at SG80. While limit and target reference points, together with HCRs, were defined by FEDECOOP and the Mexican government's fisheries research institution (INAPESCA), the global pandemic caused the fishery to be behind target for its third-year surveillance milestones as a sufficient consultation process between the client, government, and stakeholders was unable to be carried out. Therefore, it is impractical to assume that the fishery will be able to meet the fourth-year milestone. This delay is a result of COVID-19 and the challenges it has presented for both INAPESCA and FEDECOOP to improve the management of the fishery through the development of reference points based on stakeholder feedback. This impact aligns with the intent of the MSC COVID-19 Derogations released earlier this year to extend conditions "due to the current challenges for government institutions and fisheries to deliver science and management outcomes more broadly with COVID-19".</p>	
4	If a fishery assessment, implications for assessment	
	<ul style="list-style-type: none"> Please include any impacts on the assessment/certificate if the request is accepted referencing any other requirements which may be affected, and the risks these implications could have. e.g. Timeline delays, stakeholder input. 	
	<p>The score of SG60 from the 2016 assessment will be carried over by the team to the reassessment scoring of this PI/SI. However, the request will impact the reassessment scoring of PI 1.2.2 SIa per GSA2.5 Harvest Control Rules & Tools PI (PI 1.2.2). This is because the 1.1.2 reference point PI no longer exists, and according to this guidance, an explanation by the assessment team in the 1.2.2 SI(a) rationale of the</p>	

	reassessment ACDR stating that the condition remains open and is now scored under a new PI (v2.01) appears to be the most representative way to address this issue.
5	If a fishery assessment, mitigation of the implications for assessment
	<ul style="list-style-type: none"> - Please include information on how the CAB proposes to mitigate any risks of the implications the change will have to the assessment.
	The fishery has made considerable advancement towards closing this condition and should be able to close it during the first-year surveillance in 2023, therefore mitigating additional variations.
6	If a fishery assessment, how many conditions does the fishery have and will their progress be affected (positive or negative)?
	The Mexico Baja California red rock lobster fishery has 7 conditions. The request only affects condition 1-1. Progress towards the other 6 conditions will not be impacted by this variation.
7	What is the status of the current assessment or audit?
	<ul style="list-style-type: none"> - Please include the latest version and timing of the report that has been prepared, and an indication when the next report is expected (e.g. the Client and Peer Review Draft Report has been sent to the client and the peer reviewers on 7 June 2018. The Public Comment Draft Report is expected to be ready on 1 September 2018).
	The fishery will undergo a fourth-year surveillance audit in September 2021. Announcement of the reassessment will be 30-days prior to this audit.
8	Further comments
	<ul style="list-style-type: none"> - Please include any further relevant information.
9	If applicable, additional information added after the MSC's request

Template information and copyright

This document was drafted using the 'MSC Variation Request Form v3.1'.

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Template version control		
Version	Date of publication	Description of amendment
1.0	1 January 2011	Date of application
1.1	24 October 2011	Updated to include a confidential information section
1.2	10 January 2012	Updated to include more detailed instructions on confidential information section
1.3	14 January 2013	Updated in line with requirements in MSC Certification Requirements v1.3, including P2 to P1 'expedited audit'
2.0	08 October 2014	Updates in line with release of Fisheries Certification Requirements v2.0
2.1	04 October 2016	Updated contact information
3.0	17 December 2018	Release alongside Fisheries Certification Process v2.1
3.1	28 March 2019	Non-substantive changes to improve clarity and usability

A controlled document list of MSC program documents is available on the [MSC website](https://www.msc.org) (msc.org)

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