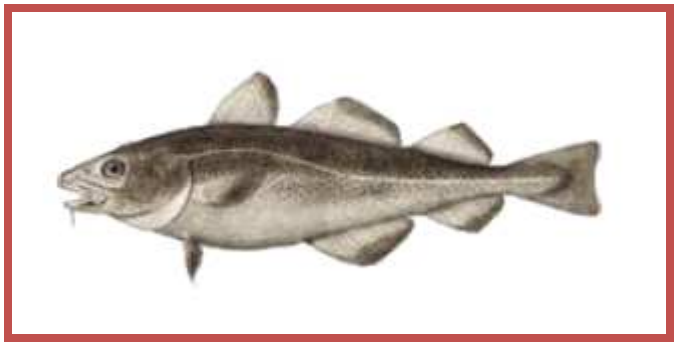
AGARBA Spain Barents Sea Cod Fishery



MSC SUSTAINABLE FISHERIES CERTIFICATION

FIRST ANNUAL SURVEILLANCE - ON SITE AUDIT

Prepared For: AGABA (Asociación Nacional de Armadores de Buques de Pesca de Bacalao)

Prepared By: Bureau Veritas Certification

CONTENTS

1. General information

The certificate holder is the national association of cod fishery owners abbreviated as AGARBA (Asociación Nacional de Armadores de Buques de Pesca de Bacalao) which is the client organisation for the fishery assessment. Moreover, AGARBA is part of the Cooperativa de Armadores de Vigo (ARVI), which comprises Pesquera Áncora SLU, a company located in Vigo´s port and a part of the UK leader, UK Fisheries, and Velaspex SL, an experienced family-run company.

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Date certified: 28.11.2013

Certificate expiry: 27.11.2018

Number of previous audits: This is the 1st audit since certification.

The Certificate holder AGARBA requested a transfer from FCI to BV. The MSC certificate registration number for the fishery was **F-FCI-0036.** Bureau Veritas will issue a new certificate with the registration number: **F-BV-00365-ES**

1. General Background about the fishery

The area under evaluation in this surveillance audit covers one Unit of Certification (UoC) detailed in the following table:

Species:	Atlantic cod (*Gadus morhua*)
Stock:	The Northeast Artic cod stock
Geographical area:	ICES subareas I & II
Harvest method:	Bottom otter trawling using 145mm mesh size and greater
Client Group:	Member vessels of AGARBA targeting the Northeast Artic cod stock in ICES subareas I and II using bottom otter trawl fishing gear.
Other Eligible Fishers:	None

Asociación Nacional de Armadores de Buques de Pesca de Bacalao (AGARBA) is an association of ship owners whose activity is focused on cod harvesting. AGARBA was formed in the 1960's to represent and protect the interests of the fishing companies dependent on cod as well as to coordinate their activity. Pesquera Ancora is run by a general manager based in Vigo (Spain) who reports directly to the board of directors of the UK Fisheries Ltd group. Velaspex s.l. has been a member of AGARBA since 1998.

Changes in circumstances to the vessels included in the certificate

At the time of full assessment (site visit), the scope of the assessment included the two vessels and quota entitlements for NE Arctic cod belonging to the two companies that made up the membership of AGARBA (Pesquera Ancora S.L. and Velaspex S.A). During December 2012, Pesquera Ancora, which is part of the larger UK Fisheries Ltd group, purchased the vessels and quota entitlements for NE Arctic cod (as well as NAFO cod) along with the well-established Pescafria consumer brand from Pesquera Rodriguez S.A, a fishing company based in the Basque country. Pesquera Rodriguez operated two large factory trawlers – Nuevo Virgen de Lodairo and Nuevo Virgen de la Barca.

FCI requested to the MSC about the most appropriate means to proceed. Finally the MSC considered that since the newly acquired fishery was already certified under MSC, then it was acceptable to expand the scope of the present assessment to include the newly acquired opportunities of Pesquera Ancora S.L. into the AGARBA assessment.

There were no implications in terms of changes to Units of Certification, changes to management systems or environmental components from the expanded fleet and fishery as the outcomes of the Pescafria-Pesquera Rodriguez and AGARBA assessments were practically identical.

Before BV accepted the transfer, asked the client to verify the list of vessels finally included in their scope. We were informed that the vessel NUEVO VIRGEN DE LA BARCA have not fished throughout 2014 and they have requested to withdraw certification. Therefore two vessels from the original group will continue with the certification:

- AROSA NUEVE
- NUEVO VIRGEN DE LODARIO

The Certificate user requested before the sign of the transfer the possibility of adding a new vessel to join the group. The name of the vessel is **NUEVO BARCA registered in Spain with the date** 03/09/2014. The information of the vessel:

Distintivo de llamada: EAOL	Propietario: PESQUERA ÁNCORA, S.L.U	
Matrícula: 3º VI-5-1-14	Eslora: 65,5 (T)	Tonelaje: 2114,5 (GT)

Figure 1 Photo of the vessel named NUEVA BARCA at Vigo landing port. Source: Lisa Borges

To sum up, the vessels included in the certificate are:

- AROSA NUEVE
- NUEVO VIRGEN DE LODARIO
- NUEVO BARCA

2. Assessment process

Scoring of the fishery

The allocation of weighted scores at Sub-criteria, Criteria and Principle levels can be found in the table below:

Principle	Component	PI No.	Performance Indicator (PI)	Score
One	Outcome	1.1.1	Stock status	100
		1.1.2	Reference points	80
		1.1.3	Stock rebuilding	n/a
	Management	1.2.1	Harvest strategy	85
		1.2.2	Harvest control rules & tools	80
		1.2.3	Information & monitoring	90
		1.2.4	Assessment of stock status	90
Two	Retained species	2.1.1	Outcome	80
		2.1.2	Management	85
		2.1.3	Information	70
	Bycatch species	2.2.1	Outcome	100
		2.2.2	Management	80
		2.2.3	Information	80
	ETP species	2.3.1	Outcome	85
		2.3.2	Management	75
		2.3.3	Information	75
	Habitats	2.4.1	Outcome	70
		2.4.2	Management	75
		2.4.3	Information	75
	Ecosystem	2.5.1	Outcome	90
		2.5.2	Management	90
		2.5.3	Information	90
Three	Governance and policy	3.1.1	Legal & customary framework	95
		3.1.2	Consultation, roles & responsibilities	85
		3.1.3	Long term objectives	100
		3.1.4	Incentives for sustainable fishing	80

Principle	Component	PI No.	Performance Indicator (PI)	Score
	Fishery specific management system	3.2.1	Fishery specific objectives	90
		3.2.2	Decision making processes	90
		3.2.3	Compliance & enforcement	95
		3.2.4	Research plan	90
		3.2.5	Management performance evaluation	90

As a result of the assessment, 6 conditions of certification were raised by the assessment team. AGARBA has to move forward to comply with these conditions within the time-scales set at the time the certificate was issued.

3. Details of the 1st surveillance audit

Surveillance level

The surveillance rationale established by FCI followed section 27.22.2 from the MSC Certification Requirements. The justification for an annual on-site surveillance was due to the number of conditions on the fishery, the expected timeline for closing out on conditions and the ongoing surveillance score which is predicted to be greater than two for the duration of the certification.

Table A4: Fishery Surveillance Plan

Score from CR Table C3	Surveillance Category	Year 1	Year 2	Year 3	Year 4
[e.g. 2 or more]	[e.g Normal Surveillance]	On site	On site	On site	On site

Source: FCI assessment team

Surveillance team details

The assessment team for this fishery assessment comprised two auditors, Lisa Borges as specialist for Principles 1, 2 and 3 and Macarena Garcia who acted as team leader.

Macarena's academic background includes a Bachelor of Science Degree in Environmental Science from the Madrid Polytechnic University (Spain) and a Master degree in Sustainable Management of Marine and Coastal Systems from Barcelona University (Spain). She was a manager in Inemar (Association for innovation in marine resources and sea studies). She has worked as an assistant in the Spanish Ministry of the Environment and Rural and Marine Affairs, carrying out different projects involving human activities and sea resources.

She has participated in several scientific publications, such as the "Ecological framework for the management of the different habitats in Spain (Council Directive 92/43/CE)", "Supporting report accompanying the thematic cartography of the MedRAS Project", and "Draft of the Basis for Marine Planning in Spain". She was responsible for the scientific and technical coordination of the bilingual publication "The Seas of Spain" from the Spanish Ministry of the Environment and Rural and

Marine Affairs, and responsible for the scientific and technical coordination of the bilingual publication "Human Activities in the Seas of Spain".

She has been working as seafood auditor for Bureau Veritas Iberia (Agrofood Department) since September 2011, which involves the technical development of private sustainable labels and seafood companies' policies. She is the lead auditor for Friends of the sea, MSC fisheries full assessment and pre-assessment, the chain of custody, and other quality labels (DOP, Mexillon de Galicia, Pesca de Rías).

Lisa is an experienced fishery scientist, with extensive knowledge and experience of assessing the environmental impact of fisheries, and discards and bycatch in particular, as well as fisheries management policies, including harvest control rules, management programmes, and discard policy development. She has experience in assessing pelagic and demersal stocks, and is familiar with MSC assessment procedures, having participated and led several Fisheries Improvement Projects over the last three years.

Lisa has a BSc in Marine Biology & Fisheries from the University of the Algarve (Portugal), an MSc in Fisheries from the University of Porto (Portugal), and a PhD on discards from demersal fisheries from the National University of Ireland.

She has worked for three national fisheries research institutes: IPIMAR (Portugal), the Marine Institute (Ireland), and IMARES (The Netherlands). Lisa also worked for the European Commission in Belgium, developing conservation policies for fish stocks in Atlantic waters. Lisa currently runs her own consulting firm, FishFix (www.fishfix.eu).

She is participating as part of the fishery team for the following fisheries under assessment:

- LFA Latvia trawl and gillnets eastern Baltic cod
- NKF Bothnian Bay vendace trawl
- Cantabrian Sea purse seine anchovy
- Bay of Biscay purse seine sardine

Date & Location of surveillance audit

During the on-site surveillance audit the assessment team seek information regarding the fishery and its performance in relation to the conditions of certification.

The dates of the visit were: **7 & 8th of January 2015** in Vigo, Galicia.

Stakeholder consultation & meetings

During the transfer process between the previous certification body (FCI) to BV the list of stakeholders who participated in the full assessment against the MSC requirements were requested.

Table 3-1 Stakeholders consulted during the full assessment and in the surveillance audit.

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grimsby@marinemanagement.org.uk
AFresno@mma.es
LRoda@mma.es
no email address
cmancebo@magrama.es
cmorenob@magrama.es
psepulve@magrama.es
cchamizo@magrama.es
mario.santos@cfca.europa.eu/ a new email : mario.santos@efca.europa.eu
pedro.galache@cfca.europa.eu
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njensen@wwf.no
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sfomin@wwf.ru
kovalev@pinro.ru
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stephen.marinet@btinternet.com
sas@maritimecb.com / sennser@mail.ru
icadierno@pescafria.com
harbour@fishcom.ru
info@srp.ru or info@srps.ru
fepyc@fepyc.es
fncp@fncp.e.telefonica.net
mjgonzalez@cepesca.es
mliria@iies.es
post@imr.no
jan.erik.stiansen@imr.no
ieo@md.ieo.es
celso.farina@co.ieo.es
gdiez@azti.es
jruiz@azti.es
lmotos@azti.es
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mfernandez@cetmar.org
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info@cfmc.ru
info@srps.ru

Stakeholders in the fishery were made aware of the up-coming audit process. However no stakeholder approached the CAB with any issues of concern. As a result, the main focus of consultation was with the fishery client.

The people interviewed on site were:

Name and surname	Possition and Company
Ignacio Urcola	General manager VELASPEX s.l.
Ivan Lopez	General manager PESQUERA ÁNCORA
Jorge Romón Olea	ARVI
Edelmiro Ulloa Alonso	ARVI
Manuel Perez Santome	Skyper of Nuevo Virgen de Lodairo
Manuel Freire Juncal	Skyper of Nuevo Virgen de Lodairo
Jesus Sainz de Urturi	Skyper of Arosa Nueve
Severino Oiteral	First officer of Arosa Nueve
Diego Aller	Production manager in Pesquera Áncora

Additionally, the team has no indication to suggest that destructive fishing practices or controversial unilateral exemptions are taking places.

Changes in the stock

The target species for the fishery under assessment is Atlantic cod *Gadus morhua*. The stock origin is northeast Arctic cod.

The Arctic cod stock is in excellent condition, well above their biomass limit and trigger reference points (Figure 1). The fishery has had low fishing mortalities in recent years compared to their long term average, and fishing mortalities have been at or below their targets.

Fishing pressure				
	2011	2012	2013	
MSY (F_{MSY})	✓	✓	✓	Appropriate
Precautionary approach (F_{pa},F_{lim})	✓	✓	✓	Harvested sustainably
Management plan (F_{MGT})	✓	✓	✓	Below target

Stock size				
	2012	2013	2014	
MSY ($B_{trigger}$)	✓	✓	✓	Above trigger
Precautionary approach (B_{pa},B_{lim})	✓	✓	✓	Full reproductive capacity
Management plan (SSB_{MGT})	✓	✓	✓	Above trigger

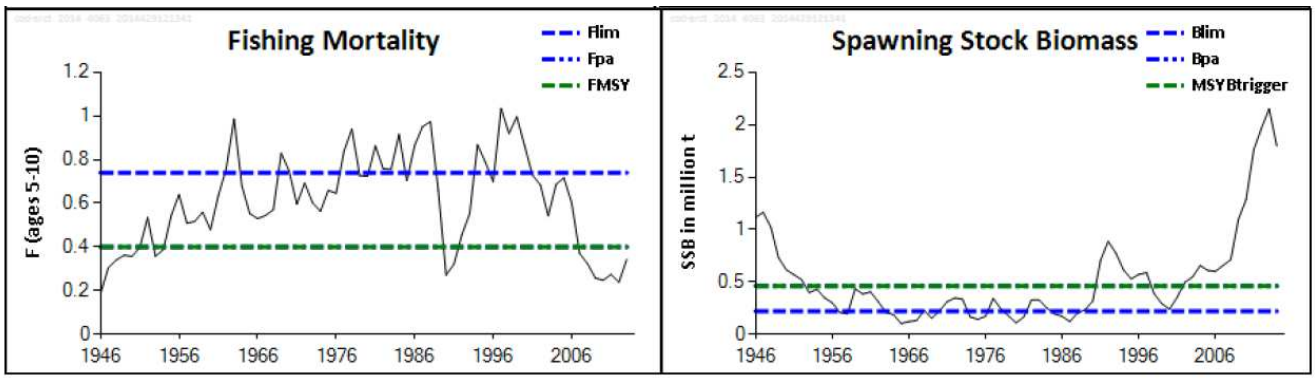

Figure 2 Stock status of the cod in Subareas I and II (Northeast Arctic cod). Source: ICES Advice June 2014

A management plan has been in effect since 2004 (Annex 3.3.2), aimed at maintaining high long-term yield, year-to year stability of catches, and full utilization of all available information on stock dynamics. The plan was evaluated in 2010 and ICES considers it to be in accordance with the precautionary approach and not in contradiction to the MSY approach. At the 2010 meeting of the Joint Russian–Norwegian Fisheries Commission it was agreed that the plan will be in force until 2015.

For 2014 the International Total Allowable Catch (TAC) for Northeast Arctic cod was agreed by the JNRFC at 993,000t. Under the EU-Norway Agreement, EU entitlements to cod are fixed at 3% of the TAC; one third of which is then further allocated to Spain. The Spanish quota is then further divided according to fixed percentages amongst the

Spanish companies that are active in the fishery. The client organisations combined entitlement was in 2013 the 52% of the annual Spanish quota for NE Arctic cod.

Analysis of 2007-2011 landings data provided by AGARBA during the full assessment, shows that the fleet which initially formed the basis for the assessment was responsible for catching 18,527t of NE Arctic cod between 2007 and 2011 (five fishing seasons). The updated information from both Companies conforms a total annual catches for 2012-2013 were between 2,510t and 9,236t. Table 1 summarises catches of northeast Arctic cod for the years 2007-2013 for the vessels of AGARBA.

In accordance with the adopted management plan the catch in 2015 should be based on a −10% change compared to TAC 2014, corresponding to landings of 894 000 t. This is expected to keep SSB well above Bpa in 2016. Fishing at FMSY (= 0.40) corresponds to catches of no more than 878 kt in 2015. This is expected to keep SSB well above MSY Btrigger in 2016.

Table 3-2 Landings (tonnes) of northeast Arctic cod, AGARBA 2007-2013 Year

Years	2007	2008	2009	2010	2011	2012	2013
Catch (tonnes)	1,412	2,920	4,420	4,295	5,481	2,510	9,236

Changes in ecosystem interaction or management

Among the factors influencing cod growth and recruitment are water temperature, food supply, and cod population abundance. Environmental drivers (capelin biomass, ice coverage, temperature, and oxygen saturation) were used in the estimation of recruitment and temperature in the estimation of cod cannibalism. Changes in growth, maturity, and cod cannibalism are linked to the abundance of capelin. This linkage appears to be less pronounced in the recent period than in the 1980s and 1990s. Capelin abundance is at present intermediate. The distribution area of cod has expanded northwards and eastwards in recent years, and is now the widest ever reported (north to 82°N and east to 80°E, as observed during the ecosystem survey in August–October).

There have been no substantial changes in the ecosystem structure, species interaction or in the ecosystem management in the last year. The revised Common Fisheries Policy (CFP) includes an increasingly restrictive approach to discard

management from 2015 and onwards. This does not affect this current audit, but might need to be reflected in future surveillance audits.

4. Reporting on Conditions & Recommendations

Condition 1: Retained species information recording

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

Condition: There is insufficient data in relation to which species are captured and what quantities of each are concerned for both redfish and wolfish. There is no indication in the companies' landings data that skate and ray are landed however information on captured specimens for skates in particular is necessary in order to manage potential impacts on these species also.

Milestones: 1st Surveillance Audit: Have developed and implemented on-board all vessels a comprehensive Code of Conduct that includes clear guidance and instruction on recording of catches of redfish and wolfish as well as skates and rays during all tows and for all fishing trips while engaged on the cod fishery. The Code of Conduct should include specific instructions to crews as well as providing visual aids to assist in identification of species. Score 70.

Action plan: 1st Year: A Code of Conduct for Incidental catches where it is said how the company will act to manage the incidental catches will be implemented on-board every ship. The whole crew will be instructed following this Code on Conduct, there will be a specific point where the crew will be instructed on how to recognize the different species with the use of visual aids. This instruction will be recorded in the Book of Incidental Catches. This Book will also contain guidance to recognize every different species that can be caught, guidance on how to proceed with those species and incidental catches where the skipper and/or officers will record all the incidental catches by tow. In that Log book, it will be recorded the quantities of incidental catches of redfish, wolfish, skates, rays and other species, its tow and the fishing area where it has happened.

On site visit observations: The client has developed a draft Book of Incidental Catches which includes sections on: 1. sensitive areas detected, 2. Code of Conduct for incidental catches, 3. fish identification guide and ETP identification guide, 4. crew

instruction validation, 5. legislation, 6. fisheries strategies to avoid incidental catches, 7. production strategies in catches with incidental catches and 8. catch logbook. The book sent to the audit team is clearly in an early stage of what a finalise book of incidental catches should consist of, with many sections emptied or simply assembled, containing a mixture between retained catch, bycatch, ETP and habitat MSC definitions.

Nevertheless, section 2, the Code of Conduct for incidental catches, does include a good description of what the crew should do when encountered with incidental catches. However, there were no identification guides in the vessels. A printout of FAO species description for a number of species was sent to the audit team, and a simple reference to fishbase is included in section 3 of the Book for Incidental Catches with a table listing the species that can be encountered. Nevertheless, the deck handler is confident of easy and correct species identification, namely between redfish and wolfish species. For rays, the crew that the audit team interviewed acknowledge the difficulty in naming some of the species and agreed to use a fish guide book to aid their identification. Finally, this draft Book of Incidental Catches was not available on board at the moment of the audit and the crew had no knowledge of it, including the vessel captains.

Conclusion: at the time of the site visit the client was behind target against the measures established in the action plan, therefore the CAB has to specify a remedial action for this condition. The action established with the commitment of the client is to improve and finalise the book, train the crew and collect the necessary data by the next audit. The skippers have also now the knowledge to what is necessary to do on board regarding observation and recording of incidental catches of retained species, so it is likely that incidental catches will be recorded by next audit. It was agreed to record, in the DEA or in a specific catch logbook from the company, separately the species: wolfish (*Anarhichas lupus*), spotted wolffish (*Anarhichas minor*), redfish (*Sebastes mentella*) and golden redfish (*Sebastes marinus*).

Revised milestones: By the second year, the finalised Code of Conduct, that includes guidance and instruction on recording of catches of redfish and wolfish, has to be fully implemented in all vessels under the certification. Furthermore, in case the client has not provided any data from the first year of implementation of the Code of Conduct in relation to sensitive or vulnerable bycatch, the score for this performance indicator will be downgraded to less than 70.

Condition 2: Endangered, Threatened and Protected species

PI 2.3.2 The fishery has in place precautionary management strategies designed to: meet national and international requirements; ensure the fishery does not pose a risk of serious harm to ETP species; ensure the fishery does not hinder recovery of ETP species; and minimise mortality of ETP species.

Condition: Develop a management strategy for ETP species that is designed to meet national and international requirements and ensures the fishery does not pose a risk of serious or irreversible harm to ETP species; ensures the fishery does not hinder recovery of ETP species; and minimise mortality of ETP species

Milestones: Year 1 – Have developed a suitable ETP management strategy that is proportionate to the threat that the fishery presents to ETP species. The strategy should capture elements of national and international requirements for ETP species that may be affected in the cod fishery and should detail how the fishery plans to avoid significant levels of negative direct and indirect impacts. The strategy should detail how incidents of capture are recorded and should provide for reporting on outcomes. Design and implement a suitable Code of Conduct. Score 70.

Action plan: 1st Year: the skypers and officers will be informed about national and international regulations on ETP, a copy of this regulations will be accessible in the Book of Incidental catches log book. The code of conduct will be developed according to the changes in the regulations, the previous experience and the ship's limitation. The crew will be instructed on how to proceed according to the different levels of incidental by catches in order to prevent negative direct and indirect impact. It will be mentioned how the production on-board will be guided. It will be specified when the ship has to stop fishing in that areas and when the ship forbidden to fish in a specific zone and date. A copy of those instructions will be accessible in the Book of Incidental Catches.

On site visit observations: As stated above, the client has developed a draft Book of Incidental Catches which includes sections on: 1. sensitive areas detected, 2. Code of Conduct for incidental catches, 3. fish identification guide and ETP identification guide, 4. crew instruction validation, 5. legislation, 6. fisheries strategies to avoid incidental catches, 7. production strategies in catches with incidental catches and 8. catch logbook. The book sent to the audit team is clearly in an early stage of what a finalise book of incidental catches should consist of, with many sections emptied or simply

assembled, containing a mixture between retained catch, bycatch, ETP and habitat MSC definitions.

Section 5, legislation, does not include any specific legislation; it simply states that Norwegian bycatch and EU and Spanish bycatch legislation applies. When asked for legislation, the audit team received from the skippers several documents pertaining to all prohibitions to fish applicable. Moreover, Jorge Romón sent to the team leader the compilation of the regulations relating to cod fishing in the fisheries protection zones. Section 6, fisheries strategies includes a short but appropriate description of what the captain will do in case of an incidental catch. Finally, this draft Book of Incidental Catches was not available on board and the crew had no knowledge of it, including the vessel captains.

Spanish authorities disseminate all relevant regulations relating to fishery impacts on ETP species by fleets. Jorge Romón from ARVI read through the information and sent to the Companies that owns the vessels the newsletters and subsequently he submits the information to the fleet. During the site visit was checked onboard the update information regarding ETPs and protected zones.

Conclusion: at the moment of the site visit the client was behind target against the measures established in the action plan, therefore the CAB has to specify a remedial action for this condition. The action established with the commitment of the client is to improve and finalise the book, train the crew and collect the necessary data by the next audit. The skippers have also now the knowledge to what is necessary to do on board regarding observation and recording of incidental catches of ETP species, so it is likely that incidental catches will be recorded by next audit.

Revised milestones: By the second year, a finalised Book of Incidental Catches has to be fully implemented in all vessels under the certification. In case the client has not implemented an ETP management strategy and Code of Conduct on all vessels under certification, the score for this performance indicator will be downgraded to less than 70.

Condition 3: Endangered, Threatened and Protected species

PI 2.3.3 Relevant information is collected to support the management of fishery 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.

Condition: Design and implement a recording system onboard all vessel that will detail all ETP species that may be encountered during fishing, together with photographic identification keys and interaction recording template. Recording templates should capture details such as location, date, species involved, circumstances and outcome.

Milestones: Year 1 – Have developed a suitable ETP recording system and implemented on-board all vessels in the certified fleet, recording of interactions to be required for all trips on all vessels in the cod fishery. Score 75.

Action plan: In the 1st year, we will create a chapter in the Book of Incidental Catches to record the species involved Incidental by-catches, the quantities of every incident and the coordinates. If in any incidental by catch there is a species that the members of the crew are not able to recognize they will take a photo or a sample and put it in the book and will ask specialist till this species is recognized. In the Book of Incidental Catches there will be a chapter with a guide to identify the different ETP species.

On site visit observations: As stated above, the client has developed a draft Book of Incidental Catches which includes sections on: 1. sensitive areas detected, 2. Code of Conduct for incidental catches, 3. fish identification guide and ETP identification guide, 4. crew instruction validation, 5. legislation, 6. fisheries strategies to avoid incidental catches, 7. production strategies in catches with incidental catches and 8. catch logbook. The book sent to the audit team is clearly in an early stage of what a finalise book of incidental catches should consist of, with many sections emptied or simply assembled, containing a mixture between retained catch, bycatch, ETP and habitat MSC definitions.

Section 3, fish and ETP identification guide, has a simple reference to fishbase and includes a table listing the fish species that can be caught. No ETP species that might be affected by the fishery are listed. Furthermore, there are no identification guides in the vessels. A printout of FAO species description for a number of species was sent to the audit team. Nevertheless, the crew has in the past take due record (log and photo) of any species they could not identify, and have provided a detailed example in the

Book of Incidental Catches. Finally, this draft Book of Incidental Catches was not however available on board and the crew had no knowledge of it, including the vessel captains.

Conclusion: at the moment of the audit the client was behind target against the measures established in the action plan, therefore the CAB has to specify a remedial action for this condition. The action established with the commitment of the client is to improve and finalise the book, train the crew and collect the necessary data by the next audit. The skippers have also now the knowledge to what is necessary to do on board regarding observation and recording of incidental catches of ETP species, so it is likely that incidental catches will be recorded by next audit.

Revised milestones: By the second year, a finalised Book of Incidental Catches has to be fully implemented in all vessels under the certification. In case the client has not provided any data on interactions with ETP species for all trips on all vessels under certification, the score for this performance indicator will be downgraded to less than 75.

Condition 4: Habitat outcome

PI 2.4.1 The fishery does not cause serious or irreversible harm to habitat structure, considered on a regional or bioregional basis and function.

Condition: Implement a system for recording interactions with sensitive seabed types. For the purposes of this condition, sensitive habitats and communities could be taken as meaning those as listed by OSPAR at http://www.ospar.org/content/content.asp?menu=00180302000014_000000_000000. Develop and Implement a Code of Conduct that requires recording and reporting of interactions. Provide data in relation to impacts through sampling of catch material and invertebrate fauna that indicates seabed types fished.

Milestones: Year 1: With independent scientific input, develop strategic approach to evaluating quantitative and qualitative impact /interaction of certified fishery with sensitive seabed habitats and communities of Svalbard fishery protection zone, including in particular biogenic reef forming fauna and deep sea sponge communities. Develop a plan that will generate practical information from catch material sampling in relation to seabed type and biological community through sampling of invertebrate fauna bycatch. Provide aggregated annual VMS plots of all fishing effort by the certified vessels engaged in the cod fishery for the first year of certification. Score=70

Action plan: In 1st year: we will create a Habitat Management Book where we will put in different chapters all the information related with the interaction between the ships and the habitats. This book will be used to collect all the practical information from catch material sampling in relation to seabed type and biological communities. This book will contain the following information; Vulnerable Habitat detected, code of conduct on how to prevent damages to vulnerable habitats and how to recognize vulnerable habitat, the crew instruction validation on recognizing vulnerable habitat area interaction, the latest legislation related to the vulnerable habitat management, scientific information about the possible type of vulnerable habitat in Barents Sea, Svalbard and Norwegian Economic Zone especially what it referred to reef forming fauna, sea sponge communities and invertebrate catches and all the information related with the invertebrate fauna bycatch, a guide on how to proceed with the vulnerable area detected and a chapter where to record all the tow where the ship has interacted with an vulnerable habitat such as reef, sponges, deepsea fauna , seabed fauna, this information will be plotted on a map according to the VMS information of the season.

On site visit observations: The client has developed a draft Vulnerable Habitat Management Book which includes sections on: 1. Vulnerable habitats detected, 2. Code of Conduct for vulnerable habitats, 3. Guide on how to detect vulnerable habitats, 4. Crew instruction validation, 5. Legislation, 6. Scientific information, 7. fishing strategies to avoid vulnerable habitats and 8. Vulnerable habitats detection logbook. As with the Book for Incidental Catches, the book sent to the audit team is clearly in an early stage of what a finalise Vulnerable Habitat Management Book should consist of, with many empty sections or simply assembled, containing a mixture between ETP and habitat MSC definitions.

Section 1, Vulnerable habitats detected, includes a template for recording the detection of a vulnerable habitat but no actual data is presented. Section 3, Guide on how to detect vulnerable habitats, possible types of vulnerable habitats are listed, but includes also areas where ETP species may occur. A map showing existent Marine Protected Areas (many for cold water corals) in the Barents Sea is also included. Section 4, crew instruction validation, includes a template to record the list of crew that have been trained on vulnerable habitats management but no data is given. Section 5, 6 and 7 (legislation, scientific information and fishing strategies to avoid vulnerable habitats, respectively) are empty. Section 8, vulnerable habitats detection logbook, contains a template to record vulnerable habitats but no data is presented. Finally, this draft Vulnerable Habitat Management Book was not available on board and the crew had no knowledge of it, including the vessel captains.

Conclusion: at the moment of the audit the client was behind target against the measures established in the action plan, therefore the CAB has to specify a remedial action for this condition. The action established with the commitment of the client is to improve and finalise the book, train the crew and collect the necessary data by the next audit. The skippers have also now the knowledge to what is necessary to do on board regarding observation and recording of vulnerable habitats, so it is likely that the data will be recorded by next audit.

Revised milestones: By the second year, a finalised Habitat Management Book has to be fully implemented in all vessels under the certification, including a plan to sample seabed material and fauna captured in trawls in the SFPZ during a number of fishing trips. In case the client has not provided any aggregated annual VMS plots of all fishing effort by the certified vessels engaged in the cod fishery, the score for this performance indicator will be downgraded to less than 70.

Condition 5: Habitat strategy

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

Condition: There are no specific measures within the certified fleet that are designed to manage habitat impacts. Specifically, the Norwegian Regulation relating to bottom fishing activities in the Economic Zone of Norway, the fisheries zone around Jan Mayen and the Fisheries Protection Zone around Svalbard of 1st July 2011 issued under sections 16, 36 and 47 of the Act of 6th June 2008 No.37 relating to the management of wild living marine resources (Marine Resources Act) needs to be implemented across the certified fleet as a minimum. The regulation requires the fleet to calculate the quantity of indicators of vulnerable benthic habitats, as live coral and live sponge

Milestones: Year 1. Develop Code of Conduct that requires recording and reporting of habitat interactions with live corals and sea sponges in particular and implement requirement across all vessels active in the cod fishery. The client should implement a Code of Conduct that clearly sets out what actions crews are required to take if and when they encounter vulnerable seabed habitats during fishing operations. Score=70.

Action plan: 1st year: We will develop and implement a Code of Conduct of habitat interactions. This Code on Conduct will be based on the Regulation, especially the ones applicable to the Norwegian economic Zone, the fish protection around Svalbard and the zone around Jan Mayen, and the ships limitation. This code will involve the whole crew that interacts with the net operations; it will be specified how the crew member that see the net content must act and how the captain or first officer must act in case there are evidences of interaction with a vulnerable habitat, with special attention if the interaction is with live corals and sea sponges.

On site visit observations: As stated above, the client has developed a draft Vulnerable Habitat Management Book which includes sections on: 1. Vulnerable habitats detected, 2. Code of Conduct for vulnerable habitats, 3. Guide on how to detect vulnerable habitats, 4. Crew instruction validation, 5. Legislation, 6. Scientific information, 7. fishing strategies to avoid vulnerable habitats and 8. Vulnerable habitats detection logbook. The book sent however to the audit team is clearly in an early stage of what a finalise Vulnerable Habitat Management Book should consist of, with many empty sections or simply assembled, containing a mixture between ETP and habitat MSC definitions.

Section 2, Code of Conduct for vulnerable habitats, includes a description of what the captain will do in case of a detection of a vulnerable habitat. However, it includes in many cases unclear statements and leaves up to the captain to decide if the trawl will make irreparable permanent harm to the habitat. Furthermore, it leaves open the possibility to trawl in the same area where a vulnerable habitat may have been encountered. Finally, this draft Vulnerable Habitat Management Book was not available on board and the crew had no knowledge of it, including the vessel captains.

The client has committed to improve and finalise the book, and in particular the Code of Conduct, and train the crew accordingly by the next audit.

Conclusions: Same conclusion as condition 4.

Revised milestones: By the second year, a finalised Code of Conduct has to be fully implemented in all vessels under the certification. In case the client has not provided results from first year of implementation of recording of interactions through the Code of Conduct, the score for this performance indicator will be downgraded to less than 70.

Condition 6: Habitat information

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

Condition: Requires recording of information in relation to seabed habitat types and vulnerable seabed habitats in particular that the fishery interacts with. It is intended that additional information will allow the scoring of issue c. at SG80.

Milestones: Year 1 – design and implement recording system within the Code of Conduct for recording anecdotal information in relation to seabed habitats. Score = 70

Action plan: 1st year: The Code on conduct will be implemented, and the interactions with the seabed will be recorded in the Vulnerable Habitat Detection Log Book, those record will include the place where there`s been an interaction with a vulnerable habitat, the evidences that demonstrate this and the date. We will have a map of the vulnerable habitat situation in the Habitat Management Book so the captain and officers can consult it. There the type of seabed vulnerability will be specified.

On site visit observations: The client has developed a draft Vulnerable Habitat Management Book which includes sections on: 1. Vulnerable habitats detected, 2. Code of Conduct for vulnerable habitats, 3. Guide on how to detect vulnerable habitats, 4. Crew instruction validation, 5. Legislation, 6. Scientific information, 7. fishing strategies to avoid vulnerable habitats and 8. Vulnerable habitats detection logbook. However, the book sent to the audit team is clearly in an early stage of what a finalised Vulnerable Habitat Management Book should consist of, with many empty sections or simply assembled, containing a mixture between ETP and habitat MSC definitions.

As stated above, no data is given in the Vulnerable Habitat Management Book. All the templates presented in the book contain no data and the map illustrates only existent marine protected areas. Finally, the Vulnerable Habitat Management Book was not available on board and the crew had no knowledge of it, including the vessel captains. The client has committed to improve and finalise the book, train the crew and collect the necessary data by the next audit.

Conclusions: at the moment of the audit the client was behind target against the measures established in the action plan, therefore the CAB has to specify a remedial action for this condition. The action established with the commitment of the client is

to improve and finalise the book, train the crew and collect the necessary data by the next audit. The skippers have also now the knowledge to what is necessary to do on board regarding observation and recording of vulnerable habitats, so it is likely that the data will be recorded by next audit.

Revised milestones: By the second year, a finalised Habitat Management Book has to be fully implemented in all vessels under the certification. In case the client has not provided detailed information with regard to the seabed types encountered in specific locations, and specifically on sensitive or vulnerable seabed habitat types, the score for this performance indicator will be downgraded to less than 70.

Recommendation 1: It is recommended that the client group through, its industry representative bodies and the Spanish government, acting through the EU, further engage with Norwegian authorities with a view to achieving practical and sustainable solutions for dealing with the largely unavoidable bycatch of Northeast Arctic haddock that is associated with the Northeast Arctic cod fishery. Present rules, whereby limits to bycatch volumes are applied on a haul-by-haul basis are seen as possibly increasing the risk of unsustainable practices such as discarding of haddock catches. More workable solutions that contribute to overall sustainability are likely to exist and the client organisation is encouraged to continue efforts in this regard during the life of the certificate.

Summary of Progress on conditions

In summary, the client is not showing sufficient progress in relation to the conditions, and is also not fully achieving the actions agreed in the Action Plan established in the full assessment report of the fishery.

Nevertheless, the assessment team has taken into considerations the commitment of the client to understand the main issues of discussion at all the performance indicators and the effort that the client has done in order to improve both manuals (incidental catches and vulnerable habitats). An improved version of both documents was send before the deadline for this surveillance report.

Given the situation where progress against the 6 conditions is behind target, it is necessary to establish a general remedial action. Therefore the client needs to show progress to the CAB within the next 12 months the progress against the action plan to ensure that, for the next surveillance audit, the milestones will be achieved.