

# **FBSA Canada Full Bay sea scallop**

## **Surveillance Review of Information**

Conformity Assessment Body (CAB)	Global Trust Certification Limited
Assessment team	Lead Assessor, Sam Dignan
Fishery client	Full Bay Scallop Association (FBSA)
Assessment Type	Third Surveillance Audit (of second certification cycle)
Report Date	20 June 2022

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## 2 Glossary

C&P	Conservation and Protection (DFO)
CAB	Conformity Assessment Body
CHP	Conservation Harvesting Plan
CoC	Chain of Custody
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
CPUE	Catch per Unit Effort
CR	MSC Certification Requirements
CSAS	Canadian Science Advisory Secretariat (DFO)
DFO	Fisheries and Oceans, Canada
DMP	Dockside Monitoring Program
DO	Dockside Observer
EAM	Ecosystem Approach to Management
EEZ	Exclusive Economic Zone
EoB	East of Baccaro
ESBA	Ecologically and Biologically Significant Areas
ESS	Ecological Sensitive Species
ETP	Endangered, Threatened and Protected species
F	Fishing Mortality Rate
FBSA	Full Bay Scallop Association (client/certificate holder)
FCR	MSC Fisheries Certification Requirements
FSC	Food, Social and Ceremonial
HCR	Harvest Control Rule
IFMP	Integrated Fisheries Management Plan
ISAC	Inshore Scallop Advisory Committee
kt	kiloton (1 kt = 1,000 metric tonnes)
LRP	Lower (Limit) Reference Point
M	Natural Mortality, symbolized by the mathematical symbol M.
MPA	Marine Protected Area
MSC	Marine Stewardship Council
NAFO	North Atlantic Fisheries Organization
P1	MSC Principle 1
P2	MSC Principle 2
P3	MSC Principle 3
PI	MSC Performance Indicator
SAR	Species at Risk
SARA	Species at Risk Act
SFA	Scallop Fishing Area
SG	MSC Scoring Guidepost
SPA	Scallop Production Area
TAC	Total Allowable Catch
UoA	Unit of Assessment
UoC	Unit of Certification
USR	Upper Stock Reference (may also be termed URP – Upper Reference Point)
WSAC	West Scallop Advisory Committee

### 3 Executive summary

#### 3.1 Summary of audit process

This report contains the findings of the third surveillance audit of the second certification cycle of the MSC-certified fishery 'FBSA Canada Full Bay sea scallop' which was conducted by an audit team commissioned by Global Trust Certification Ltd. (the CAB, hereafter Global Trust) consisting of Sam Dignan.

The surveillance audit process began in April 2022 and was conducted according to relevant requirements as outlined in MSC Fisheries Certification Process (FCP) v.2.2. The MSC Scheme Documents and Templates outlined in [4.3 Version details](#) were used during this surveillance audit.

The audit was conducted as a Review of Information surveillance consisting of a desktop review of documentation. The audit focused on changes to the fishery and its management and science since the last annual surveillance audit and assessed the fishery's continuing compliance with relevant MSC Principles and Criteria. Entering this surveillance audit there were no open conditions requiring evaluation against agreed milestones.

Global Trust would like to thank all management and scientific agencies, industry bodies and stakeholders for their collaboration and for providing the information and data necessary to carry out this assessment.

#### 3.2 Summary of history of assessments

This fishery initially entered the MSC programme in June 2012 and was first certified on 25 July 2013. After its first 5-year certification cycle it was re-assessed and re-certified on 05 July 2018.

All conditions raised during the initial assessment were closed on or at Year 4 of the first certification cycle and no conditions were raised during either the re-assessment or the first and second surveillance audits of this (the second) certification cycle which took place in late-2019 – early-2020 and early – mid-2021 respectively.

#### 3.3 Summary of audit findings

This audit found that the certified fishery continues to conform with applicable MSC requirements such that no new conditions were necessary. Additionally, no new recommendations were made during this audit and no Performance Indicators (PIs) or Principle-level scores were changed.

#### 3.4 Updated certification status

Following this audit, Global Trust has determined that the fishery continues to meet applicable MSC requirements such that continued certification is appropriate; therefore, the certification status of the fishery as certified remains unchanged.

Updated certification status = **CERTIFIED**

## 4 Report Details

### 4.1 Surveillance information

**Table 1.** Surveillance announcement.

1	Fishery name	
	FBSA Canada Full Bay sea scallop	
2	Unit(s) of Assessment (UoA)	
	Species:	Latin name: <i>Placopecten magellanicus</i>
		Common name(s): Atlantic sea scallop
	Stock(s):	Atlantic sea scallop in SFA 28 and 29W
	Fishing gear type(s) and, if relevant, vessel type(s):	Digby dredge
	Geographical area(s):	FAO Fishing Area 21 Atlantic Northwest, Canada EEZ, Bay of Fundy
	Client group:	Full Bay Scallop Association (FBSA)
	Other eligible fishers*:	There are no other eligible fishers
	<small>*Other eligible fishers are fishing fleets, or individual fishing operators pursuing the same stock(s), using the same fishing gear and, if relevant, vessel type(s), in the same geographical area(s) as Client Group members but that are outside the Client Group. Other eligible fishers are eligible, upon agreement with the client group, to share the certificate as new client group members.</small>	
3	Date certified	Date of expiry
	21 July 2013	04 January 2024 (extended by 6 months per MSC Covid policy)
4	Surveillance level and type	
	Surveillance level 1 'Minimum surveillance', Review of Information audit.	
	The surveillance program for this fishery has not changed from that previously indicated in the PCR published 05 July 2018.	
5	Surveillance number	
	1 <sup>st</sup> Surveillance	
	2 <sup>nd</sup> Surveillance	
	3 <sup>rd</sup> Surveillance	X
	4 <sup>th</sup> Surveillance	
	Other (expedited etc)	
6	Proposed team leader	
	<p>As this is a fishery in its 2<sup>nd</sup> certification cycle with no conditions and ability of Global Trust to remotely verify information is high, the assessment can be conducted by 1 suitably qualified assessor which in this case is Sam Dignan.</p> <p>According to MSC Fisheries Certification Process (FCP) v2.2 §7.28.14.2.b if a single auditor is appointed by the CAB, the auditor shall meet the team leader requirements specified in Table PC1 and at least 1 of the fishery team qualification and competency criteria from Table PC3 relevant to the outstanding conditions in the fishery. In this case there are no conditions.</p> <p>Sam meets the competency criteria for MSC team leaders as specified in MSC FCP §Table PC1 in that he has:</p> <ul style="list-style-type: none"> <li>▪ A degree in a relevant subject.</li> <li>▪ +3 years' fisheries experience.</li> <li>▪ Reviewed updates to the MSC Fisheries Program Documents at least annually.</li> <li>▪ Passed MSC's fishery team leader training within the last 5 years as well as new versions of online training modules where relevant.</li> <li>▪ Undertaken &gt;&gt;2 MSC fishery assessment or surveillance site visits as a team member in the last 5 years.</li> <li>▪ Passed an appropriate ISO Lead Auditor training course as required by MSC requirements.</li> </ul>	

**Table 1. Surveillance announcement.**

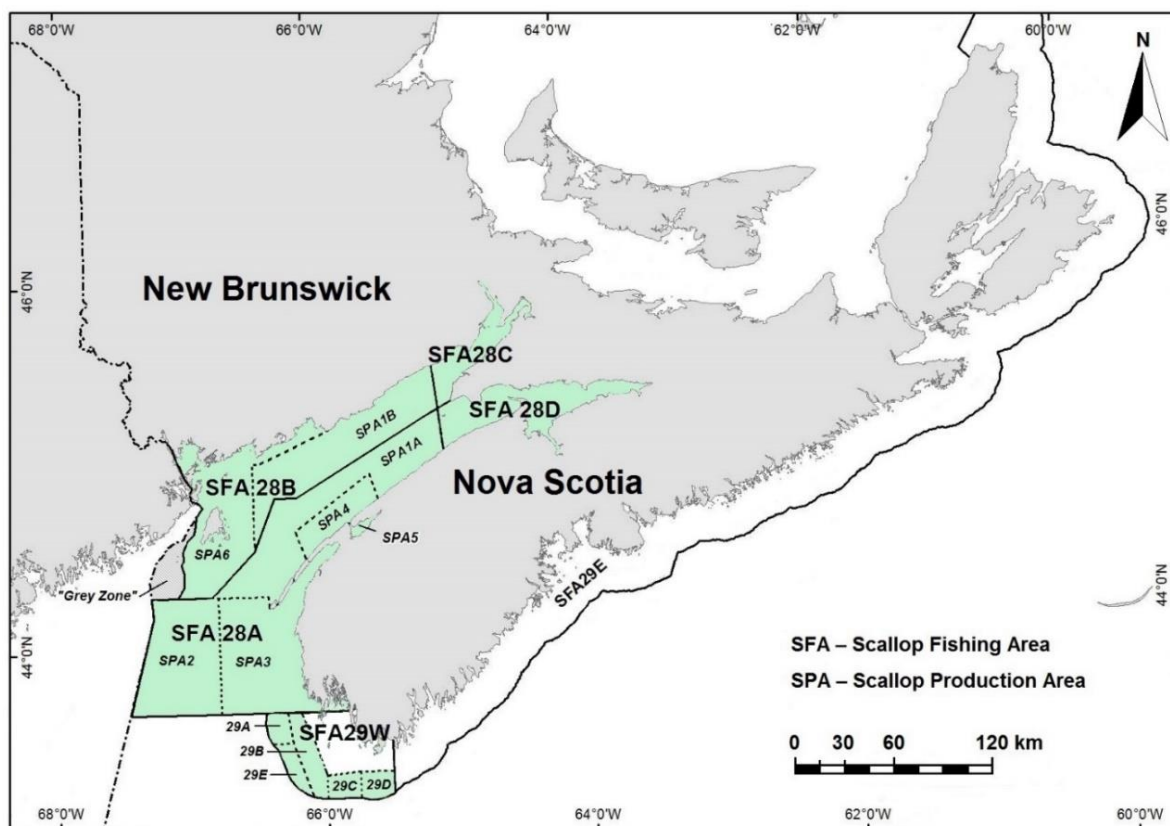
	<p>With respect fishery team qualification and competency criteria specified in MSC FCP §Table PC3, Sam additionally has:</p> <ul style="list-style-type: none"> <li>▪ 3 years' or more experience of applying relevant stock assessment techniques being used by the fishery under assessment (i.e. CSA).</li> <li>▪ 3 years' or more experience working with the biology and population dynamics of species with similar biology to the target species (i.e. other pectiniids (scallops)).</li> <li>▪ +3 years' experience in research into, policy analysis for, or management of, the impact of fisheries on aquatic ecosystems including the following topics: i) Bycatch and ii) Habitats.</li> <li>▪ Knowledge of a common language spoken by clients and stakeholders, and 2 assignments in the country or region in which the fishery under assessment is based in the last 10 years.</li> <li>▪ Passed the MSC's traceability module within the last 5 years as well as new versions of online training modules where relevant.</li> <li>▪ Reviewed any updates to the MSC's traceability requirements at least annually where relevant.</li> </ul> <p>Sam did not have any conflicts of interest in relation to the fishery under assessment; a summary of his CV was provided as part of the announcement of this assessment on the MSC website. Sam was off-site during this assessment.</p>
8	<p><b>Audit/review time and location</b></p> <p>Surveillance activities will be conducted between 27 and 29 April 2022.</p> <p>As this is a Review of Information audit, activities will be carried out from the assessment team's home offices.</p>
9	<p><b>Assessment and review activities</b></p> <p>During this assessment, the team reviewed:</p> <ul style="list-style-type: none"> <li>– Potential or actual changes in management systems.</li> <li>– Changes or additions/deletions to regulations.</li> <li>– Personnel changes in science, management or industry and their impact on the management of the fishery.</li> <li>– Potential changes to scientific information, including stock assessments.</li> <li>– Changes affecting traceability.</li> <li>– Changes affecting harmonisation of overlapping fisheries, see PB1.3.5</li> </ul> <p>Following this review, the team did not deem it necessary to rescore any Performance Indicator(s).</p>
10	<p><b>Stakeholder opportunities</b></p> <p>As part of this surveillance audit, the following stakeholder opportunities were available:</p> <ul style="list-style-type: none"> <li>▪ The opportunity to submit written input using the 'MSC Template for Stakeholder Input into Fishery Assessments' which is available here: <a href="https://www.msc.org/what-you-can-do/engage-with-a-fishery-assessment">https://www.msc.org/what-you-can-do/engage-with-a-fishery-assessment</a>.</li> </ul> <p>Further information on Stakeholder input opportunities was provided as part of the announcement of this assessment on the MSC website.</p>

#### 4.2 Background on Unit of Assessment/Certification extent (For information)

Scallops are fished throughout the Bay of Fundy and Approaches by several different fleet sectors each of which is eligible to fish in certain Scallop Fishing Areas (SFA):

- The “Full Bay” fleet, of which the client group for this fishery is part, is eligible to fish in SFAs 28A, 28B, 28C and 28D within the Bay of Fundy as well as the approaches to the Bay in SFA29W.
- The “Mid Bay” fleet is eligible to fish SFA 28B and 28C only.
- The “Upper Bay” fleet is eligible to fish SFA 28C and 28D only.
- The “East of Baccaro” fleet is eligible to fish SFA 29E with 64 licenses also being eligible to fish in SFA 29W.

Each Scallop Fishing Areas (SFA) may be further sub-divided into Scallop Production Areas (SPA) that are designed to incorporate one or more scallop biological production areas. Specific management measures may be applied at the SPA level. Only catches of sea scallops, caught by members of the client group using Digby dredges, within SFA28 and SFA29W (i.e. the area shaded green in Figure 1) are included in the Unit of Certification (UoC) and are ultimately eligible for Certification.



**Figure 1.** Scallop Fishing Areas (SFAs) in the Bay of Fundy and Approaches (Areas in which the Full Bay fleet are eligible to fish are shaded in green) (Source: Global Trust 2018).

The “Grey Zone” (outlined in Figure 1) is subject to overlapping claims between Canada and the U.S. and is prosecuted by vessels from both. Both the Full and Mid Bay fleets are permitted to fish scallops in this area through a separate approved Multi-species Grey Zone Management Plan; however, the “Grey Zone” is not part of the UoC for the FBSA Canada Full Bay sea scallop fishery.



### 4.3 Version Details

The versions of the MSC fisheries program documents used for this assessment are outlined in Table 2 below.

**Table 2.** MSC Scheme Documents and Report Templates used during this assessment.

Document	Version Number
MSC Fisheries Certification Process (FCP) (and Guidance)	2.2
MSC Fisheries Standard (and Guidance)	1.3
MSC General Certification Requirements (GCR)	2.4.1
MSC Reporting Template	2.1

## 5 Results and conclusion

### 5.1 Surveillance Results Overview

Outline herein are any changes to the fishery since the last surveillance report, including but not limited to changes to management systems, relevant regulations, personnel involved in science, management or industry, scientific base of information, including stock assessments and any changes within the fishery which impact traceability or the ability to segregate certified (i.e. from the UoC) from and non-certified (i.e. from outside the UoC) product. Unless otherwise stated herein, no changes to the fishery have been identified.

#### 5.1.1 Changes to Management systems and relevant regulations

There have been no significant changes to relevant management systems and regulations.

#### 5.1.2 Changes to personnel involved in science, management or industry

There have been no changes to personnel involved in science, management or industry of such significance as to potentially impact the fishery's conformity with MSC requirements.

#### 5.1.3 Client Group and Traceability update

Considered in this section are any developments in the client group or the fishery with the potential to impact traceability or the ability to segregate fish from the Units of Certification (UoCs) from fish from outside the UoC (non-certified fish).

No changes within the fishery which might impact traceability and the fishery's ability to segregate MSC from non-MSC products have been identified here such that the most up-to-date information in this regard is that presented in the Public Certification Report for this fishery.

In terms of fleet structure, while the number of licenses has been relatively stable in recent years as can be seen from Table 3 below, there have been variations in the number of licenses and vessels recording landings.

**Table 3.** Number of Full Bay Fleet licences, licenses with landings records, and vessels with landings records by scallop fishing area (2018 – 2021).

Year	Scallop Fishing Area (SFA)	Number of Licenses Registered	Number of Licenses with Landings Records	Number of Vessels with Landings Records
2018	29W	99	30	28
	28	99	57	55
	Total	198	87	83
2019	29W	99	30	29
	28	99	57	56
	Total	198	87	85
2020	29W	99	34	33
	28	99	57	61
	Total	198	91	94
2021	29W	99	38	36
	28	99	59	58
	Total	198	97	94

There were also no changes of note within the client group (FBSA). Currently, the client group holds 96% of the Full Bay quota, zero percentage of the Upper Bay and Mid Bay quota and 68% of the SFA 29W quota. The client share of the overall TAC for both SFAs 28 and 29W in 2021 was 67.4%.

#### 5.1.4 Stock status and advice update

Updated reports on the status of scallop stocks within each management area were not available at the time of this review such that the most recent stock status updates remain:

1. Scallop Production Areas 1 to 6 of Scallop Fishing Area (SFA) 28 – DFO 2021/005<sup>1</sup>
2. Scallop Fishing Area 29 West of Longitude 65° 30' (SFA 29W) – DFO 2020/046<sup>2</sup>

Both of these status updates were presented in detail in the Surveillance 2 report for this fishery<sup>3</sup> and are not represented here. Similarly, survey and stock assessment methodologies are not re-presented here and may instead be found in the Public Certification Report from the most recent re-assessment of the fishery<sup>4</sup>.

#### 5.1.5 Ecosystem impacts update

##### 5.1.5.1 Retained species/bycatch

Whereas at-sea observer coverage is mandatory in SFA 29W it is not required in SFA 28. To address this gap the client has put in place a voluntary programme to engage observers to conduct bycatch observations in SFA 28. In each case, observers record estimated quantities of scallop and bycatch/discards using a defined methodology.

In SFA 28 in 2021, at sea observers were not deployed due to staff shortages amid the ongoing COVID-19 pandemic. As a result, no updated bycatch data are available. However, the historical bycatch percentages have been very low and there is no reason to believe there would have been a significant change.

The requirement for observer coverage in SFA 29W is based on a number of observer days equal to the number of vessels fishing. For the 2021 season, there were 31.91 observer days and 31 vessels fishing in the area. The resulting bycatch data for 2021 were not available at the time of drafting this report but there is again no reason to believe there would have been significant changes.

##### 5.1.5.2 ETP species

An update on proposed changes to a number of potential ETP species is presented here.

Atlantic (*Anarhichas lupus*), Northern (*A. denticulatus*) and Spotted (*A. minor*) all remain listed on SARA Schedule 1 as 'Threatened'. No status updates are available.

Lumpfish was assessed by COSEWIC as threatened in Nov 2017 and consultations to include Lumpfish under SARA reporting were anticipated to begin in early 2021.

White hake has been recorded, albeit in extremely low quantities, as being bycaught in the inshore scallop fishery. In this regard, the Atlantic and Northern Gulf of St. Lawrence population of white hake remains under consideration for SARA listing.

<sup>1</sup> DFO. 2021. Stock Status Update of Scallop (*Placopecten Magellanicus*) in Scallop Production Areas 1 to 6 in the Bay of Fundy. DFO Can. Sci. Advis. Sec. Sci. Resp. 2021/005: [https://www.dfo-mpo.gc.ca/csas-sccs/Publications/ScR-RS/2021/2021\\_005-eng.pdf](https://www.dfo-mpo.gc.ca/csas-sccs/Publications/ScR-RS/2021/2021_005-eng.pdf)

<sup>2</sup> DFO. 2021. Stock Status Update of Scallop (*Placopecten Magellanicus*) in Scallop Fishing Area 29 West of Longitude 65° 30' (SFA 29W). DFO Can. Sci. Advis. Sec. Sci. Resp. 2020/046: [https://www.dfo-mpo.gc.ca/csas-sccs/Publications/ScR-RS/2020/2020\\_046-eng.html](https://www.dfo-mpo.gc.ca/csas-sccs/Publications/ScR-RS/2020/2020_046-eng.html)

<sup>3</sup> Global Trust 2021. 2<sup>nd</sup> Surveillance Assessment of the FBSA Canada Full Bay sea scallop fishery: [https://fisheries.msc.org/en/fisheries/fbsa-canada-full-bay-sea-scallop/@assessment-documentsets?assessment\\_step=Surveillance+Audit&documentset\\_name=Surveillance+report&assessment\\_id=FA-02681&phase\\_name=Ongoing+surveillance&start\\_date=2021-05-07](https://fisheries.msc.org/en/fisheries/fbsa-canada-full-bay-sea-scallop/@assessment-documentsets?assessment_step=Surveillance+Audit&documentset_name=Surveillance+report&assessment_id=FA-02681&phase_name=Ongoing+surveillance&start_date=2021-05-07)

<sup>4</sup> Global Trust 2018. Re-assessment Assessment of the FBSA Canada Full Bay sea scallop fishery: [https://fisheries.msc.org/en/fisheries/fbsa-canada-full-bay-sea-scallop/@assessment-documentsets?assessment\\_step=Re-Assessment&documentset\\_name=Public+certification+report&assessment\\_id=FA-01695&phase\\_name=Public+certification+report+and+certificate+issue&start\\_date=2017-08-17](https://fisheries.msc.org/en/fisheries/fbsa-canada-full-bay-sea-scallop/@assessment-documentsets?assessment_step=Re-Assessment&documentset_name=Public+certification+report&assessment_id=FA-01695&phase_name=Public+certification+report+and+certificate+issue&start_date=2017-08-17)

### 5.1.5.3 Habitats

There has been some work on habitat issues in 2021 including the initiation of a targeted engagement process on the Draft Conservation Network Design (renamed from 'MPA Network Design') which was scheduled to conclude in early 2022. A technical evaluation of the draft design is also planned for 2022. Based on feedback from the above two processes, the draft design will be revised and opened up for public comment period. In 2023/2024, the final Conservation Network Plan for the bioregion is to be aligned with the bioregional strategic-level Marine Spatial Plan although timelines are subject to change.

Regarding other initiatives related in whole or in part to habitats, several new papers and reports have been produced which contribute to the knowledge base for the region including Wilson et al., 2021<sup>5</sup> which mapped horse mussels and investigated benthic community and biodiversity patterns across the Bay of Fundy and Sameoto et al., 2022<sup>6</sup> which summarised recreational scallop fishing in the Maritimes Region in the period 1998 – 2015.

### 5.1.5.4 Ecosystem

In relation to the impacts of the fishery on the wider marine ecosystem in the Bay of Fundy and approaches, there is no new information of particular note.

In terms of some general information that may be of interest, Canadian Science Advisory Secretariat's Advisory Report 2021/026<sup>7</sup> presents a summary of oceanographic conditions in the Atlantic zone in 2020 including seasonal patterns in the distribution of phyto- and zooplankton.

### 5.1.6 Enforcement and compliance update

From 2019 to 2020, total patrol hours for the inshore fishery, which covers all fleets involved in the fishery and not just the Full Bay fleet, decreased from 1,481.5 to 1,245 hours. An enforcement and compliance summary table for inshore scallop in the period 2019 – 2021 is presented in Table 4 below.

Note. DFO does not at present compile data for specific fleets such that information for inshore scallop is for all fleets and not just the Full Bay fleet; therefore, it potentially represents an overstatement of the number of violations etc. related to the Full Bay fleet.

**Table 4.** Enforcement and compliance summary table for inshore scallop in the period 2019 – 2021 showing number of patrol hours, number of violations by type, number of fines by type and total value of fines.

Violations/Occurrences	2019	2020	2021
Area/Time	2	3	
Assault/Obstruct	1	2	
Illegal Buy/Sell	1	3	
Illegal Gear/Gear used Illegally	1		1
Illegal Transportation		1	
Inspection			1
Other Legislation	2		
Quota/Bag Limits	1	1	
Registration/Licence	77	37	13
Reporting	71	22	11

<sup>5</sup> Wilson, B. R., Brown, C. J., Sameoto, J. A., Lacharité, M., Redden, A. M. and Gazzola, V. (2021). Mapping seafloor habitats in the Bay of Fundy to assess megafaunal assemblages associated with *Modiolus modiolus* beds, Estuarine, Coastal and Shelf Science, Volume 252, 2021: <https://doi.org/10.1016/j.ecss.2021.107294>.

<sup>6</sup> Sameoto, J. A., Pearo Drew, T. K., Raper, J., and Reeves, A. (2022). A summary of recreational scallop fishing in the Maritimes Region: 1998 to 2015. Can. Tech. Rep. Fish. Aquat. Sci. 3451: v + 29 p: <http://waves-vagues.dfo-mpo.gc.ca/Library/41027243.pdf>

<sup>7</sup> Canadian Science Advisory Secretariat 2021/026. Oceanographic conditions in the Atlantic zone in 2020: <http://waves-vagues.dfo-mpo.gc.ca/Library/40988338.pdf>.

**Table 4.** Enforcement and compliance summary table for inshore scallop in the period 2019 – 2021 showing number of patrol hours, number of violations by type, number of fines by type and total value of fines.

Violations/Occurrences	2019	2020	2021
Species/Size Limit	1		
Unauthorized Entry/Fishing		6	
<b>Total</b>	<b>157</b>	<b>75</b>	<b>26</b>
Patrol Hours	1,060	1,482	1,245
Number of fines	13	22	1
Value of Fines	\$11,800	\$26,850	\$1,500

#### 5.1.7 Impacts of Covid-19

Due to Covid-related disruption to fishery management functions, the MSC automatically extended all fishery certificates in the program at the time by six months which moved the expiry date for this fishery's certificate from 04 July 2023 to 04 January 2024.

Covid also continued to impact data collection and scientific analysis activities used to support the fishery. In 2021, at sea observers were not deployed due to staff shortages amid the ongoing COVID-19 pandemic. As a result, there is no bycatch data available. However, the historical bycatch percentages have been very low such that a significant change would not be expected in any case.

Finally, the implementation of the National Fishery Monitoring Policy has been delayed in recent years due to Covid. In 2021 DFO initiated a review of a number of few fisheries against the requirements outlined in the policy but no timeline for the review of the Inshore scallop fishery has been announced.

#### 5.2 Re-scoring Performance Indicators (Not conducted)

The information base for this fishery has not changed such that the assessment team has been required to re-score any Performance Indicators. Furthermore, no changes have been made to the original rationales.

#### 5.3 Summary of Conditions (No open conditions)

There were no open conditions entering this Review of Information audit and no new conditions were raised as a result of this audit such that the fishery continues with no open conditions; therefore, there are no conditions requiring summarising here.

#### 5.4 Client Action Plan (Not applicable/revised)

CABs are required to include in audit reports any updates to the Client Action Plan from the fishery client to address conditions. As there are no open conditions there are similarly no open client action plans.

#### 5.5 Summary of Recommendations

Unlike Conditions, Recommendations do not require actions on the part of certified fisheries and fishery clients are not obliged to address them—rather they are encouraged to do so in the spirit of the MSC certification.

Consequently, the MSC process allows CABs the option of reviewing progress against Recommendations which in this case has been done at the request of the client. In assessing progress against 'open' Recommendations, the assessment team has generally followed the process for reporting progress against conditions and modified the associated tables accordingly.

There were two (2) 'open' Recommendations entering this assessment. Progress against these recommendations, including any submissions by the Client Group and responses by the assessment team, are presented in Table 5 and Table 6 below. The team has not seen fit to include any new/additional Recommendations

**Table 5. Open Recommendation 1 (of 2).**

Performance Indicator(s)	PI 2.3.3. ETP (Information)																																																																																																																																																								
Recommendation	<p>While there has been some improvement in the levels of SARA reporting, the client group should continue to encourage fishery participants to comply with the mandatory submission of SARA logs for each trip as required by Section 25 (B) (III) and Schedule V of the 2017 General Licence – Full Bay.</p> <p>Moreover, the client group should take appropriate steps to encourage Dockside observers (who are the first point of contact when scallop catches are landed by Full Bay Scallop Licence Holders) to notify their employer when SARA logs are not completed in accordance with the licence conditions so that irregularities can be brought to the attention of DFO for investigation</p>																																																																																																																																																								
Progress on Recommendation	Year 1	<b>Client submission</b>	<p>This issue has been raised by the client; however, DFO takes the position that it is not the job of the Dockside Observer (DO) to ensure that SARA logs are completed and passed in. All the DO can do is to ask for this log. If a harvester fails to provide a SARA log to the DO, then DFO Conservation &amp; Protection (C&amp;P) has recourse to go to the harvester. If a DO fails to submit a log that was provided to them, then C&amp;P has recourse to go to the DO and their company. Incident reports from the companies should be submitted each time they are not provided a SARA log. C&amp;P will remind the Dockside Monitoring Companies to always ask for the SARA logbook and to submit incident reports when no log is submitted.</p> <p>For the quota year 2015, the compliance rate was low, 5% overall on a trip basis and 11% on a license reporting basis. By 2019, the compliance rate for that quota year had increased significantly to 31% overall on a trip reporting basis and 57% overall on a licence basis.</p> <p>There have been no interactions reported. An updated version of the SARA logbook and instructions were issued early in 2019.</p> <p>Table. SARA log reporting compliance rates (Source: adapted from DFO data).</p>																																																																																																																																																						
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	<b>Assessment team response</b>	<p>The team notes the commitment to have DFO Conservation &amp; Protection remind Dockside Monitors to ask for a SARA logbook and to submit incident reports when no log is submitted – if this is done then DFO C&amp;P can follow up with the harvester as appropriate.</p> <p>The team also notes that the compliance rate has improved from 5% overall on a trip basis and 11% on a license reporting basis in 2015 to 31% overall on a trip reporting basis and 57% overall on a license basis in 2019.</p> <p>The release of an updated SARA logbook and accompanying instructions in early-2019 will hopefully continue to drive improvement in this area.</p>																																																																																																																																																							



**Table 5. Open Recommendation 1 (of 2).**

	<p>Finally, as at the time of re-assessment the risk of large-scale unreported catching of SARA species remains low and a signal of any such issues should be detectable in the bycatch monitoring data.</p> <p><b>Status:</b> Recommendation remains in place to be re-examined at Surveillance 2.</p>																																																																																																																																																																								
Year 2	<p><b>Client submission</b></p> <p>Efforts are underway within DFO Maritimes to develop reports that will more accurately query existing database for information on SARA log submissions. This is aimed at ensuring accurate data on SARA reporting rates, in order to provide support and compliance with this requirement. DFO has also provided instruction and information directives to Dockside Monitoring Companies (DMCs) as part of efforts to improve SARA log data entry, and has presented information about SARA reporting requirements to multiple commercial fisher advisory committees. In addition, in 2019 DFO updated the SARA log form and associated instructions to make them more user-friendly for fishers. The DMCs have also been contacted by C&amp;P and asked to submit incident reports when no SARA log is submitted.</p> <p>The compliance rates, both on a per trip basis and per licence, for the last five years is shown in Exhibit 3.1A and 3.1B Compliance rates for both categories increased in 2020 over the previous year.</p> <p>Table. SARA log reporting compliance rates on a trip (left) and licence (right) basis (Source: adapted from DFO data).</p> <table><tr><th colspan="6">SARA compliance rates on Trip Basis 2016-2020</th><th colspan="6">SARA compliance rates by Licence 2016-2020</th></tr><tr><th>Year</th><th>Sub-Fleet</th><th>Trips With SARA Logs</th><th>Trips Without SARA Logs</th><th>Total Trips</th><th>Compliance</th><th>Year</th><th>Sub-Fleet</th><th>Licences Fully or Partially Compliant</th><th>Total Licences</th><th>Compliance</th></tr><tr><td rowspan="3">2016</td><td>Full Bay - SFA 28</td><td>120</td><td>1,064</td><td>1,184</td><td>10%</td><td rowspan="3">2016</td><td>Full Bay - SFA 28</td><td>12</td><td>67</td><td>18%</td></tr><tr><td>Full Bay - SFA 29 West</td><td>-</td><td>41</td><td>41</td><td>0%</td><td>Full Bay - SFA 29 West</td><td>0</td><td>24</td><td>0%</td></tr><tr><td>Full Bay Combined</td><td>120</td><td>1,105</td><td>1,225</td><td>10%</td><td>Full Bay Combined</td><td>12</td><td>68</td><td>18%</td></tr><tr><td rowspan="3">2017</td><td>Full Bay - SFA 28</td><td>112</td><td>805</td><td>917</td><td>12%</td><td rowspan="3">2017</td><td>Full Bay - SFA 28</td><td>16</td><td>55</td><td>29%</td></tr><tr><td>Full Bay - SFA 29 West</td><td>14</td><td>46</td><td>60</td><td>23%</td><td>Full Bay - SFA 29 West</td><td>8</td><td>25</td><td>32%</td></tr><tr><td>Full Bay Combined</td><td>126</td><td>847</td><td>977</td><td>13%</td><td>Full Bay Combined</td><td>21</td><td>55</td><td>38%</td></tr><tr><td rowspan="3">2018</td><td>Full Bay - SFA 28</td><td>422</td><td>690</td><td>1,112</td><td>38%</td><td rowspan="3">2018</td><td>Full Bay - SFA 28</td><td>33</td><td>57</td><td>58%</td></tr><tr><td>Full Bay - SFA 29 West</td><td>19</td><td>70</td><td>89</td><td>21%</td><td>Full Bay - SFA 29 West</td><td>11</td><td>30</td><td>37%</td></tr><tr><td>Full Bay Combined</td><td>441</td><td>760</td><td>1,201</td><td>37%</td><td>Full Bay Combined</td><td>44</td><td>87</td><td>51%</td></tr><tr><td rowspan="3">2019</td><td>Full Bay - SFA 28</td><td>331</td><td>716</td><td>1,047</td><td>32%</td><td rowspan="3">2019</td><td>Full Bay - SFA 28</td><td>22</td><td>57</td><td>39%</td></tr><tr><td>Full Bay - SFA 29 West</td><td>14</td><td>50</td><td>64</td><td>22%</td><td>Full Bay - SFA 29 West</td><td>10</td><td>30</td><td>33%</td></tr><tr><td>Full Bay Combined</td><td>345</td><td>766</td><td>1,111</td><td>31%</td><td>Full Bay Combined</td><td>32</td><td>86</td><td>37%</td></tr><tr><td rowspan="3">2020</td><td>Full Bay - SFA 28</td><td>457</td><td>702</td><td>1,159</td><td>39%</td><td rowspan="3">2020</td><td>Full Bay - SFA 28</td><td>30</td><td>58</td><td>52%</td></tr><tr><td>Full Bay - SFA 29 West</td><td>23</td><td>52</td><td>75</td><td>31%</td><td>Full Bay - SFA 29 West</td><td>13</td><td>30</td><td>43%</td></tr><tr><td>Full Bay Combined</td><td>480</td><td>754</td><td>1,234</td><td>39%</td><td>Full Bay Combined</td><td>43</td><td>88</td><td>49%</td></tr></table> <p><b>Assessment team response</b></p> <p>The team notes the client and DFO’s continuing efforts to better understand issues surrounding SARA logbook requirements. Compliance rates continue to improve and the risk of large-scale unreported catching of SARA species remains low and should be detectable in bycatch monitoring data. 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Year 3	<p><b>Client submission</b></p> <p>DFO continues to provide instruction and information directives to Dockside Monitoring Companies (DMCs) as part of efforts to improve SARA log submission and data entry. Information about SARA reporting requirements has been presented annually at commercial fisher advisory committees.</p> <p>There have been no changes to SARA logs or how they are completed/submitted by the fleet in 2021. Within DFO, new reports have been developed for querying the database to provide more effective information. These reports, as well as a random spot check on both screen entries and physical logs indicate low levels of SARA logbook submission by the Full Bay fleet.</p>																																																																																																																																																																								

**Table 5.** Open Recommendation 1 (of 2).

Table 5: Open Recommendation 1 (C12).

Table. SARA reporting requirements compliance rate for 2020 (01 October 2019 – 30 September 2020) and 2021.

2020

FLEET	SPA GROUP	TRIP COUNT– BY SPA	Number of SARA Reports	Number of SARA Interaction Reports	% SARA Submission
FULL BAY OF FUNDY	28	1,116	465	1	42%
FULL BAY OF FUNDY	29W	85	31	0	36%
TOTAL		1,201	496	1	41%

2021

FLEET	SPA GROUP	TRIP COUNT– BY SPA	Number of SARA Reports	Number of SARA Interaction Reports	% SARA Submission
FULL BAY OF FUNDY	28	1,027	358	0	35%
FULL BAY OF FUNDY	29W	100	30	0	30%
TOTAL		1,127	388	0	34%

Assessment team response

While the team notes the client and DFO’s continuing efforts to understand and address issues surrounding SARA logbook requirements, compliance rates which had previously improved appear to be dis-improving in recent years. Nevertheless, the risk of large-scale unreported catching of SARA species remains low and were it to occur should be detectable in bycatch monitoring data. Given the lack of improvement, the team will leave the Recommendation in place so that this issue may be kept under continuing examination at future audits.

Progress status

Recommendation remains in place to be re-examined at Surveillance 4.

**Table 6.** Open Recommendation 2 (of 2).

Performance Indicator(s)	PI 3.2.5. Monitoring and management performance evaluation				
Recommendation	<p>The purpose of this recommendation is two-fold:</p> <ul style="list-style-type: none"> <li>(i) to encourage the client, in collaboration with a DFO representative working group, to initiate and complete annual performance evaluations in accordance with the obligations as stipulated in the IFMP (approved in 2016) and therefore meeting the requirements of PI 3.2.5 for the SFA 28 and SFA 29W scallop fishery, and</li> <li>(ii) to provide a pathway for improving the PI's score during the 1<sup>st</sup> annual surveillance audit.</li> </ul> <p>The annual evaluations for 2016 and 2017 should be formally reported in an appropriately formatted document.</p>				
Progress on Recommendation	Year 1	<p><b>Client submission</b></p> <p>When requested for an update, DFO responded that plan performance is implicitly reviewed annually through the advisory process. Annual evaluations are formally reported in formal letters or memos to the committee, meeting minutes, updates to the Conservation Harvesting Plan (as required), CSAS documents and for FBSA, material change letters. A revised IFMP template is pending, which may include revised language/guidance around the review and updating of IFMPs. Generally, the IFMP is meant to be an evergreen document. It provides information on the overarching management framework for a fishery, while year to year review, updates and enhancements, would be documented in meeting minutes, CHPs, etc. Updates to the IFMP itself are time and labour intensive, and it may not be feasible annually.</p>			
		<p><b>Assessment team response</b></p> <p>According to the MSC's Guidance to the Fisheries Standard for this PI (v2.01, August 2018), the focus of this PI is on whether the fishery-specific management system has a process of monitoring and evaluating management performance appropriate to the context, scale and intensity of the fishery. Guidance indicates that the relevant parts of the fishery-specific management system may include:</p> <ul style="list-style-type: none"> <li>• Decision-making process</li> <li>• Data collection</li> </ul>			



**Table 6.** Open Recommendation 2 (of 2).

	<ul style="list-style-type: none"> <li>• Scientific research</li> <li>• Compliance and enforcement</li> <li>• Responding to feedback and response</li> <li>• Monitoring systems as required by P1 and P2</li> </ul> <p>The fishery's IFMP calls for annual performance reviews of what the assessment team previously concluded to be well-defined fishery-specific components with supporting objectives, indicators and benchmarks. The assessment team remain satisfied that the components are appropriate to the context, scale and intensity of the fishery's management system. Furthermore, there continues to be sufficient evidence of ongoing monitoring, evaluation and reporting of the plan's performance, including the introduction of amendments where necessary, with one exception - the compliance and enforcement component of the region's Conservation and Protection Program.</p> <p>Over the course of the past 3 – 4 years, there was little evidence to demonstrate that this component of the management system was evaluated in accordance with the parameters as set out in the plan (see Table 10.1 of the FMP). The C&amp;P program is highly operational; it generates a large volume of data and is a recipient of additional data from other sources. A data rich environment is particularly useful when contributing to the MSC surveillance audit process, evaluating program performance, and engaging stakeholders on compliance issues in the fishery.</p> <p>The assessment team note that data requested for this surveillance audit were not as detailed as in previous audits; this is presumably due to a combination of there no longer being mandatory conditions and new DFO reporting mechanisms. Whatever the reason, explanations of year-to-year shifts in program outputs for the 2017 and 2018 fishing seasons were not offered which made it more difficult to understand the reasons behind any such changes.</p> <p>Despite the fact that the evidence provide shows some improvement between 2015 and 2019, the assessment team remain somewhat concerned with the continuing lower than expected level of compliance with mandatory SARA reporting requirements.</p> <p>The assessment team encourages the client to; (i) discuss these observations with DFO personnel, and; (ii) take notice of our intention to re-visit these matters at the 2<sup>nd</sup> annual audit stage; noting that, if the outcomes of future audits suggest 'material changes' have occurred, this could result in the re-scoring of the Performance Indicator.</p> <p><b>Status:</b> Recommendation remains in place to be re-examined at Surveillance 2.</p>
Year 2	<p><b>Client submission</b></p> <p>When requested for an update or movement on addressing this recommendation DFO responded that plan performance is implicitly reviewed annually through the advisory process. Annual evaluations are formally reported in formal letters or memos to the committee, meeting minutes, updates to the Conservation Harvesting Plan (as required), CSAS documents and for FBSA, material change letters. A revised IFMP template is pending, which may include revised language/guidance around the review and updating of IFMPs. Generally, the IFMP is meant to be an evergreen document. It provides information on the overarching management framework for a fishery, while year to year review, updates and enhancements, would be documented in meeting minutes, CHPs, etc. Updates to the IFMP itself are time and labour intensive, and it may not be feasible annually.</p>

**Table 6.** Open Recommendation 2 (of 2).

		<p>There have not been any changes to the inshore scallop IFMP for Maritimes Region.</p> <p><b><u>Assessment team response</u></b></p> <p>Firstly, last year's assessment team response to this Recommendation inadvertently reference an incorrect version of the MSC Fisheries Standard; this remains a MSC Fishery Standard v1.3 fishery.</p> <p>While it would certainly be easier were the annual performance evaluations described in Section 10. Evaluation, Monitoring and Plan Enhancement of the inshore scallop IFMP to be more explicit and formally reported in an appropriately formatted document, the current implicit review of key aspects of the management system continues to meet the requirements of relevant PISGs.</p> <p>The assessment team further notes that a revised IFMP template is pending, which may address this issue. And will leave this Recommendation in place pending examination of that revision.</p> <p>The assessment team would like to clarify that, as with any Performance Indicator, re-scoring would only occur were significant new information to become available. Were that to happen, the team would report and record what information had changed and re-score the PI and, if the new score were less than 80, raise a condition.</p>
	Year 3	<p><b><u>Client submission</u></b></p> <p>When requested for an update on addressing this recommendation DFO stated their response provided for Surveillance Audit 2 had not changed and therefore it was provided again for this surveillance. It can be read above.</p> <p><b><u>Assessment team response</u></b></p> <p>Given that the client submission is the same as for last year, the team has not evaluated it again such that the team's thoughts on it can also be read above.</p> <p>Noting that a revised IFMP template remains pending, the team will again leave this Recommendation in place pending examination of that revision.</p>
	Progress status	Recommendation remains in place to be re-examined at Surveillance 4.

## 5.6 Total Allowable Catch (TAC) and catch data

Table 7 below includes data on TACs and catches data for the Unit of Assessment (UoA) and the Unit of Certification (UoC). The table has been slightly modified from that contained in the MSC Template to suit the specifics of this fishery. As total catches attributable to the UoC are not available, these have been estimated based on the % of the TAC allocated to the UoC (i.e. the Client Group) in Scallop Fishing Area (SFA).

**Table 7.** Total Allowable Catch (TAC) and catch data (please note that this table has been slightly modified from that contained in the MSC Template to suit the specifics of this fishery).

TAC	SFA 28	Year/Season	2021	Amount	1255.0 t meats
	SFA 29W			Amount	145.0 t meats
UoA share of TAC	SFA 28	Year	2020	Amount	67.27% (844.3 t meats)
	SFA 29W			Amount	68% (98.6 t meats)
Total green weight catch by UoA*	SFA 28	Year (most recent)	2021	Amount	7,645.4 t
		Year (second most recent)	2020	Amount	11,772.8 t
	SFA 29W <sup>+</sup>	Year (most recent)	2021	Amount	1,134.6 t
		Year (second most recent)	2020	Amount	1,115.1 t
Total green weight catch by UoC**	SFA 28	Year (most recent)	2021	Amount	~5,143.1 t**
		Year (second most recent)	2020	Amount	~7,759.3 t**
	SFA 29W <sup>+</sup>	Year (most recent)	2021	Amount	~771.5 t**
		Year (second most recent)	2020	Amount	~758.3 t**

\* A conversion factor of x 8.3 may be used to convert from meat weight (in which TACs are issued) to green weight.

\*\* Figures specifically related to catches by the Client Group (i.e. the UoC) are not available; therefore, the total share of catches attributable to the UoC has been estimated based on the % of the TAC allocated to the Client Group in each area.

+ There is also a Food, Social and Ceremonial (FSC) scallop fishery by First Nations in SFA 29W for which landings are not been included.

## **6 Appendices**

### **6.1 Assessment process**

This surveillance audit consisted of a Review of Information audit which was conducted by the assessor on 27 and 29 April 2022. Review of Information audits are desktop reviews of information from a remote location.

The objectives of the audit were to seek the views of the client and identify whether there are any issues requiring further investigation.

The surveillance audit announcement was posted on 28 March 2022 on the MSC website as required by the MSC FCP, and an email with the announcement attached was sent to stakeholders.

Emails were exchanged with the client to collect updated information on the fishery including the submission of an information pack from the Client. The information contained in that submission included the various DFO documents referenced herein.

Stakeholders were afforded a 30-day period in which to comment on the assessment and submit relevant information, but no such stakeholder comments/input was received.

This Surveillance Audit followed the current version of MSC procedures as outlined in MSC Fisheries Certification Process (FCP) v2.2 using the MSC Scheme Documents and Templates outlined in Table 2 and implemented by relevant internal Global Trust internal procedures.

### **6.2 References**

Information sources used in assessing the fishery and preparing this report are included as footnotes to the report.

### 6.3 Stakeholder input

Aside from the publicly available information provided by the client group and DFO which is presented in this report, no other stakeholder input was received. A material change letter was submitted by DFO which is presented below.

#### 6.3.1 Fisheries and Oceans Canada, Material Change Letter



Fisheries and Oceans Canada  
Pêches et Océans Canada

PO Box 1006  
Dartmouth, NS  
B2Y 4A2

FEB 09 2022

Mr. Alain d'Entremont  
c/o Full Bay Scallop Association  
P.O. Box 517  
Yarmouth, NS  
B5A 4B4

Dear Mr. d'Entremont,

Re: Canada Full Bay Sea Scallop Fishery Marine Stewardship Council Certification - Third Annual Surveillance Audit

I am writing in response to your request for a material change letter, which is required for your upcoming third annual surveillance audit for Marine Stewardship Council (MSC) certification of the Canada Full Bay sea scallop fishery. As the audit will examine if there have been any significant changes affecting the fishery (the stock, the ecosystem, or the management system), an update on Fisheries and Oceans Canada (DFO) activities related to this fishery since the second audit in June 2021 is provided below.

Regarding the assessment of the resource, stock status advice has continued to be published online on the Canadian Science Advisory Secretariat (CSAS's) website in the appropriate documents, e.g. Science Advisory Reports, Science Responses, and Research Documents. The CSAS internal Regional Science Response Process for the Stock Status Update of Bay of Fundy scallop was held in November 2021. The CSAS internal Regional Science Response Process for the Stock Status Update for SFA 29W scallop is scheduled for March 2022. There are no major changes in stock status to report.

Concerning the management of the fishery, no new measures have been implemented since the spring 2021 audit.

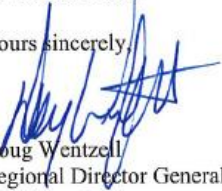
.../2

Canada

-2-

Should you require anything further, please contact the Eco-certification Coordinator in the Maritimes Region, Laura Hussey-Bondt, either by phone: 902-403-3853 or by email: [Laura.Hussey-Bondt@dfo-mpo.gc.ca](mailto:Laura.Hussey-Bondt@dfo-mpo.gc.ca). I wish you all the best with your upcoming surveillance audit.

Yours sincerely,



Doug Wentzell  
Regional Director General  
Maritimes Region

#### **6.4 Revised surveillance program**

Based on the information available and the results of this audit, Global Trust is not at this time proposing any changes to the surveillance program (or level) at this time; therefore, the surveillance program and level applicable to this fishery remains as outlined in the Public Certification Report (PCR) for the re-assessment of this fishery which may be accessed online at:

- <https://fisheries.msc.org/en/fisheries/fbsa-canada-full-bay-sea-scallop/@assessments>

Following this assessment, as there are no outstanding conditions, the appropriate surveillance level for this fishery remains 'Surveillance Level 1 (minimum surveillance)'.

Level 1 Minimum surveillance permits 1 on-site surveillance audit, 1 off-site surveillance audit and 2 reviews of information within a certification cycle.

To date in this certification cycle, Global Trust has performed:

- 2 x review of information audit (Surveillance 1) and
- 1 x off-site surveillance audit (Surveillance 2, this audit).

With this being the case, the current surveillance programme calls for an on-site surveillance audit in Year 4 which, if the fishery client elects to continue in the MSC program, would likely be combined with the next re-assessment.

## 7 Template information and copyright

This document was drafted using the 'MSC Surveillance Review of Information Template v2.1'. Note amendments have been made to formatting in order to comply with Global Trust's corporate identity; however, content and structure follow that of the original template.

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### Template version control

Version	Date of publication	Description of amendment
1.0	8 October 2014	Date of issue
2.0	17 December 2018	Release alongside Fisheries Certification Process v2.1
2.01	28 March 2019	Minor document change for usability
2.1	25 March 2020	Release alongside Fisheries Certification Process v2.2

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

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