

Baja California, Mexico

Red (Spiny) Lobster

**Annual Surveillance Report As Required Under the Marine Stewardship Council
Program**

2005

Prepared for:

Federación Regional de Sociedades Cooperativas de la Industria Pesquera Baja
California F.C.L (Baja California Regional Federation of the Fishing Cooperative
Societies or Fedecoop)

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General Information

Certified Fisheries	Baja California Spiny Lobster Fishery	Baja California, Mexico
Fishery Agency	CONAPESCA	Mexico
Species	<i>Panulirus interruptus</i>	
MSC Registration No.	SCS-MFCP-F-0005	
Certification Date	27 April 2004	
Certification Expiration Date	27 April 2009	
Certification Body	Scientific Certification Systems, Inc. (SCS)	2000 Powell St., Suite 1350, Emeryville, CA 94040
Surveillance Team	Chet Chaffee, Ph.D. (SCS)	Project Leader
Expert Consultants	Dr. Bruce Phillips	MSC Principles 3 - Management
	Dr. Arturo Muhlia	MSC Principle 1 - Stock Assessment
	Dr. Daniel Lluch	MSC Principle 2 – Ecosystem Impacts
Surveillance Stage	Annual Surveillance 2005	Report Date – 25 July 2005

Preface

The information, opinions, and assertions made in this report are the sole responsibility of Chet Chaffee, Scientific Certification Systems, Inc.'s Marine Fisheries Certification Program manager. Advice was sought and provided by Dr. Bruce Phillips, Dr. Arturo Muhlia, and Dr. Daniel Lluch, but they are not responsible for or in control of the final determinations made in this report.

Executive Summary

This Surveillance Report (2005) has been prepared by SCS to meet the requirements of the MSC for annual audits of certified fisheries. It is SCS's view that the Baja California, Mexico spiny lobster fishery continues to meet the standards of the MSC and to comply with the 'Requirements for Continued Certification'. SCS recommends the continued use of the MSC certificate through to the next annual surveillance audit with no additional corrective action requests other than those from the original assessment.

Background to 2005 Baja California, Mexico Spiny Lobster Fishery Surveillance

The spiny lobster fishery in Baja California, Mexico was originally certified in 27 April 2005 by Scientific Certification Systems, Inc. The requirements of the Marine Stewardship Council (MSC) are that each certified fishery must undergo at a minimum an annual surveillance to ensure the basis of certification is still in place and that the fishery is meeting any conditional requirements from the original certification. Should a fishery either fail the surveillance audits, the use of the certificate and the MSC logo can be revoked by the certifier.

This report represents the first annual surveillance. The issues for the certifier are whether the fishery has sufficiently met all the required conditions set forth in the original certification report, and whether a random check on the performance of the fishery verifies continued compliance with the MSC standards.

Basis of the Annual Surveillance

The annual surveillance audit process (as always) is comprised of four general parts:

1. The surveillance team provides questions around areas of inquiry to determine if the fishery is maintaining the level of management observed during the original certification. In addition, the surveillance team requires that the client provide evidence that the fishery management system has taken the necessary actions to meet all conditions placed on the fishery during the initial certification assessment or any previous surveillance audits.
2. The surveillance/assessment team meets with the client fishery to allow the client to present the information gathered in answer to the questions asked by the surveillance team. The surveillance team can then ask questions about the information provided to ensure its full understanding of how well the fishery management system is functioning and if the fishery management system is continuing to meet the MSC standards.

3. The surveillance team presents its findings to the client fishery at the end of the site visit. The results outline the assessment team's understanding of the information presented and its conclusion regarding the fishery management system's continued compliance with MSC standards. Where indicated, the surveillance team may provide the client fishery with additional time to supplement the information provided if the surveillance team finds that there are still issues requiring clarification. In the Alaska salmon fisheries surveillance, this was the case, which means the actual audit was not over until well into July when the client completed its submission of information to SCS.
4. Where appropriate, the client fishery submits final information to the surveillance/assessment team for consideration in the surveillance findings and report. The surveillance team then reviews the final information and submits a final report to the client fishery and the MSC for posting on the MSC website. If there are continued compliance concerns, these are presented as non-conformances that require further action and audits as specified in the surveillance report.

The questions put to the Fedecoop as part of the annual surveillance audit were:

1. Have any new stock assessments been conducted since last year?
2. Has the INP accepted the stock assessments conducted by Armando Vega as outlined in his doctoral thesis?
3. What is the current status of the stock?
4. What were the catches by each cooperative last year and how did the catches change from previous years?
5. What is the current structure of the federal fisheries management system? It was changing when we were last in Baja, so we would like to get an update on any changes to the structure and function of the system.
6. Did the annual meeting between the cooperatives, the public, the state and federal agencies happen this year? If not, why not? If it did, then what was the result of the meeting?
7. Have there been any new regulations since the fishery was certified in April 2004 (i.e. such as the weight/length correlation for tail weights and total carapace size)?
8. Have the analyses of fishing effort been updated? When we were last in Baja, there was a change in numbers of boats, fishers per boat, and traps per boat. Has this been used to re-calculate fishing effort?
9. Have the cooperatives changed any of the management procedures or practices?
10. Have any stakeholders like environmental groups said anything about the fishery or the MSC certification?
11. We need an updated report on the research associated with the fishery. Are there any new research projects? What research has been conducted since

- 2001, since we did not get an update during the certification? Is there any new research being planned for this year or next?
12. What progress has been made on meeting the conditions from the MSC certification? The FEDECOOP was supposed to hold a technical workshop in the region to discuss the data available about possible ecological risks in the fishery. It was also supposed to secure funding for further work. Also, the Fedecoop was supposed to propose and formalize a collaborative agreement with INP to have access to and make public all appropriate existing technical information about the current strategy to collect and analyze fishery-related data on stock assessments, fishing effort, sex ratios in the catch now contained in INP reports but not available to the public.

Progress toward meeting the 'Requirements for Continued Certification' placed upon the fishery as part of the original assessment and certification was also reviewed. The requirements include:

Principle 3, Indicator 1.2

A specific strategy must be developed and incorporated into the management system (at any level) that provides for understanding the importance of ecosystem impacts from fishing and details how potential impacts will be identified, monitored, and managed, and what timeframes (yearly, every 5 years, etc.) will be used to review this information.

Principle 3, Indicator 1.4.1

A plan for conducting research to support efforts to develop appropriate harvest strategies must be specified, including timeframes for review and organizations or persons responsible for implementing the plan.

Principle 3, Indicator 1.4.2

See Principle 3, Indicator 1.4.1

Surveillance Meetings

The surveillance audit for 2005 comprised several parts:

1. An exchange of information indicating to the client the areas of inquiry by SCS for the surveillance audit. SCS sought advice from its contracted experts as to what areas of inquiry to pursue, and then provided a list of questions to the client.
2. A meeting was held with the client and representatives of the management system in La Paz, Baja California, Mexico on 8 February 2005. This meeting was to discuss the questions put forth by SCS.
3. Meetings of the Baja Lobster Fishery Technical Subcommittee (TSC). A meeting of the TSC was held 16 February 2005, which Dr. Arturo Muhlia and Dr. Daniel Lluch attended representing SCS as part of the annual surveillance audit.

4. Exchange of information with the client – SCS waited for further information from the client based on information requests from the original meeting.
5. Meeting with Mexico and US researchers assisting the client meet conditions on ecological risks in the fishery. SCS met with Dr. Salvador Lluch and Dr. Fiorenza Michelle (Stanford University), the two of the principle investigators on a large research project concerning the Baja California Spiny Lobster Fishery.
6. Further exchange of information on lobster catches up through 2004.

Attendance at the meeting in La Paz, Baja California, Mexico included Dr. Chet Chaffee, Dr. Bruce Phillips, Dr. Arturo Muhlia, and Dr. Daniel Lluch, all from the original assessment team.

For the client, the Fedecoop senior biologist Mario Ramade was present to provide the information on the fishery from the client's perspective. Mr. Ramade also arranged for the SCS surveillance team to meet with senior state delegates of the fishery management system to get direct input on the current status of the fishery management system. These were Lic. Javier Lucero (Sub delegate of fisheries, SAGARPA Delegation in BCS) and Biol. José Hernandez Lizardi (Head of fisheries administration, SAGARPA in BCS).

In addition, Dr. Muhlia and Dr. Lluch attended the TSC meeting where executives, managers, and biologists from all the cooperatives in the Federation, as well as members of the federal institute for fisheries management (INP) and state delegates of fisheries met to discuss specific management objectives and regulations for the fishery. Lastly, Dr. Chaffee met with Dr. Salvador Lluch, Dr. Fiorenza Michele (Stanford), and Meredith Lopuch (WWF) to discuss ongoing research by a multidisciplinary team of biologists, economists, and sociologists that is helping the client address one of the two requirements for continued certification.

Results

In this section we provide summaries of the answers we received to each of the questions outlined above (Questions 1-12 under Basis of the Annual Surveillance). The answers are numbered to correspond to the equivalent question.

(Answer to Questions 1,2,3,4,5)

CONAPESCA Commissioner Dr. Jeronimo Ramos has been replaced by Mr. Ramon Corral Avila. Mr. Marco Paz has been appointed to a new position called the Sub Commissioner. Four new people have been appointed under the Commissioner and Sub Commissioner: The General Director of fishing policies and three regional visiting directors (Law, Policy: Lic. Hilario Pérez Figueroa and Administration Ms. Victoria García Quiroz). One important organizational change has been the decentralization of fisheries management authority. The Delegation now has a Fisheries Sub delegation that has the power to issue fishing and aquaculture permits within the state of Baja California Sur (BCS). In order to manage the Baja California Lobster fishery there is a Technical

Sub Committee (TSC) within the Sub Delegation. The TSC was created by means of an Official daily communication. It has the following structure:

- a. Lic. Javier Lucero is the president or coordinator,
- b. All Cooperatives are represented by mean of their president and technicians,
- c. CRIP-La Paz represented by mean of the Director Claudia de la Garza and the lobster specialist Biol. Armando Vega and
- d. The Surveillance Commission is represented by its president.

Lic. Lucero indicated that this structure is functioning very well. There have already been instances where management changes have been adopted from proposals provided to the TSC and accepted in committee. The TSC then recommends agreed changes to the Sub Delegation and these recommendations are forwarded to CONAPESCA. For example, a recent agreement reached within the TSC is to make obligatory the use of escape windows in traps in all regions of the fishery.

There have been several illegal fishing reports, mainly in the southern region, not in the Central region of the fishery. The number of reports has been approximately the same as previous years. Illegal fishing has been declared as “Mayor offence”. The offender may not reach freedom by mean of paying bonds.

The stock assessment conducted by Armando Vega as part of his doctoral thesis have still not been officially reviewed and accepted by the INP. As a result, there is no way for the SCS team to validate or use the results. Should the studies by Mr. Vega get properly reviewed and published, the SCS team will incorporate them into its review of the fishery. There are some suggestions in Mr. Vega’s analyses that the stock may be structured along the coast, and as a result the abundance of the stock may differ from what is currently calculated by INP. However, these are unverified and un-reviewed hypotheses that cannot be relied upon at this time.

The current status of the stock was updated by INP and the official Fishing Chart. A summary of the highlights of the update are provided in Appendix A to this report translated and summarized by Dr. Arturo Muhlia.

Mario Ramade provided updates on all current catch data. In the most recent 2 years, catches have been quite high, but the Fedecoop members have restricted their catches below what is predicted as available to maintain the productivity of the stock, in case the increased availability of lobster is an aberration.

(Answer to Question 6)

Different from the past, the annual meeting between all user groups and management was not held. This is because the structure and function of the system has changed to allow the same participants to meet in a new forum that has greater management authority (see Answers above). The new TSC has the ability to meet more than once a year, and in fact met several times over the past year. This new structure appears to provide much more flexibility and authority to the local fishers and community.

(Answer to Question 7)

The TSC did make some recommendations on regulatory improvements. The correlation between carapace length and tail size and the modification of escape gaps in the traps are two examples where the TSC is having a positive effect on the management of the fishery.

(Answer to Question 8)

There has been no direct attempt made to recalculate fishing effort. However, the Fedecoop intends to raise this issue with the TSC to determine what, if anything, needs to be done about a re-evaluation of this parameter.

(Answer to Question 9)

The cooperatives and the Federation continue to be managed under the same sets of rules as during the initial assessment.

(Answer to Question 10)

No environmental groups have raised any issues with either SCS or the Fedecoop. The one NGO that SCS did talk to as part of the surveillance audit was CoBi (Comunidad y Biodiversidad). According to CoBi, the Fedecoop system is still working well.

(Answer to Question 11)

Mario Ramade provided a list of a few publications since the initial audit. SCS requested that the Fedecoop through the TSC ask if it is possible to get a full list of reports on the fishery from the government agencies that are managing the fishery.

(Answer to Question 12)

Due to changes in the structure and functioning of the management system, the Fedecoop now has the opportunity to use an alternative route than directly approaching INP for specific research and reports. The Fedecoop is proposing that the Sub Delegation work together to formalize an approach to the research needed each year to support the harvest strategy. In addition, the Fedecoop is proposing that the regional office of INP, CRIP-La Paz, make its research reports available at a minimum for all future surveillance audits. Once again, the newly formed TSC seems to be providing greater access and authority to fishers and stakeholders in terms of modifications to fishery management policies and regulations. The Fedecoop has also proposed changes in its Action Plan to take advantage of the TSC, which SCS has accepted.

In addition, the Fedecoop was able to provide a progress report to the SCS team showing that it is fully engaged in a cooperative research project between various Mexican scientists and scientists in the United States to examine ecological impacts and risks in the fishery. Mario Ramade arranged for SCS to talk with two of the lead investigators in Mexico (Dr. Salvador Lluich) and the US (Dr. Fiorenza Michele of Stanford University). The two scientists provided SCS with a copy of the grant application and research plan showing how they plan to tackle issues associated with potential ecological impacts from

fishing. The research program will use interviews, workshops, and direct field experiments to examine potential impacts from lobster fishing. The progress that has been made exceeds the first year requirements under the MSC certification. SCS is satisfied that both conditions are being properly progressed.

Summary

SCS finds that the Baja California, Mexico spiny lobster fishery remains in compliance with the MSC standards and has met all 'Requirements for Continued Certification' as outlined in the initial assessment and certification report.

Appendix A. Summary of Changes to the Official Fishing Chart (Translation and Summary by Dr. Arturo Muhlia).

Generalizations: The same as those presented in the previews Fishing Chart for this fishery in August 2000.

Fishery Indicators: There is a plot showing catch statistics of the Baja California peninsula from year 1945 to 2001. An increase is observed for year 2000-2001 reaching its historical maximum of 1,973 t, an approximate value of 30 million US dollars. The average percentage of the relative production for the Mexican Pacific coast for the period 1986 to 2001 by state is also shown: Baja California 15.1 %, Baja California Sur 72.4%, other states 13%. Average production of the BC peninsula within the last 15 years is 1,415 t.

Noticeable fluctuations are observed in this fishery. Some of these fluctuations seem to be a response of the resource to the environmental variability as the ENSO events as El Niño or La Niña. The extraordinary increase of the last 10 years may be attributed to the management adjustments made to the fishery, improvement of the fishing gear and accessories, these added to favorable environmental conditions. During the last 5 years in the Baja California peninsula there have been in operation 26 cooperatives, 5 per missioners, a total of 530 boats and approximated 28, 000 traps. Estimated fishing effort was 3.7 million traps/ per fishing season. About 90 % of the exports have been sent to the Asian Market.

Management

Norm NOM-006-PESC-1993 (D.O.F. 31/12/93) has been in place since it was established in 1993; it refers to the minimum legal size of capture by specie. Norm NOM-009-PESC-1993 (D.O.F. 04/03/94), established procedures to “determine” closures of fishing season by zones. Since 1992/1993 closures have been established by the flexible zone scheme (flexible to establish geographical limits).

Since 1996-1997 up to date fishing Cooperatives from the Central zone (region) of the Baja California peninsula, voluntarily have adopted the use of escape windows in their fishing traps. This was meant to give more protection to the sub legal sizes (pre-recruits).

Reference points: This region (Central zone) contributes approximately with 80% of the total production of the Baja California peninsula. The maximum sustainable yield varies from 834 to 1260 t. Other reference points are: Actual population biomass corresponds to 42% to the virgin population. Spawning biomass represents about 67% of the actual biomass. Potential egg production is about 39 % of the virgin level.

Status of the fishery: Resource is exploited to its maximum yield in the Central zone of the Baja California peninsula (from Cedros Island to Punta Abreojos Baja California Sur). Some areas at north and south of the BC peninsula show some signals of

deterioration. In other states of the Pacific coast of Mexico the status of the fishery has not been determined.

Fishing effort regulation: In Baja California and Baja California Sur no increase of nominal fishing effort is allowed and reduction of fishing mortality may be considered when required in specific zones.

General guidelines and strategies: Make revisions of the closures season system, adjust minimum size by specie, make continues evaluations of the fishing gear in order to establish restrictions (example escape windows in traps). Applying these measurements an increase in recruitment and in production is expected.