



Ecology
Action
Centre



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Dear Mr. Hynes,

Thank you for the opportunity to comment on the MSC certification on the 4VWX herring purse-seine fishery. Established in 1971, the Ecology Action Centre (EAC) is one of Atlantic Canada's oldest and largest environmental organizations. The EAC's Marine Program works locally, nationally and internationally towards conserving and protecting marine ecosystems and maintaining sustainable fisheries and vibrant coastal communities. We have a history of engaging on fishing policy, as well as certification in Canada with a particular focus on Atlantic Canadian fisheries. SeaChoice, Canada's most comprehensive sustainable seafood program, was created in 2006, to help Canadian businesses and shoppers take an active role in supporting sustainable fisheries and aquaculture. Working in collaboration with the Monterey Bay Aquarium's acclaimed Seafood Watch program, SeaChoice undertakes science-based seafood assessments, provides informative resources for consumers, and supports businesses through collaborative partnerships.

Atlantic herring occupy a critical role in the marine ecosystem and have historically been an important source of food and income for Atlantic Canadians. However, this important fish stock has been severely depleted and requires rebuilding. Management measures have not yet returned the stock to a healthy state. For this reason, we do not believe that it should be certified as a sustainable fishery at this time. Below we provide specific comments on the MSC assessment document.

Eligibility for certification:

Principle 1.1.1 requires that "it is likely that the stock is above the point where recruitment would be impaired" in order for a fishery to have a passing score. As "likely" is defined as a 70% probability, the 4VWX herring fishery does not meet this requirement. While the 2013 assessment for 4VWX herring reports that general trends shows biomass levels increasing above the limit reference point (LRP) for the Southwest Nova Scotia/Bay of Fundy component (SWNS/BoF), at the latest stock assessment meeting (March 2015) it was decided that this component has in fact fluctuated at the LRP since 2010, and 2012 is the only year that biomass levels exceeded the LRP, when taking into consideration confidence intervals. According to the Science Advisory Report "2015 Assessment of 4VWX Herring", the stock has been below the LRP for the last 3 out of 4 years assessed. Further, the report states: "Biomass estimates have fluctuated about the LRP since 2010. Confidence intervals include the LRP in three of the last four years the exception being 2012 when the

confidence interval was above the LRP.”¹ A stock that is chronically at the lower reference point and therefore in the critical zone does not constitute a fishery that is “likely to be above the point where recruitment would be impaired.”

Atlantic herring are important food for many other species, including pelagic fishes, groundfishes, seabirds and sea mammals. Considering herring’s important role in the ecosystem as an important forage species CB2.3.11 requires additional precaution related to stock health. According to the 2013 stock assessment:

Herring is a keystone forage species prominent in the diet of many fish, seabirds, and marine mammals, and should be managed with these interactions in mind. At present, use of a natural mortality rate of 0.2 and maintenance of SSB at moderate to high levels are assumed to take these interactions into consideration. ²

Unfortunately, herring biomass levels are still extremely low for the SWNS/BoF component. CB2.4.1.4 states: “Stocks whose status is currently below the point at which recruitment is impaired shall not be eligible for certification even if there are recovery plans or programmes in place which are effectively increasing the status of the stock, until such time as the stock status meet SG60.”

According to the FAO, depleted stocks are those where “catches are well below historical levels, irrespective of the amount of fishing effort exerted.” Landings data shows that this is the case for 4VWX Atlantic herring, which show landings well below averages from the 1970s, 1980s and 1990s. As stated in the 2012 DFO report, “Limit Reference Point for Southwest Nova Scotia / Bay of Fundy Spawning Component of Atlantic Herring, (*Clupea harengus*) (German Bank and Scots Bay)”, the “decline in catch is reflecting a decrease in the population.”³ Due to its depleted status, we do not believe this fishery is currently eligible for MSC certification.

Additional Issues Related to Principle 1:

An Integrated Fisheries Management Plan (IFMP) has been in place for Atlantic herring since 2003. The Scotia-Fundy herring IFMP aims “to maintain the reproductive capacity of herring in each management unit, to prevent growth overfishing, and to maintain ecosystem integrity/ecological relationships (“ecosystem balance”).” However, according to DFO “The population abundance of the four southwest Nova Scotia herring stocks in 4VWX has declined since 2001. The stock has not rebuilt despite reduced catch levels in recent years.” ⁴

Although rebuilding efforts have been in place for 14 years, they have not produced results. Principle 1.1.3 requires that rebuilding occur within 3 times the generation time of the species. As Atlantic herring mature at 3 years old and with a generation time of 4.5, 3 generations has already passed without successful rebuilding into the healthy zone. Spawning populations on German Bank, Trinity Ledge are showing continued decline, and scientific advice indicates that continued fishing on the latter population could cause irreparable harm.⁵ A passing score under Principle 1.2.1 requires: “The harvest strategy is expected to achieve stock management objectives reflected in the target and limit reference points.” However, as stated above management objectives have not been achieved over the last 14 years through the fishery’s harvest strategy. While harvest levels have been reduced in recent years, and fishing effort has shifted away from spawning areas that show particular decline, the stock has not successfully rebuilt.

Additionally, the 12,000 allocation for the offshore component of southwest Nova Scotia herring is not based on an explicit harvest strategy, nor is it based on stock indicators. DFO is clear in its 2015 update, that “in the absence of

¹ DFO. 2015 (In press). 2015 Assessment of 4VWX Herring. DFO. Can. Sci. Advis. Sec. Sci. Advis. Rep. 2015/040.

² Canadian Science Advisory Secretariat (CSAS), Research Document 2014/056, Maritimes Region 2013 Evaluation of Northwest Atlantic Fisheries Organization (NAFO) Divisions 4VWX Herring, p.10

³ http://www.dfo-mpo.gc.ca/Csas-sccs/publications/resdocs-docrech/2012/2012_025-eng.pdf

⁴ <http://www.dfo-mpo.gc.ca/fm-gp/sustainable-durable/fisheries-peches/herring-hareng-eng.htm>

⁵ DFO. 2015 (In press). 2015 Assessment of 4VWX Herring. DFO. Can. Sci. Advis. Sec. Sci. Advis. Rep. 2015/040.

recent information on stock status, there is no basis for evaluating the current 12,000t catch allocation.”⁶ For this reason, we do not believe that the offshore fishery can receive a passing score for P 1.2.1, 1.2.2 or 1.2.3, which require a harvest strategy, harvest control rules, and monitoring. We are particularly concerned that there was no data collection in 2013 or 2014, and because the offshore landings reached a historic low in 2014.

Issues Related to Principle 2:

Finally, because of low observer coverage in the Atlantic region, it is very difficult to assess fisheries’ impacts on other species, whether retained or not. We request that the assessment team look closely on the fishery’s impact on cetaceans, sharks, large pelagics and other species that prey on herring, some of which have been assessed as at-risk by Committee on the Status of Endangered Wildlife in Canada.

We believe that MSC should be a driver behind fisheries improvement. To certify the 4VWX herring purse-seine fishery now would be premature - however we are hopeful that the desire to achieve MSC certification will motivate additional measures to rebuild the stock.

We are available to speak in person or over the phone if this would be helpful.

Sincerely,



Catharine Grant
Ecology Action Centre
Marine Policy and Certification Coordinator



Susanna Fuller
SeaChoice
Steering Committee Member

⁶ DFO. 2015 (In press). 2015 Assessment of 4VWX Herring. DFO. Can. Sci. Advis. Sec. Sci. Advis. Rep. 2015/040.