



Surveillance Report

OREGON PINK SHRIMP TRAWL FISHERY West Coast USA, Oregon, Washington, California

Certificate No.: TVI-F-07001

Moody Marine Ltd.
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1.0 GENERAL INFORMATION

Scope against which the surveillance is undertaken: MSC Principles and Criteria for Sustainable Fishing as applied to the OREGON PINK SHRIMP TRAWL FISHERY.

Species: *Pandalus jordani*

Area: US west coast waters of Washington, Oregon and California

Method of capture: Trawl

Date of Surveillance Visit:	1 – 2 April 2010			
Initial Certification	Date: 4th August 2009		Certificate Ref: TVI-F-07001	
Surveillance stage	1st	2nd	3rd	4th
Surveillance team:	Lead Assessor: Steven Devitt Assessors: Mark Pedersen			
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2.0 RESULTS, CONCLUSIONS AND RECOMMENDATIONS

This report contains the findings of the second surveillance audit of the Oregon Trawl Commission (OTC) Oregon Pink Shrimp Trawl Fishery. The specific scope of the full certification assessment was the commercial ocean shrimp fishery conducted by Oregon's permitted harvesters within the coastal and federal waters off the states of Washington, Oregon and California with the product landed in Oregon ports. Federal waters include waters beyond the three nautical mile state water limits out over the shelf and slope to the 200 nautical mile line. The surveillance audit was carried out in accordance with the Marine Stewardship Council (MSC) Fisheries Certification Methodology (FCM) Version 6.

An announcement of the surveillance site visit was published on the MSC website on 23rd February 2010 advising stakeholders that the audit site visit would take place 1st and 2nd of April (See appendix A) . Moody Marine requested and was granted a variation to the FCM by the MSC to change the schedule of annual surveillance audits from the fall of each year to the spring in order to align the audits with the conclusion of the annual fishery review process conducted by the management authority. All subsequent annual audits shall be conducted in the spring of each year.

The surveillance team – Mark Pedersen and Steve Devitt - met with members of the client group – Brad Pettinger and Ted Gibson - and with staff from the Oregon Department of Fisheries and Wildlife Bob Hannah. Information and evidence was gathered on the status of the stock, the performance of the fishery throughout the year, measures to meet the Conditions of Certification and changes in management.

Moody Marine circulated the notification of surveillance audit to known, interested stakeholder groups advising that stakeholder consultation opportunities were available during the surveillance audit visit. No groups requested meetings with assessment team members, however Mr. Ben Enticknap of the group Oceana did provide written comments pertaining to long term ecological impacts of the shrimp fishery, specifically in relation to the capture of eulachon from the southern Distinct Population Segment which was listed as a threatened species under the Endangered Species Act in 2010.

The following section is set out as a table within which general information about the status of the stock and the fishery for this reporting period is provided along with the surveillance team's observations, conclusions and recommendations on the current status of the fishery and the client's progress toward meeting the Conditions of Certification.

The table includes the original assessment scoring guideposts and scoring commentary and the requirements of the original Condition alongside the heading 'Activity assessed'. This identifies the areas in which the fishery was determined to perform below the level required by the MSC standard during the initial assessment, and the required actions to address these issues.

As required by the MSC assessment methodology, OTC produced an Action Plan setting out the stages involved in addressing the Conditions raised. This is set out in the table alongside the heading 'ASP Action Plan'.

According to the terms of the Action Plan, the client has provided information on the work undertaken to date.

This progress has been evaluated by the Moody Marine surveillance team ('Observations' and 'Conclusion') against:

1. the commitments made in the Action Plan;
2. the intent of the original Condition; and,
3. the original scoring indicator, guideposts and commentary.

The influence of any overall regulatory and management changes in the fishery are also taken into consideration.

When the Condition has been judged to have been met, a re-evaluation of the scoring allocated to the relevant Performance Indicator(s) in the original MSC assessment will be included within the evaluation.

Item	Comments regarding <i>P. jordani</i> off US west coast
1	Stock status
Observations	<p>The 2009 Oregon pink shrimp season can be summed up as: low price, limited market, phenomenal catch rates, and the stock appears to be in good condition.</p> <p>Just over 22 million pounds of shrimp were landed into Oregon during the 2009 season; above average, but about 3.5 million pounds less than in 2008. Shrimp production in 2009 was highest on the south coast; the Northern California Bed produced nearly 2.4 million pounds. There was very little harvest off Washington. Shrimping effort in terms of hours fished was only about 18,000 SRE (single rig equivalent) hours in 2009. It was the lowest amount of “gear-on-the-bottom” time recorded since 1971. The total catch would have been larger under more positive market conditions. Many shrimpers maximized fishing efficiency by travelling longer distances to take advantage of extremely high catch rates in several southern areas.</p> <p>The above-average landing total and very low hours fished shows dramatically in the 2009 overall catch-per-unit-effort (CPUE) level. The CPUE level was a phenomenal 1,229 pounds-per-hour, nearly twice the relatively high rate seen in 2008 and an all-time record high for the fishery by far.</p> <p>Several factors suggest that shrimp availability and distribution in 2010 may be similar to what we experienced during the 2009 season. As indicated by season-end catch rates (CPUE), holdover of age-2 shrimp (age-1 in 2009) may be exceptional in many areas from the Mudhole Bed south into northern California. Fairly high catch rates also occurred at the Tillamook Head Bed during September and October, but CPUE was sharply lower than what occurred in southern shrimp beds. Abundant age-2 shrimp should allow shrimpers to locate good grade shrimp early in the 2010 season, especially to the south.</p> <p>The ODFW recruitment model, based on April sea level at Crescent City, strongly indicates that age-1 recruitment will be above average in 2010. The sea level index in April 2009 was 6.74, the lowest in our time series. It was just slightly lower than the April 2008 level of 6.8 that led to high age-1 shrimp abundance in 2009. The index is a measure of general recruitment along the coast, but doesn’t indicate specific areas or regions where recruitment may occur.</p> <p>Port catch sample data collected during September and October 2009 indicates that zero-age shrimp abundance (hatched in March 2009) was relatively high on the south coast, especially in areas from the Port Orford Bed and south into northern California. Shrimpers also reported seeing large numbers of zero’s when trawling in these areas. Processor remarked about the unusual number of zero’s in these catches. Market samples indicate a different story from the Cape Foulweather Bed and north, with no zero’s found in samples from these areas. Barring unforeseen shrimp redistribution (e.g. El Nino affects), it looks like recruitment in 2010 may be strongest further south this year than it was in 2009.</p> <p>References: Oregon Department of Fish and Wildlife. 2010. 21st Annual pink shrimp review. Newport Oregon.</p>

Item	Condition 1
2	
<p>Performance Indicator 1.1.2.1</p> <p>All fishing related mortality is recorded/estimated. This includes landings, discards, and incidental mortality (adult and juvenile).</p>	<p>80 Scoring Guidepost</p> <ul style="list-style-type: none"> • Landings and discards are accurately recorded in log books as required by regulation. • Discards are well estimated for adult and juvenile shrimp.
<p>Condition</p> <p>The condition issued at the time of the Public Certification Report stated:</p> <p style="padding-left: 40px;">The client must meet the requirements of the 80 scoring guidepost prior to the first annual surveillance audit. Discards are to be accurately recording in log books. Discards are to be well estimated for adult and juvenile shrimp.</p> <p style="padding-left: 40px;">During the first surveillance audit in the fall of 2008, the assessment team clarified their intent of this condition by reissuing the condition which stated:“The client can meet the requirements of the 80 scoring guidepost if 60% of logbook compliance related to discards is observed prior the first annual surveillance audit; and significant improvement in that percentage shown by the second and third annual surveillance audit. Results of estimations of target species discard and by-catch will be provided within seven months of the annual end of season.”</p>	
<p>Proposed Client Action Plan</p> <p>ODF&W agrees that having this information would be very valuable to their shrimp management program. Timing is also excellent in this corrective action (CA), as the department was planning on re-ordering shrimp logbooks this coming year and they will now modify the existing logbooks with a column that will catch the discard information. The OTC is also working with Pacific States Marine Fisheries Commission (PSMFC) on an electronic logbook for all west coast trawl fisheries and that feature will be incorporated as well.</p>	
<p>Activity Completed in Current Surveillance Cycle</p> <p>ODFW published and distributed new logbooks to the shrimp fleet in 2008 season, which continued through 2009. Compliance with completion of the new information requirements (discard and dumped tows) of the log continued to improve. Data from the federal West Coast Groundfish Observer Program was reviewed. ODFW provided detailed feedback to the fleet in the March 2010 Annual Pink Shrimp Review and committed continued follow-up with harvesters to ensure that that data from the 2010 season is of higher quality.</p>	
<p>Activity Evaluation (Milestone deliverables, timeline, results)</p> <p>Significant progress toward meeting the condition to satisfy SG 80 bullet one has been made by promulgation of the regulation and distribution of the logbooks in 2008. Bob Hannah of ODFW, however, noted they were still getting lots of blanks or zeros when it came to filling out the “Estimated Weight of Fish Discarded” column, as these are almost certainly not zero, but meant to indicate the catch was very low. He notified fishers that if they are too busy to count the fish in a tow with 10 pounds or less to just write a “T” in the “Estimated Weight of Fish Discarded” column in order to complete the</p>	

data requirements of the form.

While it is unreasonable to expect that the discard entry space will be filled in 100%, there is room for improvement. If this practice had been more specifically understood at the time the original condition was written, it would have been more practical to allow at least two years to implement the program.

Status of Condition

First Surveillance Audit

The surveillance audit concludes that the intent of the condition has been met but at the time of the audit, there was not an available estimate of total catch and discards. The discard analysis is currently being completed by ODFW. As such, the assessment team concludes that the fishery does not currently meet the 80 scoring guidepost and has reworded the initial condition as follows:

“The client can meet the requirements of the 80 scoring guidepost if 60% of logbook compliance related to discards is observed prior the first annual surveillance audit; and significant improvement in that percentage shown by the second and third annual surveillance audit. Results of estimations of target species discard and by-catch will be provided within seven months of the annual end of season.”

The next surveillance audit will confirm whether log book data completion and data accuracy has improved. The performance indicator will be rescored either once estimates of discards are provide or, at the latest, after the next surveillance audit.

Second Surveillance Audit

The proportion of shrimp trips that were entered into the logbook database continued to improved to 78% in 2009 compared to 74.5% in 2008 (a 5% increase). Compliance related to discards also improved from 62% in 2008 to 68% in 2009 (a 10% increase). The estimated shrimp discard was 24,158 and 470,526 pounds in 2008 and 2009 respectively, bringing the total shrimp mortality to 25,544,294 and 22,623,873 pounds in 2008 and 2009, respectively.

Bycatch of fish species is currently estimated from data collected through the West Coast Groundfish Observer Program (WCGOP). For example, in 2007, the bycatch rate was 2.44% (266.8 mt) of the 10,934 mt of shrimp taken off Oregon. Of this, 67% was Pacific whiting and 6% flatfishes. Slightly more than 1.2 mt were rebuilding rockfish species. Federal observer coverage is scheduled to increase to 20% in 2010, up from 5-10% in recent years.

The fishery is in compliance with the requirements of the two scoring issues under SG 80. The Assessment team concludes that the fishery now scores 80 for performance indicator 1.2.1.1. Continued conformance will be confirmed during the third annual audit.

Item	Condition 2
3	
<p>Performance Indicator 2.1.1.4</p> <p>Information exists on the ability of the ecosystem to recover from fishery related impacts.</p>	<p>80 Scoring Guidepost</p> <ul style="list-style-type: none"> • The main elements of the ecosystem affected by the fishery have been documented and are understood, and this provides a convincing scenario of how the

	ecosystem would recover from fishery related impacts.
<p>Condition</p> <p>Within one year, the client must document the main elements of the ecosystem affected by the fishery. Within two years the client must have completed a study (including a report) that will provide inferences into understanding of the type and magnitude of effects that shrimp trawling has on the main ecosystem elements. Based on the results of the research, a report should provide a convincing scenario of how the ecosystem would likely recover if there are significant fishery related impacts.</p> <p>[As a suggestion, the team thinks that two actions are required: firstly conduct a literature search that focuses on characterizing the effects of sediment plumes and physical contact on representative marine communities, and then prepare a report that infers likely effects (and significance) to key infauna species on shrimp grounds; and secondly, analyze any existing data, if available, to compare areas of heavy trawling vs light (or no) trawling to develop inferences related to ecosystem recovery. The study would include a semiquantitative analysis of differences in the physical character of the seabed, the abundance of seapens, shrimp, tube worms, corals and other key infaunal communities between the various treatments.</p> <p>If results do not allow for development of a convincing scenario of how the ecosystem would recover from fishery related impacts, then within 5 years, design and implement, as funding becomes available, a controlled experiment to characterize ecosystem recovery. The approach would be to establish at least two control (non-trawled) and two shrimp trawled sites; then through underwater video or other acceptable means, perform at least a semi-quantitative analysis of differences in seabed character and the abundance of key infaunal communities between the two treatments.]</p>	
<p>Proposed Client Action Plan</p> <p>This corrective action is in two parts, 1) a literature search and 2) the design and application of a controlled experiment. The OTC will fund the literature search and ODF&W has already started an ROV study on benthic impacts this last month. It is important to point out that this study was already on the drawing board before the Assessment Team began discussing it as a possible CA. The proactive approach of the shrimp program, continually trying to better understand the fishery and it's impacts, is why the Oregon pink shrimp fishery has scored as well as it has.</p> <p><u>Literature Search</u></p> <p>The OTC will hire a qualified contractor to conduct a literature search that will focus on characterizing the effects of sediment plumes and other effects on representative marine communities and to prepare a report that infers likely effects (and significance) to key fauna species on the shrimp grounds that will satisfy the CA requirements. This work will be completed within the 12 month time frame.</p> <p><u>Fishing Effects on Ecosystem Comparison Study</u></p> <p>ODF&W has recently completed 20 hours of ROV generated video tape of the sea floor in four areas around the Nehalem Bank. Two sites were selected inside and outside of an area newly closed to bottom trawling off of the northern Oregon Coast (see attached chart). The 20 hours of film footage taken with the ROV will require a tremendous amount of time to review, analyze and evaluate and those efforts will begin this winter and could take up to two years. Additional studies relative to this issue are part of a long term line of investigation (5-10 years). The department is directed by the Governor (through designees) and the legislature (through budgets) and the staff has a limited ability to truly commit to do</p>	

future projects. However, I believe that the shrimp program has an outstanding track record of following through on their plans. As Director of the OTC, I am also on the external budget committee for ODF&W and am able to help explain the value of this project to the fishery and the coastal communities if funding turns into an issue (Brad Pettinger, OTC Executive Director, 2007).

Activity Completed in Current Surveillance Cycle

First annual audit, the literature search of the effects of sediment plumes and other effects on representative marine communities was completed, as was the report that infers likely effects (and significance) to key fauna species on the shrimp grounds.

Fishing Effects on Ecosystem Comparison Study

In June 2007, ODFW staff conducted a baseline video survey of the sea floor within and adjacent to the Nehalem Bank Essential Fish habitat (EFH) no-trawl zone. Analysis of the survey is complete and the paper was published in 2010 (Fishery Bulletin 108(1) pp. 30-38). This report was reviewed and analyzed for its contribution toward compliance with Condition 2.

Activity Evaluation (Milestone deliverables, timeline, results)

The literature search and video survey was completed within one year and provides a basis for identification of the main elements of the ecosystem potential affected by the fishery.

Within two years the client has completed a study (including a report) that provides inferences into understanding of the type and magnitude of effects that shrimp trawling has on the main ecosystem elements. Based on the results of the research, a report provides insight as to how the ecosystem would likely recover from fishery related impacts.

Status of Condition

First Surveillance Audit

The first surveillance audit requirement has been completed and objective attained.

The concluding activity of the condition is underway.

The performance indicator will be rescored after the next surveillance audit.

Second Surveillance Audit

Analysis of results from surveys with a remotely operated vehicle (ROV) during 2007 at four mud-habitat sites at Nehalem Bank with different histories of ocean shrimp trawling showed measureable effects of trawling on macroinvertebrate abundances and diversity (*Hannah et al, 2009*). Densities of 7 of 31 categories of organisms were lower at heavily trawled (HT) sites, as was invertebrate diversity based on the Shannon-Wiener index. Sea cucumbers and unidentified corals were observed at lightly trawled (LT) sites but not at HT sites. Hagfish burrows, however, were the dominant structural feature of the sediment surface at all sites and were most abundant at HT sites, a result potentially related to effects from fishery discards. Substantial heterogeneity was found between the northern and southern pairs, indicating high site-to-site variability in macroinvertebrate densities in these deep (146-156m) mud habitats. The data from that study can be used in combination with future surveys to measure recovery rates of deep, mud, sea floor habitats from the effects of trawling.

Recovery timing and characteristics from trawling impacts is a difficult question to answer because very little is known about how quickly these environments change. The studies at Nehalem Bank, however, are aimed squarely at that question. Although heavily and lightly trawled areas were compared in the published study, it was also a baseline survey of the recently closed areas, which have now been closed to trawling for several years. When ODFW re-surveys these sites in 2012 or 2013, more will be learned about recovery rates. It should also point out that the significant differences noted in the 2010 paper include species that are probably primarily impacted by being caught in trawls (e.g. juvenile rockfish), those that are most likely influenced by physical effects (e.g. sea whips), and those that may have been influenced most by many years of fishery discards (hagfish). The industry has moved to more efficient Bycatch Reduction Device (BRDs), even since 2007 when ODFW completed the baseline survey described in the recent paper. Thus recovery is likely already happening for some species, as bycatch catch rates and the discard of fish are reduced to low levels. If groundlines that create less impact on sessile benthic species can also be developed, ecosystem impacts from shrimp trawling can be minimized further.

ODFW has been indirectly funded (via PSMFC) by NMFS’s Bycatch Reduction Engineering Program (BREP) to evaluate “conservation engineering” approaches to reducing benthic impacts from shrimp trawling. This work is ready to go to sea, scheduled for June 2010. They will be conducting three days of underwater video work to try and directly view interactions between three styles of shrimp trawl groundlines and the seafloor. Based on these observations, a groundline that will hopefully have reduced benthic impacts will be developed and then tested further in a side-by-side comparison with the style of groundline that is most fished by the fleet now.

These activities demonstrate compliance with Condition 2. The Assessment team concludes that the fishery now scores 80 for performance indicator 2.1.1.4.

Item	Condition 3	
4		
<p>Performance Indicator 3.1.3</p> <p>The management system incorporates and applies an adaptive and responsible exploitation strategy.</p>	<p>80 Scoring Guidepost</p> <p>A responsible management strategy is followed, including:</p> <ul style="list-style-type: none"> • explicit long-term management objectives seek to maintain stocks at high levels of productivity. • an explicit harvest strategy which accounts for uncertainty. • the management system estimates all commercial catches, landings and by-catch and annually assesses the status of target stocks. 	
<p>Condition</p> <p>Prior to the first annual surveillance audit, the client must prove that the management system estimates all commercial catches, landings and by-catch and annually assesses the status of the stock.</p> <p>[Condition Intent: The deficiencies that reduce the score below 80 relate to shortcomings of total catch</p>		

and estimates of discards (see 1.1.2.1 for elaboration). Periodic observer coverage exists that records discards of undersized shrimp, but there are no estimates of total catches compared with total landings data.]

Proposed Client Action Plan

ODFW had already planned on re-ordering shrimp logbooks in 2008 and they modified the existing logbooks with a column that caught the discard information. The Oregon Trawl Commission (OTC) is also working with the PSMFC on an electronic logbook for all west coast trawl fisheries, and that feature will be incorporated as well.

Activity Completed in Current Surveillance Cycle

Distribution of the new fishing log books to the fleet were continued in 2009 and 2010, as well as education of the fishers to accurately enter the data (see Condition 1 above).

Activity Evaluation (Milestone deliverables, timeline, results)

The requirement to collect information and generate estimates of discards has been completed.

Status of Condition

First Surveillance Audit

The surveillance audit concludes that the requirements of the condition have been met. The client met the intent of the condition and achieved everything stated in their Proposed Client Action Plan statements. The condition is certain to be satisfied when information on total catch and by-catch is provided after a reasonable amount of time is afforded to do so.

The performance indicator will be rescored once an estimate of discard and bycatch is provided to TAVEL.

Second Surveillance Audit

The second surveillance audit concludes that the requirements of the condition have been met. The client met the condition and achieved everything stated in their Proposed Client Action Plan statements. The condition is satisfied as information on total catch and by-catch has been provided. The estimated shrimp discard was 24,158 and 470,526 pounds in 2008 and 2009 respectively, bringing the total shrimp mortality to 25,544,294 and 22,623,873 pounds in 2008 and 2009, respectively. These figures were estimated by calculating the amount of shrimp in dumped hauls from logbook data and expanding that number based on the proportion of shrimp trips that were entered into the logbook database (74.54% in 2008 and 77.61% in 2009). Bycatch has been estimated by analysis of data from the federal WCGOP monitoring program. This is available from publication of the NOAA Fisheries Service reports of observer coverage and bycatch mortalities

The Assessment team concludes that the above actions support rescored the performance indicator to 80.

Item	Condition 4	
5		
<p>Performance Indicator 3.6.1</p> <p>The management system measures and records and evaluates all aspects of the fishery to provide a basis for assessments of stocks and management performance.</p>	<p>80 Scoring Guidepost</p> <ul style="list-style-type: none"> • There is a monitoring program that covers all indicators of stock health and management performance. • The monitoring program has been subjected to independent outside review to identify gaps 	
<p>Condition</p> <p>Within one year, the client shall subject the fishery monitoring program to an independent outside review to identify gaps. The review shall verify that the monitoring program covers all indicators of stock health and management performance.</p> <p>The review must be undertaken by a credible management expert.</p>		
<p>Proposed Client Action Plan</p> <p>The OTC will to hire a credible management expert to review the performance of the management system. Within 6 months of the certificate award the OTC will provide:</p> <ul style="list-style-type: none"> • The proposed reviewers(s) curriculum vita • The terms of reference and scope for the management Review. <p>Prior to the First Annual Surveillance Audit, the OTC will provide:</p> <ul style="list-style-type: none"> • The report of results of the Management Review • Identify Gaps from review process • Proposed corrective action for identified gaps • Propose timeline for corrective action plan • Propose period and rationale for subsequent management review 		
<p>Activity Completed in Current Surveillance Cycle</p> <p>Management Review Report</p> <p>The report of the independent management review was provided to the certifier as required during the first surveillance audit. The full content was attached to Appendix 3 of that first surveillance audit report. This cycle, the corrective measures and timeline findings of that process were reviewed.</p> <p><u>Fishery Monitoring</u></p> <p>A detailed report was provided in the 21st Annual Pink Shrimp Review published by ODFW in March 2010.</p> <p><u>Enforcement Compliance</u></p>		

Details of the types of warnings or citations are present within Oregon State Police database.

Research

ODFW continues to make strides in research directed at bycatch reduction, and to evaluate potential impacts of shrimp trawl gear on macrobenthos. Plans for additional modeling work are only preliminary as is evaluation of potential precautionary measures that might be employed if fishery effects are found.

Stock Assessment

ODFW and staff have collected catch, effort, and biological data and are in the process of evaluating it for their annual review. Sampling continues to be robust in comparison to previously established statistical standards. No alarming trends were seen in the data collected during the 2009 season when evaluated against the draft FMP's list of Biological Concerns. Effort may continue to increase. Evaluation of the environmental model is pending.

Identified Gaps

A minor gap concerns the lack of formal top-down review by upper levels of management. Much responsibility is placed at middle and lower management levels within Marine Resources Program for management and management review of the pink shrimp fishery. Upper managers must rely on the initiative of the Senior Shrimp Biologist and MRP Manager to inform upper levels of management regarding stock status and fishery concerns. Performance of mid and lower level managers has historically been excellent.

Progress on Proposed Corrective Action

1. The client and ODFW continue to encourage NMFS to provide coverage and data necessary and in a timely fashion to evaluate the new logbook program.
2. Continued gear research on bycatch reduction is proposed.
3. In years past, formal MRP program reviews were conducted to evaluate project strengths and weaknesses and to apprise the Harvest Manager of emerging fishery issues. ODFW may want to consider an annual or biannual program review.

Timeline for Proposed Corrective Action

The client suggests that the timeline be 2 or 3 years, consistent with the proposed management review cycle below, in order to evaluate the new logbook or conduct an experiment to do the same, complete evaluation of bycatch reduction devices, and continue to update the model and evaluate literature for other potential precautionary approaches to managing shrimp.

Proposed Period and Rationale for Future Management Reviews

The client proposes a 2 to 3 year cycle for management reviews. Much of the information needed to evaluate management and research performance takes more than a year to acquire. For example, logbook and sample data, and data on bycatch and discard may not be available for 3 months to 6 months or more beyond the end of the fishing season. Research results may require even more time. The fishery and management have been stable for decades and resource risk both historically and now especially at current levels of abundance and effort is considered low.

Activity Evaluation (Milestone deliverables, timeline, results)

Deliverable timelines for the scope of work and the management review were met.

The Moody Auditor and assessment team members have reviewed the results of the review, and determined that the remaining gaps are being closed, and the proposed actions to improve performance in this area are reasonable.

Moody confirmed during the second surveillance that the management/scientific agencies have committed to conducting the proposed corrective actions. Assuming this commitment to conduct these corrective actions continues, Moody will close the required corrective action for the certification, and audit the occurrence the proposed management review. Should the agency not commit to conducting the proposed action, the client will be found in non-conformance of the condition.

Status of Condition

First Surveillance Audit

The required actions identified in the certification report have been completed. The certifier will audit the status of the proposed actions identified in the management review in the second surveillance audit.

The assessment team has reviewed the information and has determined that the performance indicator can now score 80.

Second Surveillance Audit

The status of the proposed actions identified in the management review was examined during the second surveillance audit. No action is needed as actions to improve performance in this area continue. The performance indicator was rescored to 80 following the first surveillance audit.

Item	Any complaints against the certified operation; recorded, reviewed and actioned
6	No complaints that would potentially compromise the certification were reported or brought to the attention of the audit team during the site visit.

Item	Any relevant changes to legislation or regulation.
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7	<p>During the past year the following regulations changes were noted the relate to the fishery:</p> <p><u>Albacore fishing not allowed on shrimp trips:</u> Federal trip declaration regulations state that vessels using trawl gear may only declare one gear type on any trip and may not declare non-trawl gear on the same trip in which trawl gear is declared.</p> <p><u>VMS and declarations required:</u> NMFS required shrimp vessels to have an approved and operating Vessel Monitoring System (VMS) on-board during 2010.</p> <p><u>Eulachon listed under ESA:</u> On March 18, 2010 the NMFS issued a final rule listing the southern Distinct Population Segment (DPS) of Pacific eulachon (<i>Thaleichthys pacificus</i>) as a threatened species under the Endangered Species Act (ESA). A “take” exemption will be required under Section 4(d) for any take of eulachon to occur within the shrimp fishery.</p>
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Item	Any relevant changes to management regime.
8	<p><u>Increased NMFS observer coverage in 2010</u> Observer coverage on shrimp trawlers will increase from 7% to approximately 20%. One reason is obtain better catch estimates of eulachon smelt in the shrimp fishery.</p>

Item	Any other relevant changes.
9	<p>In response to the listing of eulachon, and documented concern from stakeholders, ODFW is being proactive as demonstrated by a decision internally to move ahead quickly with proposed modifications to ODFW BRD rules to restrict the types of devices that can legally be used, so as to reduce impacts on eulachon smelt. Although the Fish and Wildlife Commission makes the final decision on all rule changes, and the process takes at least 2 months to complete, there is a high likelihood BRD rules will be modified by January 1, 2011, at the latest. Although staff recommendations have not been finalized, there may be a recommendation modifying the rules to allow only rigid-grate BRDs with a maximum bar spacing of somewhere under 1 inch, and banning accelerator panels (also called “down panels”) to help speed the passage of eulachon through and out of shrimp trawls to help reduce physiological stress.</p> <p>Additional changes to Oregon rules to reduce eulachon impacts within the next year are anticipated. ODFW await further clarification from field experiments related to BRDs in 2010 and direction from NMFS in relation to regulation and critical habitat designations.</p> <p>The fishery is compliant with current requirements in relation to bycatch of eulachon, the management agency has identified reduction of eulachon bycatch as a priority for this fishing season. The next surveillance audit will evaluate the progress in minimization of eulachon bycatch and in relation to compliance with any new critical habitat regulations imposed by NMFS.</p>

Item	Overall Conclusions regarding <i>P. jordani</i> in US West coast waters
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10	<p>The pink shrimp resource is healthy and in excellent condition. No changes in management have taken place that would detrimentally affect the performance of this fishery against the MSC standard. The management entity continues to be proactive with research to reduce impacts on habitat and bycatch of non-target species. The fishery continues to make progress in meeting the requirements of the MSC Standard.</p> <p>MSC Certification should therefore continue with audits annually.</p>
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Information Sources:

Meetings

Meetings were held with ODFW and OTC on April 1 and 2, 2010. Additional information was provided after the site visit was conducted in May.

One stakeholder submission was received from Mr. Ben Enticknap of Oceana. The submission was received by email in March 2010. The submission consisted of

Reports etc

21st Annual Pink Shrimp Review. 2010. Oregon Department of Fish and Wildlife. 12 pp. Available at <http://www.dfw.state.or.us/MRP/publications>.

Hannah, R. W., S.A Jones, W. Miller and J.S. Knight. 2009. Effects of trawling for ocean shrimp (*Pandalus jordani*) on macroinvertebrate abundance and diversity at four sites near Nehalem Bank, Oregon. Fishery Bulletin. 108:30–38.

Endangered and Threatened Wildlife and Plants: Threatened Status for Southern Distinct Population Segment of Eulachon, Final Rule. Federal Register / Vol. 75, No. 52 (March 18, 2010): 13012 – 13024. Print.

Standards and Guidelines used:

1. MSC Principles and Criteria for Sustainable Fishing
2. MSC Fishery Certification Methodology Version 6. September 2006
3. TAB Directives - all