



Dynamic fisheries

Impact Assessment Report

Megan Atcheson

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1. Impact assessment

The aim of impact assessment is to provide clear information on the impacts of the options developed to sort out the policy issues identified in the project inception. It serves as a basis for comparing options against one another and against the business-as-usual scenario, and identify a preferred option if possible. It does not replace decision-making but is used as a tool to support the decision-making process and underpin evidenced based decision-making; increasing transparency, making trade-offs visible and reducing bias.

Impact assessment should help to:

- Specify how proposed options will tackle the identified issues and meet objectives
- Identify direct and indirect impacts, and how they occur
- Assess impacts in both qualitative and quantitative terms.
- Help find perverse or unintended consequences before they occur.
- Where possible, make risks and uncertainties known.

This is achieved by following MSC's Impact Assessment Framework that outlines when and how to undertake Impact Assessment. This ensures an efficient, systematic and consistent approach to policy development to underpin a responsive, robust and credible program. In particular, the Impact Assessment Framework defines the different types of impact (see below) and a suite of methodologies best suited to assessing each type.

The impact types used in the Impact Assessment are defined as follows:

1. **Effectiveness:** The extent to which the change is deemed likely to be successful in producing the desired results and resolving the issue(s) originally identified.
2. **Acceptability:** The extent that the change is considered tolerable or allowable, such that the MSC program is perceived as credible and legitimate by stakeholders.
3. **Feasibility:** The practicality of a proposed change and the extent to which a change is likely to be successfully implemented by fisheries within a given setting and time period.
4. **Accessibility & Retention:** The extent to which the change affects the ability of fisheries (both currently certified and those potentially entering assessment in the future) to achieve and maintain certification (i.e. changes in scores, conditions and pass rates).
5. **Simplification:** The extent to which the change simplifies and does not further complicate the Standard such that it can be easily and consistently understood and applied.
6. **Auditability:** The extent to which the change can objectively be assessed by Conformity Assessment Bodies (CABs) and Accreditation Services International (ASI) to determine whether the specified requirements are fulfilled, and CABs can provide scores.

The Impact Assessment report presents the results of this process, whereby each of the options for proposed changes to the Fisheries Standard are tested to understand their potential effects across the six defined impact types.

2. Problem statement

Dynamic species that vary considerably in productivity over spatial and temporal scales can prove problematic for some MSC assessments, leading to uncertainty with regards to their status in the program. We sought to determine whether the Standard, specifically Principle 1, was fit-for-purpose for assessment of these species.

3. Objectives

To ensure Principle 1 of the MSC Fisheries Standard is applied consistently by assessors and that fisheries targeting dynamic stocks are only certified and retain their certification when they are indeed sustainable per Principle 1 requirements.

4. Options

The three options assessed for their impacts were as follows:

1. Status quo
2. Guidance associated with PI 1.1.1
3. Guidance associated with PI 1.2.x
4. Changes to normative requirements in Principle 1

Table 1 Identification of options to take forward relative to their impact type. High Likert score (i.e. 3 or greater) are marked with an x.

Impact Type	Option 1	Option 2	Option 3	Option 4
Effectiveness			x	
Acceptability			x	
Feasibility			x	
Accessibility and retention	x	x	x	
Simplification			x	
Auditability		x	x	

Option 3 (guidance for PI 1.2.1) will be taken forward within the FSR. Changes to normative requirements in Principle 1 designed to increase retention were not supported by the impact assessment and MSC's Technical Advisory Board. The impact types identified as most relevant to this project are accessibility and retention consistent with the objective that these fishery types are only certified when they are indeed sustainable as per Principle 1, as well as auditability to ensure consistent application by CABs.

5. Summary of impacts

The key issue identified by an internal analysis of 'yo-yo' fisheries was that suspensions and issues associated with the scoring of dynamic fisheries are centred on the response of management agencies, supporting Option 3 (guidance on PI 1.2.x) as the most effective and accessible option. As issues with PI 1.1.1 were both not as frequent and best practice for setting dynamic reference points have not been established, these were considered unlikely to address the issue. Outreach feedback also supported this option suggesting that management agencies are still exploring how to manage this type of fishery, and that guidance would be more appreciated than formal requirements at this time given that guidance will have a lower impact but is like to give progressivity in how MSC is addressing this issue. Impacts to retention of currently certified fisheries is low because of the long lead in as allowed by the implementation timeframe. However, Outreach should inform these fisheries of the forthcoming guidance so clients can plan accordingly.

5.1 Impacts

Table 2 Identification of options to take forward relative to their impact type. High Likert score (i.e. 3 or greater) are marked with an x.

Impact types	Description	Option 1 (status quo)	Option 2 - Guidance in PI 1.1.1	Option 3 - Guidance in PI 1.2.x	Option 4 - P1 Requirements specific for dynamic fisheries
Effectiveness	Is the change effective at meeting the MSC's intent? Please explain your answer and rationale – following the guidelines in Step 4	No change will result in ongoing issues with unclear intent	Allows clearer use of reference points to do with MSY. However main issues are to do with management responses and existing guidance prob sufficient.	Would allow the issue to be described and the default tree to be applied in the way it is designed.	Clarifies the intent for these fisheries being able to be certified but there is no established best practice so MSC would be ahead of fisheries management.
	Please state whether you agree/disagree with the following statement: <i>The option seems effective at resolving the issue(s) consistently and reliably.</i>	2	2	4	2
Acceptability	Is the change acceptable to stakeholders? Please explain your answer and rationale – following the guidelines in Step 4	Stakeholders interested in this topic have asked for change	To some degree, though doesn't address the core issue of management response. Best practice not established either so guidance would be MSC specific and not based on external examples.	Yes, would clear up how to apply the management Pis when stock status fluctuates. As in, reduce F when things looking bad and do it fast	No because best practice not established and so MSC would be forging ahead without bearing
	Please state whether you agree/disagree with the following statement: <i>The option seems acceptable to stakeholders</i>	1	2	4	1

Feasibility	Is the change feasible to fishery partners?	Unlikely to appease fears/concerns that dynamic fisheries are able to maintain certification	Unlikely given that their fishery context would likely not be able to use guidance given that best practice not established.	Likely to help the key area dynamic fisheries trip up in assessment	May align the standard to certain dynamic fishery types, though best practice not established so would likely end up with narrow applications
	Please state whether you agree/disagree with the following statement: <i>The option seems technically feasible for fishery partners</i>	3	3	4	1
	Please state whether you agree/disagree with the following statement: <i>The option seems affordable for fishery partners</i>	2	2	3	2
	Please state whether you agree/disagree with the following statement: <i>The option seems possible given the management contexts of fishery partners</i>	4	2	4	1
	Please state whether you agree/disagree with the following statement: <i>The option seems doable within 5 years for fishery partners</i>	4	2	4	1
Accessibility and retention	Does the change affect the accessibility and retention of fisheries in the MSC program?	No change impacts these fishery types being able to maintain certification	May possibly increase the ability to maintain certification, though that is balanced out by the issue not being addressed in the key area	Increases the accessibility if the management Pis can allow for dynamic fluctuations. Retention for certified fisheries with borderline scores will need to be considered.	Additional data or computational demands may exist from bespoke scoring given that most fisheries around the world wouldn't be aligned with any developed MSC tree

	Please state whether you agree/disagree with the following statement: <i>The option seems accessible to fisheries seeking certification in the future</i>	3	3	5	2
	Please state whether you agree/disagree with the following statement: <i>The option seems accessible to currently certified fisheries</i>	3	3	4	2
Simplification	<i>Does the change simplify the Standard?</i>	No, the issues remain	Would add complication given that PI 1.1.1 guidance is already quite exhaustive	Likely improves but may add complications. Key is linking this to the Principle 1 Harvest Strategy project for 'responsive' harvest strategies.	A change like this adds complexity to the standard as another scoring pathway provided which additionally does not align with established best practice
	Please state whether you agree/disagree with the following statement: <i>The option seems to simplify the Standard</i>	1	2	3	2
Auditability	<i>Is the change auditable by CABs?</i>	No, the issues remain	Guidance will help though not the key area for auditability of the issue and suspension risk	Guidance will help as this is the key area for auditability and suspension risk	Would greatly complicate auditability of PI 1.1.1
	Please state whether you agree/disagree with the following statement: <i>The option seems to be auditable by CABs</i>	2	3	4	1

6. Additional options and impacts

N/A

7. Discussion and conclusion

Improved guidance for the application of P1 management requirements for highly-fluctuating and environmentally-driven stocks will add precaution to assessment of these stocks, improving application by CABs, and that these fisheries have adequate precaution in management to get certified and thus stay certified. This guidance could impact retention of currently certified fisheries with borderline scores in Principle 1. However, the implementation timeframe allows ample time for already certified fisheries to make necessary changes considering this guidance. Proposed changes are highly unlikely to have perverse outcomes or unintended consequences.