



Working Group 1 West of Scotland and Western Approaches

Wednesday 17 April 2013

11:00 - 12:50

Bilbao Exhibition Centre, Bilbao

Summary of Recommendations and Actions

Chairman: Jane Sandell

Acting rapporteur: Debbie Crockard

1. Welcome

The WG1 Chairman, Jane Sandell, welcomed the members and the attendees to the meeting and thanked Declan Tobin (JNCC representative) for coming back to the NWWRAC to give a presentation on Marine Protected Areas in the West of Scotland. She also thanked Debbie Crockard for volunteering as rapporteur in the absence of Kara Brydson.

The full list of participants is included as an annex to these minutes.

- Apologies for absence were received from Kara Brydson (RSPB Birdlife International) and Caroline Gamblin (CNP MEM).
- The agenda was adopted without changes.
- The report of the last WG1 meeting, held in Paris the 30th of January, was adopted without comments.

2. Update on the MPA process in UK-Scotland

WG1 heard a report from Declan Tobin of the JNCC on the Scottish MPA process and subsequently held a discussion and exchange of views on this subject matter.

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2.1. Presentation by Declan Tobin (Joint Nature Conservation Committee - UK)

The presentation was an update of the process since the last report in January. It outlined the Scottish Government's plans for consultations and management options for the proposed MPA sites.

The MPA project has identified areas that could add to the UK's network of protection with the JNCC advising on the offshore sites and Scottish National Heritage (SNH) advising on inshore proposed sites. 16 of the proposed 33 sites are in offshore waters with 9 of these in waters covered by the NWWRAC.

The consultation will take place in the summer of 2013 and this will be an extended consultation of more than 12 weeks with a pre-consultation beginning now. There will be a series of management options proposed per site in the consultation with a primary focus on the activities and features requiring protection and the risks to a feature. The Scottish government will be producing management option papers which will detail the management of each site to the industry which will include one of the following options:

- No additional management;
- Management which will include a reduction or limit on the fishing pressure; or
- Management which will result in the removal or avoidance of the pressure on the site's features.

The Scottish Government wants the management to best fit the conservation of the specific features of each site. This management may include area based, temporal, seasonal or gear restrictions depending on the needs of each site.

The pre-consultation is open now and the JNCC are open to further discussions with people to explain their approach, what to expect and to give opportunities for further engagement in the process. They will also be holding regional management workshops to identify steps for fisheries management.

Further detail can be found from the original presentation in the NWWRAC website¹.

¹ http://www.nwwrac.org/admin/publication/upload/Scottish_MPA_%20update_JNCC_DT_Bilbao_180413.pdf



2.2. Comments from the floor

In the discussion following several members highlighted that Scottish MPA process was favoured above that in place by the UK and Irish administrations. It is still unclear, however, as to how the consultation process will include all member states.

Hugo González made a comment regarding what the benefit of closing an area would be where it has been extensive trawling activity for decades; and asked if the longline activity had been included as well in the impact assessment studies when proposing new sites. He also indicated that there were several surveys carried out by IEO on seabed mapping in international waters (Hatton Bank, NAFO, Falkland...), and this would be advisable to be done at well by each national MPA agency in the EU. Finally, he reminded members of the Commission's proposal to establish a ban on bottom trawling and bottom set gillnet for fleets targeting deepsea species.

Declan Tobin explained that one of the key elements for consideration when developing a proposal for new sites in Scotland is the economic dimension, however economic input is difficult to factor in. He highlighted that the Scottish projects has a slightly different approach than those made for the UK (English) project: a "least damaged most natural approach" was used to assess the extent of marine activities across Scottish waters, including those areas that have been subjected to intense industrial activity (e.g. gas, oil, fishing) and then to focus on the remaining more pristine and unspoiled areas as a first step in identifying areas for possible protection. However, he also noted that for particular features that have historically been exposed to fishing effort there will be always an overlap with fishing activities, so it was not always possible to identify areas with no economic activity.

Roy Griffin (DG MARE) confirmed that site designation could simply be a "rubber stamping" procedure if the industry and Member States are in agreement but that this again has links to the unresolved issues around the CFP reform and the development of regionalisation structures and processes.

Concern was also raised about the possibility of fishing effort displacement. Although this is recognised as an issue of great concern, Declan explained that the sites had been considered on a least damaged more natural approach which should help to minimise socio-economic impacts. Declan pointed out that for some features requiring protection there would always be cross over with fishing activity but that management would depend on the type of fishing taking place and access would depend on the potential risk that each gear poses to each feature requiring protection.

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Several WG1 members insisted that a pragmatic, proportionate, evidenced-based approach to reducing fishing displacement was required as a minimum and that a collaborative approach would be best.

The Scottish Government reiterated that this is why they require the input from the industry and where they will be applying the available evidence. Michael McLeod reiterated that in Scottish territorial waters the Scottish Government will have exclusive competence and activities will be regulated by national laws but that in the offshore areas the EU rules (CFP) will apply.

ACTIONS:

WG1 recommends that the NWWRAC continues to engage actively in the Scottish MPA process and that, once the options for specific sites are available, the members of the RAC with a particular presence or interest in those sites will develop, with support from NWWRAC, a virtual arrangement which will allow them to prepare a response to the consultation on a site by site basis.

WG1 also recognised the need to develop a strategy to unofficially encourage coordination and communication between member states on Marine Protected Areas.

3. Management measures for deep-sea fisheries

Roy Griffin (DG MARE) provided a brief update on this topic. The EP Fisheries Committee asked the Commission to provide a complementary impact assessment on the Deep Sea access regime in time for an EP public hearing on the 17th of June. The Commission will provide more details regarding a decision and timeline once these have been confirmed.

Bertie Armstrong suggested the WG1 members concentrate on who they are trying to influence and to consider this when thinking of future actions. Several members also highlighted the need to show initiative and to include all stakeholders if they want to obtain outcomes.

Alexandre Rodríguez provided a summary of the inter-RAC Deep Sea Workshop held in Paris in November, which had a good attendance from the RACs involved and from scientists leading projects in the field, including HERMIONE, DEEPFISHMAN and CORALFISH. A discussion paper had been produced after the workshop which identified and represented the areas of agreement and disagreement between the industry RAC members and those of the environmental NGO's. The preamble of the paper highlighted the lack of consultation and the poor response given by the Commission to the previous RAC contributions and responses prior to the launch of the Proposal of Regulation in July 2012.

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It was felt by some members that the EU's proposed ban on deepwater trawling and bottom gillnetting was premature and did not wait for the results from scientific reports funded by the EU, and that the inter-RAC November meeting was significant as it allowed members to see where the science has got to. It will be important for those opposed to the ban to put forward a viable alternative – whether this is at the Edinburgh workshop or beyond, it is likely that this will be an industry only proposal; members must remember to put their proposal in context and considering VME's, management measures currently in place and spatial planning addressing habitat protection. However, it has been recognised that if a representative of the RAC's is to speak at the Edinburgh workshop it will be as a RAC representative and must include all stakeholders' opinions.

Alex presented a summary of the inter-RAC workshop on Deep Sea which will take place on the 15-16th of May and will have input from both the industry and NGO stakeholders. Representatives from national administrations from Portugal, France, UK-Scotland and Spain have confirmed their attendance.

Kriton Arsenis, MEP Rapporteur of the EP-PECH on this proposal will be giving a video presentation, and several MEPs have confirmed their presence as well. A representative from DGMARE will also be giving a presentation. The workshop will also demonstrate the experiences of deep sea conservation from around the world e.g. CAMLR.

ACTIONS:

WG1 makes a recommendation to the Ex.Com. that the NWWRAC supports and participates at the InterRAC workshop in Edinburgh. The NWWRAC Executive Committee will consider who would be the best representative/s to represent the RAC at the workshop.

Relevant industry representatives will give an industry presentation at the meeting – they will communicate the NWWRAC Secretariat the name of the designated speaker prior to the meeting.

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4. Review of the Cod Recovery Plan (EC Reg. 1342/2008)

4.1. West of Scotland

Sean O'Donoghue, acting in his capacity as Chair of the NWWRAC Cod Focus Group, provided a report on the outcomes of the last focus group meeting held on the 31st of January 2013.

The full meeting report is available for consultation on the NWWRAC website².

As a short term action, a NWWRAC recommendation to improve the application of the EC Reg. 1342/2008, highlighting those articles of the CRP open to interpretation, was drafted in February and formally submitted to the Commission on the 10th of April 2013.

The development of a long-term strategy plan ("*scoping paper*") for the West of Scotland mixed demersal fisheries – making the cod recovery plan operational in VIa – has been delayed due to an impasse as a result of the scientists involved not having resolved the cod assessment issue for this stock.

Once the required information becomes available, a fully drafted operational plan will be produced. Consistent with the aim of aligning total landings to achieve an Fmax of 0.4 over a period of three years.

ACTIONS:

NWWRAC to ask the responsible scientists at Marine Scotland and the Marine Institute for Ireland to comment and advise on the lack of data.

Secretariat to recirculate previous request to members for details relating to fishing activities in area VIa (geographical and VMS data) – deadline 2 weeks.

Barrie Deas to recirculate the fully documented fishery study done by CEFAS and NFFO³.

² www.nwwrac.org/admin/publication/upload/MINUTES_NWWRAC_FOCUS_GROUP_COD_PARIS_31Jan2013_EN.pdf

³ Link: <http://www.cefasc.defra.gov.uk/media/605107/fsp36%20report%20final.pdf>

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4.2. Irish Sea

The Co-Chair of the Focus Group, Alan McCulla, stated that this will be dealt with specifically within the remit of the Irish Sea Working Group (WG4) later on the day.

5. Technical measures and discards

The members of WG1 asked the Commission for an update on the CFP reform process and the position of the review of the Technical Conservation Measures Framework Regulation.

Roy Griffin (DG MARE) confirmed that the timeline was somewhat uncertain and that there should be written procedures by the end of 2014. The EU public consultation should start at the end of August 2013 and the stakeholder consultation should start sometime soon.

Members were concerned that, since we are close to the completion of the CFP, it was likely that the TCM would enter into conflict with the forthcoming CFP regulations and that this could result in contradictory regulations (e.g. landings' obligation for pelagic species under the CFP) running in parallel until 2016. This has the possibility of resulting in a legislative deadlock.

Mr. Griffin replied that the TCMs will follow the Council general approach on the CFP and the introduction of regionalisation allows, instead of top down prescriptive measures, for regional measures to be identified and developed. However, the initial agreement on regional structures will shape this approach. The final decision is not expected until the end of this year and the timeline is still tentative, although a final proposal has been tabled by the Commission for the end of July 2014.

ACTION: Roy Griffin will confirm with colleagues in DG MARE and will provide more information on the legal procedure of Review of EC Reg. 850/1998 and its compatibility with the discard ban requirements; as well as clarity on the situation of technical measures on the 1st of January 2014 in respect of the interaction between TCM requirements and discards.

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This situation will be that the so-called “*omnibus regulation*” is now expected to be proposed in July. This regulation will help to remove all legal requirements to discard within the current technical measures so ensuring current TCM compatibility with the requirement to land from 2015. This includes the determination of catch composition. However this proposal is still to be subject to due process . The recent decision to postpone entry of landing obligations eases the time constraints.

6. Report on data limited stocks

Barrie Deas (leader coordinator) gave a report on the state of play, focusing particularly on the NWWRAC participation at the ICES benchmark workshops and preparatory data compilation meetings.

Members highlighted concerns over the lack of attendance at the WKROUND benchmark workshop, where anglerfish IV-VIa was discussed. The importance of attendance at such meetings was highlighted and it was suggested that provisions be put in place to prevent this from being repeated.

Alex Rodríguez (Secretariat) announced that the NWWRAC had been granted access by ICES to meeting reports of WKNEP and WKFLAT 2013 once they are ready. Both reports will be made available to all NWWRAC members by email or via website.

Finally, it was also highlighted that funding and reimbursement of RAC representatives at external workshops and benchmarks are generally only available to one representative, although this might be reviewed depending on budget availability.

ACTIONS:

- * NWWRAC Secretariat to put a procedure in place that ensures the maximum likelihood of participation of NWWRAC delegates at relevant benchmark workshops.**
- * NWWRAC designated data coordinators to progress with work between Working Group meetings.**
- * The Secretariat was also asked to provide a structured mechanism to reduce repetition and cross over between working groups and focus groups.**
- * Barrie Deas to write to the ICES chairman JJ Maguire to communicate that we have taken the necessary steps to solve the recent absence of some of the members to the previous WKROUND.**

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7. Chair and rapporteur summary of action points and proposals to the Executive Committee

The actions previously stated were identified, plus the following additional and pending ones:

- Data coordinators to report periodically on their work progress.
- Proposal for the Executive Committee to decide who should attend the ICES BWK.
- Considering participation at the ICES ADG with permanent basis.
- Letter to be sent to the EC via the STECF on the impact assessment for longline fishery.

The Chairman thanked all the members and observers for attending the meeting, the Secretariat and the translators for their excellent work.

The meeting was adjourned at 13h

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ANNEX I. LIST OF PARTICIPANTS

<u>WG1 MEMBERS</u>		
<u>Name</u>	<u>Surname/s</u>	<u>Organisation</u>
Jane	Sandell	WG1 Chair – Scottish Fishermen’s Organisation
Víctor	Badiola	WG1 Vice-Chair – OPPAO
Debbie	Crockard	Rapporteur - Seas at Risk <i>(replacing Kara Brydson)</i>
Bertie	Armstrong	NWWRAC Chairman
Alan	Coghill	Scottish Fishermen’s Federation
Juan Carlos	Corrás Arias	Pescagalicia-Arpega-Obarco
John	Crudden	European Anglers’ Assoc.
Barrie	Deas	NFFO
J. Manuel	Fdez. Beltrán	OPP-07-LUGO
Marc	Ghiglia	UAPF

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<u>MEMBERS (cont.)</u>		
<u>Name</u>	<u>Surname/s</u>	<u>Organisation</u>
Hugo	González	ANASOL-ARVI
André	Gueguen	OPOB-Pêcheurs Bretagne
John	Lynch	Irish Fishermen Org. (IFO)
Alan	McCulla	ANIFPO Ltd.
Kevin	McDonnell	West of Scotland FPO
Jennifer	Mouat	Scottish White Fish PO
Francis	O'Donnell	Irish Fish PO
Sean	O'Donoghue	Kyllibegs FO
Eibhlin	O'Sullivan	Irish South & West FPO
José Luis	Otero	Lonja de la Coruña S.A.
Jacques	Pichon	ANOP-PMA

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WG1 OBSERVERS		
<u>Name</u>	<u>Surname/s</u>	<u>Organisation</u>
Emiel	Brouckaert	REDERSCENTRALE
Richard	Brouzes	COPEPORT
Luc	Corbisier	SDVO
Armelle	Denoizé	Pêcheurs de Bretagne
Ramón	De la Figuera	MAPA – Spain
Paul	Francoise	FFSPM
Grant	Fulton	EFCA
Roy	Griffin	DG MARE – Commission
Ian	Humes	DARD – Northern Ireland
Julien	Lamothe	CAPSUD/PMA
Daniel	Lefèvre	NWWRAC WG3 Chair
Laurent	Markovic	DG MARE – Commission
Michael	McLeod	Marine Scotland - UK
Rémi	Méjeczaze	DPMA - France

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WG1 OBSERVERS (cont.)		
<u>Name</u>	<u>Surname/s</u>	<u>Organisation</u>
Jim	Portus	South West FPO
Brendan	Price	Wildlife Consultant
Pieter-Jan	Schon	AFBI / ICES
Declan	Tobin	JNCC - Presentor
Paul	Trebilcock	Cornish Fish PO
Caitlín	Uí Aodha	Irish South & East FPO
Hilde	Vanhaecke	ILVO - Presentor
John	Woodlock	Irish Seal Sanctuary
NWWRAC SECRETARIAT		
<u>Name</u>	<u>Surname/s</u>	<u>Organization</u>
Michael	Keatinge	NWWRAC Director
Conor	Nolan	Executive Secretary
Joanna	McGrath	Executive Assistant – Administration & Finances
Alexandre	Rodríguez	Executive Assistant - Policy and Communications

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