



REPORT

North Western Waters Regional Advisory Council

**Working Group 2
West of Ireland and Celtic Sea
Tuesday 06th of July 2010
14.00-17.30
CNPMM – Paris**

**Chairman: Hugo C. Gonzalez Garcia
Rapporteur: Paul Trebilcock**

1. Welcome

Apologies

Apologies were received from Victor Badiola, Andre Gueguen, Iwan Ball, Barrie Deas, Sean O'Donoghue, Jacques Pichon and Emiel Brouckaert.

Adoption of Agenda

The Chairman added Any Other Business to the agenda. With this addition the agenda was adopted by consensus.

Adoption of Report of the Last Meeting

The report of Working Group 2 (WG2) held on 3 March 2010 was adopted by consensus.

2. Review of Commission's Responses to NWWRAC Advice

Interpretation of Art. 11 of TAC and Quota Regulation 2010

WG2 was informed that Article 11 of the 2010 TAC regulation regarding the closure of the Porcupine Bank had caused some confusion. This confusion had now been clarified. Vessels were allowed to transit the area on condition that fishing gear was stowed correctly and that the vessel did not transit the area at less than 6 knots, in conformity with art 50 of (EC) Regulation No 1224/2009, and within the framework of interpretation of these rules by control authorities of Ireland and United Kingdom.

Action: NWW RAC Executive Committee to note that this had been satisfactorily resolved. Vessel can transit the closed area subject to conditions defined in the regulation.

EC Discards Policy: Application of “High Grading Ban” to ICES Fisheries

WG2 heard that there was confusion surrounding the definition of high grading and the precise legal status of the Commissions extension of a high grading ban outside of the North Sea.

The Commission was currently analyzing the legal status of a high grading ban in all areas.

The relationship between MLS, regulations such as catch composition, market regulations and market conditions were all factors to be considered when looking at high grading ban.

It was agreed that Julien Lamothe would draft a letter on this issue.

Actions:

- NWW RAC Executive Committee to seek clarification on high grading definition and legal status of extension of the high grading ban to all areas from the Commission.
- Julien Lamothe to draft a letter describing pertinent issues on this issue, including the relationship between high grading ban and market conditions.

Management and Technical Measures for Porbeagle, Skates/Rays and Spurdog

WG2 heard that all Member State's were experiencing difficulties with the blunt zero TAC management regime for these species.

It was agreed that a paper outlining the issues, difficulties and possible alternatives would be drafted and circulated for comments.

WG2 noted that efforts by the Jersey, France and UK were being made to lift the prohibition of landing Undulate Ray based on new and improved science. This was seen as a positive initiative.

Action: Paul Trebilcock to draft a paper and the paper to be circulated to NWW RAC members for consideration.

3. Update on Northern Hake Management: Next Steps

Report on ICES Advice 2011 and Commission's Consultation Procedure

WG2 heard that there had been no accepted assessment for the stock. Following an ICES Benchmark meeting it was revealed that there was still uncertainty about growth rates and recovery trajectories.

There was a significant issue surrounding the lack of French catch and discard data which meant the assessment was incomplete. French representatives explained that this was due to administrative issues within France and would be remedied as soon as possible.

Due to no accepted ICES assessment it was not possible for STECF to evaluate any LTMP for Hake.

WG2 members were disappointed by this lack of progress and increased uncertainty. Although it was noted that this stock was showing positive trends in biomass, reducing F and lower fleet levels in recent years.

Decision on a Date and Venue for the NWWRAC Focus Group

WG2 agreed that it was not possible to make any decisions on the NWW RAC Hake LTMP Focus Group until the issues described above were resolved.

Action: To propose to the NWW RAC Executive Committee that, given the need of all validated data from Commission / ICES, the Focus Group is postponed till further notice of availability of such data.

4. Management Measures for Cod and Demersal Mixed Fisheries for the Celtic Sea: Terms of Reference for Focus Group

WG2 noted that this issue was subject to a Focus Group meeting being held on the following day.

The Commission indicated that it was seeking to implement an effort control regime in VIIIfg based on a 10% reduction on fishing activity.

Concerns were raised by WG2 about the unsuitability of a KW days regime in VIIIfg given its diversity of mixed fisheries. The Commission was asked why Brown Crab fisheries had been included in their non-paper.

The relationship between this non-paper and the Commissions non-paper on Nephrops in ICES Area VII was unclear and would need careful consideration.

The Commission reiterated that it was interested in long term management and the non-paper was a starting point that would stimulate debate on the issue.

These concerns would be taken into account at the NWW RAC Cod Focus Group.

Action: Working Group 2 to note that the NWW RAC Celtic Sea Cod Focus Group would be held on 7 July 2010. A draft paper on this issue would subsequently be submitted to the NWW RAC Executive Committee.

5. EC Policy on Technical Conservation Measures: Way Forward

Outcomes of EC Workshop on TCMs & Discards (Brussels, 21 June 2010)

The Chairman summarized the workshop on TCMs and discards held in Brussels on 21 June 2010. This was a very complex area of regulation. Selectivity of gear, area closures and issue of discards in mixed fisheries had been examined. It was noted from some members that a regional approach was required and greater fishing industry input would lead to greater buy-in and in turn more effective measures being implemented.

The total elimination of discards in diverse mixed fisheries was viewed as unrealistic and unachievable, although measures to minimize should be vigorously pursued.

A summary report is available on the NWW RAC website for information.

Transitional Measures: Commission's Timing and Calendar for Consultation

WG2 heard that the Commissions temporary regulation on Transitional Technical Measures will expire on 30 June 2011. The Commission stated that its intention is to propose to extend these measures for a further 2 years in their entirety.

The Commission conceded that it would have to listen to Member State concerns on the detail on specific issues during the process and take these concerns into account before a final decision.

Action: NWW RAC to note that the Commissions temporary regulation on Transitional Technical Measures will expire on 30 June 2011. The Commission stated that its intention is to propose to extend these measures for a further 2 years in their entirety.

6. Management Options for Nephrops Stocks in Area VII

Colm Lordan gave a brief over view of the assessment for this stock. A full summary is available on the NWW RAC for information.

In essence the ICES advice and Commission desire is that Nephrops management should be dealt with at FU level.

WG2 highlighted the operational complexity that FU management will create for the fishing industry but acknowledged that from scientific point of view FU management was desirable. It was stated that the only FU in Area VII with real problems is Porcupine area (although some positive indications of recruitment).

Representatives from Ireland clearly stated that they were opposed to the Commission's management proposals.

The Commission appreciated that this was a difficult and sensitive issue but stated that it wanted to work with all stakeholders on this issue.

Actions:

- Working Group 2 to note that input to the Commission on these proposals would have to be submitted before the end of July 2010. After that time input would be through the normal negotiating channels.
- All NWW RAC members should submit their comments on this issue to the NWW RAC secretariat as soon as possible.

7. Conflicts with Practical Application of OMEGA Net Gauge: State of Play

Representatives from all Member states reported that there were still issues surrounding the practical application of the OMEGA Net Gauge.

There were concerns that the OMEGA net Gauge was not available to fishermen during the transition period and this lead to difficulties when it came into use.

Although it was noted that on new unused and dry nets the OMEGA gauge gave an accurate reading it was after use in fishing operations that there were issues on calibration and practical usage. This was of significant concern and the lack of available equipment during the transition period was seen as a factor.

It was also suggested that the introduction had lead to a default increase in mesh size to ensure compliance. It was felt that the effect of this on selectivity should be looked at by ICES.

WG2 urged the Commission and Control Agencies to remain flexible and pragmatic while this issue was explored

Action: Paul Trebilcock to draft a letter to Commission, highlighting transitional issues with use of the OMEGA gauge and other technological changes such as e-log-books.

8. Any Other Business

The Chairman raised an issue regarding Article 2 of Regulation 494/2002 – Emergency Measures for Hake. It appeared that the interpretation of an Irish court was that a vessel could not store more than 20% hake when the vessel had a net of more than 80 mm aboard even if the vessel two nets aboard one of which was 80mm for targeting Nephrops and one of 100mm for targeting Hake.

It was thought that the TCM regulation of 1998 included the possibility of carrying together two nets 80 mm (targeting nephrops) and 100 mm (targeting hake) and the respective catch compositions applied to each net carried. The Chairman would wait for judicial resolution and ruling and report the outcome.

End of the meeting

ANNEX I. LIST OF PARTICIPANTS

<u>Name</u>	<u>Surname</u>	<u>Organisation</u>	<u>Status</u>
Bertie	Armstrong	Scottish Fishermen's Federation	Member
Ted	Breslin	Killybegs FPO	Member
Alan	Coghill	SFF / Orkney FPO	Member
Luc	Corbisier	SDVO	Member
Juan Carlos	Corrás Arias	Pescagalicia-Arpega-Obarco	Member
Rory	Crawford	RSPB – Birdlife International	Observer
John	Crudden	European Anglers Association	Member
Louise	Cunningham	Marine Scotland	Member State rep.
Thomas	Diaz	FROM Bretagne	Member
Hugo	González	ANASOL - ARVI	WG2 Chairman
Sam	Lambourn	NWWRAC Chairman	NWWRAC Chairman
Julien	Lamothe	ANOP	Member
Jesús A.	Lourido García	Puerto de Celeiro S.A.	Member
Colm	Lordan	Marine Institute	Scientific Expert
Joe	Maddock	Irish Fishermen Organisation	Member
David	Milly	CAPSUD	Member
Conor	Nolan	NWWRAC Secretariat	Secretariat
Lorcan	O'Cinnéide	IFPO	Member
Eibhlin	O'Sullivan	Irish South and West FPO	Member

<u>Name</u>	<u>Surname</u>	<u>Organisation</u>	<u>Status</u>
José Luis	Otero	Lonja de la Coruña S.A.	Member
Kenneth	Patterson	DG MARE	European Commission
Alexandre	Rodríguez	NWWRAC Secretariat	Secretariat
Mercedes	R. Moreda	OPP-07-LUGO	Member
Stéphanie	Tachaires	CNPMEM	Member
Pieter-J.	Schon	AFBINI	Scientific Expert
Stéphanie	Tachaires	CNPMEM	Member
Paul	Trebilcock	Cornish Fish Producers Organisation	Member - Rapporteur
Borja	Velasco	SEGEPESCA – MARM Spain	Member State Rep