

## **REPORT**

### **North Western Waters Regional Advisory Committee**

**Working Group 3 (Channel)  
Paris, 8<sup>th</sup> July 2010 (09:30-13:00 h)**

**Chairman: Daniel Lefèvre  
Rapporteur: Jim Portus**

#### **1. Welcome**

- The Chairman welcomed members, observers and invited guests to Paris for NWWRAC Working Group 3.
- Adoption of Agenda: Stephanie requested addition of the Cod Plan discussions as horizontal subject for inclusion in the WG3. This was agreed. The Agenda then approved with thanks to the Secretariat.
- Apologies noted from Jacques Bigot, Beatrice Harmel and D Thomas.
- Adoption of Report from last meeting (Madrid 3<sup>rd</sup> March 2010): approved.
- Review of ICES Advice 2010 for VIId&e (Channel Sea)

#### **2. Review of Commission responses to previous NWWRAC opinions and correspondence**

Marine Strategy Framework Directive: The DGENV Commission had refused request from the NWWRAC to be nominated stakeholders on the MSFD WG, stating that stakeholders are adequately represented by other groups such as POs, eNGOs, EAFPO, NFFO and SFF. The Chairman regretted the rebuke. Members opined that the NWWRAC should be informed of the process because of the socio-economic impacts of the MSFD. Others agreed. The view was that the NWWRAC has legitimate right to be involved and there is something missing in Commission thinking. It was agreed that another letter would be drafted.

**Action:** Secretariat letter to DG MARE expressing concerns that although stakeholder organisations are involved, the NWWRAC should be invited and engaged in the process and works of Socio-economic significance on WG DG ENV D2.

Undulate Rays: The Commission letter was tabled in the meeting pack. COM has requested STECF to prepare a brief review of knowledge within couple of months. French have submitted request with evidence arguing for management measures for re-opened non-target Undulate Rays fishery. ICES asked for closure of targeted fishery. This species is by catch. ICES data based on landings compiled from markets. Species is very localised in its distribution. Disappearance of catches was temporary, but there is now strong undulate ray fishery. Species has not disappeared. The ban is causing discards. Good survival rate but not 100%.

Discards survival rates Cod, Plaice and Rays: An oral report was given by the Commission's representative in the meeting, Kenneth Patterson. Survival rates are highly dependent on gear type used. Rays and Spur dogs have very high survival rate in the order of 55% in trawlers, 65% to 70% on long-lines. Plaice discards are believed to be about 10%. Also sole. Cod has low rate of survival, but can be higher on long lines. The Chairman urged that the ban on Undulate Rays is lifted in light also of the survival rate.

**Action:** The STECF report on Undulate Rays is forthcoming. The Chairman hopes for the ban to be over-turned. Ask the Commission to provide the STECF report on Survival Rates of Discards for Rays, Skates and Sharks VII; and Plaice VIId.

### **3. JNCC Presentation on Marine Spatial Planning:**

Timetable: Coherent network of MPAs by 2012. Already have 81 SACs 105 SPAs in the marine area plus other types of MPAs. Sites designated based on best available science – no difference here with Natura 2000; but in this case socio-economics are considered. If there are two sites comparable in biological terms, they will try to minimize socio-economic impacts and not have representative areas in heavily fished areas. Aim of MPAs will not necessarily exclude all activities. JNCC engaged International fisheries Liaison team of 2. Hope to engage and collect fishing activity data; involving the fishermen at every stage; provide forum for periodic feedback; disseminating information in a clear and understandable language. VMS Data amalgamated for UK and non-UK; organized by fishing gear and MS but need to talk to fishers to ensure the VMS data is correctly interpreted. Good idea to know where MS are fishing; Historical fishing rights; anecdotal information from UK fishers. No information is currently available for non-UK boats lower than 15 metres; Responsibility for drafting the MPA network has been given to stakeholder groups which include fishermen as well as other stakeholders. Non-UK fishers should be represented on these stakeholder groups but the exact way in which this will take place is still undecided.

**Action:** Invite JNCC to report on progress of actions in relation to the MCZ projects. Fishermen questionnaire to be sent to the members: Web GIS developed specifically for UK MCZ Projects (not Scottish); tool to collect data on website.

#### Comments from the floor invited:

There was lively debate. In answer to "Who set up project?" Tom Blasdale (JNCC) informed that, under the UK Marine and Coastal Access Act, in England and Wales this MCZs project is by DEFRA. There are 4 regional projects; overall responsibility for data collection for offshore data and international fleet given to JNCC by UK Government.

Barrie Deas affirmed that the deadline of the end of October is mission impossible. We need to make use of best available science: it has to be either very robust or nothing at all. Mr. Deas showed his concern about the quality and quantity of information about where fishermen can fish, boats and consequences to whole communities for fishermen. Under his opinion, JNCC was coming to the RACs very late in the day. He also precised that RACs themselves cannot provide data.

There is a need for an efficient process of extracting information at the level of resolution required for being successful. If MCZ project is separate from Natura 2000, we might face a problem of discrimination if only applies to UK - what is the point if international fleets are allowed to these areas and English are not? More questions, apart from the obvious about fishing displacement.

Concerns were strongly expressed by other members.

Bertie Armstrong talked about the complexity of this process and agreed with Barrie that it cannot succeed in the timeframe given. He suggested that 5 years would be the minimum period required. There is also a lack of application of proper knowledge of fishing displacement, with a potential risk of further biological damage in other areas. This might have unintended consequences. In the UK the industry has established a Fishing Coalition to deal only with this very important subject.

Stéphanie Tachoures asked “What are you trying to protect?” She stressed that it is important to have French data at correct scale. However, permission to use VMS data will not be given without knowledge of intended use.

In response to the queries posed, Mr. Blasdale confirmed that there would be no conservation benefit in applying these measures to UK vessels only and it would be very unlikely that the UK government would choose to do this. Fisheries management measures in these areas have to be non-discriminatory and have EC authority. The aim is to protect other species and habitats not covered by the Habitats Directive but that are nationally important or listed under international instruments such as OSPAR. This will also contribute to the UK’s “program of measures” required under the EU Marine Strategy Framework Directive. They have access to activity from VMS and logbooks, but at ICES rectangle level which is too coarse for the smaller areas of MCZs. They want to minimize social and economic impacts. However, comment made that British Geological Survey of Broad-scale Habitats is not even as fine detail as ICES rectangle.

An UK delegate suggested that the habitats data should be presented to industry in maritime units not land units. Stephanie T offered CNPMEM to host a meeting of MPA Fishing Coalition with several French industry groups and JNCC.

**Action:** Barrie to draft a letter of complaint to UK Government and to JNCC liaison officer, expressing NWWRAC concerns about timing of consultation, consequences and implications for fishing activity in areas under scrutiny. MPA Fishing Coalition to co-ordinate offer from CNPMEM to meet JNCC.

#### 4. Technical Measures for Scallops

The Chairman wanted to make clear that NWWRAC WG3 discussions about Minimum Landing Sizes for King Scallops referred only to ICES Area 7d (East Channel). The French seek only to maintain Minimum Size in 7d at 110mm. They do not seek to extend this size to other areas.

In response to a question about removing the word “bivalve” from the by-catch provisions of the Technical Conservation Measures, the Commission’s representative confirmed that the existing transitional arrangements would be extended for 2 years. Revised Regulation would not now be considered until during the year of the CFP reforms in 2012 using the co-decision process involving the Council and the EP.

## 5. Opinion on separate management for Plaice 7d and 7e

It was noted that Jim Portus had drafted an opinion for consideration. The French confirmed their support for continuation of joint-stock management. Stéphanie Tachoures asked for the opinion to emphasize the mixing at the boundary and the cross-border nature of French fishing activity. They urged that the opinion should focus on the mixing of the stocks and the fishing pattern rather than on the discards. The Commission reported they had received support from ICES for separate management of separately assessed stocks.

Mr. Portus had attended the STECF working group, at which they had confirmed high degree of mixing that blurred the assessment and confused the advice. The Commission referred to the STECF report. For many years ICES had provided advice on separate assessments and implied 2-stock management. The report supported continuation of that implication. He would supply their report to the NWWRAC.

Mr. Portus criticised the reporting of dialogue from working groups by observers and suggested that official reports only should be referred to. The Chairman supported that observers should continue to report what they observe. There is often time delay between working groups and their official reports and it is right that observers present to the RACs their own interim reports. This leads to proper debate in RAC meetings. The Commission confirmed that the TAC decisions would be based on all advice received from ICES and control to limit fishing mortality in these 2 stocks could not be done with joint management. The rapporteur read out the draft opinion having removed the reference to 7e sole and the Chairman proposed its adoption.

**Action:** The Chairman asked Jim Portus to note the French emphasis on cross-border mixing and fleet operations and to present a re-draft of the opinion using the secretariat and e-mail procedures.

## 6. Management of 7e sole: Update

The Rapporteur had been observer at the STECF SGMOS Scoping meeting in June for the Impact Assessment. He had drafted a report for the NWWRAC attention and referred to it. The work of the SGMOS is in progress and will continue in October. The economic parts are being undertaken by SFIA in UK. Prior to the Scoping meeting he had also completed a questionnaire that asked about the involvement of the NWWRAC and stakeholders in the decision process leading to the establishment of the LTMP. His response remembered the Anglo-French meeting in July 2005 in Plymouth and the work of the RAC that has followed implementation of the recovery and management plan.

The Commission hoped that some advice from the Impact Assessment might be available to assist in decisions setting the TAC for 2011. ICES Advice had been presented to RAC yesterday. The F0.27 target of LTMP had been reached and even exceeded. TAC increase limited to 15%. Meantime industry has moved with MSC accreditation for beam trawlers in Channel and Western Approaches. The Impact Assessment would advise on the future direction and intensity of the LTMP for the years ahead. Mr. Portus expressed the view that the 15% TAC change limit denied the industry of justice for the unnecessary loss of quota over previous year. Restoration to 2008 TAC level is justified.

## 7. Crustaceans

Stéphanie Tachaires reported on the industry-led market initiatives to cope with significant increase in landings especially from Ireland and Scotland. She informed that producers agreed to work together in order to identify some solutions. They highlighted the period June-October in terms of reducing landings. They understand the juridical point that producers cannot be constrained by price-fixing, so they have raised the issue with merchants and distributors pleading their help with maintaining prices.

It was noted that supply situation has been already better this year, so meetings may have had beneficial influence. We must wait and see what happens over weeks ahead. Mrs. Tachaires urged producers to avoid market saturation. The new Brown Crabs fishery in North Sea must also take supply and demand into consideration. There may be benefit in meeting between the two RACs.

The RACs should focus more its efforts about management for the healthy state of the stocks. Products and markets are for producers to optimise. Barrie Deas informed that NSRAC has considered the French letter. They had discussed legal implications of price-setting. NSRAC was sympathetic to issue of overproduction. A positive way forward would be an international producers' organization to make this more formal structure. Specific management measures for improving the sustainability of the stock are welcome. Secretariat reminded that market issues must be dealt with at ACFA level.

## 8. French perspective on Bass

The Chairman invited comment from the floor. He referred to UK proposals that would increase size of Bass to 40cm. Size in France is 35cm. Mr. Lefèvre is concerned about regulating this fishery before the stock collapses, or the Commission regulates it in a different way. He urged thinking ahead and to make a proposal for sustainable management of sea bass fishery. The stock appears relatively healthy, but it is also economically very important and should be sustainably managed.

**Action:** Daniel and French industry to make a presentation on their proposal on a regulation for sea bass fishery in the Channel to ensure sound and sustainable management of the fishery. NWWRAC to invite ICES to make a presentation in relation to the state of this stock and comment on French plans for future proposals.

## 9. Additional Item: Cod Recovery Zone Plans:

This item was brought forward by Stéphanie Tachaires. The NSRAC has done good works in relation to effort reductions, exemptions and dispensations. She urged the NWWRAC to write in support of the NSRAC. Richard Brouzes felt that the support should be more than a letter. He expressed concerns about closed areas and gear restrictions and the risks of diversion of fleets to other areas to avoid the penalties. Barrie Deas supported the suggestion of an inventory of the measures and then a focussed letter of support. The Commission urged the RAC to read well the terms of the exemptions for <5% vessels before drafting any letter to the Commission.



## 10. Agreed proposals and actions to put forward to the Executive Committee

- a) The Secretariat to draft a letter on the MSFD regarding NWWRAC as “stakeholder”.
- b) The Secretariat will ask Commission for the Report on Survival rates.
- c) Barrie Deas to draft a letter inviting JNCC to report on progress of the MCZs process involving international participants. Mr. Deas also to draft a letter to UK Minister complaining about impossible timetable for completion of MCZ process.
- d) Secretariat to co-ordinate CNPMEM invitation of JNCC to meet French industry and with UK MPA Coalition.
- e) The rapporteur to re-draft the 7d 7e Plaice opinion and the secretariat to re-circulate for comment and amendment before submission to Commission by end of July.
- f) French to prepare and present Sea Bass proposals for management for sustainability.
- g) Richard Brouzes to draft letter in support of NSRAC position on Cod Recovery measures, including analysis of the inventory of measures.

### ANNEX I. LIST OF PARTICIPANTS

<u>First Name</u>	<u>Last Name</u>	<u>Organisation</u>	<u>Status</u>
Bertie	Armstrong	Scottish Fishermen's Federation	Member
Tom	Blasdale	Joint Nature Conservation Committee	Scientific Expert
Richard	Brouzes	COPEPORT Marée OPBN	Member
Luc	Corbisier	SDVO	Member
John	Crudden	European Anglers Association	Member
Bruno	Dachicourt	France Pêche Durable et Responsable	Member
Barrie	Deas	National Federation of Fishermen's Organisations	Member
Paul	Francoise	CNPMEM	Member
Sam	Lambourn	NWWRAC Chairman	NWWRAC Chairman
André	LeBerre	CRPMEM Bretagne	Member
Daniel	Lefèvre	CNPMEM Basse Normandie	<b>Chairman WG3</b>
Colm	Lordan	Marine Institute	Scientific Expert
Joe	Maddock	Irish Fishermen Organisation	Member
Eamon	Mangan	Ministère Agriculture et Pêche de France	Member State Rep.
Johnny	Murt	Joint Nature Conservation Committee	Presentor
Conor	Nolan	NWWRAC Secretariat	Secretariat
Kenneth	Patterson	DG MARE	European Commission
Jim	Portus	South West Fish Producers Organisation Ltd	Member - <b>Rapporteur</b>
Alexandre	Rodríguez	NWWRAC Secretariat	Secretariat
Pieter-Jan	Schon	AFBINI	Scientific expert
Stéphanie	Tachaires	CNPMEM	Observer
Paul	Trebilcock	Cornish Fish Producers Organisation	Member