



Working Group 1 West of Scotland and Western Approaches

Friday 8 November 2013

11:30 - 13:00

CNPMEM, Paris

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

- Apologies for absence were received from Kara Brydson (RSPB represented at this meeting by Philip Taylor), Jesús Lourido, José Luis Otero and Mercedes Rodríguez Moreda (OPP-7 Lugo represented here by José Manuel Fernández Beltrán)
- Introductions: There were round table introductions. Special thanks to Michael McLeod, Marine Scotland Representative, for attending. The list of names of participants and the organisations they represent are attached in Annex 1.
- The agenda was adopted without changes.
- The report of the last meeting (Dublin, 23 July 2013) was adopted without comments.

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2. Update on the MPA process in UK-Scotland

Presentation available on the NWWRAC website.

2.1. Consultation on Natura 2000 Sites: management options

WG1 heard a report from Michael McLeod from Marine Scotland on the Scottish MPA process. The presentation presented updates in the process since the last NWWRAC meeting in July.

The “Planning Scotland’s Seas” consultation ran from July to November 2013 and at the time of the meeting was still on going. Planning Scotland’s seas includes more than just fishing but integrates areas such as National Marine Planning, Offshore Renewable Energy, the MPA network, Priority marine features and integration with terrestrial planning.

Mr McLeod then talked about fisheries management in SACs and the requirements under the EU habitats directive and spoke specifically on the MAIA Stanton Banks SCI pilot project. This pilot project proposed allowed the Scottish Government to test the 11 question procedure of the EC and resulted in demersal trawl management which was designed to allow use of existing fishing grounds but prevent new grounds with SCI being developed. The input of fishing expertise led to this solution and resulted in virtually zero displacement which was a good outcome for nature and fishing. There is an intention to submit the Stanton Banks SCI proposal before the end of 2013.

Phil Taylor from RSPB asked for clarification on the best available evidence on static gear. Pointing out the potential impacts of static gear on this feature he referenced other papers and stated that RSPB had found different cetaceans and conclusions. Mr Taylor asked about information from the FEAST database and understood that human pressure was causing impacts on the habitat and species and asked if this would be incorporated into the text.

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Michael McLeod replied that the topography of Stanton Bank is different to other reefs and that while static gear is used heavily within the ICES rectangles it is not used particularly in Stanton Bank – the impact was therefore thought to be insignificant.

Bertie Armstrong gave a response with regards to the Scottish approach to the MPA process stating that the Scottish industry (in the view of SFF) has always looked to what is stated in law – if the proposal fits the law and it is considered proportionate and sensible then it should go ahead and will be shared with the NWWRAC. However, he pointed out that there is a tendency to create and implement networks separately in particular area, which is incorrect, it should require discussion and input from all Member States with interest (like the regionalised approach) to create a coherent network of MPAs in European waters – not in each individual Member States waters.

Michael McLeod stated that the Scottish Government will consider carefully what has been suggested during the consultation phase before making final decisions.

2.2. Assessment of displacement of fishing effort

Mr McLeod continued his presentation moving on to the study on the assessment of displacement of fishing effort. Marine Scotland pointed out that their principal reason for assessing fisheries displacement was for environmental considerations and mitigating potential environmental effects. The starting points of the assessment include looking at management option papers, strategic environmental assessments (SEAs) and looking for other examples of displacement in fisheries around the world – producing a review of displacement which will be available soon (input welcome).

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The management option papers consider three options:

1. No additional management required;
2. Reduce or limit pressure;
3. Avoid or remove fishing activity or pressure.

The SEA identifies potential displacement effects which when considering environmental impacts include: Increased emissions from longer journeys; Moving activities to unused sea areas; Intensifying activity in certain sea areas; Move pressure onto other / new target species. The displacement study will allow Marine Scotland to assess potential displacement will occur and then assess the environmental effect; if the potential impact is deemed to be too high then the proposed management would be revised.

For the offshore SACs the time line includes the preparation on management options by January 2014, a measures/displacement workshop will be held in April 2014 and the management proposals will be submitted by the end of 2014. For offshore MPAs management options are already produced, consultation analysis to designation priority, measures/displacement workshop to be run late 2014 with the intention for management proposal submission by summer 2015. For the inshore MPAs and SACs management option have already been produced for MPAs with the advice on SACS coming soon, regional measures/displacement meetings and interviews will be conducted in January and February 2014, with a report on potential displacement planned for March 2014. Consultation on inshore management measures therefore likely not to be published until 2015.

The Chairman, Jane Sandell, asked how Marine Scotland was planning to factor in the accumulative effects of displacement and other regulations of vessels that are displaced; particularly in relation to offshore MPAs (e.g. deep-sea regulation)?

Michael McLeod responded that for most offshore MPAs the management option is normally to reduce or limit fishing pressure.

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The first next question is to ask are we already at acceptable levels of pressure due to other regulations? We then consult with industry representatives and scientists, in order to attempt to minimise adverse effects as best we can.

Bertie Armstrong asked about the accumulative effect of MPA on effort displacement, when including other activities and impacts such as wind farms and also how it fits into MSFD stating that we need to look internationally at OSPAR agreements and be coordinated.

Alan Coghill asked why displacement is being considered to non-fished areas as these areas are not seen as economically viable fishing areas in the first place, particularly on inshore grounds.

Barrie Deas welcomed the new focus on displacement as this is an area of anxiety for the industry in relation to MPAs and stated that this seems to be a good initiative and the approach seems logical. However there is a problem with modeling displacement activity due to interaction with other industries such as renewables and with other impacts such as international agreements; landings obligations all of which have or will have an impact on the spatial distribution of fishing – there is a case for individual decisions for fishing owners – looking at the Stanton Bank Pilot as a good model.

Michael McLeod agreed that fishermen must be interviewed and asked those questions.

Phil Taylor wanted to make a few points clear: any network of science will have to be coherent in EU waters; With regards of SCI Stanton, socio-economic assessment has already been done as part of the consultation; SAC benefits of must be to protect the required features; Potential benefits isolated in SAC is a flawed argument as this has been identified as sensitive areas; and hopefully displacement of fishing effort will move to less sensitive areas.

Michael McLeod responded that the socio-economic assessment has presumed scenarios for quantifying the loss; and that there is the potential for fishing displacement to move activities to another area not selected as an MPA but which has similar features; which is one of the reasons we want to do the assessment.

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Kevin McDonnell pointed out that Stanton was not straightforward but it was relatively simple to reach agreement between fishermen in a single area; but in a bigger area in Scotland you will have fishermen from some areas arguing with other fishermen from other areas.

Mr McDonnell also stressed the importance of the ground narrowing all the time and asked that extensive aquaculture farms in the middle of the grounds are considered in the study.

Michael McLeod confirmed that Stanton was easier in procedure than Inshore MPAs, especially as it is likely that vessels move from one MPA to another relatively easily.

2.3. Post consultation: reflections from the floor

Juan Carlos Corrás has doubts with some overlapping areas are the same as VMEs for deep sea species already beyond EU waters – for example Hatton Bank.

Michael McLeod agreed that some proposals were beyond EU fisheries Limits and confirmed the need to coordinate management with NEAFC.

Alan Coghill commented that on the sea bottom we don't really know the impacts even with studies on selection, there have been few studies on extension of coral areas, etc. maybe put in areas that do not affect to anyone, and do not disrupt fishing activities.

Jennifer Mouat was mindful that this was becoming increasingly sophisticated and complex and will need everyone to be involved and engage with obligations that they do have. With regards to management and science she asked how management can be done in a sensible way when science is not available?

Michael McLeod agreed that it then becomes a much bigger task.

John Crudden pointed out the potential for greater displacement if those sites are designated by neighbouring coastal states (namely Ireland); he asked for dialogue and coordination.

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Michael McLeod replied that they had not initiated bilateral contact with their Irish counterparts yet but will do so as required.

Victor Badiola stated that the problem of sites proposed by Scottish Government is that there are trawl fishing activities already taking place in these areas that there is already a fishing footprint there. So wondered what needs to be protected? Socio-economic considerations should be prioritized. There is the possibility of displacement into pristine areas where there is not fishing footprint could be an element of analysis in the evaluation of areas. Mr Badiola noted also that some proposals are going beyond the EEZ (200nm) and it affects to NEAFC waters. It is important not only for Scottish vessels but for all fleets involved for EU nationals and third parties. All parties therefore must be consulted and have opinion on the matter.

Michael McLeod responded that Scottish MPA proposals are developed using scientific process first looking at least damaged more areas in terms of human activity and pressure. Only one proposal is beyond 200nm and we expect this to be proposed by ICES to the NEAFC Secretariat for the sponge component to be sent to NEAFC Secretariat. NEAFC has its own consultative processes for adopting measures.

ACTION: WG1 recommends that the NWWRAC members continue to engage with MPA process with Marine Scotland/JNCC and the process altogether.

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3. Management Plan for VIa Cod and mixed fisheries

Sean O'Donoghue (Chair of West of Scotland Cod Focus Group)

3.1. State of play of review of EC Regulation 1342/2008

There is a task force set up by the Commission and the EU Council to overcome institutional impasse. This will hopefully be resolved at the beginning of New Year. The Commission is putting forward possible compromises and solutions in this divergence of interpretation over competencies over legislation on management plans.

3.2. ICES response to issues with discards data for VIa cod

Mr O'Donoghue reminded that the Working Group 1 asked in July meeting a question to the ICES representative on discards data for VIa Cod. A reply was subsequently received by ICES within short delay: the discards revised this year are not taken from misreporting but as a flat figure. The Working Group has now a table of discards that we can use from ICES. However, it was said that ICES was going to review and consider those data in September but there is not certainty that any progress happened.

ICES has recognized that the management measures in place are not working or constraining the catches because of discards. The plan therefore is not fit for purpose as it is conceived now. The NWWRAC needs to point this out to the Commission in its operational plan.

3.3. Proposal for an operational plan – Pending actions of Cod Focus Group (31 January 2013)

The Focus Group Chair reminded that the key idea behind this plan was to change the current situation from zero TAC advice to bring fishing mortality down to $F_{mp} = 0.4$ according to the EC Reg. No. 1342/2008.

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A basic requirement for progress on this work is to have reliable scientific indicators. The NWWRAC could then calculate catch options and continue with the drafting of an operational plan. Sean asked the Marine Institute scientists to give figures of catches.

3.4. Way forward: Timetable and work planning Q4 2013 and 2014

A slide presentation was shown setting deadlines for deliverables for each of the seven components of the operational plan – the presentation can be downloaded at the NWWRAC website.

The Chair proposed to try to get a NWWRAC proposal finished and submitted before the December Council.

The Secretariat (Alexandre Rodriguez) sought clarification from the Commission on the current status of the divergence of interpretation of catch estimates (particularly discards) between ICES and STECF. It was supposed they would meet together and try to achieve a common understanding sometime in September/October.

The DG MARE representative (Roy Griffin) replied that this is expected to be done by the end of the month.

Sean O'Donoghue proposed a period of 2 weeks to have a draft, 1 additional week to circulate a draft, and another week for adoption by the Executive Committee.

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Comments from the floor

The NWWRAC Chair did not agree with the timing proposed by Mr O'Donoghue, as it was seen as unrealistic in terms of workload. He pointed out that the response from the EC to the first proposal issued by the NWWRAC was very discouraging and further reflection was merited.

Mike Park stated that as the operational plan as proposed by the Chair was doomed to fail. It is very important to adopt a cautious approach and not trying to match artificially the TAC with the current level of discards. The emphasis should be for the industry to improve selectivity and work out a solution to avoid catching cod and only set a TAC once we all have proved that the TAC matches that total catches. There are currently some selectivity trials being done now in Scotland working on cod hotspots.

Sean O'Donoghue responded that the idea here is that we would reduce down the fishing mortality to Fmsy in a gradual transition terms of F, and show that we would have no discards. He agreed that it was necessary setting a TAC according to Fmsy but putting a mechanism of fully documented fisheries in place.

Barrie Deas stated that quota uplift is the key here and to move beyond that is a failed approach, and moving to FDF is an integral part of what we are trying to put forward here.

Sean O'Donoghue did not accept that the operational plan was flawed, and insisted in holding subsequent Focus Group meetings to continue with discussions.

ACTION:

The Chair and the Secretariat will prepare a 1-page summary to improve understanding of the scope and extent of the proposal. A Focus Group meeting will be set within the next set of NWWRAC meetings to progress with work.

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4. Report on work progress on Deepsea species

The NWWRAC representatives leading the Deepsea Fishing Industry coalition, Mike Park and Marc Ghiglia, provided a brief history of the fishing industry coalition group.

Mike Park reminded that the EC Proposal of Regulation sought to effectively ban deepsea bottom trawling after 2 years. A fishing industry coalition for Deepsea Fisheries forged in early 2013 by all main European Fishing Organisations which hired a consultant company called GPlus. The two main proposals of the fishing coalition were the following:

- To freeze the fishing footprint, while putting in place protection measures;
- To modify the species list – ling, conger and tusk should be removed.

There were various lobbying actions and initiatives throughout the year. The EP Fisheries Committee adopted a position in October 2013 that was better than the original proposal from the Commission but not as good as expected. The ball is now on the EP Plenary. It is expected that the coalition of eNGO will lobby hard to overrule the position of the EP-PECH at the Plenary. The other decision-making body is the Council, but this item is not in the agenda of the Lithuanian Presidency and it is not expected on the Greek agenda either. It was also noted that the institutional impasse will have some effect as there will be elections for the European Parliament in May. Marc Ghiglia agreed with Mike Park that this dossier will be ongoing under the new CFP regime. A regional approach should be adopted rather than a global one with intelligent management with tailored (spatial) measures related to VMEs.

5. Summary of actions and proposals to be put forward to the Executive Committee

The WG1 Chair, Jane Sandell, summarised the list of actions agreed under each corresponding item. She thanked members and observers for attending, CNPMEM for hosting, interpreters' team and Secretariat for their work on making this meeting a success.

Meeting closed 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 | Deputy Rapporteur - SAR |
| Bertie | Armstrong | NWWRAC Chairman |
| Alan | Coghill | Scottish Fishermen’s Fed. |
| J. Carlos | Corrás Arias | Pescagalicia-Arpega-Obarco |
| John | Crudden | European Anglers’ Assoc. |
| Barrie | Deas | NFFO |
| J. Manuel | Fdez. Beltrán | OPP-07-LUGO |
| Caroline | Gamblin | CNPMEM |
| Marc | Ghiglia | UAPF – NWWRAC President |
| Hugo | González | ANASOL-ARVI |
| Alan | McCulla | ANIFPO Ltd. |
| Kevin | McDonnell | West of Scotland FPO |

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| <u>MEMBERS (cont.)</u> | | |
|-------------------------------|-------------------------|---|
| <u>Name</u> | <u>Surname/s</u> | <u>Organisation</u> |
| Jennifer | Mouat | Scottish White Fish PO |
| Francis | O'Donnell | Irish Fish PO |
| Sean | O'Donoghue | Kyllibegs FO |
| Mike | Park | Scottish Whitefish PA |
| Jacques | Pichon | ANOP-PMA |
| Philip | Taylor | RSPB-Birdlife (<i>for K. Brydson</i>) |

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| WG1 OBSERVERS | | |
|----------------------|-------------------------|-----------------------------------|
| <u>Name</u> | <u>Surname/s</u> | <u>Organisation</u> |
| Giles | Barlett | WWF UK |
| Ramón | De la Figuera | MAPA – Spain |
| Perrine | Ducloy | CNPMEM |
| Roy | Griffin | DG MARE – Commission |
| Francois | Hennuyer | FROM Nord |
| Laurent | Markovic | DG MARE – Commission |
| Michael | McLeod | Marine Scotland- Presentor |
| Rémi | Méjeczaz | DPMA - France |
| Liane | Veitch | Client Earth |
| John | Woodlock | Irish Seal Sanctuary |

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| NWWRAC SECRETARIAT | | |
|--------------------|------------------|--|
| <u>Name</u> | <u>Surname/s</u> | <u>Organization</u> |
| Conor | Nolan | Executive Secretary |
| Joanna | McGrath | Executive Assistant – Administration & Finances |
| Alexandre | Rodríguez | Executive Assistant - Policy and Communications |

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