



## **NWWAC ADVICE**

### **Management measures for Seabass for 2020**

**27 November 2019**

#### **1. Background**

The NWWAC and NSAC organised a joint Focus Group meeting on the 4<sup>th</sup> of September to discuss the preparation of an advice to COM on potential measures to take in 2020 in both commercial and recreational fisheries to aid the recovery of seabass stocks. At the Executive Committee meeting held on Thursday, 18<sup>th</sup> September 2019, the NSAC discussed a draft Advice on Seabass proposed by the NWWAC. It has been recognised that in order to give the NSAC members an opportunity to present their opinion and yet not hinder and/or lengthen NWWAC's drafting process, a separate advice should be produced by the NSAC. The advice presented below was further discussed and finalised by correspondence and approved by the Executive Committee of the NWWAC by written procedure on 14<sup>th</sup> October 2019. The main document outlines a consensus opinion of the Executive Committee of the NWWAC. The European Anglers Alliance (EAA) and the International Forum for Sustainable Underwater Activities (IFSUA), who are members of the NWWAC and participated in the Focus Group, do not fully support the position presented below and have expressed their opinion in a minority statement included in this document.

The 2019 ICES advice for seabass stocks in Divisions 4.b–c, 7.a, and 7.d–h (central and southern North Sea, Irish Sea, English Channel, Bristol Channel, and Celtic Sea) shows some improvement in comparison with the last years' trends. Indeed, fishing mortality (F) has been below  $F_{MSY}$  since 2016 and is currently at its lowest level in the series. After a period of decline from 2009 to 2017, the spawning stock biomass (SSB), is currently just above  $B_{lim}$ . In accordance with the Western Waters Multiannual Plan (Regulation (EU) 2019/472), ICES advises that total removals in 2020 that correspond to the F ranges in the MAP are between 1634 tonnes and 1946 tonnes.

To aid stock recovery, EU-wide measures have been introduced since 2015 to reduce exploitation, and now essentially prohibit directed fishing for seabass, except with hooks and lines. Recreational fisheries were restricted by no-retention some months of the year and daily bag limits the rest of the year.

The management measures introduced for seabass have reportedly resulted in changes in fishing behaviour to avoid catches of bass, but the AC acknowledges that this is unlikely to be across the board and some fishers may have not complied with recent regulations. It is believed that most of catches since 2017 have been unavoidable bycatches. Industry members have reported great and increasing levels of above minimum sized seabass discards since 2017. The industry reports that discards are



larger than landings in France since 2018. Industry members believe that this trend is likely to continue if measures adapted to the reality of the inevitable catch levels are not defined. This is mainly due to the stronger 2013 and 2014 year classes recruit to the fishery. ICES assumed discards data suggest a decline over the last three years but note that this may be substantially underestimated.

Since 2019, the stock is managed under the WW MAP. According to Article 8 of the MAP, when scientific advice indicates that the SSB is below the  $B_{lim}$ , appropriate remedial measures shall be taken to ensure rapid return of the stock to levels above the level capable of producing MSY. These remedial measures may include suspending the targeted fishery for the stock or functional unit and the adequate reduction of fishing opportunities.

## 2. Proposal for commercial fisheries

Despite improving trends, the stock is still fragile and its condition remains unsatisfactory. It is still too early to abandon the management measures applied since 2017 (total ban on fishing except for certain metier, prohibition on targeted fishing except with hooks and lines, etc.). However, derogations may be but in place for specific fisheries in 2020.

These management measures should be accompanied with additional measures that aim to improve avoidance of bycatch of seabass combined with enhanced monitoring and data collection on seabass catches.

Considering that the total catch in 2017 (total landings + discards + recreational removals = 1478 tonnes approximately) is lower than the catch advice for 2020 and is characterised by lower levels of discards compared to 2018, the AC's proposal is based on the management measures applied in 2017.

Some flexibilities are included to reduce discards and take into account the individual catch levels registered in 2017. Concerning hook and lines and set net metiers, it is the opinion of the AC sector representatives that professionals have been willing for several years to comply with these restrictions in order to protect the stock in a long-term management strategy and would not understand a strengthening of the measures in 2020, especially when facing concrete positive trends of the seabass stock and increase of the biomass.

The table below gives an overview of the derogations implemented in the past three years and outlines the measures proposal for 2020. This proposal aims at not exceeding the lower range of the ICES advice (1634 tonnes). The OIG members feel that it is important to highlight that even at the lower range of the advice there will still be a decrease in SSB and while the stock is recovering measures should always aim to increase the biomass.



Metiers	2017 Measures	2018 Measures	2019 Measures	2020 Proposal
<b>Hook and line</b>	February-March ban 10 t/year Capacity ceiling	February-March ban 5 t/year Capacity ceiling	February-March ban 5.5 t/year Capacity ceiling	February-March ban 5.5 t/year Capacity ceiling
<b>Set net</b>	250 kg/month Capacity ceiling	February-March ban 1.2 t/year Capacity ceiling	February-March ban 1.4 t/year Capacity ceiling	February-March ban 1.4 t/year Capacity ceiling
<b>Demersal trawls and seines</b>	3 % total catch/day 400 kg/month	February-March ban 1% total catch/day 100 kg/month (trawl net) 180 kg/month (seine)	February-March ban 1% total catch/day 400 kg/2months (trawls) 210 kg/month (seines)	3% of catches per trip 4.8 t/year

The 2020 AC's proposals for demersal trawls and seines metiers are:

- **Intended to convert current discards into landings, without increasing mortality.**
- **Lifting the ban on catches in February and March:** 95% of the discards in the French fishery are made by these metiers. The unavoidable catches do not cease during this period and more than 30% of the French fishery's discards (mainly seabass above the minimum size) are reported during these two months. Due to the ban on directed fisheries, this measure is redundant and does not contribute to the recovery of the stock.
- **Maintaining individual vessel landing limits, set according to a percentage of total catch (by weight),** to ban any targeted fishing practices. The limit is set on a trip basis, which provides more flexibility for fishermen and is easier to monitor.
- **Setting, in addition, an annual individual vessel landing limits (by weight),** further increasing flexibility and consistency, considering the diversity of situations in the stock area.

Before considering the above-mentioned proposals, a catch monitoring system should be established in the MS. This system should allow for tracking monthly catches (total landings and discards) offsetting these to prior monthly landings and discards, with the option to revise the above-mentioned rules in case more restrictive ones are needed to avoid an increase in overall mortality and/or discards.

The 2020 AC's proposal for professional hook and line metiers and set net fisheries are:

- **Continuation of the ban on catches in February and March.**
- **Maintaining the annualised individual maximum yearly landing restrictions per vessel** and overall capacity restrictions and the restrictions on the number of vessels using these gears based on the past catch records for set net, and hook and line metiers.
- To address misinterpretations where dual gear licenses are concerned, the catch restriction mentioned under Article 10 paragraph 3 of Council Regulation (EU) 2019/124 of 30 January 2019 needs to be in line with the period of catch limits applied under paragraphs 2.c and d of the same Article (both should be either annual or monthly).

The proposed management measures should be accompanied with additional measures that aim to improve avoidance of bycatch of seabass combined with enhanced monitoring and data collection. A non-exhaustive list of additional measures could be:

- Avoiding seabass catches by using a real-time reporting system. Seabass have a wide distribution and are highly migratory, depending on season, water temperature and population size, which limits the scope for using area closures beyond known nursery sites<sup>1</sup>, but real time information, collated and made available to the fishery, could enable fishers to more effectively avoid areas in which seabass are aggregating. By providing by-catch reports on a regular timeframe (e.g. daily reports) on a grid reference system, advisory maps can be produced. Using a 'traffic-light' system to inform fishers of areas where there is a risk of encountering this species, fishermen can make better informed decisions on their fishing behaviour.
- The use of remote electronic monitoring (such as CCTV) and an increase in the number of observers to improve control and tackle non-compliance and improve the available information on discarding.
- The involvement of the industry in scientific programs of knowledge acquisition on the seabass ecology (CBASS and the EMFF funded follow-on led by Cefas, Fisheries Science Partnership by Cefas, BARGIP, BARFRAY) and on the follow-up of the stock (NOURDEM).

### 3. Proposal for recreational fisheries

Given the uncertainties surrounding, on the one hand, the estimate of recreational catches, thereby affecting the accuracy of the scientific diagnosis and, on the other hand, the adequacy between the regulation on recreational fishing opportunities and the management target, the AC recommends that



catches for recreational fisheries in 2020 should be limited to a daily bag limit of one fish per fisherman for personal consumption from 1 April to 31 October.

Metiers	2017 Measures	2018 Measures	2019 Measures	2020 Proposal
<b>MRF / Recreational</b>	Six months retention ban: January – June  1 fish/day: July - December	9 months retention ban (originally 12 months before revised ICES data): January – Sept  1 fish/day: Oct – Dec	Five months retention ban: January - March and Nov - Dec  1 fish/day: April - October	Five months retention ban: January – March and Nov - Dec  1 fish/day: April – October

Moreover, the AC proposes to introduce a ban for those passive recreational fishing gears such as pots, nets and longlines. These fishing gears cannot control catches nor sizes and the eventual impact on the seabass stock may be noteworthy. Indeed, Rocklin et al. 2014<sup>2</sup> state that these gears contribute to 10% of recreational fisheries mortality in France. In other areas this percentage could be even higher.

#### 4. Control and enforcement

The AC highlights that regardless of the efforts to restore seabass stock to sustainable levels, efforts to reduce the bycatch of seabass are undermined if there is insufficient control and enforcement. The latest ICES advice makes a number of assumptions based on full compliance with management measures introduced in recent years, but anecdotal information suggests full compliance is highly unlikely. There remains a strong need for Member States to further support robust surveillance and enforcement of seabass fisheries management measures.

To further support this, the AC would recommend the adoption of a new 'IUU' catch estimate by ICES in the advice. This will increase transparency into the magnitude of the problems and may serve to prioritize measures to address these.

2018 UK Marine Management Organisation seabass landing data strongly suggests that some fixed netting vessels are illegally targeting seabass. This is apparent from reviewing individual UK vessel trip records and from the 40% plus of UK fixed netters' total seabass tonnage deriving from trips with 90% to 100% of seabass in the catch. A percentage of catch restriction of 50% would reduce illegal targeting, whilst having little impact on non-targeting vessels.

<sup>2</sup> Rocklin D, Levrel H, Drogou M, Herfaut J, Veron G (2014) Combining Telephone Surveys and Fishing Catches Self-Report: The French Sea Bass Recreational Fishery Assessment. PLoS ONE 9(1): e87271. <https://doi.org/10.1371/journal.pone.0087271>

The AC also wants to stress the importance of tackling illegal sales, by increasing inspections in restaurants and retailers. Finally, the AC suggests the Commission to investigate the pros and cons of fin clipping for recreational fishers. This is in force in France as a measure to support control of illegal sales.

#### **5. Data collection**

Poor catch data quality, owing to limited sampling of the discards and recreational removals, remains an issue, as highlighted by the ICES advice. Initiatives have taken place in different Members States to collect more detailed commercial and recreational catch data. The AC recommends that such initiatives should be encouraged. The AC expects the revision of the Control Regulation to improve on this issue, but too late for 2020.

Finally, the AC recommends the monitoring and reporting of the seabass stock structure (OSPAR large fish indicator).

#### **6. European Anglers Alliance Minority Statement**

The following statement, prepared by the EAA, is also supported by the IFSUA.

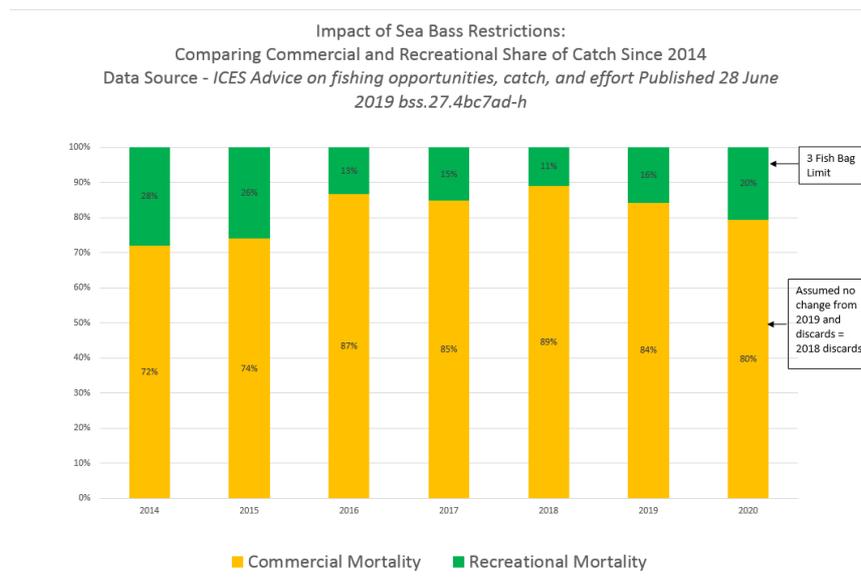
##### **- Proposal for recreational fisheries**

The EAA recommends a recreational bag limit of 3 fish per day for 2020. This to rebalance for the unfair restrictions on recreational fishing opportunities in recent years due to: a) ICES overestimation of MRF removal figures, which e.g. for 2017 were 8 times higher than the revised removal figure; b) above expected removals by the commercial sector, which has slowed down stock recovery; and c) the fact that commercial bass mortality increased slightly from 1,255/t in 2017 to 1,283/t in 2018, while the bass mortality by recreational fisheries was reduced by 30%, from 223/t to 156/t. EAA finds that 3 fish per day during the open season (April to November) is fair and will do less harm to the businesses dependant on recreational bass fishing. It won't bring into jeopardy the ICES removal advice for 2020 as:

- Total mortality in 2019 is estimated at 1,248 tonnes. The AC is recommending no increase in commercial mortality in 2020. Therefore, a 3 fish per day bag limit would imply for 2020 a total mortality of 1,335 tonnes, 300 tonnes below the ICES lower range FMSY for 2020 of 1,634 tonnes, and 471 tonnes below the maximum 1,806 tonnes removals advised by ICES.
- The ICES advice issued in 2019 shows the 1 fish bag limit introduced in 2016 was a disproportionate restriction not in line with Article 17 of the CFP. As a result, the recreational share of catch has fallen from 28% in 2014 to just 16% in 2019.

Following the 2019 ICES WGCSE report<sup>3</sup>, using the correction factors in Table 17, a bag limit of 3 fish per day would increase recreational mortality by 87 tonnes.

The table below prepared by EAA gives an overview on the commercial and recreational share of catches since 2014, considering the implementation of a 3 fish bag limit in 2020:



The EAA also does not support the AC's proposal to introduce a ban for passive recreational fishing gears. The proposal was however agreed by the IFSUA.

#### - Proposal for commercial fisheries

The EAA does not support the AC's approach based on the management measures applied in 2017. EAA agrees with the proposed status quo for hook & line and set net in 2020. However, the EAA notes that the AC's advice is recommending 6 relaxations of the 2019 measures for demersal trawlers and seiners:

1. Removing the ban on landing bass during the spawning season in February and March.
2. Increasing the percentage restriction from 1% to 3%, a 200% increase.
3. Moving from a per day percentage restriction to a per trip percentage restriction. With a trip of 5 days, this would loosen the restriction by a factor of 5.

<sup>3</sup> ICES. 2019. Working Group for the Celtic Seas Ecoregion (WGCSE). [www.ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/Fisheries%20Resources%20Steering%20Group/2019/WGCSE/01\\_WGCSE\\_2019.pdf](http://www.ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/Fisheries%20Resources%20Steering%20Group/2019/WGCSE/01_WGCSE_2019.pdf)



4. Moving from a monthly tonnage limit for seiners and a bi-monthly limit for demersal trawlers to an annual tonnage limit. Annual limits are less restrictive than monthly limits because it is unlikely that monthly limits would be fully utilised.
5. Increasing the demersal trawlers' tonnage limit from an annual equivalent of 2.0 tonnes to 4.8 tonnes per year – a 140% increase.
6. Increasing the seiners' tonnage limit from an annual equivalent of 2.1 tonnes to 4.8 tonnes per year – a 128% increase.

If it could be achieved, the idea of converting current discards into landings, without increasing mortality, is attractive. However, we are concerned that this will not be possible for the following reasons:

- There is considerable uncertainty regarding the levels of discarding.
  - The ICES advice of June 2019 note that the discarding numbers are incomplete for some fleets.
  - The ICES June 2019 advice estimates that discarding in 2019 will be just 73 tonnes, based on the average discards pattern over the last 3 years. But the commercial sector advised the AC it is estimating 2019 discards of more than 500 tonnes for France alone.
- ICES has not provided a split of discards for the demersal trawlers and seiners, so it will not be possible to tell if mortality from these métiers is increasing in 2020.
- ICES has not reviewed the above proposed relaxations and so the likely increase in overall tonnage for 2020 is highly uncertain.
- Monthly monitoring of discards for each métier does not take place in each Member State (or perhaps in any Member State).
- The AC's wishes concerning improvement of gear selectivity or fishing behaviour (timing and fishing location) cannot be implemented to take effect from 1<sup>st</sup> of January.
- EAA expects no real improvements of control and data collection before the revised Control Regulation comes into effect, which won't happen in 2020.

The spawning season closure in February and March provides a strong incentive to avoid spawning aggregations of bass. This incentive will be lost under the proposals. Currently, the closure can be easily enforced by inspecting retail outlets to ensure they are not selling bass caught in North Western Waters. Such enforcement will cease to be possible if demersal trawlers and seiners are allowed to land and sell bass when other métiers are closed. Moreover, as it is reported above, more than 30% of the French fishery's discards (mainly seabass above the minimum size) are reported during these two months. Thus, a bycatch reduction could be achieved by spatial and/or real time closures in certain areas in these two months.



There is no evidence that demersal trawlers and seiners have made selectivity improvements, so it is not known what level of bycatch is truly unavoidable. We suggest the current measures for these métiers should be kept in place until ICES reports they have made reasonable selectivity improvements.

## 7. ICES seabass catches allocation tool

Following a request from the European Commission, ICES developed the seabass catch allocation tool aiming to test multiple catch allocation schemes by gear (with both monthly and annual limits) and different regulations for recreational catches, using the ICES catch advice as a maximum. The tool was issued on 29<sup>th</sup> October 2019. The NWWAC Executive Committee approved this additional paragraph to the advice by written procedure on 26<sup>th</sup> November 2019. The paragraph outlines a consensus opinion of the Executive Committee of the NWWAC. The EAA and the Irish Seal Sanctuary (ISS), who are members of the Executive Committee, do not fully support the position presented below and have expressed their opinion in a minority statement.

The Commission intends to use the tool in setting the measures for managing seabass in 2020. However, the AC would like to express its concerns over the technical and methodological aspects of the current version of the ICES tool:

- The basic assumptions and the limits of the tool should be included in the introductory notes of the tool. It is not clear whether the annual limits by *metier* take into account the fishing ban in February-March. It would be also useful to know the number of professional vessels associated with each *metier* and on which the calculations are based. Furthermore, there is no mention about the degree of uncertainty of out-going results for recreational fishing.
- It is unclear if the tool considers by default that each vessel will reach in 2020 the maximum annual or monthly catch limit assigned to it. Moreover, the implementation of the percentage of total catches, which is the most restrictive measure for trawlers and purse-seiners, is not taken into account. Thus, the results obtained by the simulation are significantly overestimated compared to what is to be expected in reality.
- In the introductory notes to the tool, it is mentioned that “current data are insufficient to accurately estimate discard selectivity by gear type, so the same discard selectivity as used in the ICES forecast is applied for all gears.” However, current commercial discards of seabass are most likely to be generated by the currently applicable trawl and seine percentage per day restrictions. Applying the same discard rate to hook and line (that 2018 results show accounts for over half the bass landings) and nets (at 26%) would skew the figures considerably: these are not high discard fisheries even with the current restrictions.

The AC believes that a substantial revision and improvement of the tool are needed before its application. The AC feels that as a result the use of the current version of the tool for discussing 2020 management measures is inappropriate at this time.



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- **EAA and ISS minority statement:**

The EAA and the ISS share the AC concerns over the current version of the ICES tool and believe it should be urgently revised and improved. However, they also acknowledge this cannot possibly be done on time to inform the December AGRIFISH Council deciding on Fishing Opportunities 2020. Therefore, they advise an in-year amendment of the Council decision as soon as the improved tool is available and in case this provides materially different results.