



## **MINUTES**

### **NWWRAC Focus Group**

#### **Review of Cod Recovery Plans**

#### **BIM (Irish Sea Fisheries Board) – Dublin**

**Monday 30<sup>th</sup> of May 2011**

**11:00 - 16:00**

Chairman: Sean O'Donoghue

Rapporteur: Caroline Gamblin

### **1. Welcome**

The Chairman of the focus group, Sean O'Donoghue welcomed all attendees to the meeting.

A list of participants is detailed in Annex 1.

The purpose of the focus group, established upon the recommendation of the Working Groups and endorsed by Executive Committee decision in Bilbao, was to discuss a draft position paper on the cod recovery plan, provided by a steering group of RAC members, in order to agree a final version for submission to the Executive Committee for endorsement by electronic procedure.

#### **1.1 Apologies**

Alexandre Rodriguez (AR), from the Secretariat, relayed apologies for absence from the following members: Julien Lamothe (ANOP/PMA), Daniel Lefèvre (CRPMEM Basse Normandie), Emiel Brouckaert (Rederscentrale), Víctor Badiola (OPPAO), Hugo González (ANASOL-ARVI), Kara Brydson (RSPB-Birdlife) and Iwan Ball (WWF).

#### **1.2 Agenda**

The agenda was adopted with no changes or additions.



## 2. Terms of reference

- To create a NWWAC position paper to represent the views of stakeholders at the ICES/STECF Expert working group on the evaluation of the cod management plan.
- To submit the position paper before the STECF meeting in order, that it may be considered for incorporation in the Annex of the STECF meeting report.

Barrie Deas (BD) informed the meeting that the NSRAC and NWWAC wished to avail of the STECF offer of €5,000 in order to conduct skipper interviews and gather information from individual fishing vessels to illustrate the impact and collect the opinions of the fleet to the Cod Management Plan.

STECF had approved the proposal, had forwarded it to the Commission and are waiting Commission agreement. A list of skipper names collected by BD included Scottish, English (Shetland), Northern Ireland and French vessels. \

Luc Corbisier (LC) reminded the meeting that during discussion in the NSRAC, the necessity to have a standard questionnaire was raised. BD had drafted a first version of a questionnaire that contained mainly open ended questions (e.g. individuals experiences of the cod recovery plan, effort regime etc.). The questionnaire has to be finalised and discussed with the scientist that will be in charge of conducting the survey.

Barrie Deas informed the meeting that there was a need to diversify the type of vessels. Sean O Donoghue (SD), Lorcan O’Cinneide (LC) and Bertie Armstrong (BA) proposed to send a list of additional vessel names. The Secretariat was asked to ensure that this information it was provided and collated.

**Action: The Secretariat agreed to ensure that a list of additional vessel names was provided by Sean O Donoghue (SD), Lorcan O’Cinneide (LC) and Bertie Armstrong (BA) and that this information was collated and provided to the group.**

A scientist to conduct the survey, on a voluntary basis, has yet to be identified. Following discussion, John Pope and Helle Delaney were proposed by the group and BD was designated to act as a liaison officer for the NWWAC and to contact these scientists directly.

**Action: BD to contact John Pope and Helle Delaney**

**Action: The Secretariat will circulate the final version of the questionnaire, as agreed with the scientist, to Focus Group members.**



### 3. Update on the role of ICES/STECF in the evaluation process

The ICES/STECF evaluation process was discussed.

The meeting was informed that the first ICES-STECF meeting was held in March, 2010. This was a scoping meeting that developed a list of key issues that the scientists wanted to deal with and identified all the data needed for the review. The next meeting is scheduled to take place in Hamburg from the 20<sup>th</sup> to the 24<sup>th</sup> of June. The objective of this meeting is to produce a critical review of the plan on an article by article basis.

A preparatory meeting is also planned to take place in Galway on the week after this focus group, in order to work on the data concerning the vessels engaged in cod avoidance, or exempt from the effort regime. The majority of the data analysis will be completed before the Hamburg meeting. The objective of the meeting in Hamburg will be to pull all the data together. There still will be a possibility to have an input (particularly for stakeholders) during this meeting.

The ICES/STECF report, drafted in June, will be forwarded to the STECF plenary for review in July. It will then be presented to the Commission and submitted to the Council and the Parliament. If the European Commission decides that there is a need to modify the existing plan, the ICES/STECF process will start again with two additional meetings (i.e. scoping and impact assessment meetings). Should this be the case, it was considered unrealistic to have a new plan before 2013.

Barrie Deas noted that there will be a political question of interim procedure once the report is made. The question was asked on how the RAC views will be taken on board. Sarah Kraak (SK) and Norman Graham (NG) explained that concerning the position paper itself, it will be included as an annex in the report. During the meeting in Hamburg, there will be the possibility for discussion but it will not be possible to conduct additional analyses. The meeting was informed that it is, therefore, of the utmost importance to send all requests to STECF before the June meeting.

SD asked Colm Lordan (CL) if there was a scientific explanation for the outburst of Haddock that is being currently observed in the West of Scotland. CL responded that the ICES Celtic Sea working group is in the process of finalizing its report on the stock. CL informed the meeting that there was some indication that the haddock stock had experienced a high level of recruitment in 2009. It was noted that selection patterns had improved and that this factor will have an implication for the cod management plan also. It was anticipated that the technical measure provision will affect cod and haddock management plans. SK said that there should have been an anticipation of this recruitment as discarding was already taking place.

The meeting was informed that the interaction between the provisions of the interim regulation on technical measures (1288/2009; establishing transitional technical measures from 1 January 2010 to 30 June 2011) and the cod management plan was an important issue that has to be taken into account in the review process.



In 2012, cod stocks in Western Scotland and Irish Sea are due to be benchmarked (CL). The question was asked as to how the benchmark work will be incorporated into the review process. CL informed the group that the ICES/STECF review process was based on the provision of the plan itself and that he would not be expecting significant changes to be made during the benchmark (i.e. the growth potential of the fish and the SSB will not change too much and F will probably remain between 0.3 and 0.4; the stock recruitment relationship is relatively confident).

There is a need, particularly in the West of Scotland, to have a better understanding of the proportion of the total mortality not due to fishing activities. This was required in order to have a better understanding of why total mortality stays the same when F has decreased dramatically, in recent years. In response, CL informed the group that it is planned to include seal mortality in the VIa stock evaluation.

#### **4. Steering Committee discussion paper**

The discussion paper, drafted by the steering committee, was reviewed by the focus group.

##### **4.1 General Remarks**

###### **4.1.1 Objective**

It was proposed to rewrite this paragraph and include reference to the fact that the plan, in its current form, has been evaluated by ICES as not being of a precautionary nature.

The current plan is not fit for purpose. It was agreed that the current design of the plan made the objectives difficult to achieve, and that an intelligent approach was needed in order to redraft the plan to achieve the objectives.

It was decided that the introduction should highlight the fact that the plan is based on two questionable assumptions:

1. that there is a direct correlation between the reduction of fishing effort and reduction of fishing mortality;
2. that a reduction in total allowable landings will achieve a reduction in total allowable catch.

###### **4.1.2 Minimum and precautionary levels**

SD highlighted the apparent contradiction between choosing to have a fishing mortality target, whilst at the same time keeping a biomass target (SSB).

SK explained that SSB must not be seen as a target but as a limit to fish at a sustainable level.



**Action:** BA agreed to draft a sentence to explain the restrictions of having a biomass limit in the plan.

Some members of the group considered that there was a need to emphasise the difference between total mortality and fishing mortality, in the plan, as very often the terms are misused.

**Action:** CL agreed to draft a paragraph emphasising the differences.

It was agreed that there was a need to have a better understanding of the other causes of cod mortality and in particular seal predation. It was noted that the Marine Strategy Framework Directive (MSFD) included an ecosystem approach that was obliged to take into account aspects other than fishing. CL explained that seal predation is difficult to quantify, as the seal population is difficult to estimate and fluctuates between 30,000 to 150,000 seals. The group were informed that seal predation is considered to slow down the recovery of a stock rather than be responsible for the depletion of a stock.

BD proposed that a sentence be included stating that MSY should be considered in terms of a range of values rather than a simple target. This would allow some flexibility in the plan and would take into account the fluctuation of MSY points. CL and SK informed the group that a fishing mortality (F) of 0.4 would be considered as an upper limit by ICES/STECF.

#### **4.1.3 Article 11 and Article 13**

When the plan was put in place there was a lot of emphasis on cod avoidance. It was the opinion of the group that the original intention and purpose of both Article 11 (Fishing Effort Regime) and Article 13 (Allocation of additional fishing effort for highly selective gear and cod-avoiding fishing trips) did not deliver the desired outcomes as they were not implemented effectively.

NG explained the review process of Article 11. The objective of this article was not to be overly protective of the technical measures introduced to avoid cod. STECF will look at the fleet that was exempted and at the criteria that have been used to determine exemptions.

It was noted that STECF had already introduced additional criteria (e.g. highly selective gear, decoupling fisheries etc.) to that detailed in the regulation regarding the maximum percentage of cod catches by vessel group, which permitted exclusion from the effort regime (i.e. 1.5%). The interpretation of this action by the group was that STECF considered that the 1.5% criterion is not an adequate reference level or parameter for assessing the total catches of cod, as it is a proportional measure and relative to the total volume of other catches.



In practice, it appears to be very difficult to get an exemption from the Article 11. The necessary administrative effort is extremely onerous and demanding on resources.

The members of the group agreed that there is a need to redesign the plan to encourage cod avoidance at a vessel level. It was noted that although it is important to provide incentives for cod avoidance it is also of equal importance to provide assurances to fisheries managers that any such system is not abused.

The possibilities offered by Article 13 were considered to be of equal interest. It was noted, however, that it is almost impossible for scientists to assess the impact of measures implemented to reduce fishing mortality on cod. It was the opinion of the group that there is a necessity to develop a methodology to assess this important issue.

In conclusion, the review of the management plan needs to introduce flexibility and look for real incentives for cod avoidance. It was agreed to add this statement as an opening remark. Caroline Gamblin (CG) added that the application of Article 11 must be effective and those who were entitled should benefit from exemptions.

#### **4.1.4 Effort group**

It was noted that the effort categories contained in the plan are based on mesh size, are wide ranging and include a lot of different gear types. It was the opinion of the group that if Article 11 and Article 13 were applied properly there would be less of an issue regarding effort categories.

It was proposed that the questions summarized in BD's report of the first ICES/STECF meeting should be included in the NWWRAC position paper, produced by the focus group, as an annex.

**Action:** SK and NG agreed to identify the questions already discussed in the ICES/STECF group and those that still needed to be addressed. Some questions could be linked with the result of the survey.

## **4.2 Review of comments on an area by area basis**

Members were requested to be specific in their comments on issues that were not raised in the introduction or general remarks.

### **4.2.1 Comments on area VIa – West of Scotland**

It was decided that the paragraph on VIa will stress the issue of the mismatch between the provisions in the transitional technical measure regulation (1288/2009; Establishing transitional technical measures from 1 January 2010 to 30 June 2011) concerning cod, haddock and whiting by catch and the cod recovery plan along with the issue of the geographical definition of the area.



It was decided to include the figure for the reduction of effort provided by the Commission in its policy statement.

It was proposed to reflect the wording of Article 9 (Procedure for setting TACs in poor data conditions), on the systematic reduction of the TAC in poor data conditions, in the general comments. The drastic reduction of 25% was considered to be both arbitrary and punitive, and does not consider the real impact of its application on the stock or on the fleet. Furthermore, it does not take into account that there are various types of data poor situations.

It was decided to include a reference to the “regional task force” as an ongoing NWWRAC initiative addressing data deficiencies.

**Action: BA agreed to review and revise this paragraph.**

#### 4.2.2 Comments on area VIIa – Irish Sea

Similarly to area VIa, the group identified the need to address the failure of the assessment and the redesign of the plan for this area.

The group agreed that the Irish Sea component would specify the need to adopt a regionalized approach within the plan, supported by collaborative work between member states, the Commission and stakeholders. The NWWRAC Focus Group on Irish Sea held in Belfast in September 2009 was noted to be a good example of this approach.

**Action: LC agreed to review and revise this paragraph.**

#### 4.2.3 Comments on area VIId – Eastern Channel

It was agreed that this section will emphasize the link with Norway (regarding the setting of TACs and the effort regime that applies to non-Norwegian vessels) and the overlap of regulation in the area (for example the catch composition rule of the technical measure regulation) that can undermine the effective operation of the plan.

**Action: CG agreed to review and revise this paragraph.**

Following general discussion at the close of the meeting, the group agreed that the opening remarks to the document will include a statement that emphasises the need for the plan to have a regionalised approach and that a one plan approach will not fit all circumstances.

The Secretariat agreed to work with the rapporteur (CG) to prepare a summary of the list of actions agreed by the group and to forward these to group members as a reminder of agreed obligations. CG, AR and SD agreed to finalise the position paper by the end of the week (Friday 3<sup>rd</sup> June, 2011).



The chairman (SD) concluded the meeting and reminded the group that there was a need to finalise the draft position document quickly, in order to circulate it to the Executive Committee of the NWWRAC for electronic endorsement in the week following the focus group. Members were reminded that the deadline for receipt of the paper by STECF was Monday the 13<sup>th</sup> of June.

The Chairman closed the meeting and thanked members for attending.

**The meeting was adjourned at 16:00**

ANNEX I. LIST OF PARTICIPANTS

**NWWRAC Focus Group on Review of Cod Recovery Plan**

**BIM Dublin, 30 May 2011**

**Chair**

Sean O'Donoghue

**Rapporteur**

Caroline Gamblin

**Members**

Bertie Armstrong

Barrie Deas

Luc Corbisier

Alan McCulla

Lorcan O'Cinnéide

Mike Park

**Scientists & Experts**

Colm Lordan

Norman Graham

Sarah Kraak

**Secretariat**

Alexandre Rodríguez