



Working Group 1 West of Scotland and Western Approaches

Tuesday 23 July 2013

14:00 – 16:00

Dublin Castle, Dublin

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 and the organisations they represent is included as an annex to these minutes.

- Apologies for absence were received from Kara Brydson (RSPB-Birdlife and WG1 Rapporteur) and Victor Badiola (OPPAO and WG1 Vice-Chair);
- Thanks again to Declan Tobin (JNCC) and to Michael McLeod (Marine Scotland – Scottish Government);
- The agenda was adopted;
- The report of the last WG1 meeting held in Bilbao on the 17th April was adopted with one change from Hugo Gonzalez who stated that the word “no” was missing from the second paragraph of 2.2 in the Spanish translation. The Secretariat noted this omission and committed to amend the report accordingly.

By request of the Chairman, Alexandre Rodríguez (NWWRAC Secretariat) provided a brief action point update from the previous WG1 meeting.

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- The RAC continues to engage in the Scottish MPA process – ongoing with update from Michael McLeod and Declan Tobin at this meeting.
- The NWWRAC members with a particular interest in any of the proposed MPA sites will contact with the Secretariat.
- Organisation of an Inter RAC deep sea workshop – completed.
- A request has been sent to the scientists at Marine Scotland and the Marine Institute in Ireland to resolve the issue of the lack of data.
- The Secretariat has re-circulated and asked individual members of the focus group to report on fishing activities in area VIa (geographical and VMS data) – so far there has only been one response from the Irish representatives.
- Barrie Deas has re-circulated the fully documented fishery report done by CEFAS.
- Roy Griffin has provided clarification on the compatibility of Legal procedure of Review of (EC) Reg. 850/1998 with discard ban requirements.
- The Secretariat will put a procedure in place that secures the participation of NWWRAC delegates in future at relevant ICES benchmark workshops – as for example there was no attendance at the drafting group of the Irish Sea – Item to be readdressed.

2. Update on the MPA process in UK-Scotland

Michael McLeod from the Scottish Government provided an update on the MPA process in Scotland. The Planning Scotland's Seas is consultation about more than just MPA's. It also includes a National Marine Plan designed to enable sustainable development and socio-economic growth of all marine industries, and a sectorial plan to facilitate the delivery of offshore renewable energy development.

The consultation will run from the 25th of July to the 13th of November 2013 and will be accompanied by web publications, public events, sectorial meetings and drop in sessions open to individual members of the RAC. If any member of the RAC would like to meet individually or collectively to discuss the consultation with Marine Scotland and JNCC then they should get it touch.

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Of the 33 sites proposed 16 are located in NWWWRAC areas, 10 are in UK territorial waters with exclusive access to UK vessels, and 6 are offshore. An additional 4 MPA search locations are under consideration are likely to be progressed next year.

The pre-consultation Roadshow began with the NWWWRAC in Bilbao and ending here in Dublin, visiting many ports in Scotland in between with the aim of raising awareness of the process and to facilitate initial management discussions.

The consultation itself will consist of a suite of papers including:

- Site summary
- Detailed assessment against the selection guidelines
- Data confidence assessment
- Impact assessment
- Management options

Discussions on management will continue throughout the consultation process.

Post consultation there will be:

- Analysis of responses
- Issue resolution
- Advice to ministers (including socio-economic considerations)
- Designation decisions

Discussions on management will continue throughout the consultation process. It is worthy to note that, when making decisions, ministers can take into account socio-economic issues.

The longer-term aims include having a complete network of MPAs with remaining search locations being put forward next summer (2014) and completing SAC and SPA actions by end of 2015. Full management of this inclusive network needs to be achieved by 2016 with management plans and implemented statutory and voluntary measures as required. Some of the proposed MPA's which occur in the NWWWRAC areas are already under some sort of protection.

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Declan Tobin from the JNCC then discussed the MPA proposals for the West of Scotland (VIa). He expressed his thanks for being invited back and the importance of getting the stakeholders' consultation process right.

Mr Tobin affirmed that he was happy to provide support throughout the consultation and to answer and questions on:

- Sites, features and management options
- Basis for the advice
- West of Scotland management options

Management advice is based on the overlap of activities and features using for example VMS/survey data and the sensitivity of features to the activity taking place (e.g. fishing). In most cases although we don't know the current condition of the feature within each site we can infer based on available evidence on the potential for impact from a given activity to the listed feature. This is done using all available research into disturbance effects of different activities etc. as well as the associated recovery rates after impact. The quality and relevance of the evidence is published in JNCC's Fisheries Guidance documentation and is typically ranked in order of quality from direct scientific research, indirect scientific research down to anecdotal evidence or expert advice.

For example in the case of the West of Scotland possible MPAs, site features such as seamounts are known to be sensitive to particular activities where there is contact or penetration of the seabed. For species such as the orange roughy there is a dependency on these seamounts and other geological features.

In line with EU legislation the approach to management of the MPA's will be risk-based and there will be a range of options proposed including:

1. No additional management
2. Management to reduce/limit the activity
3. Management to restrict or remove the activity

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These management measures may result in temporal restrictions, seasonal, gear or area restrictions. For example where there is high confidence in the evidence and based on a risk based approach, bottom gear may be restricted or removed from certain areas.

But all of these management measures will only be as good as the monitoring that can be conducted. For fishing there is VMS data available from 2006-2011 and landing data from 2001-2011 from multi-national fishing fleets and what has been identified is that in the West of Scotland offshore possible MPAs most fishing occurs on the slopes and a little on the seamounts.

At the first fishing industry meeting held in Inverness on the 25th June it was revealed that the attendees felt that:

- Sula Sgeir was a region of most value to the UK industry;
- It was suggested that selection of individual features from both sites may reduce the economic impact on the industry;
- More meetings during the consultation would be required;
- Complex MPA boundaries were not an issue to the industry;

There are French and Spanish translations of the MPA summary site descriptions and management options available on the JNCC website.

Hugo González (ANASOL-ARVI) was concerned that the restrictions to fishing already meant that trawling was not allowed on coral, sponges, sand or gravel and he felt that the fleet would have no future catching flat fish. He stated that the speakers were concerned only about sustainability but that he was concerned about where his fishermen could fish and that they were being pushed out of their fishing grounds. He questioned where they would be allowed to fish as they have to fish where the fish are found and that the government were not taking into account socio-economics.

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Barrie Deas (NFFO) stated that he appreciated the need for making sure the evidence base was as strong as possible and that MPA's don't necessarily mean closed areas but would like to ask what consideration has been given to the issues of displacement.

Michael McLeod responded that displacement of fishing effort is an important element and no one can really predict what will happen given the dynamic nature of fishing, but we have an intern looking at displacement globally and if anyone in the NWWRAC has useful information or examples on this respect then it would be gratefully received and considered in the study.

Juan Carlos Corrás (PESCAGALICIA-ARPEGA-OBARCO) asked about how the MPA consultation papers should be interpreted. He was under the impression that all fisheries will be affected in these areas except pelagic fleets. He asked therefore what fishing gears would be good to use.

Declan Tobin replied that the lack of requirement for evidence for pelagic gear was because the features listed for protection were predominantly benthic habitats which the pelagic gear did not impact. They will be assessing the risk of each individual gear to each individual feature, so the advice on management will be gear by gear based. There may be closures of areas to most bottom contacting gear types and these will be highlighted; but as said previously if you have any problems or questions please get in contact.

ACTION: WG1 recommends that the NWWRAC continues to engage actively in the Scottish MPA process and that the secretariat will make sure that everyone is kept up to date.

3. Management measures for deep-sea fisheries

Mike Park expressed thanks to Jane Sandell, the Secretariats and representatives from the RACs involved for pulling together a successful workshop in Edinburgh the 15-16 May with such short notice.

Mike Park reported specifically on the work progress of the Deep Sea Industry Coalition or DSC (not to be confused with the Deep Sea Conservation Coalition from the NGOs). This coalition has brought together several fishermen organisations opposed to the Commission's proposal for deep sea conservation and management and have invested significantly (hundreds of thousands of pounds) in terms of finding legal argumentation and presenting this issue in Brussels.

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In terms of the EU legal framework and decision-making procedure:

- The EC Proposal was published in July 2012;
- An EP 1st public hearing took place in February 2013;
- An EP 2nd public hearing was held in June 2013;
- A vote from the Parliament is expected in November;

The second EP public hearing allowed the fishing industry coalition the ability to prepare and present their position on the proposal and to produce specific amendments to the proposal.

The EC regulation as proposed would impact many more fishing fleets than originally thought. The UK industry alone would have to expand its deep sea fleet from 14 or 15 to approximately 450. And it is thought that a ban would just be the small end of the wedge.

The DSC has launched a 3 pronged strategy:

- Legal and political dimension - seeks to “freeze the fishing footprint” and to argue that a one size fits all approach is not suitable.
- Scientific and environmental dimension - most deep sea stocks are fished at or close to MSY, spatial measures already exist and there is a good industry data and history behind that.
- Socio-economics dimension - only 24% of catches is caught by the EU fleet, the rest is imported. The Commission’s proposal is simplistic and does not address the real issues – it simply proposes to move to long-lining, which is costly and has lower economic yield.

Measures could be put in place to freeze the footprint and, for those areas that need extra protection, “move on” rules could apply. The technical aspects of the Commission’s proposal require the differentiation and splitting of species. The industry organisations represented in the coalition does not see the point in putting forward measures which encourage further discarding.

Jane Sandell added that the proposal for a capacity cap for targeted licences could be a problem and underlined that this was an industry position only and not a RAC position. She also asked the Commission’s representative about the complementary impact assessment that was to be completed by the Commission soon?

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Roy Griffin (DG MARE representative) confirmed that the Commission was asked to provide an updated impact assessment with deadline July and that this helped to highlight the scale of the changes.

Sean O'Donoghue (KFO) pointed out that from an Irish perspective they currently issued no deep sea licences but that under the proposed measures by the EC they would have 140 vessels falling within the consideration of being deep sea vessels.

Mike Park added that he had been assured that ling and conger would be removed from the annex list of deep-sea species but that tusk would be remaining on the list.

ACTION: The deep sea work will stay outside the remit of the NWWRAC at this stage and will remain on the agenda only as a reporting item.

4. Review of the Cod Recovery Plan (CRP) - EC Reg. 1342/2008

Sean O'Donoghue, in his capacity as Chair of the Cod Focus Group), summarised the outcomes of the meeting held on the 31st of January 2013 much of which was covered in the Bilbao WG1 meeting as well. The full reports of both meetings are available on the NWWRAC website with information on the short and long-term amendments to the CRP. These amendments have been agreed in the European Parliament. The NWWRAC put forward several articles (i.e. arts 9,11,12,13 and 17) all of these areas have been covered by the EP in what they have put forward. However, it is not on the agenda of the Lithuanian Presidency of the EU, which means that the cod plan will not be revised until next year at the earliest. The NWWRAC members are aware that this will take some time and as a result we have put forward a number of short term interpretations to improve the implementation of the current Regulation to the Commission. From the EC reply received it would appear that the Commission have only taken on board two of our suggested amendments and rejected 2 which would require co-decision.

The focus group have put together an operational plan for cod in ICES sub-area VIa but a stumbling block in that the scientists have stated that the discards estimates wouldn't stand up as they couldn't be validated. The scientists have drawn up a plan that would reduce fishing mortality over 3 years but they can't draw up a plan without a starting point.

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A question to be posed for ICES are if the discard values for VIa are valid. In terms of moving this forward ICES will need to help the NWWRAC sort this out and the focus group needs to sit down and talk about this. Articles 15 and 16 need to be considered.

In terms of the elements for a fully documented fishery the reason this action has not progressed goes back to the last point that there is no point continuing if the discard information is not available.

Barrie Deas was to forward a report for the fisheries science partnership on the range of possibilities for a fully documented fishery. He also asked what the point of providing anecdotal evidence for the discards ban as when it would be so heavily reliant on scientific data and if there was sufficient scientific capacity to collect the required data.

Sean responded by stating that the last thing that they want is anecdotal evidence. He suggested that instead of circulating a general request for information that they should be asking for specifics (fleets targeting stocks and in what areas e.g. TR1 or TR2 gear in VIa, etc.) as the Pelagic RAC used this to draw up a list of useful applicable information.

Barrie agreed and said that if they are taking this approach then it has to be done right, the information must be comparable and responses consistent and that the detail required should follow a template.

Dominic Rihan agreed that this was the best approach to take and that the information provided has to be focused.

ACTIONS: The NWWRAC will:

- 1. Find out from ICES what the baseline for discard values is.**
- 2. Follow up on this response form ICES with the focus group.**
- 3. Request information to be provided on fleet activities from members – Secretariat (Alex).**
- 4. A steering group composed by Alex, Sean, Jane and Barrie to further discuss setting up a template for data collection.**

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5. Technical measures and discards

Dominic Rihan confirmed that no further discussions or progress on this topic is expected until October and that DGMARE have highlighted this with other DG's that may be interested in the consultation. Initial discussions will be held at the Council this year and at, at least one EP-PECH Committee meeting.

The study is ongoing, the first part having been completed and out for public consultation for 14weeks starting in September. There will be a need for specific dialogue with the RACs but they are not sure of the best way to do this (workshop or 1 to 1 RAC meeting). The time line at the moment for the proposal to be in place is June 2014.

Alex Rodríguez advised that there had been a communication with DG MARE which stated that there would be a high profile workshop between Member States, MEPs, Commission and the RACs etc. on the 25th of October in Brussels this would cover the following aspects of the CFP reform process:

- Regionalisation / decision-making
- Role, composition and functioning of the RACs
- Implementation of landing obligations (“discards ban”)

Eibhlín O’Sullivan (ISWFPO) pointed out the need for a specific working group on discards as this will be a complex cross-cutting industry issue. Bertie Armstrong confirmed that choke species will be being discussed at the SEAFISH meeting in October.

ACTION: WG1 will submit a request to the Executive Committee for a specific horizontal working group on discards.

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6. Report on data limited stocks

The leader of this initiative, Barrie Deas, provided an update on data limited stocks pointing out that there are still 100 data limited stocks and that it is in the industries' interest to keep the process going to provide data on these as otherwise the precautionary approach will apply. This is an important initiative that the agreement of TAC's relies upon and will require people who are close to the industry to coordinate information on the data limited stocks. There needs to be encouragement to work with ICES on solutions and to appreciate the work already being done by the NWWRAC data coordinators, as well as to identify the direct and indirect consequences of data limitation.

Mike Park said that he had communicated directly with Paul Fernandes about work on Monkfish ageing but had been told that the researchers had to pay the fishermen £250 per day.

Sean O'Donoghue stated that those involved in data deficiency felt that it may be worth re-addressing the issue with the ICES working groups to see where they have got with data deficiency and to revisit the joint ICES-RAC meetings.

Carmen Fernández (Vice-Chair of ICES ACOM) acknowledged that the NWWRAC had worked hard to get together the previous workshops but pointed out that WKDDRAC3 had to be cancelled due to lack of availability by key scientists. She made it clear that this was not due to disinterest but because they are over-stretched and as a result she is not sure how this should be taken forward and that finding solutions is not straight forward.

Alex Rodríguez (Secretariat) agreed that it was difficult to see close working between the RAC and ICES due to the aforementioned resources and staff limitations but that the NWWRAC members, and in particular the data coordinators, do have clear actions and commitments that they adhere to. Key coordinators from ICES know where they can input into this. A number of actions can be taken directly by fishermen – e.g. gathering anglerfish data on ageing and growth in area VII. Support can also be offered to other candidate projects to improve knowledge on anglerfish and megrim stocks. All appointed data coordinators could attempt to reconnect with their ICES counterparts. But importantly there are a number of simple actions that can be taken that the NWWRAC just need to be consistent with the specific examples.

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Barrie Deas added that the WKDDRAC meeting had been not hugely successful but that the data compilation workshops will be very important so let's focus on them.

Julien Lamothe (ANOP) pointed out that the SWWRAC have an action plan on data limited stocks and that it is necessary work to do but difficult to complete at a RAC level. But that an application at the local level by the data coordinator and fleet has worked well. He pointed out that multi-species aspects are becoming more important (particularly with the discard ban) and that this will be part of the EMFF.

Scientists will have to produce advice with limited resources and the fishermen will be required to implement this advice. ICES will use indicators to see if advice will be relevant every year but this data will have an impact on the stocks.

Sean O'Donoghue highlighted the need to assess the RACs success or failure and suggested that they should look at the impact the RAC is having on the number of data limited stocks.

Carmen Fernández assured the NWWRAC that ICES are not looking to have all stocks included in Category 1 (full analytical assessment) but are rather looking to work on a target category for each stock.

ACTION: The data deficiency document and table sheet will be re-circulated by the Secretariat to the appointed NWWRAC data coordinators.

7. Chair and rapporteur summary of action points and proposals to the Ex.Com.

All actions indicated above or previously stated plus one additional request from Sean O'Donoghue: The issue of sprat will be highlighted to the Commission to decide on which RAC has responsibility for this species.

The Chairman, Jane Sandell, thanked all the members and observers for attending the meeting, the Secretariat and the translators for their excellent work.

The meeting was adjourned at 16h as planned

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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
Debbie	Crockard	Rapporteur - Seas at Risk <i>(replacing Kara Brydson)</i>
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
Hugo	González	ANASOL-ARVI
Julien	Lamothe	ANOP-PMA
Jesús A.	Lourido García	Puerto de Celeiro S.A.
John	Lynch	Irish Fishermen Org. (IFO)

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<u>MEMBERS (cont.)</u>		
<u>Name</u>	<u>Surname/s</u>	<u>Organisation</u>
Alan	McCulla	ANIFPO Ltd.
Kevin	McDonnell	West of Scotland FPO
Jennifer	Mouat	Scottish White Fish PO
Francis	O'Donnell	Irish Fish PO
Sean	O'Donoghue	Kyllibegs FO
Eibhlin	O'Sullivan	Irish South & West FPO
José Luis	Otero	Lonja de la Coruña S.A.
Mike	Park	Scottish Whitefish PA

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WG1 OBSERVERS		
<u>Name</u>	<u>Surname/s</u>	<u>Organisation</u>
Richard	Brouzes	COPEPORT
Ramón	De la Figuera	MAPA – Spain
Nathan	De Rozarieux	Cornish FPO
Karin	Dubsky	Coastwatch Ireland
Carmen	Fernández	ICES
Roy	Griffin	DG MARE – Commission
Rory	Keatinge	Coastwatch Ireland
Daniel	Lefèvre	NWWRAC WG3 Chair
Laurent	Markovic	DG MARE – Commission
Michael	McLeod	Marine Scotland - Presenter
Donal	McWeeney	GMIT student
Rémi	Méjeczazé	DPMA - France

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WG1 OBSERVERS (cont.)		
<u>Name</u>	<u>Surname/s</u>	<u>Organisation</u>
Dominic	Rihan	DG MARE – Commission
Sylvie	Roux	CRMPM Bretagne
Sam	Stone	MCS UK
Jean Jacques	Tanguy	CDPMEM du Finistère
Declan	Tobin	JNCC – Presentor
Paul	Trebilcock	Cornish Fish PO
Caitlín	Uí Aodha	Irish South & East FPO
Hilde	Vanhaecke	ILVO
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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