



North Western Waters Regional Advisory Council

Working Group 3 (Channel)

Wednesday 30th January 2013

0900-11:00 h

CNPMEM PARIS

Chairman: Daniel Lefèvre

Rapporteur: Jim Portus

1. Welcome

The Chairman welcomed members, observers and invited guests to Paris for the NWWRAC Working Group 3. The full list of participants is appended (Annex I).

- Apologies: Apologies were noted from Conor Nolan and Jim Portus, who would arrive late.
- Welcome to new member: Alain Coudray from CDPMEM Cotes d'Armor; and to French Administration representative: Rémi Mejezaze.
- Introductions: round around the table.
- Adoption of Agenda: The agenda was adopted with the addition of an item requested by Anton Dekker (Dutch Fisheries Organisation) on the situation of Dutch boats in French harbours in the Channel.
- Adoption of Report from last meeting (Dublin Castle 4th July 2012): the meeting report was circulated beforehand among all WG3 members and approved without changes.

2. Review of the Cod Recovery Plan (CRP) as it affects ICES Area VIId

2.1. Interim measures for amendment of Reg. 1342/2008

Background: Caroline Gamblin reminded that following a Workshop between Commission, MS, and NSRAC-NWWRAC and subsequently a NWWRAC Focus Group in March 2012, NWWRAC submitted in April 2012 a position paper with a proposal of modifications in 5-6 articles to improve the implementation of the cod management plan. Most of the contributions were included in the Commission's proposal table for co-decision procedure between EP and Council.

The December Council adopted two decisions in relation to the Cod Plan:

* Arts 9 and 12 have been already modified with effect 2013

* The other articles will remain for the time being under the ordinary co-legislative procedure.

Proposal of Commission – introduces a way forward of fishing effort for 2013.

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Cod quota – Eastern Channel. This is currently on the EP arena, and it has been suggested a way forward on how to work with STECF on a regionalized approach.

2.2. EC Reply to NWWRAC Letter on uncertainties surrounding VIId Cod Management

EC reply reflects ICES view that VIId cod stock is biologically linked to North Sea (IV); although VIId might appear to be more linked to Celtic Sea in terms of mixed fisheries according to the fishing industry representatives.

RICHARD BROUZES: Acknowledges ICES intent of realignment with NS both from a biological and management perspective. However, he objects to this simplified approach given that the realities in ecosystem are different – i.e. more mixed fisheries case in VIId; non quota species also need to be considered; proposed position to separate the quota between VIId and NS for mixed fisheries management.

2.3. Development of NWWRAC position next steps

BARRIE DEAS: In general terms, the amendments of the cod plan go in the right direction, the same than NSRAC and NWWRAC have advocated in the last 5 years. Decision by Council is an important first step in terms of effort freeze and roll-over on TAC for North Sea Cod which has implications for VIId. Quite soon we'll need to think on institutional arrangements for regionalization. We'll need to think about VIId and links to both NS and Western Channel. Do we follow ICES assessment areas or we adopt instead an alternative approach?

ACTION: Eastern channel cod needs a management framework from a mixed fisheries perspective; WG3 is a good forum to begin discussions and progress with work – look at ICES results on how stocks are linked and the impact of different fishing gears.

ROBERT GRIFFIN (DG MARE)

STECF review of management areas in 2012 identified an east/west split in the Channel on biological basis for several stocks, but not all. In identifying any future management areas both the key stocks being managed and the fleet distribution need to be taken into consideration.

DANIEL LEFEVRE: Future regionalization management framework; haddock example being caught now in VIId! That means VIId might be linked to Celtic Sea also?

3. Area 7e Sole report

Jim Portus restated his apologies for late arrival;

Jim provided update on 7e Sole – Very pleased to receive the 15% increase in TACs; only reason of limiting the increase to a higher one are the rules in force of the LTMP; proposal of ICES was 23% increase.

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Advised to be careful with terms of other stocks MAMP when considering and agreeing it; reality is that the Commission departed far from what was discussed at the NWWRAC and amongst stakeholder fishing organizations in early drafts.

Jim also reported on the spectacular increase in Plaice VIIde (26%) at the December Council. This is believed legacy of 7e Sole management.

Alexandre Rodríguez (Secretariat) reminded the members that Sole VIIe is not now considered by ICES as a data limited stock as it has full analytical quantitative assessment. It is removed from the Data Deficient work-stream.

4. Scallop fishery and Western Waters Effort

Background: Controversial situation; friction between French vessels (small equal and less 16 m); other foreign fleets coming without much other requirement than MLS and Effort limits; French fleets are subjected to stricter rules; Problems of socio-economic sustainability of French scallops fleet, they never go to other areas to dredge scallops.

French industry received UK proposal of Kw/days effort swap in exchange of seasonal closures in 2011; different meetings one in London first contact point; Not success for a variety of reasons.

A subsequent meeting took place in Paris in 2012; the aim was to debate more in depth the technical aspects for assessing the pros and cons of making this effort exchange. There was breakdown of talks. There was not substantial progress, with very few contacts between Member States;

This year in CNPMEM French representatives met to agree new terms for negotiation of a proposal; a French proposal will be submitted to the UK; Multilateral meeting needed between FR-UK-SCOTLAND and IRELAND.

ACTION: The French industry will submit a proposal for relevant parties on scallops management in the Channel; Jim Portus will report to UK & EI industry and coordinate on a possible meeting in London within weeks as scallop season closure will start the 15 May and an agreement should be reached before then. The aim of this meeting would be to agree a global management framework and a coordinated approach; such meeting will report back to the RAC.

DANIEL: Fishermen need to complete this action on Scallops; first species for France in value and tonnage in European apart from bluefish pelagics.

JIM: Many times mention the word "*willing*" from French; we met on a number of occasions; meeting in Paris there was "*willingness*" from a majority of delegates, but a big problem from Brittany halted progress. In UK we do things by consensus on the proposal. In France it is necessary to have 100% commitment, so we did not succeed.

In 2012 there were restrictions on days at sea for scallops sector at UK level; 99% of effort utilization and useful swaps with other MS, but not with the French. There were some prosecutions for incursions into French waters – enforced by law quite rightly.

Welcome new willingness to talk and negotiate from Daniel, but need to have a clear document with the French offer and decision making rules in case unanimity is required. Jim was meeting with UK scallops producers next day and would report and also liaise with Irish colleagues. He expressed willingness to arrive to an accord in benefit of everyone with a check and balances, control and flexibility to go to other areas as necessary.

Biology of scallops in areas is different → VIId, VIle, IS, CS and WoS are all different; different fleets/fisheries/areas requires different approach and management plans. Appreciate the offer and will take back to colleagues.

BARRIE: Draw attention that part of this issue is result of displacement of fleet; will look at this in future more and more; consequences of effort regimes; domestic regulations; MPAs; Windmills; etc; problems related.

DANIEL: Totally agrees with Barrie; displacement puts more stress in free access areas and species; problems of cohabitation in narrower fishing areas; bad for the resource and conservation from biological point of view.

RICHARD: Confirm that French position has evolved, we might be able to resume negotiations; exceptional situation in east and south Channel abundance last year.

LUC CORBISIER: Good founded remarks; victims of EU policy and the European Commission – they should fix that! Do not forget gravel and sand extracting.

JIM: Focus of EC now on discards; sadly delay on bringing reforms to Technical regulations; experienced a very high proportion of cuttlefish in the dredges; bivalve molluscs part of 5% by-catch in technical regulations; massive discarding of cuttlefish; happens every winter seasons; throwing thousands of tonnes; evidently we must wait until entire regulation of CFP is finalized before TCM reforms.

ACTION SCALLOPS: NWWRAC (Jim) to draft a letter to the Commission asking for an urgent amendment under existing regulation in TACs/TCMs; to remove the word “bivalve” molluscs from TCM Regulation, clumsy drafting that needs to be fixed, old demand.

DANIEL: High value; prohibition of keeping more than 5% Cuttlefish or other products must be reviewed; Agree with Jim in that request.

RICHARD: Beware, dredges should be used for fishing bivalves but not to use for other species directed fisheries; however, cuttlefish is a short-lived species of commercial value; adapt the 5% and adjust for the realities.

5. Data deficiencies for stock assessments

RAC needs to continue and strengthen work with ICES; look at the list of priority stocks proposed by ICES for 2013 and add to it of priority stocks to be proposed.

6. Non-quota species: proposals for management measures from French

The WG3 chairman introduced this topic:

Stocks: sea bass, red mullet, sea bream, cuttlefish, cephalopods, etc.

6.1. Presentation from CNPMMEM on Bass - JEAN MARIE ROBERT

Jean-Marie explained what has been done in France in sea bass management in the last 10 years.

Basic info

French catches in 2009 around 5,000 tonnes each year

Most boats catch sea bass all year round as target or by-catch

Management framework

Minimum landing size: 36cm

Limitation national of 5 t per vessel per week

Limit on number of hooks

Scientific advice

ICES advice 2010: data available on sea bass important to stabilize F

French adjusted to that and there was a reflection on a new French framework to manage resources and make yield safer to fishermen who rely on sea bass – third commercial species in importance in France

Legislation

New regulation in place since 1/1/2012 – ministry decision; apply to all French boats from North Sea to the Bay of Biscay; management via fishing effort and access measures; multi-activity global approach; working also on a management plan.

Way forward

Optimise in 2013 the management terms of French level;

Stabilise catch and F at French level; they aim to propose the same at the European level; maybe good forum here to propose this request?

JIM: Asked about MLS – when anglers fish from a shore in UK there is not a MLS applicable by law, only boats; Is there a MLS applicable to recreational sector?

JOHN CRUDDEN (NB clarification after the meeting): ICES reports estimated catches of bass for the Bay of Biscay and the Channel jointly (3170t of which 2350t was kept and 830 t released) – Bay of Biscay represent approximately 60% of the recreational catch estimate¹;

There is an Statutory Instrument (No 1285) of 1989 called “*The Undersized Bass Order 1989*” which governs the MLS for bass in UK and applies to everyone whether fishing from shore or boat, commercially or recreationally². In addition, some IFCA’s have bylaws where MLS for bass exceeds the Statutory Instrument and anglers fishing from shore are also subject to those greater MLS.

DANIEL: Confirm that EU MLS is 36cm but that the MLS for French recreational fishing is 42 cm³. since 2012; recreational fishermen do not have any right to put the products in the market.

BARRIE: Agree with goal of stabilizing the sea bass fishery mortality; not sure if TAC is the best way to do it both for sea bass and red mullet; recreational fisheries a whole new dimension; TAC not successful in general terms for conservation measures; number of disadvantages.

Mixed fisheries perspective; maybe reducing the number of TACs rather than adding new ones? Issues with discards ban, choke species... step in the wrong direction?

BRUNO DACHICOURT: 45% of commercial stocks not submitted of TAC and quotas; reflections on Red Mullet and Bass would like to think for global management for sustainable activity in the Channel with contribution of all MS.

ACTION: Bruno requested CMPMEM to run discussion on studying a global approach to sea bass with some kind of regionalization.

ROY GRIFFIN (DG MARE): The Commission proposed TAC for seabass on the basis of ICES advice; that catches for certain areas were falling according to ICES and stock distribution was uncertain. Against such advice the Commission must take appropriate steps to protect the stock, by proposing a TAC the Council has the possibility to share, review and debate the current controls applied at Member State level, in order to reach a possible common control approach. The Commission cannot impose a TAC unless it has an agreement of MS, in this case defining a relative stability share will be difficult, because of the different management measures already in place and alternative measures will be considered. The Commission encouraged the RAC and members to consider a global approach to the management of the stock.

¹ See pages 72-73:

www.ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/acom/2012/IBP%20New/ibpNew_2012.pdf

² Link: <http://www.legislation.gov.uk/ukxi/1989/1285/contents/made>

³ www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000026582115
<<http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000026582115&dateTexte=&categorieLien=id>> &dateTexte=&categorieLien=id



ANTON DEKKER (DUTCH FPO) – On new quotas he agreed with Barrie. Problems with French in Eastern part of Channel; Last week becoming more aggressive; harbours blocked, belongings destroyed; first sort out short term problems before starting discussions about new quotas;

OLIVIER: We ask for a sustainable management plan in the Channel.

ANTON: Started working with IMARES & IFREMER research on fishing effort between all involved fleets, observation trips in fly shooters with French and Dutch observers; discards and by-catches; in the meantime harbours blocked, we cannot work this way with each other.

BRUNO: Meetings between French; asking for a study of impact of this gear in fishery; 2002 2,000 tonnes “goatfish” (?) landed; 2012 few hundred (200T)

PAUL: Channel, limited space, is necessary to decrease power (Kw) of vessels.

JIM: suggested this maybe for Pelagic RAC as BASS is taken with Pelagic gears, not demersal.

LUC: Biomass B might be falling. He welcomed French initiative. They make a problem. 5T per vessel per week catching 5,000T per year, the French has a very big fleet of vessels targeting Bass in the season. Proposed everybody respect the Rules of the Sea and to not make damage to personal property.

JACQUES BIGOT: Against a TAC & Quota. Proposed a global management solution by fishermen.

BARRIE: Critical of conflict. Calls for NWWRAC to find solution by collecting all available informations, studying it and proposing a framework of management.

6.2. Presentations on Spurdog distribution and rays in East Channel – Daniel Lefèvre

The above mentioned presentations are available for consultation in the NWWRAC website.

7. Update on the Marine Protected Areas (MPA) process in UK waters: Channel

The JNCC Presentation by Declan Tobin is available in the NWWRAC website.

DEFRA proposed and chosen from 127 sites 31 sites (6 offshore) for consultation from December 2012 to end March 2013 – all responses must be sent to DEFRA

First “tranche” – map shown includes also Natura 2000 Sites; gives idea of scale;

4 offshore (international waters) sites currently under consultation in NWWRAC seas (mainly sediment based)

Consultation → pre-designation, there will be also a consultation once sites are designated for management; agreement to consider inclusion of stakeholders in the process of management of sites; no indication of what management will be;

Defra appears to look for information if the sites are designated properly; not proposal to change the sites at the moment;

Socio-economic impact; displacement of effort; DEFRA wants to know all this;

Natura 2000 sites referred to SPAs and SACs (European Sites)

QUESTIONS FROM THE FLOOR

BARRIE: Great deal of concern from EU-wide fishing industry on implications of MPAs.

1. Concern about rush timeframe
2. Concern about evidence based to designate this site
3. Concern about quality of stakeholders involvement (particularly international fleets out of 6 nautical miles)
4. Displacement

All these issues have been dealt with by MPA Fishing industry Coalition (MPAC) to cover all interest concerned.

8. Chair's summary of actions and proposals to the Executive Committee

- Review of Cod Management Plan for Eastern Channel: Barrie Deas to draft a letter on this.
- Western Channel Sole: No further action required.
- Effort regime for Scallops: Ad hoc meeting with French to be initiated by Daniel Lefèvre and to be held in London. Establish Scallops management ideas for a future working party. Rapporteur to draft letter on 5% by-catch.
- Data deficiencies: Remove 7e Sole from the list; and consider appoint a NWWRAC data coordinator on Area 7 Pollock.
- MPAs in UK waters: Report any progress to future meetings.
- Non-quota species: Consider Bass consultation and respond in due course.

Concluding remarks

The WG3 Chairman, Daniel Lefèvre, thanked all the members and observers for attending the meeting, and the translators for their excellent work.



The meeting was adjourned at 11:20 h

ANNEX I. LIST OF PARTICIPANTS

<u>MEMBERS</u>		
<u>Name</u>	<u>Surname</u>	<u>Organisation</u>
Daniel	Lefèvre	CNPMEM Basse Normandie – WG3 Chairman
Jim	Portus	South West Fish Producers’ Organisation – WG3 Vice Chair and Rapporteur
Bertie	Armstrong	Scottish Fishermen’s Federation
Jacques	Bigot	France Pêche Durable et Responsable
Richard	Brouzes	Copeport Marée OPBN
René-Pierre	Chever	CDPMEM Finistère
Luc	Corbisier	SDVO
Debbie	Crockard	Seas at Risk
Alain	Coudray	CDPMEM Côtes d’Armor
John	Crudden	European Anglers Alliance
Bruno	Dachicourt	CTFC
Barrie	Deas	National Federation of Fishermen's Organisations (NFFO)
Anton	Dekker	Dutch Fisheries Organisation
Paul	Francoise	Fédération Française des Syndicats Professionnels Maritimes (FFSPM)
Caroline	Gamblin	CNPMEM
Olivier	Le Nezet	CRPMEM Bretagne
Olivier	Lepretre	CRPMEM Nord/Pas de Calais/Picardie
John	Lynch	Irish Fishermen’s Organisation

<u>MEMBERS (cont.)</u>		
<u>Name</u>	<u>Surname</u>	<u>Organisation</u>
Dominique	Thomas	Coopératives Maritimes Etaploises & Armement Coopératif Artisanal du Nord
Paul	Trebilcock	Cornish Fish Producers Organisation
Caitlín	Uí Aodha	Irish South & East Fish Producers Organisation

<u>OBSERVERS</u>		
<u>Name</u>	<u>Surname</u>	<u>Organisation</u>
Rodrigo	Ataide Días	DG MARE – European Commission
Alain	Biseau	IFREMER - France
Emiel	Brouckaert	Rederscentrale
Stephen	Cederrand	European Fisheries Control Agency
Romain	Courtez	Pêcheurs de Bretagne
Philippe	De Lambert des Granges	Direction des Pêches – Administration Française
Marc	Ghiglia	NWWRAC GA President / UAPF
Edgars	Goldmanis	DG MARE – European Commission
Eric	Gosselin	CME-OP
Robert	Griffin	DG MARE – European Commission
Francois	Hennuyer	FROM Nord
Michael	Keatinge	BIM – NWWRAC Director
Bruno	Margolle	CME-OP

<u>OBSERVERS (cont.)</u>		
<u>Name</u>	<u>Surname</u>	<u>Organisation</u>
Alan	McCulla	ANIFPO
Rémi	Méjécaze	Direction des Pêches – Administration Française
Luc	Ramet	CRPMEM Nord/Pas de Calais/Picardie
Jean Marie	Robert	CNPMEM
Declan	Tobin	Joint Nature Conservation Committee - UK
Pieter Lowe	Van Slooten	Dutch Fisheries Organisation

<u>NWWRAC SECRETARIAT</u>		
<u>Name</u>	<u>Surname</u>	<u>Organisation</u>
Alexandre	Rodríguez	Executive Assistant – Policy and Information
Joanna	McGrath	Executive Assistant – Administration Finances