

**11<sup>TH</sup> of November 2009**

## **NWWRAC ADVICE ON MANAGEMENT PROPOSALS FOR AREA VI AND AREA VII NEPHROPS IN 2010**

### **1. BACKGROUND**

#### **ICES ADVICE FOR AREAS VI AND VII**

ICES advice proposed a 50% cut in TAC for Nephrops stocks in Areas VI and VII on the basis of the adoption of a revised target fishing mortality of F0.1 and perceived declines in stock levels in different functional units which make up the fisheries.

However, some members of the NWWRAC noted that this perception of decline in the state of the Nephrops stocks might not be entirely accurate as volume of landings stated in last ICES report has proved to be considerably lower than those registered by the national fleets<sup>1</sup>. This means that there is a higher volume of catches and landings than those reflected in ICES report, and therefore a review of the stock assessment is needed as the actual figures used might lead to errors on the perception of the stock as stated in the Commission's Non-Paper.

#### **COMMISSION CONSULTATION PAPER**

The EU Commission issued a consultation paper on Nephrops which made an analysis of the state of stocks in the various functional areas which comprise the management areas and applied the ICES F0.1 analysis to these stocks with respect to the Commission's policy statement on setting TACs and Quotas. This concluded that a 30% in TAC was in order in Area VII and of 15% in Area VI.

The Commission's (revised and corrected) paper proposed a total closure for 2010 of an extensive area which included the main areas of the Porcupine Bank which are fished for Nephrops.

The NWWRAC has moved with extreme urgency to convene a focus group on the subject to enable it to provide adequate advice.

#### **COMMISSION PROPOSAL TAC AND QUOTA 2010 AND RELATED MEASURES**

The Commission's 2010 proposals were issued incorporating the approach contained in the consultation paper i.e. a 30% and 15% cut in the VII and VI TACs respectively.

#### **INDUSTRY PROPOSALS FOR PORCUPINE BANK**

Fishing industries in Spain and Ireland which comprise the fleets for which the Porcupine Bank Nephrops fishery is most important drew up proposals for a spatial seasonal closure of the Porcupine Bank independently of each other, as a credible response to the need for urgent management measures in this sector.

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<sup>1</sup> ICES Advice 2008 for FU16 (Porcupine Bank) was based on a volume of landings of 900 t. The volume of reported landings by UK and Spanish vessels only in that area in 2008 were considerably higher.

## **NWWRAC FOCUS GROUP RESPONSE**

A focus group on Nephrops was instituted by the NWWRAC General Assembly on October 28<sup>th</sup> in Dublin and this group met on October 3 in Edinburgh.

It will be noted that Area IV is beyond the remit of the NWWRAC and therefore NWWRAC consideration has been given only to Areas VI and VII.

## **2. ICES ADVICE**

### **BASIS FOR CHOICE OF $F_{0.1}$ AS PROXY FOR $M_{SY}$**

The NWWRAC does not accept the choice of  $F_{0.1}$  as the appropriate target mortality for Nephrops in Area VII and Area VI. While there have been recent fluctuations, it is clear that the long-term trends in the main stocks in VII and VI apart from that on the Porcupine Bank have been relatively stable over long term time series data.

The choice of  $F_{0.1}$  is unnecessarily conservative and may in fact be counterproductive to maximising the sustainable yield from these fisheries. ICES themselves have said that “*F should be in the range of  $F_{0.1}$  to  $F_{max}$  to maximize long-term average yield without unduly risking SSB*” and that “*further work is required to ascertain whether fishing at  $F_{0.1}$  is consistent with the management objective of maximising yield of Nephrops*”.

The economic importance of these fisheries magnifies the overall loss entailed by choice of  $F_{0.1}$  rather than  $F_{max}$  which is the rational alternative in the short term until a more appropriate  $F_{msy}$  can be determined. This view is strongly scientifically supported by some National scientific bodies.

This obviously has significant implications for the basis for ICES advice and the subsequent Commission proposals for 2010 TAC.

**The NWWRAC is specifically asking that STECF review the short term fishing mortality targets taking into account the biological, fisheries and economic considerations.**

## **3. RELATIVE STATE OF STOCK IN 2009**

The NWWRAC is of the clear opinion that there has been no significant change in the real status of stocks as between 2008 and 2009 scientific surveys (with the exception of FU16). What has changed largely is the basis for giving advice for those stocks due to revised methodologies. The NWWRAC notes that this basis, i.e. giving short term advice on long term targets, is not consistent with many other stocks where status quo or precautionary approach considerations form the basis for short term advice.

It is notable that for 2008, effort in *Nephrops* direct fisheries in Area VII is 19% below the total effort observed in 2001 when the first emergency measures were introduced for cod stocks, although there have been increases in effort by some countries and decreases by others within the overall pattern which require analysis.

While the NWWRAC is of the clear view that significant management measures need to be instituted in the Porcupine Bank, it does request STECF and the Commission to consider the underlying position in real terms.

#### **4. RECENT INFORMATION FROM 2009 SURVEYS WHICH NEEDS TO BE CONSIDERED**

The NWWRAC understands that ICES is in the process of revisiting the advice for FU15 and FU17 based on new survey information which shows the FU 15 stock has increased by 8% in 2009 and the FU 17 stock has increased by 39% in 2009.

Given the economic importance of the Nephrops fishery and the serious curtailment in fishing opportunities envisioned in the current Commission proposals, the NWWRAC requests that the revised analysis for 2009 is reflected in future proposals for 2010 TACs

#### **5. CLASSIFICATION OF STOCK STATUS IN LIGHT OF EC POLICY STATEMENT**

The NWWRAC requests that STECF and the Commission review the classification of the state of Nephrops stocks in Area VII. It is the NWWRAC's view that the maximum decrease that could be contemplated under the policy statement is 15% if the Commission's policy is correctly applied.

Whether such a decrease is in itself justified in light of consideration of (a) scientific methodologies and (b) recent data is open to very serious question. It is the NWWRAC's view that the only valid area in which TAC should be reduced in respect of is that related to the Porcupine Bank, which accounts for less than 5% of total Area VII landings.

#### **6. MANAGEMENT UNITS**

The NWWRAC is convinced that the appropriate management areas for Area VI and VII are based on the entirety of those areas and not on subdivisions, although analysis by functional unit is essential given the distribution of stocks. The larger management areas are required to maintain the flexibility of fishing fleets targeting Nephrops in light of seasonal and market conditions.

#### **7. PORCUPINE BANK SEASONAL CLOSURE**

The NWWRAC rejects the proposal of the Commission for a total annual closure as excessive both in geographical area and in time. The length and duration of the proposed closure only for this fishery would indeed increase the volume of discards of nephrops incidentally caught by those fleets targeting other species. Thus, such approach would not be coherent with the aim of reduction of discards envisaged by the Commission.

The NWWRAC, with the support of the relevant fishing interests in UK<sup>2</sup>, France, Spain and Ireland, propose an alternative proposal of seasonal closure which will reduce Nephrops mortality (and discards) by around 70% in FU 16.

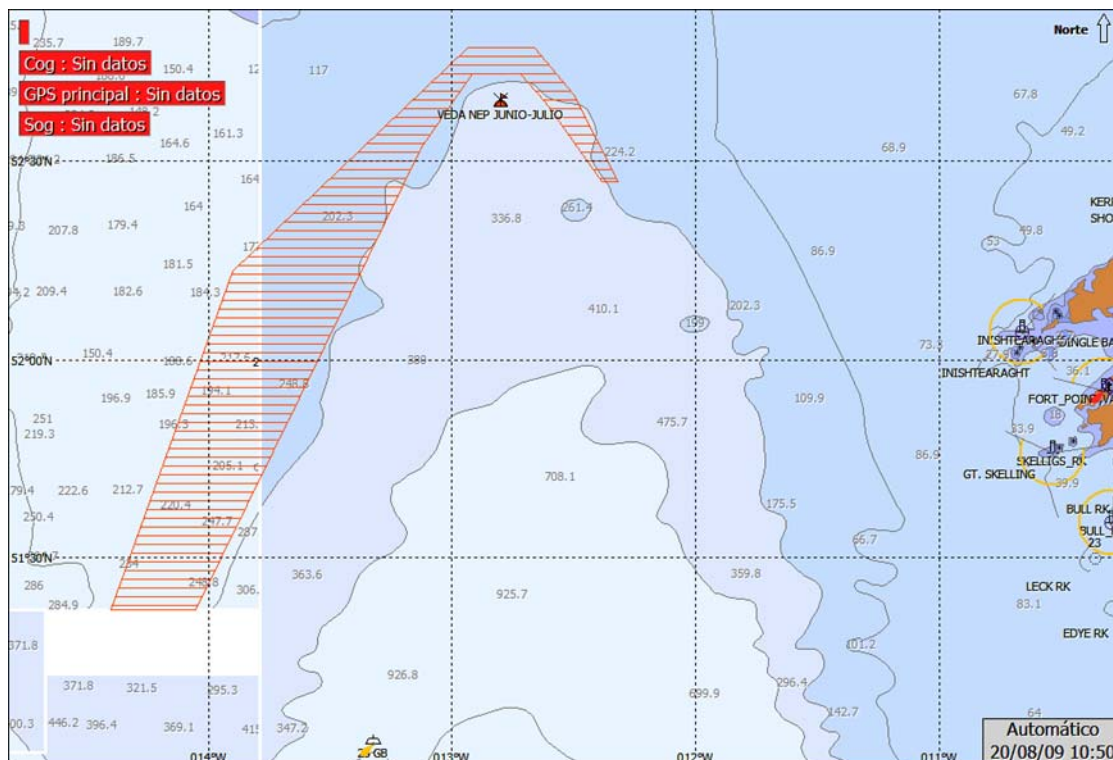
The proposed closure would be for all bottom trawl gear activity for the period from 1 May to 31 July 2010. This period coincides with the peak landing periods for Nephrops in recent years and also coincides with the key reproductive patterns which would allow maximum reproduction while maintaining the possibility of a limited fishery. This analysis is supported by that of both the relevant skippers with proven experience in this fishery and national scientific institutes.

The NWWRAC also appreciates that there may be some issues in terms of displacement from the area to be closed to other parts of Areas VI and VII. The NWWRAC proposes that the pattern of displacement be reviewed with a view to further measures being agreed. The NWWRAC asks STECF to consider this question and carry out an impact assessment of the closure in terms of displacement of effort.

ID	Lat N	Lon W
A	52° 27'	12° 19'
B	52° 40'	12° 30'
C	52° 47'	12° 39,600'
D	52° 47'	12° 56'
E	52° 13,5'	13° 53,830'
F	51° 22'	14° 24'
G	51° 22'	14° 03'
H	52° 10'	13° 25'
I	52° 32'	13° 07,500'
J	52° 43'	12° 55'
K	52° 43'	12° 43'
L	52° 38,800'	12° 37'
M	52° 27'	12° 23'
Ñ	52° 27'	12° 19'

*Table 1. Boundaries of the closed area proposed by the NWWRAC – Geographical coordinates.*

<sup>2</sup> Some representatives of the Scottish fishing industry have expressed their disagreement with the fact that the time frames suggested in the NWWRAC closure do not allow any type of fishing activity for trawlers to take place in May/June.



*Figure 1. NWWRAC proposal for a closed area on the Porcupine Bank for bottom trawl (May 1-July 31)*

Rationale of the proposed closure:

- The NWWRAC strongly recommends this alternative approach as being consistent with approaches taken in other areas where Nephrops stocks have required specific closures.
- It will maintain some element of fisheries outside the key time-period which is of significance from a stock regeneration point of view.
- It also mitigates to some extent the displacement of all the potential effort which would have occurred from a total annual closure.
- The proposed period of the closure represents the heaviest fishing period for FU 16
- The proposed geographical area covers all the main fishing areas as recorded in recent years, as this fishery is well established and clearly delimited.

**The NWWRAC requests that STECF and the Commission review the area and timeframe for a closure on the Porcupine Bank in light of the above NWWRAC proposal which is in line with reducing catches to the lowest practical level whilst minimising disruption to other fisheries.**

## **8. ADDITIONAL SCIENTIFIC ANALYSIS**

The NWWRAC recommends the Commission and STECF to analyse in detail the scientific information provided by the annual scientific research surveys carried out by the Instituto Español de Oceanografía (IEO) in this area since 2001 in conjunction with the Marine Institute (Ireland), together with the data obtained from the national programmes of scientific observers on board fishing vessels included in the Data Collection Regulation.

It is imperative that additional scientific analysis be undertaken to monitor and assess the state of the Porcupine Bank (FU 16) Nephrops stock. The NWWRAC recommends that, in addition to continuation of current survey programme for continuity, the relevant scientific institutes undertake intensified analysis to include if possible ROV camera analysis as has been used successfully in other areas.

## **9. CONCLUSION**

The NWWRAC commends these comments, requests and alternative proposals to STECF, the Commission and the Council of Ministers as appropriate. The NWWRAC is satisfied that its response is a responsible and constructive one which addresses the key biological and management imperatives.

**--ENDS--**