

REPORT

**North Western Waters Regional Advisory Committee
Working Group 2
3 March 2010
14:00-17:30
MAMRM –Madrid**

Chairman: Hugo C. González García
Rapporteur: Paul Trebilcock

1. Welcome

- Apologies

Apologies were received from Victor Badiola and Gavin Power.

- Adoption of Agenda

The agenda was adopted by consensus.

- Adoption of Minutes of the Last Meeting

The minutes of WG 2 meeting held on 9th of July 2009 were adopted by consensus.

- Election of “Deputy Rapporteur”

Mercedes Rodríguez Moreda was proposed for the position of deputy rapporteur. The members supported the proposal and this decision was adopted by consensus with indefinite effect.

2. Review of Commission’s Responses and Analysis of Outcomes of December Council on Fishing Opportunities for 2010

- Hake, Anglerfish and Megrim

The final December Council outcomes of 7% TAC increase for Northern Hake, 15% TAC increase for Anglerfish and “*status- quo*” TAC for Megrim were noted.

Alex Rodríguez informed that ICES had presented at the last MIRAC a document containing the stock lists for Benchmark decided on for 2010 and 2011 plus a list for future benchmarks foreseen: in 2011 there will be one on megrim including areas VI and VIIb-k; and in 2012 it is very also foreseen that anglerfish is included. The Secretariat will ask ICES to provide regularly updated information on these meetings.

- Celtic Sea Cod

Although the outcome was a *status-quo* TAC for this stock it was strongly felt that the TAC level remained insufficient for the resource available. The core issue was lack of robust scientific evidence and assessment process on which to base advice for this stock. This was an ongoing issue with this stock in particular.

- Nephrops

The Spanish industry had concerns regarding some practical implications of the seasonal Porcupine Bank closure. The issue was specifically raised about interpretation of article 11 of TAC & Quota Regulation establishing transit conditions of the area.

According to this article, it is forbidden to carry fish on board with the exception of some pelagic species. This in practice would mean a restriction on transit of most vessels for this area, being a problem primarily to static gear vessels such as long-liners that are going to cliffs and slopes near the Porcupine bank and would be forced to make a forced detour with increases in time (days at sea), costs and fuel consumption.

Many Spanish representatives suggested to be consistent with the Control regulation currently in force, which foresees the right to cross or transit in an area following specific requirements such as constant speed in knots, gears stored, report of position by VMS / logbook, etc.

The Chairman asked the Commission representative to clarify the content of article 11 and, if necessary, make an amendment of this legal norm.

The Commission representative stated that the regulation was very clear in regard to transiting arrangements and if there was any disagreement any individual would be entitled to refer this topic to the European Court of Justice for clarification.

- Porbeagle, Spur-dog and Skate

The prohibition of landing Porbeagle Shark, Common Skate and Undulate Ray was seen as poorly thought through and purely cosmetic regulation implemented for public image rather than sound fishery or conservation policy reasons.

Spur-dog, a zero TAC with a provision for 10% of the 2009 TAC allowed to landed as by-catch was causing significant discard problems in most Member States. Again it was felt that this was purely cosmetic management.

The Commission response was the stocks needed protection and without alternatives from the industry their only option was to prohibit landings.

It was pointed out that there needed to be a scientific understanding of the species involved (particularly different Skate and Ray species) and clear objectives defined to enable practical and effective management measures to be developed. Banning landings does not effectively contribute to reduce fishing mortality and as such these measures are totally inappropriate.

WG2 Actions and Recommendations for Executive Committee:

- Request that the Commission review the prohibition of landing Porbeagle, Common Skate and Undulate Ray. The NWW RAC should develop alternative management and technical measures that comply with conservation objectives as well as discard reduction policy.
- Request that the Commission review its position on Spur-dog. The NWW RAC should develop alternative management proposals and draft a paper for further discussion. Ian Gatt volunteered to undertake this work with Jane Sandell by revisiting previous NWWRAC advice and correspondence on this subject and a paper produced by Scottish Fishermen's Federation in 2008. It was noted that this issue was also dealt with at Working Group 4 and it was agreed there that it would be discussed as a horizontal topic at next Working Group 4 meeting but everyone was welcome to attend and give their comments on the written consultation process.

3. Update on Northern Hake Management

Outcome of ICES Data Benchmark Workshop had raised a number of issues with this stock assessment. It was noted that evaluation method has changed and growth rates of Hake are to be reviewed at the next ICES WGHMM. This will have significant implications for the stock assessment and existing reference points. The findings of the workshop translated into submission of final advice on this stock will not be available until the 30th of June 2010 from ICES.

In the light of the above referred information, the following conclusions were reached:

- A NWW RAC focus group on Hake should be postponed until this information is available.
- It is difficult to understand how the Commission could propose a LTMP for this stock until this information is available.

The Commission stated that they felt that a review of current hake recovery plan is necessary and furthermore the EU has a legal mandate to carry on with this review process. However the Commission conceded that it should wait for new scientific evidence and advice coming from ICES and if necessary adapt the plan to the new parameters and conditions. Depending on the magnitude of the outcomes, the proposal of regulation of the Commission might be either reviewed (if minor changes in F and SSB) or withdrawn (if major changes occur)

- Report on MIRAC meeting – MSY approach

Barrie Deas provided a brief report on the annual meeting between the RACs and ICES (MIRAC) held in Gdynia on 26 and 27 January 2010. The meeting had discussed the forthcoming introduction of a new format of ICES advice consisting in a “traffic lights” system that would provide some degree of indication of the level of confidence that ICES attributed to its own advice. Although a simple concept implementing it within the ICES system appeared to be problematic.

ICES advised the meeting that following a request from the Commission, its 2010 advice would be couched in terms of each stock’s situation in relation to MSY. Applied to 2009 advice, this approach, which incorporated the new element of a “trigger biomass” (Btrigger) would have meant TAC recommendations at around 20% lower than conventional advice.

ICES had been at pains to explain that it envisaged a gradual introduction of MSY advice (i.e. an stepwise approach to go from current F to F_{msy} with estimated catch projections to be implemented in 4 years) and that it would initially only apply to those stocks for which catch option tables are produced. However the Commission was equally eager to stress that this would be a management not a scientific decision. The WKFRAME to be held at then end of March will look at this new framework of advice.

Last but not least, the Commission’s representative announced that the EC Policy Statement for 2011 would probably envisage a change in the target year to achieve MSY for all stocks, which would be postponed beyond 2015.

4. Update on EAPO Proposal for Management Plan for Cod Recovery in Celtic Sea

It was felt that Cod in the Celtic Sea needed to be looked at in the context of the mixed fisheries that occur in this area (VIIIfg). The Science remains inadequate on a number of stocks in this area, including Cod.

Fishermen’s perception of this stock remained at odds with the scientific assessment, reporting good abundance and size composition of catches in the area.

WG2 Actions and Recommendations to the Executive Committee:

- NWW RAC should establish a focus group with a limited number of people (including RAC members, scientists and Member States representatives) to deal with this issue. The focus group should not deal exclusively with Cod but assess the mixed fisheries impacts in ICES area VIIIfg. A draft of the terms of reference will be drafted by Jacques Pichon for the Executive Committee to review.

The key issues to be covered are:

- Scientific data and assessment processes
- Fleet capacity and definitions (type of gears used, species targeted, sub-areas...)
- Mixed fisheries management
- Existing EAPO work to form basis of discussions

- Furthermore, it was felt that a major driver of this issue remains the inadequacy of assessments in relation to different stocks, in this case Cod. NWW RAC Executive Committee should consider the proposal of creation of a regional task force dealing with this issue.

5. Presentation of PISCES Project: “Partnerships Involving Stakeholders in the Celtic Sea Ecosystem”

An introductory presentation was made by Dr. Lindsey Dodds. Miss Dodds announced the members that the public launching of this project website will be done in May at the following site: www.wwf.org/pisces

The content of this presentation is available on the NWW RAC website for information¹.

Concerns were raised from the floor about co-ordination of Ecosystem-Based approach projects with many going on. There were questions raised about duplication, communication between various projects and clarity of objectives, methodology and outcomes.

WG2 felt there needed to be more information on this project and needed to understand its position within wider EU context before making a meaningful contribution.

WG2 Actions and Recommendations to Executive Committee:

The NWW RAC should seek a comprehensive overview from the EU Commission on all projects with an element of EU funding, including how they interact with one another. A clear breakdown of objectives and outputs along with participants would enable a better understanding on how various projects fit into the EU fisheries management context.

¹ http://www.nwwrac.org/Meetings/Meetings_ENG/Navigation.php?id=391&language=English

6. Conflicts with Practical Application of OMEGA Net Gauge

The Commission stated that stakeholders been consulted for a long time on this issue with a long lead in time and a sufficient transitional period of application. The OMEGA gauge was objective, consistent and more reliable than the traditional hand held gauge.

However, many fishing industry members noted that vessels across Europe had experienced problems with the gauge as it was measuring consistently lower than the handheld gauge.

It was felt that the technology offered consistent measurements however the real issue was the calibration of the device that was deemed not to be appropriate.

It was further noted that the device was not available to the fishing industry until the transitional period allowed for in the regulation had expired. This meant that skippers and owners had no experience of the device until it came into force and this had cost implications (e.g. change of gears and codends) to ensure compliance. Therefore the transitional period was seen as a key issue.

WG2 Actions and Recommendations to the Executive Committee:

The NWW RAC should write to the Commission raising the concerns above (specifically regarding calibration and transitional period). NWW RAC should liaise with other RACs on this issue to seek a common position to put to the Commission.

7. Horizontal Issues (information points)

- Areas for Co-operation with ACFA in Marketing Policy

The Secretariat briefed the members on the accords reached by the Executive Committee the 29th of January in relation to market policy. In line with Commission's view, it was agreed that this was a horizontal issue that should be dealt with by ACFA to avoid duplicate work. Particular comments made by the members on this topic should be transmitted to fellow colleagues who are also members of ACFA.

- Technical Conservation Measures & Discards

a) Technical measures: The Commission representative was asked about timing and calendar of consultation for both processes. Mr. Paterson explained that it was possible that the proposal of Regulation on TCMs under its current form would be withdrawn, with the view of integrate it within the CFP review process. He also indicated that Working Groups or seminars would be envisaged to discuss this topic.

b) Discards: The Chairman asked about the extent of the transitional measures in place that were exported from previous Annex III of TAC & Quota Regulation into an interim TCM Regulation that will remain in force until June 2011. In particular, he asked if a (economic) high grading ban has been effectively applied to all ICES areas. Mr. Paterson replied that he would pass this question onto his colleagues and revert to the NWWRAC on this query.

WG2 Actions and Recommendations to the Executive Committee:

The NWW RAC should request to the Commission clarification regarding point 5 ter 1 of interim TCM Regulation, about the adoption of a high grading ban for all ICES areas.

8. Summary of Agreed Recommendations to Forward to Executive Committee

- Request that the Commission review the prohibition of landing Porbeagle, Common Skate and Undulate Ray. The NWW RAC should develop alternative management measures that comply with conservation objectives as well as discard reduction policy.
- Request that the Commission review its position on Spur-dog. The NWW RAC should develop alternative management proposals based on a paper produced by Scottish Fishermen's Federation in 2008. (This is to be circulated by Ian Gatt). This issue was also discussed at Working Group 4 and will be dealt with again at that forum.
- NWW RAC should establish a focus group to deal with Celtic Sea Cod. The focus group should not deal exclusively with Cod stocks but assess the mixed fisheries impacts in ICES area VIIIfg. A draft of the terms of reference will be drafted by Jacques Pichon for the Executive Committee to review.
- Furthermore, it was felt that a major driver of this issue remains the inadequacy of assessments in relation to different stocks, in this case Celtic Sea Cod. NWW RAC Executive Committee should consider the proposal of creation of a regional task force dealing with this issue.
- The NWW RAC should seek a comprehensive overview from the EU Commission on all projects with an element of EU funding, including how they interact with one another. A clear breakdown of objectives and outputs along with participants would enable a better understanding how various projects fit into the EU fisheries management context.
- The NWW RAC should write to the Commission raising the concerns in relation to application of OMEGA net gauge (specifically regarding calibration and transitional period). NWW RAC should liaise with other RACs to seek a common position to put to the Commission.
- The NWW RAC should request to the Commission clarification regarding point 5 ter 1 of interim TCM Regulation, about the adoption high grading ban for all ICES areas.

Meeting was adjourned at 17:45 h

ANNEX I. LIST OF PARTICIPANTS

<u>Name</u>	<u>Surname</u>	<u>Organisation</u>	<u>Status</u>
Bertie	Armstrong	Scottish Fishermen's Federation	Member
Iwan	Ball	World Wildlife Fund	Observer
Tom	Blasdale	Joint Nature Conservation Committee	Scientific Observer
Luc	Corbisier	SDVO	Member
Juan Carlos	Corrás Arias	Pescagalicia-Arpega-Obarco	Member
Rory	Crawford	RSPB – Birdlife International	Observer
John	Crudden	European Anglers Association	Member
Barrie	Deas	NFFO	Member
Thomas	Diaz	FROM Bretagne	Member
Lyndsey	Dodds	WWF	Presentor
Sophie	Elliot	JNCC	Scientific Observer
Ian	Gatt	Scottish Fishermen's Federation	Member
Charline	Gaudin	EBCD	Observer
Hugo	González	ANASOL - ARVI	WG2 Chairman
André	Gueguen	OPOB	Member
Sam	Lambourn	NWWRAC Chairman	NWWRAC Chairman
Jesús A.	Lourido García	Puerto de Celeiro S.A.	Member
Joe	Maddock	Irish Fishermen Organisation	Member
David	Milly	CAPSUD	Member
Conor	Nolan	NWWRAC Secretariat	Secretariat

<u>Name</u>	<u>Surname</u>	<u>Organisation</u>	<u>Status</u>
Lorcan	O'Cinnéide	IFPO	Member
Sean	O'Donoghue	Killybegs Fishermans Organisation	Member
José Luis	Otero	Lonja de la Coruña S.A.	Member
Kenneth	Paterson	DG MARE	European Commission
Jacques	Pichon	ANOP	Member
Jim	Portus	South West Fish Producers Organisation	Observer
Alexandre	Rodríguez	NWWRAC Secretariat	Secretariat
Mercedes	Rguez. Moreda	OPP-07-LUGO	Member
Stéphanie	Tachoures	CNPMEM	Member
Paul	Trebilcock	Cornish Fish Producers Organisation	Member - Rapporteur
Héctor	Villa	SEGEPESCA - MARM	Member State Rep