

Report of the meeting of NWWRAC WG3 at the Hague, Holland, 1st March 2006.

- Meeting Chairman, Daniel Le Fevre, welcomed delegates and opened the working group by asking for approval of the agenda. It was agreed that Jim Portus would serve again as Rapporteur. The report of the meeting held on 7th November 2005 was approved after an addendum was accepted from Jacques Bigot concerning Technical Conservation Measures and future management of Channel stocks. The text of the amendment will be added to the report.
- **SCALLOP MANAGEMENT:**
- J Bigot opened with the opinion that the topic is of such importance that it warrants a whole day conference with all stakeholders invited including scientific experts. It was agreed to accept an invitation from France for such an event to be held in Caen in early May.
- A questionnaire had been circulated after the Madrid meeting of the Executive Committee. Few participants had yet responded. It is the opinion in France that a management regime is needed in order to maintain a high level of market value and to keep the stock healthy and sustainable. A harsh regime has existed for French vessels since 1975, but this does not apply to other Member States whose boats can operate in waters closed in the summer to the French. This has an effect on the market and on the effectiveness of this measure on stock conservation.
- It was agreed that the questionnaire is a good idea and John Hermse agreed to work with J Bigot to improve the utility of the responses. Production figures and any restrictions on production in each relevant fishery would be collected and collated for presentation at the conference.
- It was agreed that a scallop conference would bring together all aspects of stock management including Western Waters effort limits, fleet statistics, landings data, costs and earnings information, marketing patterns, methods of dealing with toxicity problems and the fullest possible scientific knowledge. Scientists from IFREMER and CEFAS would be consulted on suitable dates to ensure attendance. Transparency and standardising of information collection methodology would be paramount.
- It was further agreed that the conference must draw the distinction between inshore (inside the 6 mile-limit) and offshore scalloping so as the RAC avoids interference in the sector whose management is the responsibility of the Member States concerned.
- The delegates from each Member State involved would bring to the conference a summary of the regulations that apply to their fishermen and in particular where these are in addition to the Community Regulations, such as in France where there is a rule prohibiting “soaking” of scallops to make them heavier and they also have a seasonal closure that only applies to French boats.
- There are some concerns about the uniformity and reliability of tests for DSP, ASP and PSP toxins. These would be discussed.
- The opinion was voiced that it might be useful to have management regimes in place for all non-tac stocks, such as Bass, so as to ensure locally based fishers are not displaced by others diverting from less well managed fisheries. The view was expressed that long-established migratory patterns are an important

part of the economic wellbeing of many whose boats are not always based in ports adjacent to the Channel.

- **BASS MANAGEMENT:**
- Bass had been the subject in the UK of an extensive consultation on whether or not, on a unilateral basis, to raise the minimum landing size. There had already been introduced a ban on pair-trawling for Bass in the UK fleet for the protection of cetaceans and the opinion was expressed that commercial exploitation of the stock was under attack for no apparent scientifically justified reasons. It was noted that in the Channel there are a number of non-tac stocks, scallops, bass and crustaceans that are of the greatest economic importance, but that remain the least regulated. The opinion was expressed that it would be a tragedy if quotas were to be applied to those stocks, but it was also stated that there should be some protective measures in place. It was reasonable for stakeholders to demand that any such future regulations should be arrived at after proper consultation and through the RAC.
- The Irish reminded the WG3 that regulations prevent the commercial exploitation of this species in their waters and anglers are restricted to a bag limit of 2 fish. It is their view that the Commission would like to reserve Bass as a sport fish, as it is in the USA.
- It was proposed that there should be a Bass focus group, but the chairman reminded delegates of the cost implications. Such a group would have to meet at the expense of those attending. There is a special role that the RAC can play in this debate. The species is of very high value and the loss of even a small amount of the present commercial catch would have an impact. The RAC might be able to gather the scientific data and the social and economic values so as to present a rebuttal to the proposal, with particular emphasis on the potential increase in discarding in the bycatch fishery that predominates. A Scots delegate suggested that the survival rate for discarded Bass is not great. It would be important for an increase in the MLS to be accompanied by a coincident increase in the mesh size so as not to increase discard rates.
- A French delegate reported that dolphin escape panels are being trialled with some success in the pair-trawler fleet.
- Scientific opinion is that the stock is presently harvested sustainably. However, diversion from other stocks is a risk that might put this stock in danger. Evidence exists that maturity in females occurs later in life and when at a larger size than it does in the males. It is believed that the stock size would increase by 30 to 60% by 2009 if a size of 45cms were to be imposed on all metiers in all Member States.
- It was agreed that the present state of this stock should be taken as a signal that there is no need to introduce new management and conservation measures. The UK Minister's response to the consultation exercise should be considered before setting up a focus group. It will be circulated to the RAC members in due course. The caution was sounded that it is probably better to create regulations for this fishery from the RAC than to have a regime imposed of which we do not approve.
- The RAC Executive would have to consider any financial implications if it is decided that a BASS focus group under the RAC should be established.

- **DOVER SOLE 7E AND 7D MANAGEMENT:**

- A paper had been drafted by Jim Portus that provided a situation report to date. This was in English only and was circulated. Translation was conducted as the paper was read to the WG.
- J Portus noted that the NWWRAC had made a number of points to the Commission in November 2005. These included a request for the effort limitation scheme to be frozen for 3 years. The outcome of the December Council had, however, been an effort cut of 10% in 7e, reduced for UK beam trawlers to 5%. The 7e sole TAC had been increased by 9%, the TAC for 7d sole had stayed the same as in 2005 as had that for Plaice 7d,e. Netters using mesh of greater than 120mm had been granted exemption from the days at sea limits in 7e and finally, beam trawlers fishing in area 7d had been granted relief from the days at sea limits imposed in the CRZ.
- Various members of the WG contributed to the debate that followed the report. There was general satisfaction at the position arising from the December council. There were some associated problems, for example the sale was now difficult of vessels that had lost permission to fish in 7e. Scallop activity had increased because of the “free” days at sea. Activity in 7d would increase in 2006 because of the “free” days at sea for beamers, especially those from the N Sea ports in Belgium.
- The opinion was expressed that the acceptance of effort limits as an interim measure for 2005 had been bound to herald further cuts in time at sea, despite the fact that ICES never considered this to be a stock in crisis, although “at risk”. However, given that there are wider management responsibilities to deliver maximum sustainable yield in all fish stocks by 2015 the plan for 7e sole should be viewed in that context. The Commission might be easily persuaded to accept an incremental trajectory leading to MSY in that time frame rather than impose the more draconian proposals tabled.
- There was a brief discussion about the delineation between 7d and 7e sole stocks and the possibilities that might stem from the removal of that artificial barrier. However, it appeared to raise more questions about relative stability than answers about stock management.
- A much graver concern was expressed about the 8% tolerance expected of skippers. Studies had shown that it is impossible to gauge with any certainty the weight of fish taken on board, especially when small quantities of lots of different species are involved. The Commission should be urged to review this tolerance.
- The subject of stock assessment raised the issue of the completeness of the scientific knowledge. It is believed that the part of the stock in Granville Bay has not been taken properly into account in the TAC, yet fish taken from that area are deducted from the quotas. Questions should be directed at ICES to confirm the coverage of the process. A tagging exercise is ongoing in that part of the Channel.
- It is clear that the industry stakeholders do not believe the alarm raised by the scientists. Biological separation between stocks in area 7d and area 7e are not so well defined and there may be a case for some of the 7d sole to be taken as an “of which” element in 7e to allow for the lack of definition in the boundary region. There was a suggestion that the boundary had been moved in the early years of quotas and the track record of fish had not been reassigned to the new

area for assessment purposes. CEFAS would be asked about this historic question.

- It was agreed to ask the RAC to submit to the Commission a request for a moratorium on further tightening of the 7e sole limits until such time as there had been a full assessment of the impact of changes in the fleets that had taken place over recent years, whether voluntarily by the industry or by mandatory fleet restructuring. The WG was concerned that all alternatives to further reductions in days at sea should be explored so as to minimise social and economic hardship in the ports and communities. These included an up to the minute assessment of Fishing Mortality in the stock, confirmation that all contributions to the stock have been accounted, a study of the role that technical conservation measures might play and whether closed areas/ seasons might provide some benefits.
- **COD RECOVERY ZONE:**
- Delegates expressed their delight that beamers working in area 7d had been granted unlimited days at sea under the CRZ. Others raised concerns about the impacts of the days at sea limits on the fishing patterns of those vessels still affected. Diversion of activity to other areas is considered by some to be a real threat. The feeling was expressed that any benefits to the cod stock from the CRZ measures could be achieved without imposing harmful restrictions on the smaller class of vessels that cannot escape to other areas and fisheries. Various delegates suggested that the RAC might propose to the Commission alternatives to the present CRZ regulations.
- Barrie Deas reminded the WG that the Commission is already committed to a process of reviewing the CRZ this year and the WG might usefully feed ideas into it, such as weekend closures and exemptions for smaller vessels.
- It was agreed that the French delegate, Jacques Bigot, would put together a paper for consideration at the next WG that would review existing arrangements and provide a discussion platform on the subjects of possible future management options for Channel Cod.
- **CRUSTACEANS MANAGEMENT:**
- Don Thompson distributed a paper that revealed some UK statistics about crabs and lobster production in the Channel. Taking them together they combine to put crustaceans in the top 5 of fish production for the UK. Some producers have been calling for a ceiling to be put on this highly prized metier. At the moment the only elements regulated are the size of the fish and the overall limit on effort set by the W Waters Agreement.
- Concerns were expressed that the fishery is vulnerable to exploitation from fishers forced to leave other areas. The lack of present regulations is seen by some as a weakness.
- The crabbers in the UK have not as such taken seats on the NWW RAC or on the WGs. The SD & Channel Shellfishermen's Association will be reminded of the existence of the RAC and its WGs and of the need to be properly represented. Jim Portus agreed to contact Chris Venmore to discuss this issue.
- The opinion was expressed that, although this sector is not regulated under any community laws, it might not be wise to impose any regulations until such time as there is a good scientific understanding of the state of the fish stocks involved, of the level of exploitation and whether there are any problems of a conservation nature. There are undoubtedly problems of a marketing kind that

might be resolved with trans-national dialogue, but most of the fishing effort would appear to be inshore and therefore outside of the remit of the RAC.

- It might, however, be appropriate for the RAC to provide the forum for debate of the management issues within this important and valuable sector so as to conduct the necessary discussions without anxiety and in advance of any difficulties that could then be avoided.
- It was noted that caution should be exercised so that the RAC exerts influence only within its competence. It was argued that any issues that had an impact on the social and economic wellbeing of fishing communities, including marketing, are fair subjects for the RAC to debate.
- If there is to be a debate about standardising of minimum landing sizes across a range of differing fisheries, then there should be a paper prepared on the subject and all stakeholders should have due notice to enable participation. Having decided for scalloping that a one-day conference is the appropriate course of action, the crabbing sector also might consider that approach.
- **ANY OTHER BUSINESS:**
- There was some time available at the end of the agenda items and the chair asked for further topics to be raised.
- Jacques Bigot mentioned difficulties in the 4c/7d Herring fishery. It is argued that the evaluation of this stock could be better conducted using appropriate vessels rather than the one used also for deep-sea research. The fishery is local and inshore in seasons in area 7d, yet it is managed in the context of the N Sea stock. A separate evaluation might be pursued usefully. It was agreed that these discussions would be better held in the forum of the Pelagic RAC.
- Richard Brouzes asked for consideration to be given to the whelk fishery where there had been difficulty ensuring that all fish of less than the 45mm minimum size are returned to the sea. He suggested that there might be a percentage tolerance for undersized. The Chairman suggested that a discussion paper should be circulated in order to gather information and to gauge the level of concern and support in other Member States. The opinion was voiced that this is a relatively unregulated fishery like scallops and crabs in which the problems seemed to be centred on the market and the price paid to the producers rather than on any real conservation difficulties.
- **POINTS OF ISSUE TO TAKE FORWARD TO THE NEXT WG3:**
- It was agreed that there would be a scallop conference in France in early May and in advance of the next WG3 to be held on May 18th/19th in Glasgow. The conference would ascertain whether there is a need for a position on scallops for the WG3 to propose to the RAC.
- The WG3 would await with interest the outcome of the MFA UK consultation on Bass. WG3 would then consider again whether to establish a focus group for this fishery.
- It was agreed that WG3 would ask the RAC to propose to the Commission that measures now in force for 7e sole should be frozen for at least a year in order that a full assessment can be conducted of the state of the stock and its exploitation fleets. It is of particular importance that the Granville Bay fishery is properly assessed including its contribution to the TAC. The target date for achieving maximum sustainable yield in this stock should be 2015.
- It was agreed that a paper giving suggestions for Cod management in the RAC area would be drafted and circulated by Jacques Bigot.

- It was agreed that each Member State would be asked to bring to the next WG3 information about regulations in the crustacean fishing sectors with a view to establishing a focus group and/or a conference on the subjects of harmonising minimum sizes and marketing difficulties. The whelk fishery should be considered under the same headings.
- The chairman invited interested parties to submit to the secretariat in good time before the next WG3 any papers arising from today's discussions.

Jim Portus
Rapporteur.
07 March 2006

Comité National des Pêches (National Fisheries Committee)
CNPMEM

Paris, March 9th, 2006

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<p>Document: Memo on the NWWRAC working groups held on February 28th and March 1st 2006 in The Hague (Netherlands)</p>
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Dear Sir or Madam

Please find attached a brief summary of the Celtic Sea, West of Scotland and English Channel working groups of the NWWRAC that were held in The Hague on February 28th and March 1st, and which the CNPMEM participated in. These documents do not replace the minutes that will be drawn by the rapporteur of each group.

Yours sincerely,

Hubert CARRE
Signature
Managing Director

ANNEX

Comité National des Pêches (National Fisheries Committee)
CNPMEM

Paris, March 6th, 2006

MEMO

NWWRAC Working Group - 28/02 and 01/03/06 - The Hague

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Contents

1- West of Scotland WG1	P.1
2- Western approaches and Celtic Sea WG2	P.3
3- English Channel WG3	P.5
4- Irish Sea WG4 (the CNPMEM did not attend this group)	

NB: Translation problems occurred during the meeting.

English Channel Working Group (ICES area 7d and e)

1. Adoption of the minutes and agenda:

The minutes were adopted. The issue of management of the English Channel and its supervision in general was added to the agenda.

2. Issues discussed:

a. Questionnaires on Scallops

The objective on the discussion on Scallops was to work together to establish Scallop management in the English Channel. Daniel Lefèvre, chairman of the group and Jacques Bigot, person responsible for leading on the Scallop issue, reminded everyone of scallop fishing supervision at community level: minimum size at landing and allocated levels of effort for each country. France has implemented additional management measures; licences with vessel quotas, mesh size of 92mm, summer closure during scallop reproduction and growing periods. However, a marketplace problem exists. A questionnaire was circulated to each member so that everyone could know the method of management used out in each country or region. The French, Irish and Jersey representatives answered the questionnaire. The Scottish representatives will forward their data to Mr Bigot. It was specified that the aim of the questionnaire was to find harmony rather than to impose one method of management. It is necessary, for the management of some specific areas, to at least achieve a standardisation of management systems such as mesh sizes in these areas. Jim Portus underlined the importance of differentiating the area within the 6 mile inshore limit on each side of the English Channel from the rest of that sea. The summer closure does

not appear to be adapted to the practices of some vessels in the Western Channel where fishing is deeper and is mostly carried out during summer. A distinction between the Western and the Eastern Channel might be analysed. However, the Irish representatives are concerned by a further division of the management structure. Some flexibility should be kept.

The issue of marketing should be further examined as there are differences of practice. The French have a fleet of small vessels that catch fresh scallops. In the UK, vessels are rather larger and catch noix (white flesh of the scallop). The issue of soaking was also underlined. It also appears necessary that sanitary issues be taken into account. The Scottish representatives pointed out the importance of sharing experience in this regard.

It was decided to hold a one-day specific meeting on Scallops in May, in France, in Cherbourg for instance.

b. Bass

A discussion was held on the relevance of implementing specific supervision measures for bass fishery. Jacques Pichon recalled the diversity of the fishery in France: line fishing, netters, and pelagic trawlers. It was pointed out that the ICES consider the Bass resource to be healthy. It was proposed to examine a PPS supervision system matched to a TAC and quota system for the larger vessels.

The proposal by anglers' federations to increase the size of a bass from 36 to 42 cm was discussed. This increase without any modification of the technical measures may increase discards, in particular on deepwater trawlers that catch bass as bycatch. Besides, Mr Brouzes stated that there was demand for 36cm bass on the market. In as much as the species does not show any signs of stock problems, it does not seem useful to increase the size, however, the members of the RAC think that this could be foreseen and that a mode of supervision could be set up. However, scientific opinion indicates that females first reach their maturity between 42 and 45 cm. This size is smaller for males. The UK representatives explained that this proposal to increase the size of bass was made by their government under pressure from leisure fishing lobbies. The professionals opposed this measure as they did not think it justified that a unilateral measure be taken on the English side.

Besides, it was pointed out that French professionals were carrying out tests to avoid accidental catch of cetaceans.

A specific bass group of the RAC will also meet. The secretariat stated that the funding of that group should be submitted to the Executive Committee for approval. The chairman pointed out that the voluntary participants and not the RAC will bear the cost of any specific groups created.

c. Sole

A discussion was held on the relevance of quota demarcation per fishing area. Some members have the view that it would be wiser to bring together 7d and 7e knowing that catch reports are often inaccurate, other thought that 7d and 4c be brought together. However, as scientific opinions are based on totally different stocks, it seems difficult to combine these areas. It may be possible to envisage flexibility and the possibility of transferring quota to one area or another. Representatives from Basse-Normandie pointed out that a study was carried out in the normano-breton gulf to find out whether there are two distinct stocks. The chairman said that the sole stock in the 7d area is considered to be healthy, while it is not so in the 7e area. Various issues were raised as regards the implementation of sole management in 7e:

- 8% tolerance margins are even more difficult to comply with in that area as fishery is multi-species
- for small beam trawlers there are continuity issues as precedence is required and when a vessel is removed from the fleet precedence ceases to exist.

Jim Portus, the rapporteur for the group proposes to produce a document to submit to the Executive Committee for decision that would recommend to:

- ask the Commission for a moratorium on all the new additional restrictions on sole in the English Channel
- allocate unlimited days at sea to beam trawlers
- improve scientific opinions and understanding
- assess the condition of the stocks and the consequences of management measures
- assess the technical conservation measures (which will be examined within the technical measures group)

d. Management of the English Channel

The problem of redeployment of some fleet in the English Channel that usually operate further north and south was pointed out. That is why some members would like to start a discussion on the supervision of fishing in the English Channel where over 70% of species are not subject to TAC and quotas.

e. Cod Recovery Plan and alternative to days at sea (Appendix II CE Regulation 51/2006)

Mr Bigot is surprised that (Belgian) beam trawlers were excluded from the Cod Recovery Plan whereas French trawlers were included, considering that catches of cod by French trawlers are not as large as those made by beam trawlers. Some members of the group are wondering about whether it is appropriate to bring together areas 7d and 4c in the cod plan. 7d should not be included, as cod is present in limited numbers in that area due to environmental conditions. Mr Bigot made an alternative proposal to days at sea: closure at weekends. This proposal seems to be a problem for several members. It was pointed out that this question has not yet been settled on the French side. The Belgians do not agree with this proposal as they only fish in that area part of the year and do not wish to impose any closure on weekends over that short period. It was stated that this measure was not coherent with the market's demand in areas where market demand is good on Mondays.

The rapporteur for the group requested that proposals be submitted to him in writing so that he can draw up a summary for the Executive Committee.

f. Crustacean management

A document was presented by Don Thompson from Jersey. He pointed out the importance of the commercial value of crustaceans and that a discussion should take place in relation to management tools. Some Irish and Scottish members were concerned that measures should not be imposed where they would have negative social and economic effects. The members agreed on the necessity to obtain a quality scientific analysis of stocks of large crustaceans. The France delegation presented its system of management using licences, season closure and limitations on the number of pots in Basse-Normandie and Brittany. The market has been unstable for two years; the working group should reflect on the reasons for the collapse of market prices, overproduction? ... It was pointed out that the limitation on the number of pots was

the first step towards managing the activity. All the members should reflect on this management method in order to develop proposals at the next meeting.

3. Any Other Business.

The issue of herring management was explained. The assessment of herring stocks, a pelagic species with a short life, is based on n-2 year data, yet, the fishing is carried out for only two age categories. The TAC and quotas are therefore established without taking into account the good or bad growth results of the previous year that is a determining factor in the quantities of herring available. Consequently, the French authorities will draw up a request for the review of the TAC for this year as the growth results for last year are quite good and herring are present in large quantities. This fishery is also important as regards the conservation of other stocks, when vessels are fishing for herring; it relieves fishing pressure on other stocks.

The issue of assessment by scientific campaigns was also raised, in particular as regards the relevance of using one gear rather than another or its conditions of use.

Work schedule:

The next meeting of working groups is planned **in May in Glasgow.**

A meeting is planned on March 7th with the European Commission to present the opinion of the RAC in relation to the problems of deep-sea net fishing, marking of fishing gear and the use of pingers. The French representatives at this meeting are Jacques Pichon (ANOP) and Tomas Diaz (OP Capsud and CLPMEM Bayonne).