



## DRAFT MINUTES

### WORKING GROUP 3 (CHANNEL)

Virtual meeting

2 July 2021, 15:15 – 17:15 CET

#### 1. Welcome and introductions

The Chair (Pascal Coquet) welcomed all the participants to the meeting. Apologies were received from Caroline Gamblin (CNP MEM) and Llibory Martinez (IFSUA) in advance of the meeting. The agenda was adopted as drafted.

Action points from the last meeting (10 and 25 March 2021):

<b>1</b>	Secretariat to prepare a draft response on the Scallop JR, combining the comments put forward during the meeting, to be submitted to ExCom in written procedure after WG members have reviewed same.
	Advice to the MS Joint Recommendation on Scallop submitted on 15 April.
<b>2</b>	Caroline Gamblin to circulate the draft management plan on flyshoot fishery in the Channel. Members will be asked to provide input on it for the preparation of an advice.
	Circulated on 18 March. Further discussion under item 6 of the agenda.
<b>3</b>	Submit question to the COM asking to clarify the implementation of capacity ceilings and fishing authorisations in the Channel (Art 12 Reg (EU) 2018/973).
	Question to the COM sent on 12 April and reply received on 13 May: The Commission does not hold detailed information to reply to our question and suggested to invite the MS to share their methodologies for including vessels under the capacity ceilings referred to in Article 12(2) of the North Sea Multiannual Plan. The MS agreed that would be interesting involve the Scheveningen group in the task as well and proposes that also the NWWAC reaches out to the NSAC to extend the discussion. The MS idea would be to prepare a document in which each MS explains which rules are applicable in their remit in order to have a joint discussion on the matter.
<b>4</b>	Secretariat to liaise with WG3 Chair to organize a second meeting of WG3 in order to address items on the agenda that could not be discussed on 10 March for lack of time (seabass, whelk, improving functioning of the AC).
	Second meeting organized on 25 March
<b>5</b>	Secretariat to organise a meeting with the COM regarding the seabass once negotiations with the UK are completed
	Still in progress, discussion under item 3
<b>6</b>	Secretariat to organise the first meeting of the Whelk Focus Group (possible dates: April 14 and 15) and invite observers from the United Kingdom.
	The Focus Group was established and had its last meeting on 23 June, discussion under item 4.



## 2. ICES advice for the English Channel

- **Presentation by Ghislain Chouinard (ICES ACOM vice-chair)**

Ghislain Chouinard presented the ICES advice for 2022. Full advice sheets are available for all stocks. COVID 19 impacts are inserted in the section “Quality of the assessment”. For the stocks managed by the EU and UK, the advice was provided on the basis of MSY or Precautionary Approach, but EU MAP option was also provided in the catch scenario table if available.

Advice to be released in the autumn: thornback, blonde and spotted rays in eastern Channel.

### **Brill in the North Sea, Skagerrak and Kattegat, English Channel (4, 3.a, 7.de) – PA: Catch $\leq$ 1 878 t**

Catches averaged about 2400 t over last 5 years. The biomass index (Dutch beam trawl commercial index) has been gradually decreasing over last recent years but remains high.

### **Cod in Subarea 4 and Divisions 7.d and subdivision 20 - MSY: Catch $\leq$ 14 276 t**

A benchmark was conducted in 2021 and led to an adjustment of the assessment to account for migration to the West of Scotland area. Spawning stock has decreased since 2015 and is now below  $B_{lim}$ . Fishing pressure above  $F_{MSY}$  in 2020. Recruitment remains poor. Surveys indicate that abundance has declined to the lowest in southern areas including 7.d.

### **Lemon sole in the North Sea, Skagerrak and Kattegat, E-English Channel (4, 3.a, 7.d) - PA: Catch $\leq$ 3081 t**

Landings are lower than those in late 1980's. The biomass has increased in late 2000s but has declined in recent years. Fishing mortality has fluctuated without trend and recruitment was higher in 2020.

### **Plaice in the eastern English Channel (7.d) - MSY: Catch $\leq$ 6 365 t**

Part of the catches of plaice in Division 7.d are from the Western Channel and North Sea stocks. The spawning stock has increased during 2008-2015 but has declined since 2017, remaining well above  $MSY_{B_{trigger}}$ . Fishing mortality has increased but below  $F_{MSY}$  in 2020. Recruitment was high in 2019. This species is caught in mixed fishery with sole, which leads to high discards of plaice.

### **Plaice in the western English Channel (7.e) - PA: Catch $\leq$ 1 742 t**

Discards are not included in the assessment but are taken into account when producing advice. The spawning stock has increased since 2008 and is now at high level, however a decline has been observed in the last few years.  $F$  declined substantially after 2007 but increased again since 2015 and is currently above  $F_{MSY}$ . Recruitment has been fluctuating without trend, with a higher estimate in 2020.

### **Sea bass in divisions 4.b–c, 7.a, and 7.d–h - MSY: Catch $\leq$ 2 216 t**



The spawning stock has been above  $B_{lim}$  in 2020 and 2021. Fishing pressure is below  $F_{MSY}$  but recruitment is still poor except for 2013-2014 and 2016. The catch in 2020 was 1 814 t, of which 1042 t commercial fisheries, 325 t discards and 447 t recreational fisheries.

#### **Sole in the eastern English Channel (7.d) - MSY: Catch $\leq$ 2 380 t**

The stock was benchmarked in 2021 and upgraded to a category 1 stock, with new reference points. The spawning stock has been below  $MSY B_{trigger}$  since 2014. Fishing pressure is declining but well above  $F_{MSY}$ . The recruitment estimates in 2019 is among the highest in the time-series.

#### **Sole in the western English Channel (7.e) - MSY: Catch $\leq$ 1 810 t**

Similar trends as in previous assessment, but reduction in perception. The spawning-stock biomass has been above  $MSY B_{trigger}$  since 2009. Fishing mortality has been below  $F_{MSY}$  since 2009. Recruitment has been variable but well above average recruitment in 2018-2020.

#### **Sprat in subdivisions 7.d-e – MSY: Catch $\leq$ 2 897 t**

A inter benchmark was conducted in 2021. A constant harvest rate used to provide advice. The biomass has been relatively stable in recent years.

#### **Whiting in the North Sea and eastern English Channel (4 and 7.d) - MSY: Catch $\leq$ 88 426 t**

An inter benchmark was held in 2021 leading to new estimates of natural mortality and a large revision in  $F_{MSY}$  increasing from 0.172 to 0.371. About 20% of the catches are taken in the Eastern Channel area. The spawning stock above  $MSY B_{trigger}$  and fishing pressure is below  $F_{MSY}$ . Recruitment is variable, above average in the last two years.

#### **Striped red mullet in the North Sea, east English Channel, Skagerrak and Kattegat (4 ,7.d, 3.a) - PA: Catch $\leq$ 1 950 t (for 2022 and 2023)**

The Channel Ground Fish Survey index is incomplete because of COVID-19. The assessment was downgraded to landings only. A precautionary buffer was applied to average catches. Of the 3503 t catches in 2020, 2103 t were taken in eastern Channel. Fishing pressure is above  $F_{MSY}$  based on length indicator.

- **Questions and answers**

**David Vertegaal:** I think there are other important species for the Channel that weren't considered, namely squid and gurnard. Is ICES monitoring those and with what frequency?

**Ghislain:** We do consider the gurnard, but not the squid as we didn't receive a request for advice on this stock. For gurnard, there was a benchmark this year and normally the stock is benchmarked every two years.

**David Curtis:** Concerning seabass, for the recommended scenario, the spawning biomass goes down 1.8% in the next year. However, there is a recommendation to fish at a level that takes the stock



down when it is below  $B_{\text{trigger}}$ , could you explain that? What is the timeframe for getting back to  $B_{\text{trigger}}$ ? For some of the assessments, you had probabilities of going towards  $B_{\text{lim}}$ : does this exist for seabass too? Could you explain why the recommendation is at the same level as the upper multi-annual plan scenario? Finally, do you know what  $B_0$  is?

**Ghislain:** On the advice rule, this is the standard ICES rule. Once you are above  $B_{\text{lim}}$  there is a clear rule on what  $F$  should be, but there's no requirement for an increase. In those cases where we're around  $B_{\text{lim}}$ , we do show that this is changing in biomass, so that it can be taken into account when deciding the TAC. The question on probability, we do have it for a number of stocks depending on how the projections are done. If they are stochastic projections, there would be the possibility to show these probabilities. We decided to show that for North Sea cod because the stock was quite below  $B_{\text{lim}}$  but projected to go above  $B_{\text{lim}}$  even with the catch. In terms of the  $F_{\text{MSY}}$ , we do have the range but for a number of stocks  $F_{\text{MSYupper}}$  is equal to  $F_{\text{MSY}}$ . This is because, when looking at precautionary  $T$ , whether there is less than 5% probability of falling below  $B_{\text{lim}}$ , you end up capping the  $F_{\text{MSY}}$ . The  $F_{\text{MSY}}$  becomes the limit of being precautionary and there is no scope for going above that.

**Olivier Lepretre:** I think you should listen more to the fishermen. When it comes to undulate ray or seabass, we have a lot of discards that we have to throw away. I am not questioning how ICES works, but you will have to take into account what actually happens at sea. If we don't increase the TACs for rays and seabass, we will continue throwing them away. We need to work together and change the calculations together to make them more accurate and reflecting the real situation at sea.

**Ghislain:** We make our estimates with the best estimations that we can gather. For example, for seabass last year we estimated 325 t of discards. For the undulate ray, we see a higher abundance, the question of survival has been looked at and there is going to be a benchmark in 2022 which will hopefully improve the assessment.

**Delphine Roncin:** Coming back to the advice on whiting in 7d, I was astonished by the numbers. Last year we were told that the stock was overfished, while now we hear that the status of the stock is good and we have over 230% increase in the advice. I understand that we had the benchmark, but why is the difference so huge? Telling professionals that such an increase is possible is quite confusing.

**Ghislain:** Certainly, if you compare this to last year, it is very different. When we do the assessments, we include the best new information we have. In this case, we have new estimates of natural mortality that were looked at in a benchmark in 2021. The reference points were revised and the perception of the stock changed.

**Franck Le Barzic:** In 2020 with the pandemic some vessels had to stop their activity, was this taken into account? Regarding recreational fishing for seabass, you base your assumptions on a figure from 12 years ago. The number of recreational fishing vessels has increased, don't you have more recent figures?

**Ghislain:** For the seabass, indeed the estimates were done with a survey back in 2012. It would indeed be preferable if such an increase in effort has happened, but we would need annual



estimates and we don't have them. This is the best we can estimate. In terms of 2020 fisheries, this would be taken into account in the assessment. We are not assuming that the same level of catches was taken in 2020 as in previous years. The model includes the actual levels of fishing. We ran into some issues in the assessment in those cases where there was fishing activity but we could not do as much sampling as we would have in previous years. We know how much fish was caught, but we don't know the size. Thus, the estimates of average size are maybe not as strong as they were previously. To conclude, the data collection was somehow impacted by covid, mostly for what concerns sampling of discards and market catches.

**Mathieu Vimard:** We of course understand that you have to work with the best available data, however I don't think you take really into account some urgent situations. On the undulate ray, I appreciate that a benchmark is planned, but at the moment you don't really take into account the survival rate. It's positive that you are going to work on that and on the reference points, which we've known for years are very bad. In any case, we will have to wait potentially one more year to have a realistic assessment of the stock, despite that we have all the elements we need. The precautionary approach seems to be working in one direction only. Even if you are sure that the state of the stock is improving, but the model has not been adapted, still you apply the same model. Precautionary principles are hard to accept, but it would be easier if they are properly justified. If we have evidence showing the good status of a stock, it would be logical to have an increased quota, something that would send a signal to fishers. On seabass, the advice has finally improved. There might still be some issues with discards and here again I believe that this advice does not reflect reality. Ghislain, what is your opinion on the seabass catches allocation tool developed by ICES requested by the Commission? We know that the scientific committee reviewed the tool and concluded that it was not adapted, but it has been used for two years now. Finally, on the sole in 7.d, the benchmark is giving a more pessimistic view on the stock. Were the conclusions of the SMAC surveys taken into account? I have vessels working in the south-western part of 7.d where we've seen recruitment. Moreover, catches have been very good for the past two years. Despite that, I see a decrease in the advice.

**Ghislain:** We are aware of the seabass tool and of the comments made by this AC. There has been a data call this year on the number of vessels to improve the tool. In terms of the sole, several surveys were used in the model. The change in the advice is largely due to the analytical method used. We are now getting absolute abundances, while in the past we would get relative abundances. There is indeed good recruitment for sole as you indicate.

### 3. Update on seabass management

**Mathieu Vimard:** I have a question for the Commission. For seabass catches we have always been very careful, but we are aware that the UK is allowing a much higher level of catches than those we have been receiving in the past years. What is your take on this?



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**Erik Lindebo:** Following the consultations with the UK, we did have some changes to the fishing opportunities for seabass for EU and UK vessels. That will probably lead to a slight increase in fishing opportunities for 2021 but that is for both EU and UK vessels. With that additional derogation agreed in the regulation, we also agreed that we would have gone back to ICES to make sure that we further develop and improve the tool within the context of the Specialised Committee on Fisheries. I agree that the issue of discards needs to be addressed and I think that the work of the dedicated Focus Group from this AC is vital. The Commission would be very interested in continuing the cooperation with you on this point.

**ACTION:** The Seabass Focus Group should be re-established. Secretariat to contact former Chair and members to set up the first meeting and prepare the Terms of Reference.

**David Vertegaal:** Last year we've been trying hard to see how we could move discards to landings. We now see that for the second half of 2021 the actual allowance for demersal fisheries for taking seabass has been going up by almost 50%. Hopefully that will indeed reduce discards and increase landings. However, we've seen a relevant increase in the activity of the flyshoot fishery in the Channel, which is worrying also in respect to seabass. We really need ICES to verify the quality of discards figures for seabass. Has anybody requested to ICES to do more work on this, to validate available discard figures, or that more control at sea is being undertaken at this time to produce better data?

**Ghislain Chouinard:** I am not aware that we've had that request. Obviously, the work is being done in the MS in terms of monitoring. I will take a note of this comment and inform the people working on this assessment of these concerns and maybe they have information on what is being done in terms of monitoring.

#### **4. Update on FG Whelk by the Chair Dimitri Rogoff**

**Dimitri Rogoff:** The Focus Group was set up last March and focuses on divisions 7.de. In the Western Channel, whelk fishing is properly framed, but in the Eastern part of the Channel this activity is more recent. It started in the Bay of Seine and has expanded to the Calais straight. Within the FG, we developed a questionnaire to know more about the characteristics of the fishing activities in the different areas. We are also collaborating with several experts, for example at our last meeting we had a presentation from Laurence Mace from SMEL on the most recent scientific data on the species and the fishery. We highlighted that resource management is key, with a socio-economic approach. In the Eastern Channel, vessels are larger as fishers targeting sole recently converted to whelk. We also noted that whelk in the southern areas is much impacted by climate change and this dimension needs to be taken into account. The next steps include further meetings with experts, namely Normandie Fraîcheur Mer on the MSC ecolabel. We will also focus on the results of the questionnaire. We are also aware that a growing number of British fishers are fishing for whelk in the Eastern Channel, thus we also need their feedback on their fishing activities. We will then frame a management proposal, considering coexistence with other métiers, potential closures, size of vessels and fishing effort.



## 5. Update on Scallop by NWW MS Group and DG MARE

**Pauline Joyeux:** First of all, we want to thank the AC for the quality of the advice provided on the Joint Recommendation. STECF has just released its report, but I was unfortunately unable to read through it before this meeting. However, the feedback we received was quite positive. The COM also told us the plan to share the JR with the UK in the SCF in the context of discussions on non-quota species. We also asked for information about the transposition of this JR into a Delegated Act, but I guess that Erik will explain this himself.

**Erik Lindebo:** We also understood that the STECF evaluation was positive and are thus taking the natural steps proceeding to the Delegated Act. Scrutiny by the Parliament will probably happen in the autumn, with the view to get the Act adopted for 2022. As Pauline said, we do have the SCF where we will have to discuss with the UK on shared stocks, including scallop. Here we have a commitment to develop multi-year strategies for non-quota species in general, which might include scallop, especially for conservation reasons. Any work in this regard won't certainly start before September. As you can imagine, a lot of information will have to feed into this process: scientific data, socio-economic data, catch information, impact of Western Waters effort regime, advice from yourself and the MS Group. We hope for continued collaboration with you on this topic in the coming years.

**Mathieu Vimard:** Do you have an idea of the timeframe? Do you think it is feasible to have the DA adopted by the end of this year? Also, this JR as it was submitted does not include important technical elements we had previously discussed within the AC, for example a maximum length of vessels. Do you think there is still time to modify the JR and add some technical measures? If that is not the case, when can we do that in a reasonable timeframe?

**Erik Lindebo:** Changing the JR at this stage would probably delay the DA, as the JR has already been evaluated by STECF. We are aware that the scallop is a very sensitive topic and that there are important socio-economic interests around it, therefore we are going to have an internal reflection before the summer break on how the Delegated Act will interact with any work within the SCF. I think that the work in the SCF with the UK is going to take a long time, we are certainly going to have the DA adopted before we reach an agreement with the UK.

**Dominic Rihan:** The STECF advice is broadly positive, as the JR covers all vessels in the area. However, STECF also noted that additional technical measures, as Mathieu alluded to, would help to strengthen the actual closure. From the STECF point of view, any additional measure would be positive in that sense.

## 6. Danish seine fishery in the Eastern Channel

**Chair:** The agreement is on stand-by as, following discussions on the last version this April, French organizations have decided not to sign it, considering that the measures proposed were not ambitious enough. An action that could be agreed at AC level in this WG could be to address a request to the Commission for an ICES advice on the flyshoot fisheries in the Channel including the



evolution of the use of gear (the last 10 years, catch composition, effort, etc.), a comparison of LPUE/CPUE with demersal trawl, and a review of the status of the main non quota species.

**Geert Meun:** The Dutch fishing sector is quite disappointed at this stage. We've been talking about this agreement for more than one year. We had reached an agreement in March and of course it was a first step, including for example a minimum mesh size and limitations to days at sea. It was our intention, and it is still now, to have this agreement signed by the sector from the four MS involved to start managing the fishery. For us, we do not necessarily need to stick to the Eastern Channel, we can also expand this management plan to the Western Channel and the Southern North Sea. We are now delaying the implementation of the agreement and we do not agree with this way forward. We are still happy to sign the gentlemen agreement and start managing the flyshoot fishery.

**Dimitri:** I am also disappointed for the lack of agreement, but perhaps for a different reason. I think we need to go further in the knowledge on catches, fishing rights, sampling of landings, etc. We needed to benchmark the effort of our fleet and unfortunately we were not able to collect this information, nor to open a proper debate on some items, namely the fishing right. This agreement had the purpose to fill the gap in the shortcomings in fishing effort and fisheries resources management. French fishermen think that the agreement didn't go far enough. The fleet is over dimensioned and nothing in the agreement indicated that we would have been able to reduce the fishing effort.

**Geert:** I don't agree with Dimitri. The gentlemen agreement mentioned the total number of days per vessels (no more than 8 days in two weeks). We can discuss to make this rule an obligation also for other areas. This was a starting point after a one-year discussion. We could start with this agreement and continue our collaboration on this.

**David Curtis:** In my view, the request to the COM should go ahead in any case, I can't see any reason against this, since we need more information on the fishery. At the same time, that does not stop the parties involved to try to work together and reach some interim agreement, even if there has been a failure to reach a long-term solution.

**Emiel Brouckaert:** Indeed, one thing does not stop the other. From this WG we can propose to the ExCom that a letter is drafted to the COM requesting ICES advice on the flyshoot fishery. Then all parties will be able to have an input on the letter if it is decided to be sent. As the representative of the Belgian industry, we concur that the agreement is there and not doing anything at this stage is not the right way forward. We should sign the agreement and continue the discussions on how to improve it.

**Secretariat:** I would now like to invite the French presidency of the MSG to briefly present the work planned on Article 12 of the North Sea Multiannual Plan.

**Pauline Joyeux:** Indeed, we are discussing this Article within the MS Group to reply to the [question put forward by the NWWAC](#). The MSG considered that such a discussion could occur within the North Sea MSG and we suggest that this AC works in cooperation with the NSAC to address the topic.





**ACTION:** Secretariat to draft a letter to the COM requesting ICES advice on the flyshoot fishery in the Channel, including the evolution of the use of gear, a comparison of LPUE/CPUE with demersal trawl, and a review of the status of the main non quota species.

## 7. Elections' procedure of WG Chair and Vice-Chair

**Secretariat:** This September, the terms for the positions of Chair and Vice-Chair of this Group will come to an end. Moreover, the General Assembly approved yesterday the new structure of the AC, with three geographical working groups and one horizontal working group. Working Group 3 will continue as is.

**ACTION:** WG members shall send their nominations to the Secretariat for elections of a new Chair and Vice-Chair at the meeting in September.

## 8. Summary of actions agreed and decisions adopted by the Chair

1	The Seabass Focus Group should be reestablished. Secretariat to contact former Chair and members to set up the first meeting and prepare the Terms of Reference.
2	Secretariat to draft a letter to the COM requesting ICES advice on the flyshoot fishery in the Channel, including the evolution of the use of gear, a comparison of LPUE/CPUE with demersal trawl, and a review of the status of the main non quota species.
3	WG members shall send their nominations to the Secretariat for elections of a new Chair and Vice-Chair at the meeting in September.

## Participants

NWWAC members	
Pascal Coquet	France Pêche Durable Responsable
Geert Meun	FishNed
Patrick Murphy	Irish South & West Fish Producers Organisation
Franck Le Barzic	OP COBRENORD
John Lynch	Irish South & East Fish Producers Organisation Ltd
Delphine Roncin	FROM Nord
Julien Lamothe	ANOP
David Curtis	EAA
Manuel Evrard	Organisation des Pêcheurs Normands
David Vertegaal	EAA
Manu Kelberine	CRPM de Bretagne
Dominique Thomas	OP CME MMN
Olivier Lepretre	CRPMEM Hauts-de-France
Jérôme Jourdain	UAPF



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Jean-Marie Robert	Pêcheurs De Bretagne
Sonia Muller	CRPMEM de Normandie
Emiel Brouckaert	Rederscentrale
Mathieu Vimard	Organisation des Pêcheurs Normands
Dimitri Rogoff	CRP Normandie
<b>Experts and Observers</b>	
Dominic Rihan	Bord Iascaigh Mhara
Ghislain Chouinard	ICES
John Healy	EFCA
Roos Strating	Dutch Ministry of Agriculture
Erik Lindebo	DG MARE
Pauline Joyeux	Presidency NWW MSG
Marianna Monneau	Presidency NWW MSG
Jim Portus	SWFPO
<b>NWWAC Secretariat</b>	
Mo Mathies	Executive Secretary
Matilde Vallerani	Deputy Executive Secretary