



## Draft Minutes

### WORKING GROUP 2 (CELTIC SEA & West of Scotland)

Wednesday 14 September 2022

09:30 – 12:00 CET

#### 1 Welcome and introductions

The Chair welcomed all participants. Apologies were received from Dominique Thomas XXX. The agenda was adopted.

- Action points from the minutes of the last meeting (05 July 2022)

1	Members to send comments on ICES advice and recommendations for issues to be included in fishing opportunities advice to the Secretariat
	<a href="#">NWWAC on Fishing Opportunities 2023 was delivered to the Commission on 25 September.</a>
2	The Secretariat will distribute the recommendations formulated by the PelAC on Greater Silver Smelt for comments (if needed, a joint task force will be meeting to discuss). Once agreed by the WG, they will be included in the Fishing Opps advice.
	<a href="#">NWWAC on Fishing Opportunities 2023 was delivered to the Commission on 25 September</a>
3	The Working Group will review the draft advice on Technical Measures in the Celtic Sea by Monday 11 July.
	<a href="#">NWWAC advice on CS TM was sent to the Commission on 20 September.</a>
4	Secretariat to share 2022 Choke ID tool following an update on exemptions on technical measures for members to provide comments to feed advice preparation by the FG LO
	<a href="#">In progress – will be discussed under agenda item 2 and 3</a>
5	Secretariat to contact PelAC and SWWAC Secretariat to ask about progress of work on VMEs and deep-sea access.
	<a href="#">A meeting was held with ICES on 26 July and the topic was included on this agenda.</a>

#### 2 Discussion on choke risks in the Celtic Sea

The Secretariat presented the NWWAC traffic light tool for choke risks and reminded members of the functionality and information included. Information was discussed stock by stock.

##### Haddock 7b-k

Sean O'Donoghue commented that the high risk category is correct but felt that, in addition, the ICES remarks on haddock over the past years should be included, specifically the recruitment changes from large to low. The ICES advice only reflects a large recruitment two years after the



event and this needs to be identified in the additional measures.

John Lynch pointed to an anomaly in the technical measures and that the ADG had suggested a review on this. With haddock going back into a high-risk choke category, if there is over 20% in catch a gear has to be used that increases haddock catches by 37%. This may need to be addressed here.

The Secretariat clarified that this had been included in the NWWAC CS TM advice so wording from this advice can be included.

Patrick Murphy was concerned that this stock has never been afforded the same increases as if it was treated as a single stock. He felt that problems would be caused by the large number of large fish. A situation of boom and bust cannot continue and the year classes must be taken into consideration.

#### Skates & Rays 6 & 7

Jean-Marie Robert felt that the stock status did not have to be reviewed. He stated that all exemptions are rather fragile and often new data and expertise is needed to sustain these. In 2021 a reduction of 5 % was noted with a total of 9% reduction on the fishing possibilities. France is very close to utilising the total quota. Not having the survivability exemption here would be unworkable. The true abundance of all species must be reflected when fixing the fishing opportunities.

#### Whiting 7b-c, e-k

Emiel Brouckaert asked if the draft regulation had been received and if the draft discard plan could be shared with the AC. He recalled that an agreement to change the *de minimis* to 3% was agreed and a discussion may be needed on this.

The Secretariat added that the AC had been informed of the changes that had been agreed between the Commission and the NWW Member States Group and it would be useful to receive the full document.

#### Sole 7f,g

Brouckaert commented regarding both sole and plaice that in the NWWAC's Fishing Opportunities advice an inclusion was made on plaice regarding certain categories of the ICES advice. Both stocks seem to be far more abundant when observed at sea than identified by ICES. A thorough review is needed of the distinction between what is noted at sea and what is reported by science. Without the exemptions the Belgian fishery would be unable to operate sustainably.

#### Hake 6 & 7

O'Donoghue stated that he was unaware of issues related to unwanted catches in the gadoid and *Nephrops* fisheries. He also queried the extension of measures to area 6 as they are the same measures that apply in area 7. It is also a single stock assessment. According to the benchmark the stock size increase by 71% but the TAC increase is only 10%. "Is hake amber or green at this stage based on these developments?"



The Chair asked if members had any additional information on the gadoid and *Nephrops* fishery measures. He felt that the small increase in TAC may not correspond to the ICES advice and maybe something would need to be added.

The Secretariat added that comments included in the table were based on comments submitted last year so the notes from last year's meeting would need to be reviewed to identify the source of the comments regarding the gadoid and *Nephrops* fisheries.

O'Donoghue felt that previous submissions by the NWWAC might include some information on these stocks so these could also be included in this table. He felt that the current comments in the table could be deleted.

The Secretariat will review previous comments and advice regarding this stock.

#### Cod 7e-k

Robert agreed with the current comments in the table and included that this topic was addressed in the NWWAC July advice. He stated that at French level selectivity of fishing gear is not helping to improve the stock and that this is not a technical problem any longer. This has become more of a political issue and the TAC for this stock may need to be queried. The bycatch issue should be fully understood, however, he felt that there is no solution at the moment for this stock.

The Secretariat will review ADG recommendations and include in this table.

#### Sole h,j,k

Robert felt that this stock is comparable to cod. It is the second biggest problem in terms of quota adequacy to vessels activities in France. The TAC was cut by half in 2017. Since 2020 vessels in Brittany catch a lot of large sole. There is a reduction of quota and an increase in yield which is highly problematic. The exchanges between MS are very limited which makes this situation very uncomfortable. More work is needed on the biological aspect of this stock and ICES need to be asked for new measures to characterise abundance levels and align this with quota levels. The precautionary approach used here is incompatible with the Landing Obligation.

Brouckaert pointed to the NWWAC FO advice which had a specific reference to data collection in relation to sole. As part of the genetics and stock composition this was intended specifically between the south of Ireland and 7h. Comments from the NWWAC FO advice should be included here.

#### Plaice 7h,j,k

Brouckaert commented that this stock is hardly assessed and contrary to sole in 7h,j,k it does not seem very present in the waters.

Robert suggested that a reduction in risk level could be put forward. Last year saw an analytical ICES assessment and an increase in quota is in place for next year, so the choke risk is lessened. Data is still not solid, however in comparison with sole h,j,k the level is very different. The TAC has been doubled based on better scientific data and opinions.



Brouckaert agreed that the colour for this stock can be changed.

### Nephrops 7

O'Donoghue stated that the issue in relation to this stock relates more to FU 16 rather than area 7 overall. Under current TAC and quota, FU16 is a sub part of area 7. From the Irish point of view the key issue is that the Porcupine has both a closure and a TAC. In many previous years this AC asked the Commission to reflect that it should be either closure or TAC. A subset of *Nephrops* in FU 16 should be identified where the swap issue exists and the closure time in FU16 should be reviewed.

The Secretariat will review previous work by the NWWAC on this stock.

The Chair stated that this is a targeted fishery and was wondering if the issue of the swaps belongs in this topic. The closure time periods had been reviewed which seemed to have worked, and for the Spanish fisheries this seemed to produce the right outcomes. Maybe a different approach is needed here as a targeted fishery is different from a mixed fishery.

O'Donoghue replied that there is no issue of swaps for area 7 overall. However, in FU16 a definite swap issue exists for Ireland. The closure and sub-TAC in FU16 are also an issue and the NWWAC has argued in the past that there is no need for both. From discussions with scientists, it seems that the existing closure may not cover the spawning time in FU16.

### Pollack 7

O'Donoghue felt that the AC needed to include that this is a category 4 assessment and a significant improvement is needed to move this stock to an analytical assessment.

Members had no comments on the following stocks: boarfish 6-8, megrim 7, black-bellied & white-bellied anglerfish 7 & 8 and plaice 7 f,g.

In addition, O'Donoghue felt it should be mentioned that a working arrangement exists with the PelAC on sprat and silver smelt.

Dominic Rihan clarified the point on measures for hake, explaining that last year's recommendations were referring to the fact that the discard rate is around 10% and is highest in whitefish and gadoid fisheries that use less than 100mm mesh. They also referred to extension of selectivity measures introduced in the Celtic Sea to area 6 as well.

## **3 Discussion on choke risks in West of Scotland**

### Cod 6a

O'Donoghue stated there is an urgency to work on stock ID which should be reflected in the document.

Robert felt that the seal population may have an impact on the recovery of this stock which seems to



be recognised by scientists as well. Papers published in 2015 and 2011 identified the amount of predation by seals and looking at these figures it becomes apparent that fishing is not the problem. It is a matter of proportionality as to how many fish should be there for fishers and how many for seals. Maybe the AC could issue an invitation to scientists for an update on the seal population and how they are impacting on the cod stock. Correcting measures for fishers may not solve the problem.

O'Donoghue felt that looking at the individual MS the risk is moderate, and it would be hard to reconcile this with the overall amber choke risk. This is a category 3 stock without an analytical assessment which is needed.

#### Haddock 6a

O'Donoghue stated that the scientific advice is no longer being followed for this stock in this joint assessment with the North Sea. There is a tri-lateral agreement between EU-UK-Norway deciding for this stock that only a fraction is taken of what the scientific advice is. This creates urgent issues for the Irish fisheries for which it should be red.

#### Haddock 6b

O'Donoghue added that the proposed management by NEAF should be mentioned.

#### Nephrops 6

O'Donoghue felt that it is needed to re-evaluate the proposed measures as they all seem to relate to pre-Brexit.

#### Silver smelt 5b, 6a

This stock falls under the NWWAC-PeIAC agreement.

O'Donoghue felt that the categorisation was incorrect, and this should be a low risk following the large increase of TAC advice in the previous year though this year's advice is lowered. He was not aware of any demersal vessels having bycatches of Argentines in 6a and felt that the *de minimis* was irrelevant.

Dominic Rihan stated that the *de minimis* has been in the Discard Plan for the past years as Spain and France have no quota which impacts the categorisation.

O'Donoghue felt in area 6a there were no catches of Argentines though some may occur in 7 and thus felt that the *de minimis* was no longer needed.

**ACTION:** Secretariat to update and finalise the choke traffic light tool based on today's discussions taking into account previous NWWAC advice.

Members had no comments on saithe 6a, whiting 6a, anglerfish 6, blue ling 5b, 6 & 7, cod 6b, ling 6-9, 12, 14, 3a, 4a, megrim 6, tusk 6a, tusk 6b.



#### 4 Updates on ADG Technical Measures Celtic Sea

The ADG has successfully delivered advice to the Commission on Technical Measures in the Celtic Sea on 20 July. It remains to discuss if the ADG should now work on the review of the hake management plan, focusing in particular on the measures in the “Hake box” (Regulation Council Regulation 494/2002).

This had been included in the Terms of Reference of the ADG.

Robert was unsure if this could be decided today and recalled that in general the hake box was related to a very degraded situation biologically speaking in 2000. The situation has changed, and the stock has much improved. Maintaining measures for recovery when the scientific view has changed drastically creates issues with consistencies. There is a cohabitation and coordination problem between the different fleets as on the Irish side nets of 120 mm are being used where the Spanish and French prefer using 200mm mesh from Gulf of Biscay to East of Scotland. Now the new assessment methodology for hake biomass must be considered and the question of mesh size is not that relevant any longer. ICES seem to assess female hake to determine the level of biomass and set the fishing opportunities based on this. This group should look at how the mesh sizes are distributing the catches between females, large and small fish. He felt that the 108mm was better at distributing the catches between male and female. Allowing directed fishing of hake between West of Scotland and the Bay of Biscay should be evaluated.

The Secretariat asked if it might be useful to draft a letter on this topic to the Commission.

Robert identified from his point of view it is necessary to understand the most recent scientific research and was not sure if the benchmark report also analysed the catchability between sexes. All members should read the full report prior to a discussion. A letter at this point in time may not be useful.

The Chair agreed that this new assessment system seems rather curious and it is unclear where this is going. A reflection period could be interesting and presentations by ICES and other scientists could be arranged for future meetings of this WG.

O’Donoghue agreed with Robert and felt that this has been covered in the NWWAC Fishing Opportunities 2023 response. He felt that the communication with ICES on stock advice this year was not very good. The AC should have additional communications on this topic with scientists and ICES to further understand this issue. He agreed that a letter to the Commission at this point in time would be premature.

The Secretariat suggested to invite ICES to present at the next WG meeting in March and that members could review the available report in the meantime. Alternatively, the Secretariat could organise a specific meeting on this topic with ICES and relevant research institutes.

Brouckaert felt that the second option would be better and is already contained in the ToR of the ADG. The ADG could follow this up in more detail.

The Chair supported this.



José Beltran felt that either option would be agreeable.

The Secretariat proposed that the next meeting of the ADG CS could include presentations by ICES and representatives from other national research institutes. However, the ADG is restricted to a few members and does not include all members of this WG.

The Chair stated that an exception could be made to open this meeting to observers.

Brouckaert suggested that the link to the benchmark report should be circulated prior to the next meeting.

**ACTION:** Secretariat to circulate link to benchmark report on hake.

**ACTION:** Secretariat to organise ad-hoc meeting on this topic with the ADG including invitation to other observers.

## 5 VMEs and Deep-Sea Access Regulation

The Chair stated that Director-General Vitcheva sent out a letter regarding the procedure on how this consultation was carried out. He wondered what the WG's involvement should be at this point of the process?

The Secretariat stated that many members attended the meeting on 26 July, and it was felt that this meeting had not been very constructive.

Robert felt that in general terms this is a very political topic and that the Commission is not putting questioning anything regarding VMEs which he felt was unsatisfactory. Regarding the public consultation and the involvement of the ACs, he stated that this week ICES had an advisory group meeting on this specific topic and the participation of stakeholders has always been authorised for AC members. He queried if the ACs had been invited and wished to clarify if the Secretariat had received any information on this meeting. He felt that the consultation of stakeholders was not carried out correctly.

The Secretariat identified that no invitation or notification was received for the meeting this week from ICES. The workshop in 2020 had been notified and attended but since then no further communication has been received from ICES on this topic.

O'Donoghue identified this as a key issue for the NWWAC. The meeting on 26 July was unsatisfactory but highlighted a large number of flaws in the proposal from the Commission. He asked if the Commission is going to take on board the technical expertise that was presented at the meeting, or are they are going to press ahead with the implementation of a flawed regulation. He felt that this was not sound governance, and the AC should state that in light of the meeting in July the parameters need to be reviewed. There are issue in the Porcupine and area 8 that need to be addressed prior to implementation. It is also unclear when the implementation is scheduled.

Beltran added that the entire process felt obscure. Though consultations have taken place, it is a manner of how these were carried out. It seems that nobody so far as managed to bring forward solutions. The AC must react as this is an important topic affecting the fleet which will create a



conflict with certain fishing gears. The Commission may need to be asked if the various fishing gears have been taken into account, and if the socio-economic effects have been considered. This query could be addressed to both ICES as well as STECF to ensure that measures are not being imposed on the industry.

Robert specified that this week's ICES meeting is a very political topic and that he does not want this AC exposed to the anger of the Commission, however, facts need to be exposed and the Secretariat knows the rules regarding the invitations to ICES events and what these depend on, how they are being issued. From a technical point of view the ICES AG should be made aware that the AC is very interested in this topic and would wish to be invited to these meetings if it is a possibility to participate.

The Secretariat proposed to review the ICES rules on attending meetings. This topic is of interest to various ACs and a joint approach could be advisable.

O'Donoghue wondered if contact with the Secretariats of the other ACs could be made regarding the submission of a joint letter, for example the LDAC, the SWWAC and the NSAC.

Beltran agreed with keeping in touch with the other ACs on this topic as they are all involved, especially the SWWAC, but also the PelAC and the LDAC.

The Secretariat cautioned that other ACs may not wish to be involved in a submission as the previous submission by the NWWAC on this topic was also not supported. However, the situation has changed since the meeting on 26 July.

The Chair agreed and felt that everyone is reassessing the situation. Members who are also members in any of the other ACs are encouraged to support a joint approach where relevant.

**ACTION:** The Secretariat to contact the other relevant ACs to initiate a joint submission on this topic.

## 6 International North Sea Cod workshop

ICES has agreed to hold an international workshop later this year with industry representatives from the Northern Fishing Alliance and stakeholders to review North Sea cod stock assessments.

The Northern Fishing Alliance (NFA) of industry leaders from the UK/Scotland, Norway and Denmark has been highlighting the disparity between the TAC and the stock abundance they are experiencing for some years and asking ICES for an international workshop to take a fundamental reappraisal of the stock assessment process. Now ICES has agreed to hold the workshop and the NFA has asked for it to be held in late August or early September, ahead of the start of the autumn negotiations on fishing opportunities for 2023. Although it will primarily focus on North Sea cod the NFA wants it to look at cod stocks more broadly, including West of Scotland cod.

O'Donoghue agreed that the AC should remain involved in this topic and emphasise the importance of the genetic element.





The Chair felt that the relationship between North Sea Cod and West of Scotland was of interest to the WG and should be followed.

**ACTION:** The Secretariat to circulate additional information on this workshop if and when available.

## 7 Celtic Sea Floating Offshore Wind

The Crown Estate announces areas of search to support growth of floating wind in the Celtic Sea. Further stakeholder and market feedback will be used to refine the Areas of Search into smaller project development areas, within which the first generation of commercial-scale floating windfarms could be built. These project development areas will be offered to the market via competitive tender, to be launched in mid-2023.

**ACTION:** The Secretariat to circulate additional information on the offshore wind in the CS if and when available.

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

1	Secretariat to update and finalise the choke traffic light tool based on today's discussions taking into account previous NWWAC advice.
2	Secretariat to circulate link to benchmark report on hake
3	Secretariat to organise ad-hoc meeting on this topic with the ADG including invitation to other observers
4	The Secretariat to contact the other relevant ACs to initiate a joint submission on the VME topic
5	The Secretariat to circulate additional information on this workshop if and when available
6	The Secretariat to circulate additional information on the offshore wind in the CS if and when available

## 9 Participants

NWWAC members	
José Beltran	OPP-7 Burela
Emiel Brouckaert	Rederscentrale
Juan Carlos Corras Arias	FREMSS, Lonja de la Coruña S.A., PESAGALICIA-ARPEGA-OBARCO
Gérald Hussenot Desenonges	BLUEFISH
Manu Kelberine	CRPMEM de Bretagne
Jesus Angel Lourido Garcia	OPP77 Puerto De Celeiro
Franck Le Barzic	COBRENORD
John Lynch	Irish South & East Fish Producers Organisation Ltd
Luis Francisco Marin	O.P.P.A.O
Anais Mourtada	CNPMEM
Patrick Murphy	Irish South & West Fish Producers Organisation
Aodh O Donnell	IFPO



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Carol Forrest	DAFM
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Oisín O'Kelly	DAFM
Dominic Rihan	Bord Iascaigh Mhara
Jonathan Tholo	French administration
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Mo Mathies	Executive Secretary
Matilde Vallerani	Deputy Executive