



DRAFT MINUTES

WORKING GROUP 1 (IRISH SEA)

Hotel NH Collection Santiago de Compostela

Monday 13 March 2023

09:00 – 10:30 CET

1 Welcome and introductions

The Chair welcomed all members in the room and online. No apologies were received in advance of the meeting. The agenda was adopted as drafted.

Action points from the last meeting (virtual, 14 September 2022):

1	Keep the topic of Irish Sea cod closure for the next meeting of WG1 in March 2023. Agreed to explore further research with Chair, presentation by Olav Kjesbu under item 3 of this agenda. Raised with Irish Presidency of NWW Member States Group on 3 February 2023.
2	Secretariat to raise the topic of bycatch measures for whiting with the presidency of the NWW MSG for further discussion Done at MS TG meeting in September. MS were sent recent BIM research on the topic. Raised again at MSG meeting 03 February 2023
3	Secretariat to raise the issue of the cod closure with the NWW MSG Raised at MSG meeting 03 February 2023.
4	Keep the topic of offshore wind energy developments on the agenda for the next meeting in March 2023. Included on agenda item 2
5	Members will keep an eye on the Department's announcement of which applicants have been selected to ensure the AC has opportunity to provide advice. Follow up with WG1 members
6	Secretariat to share link for La Tene maps on ORE distribution. Done on 14 September

2 Offshore renewable energy developments – presentation by IS&EFPO and KFO

The presentation can be found [here](#).

Recognising the urgent need to clarify and define the roles of all stakeholders in the interaction between the Seafood and Offshore Renewable Energy (ORE) industries, the Killybegs Fisherman's Organisation (KFO) and the Irish South and East Fish Producers Organisation (IS&EFPO) have proposed a comprehensive method of working that ensures all stakeholders are actively involved in the formulation of ORE applications and not just informed after the event as a fait accompli.

ORE projects in Ireland will be developed in three phases. Phase 1 projects which have all been granted a Maritime Area Consent will produce 3GW, Phase 2 projects will bring this to 7GW, and the enduring regime, which is stated to have the potential for 70GW.

In the absence of any real and constructive engagement by the ORE industry prior to the development of the Phase 1 ORE projects, the fishing and wider seafood sector is facing significant challenges arising

from the proposed location and scale of ORE developments planned for the Irish Sea and right around the coast of Ireland. The Phase 1 projects, which were awarded in the absence of any Marine Spatial Plan and without adhering to the requirements Irish legislation (Maritime Area Planning Act 2021) in relation to stakeholder engagement.

Currently, most of the developments are inside the 6–12-mile zone, however, the next stage of the projects goes beyond the 12-mile zone.

Therefore, KFO and IS&EFPO are proposing the following as a way to address, even at this late stage, the serious deficiencies that arose from the lack of proper planning and stakeholder consultation.

The most serious of these deficiencies is the unacceptable location of the ORE proposals. In light of the fact that the Minister has issued Maritime Area Consent (MAC) for these Phase 1 projects, the KFO and IS&EFPO's proposal outlines the process that should be followed hereafter to ensure that the final location and design of any proposed windfarm and its attendant cabling are sited such that full account is taken of the interests of the fishing industry. This may require, in certain instances, that the application does not progress to development consent.

Pre-MAC Application Process

The status of all projects proposed by developers, for the Irish Sea, along with those proposed for the south, west and north coasts should be clarified as a matter of urgency.

The ORE industry should no longer have any autonomy when identifying and registering their interest in any prospective ORE site. Instead, a mechanism to facilitate early and meaningful engagement with the fishing industry and its representatives must be introduced as a matter of urgency.

Marine Spatial Planning (DMAPs)

In the preparation of any Marine Spatial Plan (DMAP) providing for future ORE development, the principles of sustainable development, as set out in Article 9 of the Maritime Spatial Planning Directive should apply. As part of the preparation of any DMAP, the fishing industry will be formally invited to provide advice.

ORE Industry – Fisheries Liaison:

The following rules should apply to any direct engagement between the ORE industry and the fishing industry.

- a) ORE developers should, in the first instance, contact the appropriate fishing industry representatives. Every meeting should have an agreed agenda, rapporteur, minutes, action points and action points follow up.
- b) It is important to define and formalise the role of Fishery Liaison Officers (FLO) and ensure that the provision of an FLO is a mandatory provision of any licence awarded in respect of any project that impacts any fishery.

ORE– Project Location:

- a) With a view to agreeing the optimum location of any future ORE development, discussions between the fishing industry, other stakeholders and the ORE industry should commence once the provisions of part 2 above have been completed.
- b) If these discussions are successful, then the MAC can be applied for with the support of the fishing industry.
- c) A functioning dispute resolution mechanism should be set up.

Post-planning

- a) Once planning permission is obtained, the ORE industry should continue to engage actively with the fishing industry.



- b) The Fishery Liaison Officers should continue throughout the post planning/building phase of any project.

Surveys

- a) Prior to embarking on any surveys, there must be fishing industry engagement.
- b) Surveys must be undertaken with minimal disruption of fishing activities.
- c) A minimum notice period of 30 days must be given.
- d) Any Marine Notice must reflect fishing industry requirements.

Construction, Post-construction/Operation, Decommissioning

A detailed set of fishing industry engagement procedures must be established prior to the construction, post-construction/operation and decommissioning stages of every project.

Emiel Brouckaert thanked the Chair for reporting on these developments and asked if any target dates are known yet.

The Chair stated that the Government announced the first phase projects to be operational by 2028, with the 7GW target to be reached by 2030. The major 70GW target is set to be achieved by 2040.

Patrick Murphy felt that following the presentation of this document to the Irish Government a change was implemented by Government proving that this document had an impact. He commented that the ORE developers were disappointed at this change. The IS&WPO also attended the Northern Fisheries Alliance meeting on 28 February in London and explained that the cumulative effects are of highest concern for the fisheries sector. He asked if WG1 could address the cumulative effects of these developments and ask ICES to evaluate this.

The Chair commented that under the DMPA regime the Government would pick the sites, however, it is unclear what the selection criteria for this would be and if a fisheries input is included.

ACTION: Secretariat to check with ICES if any research (ongoing and/or planned) on cumulative effects of ORE developments is available. If not, recommendations should be developed by the AC requesting that this topic is investigated.

3 The issue of reproductive challenges for cod when waters warm – presentation by Olav Sigurd Kjesbu, Institute of Marine Research, Norway

The presentation can be found [here](#).

Olav Sigurd Kjesbu explained that the presentation is based on a study published on the Journal Fish and Fisheries in January 2023 by Kjesbu and other colleagues, "*Latitudinally distinct stocks of Atlantic cod face fundamentally different biophysical challenges under on-going climate change*".

Looking at Atlantic cod life history and reproductive ecology across latitude under climate change, the paper points out that the main challenge for cod in the Celtic Sea is reproduction.

Using information from climate impact assessment, Kjesbu shared a graph with a bell diagram with temperature on the x-axis and productivity on the y-axis. Celtic Sea cod is believed to be very close to an upper temperature threshold resulting in spawning failure (ovulation problems).

Kjesbu referred to literature stating that reproduction is a complicated issue, affecting physiology on multiple levels of the brain-pituitary-gonad axis. Moreover, the spawning cycle of cod is extremely fine-



tuned, sophisticated and easily disturbed.

He then referred to information from data-storage tags on multiple cod stocks, which reports that cod during spawning period becomes more selective in terms of temperature ranges. Therefore, there seems to be a knife-edge temperature for cod as a species.

In terms of egg quality in relation to temperature, aquaculture studies state that temperatures above 9.6 °C resulted in significant reductions in fertilization and normal egg development. Concurrently, fractions of dead and unfertilised eggs increased with elevated temperature. Egg characteristics improved when temperature was lowered below 9.6 °C.

Going back to the findings of the 2023 study, Kjesbu explained that cod was found to have a highly erratic spawning frequency “somewhere” above 9 °C. More precisely, there seems to be a threshold around 9.6 (± 0.25) °C where the spawning frequency becomes unpredictable. Cod oocytes do not seem to leave the ovary when temperature goes above this threshold.

Kjesbu then focused on the implications for spawning ground persistence, taking into account the 2060 RCP scenario of 4.5. As the threshold value moves up in latitude, traditional spawning grounds tend to disappear from the Celtic Seas region. The currently outlined directional effect patterns characterizing the 39 assessed North East Atlantic stocks with either declining, neutral or increasing productivity appeared closely linked to their thermal window of tolerance.

Kjesbu concluded his presentation by providing an overview of the relevant literature and by mentioning that further work is planned on the topic, including gene expressions and more detailed dst-analyses.

The Chair thanked Kjesbu for his presentation which provides comprehensive information to the members of this group.

Murphy commented that there are also other environmental pressures for example related to zooplankton, and that an additional problem in Sweden was sprat eating the cod.

Kjesbu stated that zooplankton is important but that his presentation focussed on basic biology and spawning and identified that cod do not spawn above 9.5 degrees centigrade. In the North Sea zooplankton is also very important. But he commented that the temperature in the North Sea is currently not close to the critical threshold for spawning whereas it is for example in the Celtic Sea and expected to be so in the Irish Sea in the next decades if ocean warming continues at the same speed.

Brouckaert asked if Kjesbu was in contact with ICES regarding taking these findings into account in their assessments.

Kjesbu stated that this paper was only published in January and has not been discussed with ICES yet.

ACTION: NWWAC to recommend the COM that ICES is requested to include climate change impacts on cod spawning – specifically increasing seawater temperature – into the stock assessment.

The Chair thanked the speaker again and invited him to present updates at future meetings of this Working Group.



4 Inputs on new Discard Plan

The Chair explained that through its Focus Group Landing Obligation, the NWWAC is preparing advice to the Member States (MS) on the post 2023 Discard Plan. For this new Discard Plan, the Commission asked MS to review all exemptions in place in the NWW and reflect on their effectiveness/usefulness.

As mentioned during the last MS Technical Group meeting, the aim of the exemptions review is to show the impact of exemptions. The annual review cycle of this Delegated Act is a heavy administrative burden on both the MS and the Commission and the option of putting exemptions in place for a longer period of time is being considered. The timeline for the process is expected to be similar to previous years: MS need to deliver their joint recommendations by 1 May, STECF will review it in mid-May and the Delegated Act should be in place for the end of the year.

The WG members are invited to reflect on these aspects for those exemptions relevant to the Irish Sea: Were the exemptions effective? Are new exemptions needed or should others be dropped? Among the current ones, which could be considered as the most controversial and should be given priority in the review?

Murphy felt that this was not only about the exemptions and their effectiveness but rather on the socio-economic impact and would like to see an evaluation of what would happen if exemptions were removed.

Vallerani stated that such a “what if” exercise is planned for the FG Landing Obligation starting with plaice and skates & rays which will be presented at the HWG meeting tomorrow.

Brouckaert added that skates & rays and flatfish are important for Belgian fisheries as well. The NWWAC in his opinion should reflect on two aspects in relation to exemptions - have they contributed to increase selectivity and how can survivability be improved.

The Chair felt that the critical aspect for survivability studies relate to post capture conditions on board before release, as in some studies large mortality occurs between having the fish on board and transporting these to a holding facility on land.

Brouckaert added that an important aspect of this was scientific proof of this and felt that there was not enough funding available for the scientific analysis of this work.

The Chair agreed that this was a very difficult task and that better survival could follow release directly at sea instead of transporting fish to shore for studies.

ACTION: Comments made on exemptions to the Landing Obligation should be taken into account in the preparation of the AC advice on the Discard Plan 2024 by the Focus Group Landing Obligation.

5 Feedback on Fishing Opportunities 2023

The Chair introduced the three items for review of NWWAC recommendations on Irish Sea stocks following ICES advice:

- Regarding cod in 7a, the NWWAC points out that the advice might be characterised by a retrospective issue, as it does not seem to highlight the advice changes to which it has been subjected in the past four years. In particular, after the benchmark in 2020, the stock has again a zero TAC advice for 2023. The NWWAC wishes to underline the great concern this has raised among members.



- Regarding sole in 7a, NWWAC members believe there are inconsistencies between the survey results and the CPUE identified in a fisheries-science partnership project. Moreover, a Tuning File is available but was not used in the assessment. In view of such available additional data, a benchmark exercise is urgently needed for this stock. Considering the implication of the discard data in the assessment, it would be worthwhile to take the survival of sole into consideration as well.
- Stock identity issue for haddock Irish Sea vs Celtic Sea (statistical rectangles 33E2 and 33E3 traditionally included in the Celtic Sea management area). Clear example of a stock where an identification genetic study is urgently needed.

Brouckaert stated that regarding sole in 7a, scientific advice was followed, and not enough information was available to deviate. Although it is a Cat. 1 stock, better details might be available. He suggested to point out that the benchmark of sole in 7a should be improved, which has been submitted to ICES following the MIACO meeting in January.

Vallerani stated that topic 3 has been a standing recommendation for the past number of years which is mentioned in the NWWAC advice on Fishing Opportunities every year and also raised at the ICES presentations in July each year. The NWWAC also included this in their recommendations to ICES at the MIAC meeting in January.

Murphy added that the pollack stock might be in trouble as it is based on catch and landing. He felt that the landing data does not match the catching data due to predation on the fish prior to landing.

ACTION: Follow up on recommendations included in the Fishing Opportunities 2023 advice in relation to the Irish Sea and consider new issue raised on pollack assessment (mismatch between landing and catch data).

6 Summary of actions agreed and decisions adopted by the Chair

Actions

1	Secretariat to check with ICES if any research (ongoing and/or planned) on cumulative effects of ORE developments is available. If not, recommendations should be developed by the AC requesting that this topic is investigated.
2	NWWAC to recommend the COM that ICES is requested to include climate change impacts on cod spawning – specifically increasing seawater temperature – into the stock assessment.
3	Comments made on exemptions to the Landing Obligation should be taken into account in the preparation of the AC advice on the Discard Plan 2024 by the Focus Group Landing Obligation.
4	Follow up on recommendations included in the Fishing Opportunities 2023 advice in relation to the Irish Sea and consider new issue raised on pollack assessment (mismatch between landing and catch data).

The Chair thanked all participants and closed the meeting.

Participants

NWWAC members	
Emiel Brouckaert	Rederscentrale
John Lynch (Chair)	IS&EFPO



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