

Minutes Open Session Technical Group for SWW, Madrid, 2nd March 2015

1. South Western Water (SWW) demersal discard plan (Open Session Technical Group for the SWW).

Location: Secretaria General de Pesca (Dirección General de Recursos Pesqueros y Acuicultura, Ministerio de Agricultura, Alimentación y Medio Ambiente), Calle Velazquez 144 28006 Madrid. Spain (SP)

Date & Time: 2nd March 2015 (2015.03.02), 14.00– 16.00 hours

2. Initial Agenda. Exchange of views SWW AC and Commission. Exceptions: Interspecies flexibility; *De minimis*; High Survivability; MLS.

3. Participants: Mathieu Reunavot (*Adjoint au chef de Bureau*, DPMA/SDRH/BGR, French administration), Ramon de la Figuera (chairman, SP administration), Pilar (IEO, SP), Rodrigo Ataíde Dias (DG-MARE C2, European Commission), João Pereira (IPMA, Portuguese PT), Cristina Rosa (DGRM, PT administration), Tereza Fonseca (SWWAC), Mercedes Rodríguez Moreda (OP-LUGO, SP), Julien Lamothe (Pecheurs de Bretagne, FR) and 2 unidentified individuals. The Belgium administration representative had to leave early.

4. Summary of meeting

4.1 Introduction. Ramón de la Figuera, representative of the Spanish government began the meeting. He explained that the meeting would also include what had been discussed in their morning meeting, and brief us on the work plan. The work plan for the demersal discard plan will be finalized by May, to be presented to the Commission. Currently, the SWW control expert group exists only through emails. The work for now will concentrate in the 2016 landing obligations (LO).

4.2 Fisheries definition and selection for the 2016 landing obligation (LO). A table entitled “Fisheries targeting stock will fall under the LO by 2016 (as they define the fisheries which are often mixed ones)” was presented. This table consisted of the fisheries selected for the 2016 LO aggregated by ICES (International Council for the Exploration of the Sea) zone (VIIIabd, VIIIc and IXa) and target species (hake, nephrops, common sole and plaice). During the meeting, the fisheries table was altered according to what was discussed. Mercedes Moreda expressed her concern with the inclusion of the otter bottom trawl (OTB) ≥ 70 mm vessels, and those vessels in the recovery plan for the southern hake (Southern hake and nephrops recovery plan, SHNRP) in ICES areas VIIIc and IXa. This recovery plan does not count the days of the fishing trip (for the hake effort regime) when the vessel catches less than 8% of hake of the total catch. Mercedes Moreda showed some concern on how to coordinate these norms. Ramon Figuera agreed that there is an issue on the fishing effort regime in the Recovery plan for the southern hake. A note was added to the table: “(southern hake effort regime)”. Rodrigo Ataíde showed some concern with mentioning the SHNRP in the discard plan, as this recovery plan is up for revision. Rodrigo Ataíde recommended a more pragmatic approach, and to avoid linking it with the SHNRP. Julien Lamothe noted that there is no OTB with mesh size smaller than 100 mm targeting hake in ICES VIIIabde (only allowed to retain 20% due to catch composition rules). The table (where “OTB ≥ 70 mm” in VIIIabde targeting hake) was corrected accordingly: “OTB larger or equal 100 mm” (codend ≥ 100 mm). Mercedes Moreda noted that the same goes for the longlines (LLS) in VIIIc and IXa. Various notes were added (in italic red). The final table (during the meeting) is shown below.

Table. Fishery targeting stock which will fall under the 2016 Landing obligation (note that these are mostly mixed-species fisheries). Gears: Otter bottom trawl (OTB), Trammel nets (GTR), beam trawl (BT), set longlines (LLS), bottom pair trawl (PTB), set gillnet (GNS). Functional unit (FU).

| ICES zone | Target species | fisheries | (Exclusion & issues) |
|-------------|----------------------|---|--|
| VIIIabde | Common Sole | OTB between 70-100 mm GTR larger or equal 150 mm BT larger or equal to 70 mm | |
| VIIIabde | Hake | PTB larger or equal 100 mm OTB larger or equal 100 mm LLS GNS larger 80 mm | (20% limit of hake catches) |
| VIIIabde | Nephrops | OTB larger or equal to 70 mm | |
| VIIIc & IXa | Hake | PTB larger or equal 70 mm OTB larger or equal 70 mm GNS between 80-99 mm LLS | (southern hake effort regime) (hook size, conger) |
| VIIIc & IXa | Nephrops | OTB larger or equal to 70 mm | (inside FU) |
| IXa | Common Sole & Plaice | GTR larger or equal to 100 mm | |

The top row of this table was added in this report. Note: BT should be changed to TBB.

4.3 Exemptions.

4.3.1 Nephrops survival exemption. Matthieu Reunavot informed that a paper is being drafted on *Nephrops* survivability with the industry (to answer STECF, Scientific, Technical and Economic Committee for Fisheries). Currently, the study covers only the Bay of Biscay, but the idea is to include the all of the SWW. The report records all of the studies that have worked on *Nephrops* survivability (and discards), including detailed information of all the trials. This study will address the guidelines. For this study, OBSMER data is being used. A Portuguese study (Castro et al. 2003. The efficacy of releasing caught *Nephrops* as a management measure. Fisheries Research 65, 475-484) has an interesting view that support the LO exemption for this species. It was mentioned that a more recent study on *Nephrops* survivability for Portuguese waters had been carried out. Matthieu informed that the working group (WG) will accept relevant documents, if the SWWAC knows of any report that may be of interest. Rodrigo Ataide asked if the WG had addressed the spatial issue, ie avoidance areas. Ramon Figuera replied that this was not an issue as *Nephrops*-targeting fishing only happens when going to well-separated functional units (FU). Julien Lamothe mentioned that the need to discard *Nephrops* is a relevant aspect. If *Nephrops* discards is not addressed, there is a high probability that fishing opportunities may decrease. It was informed that the NWWAC had agreed with the *Nephrops* exemption for the Celtic Sea. A paper is being prepared, in March it should be finalised. Flatfish (high) survivability was reminded by Julien Lamothe.

4.3.2 MCRS for hake in ICES VIIIc-IXa, exemption of undersized individuals (between 20-27cm) to be sold. A preliminary proposal to STECF will be prepared (probably 10% quota limit). It was asked “When are the next STECF meetings?” Rodrigo Ataide does not know. Rodrigo corrected that the questions should be sent to the Commission which will then be sent to STECF. Rodrigo informed that the next plenary has already a high number of questions that are in the agenda. The letter should be prepared for the 17th March. Rodrigo Ataide recommended that the revision of the hake MCRS should be carried out with the collaboration of scientists.

4.3.3 De minimis selectivity for sole (OTB and trammel nets). Two issues: i) large fraction of sole survives. Fishermen do not understand why they will have to land sole. ii) Although current level of discard is low, level of consumption is high. To keep on board will be an issue. There is no scientific data that shows that sole has a high survival rate, so the WG prefers to apply *de minimis* exemption for sole.

This is to avoid quota consumption. As gears are supposed to target sole, it is difficult to increase selectivity.

4.3.4 Exemption for damaged products (“*dañado por quellas o pulgas*”). A reference to the exemption for damaged products (predation and scavenger) will most likely be included (a paragraph) in the demersal discard plan, to reinforce this issue. Note that this issue is also being handled in the Omnibus and is covered by the CFP. Ramon informed that the Member States will apply for additional *de minimis* exemptions, but for now will concentrate on the 2016 LO.

4.4 Interspecies flexibility (and quota uplifts). The Commission considers that the stock must be in safe biological limits to allow for the usage of the interspecies flexibility mechanisms. Two aspects regarding the safe biological limit are: i) biomass (B) and ii) fishing mortality (F). Cumulative biomass and a high probability to be above that landing will allow for a Bpa (pa = Precautionary Approach). The fishing mortality will be concerned with the Fpa (precautionary fishing mortality). Ramon Figuera showed some concern that it may be too restrictive. First, need to ask ICES if stock is in good condition. Too early to have a debate. However, it was noted that although 2019 is far, it is also close in time. Concerning Bpa and Fpa, Rodrigo Ataide informed that only when both conditions are met, and once identified the stock will interspecies flexibility be allowed. In the case of demersal, need to land pelagics. In the case of data-poor species, need to consider a case-by-case approach. Rodrigo Ataide believes that the Commission will address this issue next year with the fishing opportunities. For now, it continues to be problem. ICES will advise on the Quota uplift. For pelagic it was straight forward as discards was negligible. With demersal it is another issue, will need to see case-by-case. The flatfish example was recalled by Ramon Figuera. According to Rodrigo Ataide, Member States need to know the entire fishing mortality information. For example a target fishery will have a fishing mortality, as well as the mortality related to the fishery which catch (but does not target) a certain species.

4.5 SWWAC views. Two questions were addressed to the SWWAC. 1. “What are the views of the SWWAC regarding the phasing?” 2. “What are the gaps that exist in the discard plan? (namely those that will lead to the questions by operators)?” More exemptions will probably be included, and it should be seen as a whole “package” (replied by Julien Lamothe). Julien Lamothe referred to the importance of “one fishery, one species” as well as the sole exemptions. SWWAC informed that no agreement between SWWAC members exists regarding the phasing of the LO.

4.6 Commission view. Question to the Commission: “What is the final deadline?” The 1st of June is the deadline for the submission of the joint recommendation (JR). The JR will be sent to STECF, where it will analysed during the STECF Plenary in July. The delegated acts should be ready by mid October. Rodrigo Ataide answered that the Commission is concerned with the biological uplift, and how will uplift occur. Regarding the quota uplift, caution with the allocation, for example must not provide an uplift for a fishery that does not discard. Matthieu Reunavot asked “How would you implement a quota uplift for a fishery that has a species with *de minimis* exemption? Is the Commission working on this issue?” Rodrigo replied that a draft paper is being prepared (does not go much into the *de minimis* issues). TAC is associated with the fishing mortality of the target species. Some cases will include a *de minimis* exemption. Rodrigo Ataide explained that he is not working on this paper and so could not go into much detail.

4.7. End of Meeting. The meeting ended at 2 pm. Important dates (in 2016) to remember: **11th March** – General Directorate meeting. **17th March** - SWW directorate meeting. Preliminary draft on the demersal discard plan will be presented to the General Directorate.

Tereza Fonseca, March 2015