



Flatfish Working Group Advice to the European Commission July 12th 2005

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Final

Future of the Plaice Box

Request for advice

Article 19 of Council Regulation (EC) no. 2371/2002 requires an assessment of the justification for all access restrictions outside of the 12 miles' zone, which includes the Shetland and Plaice Boxes.

In 2004, an Expert Working Group provided an assessment of the ecological effects of both boxes. Based on these assessments, the Commission concluded that there are three possible options for both the Shetland and the Plaice Boxes; (a) keeping the boxes in place, (b) modifying them, or (c) abolishing them¹. The Commission asked the NSRAC for advice prior to the presentation of its own proposals.

The basis for this advisory document was provided by discussions at the NSRAC Flatfish Working Group on the 18th of May 2005. Fisheries scientists were present to assist the Working Group. The draft advice will be submitted to the NSRAC Executive Committee meeting of 27-28 June 2005 for endorsement.

Plaice Box

The Plaice Box is a partially closed area established in 1989 with the objective of enhancing recruitment, yield and spawning stock biomass through a reduction in plaice discards. The area is now closed throughout the year to beam trawlers of more than 300hp.

In preparing its advice on the future of the Plaice Boxes, the NSRAC Flatfish Working Group considered the report of the Expert Working Group on the Plaice Box² which was presented

¹ EC DG Fish (2005). Review of access restrictions in the Common Fisheries Policy. Non-paper from the Commission Services. Brussels, 28.05.2005.

² EC Expert Working Group (2004). Assessment of the ecological effects of the Plaice Box. Brussels, July 2004.

by working group member Rob Grift (RIVO), the advice by STECF³ and papers submitted by the German⁴ and Dutch fishing industry^{5 6}. The discussion on the Plaice Box was assisted by a number of fisheries scientists.

The NSRAC makes the following observations:

- Access restrictions only apply to beam trawlers of more than 300hp and do not apply to other types of fisheries targeting plaice, some of which have intensified in the area. The enforcement of the current access restriction and, in particular, the acknowledged deficiencies in enforcing engine power limitations, gives cause for concern. As a result of poor enforcement, the beam trawl effort is estimated to be significantly higher than assumed in the report. Its possible effects on the effectiveness of the Plaice Box have not been considered in the scientific evaluation. The NSRAC reaffirms its position that the licensed engine capacity should be subject to tighter and strict control and enforcement measures.
- There was a lack of clear objectives when the plaice box was established, which hinders the ecological assessment. The evaluation report suggests that objectives should now be set, and clear criteria defined for evaluating its success. The NSRAC notes that the Plaice Box is yet another example of a measure that has been introduced without clearly stated criteria for judging its success.
- The evaluation provided no direct evidence that the Plaice Box has enhanced recruitment, spawning stock biomass and yield. Since its establishment, recruitment has shown a negative overall trend, and spawning stock and total yield have decreased by 60%. From the trends observed it was inferred that the box has likely had a positive effect upon recruitment, but that this overall effect has decreased with time. The box does not seem to have any negative effects upon growth or spatial distribution.
- The spatial distribution of juvenile plaice has changed. Juveniles tend to move towards deeper waters further offshore. At present approximately 70% of undersized plaice are found in the Box and Wadden Sea area. Densities of juvenile plaice inside the box are higher than outside. This is one reason to assume that the Plaice Box has a positive effect on recruitment.
- Scientific information on discard levels within the Plaice Box is generally poor, particularly for the twin-rig fishery. There is evidence that discard percentages are now higher in the waters adjacent to the Plaice box. The new plaice discard monitoring scheme by the Dutch fleet, which covers the whole North Sea, will provide valuable information on discard levels and is welcomed.
- The effects of observed changes in water temperature and primary production in the coastal zone on the functioning of the Plaice Box are unclear.
- No clear conclusions could be drawn on the question of whether increased levels of beam trawling in the area would increase food availability for plaice as some fishers have suggested.

³ STECF (no date). Shetland and Plaice Box reports, recommendations. Brussels.

⁴ VDKK (2005). Assessment of the ecological effects of the Plaice Box. Response to the July 2004 report by the Expert Working Group of the European Commission. Hamburg, May 2005.

⁵ Boddeke, D. (2004). European Commission Working Group assessment of ecological effects of the Plaice Box: a critical analysis. IJmuiden, May 2004.

⁶ RIVO(2005). Evaluation of management measures for a sustainable plaice fishery in the North Sea. IJmuiden, Netherlands Institute for Fisheries Research, C019/2005.

- Through experimental research, using a checkerboard pattern of opened and closed areas, some mechanisms within the Plaice Box could be measured. Both potential negative effects of the closed area (i.e., a lower benthic productivity due to the lack of trawling disturbance) and potential positive effects (better survival of undersized plaice) need to be assessed.
- The evaluation of the Plaice Box cannot be seen in isolation from a wider discussion on protected areas as a management instrument for fisheries and ecosystems. The NSRAC Spatial Planning WG is considering the criteria to be applied in evaluating proposals for specially protected areas.
- It is noted that the Plaice Box is also valuable for the socio-economic welfare of the small-scale coastal fishery and the coastal region.

Against this background, the Flatfish Working Group concludes that the Plaice Box should be subject to a thorough evaluation. Changes to the Plaice Box should not lead to increased fishing pressure on juvenile plaice. In this context, the NSRAC notes that the target effort reductions in its proposed medium term management strategy will also apply to the Plaice Box. It is also noted that the German industry want to keep the current access regime within its national waters, including the German EEZ, in place in the event that research is carried out.

NSRAC Advice

The NSRAC advises that a thorough scientific evaluation of the Plaice Box should be carried out. To this end, the Plaice Box could be modified on an experimental basis. Through this evaluation, the potential positive and negative effects of the Plaice Box should be investigated while respecting the wishes of various stakeholders. This experimental research will provide decision-makers and stakeholders with valuable information on the impact of protected area measures for plaice, assisting the development of a long-term management strategy for North Sea flatfish as well as assisting with the wider discussion on Marine Protected Areas.

The NSRAC stresses that the experimental modification must be designed in close co-operation with fisheries scientists, economists, fishers and conservation organisations. Industry involvement is of particular importance in view of the need for compliance with the scheme. The NSRAC has already set up a focus group to identify a broad range of questions that should be answered by the experiment as well as the criteria for evaluation of its results and a design for the scheme. The NSRAC would welcome the participation of the Commission and Member States in these discussions, with the aim of devising, seeking funding and recruiting participants for the planned experimental studies.

General Note

The NSRAC reaffirms its position that *ex ante* and *ex post* evaluation of management measures (including a biological, socio-economic and enforcement assessment) is in line with the principles of good governance as laid down in the European Commission's White Paper and must therefore be carried out. It is therefore vital that management measures are

accompanied with clearly stated criteria for judging their success. In this context, the NSRAC is currently preparing objectives and criteria for the evaluation of specially protected areas.

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