

# The North Sea Regional Advisory Council



## Flatfish Working Group Advice to the European Commission July 12<sup>th</sup> 2005

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**Final**

## Immediate management measures for North Sea plaice

### Request for Advice

In November 2004, the North Sea Regional Advisory Council (NSRAC) provided initial advice on management measures for North Sea plaice to the European Commission<sup>1</sup>. The Commission accepted that this advice recognised the uncertainty in the plaice assessments, the high levels of discarding, and the need for long-term management. The advice also recognised that fishing mortality for plaice is too high and is due mostly to discarding. The Commission welcomed the advice and strongly agreed that a new strategy to manage North Sea flatfish fisheries over the next years should be developed. This strategy should include harvest control rules, the definition of targets and the management of effort. The Commission has now requested advice on specific elements of a long-term flatfish management plan<sup>2</sup>.

This advisory document was drafted following the NSRAC Flatfish Working Group on the 19<sup>th</sup> of May 2005. Its scientific basis is underpinned by a scientific evaluation of the effectiveness of different management measures on plaice stock development commissioned by the Dutch government and Dutch fishing industry<sup>3</sup>, complemented by an analysis of the effects of mesh size increases in the sole fisheries<sup>4</sup>. Fisheries scientists were present to assist the Working Group. A draft document was submitted to the NSRAC Executive Committee meeting on 27-28 June 2005 and the final advice was adopted through a written procedure on 12 July 2005.

<sup>1</sup> NSRAC (2004). Initial advice to the European Commission concerning management measures for North Sea plaice. Aberdeen, 12.11.04.

<sup>2</sup> DG-FISH-A1 (2005). Response to the initial NSRAC advice to the European Commission concerning management measures for North Sea plaice. Non-paper from the Commission services, Brussels, 21.01.2005.

<sup>3</sup> RIVO (2005). Evaluation of management measures or a sustainable plaice fishery. IJmuiden, Netherlands Institute for Fisheries Research, C019/05.

<sup>4</sup> CEFAS (2005). An analysis of proposed mesh size increases in the North Sea sole fishery. Annex A to a proposal by coastal fishermen Peter Caunter to the NSRAC, January 2005.

## Long Term Flatfish Management Strategy

The World Summit on Sustainable Development (WSSD) in 2002 ratified the 1992 Rio commitment to achieve sustainable fisheries by maintaining or restoring stocks to levels that can provide maximum sustainable yield. Thus, the European Commission and Member States are committed to fishing at lower fishing mortalities and lower fishing effort to provide greater security for the fish stocks. The Commission will be producing a non-paper outlining its thoughts on this subject. The Commission's specific questions to the NSRAC in relation to flatfish management are already based on the concept of a 'low fishing mortality/high yield regime'. The NSRAC accepts the need to adopt long-term objectives, but has difficulty in accepting MSY as the long-term target without further discussion. Furthermore, there are other ways of defining long-term objectives; for example in terms of stock stability or economic sustainability of the fisheries rather than yield for each stock. The NSRAC is concerned that the Commission has yet to formulate its ideas on a long-term approach and wishes to reserve its own position until the Commission's long-term proposals have been more clearly stated. A focus group is being established by the NSRAC to consider the options in setting long-term objectives, taking into account experiences in other parts of the world.

The NSRAC is aware of the political commitment to more sustainable fisheries management and recognises the need to consider alternatives to the current regime. To this end, the NSRAC focus group will explore possible long-term objectives for all the demersal fisheries, describe what a sensible long-term management approach might look like and recommend how and on what time scale the North Sea demersal fisheries could move towards such an approach.

### **NSRAC advice**

*The NSRAC is of the opinion that further discussion and agreement is needed on long term management objectives before considering specific questions concerning the application of a high yield approach to the flatfish and other North Sea demersal fisheries.*

*The NSRAC asks the Commission to produce its announced non-paper on the application of the high yield concept within the Common Fisheries Policy (CFP), including specific questions for consideration by the NSRAC, before the summer, so that the NSRAC may provide timely advice on long term management strategies for North Sea demersal species.*

## Medium Term Flatfish Management

The NSRAC reaffirms its position outlined in its initial advice on North Sea plaice management that the estimate of fishing mortality (F) for plaice is too high, mainly because of poor information on discards. Furthermore, assumptions on the level of discards are based on limited data sets from the Dutch 80mm fleet only, and do not take into account the different types of fisheries which capture plaice. In view of the uncertainty over the determination of F for plaice it is not yet possible to arrive at satisfactory targets for F as proposed by the Commission. The NSRAC believes that in the absence of a long-term management approach a suitable *initial* target for plaice would be to firmly restore the spawning stock biomass to the precautionary level ( $B_{pa}$ ).

The NSRAC is aware that Spawning Stock Biomass (SBB) as a management target is dependent on recruitment, which can vary from year to year, and therefore is less stable than a target  $F$ . A multi-annual plan covering a period of 3 to 5 years is required, with evaluation and adjustment depending on the state of the stock after three years. As the assessments are inherently uncertain it is not appropriate to make annual adjustments to the management target and to adopt new measures unless the state of the plaice stock deteriorates dramatically. Time should be allowed for new management measures to take effect. The NSRAC is willing to discuss further with the Commission the establishment of harvest control rules which would come into effect should the plaice stock deteriorate.

Taking into account the scientific evaluation of the effectiveness of various flatfish management strategies submitted to the Flatfish Working Group, the NSRAC reaffirms its position in its initial advice that effort reduction is the most effective instrument to achieve and sustain the  $B_{pa}$  target for North Sea plaice. Effort reductions directly translate into reductions of  $F$  on both juveniles and marketable size plaice. Based on model calculations submitted to the Flatfish Working Group effort reductions of 10%, 20% or 30% respectively *upon the whole fleet* would increase SBB to a level well above  $B_{pa}$  within six, three or two years. While an overall effort reduction in the North Sea flatfish fisheries is needed, effort reductions will be most effective if targeted upon those fisheries placing the highest pressure on juvenile plaice stocks.

The NSRAC stresses that effort reductions will directly translate into reductions in  $F$  and are easy to monitor as opposed to estimates of  $F$ .

A mesh size increase to 90mm for the 80mm beam-trawl fleet will produce only a small reduction in the catch of juvenile plaice, but will affect sole catches significantly. Mesh size increases to 100mm or over would reduce the capture of juvenile plaice and rebuild the SBB of plaice, but will have dramatic effects on catch options for sole and the revenues of fishermen, the auctions and the processing and trade sectors. According to the competent authorities and the industry, such measures would be difficult to enforce and are therefore not supported. Nevertheless, the NSRAC recognises that mesh size increases do reduce pressure on juvenile plaice and should therefore be strongly encouraged, together with other (technical) measures which will reduce the mortality of juvenile plaice.

In this context, the NSRAC draws attention again to a number of shortcomings in the current Annex IVa. The current regulation encourages fishermen using otter trawls or twin trawls (OTB) to fish with smaller mesh sizes to obtain more days at sea and leads to extra fishing pressure on cod and plaice, which are target species in some OTB-categories. Within Annex IVa, there is also an opportunity to allocate additional days to beam trawlers using mesh sizes of 100 mm or more in order to alleviate the fishing pressure in the coastal/southern areas and to be able to reach the northern plaice grounds without compromising the cod recovery targets. A focus group is being established by the NSRAC to consider whether there is scope for further reducing the impact of the 80mm segment upon juvenile plaice, for example by further reducing the area where this mesh size may be used.

The NSRAC stresses that North Sea plaice is captured in several fisheries with different impacts on the stock and with different economic importance. It reaffirms its earlier position that management measures must be proportionate and tailor-made. The NSRAC is of the opinion that the highest pressure on juvenile stock is found in the 80mm beam trawl fishery,

which accounts for a rough estimate of 65% of North Sea plaice landings<sup>5</sup>. It seems therefore reasonable that the larger proportion of effort reduction measures should be borne by this fleet segment.

The NSRAC also notes that a considerable part of fishing effort on the plaice stock is caused by deficiencies in enforcing engine power regulations. It stresses the need for down-sizing engine capacity to licensed capacity and emphasises that this reduction must be completed for the North Sea fleet within a specified period. The NSRAC notes that in the 80mm beam trawl segment, down-sizing will result in an estimated effort reduction of at least 15%<sup>6</sup> within the next six months.

To allow for tailor-made management, which keeps the socio-economic impacts manageable and increases fishermen's support for measures, industry and Member States should jointly develop an effort management plan. In this context, the NSRAC considers decommissioning of vessels, schemes to bring engine capacity in line with licensed capacity and/or days-at-sea restrictions to be the most effective effort reduction instruments; not only from a compliance and enforcement perspective but in allowing the effects of the management plan to be scientifically evaluated.

### **NSRAC Advice**

*The NSRAC advises that a multi-annual management plan should be adopted for plaice in the North Sea with an initial target of reaching an SSB at the  $B_{pa}$  level within 3 – 5 years with a re-evaluation after 3 years and with the long term aim of exceeding  $B_{pa}$ . The plan should be implemented as of the 1<sup>st</sup> of January 2006. The management plan is aimed at reducing pressure on juvenile plaice and would comprise structural effort reductions accompanied by stability in the TAC for plaice. The multi-annual plan should be accompanied by a monitoring and evaluation scheme, which would also include the monitoring of social and economic impact.*

*To reach the target of the multi-annual management plan, the NSRAC advises a structural effort reduction of 15% of enforced licensed capacity limits in the international 80mm flatfish fishery over 2006 and effort to be maintained at the new level for a further two years. The German fishing industry believed that there should be an exemption for German shrimpers in the 80mm category which target sole in the coastal waters during part of the year. The NSRAC is willing to consider an exemption for the shrimper fleet if scientific evidence supports the claim that plaice are not discarded in significant quantities in their targeted 80mm sole fishery.*

*The manner in which different Member States achieve this reduction should be at their own discretion through a national flatfish management plan (NFMP). The following conditions should apply:*

- 1. the NFMP needs to be verifiable and enforceable;*
- 2. the NFMP needs to be submitted to the Commission for approval;*

<sup>5</sup> The North Sea plaice landings of the entire beam trawl fleet (80mm and over) constitute 79% of the total landings. Over the period 2000-2003, the landings by 80mm beam trawlers at the Dutch auctions accounted for an average of 65% of total landings at these auctions (RIVO, pers.comm.).

<sup>6</sup> Figure estimated for the Dutch 80mm beam trawl fleet (Joint Government-Industry Working Group on Engine Capacity, pers.comm.); RIVO (2005). Evaluation of management measures on a sustainable plaice fishery. IJmuiden, Netherlands Institute for Fisheries Research, C019/05.

3. *the NFMP should consist of any or a combination of the following instruments for effort reduction (as measured in kW/days):*
  - a. *decommissioning, and/or*
  - b. *days-at-sea restrictions.*
4. *in the case where decommissioning is part of the NFMP, the Member State will refrain from taking its decommissioning days under Annex IVa;*
5. *seasonal tie-ups during the spawning season may contribute to the effort reduction but should be managed by the fleets, not the Commission, in order to keep a flow of fish to the market.*

*To allow for the management target to be achieved, the management regime should operate throughout the entire multi-annual plan period, i.e., the effort reduction level will be sustained. A re-evaluation will be carried out after three years. Intermediate changes to the management regime as a whole would only be permitted if unforeseen developments took place. In the event of the plaice stock falling below  $B_{lim}$  new measures would be applied. In the event of the plaice stock going above  $B_{pa}$  during the multi-annual management period, the harvest control rule will be that no amendments are made.*

*The NSRAC also advises that during the duration of the flatfish scheme the Commission should create incentives for 80mm vessels to use larger mesh sizes in the flatfish fishery within the days-at-sea regime in order to reduce pressure on juveniles. The NSRAC will put forward specific proposals on incentives for the North Sea flatfish fleet within the context of its advice on revisions to Annex IVa. In this context, the NSRAC also recommends that momentum should be maintained in the development of more selective gears in the flatfish fishery.*

*In view of the overcapacity in parts of the European fleet created by non-licensed engine power and its effects on fish stocks, the NSRAC recommends that the engines of all vessels should be brought in line with their licensed power as soon as possible. Furthermore, a tight enforcement and sanctioning regime on engine capacity should be introduced immediately*

### **Note on closed areas**

The NSRAC will develop separate advice on specially protected areas as a fisheries management instrument. With regard to the management of plaice, the NSRAC wishes to draw to the Commission's attention the positive role that Real Time Closures (RTCs), implemented through the European Association of Producers' Organisations (EAPO), can play in preventing periods of excessive discarding when dense concentrations of undersized plaice may temporarily occur on certain fishing grounds. Effort reductions may become even more effective if accompanied by RTCs. On request of the NSRAC, the EAPO will consider lowering the RTC notification threshold from a 50% to a 40% discard level. With respect to closed areas, the NSRAC has also offered its advice on the Shetland and Plaice Boxes.

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