

EU Bass Management Measures Update

Members have received emails regarding the discussions occurring at the European Commission over proposed management measures for the Bass fishery. All recent correspondence has been collated here, in most recent date order, including the NWIFCA's response to Defra's request for input, as information or for a basis for discussion at the TSB.

Email received from Defra – 02.08.13

A short update following our submission of the UK written response. At the end of last week, the Commission arranged a follow up meeting for Monday – once they had received a French written response in addition to the UK response – this was in line with their previously stated aspiration for us to meet again before the summer recess weeks commence.

At the meeting it was clear that there was a continuing divide between France, who recommend a TAC for sea bass, and the other interested Member States mainly preferring technical measures in the short term.

For the sorts of technical measures that featured in the UK written response – and in the context of 'immediate action' – I suggested the provision in the CFP regulation at Article 7 for Commission emergency measures, could serve. Member States *can* refer such a Commission decision to Council, and Council can in turn take a decision on the basis of qualified majority. This was intended to counter the suggestion that imposing a TAC is the only action we could take quickly (aside from our belief in the inappropriateness of a TAC for the reasons set out in our written response). In that scenario a co-decision proposal could then follow to confirm such technical measures in anticipation of a management plan (see below).

The Commission team concluded they do not have a mandate at this stage to propose a TAC but will need to refer the matter up through their hierarchy to Commissioner level on how to proceed – they will need to return to a TAC proposal if it does not look likely that technical measures can be agreed in the short term. They therefore ask the relevant Member States to confirm by end of September if they are prepared to implement technical measures for next year (the timing of this request reflects that they need to know in time what to include (or not include) in preparation of fishing opportunities proposals for 2014).

Aside from the action to take in the short term, Member States are also asked to consider the elements needed to develop an EU management plan, with information requested on commercial discards and recreational catches for bass. We would also expect any gear selectivity issues to be considered in the context of the development of such a plan. It was emphasised we also need to be considering, post CFP reform, the mechanism and arrangements for addressing such management issues in the context of regionalisation.

Regards

Roy Smith - Common Fisheries Policy Team - Defra

Email sent to Members by Stephen Atkins with Defra's Suggestions to the EU - 22.07.13

Below is an update from Defra on Bass Management. The proposal for a licence cap is not a TAC and would only apply to licensed vessels. Recreational and shore based fishing would not be affected.

I have had a verbal briefing from Roy Smith since he drafted the paper. He confirms that Defra are very much against a TAC which goes against the current trends of the CFP to reduce discards. Defra consider that a licence cap with other local measures would be the most sustainable and equitable solution.

However, the French are expected to continue to lobby hard for a TAC to protect their pair trawling fleet which operates to the south west of the UK so further discussions and battles are likely.

Defra's UK proposals for sea bass management measures for consideration in the expert technical group

Summary

Overall the UK's proposed package aims at a balanced approach to address the key needs:

- Reduction of fishing mortality on adult bass
- Reduction in overall mortality on all ages of bass
- A need to extend the protection of juveniles

Scientific advice indicates that to achieve these aims the following management measures should be considered further:

1. Restrictions on offshore bass fishing in spring in the key South West spawning areas.
2. Phasing out pair trawling for bass.
3. The establishment of a reduced monthly licence tonnage limit attached to licences as an EU standard – primarily intended to cap effort per vessel and avoid displacement of activity
4. Establishment of juvenile nursery areas in all relevant Member States.

Measures (1) and (2) reflect the need to balance the necessary reductions in mortality across all age groups and maintain the age diversity needed for the stock to sustain extended periods of poor recruitment which have been apparent in the past, and may be occurring now. The licence cap also reflects an economic measure to avoid the vicious circle of high catch volume and depressed price, particularly with lower-quality fish caught in spring. The level of the suggested licence cap should be kept under review to respond to updates of the scientific assessment of the state of the stock, but we believe that 5 tonnes per month may currently be appropriate.

These measures would aim to protect spawning potential with an appropriate reduction in mortality on all age classes from spawning to nursery areas without recourse to setting a total allowable catch (TAC). The UK believes that the way a TAC is established based on track records of Member States and also used to establish quota allocation to individual vessels only perpetuates the established exploitation pattern for bass that has developed, and has led to the current situation. The aim of the UK proposals therefore is to change the exploitation pattern.

Selectivity improvements for bass may also be needed, particularly where very poor year classes are entering the fishery, with potential for future tuning of the measures if required. Gear selectivity improvements need full consideration to determine impacts for local and mixed fisheries and avoid unintended consequences, and need further examination, particularly in trawl fisheries near nursery areas. The above package is suggested as an interim strategy to address immediate needs. However, we recognise that there are a range of complex and varied bass management issues, which in the long term may need to be addressed through development of a properly considered management plan.

Detail

Suggested Interim package details

- Restrictions on targeting bass during January – April to apply in VII e, h in offshore fisheries outside of Member State 6 mile zones, as VII e, h contains a key spawning aggregation area. Additionally to apply to the spawning area in VIIf in the area off Trevoise Head.
- Phasing out of pair trawling to target bass.
- Licence restriction for EU vessels fishing for bass in IV and VII to cap effort, and avoid displacement of effort from VII e, h to other areas during closed spawning season, or large scale refocusing of effort to other fishing methods from pair trawling. We suggest that a cap at 5 tonnes a month is currently an appropriate level.
- Any licence restrictions for vessels fishing for the bass population in southern waters in area VIII, and in IX being managed separately, to prevent displacement of effort to IV, VII, and vice versa.
- Identification and protection for bass nursery areas in all Member States.

NWIFCA Response to Defra - 08.07.13

Following your email requesting comments and proposals on the upcoming European Commission Member States' meetings to urgently address a decline in recruitment coupled with increased mortality of seabass, please find below the response from the NWIFCA.

The NWIFCA is not aware of evidence that Bass stocks in NW England are under threat. Indeed catches appear to be high and increasing throughout the District. Climate change appears to be affecting distribution and recruitment into new more northerly areas of this species.

The proposed measures appear to be directed at the large offshore fishing vessels and the NWIFCA has immense concerns at the implications such measures would have on our small, yet important, inshore fleet.

The NWIFCA is totally opposed to the setting of a TAC for seabass. Quotas at the continental scale are blunt instruments which have failed to protect stocks for almost all species where they have been tried. The evidence from existing CFP quotas is that they usually lead to perverse incentives and destruction of stocks. The first outcome is an increase in wasteful discarding. The CFP should move away from single Europe-wide measures which limit options for sustainable regional and local management. The Authority considers as a general principle that any extension of the Europe wide quota system should be resisted. There are fears that France would be likely to get most of the quota for their western channel fishery.

Quotas will not promote sustainability considering that Bass stock can and should be managed by evidence based local measures such as regional and local catch and netting restrictions, limits on gear and fishing methods such as pair trawling and intensive angling, flexible minimum landing sizes tailored to each area and increased protection of Bass Nursery Areas. The issues of site fidelity demonstrated by bass means that the management at local level is particularly important, in addition to the legal protection of the 37 national Bass Nursery Areas.

The NWIFCA has in the last month introduced a new byelaw to ban taking of all fish in the Heysham Bass Nursery Area in Morecambe Bay in order to protect juvenile bass. The NWIFCA would be willing to introduce other regulations to limit this fishery in North West England if a need was identified.

The NWIFCA has been set up to enact and implement such regional measures. It has membership from fisheries science, the fishing industry, the conservation sector, regulators and other marine stakeholders to take balanced management decisions aimed at achieving

sustainable use of fish stocks in the District. The Authority asks that it be given the chance to deliver sustainable management of Bass stocks without the restrictions of Europe wide measures which could damage both stocks and fishermen's livelihoods.

Further, a TAC becomes meaningless when considering the effects of the unquantifiable amounts fished by recreational anglers. ICES report that recent surveys indicate that recreational fishery harvests could amount to 20% of total fishery removals of sea bass. Unless this is also regulated again it is the smaller inshore fishing fleet that will be penalised, when they potentially fish in the most sustainable fashion.

The Morecambe Bay Fishermen's Association has identified 15 individual fishermen in NW England whose livelihoods could be damaged by the introduction of a Bass quota as low as 300kg per year. This quota would provide an annual income of only £1500 per year before costs are deducted. Current commercial Bass catches are much higher than 300kg per year and the species provides an important seasonal component of artisanal fishermen's income. With severe limits on other fishing options and capped licenses (the 15 identified above are on capped licenses) Bass can comprise up to 80% of each fisherman's annual income. In the absence of alternative employment options in the NW, a Bass quota would have an immediate effect of forcing these 15 fishermen to increase their reliance on state benefits.

Comments from local fishermen themselves express extreme concern that these proposed measures will not only affect bass but would wipe out the mullet fishery as well. They thought that smaller fishing communities were supposed to be being looked after and that there should be a derogation for inshore fisheries such as Morecambe Bay and Southport which cause very little damage to any stocks. Those in power and making these decisions are out of touch with inshore fishing.

The suggestion of a 1.5T per month quota is an illustration that these measures are aimed at the 'big players' and not inshore fishers who will be drastically penalised should they be introduced and quota set by analysis of track record. Inshore fishermen would not catch 1.5T in a year. The total inshore fishery will be wiped out if this goes ahead.

Likewise with the proposals to move from the current minimum mesh size range (i.e. 80-99mm towed, 90-99mm fixed) to the next mesh size range for those targeting bass (i.e. 70% of catch) to 100mm+ for both towed gear and fixed gear (gillnets etc). Morecambe Bay fishermen already use a mesh size of 3 5/8 which is 90mm, and are opposed to a move to 4M (100mm) which will cost each fisherman a minimum of £1,000 to replace the nets.

The NWIFCA's new Byelaw (Byelaw 5) bans ALL fishing from within its Heysham Bass Nursery area having recognised at a local level what the specific issues to the management of this fishery were. This includes all types of fishing for all species in order to protect the juvenile stock.

The NWIFCA would fully support the measure to ensure that other Member States designate bass nursery areas on their coasts in order to protect all stocks, which may not be distinct from one another. For other Member States to not implement such action and then receive a share of the TAC appears disingenuous.

Perhaps the most important measure that could be introduced and have the most effect in protecting bass stocks is the implementation of a ban on pair trawling in the main spawning area (in Vlle,h) during the spawning months (Jan – April). The NWIFCA fully supports this proposal.

Could you please ensure that the Authority is kept fully up-to-date with the discussions occurring next week and the overall approach being taken by Defra in these discussions.

Mandy Knott. Senior Scientist. NWIFCA.

Email from Defra – 01.07.13

Many thanks for looking at this. The issues of site fidelity demonstrated by bass means that the management at local level is particularly important, and in addition to the legal protection of 37 bass nursery areas, I will attempt a round-up of IFCA measures when I send in the UK response – this will help prompt work that I am told is underway in other Member States to protect their coastal nursery areas.

The possibility of a TAC for bass was raised initially around this time last year onwards – I have had a quick trawl of incoming messages from that time and couldn't see a NWIFCA response (apologies if I have overlooked – there are other bass-related issues on minimum landing size in separate email trails) so if you have that available in the meantime that would be helpful.

On scientific assessment, please see attached ICES advice for 2014, online from last Friday:

<http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2013/2013/bss-47.pdf>

Email from Stephen Atkins to Defra – 28.06.13

I believe the NWIFCA made a response to Defra when the question of a TAC for Bass was raised some months ago. Can you confirm you still have this and if not we will resend what we did then. I am also sending your email round all NWIFCA members for their comments. I recall that members were very concerned that a TAC could severely limit their options to catch Bass because of the fear that France would be likely to get most of the quota for their western channel fishery.

NWIFCA has in the last month introduced a new byelaw to ban all taking of Bass in the Heysham Bass nursery area in Morecambe Bay and the NWIFCA would be willing to introduce other regulations to limit this fishery in NW England if necessary.

NWIFCA is unconvinced that data demonstrates that stocks in NW England have declined or that further measures are needed in this area. I would like to see the evidence for this. Please would you be able to direct me to the relevant research so we can assess it for ourselves.

I have no doubt that this will also be an important topic at the IFCA Chief Officers meeting on 11 July. I hope we will be able to get you a response from that group in time to meet your deadline.

Email from Defra to all IFCA's 26.06.13

Following a recent technical meeting of interested Member States with the Commission to discuss sea bass management issues to urgently address a decline in recruitment coupled with increased mortality, I am putting together a package of technical measures for consideration, which I have to provide in written comments to the Commission by 15 July. I would be grateful for advice on the proposed UK position.

The Commission at this stage is *not* fixed on pursuing a TAC proposal to address this sea bass decline, but the general consensus amongst those at the technical meeting was that urgent management action is needed in the short term. The Commission needs viable alternative measures that everyone can agree to in order not to pursue a TAC, which France is pressing for. The interested Member States were invited to consult internally and supply written comments with suggested ways of addressing two key management aims – reduction of effort and improved selectivity – with the objective of stabilising the stock. The Commission undertook to simultaneously brief/consult RACs. The aim is to reconvene the group before summer recess (i.e. latter July) to assess the outcome. The process that was used to implement selectivity measures in the Celtic Sea last year via a Commission implementing regulation could be done comparatively quickly.

The key points to note are:

- Fishing mortality is high, Spawning Stock Biomass and recent recruitment are low (2 consecutive cold winters have not helped).
- Landings are increasing; seabass is caught with many gear types, demersal and pelagic, inshore and offshore. Discards up to 12% in trawl fisheries.
- The dynamics of the stock indicate that we need a focus on spawning areas.
- Most urgent measures needed would be capping effort and introducing selectivity improvements.

ICES are likely to recommend a precautionary reduction in catch of 20% for 2014 – if we had a TAC for 2014 it would be immediately less from current catch levels by 20% for 2014, which implies a possibility/likelihood of the same for the following year. In short whatever we suggest as an alternative to a TAC will need to be convincing and effective – which I am suggesting in the form of UK written comments along the following lines:

Suggested selectivity improvements

- A requirement to move from the current minimum mesh size range (i.e. 80-99mm towed, 90-99mm fixed) to the next mesh size range for those *targeting* bass (i.e. 70% of catch) to 100mm+ for both towed gear and fixed gear (gill nets etc)
- For non-targeting activity at less than 70% of the catch, working with the smaller mesh size range in management areas with sea bass nursery areas (where trawl discards are highest at 12%) a requirement for a square mesh panel (essentially a 90mm SMP in 80mm gear) for towed gear in specified areas:

(ref. FSP project

http://www.cefas.defra.gov.uk/media/345662/fsp_bass_09_report.final.pdf).

- To consider the above suggested SMP requirement for bass management in the context of areas with existing requirements, cod recovery measures in 2056/2001 have SMP requirements that apply in IV, and 2549/2000 has an SMP requirement in the Irish Sea. 737/2012 includes SMP requirements for the Celtic Sea that cover VII f & g for *bottom* trawls. Taking these into account, for bass nursery area protection purposes this suggests the above SMP requirement to apply for bottom and mid water otter trawls in VII d, e, and mid water trawls in VII f & g.
- I am seeking technical advice on whether for optimum selectivity a 100mm SMP requirement to apply in the above areas/gears for the targeting mesh size range of 100mm+ is needed.
- The UK already has 37 designated Bass nursery areas with fishing restrictions in domestic legislation – we will be expecting similar action from other Member States that have such nursery areas on their coast.

Effort reduction

- A ban on pair trawling in the main spawning area (in VIIe,h) during the spawning months (Jan – April).
- A licence limitation for UK vessels restricting catches of sea bass to 1.5 tonnes a month (there is a current licence restriction at 5 tonnes a week, which in practice does not impose much of a restriction). Based on 2012 as an example, UK catches last year per vessel above 1.5 tonnes per month, reflecting targeting activity, totalled 166 tonnes – which of the total 890 tonnes landed means such a licence limitation would have reduced the catch by 19% - which if applied from this year, by limiting targeting activity and combined with a

suggested restriction on pair trawling during the spawning months, should bring down overall effort to reflect the ICES recommendation for a 20% reduction in catches, at least as far as UK is concerned. We would however be looking for verification of *proportionate* undertakings from other Member States for similar licence restrictions for their vessels.

- Such a licence restriction in 2012 would have affected the catches of 54 UK vessels: 24 vessels that landed up to one tonne (in total) over the monthly limit over the course of the year, 8 vessels that landed up to 2 tonnes in total over the monthly limit in 2012, 13 vessels at up to 6 tonnes, and 9 vessels over 6 tonnes, to a maximum of 24 tonnes for one vessel – a total of 166 tonnes. The pattern of exploitation by UK vessels is reasonably stable from year to year, suggesting a restriction at 1.5 tonnes per month will provide an effective control measure.
- As the Portuguese have advocated managing sea bass in Southern waters separately, we would want to see assurances of licence conditions issued to their vessels to limit their fishing for bass to VIII & IX (i.e. to prevent diversion of effort from there to IV, VII) which would probably mean a reciprocal licence restriction for EU vessels normally fishing in IV or VII to prevent diversion of effort down to VIII & IX.

The Commission will be approaching the relevant RACs separately. I would be grateful for comments on the above measures I will be offering for consideration – to inform our UK written comments before the deadline of 15 July.

Mandy Knott
Senior Scientist
August 2013