

Minutes: UK *Nephrops* Principle 1 and 3 meeting

Meeting Date: 19 October 2020

Location: Teams

| Attendees | Organisation |
|----------------------|---|
| AB: Abigail Blandon | WWF-UK |
| ABr: Andrew Brown | Macduff Shellfish |
| AC: Annika Clements | Seafish |
| AJ: Aisla Jones | Co-op |
| BC: Ben Collier | Northern Ireland Gear Trials |
| BH: Barry Harland | Whitby Seafoods |
| BL: Bill Lart | Seafish |
| CM: Carlos Mesquita | Marine Scotland Science |
| CMo: Cameron Moffat | Young's Seafoods |
| CP: Claire Pescod | Macduff Shellfish |
| DW: Dan Whittle | Whitby Seafoods |
| EB: Ewen Bell | Centre for Environment, Fisheries and Aquaculture Science |
| FN: Fiona Nimmo | Poseidon |
| HW: Harry Wick | Northern Ireland Fish Producer Organisation |
| JP: Jo Pollett | Marine Stewardship Council |
| KC: Kenny Coull | Scottish White Fish Producers Association |
| KK: Katie Keay | Marine Stewardship Council |
| ML: Mathieu Lundy | Agri-Food and Biosciences Institute |
| MM: Malcolm Morrison | Scottish Fishermen's Federation |
| MMi: Mike Mitchell | Young's Seafoods |
| MP: Mike Park | Scottish White Fish Producers Association |
| MS: Matt Spencer | Marine Stewardship Council |
| RG: Roy Griffin | Department of Agriculture, Environment and Rural Affairs |
| SS: Sam Stone | Scot LINK |
| WD: Will Davies | Hilton Seafoods |

Purpose of the meeting

This meeting was an opportunity for the Steering Group to review progress of Principle 1 and 3 actions in the *Nephrops* Action Plan, and to agree whether the Fishery Improvement Project (FIP) should adopt the template Fishery Management Plan.

Action 1 & 3: Stock status and harvest control rules

FN presented on transferable learning from the Scottish Fisheries Sustainable Accreditation Group's (SFSAG) withdrawn UK North Sea *Nephrops* fishery and the MSC certified Joint Demersal North Sea *Nephrops* fishery.

For the withdrawn SFSAG *Nephrops* fishery:

- Five Functional Units were assessed;
- The stock status in the Functional Units under assessment were stable;
- The lack of an adaptive management structure to address any declines in the stock which meant it would have failed Principle 1.

For the Joint Demersal North Sea fishery:

- Three areas were assessed: FU7 Fladen Ground, FU32 Norway Deep and 3a Kattegat and Skagerrak.
- FU32 failed with an average score of less than SG80 for Principle 1,
- Area 3a had one condition in Principle 1
- FU7 passed MSC assessment with no conditions as it was understood to have a coherent harvest strategy: harvest rates are managed through the North Sea total allowable catch (TAC), it has minimum conservation reference sizes (MCRS), technical measures for TR2 gear. TAC is adjusted annually and MSY Btrigger is used as the limit reference point. The stock is in good condition and only a massive shift in effort, +70% of TAC, could cause over exploitation.

There was discussion and uncertainty over what limit reference point should be used for the management of stocks in the FIP. DW asked whether the Steering Group was thinking of using Bbuff or Btrigger as the stock limit by which technical measure should be enacted. EB said that ICES scientists were not comfortable defining appropriate Bbuff and MSY Btrigger levels as stock assessments rely on data from underwater TV surveys (UTVS), which have small confidence intervals. This means that the inter-annual changes in stock size can be larger than the confidence intervals from the surveys, implying that the subsequently modelled stock could be wildly inaccurate. ICES has identified that higher precision in UTVS is needed. UTVS count burrows on the seabed, but only some of these burrows are from *Nephrops* large enough to be landed. The proportion of juvenile burrows compared to the catchable biomass has not yet been calculated by scientists, further complicating the development of reliable reference points.

A workshop was previously held by ICES to focus on discrepancies in UTVS methodology but did not address the use of Blim or Btrigger reference points. SS asked whether an arbitrary buffer of 20% can be applied to MSY Btrigger to produce an arbitrary Bbuff. EB explained that the interannual variability of the stock size can be extremely large in some years, which would cause any buffer to be enormous and would not be fit for purpose. So far there has not been any pressure put on ICES to develop Bbuff levels, so perhaps the Steering Group needs to consider this.

The North Sea Multi Annual Plan (NS MAP) stipulates that ICES need to produce a Blim for each *Nephrops* Functional Unit MP said the North Sea Advisory Council discussed the use of Bbuff, MP believed that it had been adopted by the European Union. EB said that although Blim was stipulated in the NS MAP, there wasn't enough data around reference points to apply yet.

MSY Btrigger for *Nephrops* in each Functional Unit is defined by the lowest abundance on record. In the Farne Deep a low biomass caused complications to the stock modelling so the MSY Btrigger for this Functional Unit is set slightly higher than lowest recorded abundance. In the joint demersal fishery, the Fladen Ground Functional Unit uses MSY Btrigger as a proxy for Blim. EB agreed that this approach was feasible but had reservations about its use in areas lacking long-term survey work.

FN asked whether it was more appropriate to treat MSY Btrigger as a Blim than to consider it a target reference point, to which ML and EB agreed as long as there is long term data to support its use. Within this FIP, there is a long time-series for stock data in most Functional Units, with the exception of Devils Hole and Noup.

SS asked whether Functional Units with long time series of abundance data could use an arbitrary Bbuff until something more appropriate and data driven can be adopted. Regional Fisheries

Management Organisations often use arbitrary reference points in the absence of more appropriate measures. FN explained that MSC interpretations log provides guidance on using MSY Btrigger and considers BMSY to be 2x MSY Btrigger. EB couldn't not recall any BMSYs being calculated in ICES.

For action 3, MSY Btrigger can be inferred as Blim but there are no target reference points to help manage the fishery. FN welcomed further discussion around stock reference points with the relevant scientific bodies. The Secretariat agreed to schedule this meeting.

Actions:

- EB, FN, CM and ML to discuss *Nephrops* reference points and options further.
- FN to send STECF report to BL
- Secretariat to:
 - a. to keep a watching brief on ICES *Nephrops* advice
 - b. organise a meeting between relevant scientific bodies to discuss *Nephrops* reference points
 - c. check the MSC guidance on proxy BMSY levels ahead of the call with the science bodies
 - d. follow up with NS WG for data on discarding over MCRS
- Steering Group to consider asking ICES to calculate Bbuff levels

Management working groups:

The Steering Group previously commissioned a harvest strategy development report, which concluded that the preferred management is through a regional technical measures approach. The Secretariat has been looking for funding for this work. DW asked the Steering Group for suggestions on how to set up regional management groups while travel and in person meetings are still restricted due to Covid.

The group agreed it was important to build on existing management structures, such as the Scottish Inshore Fishing Groups (IFGs). MP said it is important to have legitimacy in terms of developing and implementing policy and suggested looking at all the components needed in management, including having Government support for this FIP.

SS asked whether the FIP intended to deliver its management plans before the Fisheries Bill and Joint Fishery Statements become enforceable. MP believed the Government's timeline for implementing the Fisheries Bill is roughly three years – with time needed to develop the Joint Fishery Statements – whereas the FIP's timeline is five years, so there is significant overlap. The group discussed voluntary adherence to management measures in advance of formal legislation and that the FIP was an opportunity to provide Government with a good working example of fisheries management, under the new Government requirement for Fishery Management Plans (FMPs)

CP mentioned the Scallop Industry Consultation Group (SICG) as an example of co-management, which could be used as a model for this group, and reminded Steering Group members the need to pass Project UK information on to their members and offer opportunities for further engagement. The group recognised the importance in having Marine Scotland Policy participate in Project UK meetings, and Steering Group members agreed to contact Marine Scotland Policy to reiterate the importance of their attendance and how Project UK can support Marine Scotland.

Actions:

- When in meetings with Marine Scotland could all Steering Group members the value of the FIP when appropriate; and ensure Steering Group representatives are sharing Project UK information with their members and looking for engagement opportunities

Actions 2: Harvest strategy

The Year 1 action focuses on obtaining data on discarding of *Nephrops* above Minimum Conservation Reference Size (MCRS). Marine Scotland Science provided MCRS for *Nephrops* in the Functional Units in Scottish waters, which can be found in the FIP Action Plan. The latest ICES report contains details on MCRS for the Irish Sea. The 2019 ICES assessment showed landings profiles for Irish Sea Functional Units and indicated that there are discards of *Nephrops* above MCRS. The next report produced by the ICES Working Group on the Assessment of Demersal Stocks in the North Sea and Skagerrak (WGNSSK) will provide a size range of discards for FU6 and is something the Secretariat will follow up with. The fishery in FU5 is self-sampled by Dutch industry, who have their own minimum landing size with estimates of discarding around 60-70%.

There is a requirement in the Action Plan for the Steering Group to consider alternative measures to reduce unwanted catch before the end of Year 2. This is being led by BL, as it overlaps with the actions he is leading on for the plaice and lemon sole FIP. This report will need input from the whole group as there are numerous trials and studies currently taking place. There is also information available in the EU technical measures framework and in national legislation (for example, regulations on square mesh panels).

The Steering Group needs to document the management already in place in each of the functional units, and DW offered to lead on this action. The Farne Deeps was used as an example in the harvest strategy development report, and this template would work for the other Functional Units.

Actions:

- BC to share gear trial progress with BL
- BL to:
 - a. lead on alternative measure document with support of Poseidon and the Secretariat
 - b. contact Ben Collier and Marine Scotland to get information on technical measures
- DW to lead on documenting current management measures in each Functional Unit
- ML to share recent ICES landings profile report which indicates there are discards of *Nephrops* above MCRS in the Irish Sea
- Secretariat to share Project UK report template with BL, and to access the next ICES WGNSSK report
- Steering group to share gear trial studies to BL for the alternative measures report

Actions 4 & 5: Information and assessment

Action 4 requires the implementation of regular UTVS in all Functional Units. CM said FU10 and 34 are surveyed as often as possible but Covid-19 was impacting AFBI's ability to do so this year. EB explained that there is no funding available to survey FU5 on a regular basis and this is unlikely to change. The group discussed the use of catch per unit effort (CPUE) where no UTVS takes place. EB cautioned against using a CPUE as a proxy indicator for *Nephrops* – as recommended by Paul medley in the absence of UTWS information – as catch rate data is hugely variable and depends on factors

such as sunlight, oxygen, absence/presence of predators and spawning cycles. Using CPUE as a proxy under such circumstances is likely to produce inaccurate estimates of *Nephrops* abundance, which could have significant consequences for managing the stocks.

Landings outside designated Functional Units have increased recently and EB stressed the importance of identifying where the landings are being recorded and whether there are new *Nephrops* grounds that need allocating as a Functional Unit. High landings from outside of traditional Functional Units has happened before but understanding total landings will be difficult due to Brexit, with requests for information having to go through ICES. Discussion arose around the responsibility for monitoring in FU5. Historically, it has been monitored by the Dutch – as they had the greatest exploitation of the stock – but Brexit may complicate this, due to access requirements.

Action 11: Compliance

This action requires understanding the risks of non-compliance with the Landing Obligation across the UoA and working with industry to establish a monitoring system within marine protected areas (MPAs) and other closed areas.

Landing Obligation

FN highlighted the importance of the Fisheries Bill replacing the EU Common Fisheries Policy (CFP) and whether MSY would still be enshrined in UK legislation. MSY will remain in Multi-Annual Plan (MAPs) but the Fisheries Bill is set to reject some of the principles outlined in the CFP. SS said that the MSY element had been revoked by the new Fisheries Bill. It is proposed that MSY will be put forward in the Joint Fisheries Statements (JFS) but this won't take place for several years, leaving no short-term obligation to MSY. SS offered to review the Fisheries Bill and how it relates to the MAP legislation.

DW asked what compliance looked like in fisheries that are undergoing a regime shift for legislation, does the group remain compliant to CFP, the new Fisheries Bill or pause the work. SS said compliance with the Landing Obligation will be tricky, as the Devolved Administrations may deviate from current EU policy. SS thought there were new MSC stipulations around compliance and the Secretariat agreed to check.

ML explained that compliance is not in AFBIs remit so DAERA is better positioned to provide updates on non-compliance in the Irish Sea. MS will continue engaging Marine Scotland and MMO for updates on non-compliance in their respective regions.

Marine Protected Areas

DW suggested engaging with the Marine Protected Area Management and Monitoring Project (MarPAMM), which is developing tools for monitoring and managing a number of protected coastal marine environments in Ireland, Northern Ireland and Western Scotland (not including the Clyde). The project has a strong inshore focus as the funding does not cover offshore sites. AC offered to provide updates and developments, including a contact for MarPAMM.

BL made the group aware that Kingfisher, the consultancy arm of Seafish, is working on a project to alert skippers to what management measures are in place in protected areas. AC highlighted the time lag between designation of protected areas and the implementation of management measures. The Kingfisher project will catalogue these measures as they come into force.

Actions:

- AC to obtain an update on MarPaMM progress and provide contact details of MarPAMM members to the Secretariat
- SS to review the Fisheries Bill and how it relates to the MAP legislation
- Secretariat to:
 - a. follow up with MSC's Science and Standards team to understand if update had been made in the Standard for compliance with the landing Obligation
 - b. follow up with MMO, Daera and Marine Scotland for data on non-compliance with Landing Obligation within each Fishery Administration

Fishery Management Plan Template

The Fishery Management Plan (FMP) template can be used by the Steering Group to document the work that has been conducted through the Fishery Improvement Project (FIP). The FMP should summarise all types of management in the fishery, and where possible the text should refer to links or annexes. All other Project UK FIPs are using this template and have found it useful.

BH offered to lead on the FMP for this FIP, and CMO offered to support along with the Secretariat and Poseidon. JP reiterated to the group that each section should be drafted to the most relevant Steering Group member(s). MS informed the group that Project UK is hosting a workshop on the 5th November that will run through FMPs and will provide more detail on what is needed.

Actions:

- BH to be lead contact of FMP for the FIP with support of CMO, Secretariat and FN

Any Other Business

SS added that ScotLINK has recommendations on compliance and habitat interactions in MPAs. The group discussed the use of voluntary measures until official management measures come into force. CP also said there was research that could be done to provide more information and explain that fishing in protected areas is not illegal as management measures are not in place to prohibit a particular fishing activity.

Meeting Closes

11.30.

| Actions Arising | Responsibility |
|---|--|
| <p>Action 1 & 3: Stock status and harvest control rules</p> <ul style="list-style-type: none"> • EB, FN, CM and ML to discuss <i>Nephrops</i> reference points and options further. • FN to send STECF report to BL • Secretariat to: <ul style="list-style-type: none"> ○ to keep a watching brief on ICES <i>Nephrops</i> advice ○ organise a meeting between relevant scientific bodies to discuss <i>Nephrops</i> reference points ○ check the MSC guidance on proxy BMSY levels ahead of the call with the science bodies ○ follow up with NS WG for data on discarding over MCRS • Steering Group to consider asking ICES to calculate Bbuff levels | <p>EB, FN, CM & ML</p> <p>FN Secretariat</p> <p>Steering Group</p> |

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| <p>Actions 2: Harvest strategy</p> <ul style="list-style-type: none"> • BC to share gear trial progress with BL • BL to: <ul style="list-style-type: none"> ○ lead on alternative measure document with support of Poseidon and the Secretariat ○ contact Ben Collier and Marine Scotland to get information on technical measures • DW to lead on documenting current management measures in each Functional Unit • ML to share recent ICES landings profile report which indicates there are discards of <i>Nephrops</i> above MCRS in the Irish Sea • Secretariat to share Project UK report template with BL, and to access the next ICES WGNSK report • Steering group to share gear trial studies to BL for the alternative measures report | <p>BC BL</p> <p>DW</p> <p>ML</p> <p>Secretariat</p> <p>Steering Group</p> |
| <p>Action 11: Compliance</p> <ul style="list-style-type: none"> • AC to obtain an update on MarPaMM progress and provide contact details of MarPAMM members to the Secretariat • SS to review the Fisheries Bill and how it relates to the MAP legislation • Secretariat to: <ul style="list-style-type: none"> ○ follow up with MSC's Science and Standards team to understand if update had been made in the Standard for compliance with the landing Obligation ○ follow up with MMO, Daera and Marine Scotland for data on non-compliance with Landing Obligation within each Fishery Administration | <p>AC</p> <p>SS</p> <p>Secretariat</p> |
| <p>Fishery Management Plan Template</p> <ul style="list-style-type: none"> • BH to be lead contact of FMP for the FIP with support of CMO, Secretariat and FN | <p>BH</p> |