

## Minutes: Channel scallop principle 1 and 2 meeting

Meeting Date: 2 February 2021

Location: Teams

Attendees	Organisation
AB: Andrew Brown	Macduff Shellfish
AL: Andy Lawler	Centre for Environment, Fisheries and Aquaculture Science
AT: Adam Townley	New England Seafoods International
FN: Fiona Nimmo	Poseidon
GC: Gus Caslake	Seafish
HG: Hubert Gieschen	Marine Management Organisation
JH: Jan Hiddink	Bangor University
JP: Jo Pollett	Marine Stewardship Council
JPo: Jim Portus	South Western Fish Producer Organisation
KK: Katie Keay	Marine Stewardship Council
LP: Lauren Parkhouse	Devon and Severn Inshore Fisheries and Conservation Authority
MP: Mike Park	Scottish White Fish Producers Association
MS: Matt Spencer	Marine Stewardship Council
NdR: Nathan de Rozarieux	Falfish
RW: Rob Whiteley	Natural England

### Purpose of the meeting

This call was an opportunity for the Steering Group to review progress made against each of the actions under Principle 1 and 2 in the Channel scallop Fishery Improvement Project (FIP) action plan and prioritise activities ahead of the annual review in March.

### Agenda Item 1: stock status and stock rebuilding

*Presentation by Poseidon*

The updated Cefas stock assessment report is due in April, and FN will wait for that before completing the scoring for the FIP's annual review. In the English Channel there are four discrete stocks, two of these are fluctuating around a level that is consistent with MSY (Cornwall/Devon and Western Offshore) and two are not (Lyme Bay and Eastern Channel North).

It is necessary to understand whether the stocks in Lyme Bay and Eastern Channel North are highly likely to be above the point of recruitment impairment. Under PI (performance indicator) 1.1.2 addressing stock rebuilding, FN informed the group that there are fMSY estimates available, but in Year 4, of the FIP action plan the milestone states a need to develop proposals to determine a limit reference point for each stock. The rebuilding strategy would need monitoring and a timeline to establish its effectiveness.

FN gave several examples of the proportion of the virgin spawning potential used to calculate harvest rate. The same approach is used in the SW crab and lobster fishery (modelled on 17.5% of unfished biomass) and Norway's Icelandic scallop species (limit biomass based on 33% unfished biomass). A

different example is used by the Shetland MSC scallop fishery, which used landings per unit effort (LPUE) and spawning stock biomass (SSB) reference points (i.e. a target and a limit) to guide the use of harvest control rules, dependent on what state the indicators were showing the fishery was in. It is key for the Steering Group to link the reference points with the harvest control rules.

### *Group discussion*

#### *Latest stock assessments*

AL said the latest Channel scallop stock assessment report is indicating quite different results from previous assessments because the 2020 assessment included international data (i.e. removals by non-UK vessels). This has resulted in significant changes in harvest rate estimates compared with the 2017 and 2018 reports. Currently Cefas bases its assessment on biomass estimates from dredge surveys, and so target reference points should be based around that survey.

AB asked whether the certainty of the biomass estimates was increasing now there are several years of survey work. AL said not so much for biomass estimate, but they were for harvest rates estimates with the international landings data included. The Eastern Channel estimates had previously been unreliable and Cefas had over-estimated exploitation in some years, but this has now been addressed with actual harvest rates for the first few years of the survey, rather than estimated based on UK share of international landings.

AL noted that the harvest rate for the last survey will always be estimated, because the harvest rate is the 12-month period after the survey goes ahead and then, retrospectively, Cefas can apply the total international removals 12 months after (unless there is a TAC where total removals are capped).

#### *Landings Per Unit Effort (LPUE)*

AL noted that the Cefas scallop survey is based on a biomass estimate from the annual dredge surveys. Cefas does not think LPUE is always a useful metric, partly because the number of dredges is not reliable on the official database, as well as the tendency of nomadic fleets to move on when LPUE is depleted. This makes it a less reliable indicator of abundance. He also noted that Cefas is tasked with developing some limit and target reference points for these fisheries. FN said that based on that rationale, the use of LPUE for the fishery can be scoped out and documented in the FMP.

#### *Harvest strategy*

FN noted AL's input would be invaluable in deciding and testing models for an appropriate reference points, using removal of virgin spawning potential as its metric. AL said Cefas could take on the sensitivity testing for different harvest rates and that he would contact Ewen Bell who would lead on the work. Cefas is currently extremely busy on surveys and other scallop work, but this would be addressed as soon as possible.

AB noted that the Norway/Iceland scallop proxy of 33% of virgin biomass was double that of the crab and lobster (17.5%) and wondered whether it is because crab and lobster are less fecund than scallops. AL said that in the Cefas model reproductive biology and spawning potential were included. FN noted that it is also likely related to how mobile the different species are, with crab and lobster being likely to move further. She agreed that the arbitrary 35% metric, which is based on other stocks around the world, would be an appropriate place to start for Channel scallops.

JP asked if there was anything the FIP can do towards PI 1.1.2 or did it have to wait until these limit reference points were established. FN said the FIP could progress and this work linked up with harvest control rule (HCR) development although that would, in turn, need to be adjusted to the individual stocks.

AB asked how the group could make progress on HCRs without having confidence in the biomass level. AL said that Cefas test the data to see how robust it is, and this is included in the assessment report. AL explained the only way to add certainty to the biomass estimate is if greater funding is allocated to take more dredge samples, and to address the gear efficiency problem, which Cefas has found is causing the most fluctuation. With the newly acquired international harvest rates the data is becoming more reliable.

#### *Baie de Seine fishery*

The UK has no access to this fishery and JPo understood it is the same stock but noted that the French harvest rate was higher than 35%. He asked AL whether the Eastern Channel biomass estimates included the total of the Baie de Seine fishery. JPo questioned that if using the 35% estimate the group will be limited to a much lower harvest rate than their French counterparts, even though they are all fishing the same biological stock. AL said that although they are the same species, the growth rates are much faster in the Baie de Seine, based on that information Cefas splits the survey of the Eastern Channel at a latitude of 50°N.

AB said that the French had been trying to get a regulated closure of the Baie de Seine, as well as technical conservation measures, which failed while the UK was able to object as an EU member state. These are more likely to occur now the UK has left the EU.

FN said that milestone 1G is to better understand whether Baie de Seine should be in the Unit of Assessment for this FIP. AB said the political complexity at the moment means there are too many unknowns, including whether the UK will have access to the Baie de Seine. He noted there are intentions in the Trade and Cooperation Agreement (TCA) to jointly manage the stocks. JP asked whether excluding Baie de Seine will have implications for traceability, and also noted that the group should not exclude any work that might need to be done in the FIP if Baie de Seine is included at a later date. FN confirmed the Baie de Seine can be included at a later date.

#### ***Actions from Item 1:***

1. FN to document in the action plan the rationale for not using LPUE as a reference point and await the next stock assessment before completing the annual review.
2. AL to contact Cefas colleagues in relation to researching different harvest rates for the Channel scallop fishery.

#### **Agenda Item 2: harvest strategy and harvest control rules**

AB was invited to provide an update on latest discussions from the Scallop Industry Consultation Group (SICG) on harvest strategy and harvest control rules. Since Brexit the scallop industry was in a state of flux regarding the management of scallops and other non-quota species in the Channel. AB outlined some aspects of the Trade and Cooperation Agreement (TCA):

- Since January 1<sup>st</sup>, UK vessels can access EU waters provided they have an external waters licence. UK vessels in EU waters, and EU vessels in UK waters, have catching limits set by tonnage (based on a vessel's 2012-2016 average).
- However, when the UK fleet is fishing within its own territorial waters the fishery is managed by effort days at sea scheme – in accordance with the Western Waters regime. This means in UK waters UK vessels will be managed by effort but EU vessels will be managed on a catch limitation basis.
- Currently there are no limitations established for catches in each other's waters, that will be part of the EU/UK agreement. There are some risks of a 'race to fish' until provisional limitations are established. Meanwhile, all the days at sea available to English vessels will only be being used in UK waters which will likely result in more effort by UK vessels in UK waters.

As a result of this situation, AB said developing harvest control rules (HCR) would be extremely complicated and expected an ad-hoc arrangement for the remainder of 2021. He recommended monitoring how EU-UK negotiations go and perhaps in 2022 the FIP will see a more established, long-term arrangement on which it could base HCRs.

#### *Group discussion*

MP asked whether the UK government will allocate management at the vessel level. AB said the wording in the TCA on the 2012-2016 reference period for scallop quota uses the term "at least", so this is a minimum limit, not a maximum. If the stock was doing badly, it doesn't seem possible to reduce the effort of EU vessels, which could result in a threat to the sustainability of the stock and, therefore, the fishery. Defra has said they want to work with industry on a solution and have planned various meetings, including with the SICG, on this matter. AB said the UK has to set catch limits and the next step will be how to allocate the catch to which vessels, but there has been no indication yet as to how they will do that. FN asked if catch limits would only apply to certain fleet segments, such as >15m, which AB said had not been determined but Defra were looking to industry on how overall TAC limit could be allocated across the fleet.

AB said the group could work on the principles of a harvest strategy and what the limits might be but translating them into how that would be implemented as a management system and HCRs will be difficult. FN agreed and said these recent changes had added great complexity to the work and there is not much the Steering Group can do on HCRs at present.

#### **Agenda Item 3: information and monitoring**

This is Action 4 in the action plan. Milestone 4c is to undertake a larval distribution project, being led by Cefas; 4d is to better understand EU landings of scallops, such as removals by French vessels; and 4e is to have a final report on the larval distribution made available.

AL said the project should be referred to as larval dispersal, rather than distribution, and it aims to better understand the connectivity of undredged (surveyed using underwater TV) and dredged parts of the Channel. The project lead from Cefas has been delayed as he was tasked with conducting similar research for the Dogger Bank. That is now complete and will begin the same research in the Channel early this year. FN said this delay would not be a significant issue for the overall FIP score as it is a data gap, rather than a key priority in the action plan.

### *Proposed closure of Dogger Bank*

AB noted the previous day's news that Defra has proposed to close the entire Dogger Bank to all demersal fisheries, which will not be well received by the scallop industry or any other trawlers. Undoubtedly the scientific work will be of merit but research on that area will now be a lower priority. AL asked AB whether he thought the scallop fishery would continue in the Central North Sea. AB said it depended on whether the buffer zone around the Dogger Bank included areas that are currently fished. He noted that the MMO consultation was ambiguous, noting that it is yet to make a decision on the most appropriate management measures for the Dogger Bank SAC, although the byelaw clearly prohibits any kind of dredging or trawling. He said this news was a disappointment for industry as they were expecting to negate any losses in the Baie de Seine with gains from Dogger Bank.

### *Discussions with French counterparts*

JPo said he had been speaking with French on other topics and believed there still was a willingness to engage in the FIP. He noted that there had been a meeting in London previously, and that if we wanted to reengage, we should offer another meeting. This could support joint management.

FN asked whether the objective would be to join the certification across the Channel. FN said she had a colleague in France that she could contact if the Steering group wished to progress a cross-Channel certification. JP thought that in the previous meeting that JPo referred to, the French were interested but unable to commit to the FIP at that time. The Secretariat will find the minutes from that meeting and contact counterparts in the MSC France team who could help arrange another meeting. AB said ideally all stocks in the Channel would be certified and this would address any traceability issues for the supply chain.

### ***Actions from Item 3:***

1. Cefas to continue the scallop larval dispersion model over the next six months.
2. Secretariat to find the minutes from a meeting with French counterparts and re-share with the Steering Group and determine potential next steps.

### **Agenda Item 4: secondary species**

This action has not progressed since the group met a year ago and is at risk of falling behind schedule. It relates to developing a specific total catch survey and obtaining observer data and Cefas is leading on this. AL noted that the MSC requirement for catch data is biomass, and that he was developing a quote to convert Cefas' length-weight data into biomass data for each species. AL believed it would not take too long once started or be very expensive. FN asked if the work could be completed in the next six months and AL confirmed it could. FN explained this will address the performance indicators (PIs) for information and management.

JP reminded the Steering Group that the FIP had a new milestone on reviewing alternative measures, which is being addressed by Bill Lart (Seafish) through the Round 2 scallop FIP. This report should be ready to circulate in the next few weeks to sign off before the annual reviews this year. KK asked industry representatives to review and feed into the work when it is available to ensure no information is missed. JPo and AB agreed to review the report when available.

### ***Actions from Item 4:***

1. Cefas to provide a quote for converting length-weight data into biomass.

2. JPo and AB to review Bill Lart's alternative measures report to ensure no information sources have been missed, when available.

### **Agenda Item 5: endangered, threatened and protected (ETP) species**

*Presentation by Poseidon*

FN summarised work to date on the ETP species list. This was first developed by Rhiannon Holden, primarily using observer catch data, and then presented at the last meeting by Rebecca Lyal who added to the list using a number of additional sources, some of which hadn't needed to be included (such as BAP lists, Oskar species, and in-scope IUCN species). WWF has also provided comments since then. FN consolidated the ETP list to focus specifically on the English Channel. Part of FN's review involved assessing species distribution – with a focus on elasmobranchs, following WWF's comments – and reviewing the designation of protected areas (SPAs, MCZs and SACs) in the English Channel for ETPs.

FN recommended the next steps were to be:

- Circulate FN's consolidated ETP list with the Steering Group for industry review
- Add any additional industry feedback to the list
- Document management with the fishery management plan (FMP)
  - Prohibited species EU 2020/123 and EU 2019/1241
  - MPA specific management
  - IFCA management
- Document ongoing procedure for monitoring ETP species interactions. FN asked whether this has already been discussed in the Steering Group.

JP said the strategy previously drafted by Femke de Boer was the most relevant work for monitoring interactions, which FN noted had been focussed on elasmobranchs. The conclusion from that work had been that interactions were so rare that management procedure was not necessary, and FN said this group should revisit that based on the new ETP list.

*Group discussion*

JPo said vessels are boarded and inspected at sea, and that the skippers undertake any statutory requirements for reporting, including species-specific reporting of catch. He noted that many elasmobranchs are subject to catch limits and therefore are not considered ETPs. There should be a lot of statutory data available. He stressed that if something is not statutory then catches are likely to be low level or below de minimis regulations. He agreed it is important to have good confidence levels but with all the existing requirements did not think this work is a key priority for the FIP.

AB said he would want to see FN's ETP list, as he reviewed Rebecca Lyal's list on behalf of Macduff and was surprised how low the bycatch was from the skippers. Only two species are caught with any regularity, monkfish and sole, which are quota stocks, and FN confirmed these are not ETP species. All other interactions are rare, such as common smooth hound, thornback ray, undulate ray and starry skate. AB agreed with JPo that it might not be a priority but would be good to finish properly for completeness.

FN said this work was not seen as a huge priority or issue so it a key opportunity for the FIP to fully document all the processes in place and then close this action.

### *Invertebrates on the ETP list*

One aspect that requires more input is the interaction with invertebrates in relation to monitoring of their extent and locations. The Steering Group could use observer data and footprint analysis to understand overlap between fishery and species distribution. Input from the IFCA, JNCC and Natural England would be useful here.

RW asked whether the data included information from the <12m fleet, as inshore vessels would be more likely to operate in inshore MPAs – and interact with the ETP species inside of them. FN said the group does not have footprint information for the <12m fleet and the route the FIP had taken was to log what management processes were in place for protected areas in the UoA of the FIP.

### ***Actions from Item 5:***

1. FN to share ETP list with Steering Group for review, with specific input requested from industry (AB and JPo) and, for invertebrates, from the IFCA, JNCC and Natural England.

### **Agenda Item 6: Habitats**

#### *East of Start Point Marine Conservation Zone (MCZ)*

FN discussed Steve Newstead's report and his results relating to the overlap between the fishery and the East of Start Point MCZ. This has a total area of 116 square kilometers and the main habitat feature is subtidal sand. The objective of the MCZ is to recover the habitat to a favourable condition. There had previously been a JNCC impact assessment for the MCZ that consider two scenarios: no additional management, or closure of the entire MCZ to bottom trawls and dredges.

JPo said there was not yet any management measure in place for the East of Start Point MCZ. Since the MCZ was designated industry has been collecting evidence of fishing activity there, primarily of tows from beam trawlers targeting Dover sole in the Western Channel. A significant part of the rectangle has low fishing activity recorded by VMS, and consequently a recommendation is to manage the MCZ in a zonal basis, with some areas open seasonally and some to be completely closed. The scallop industry is currently frustrated by the update on management measures for Dogger Bank, and unlikely to welcome further exclusion of fishing activities. AB also noted that some of the MPAs – particularly SACs - without management in place were good fishing grounds and industry did not want to be excluded from them completely as they had been in Dogger Bank.

LP said that Devon and Severn IFCA are responsible for management within 6nm. JPo confirmed jurisdiction is as follows:

- MMO for outside 6nm (responsible for fisheries management)
- JNCC for outside the 12nm (for statutory advice on appropriate management)
- Natural England for inside 12nm (for statutory advice on appropriate management)

FN said the Steering Group needed JNCC and MMO to update on the East of Start Point MCZ management measures. JPo said that the MMO is obliged to propose management measures for the tranche 3 sites – of which East of Start Point was one. The level of consultation between the MMO and industry remains to be seen. MMO announced this week it is moving forward with management of SACs. JPo believed management of tranche 3 MPAs will come later in the year.

### *Mapping exercise*



FN had agreed to conduct an MPA mapping exercise before the next annual review to understand the features and status is for each protected area in the Channel. She presented this to the group and noted that she would like input from JNCC and Natural England.

JPo noted that the Western Channel MCZ had some towed activity; in the East of Portland near the Sherborne peninsula there is very little towed gear activity; and that scallopers tend to fish west of the Inner Bank MCZ (near Hastings).

RW asked about the <12m vessels in relation to the mapping exercise. FN confirmed the group has vessel lists for scallop entitlement, including for <12m vessels, as well as a list of registered home ports. Landings at an ICES rectangle level, based on <10m and >10m vessel landings are available. It is also possible to identify where the <12m vessels are not fishing based on the management measures in place, such as for sensitive areas. There is still a gap in knowledge and more information would be welcomed. Other MSC assessments also use VMS data to understand the footprint of a fishery and make a risk assessment based on that information.

#### *Devon and Severn IFCA iVMS project*

LP confirmed that iVMS is now a byelaw for all vessels under 12m and over 7m to have VMS or iVMS. However, the data is held by the MMO and although the IFCA can monitor the data live, they would need to request to access using the Data Protection Act (DPA) like other stakeholders. LP believed there were rules around using the data for enforcement rather than monitoring, and offered to find out and update at the next Steering Group meeting. FN said this would be helpful as previous requests to the MMO did not return any information for VMS data. LP agreed to cross check the mapping exercise and would share with other IFCA contacts for their relevant input.

#### ***Actions from Item 6:***

1. FN to finish the mapping exercise to understand the features and status is for each protected area in the Channel and share with the group.
2. Secretariat to contact JNCC and MMO for an update on the East of Start Point MCZ management measures.
3. LP to:
  - a. request relevant iVMS/VMS data from the MMO for vessels in the Devon and Severn IFCA District and update the Steering Group.
  - b. Review FN's mapping exercise and contact relevant counterparts from other IFCA Districts for their input.

#### **Agenda Item 7: ecosystems**

FN noted that the key area the scale intensity consequence analysis (SICA) identified was the lack of footprint data for the <12m vessels in the UoA. This action – performance indicator 3.5.1 on ecosystem outcome – is currently scoring 60-79. There was an action for Natural England to review the spatial tracking technologies and georeferencing to limit scallop dredging away from vulnerable fishing areas. RW said he had not yet reviewed this and would confirm later.

#### ***Actions from Item 7:***

1. RW to provide a response on spatial tracking technologies and georeferencing to limit fishing away from vulnerable fishing areas once he had spoken with the Secretariat and colleagues in Natural England.



## Any Other Business

JP reminded the group the annual review will be happening this March/April and that any work that could be completed by then would be hugely beneficial to the FIP.

JPo noted that this is proving to be a very tough year for the scallop sector with Brexit, changes to effort and the closure of Dogger Bank and that things are incredibly busy. FN asked whether any other SACs listed by MMO may affect the scallop fleet, to which JPo said no, Dogger Bank was the primary one, with consultation open until the end of March.

## Meeting Closes

	Actions Arising	Responsibility
1	<b><i>Actions from Item 1:</i></b> <ol style="list-style-type: none"> <li>1. FN to document in the action plan the rationale for not using LPUE as a reference point and await the next stock assessment before completing the annual review.</li> <li>2. AL to contact Cefas colleagues in relation to researching different harvest rates for the Channel scallop fishery.</li> </ol>	 FN  AL
2	<b><i>Actions from Item 3:</i></b> <ol style="list-style-type: none"> <li>1. Cefas to continue the scallop larval dispersion model over the next six months.</li> <li>2. Secretariat to find the minutes from a meeting with French counterparts and re-share with the Steering Group and determine potential next steps.</li> </ol>	 AL  Secretariat
3	<b><i>Actions from Item 4:</i></b> <ol style="list-style-type: none"> <li>1. Cefas to provide a quote for converting length-weight data into biomass.</li> <li>2. JPo and AB to review Bill Lart's alternative measures report to ensure no information sources have been missed, when available.</li> </ol>	 AL  JPo/AB
4	<b><i>Actions from Item 5:</i></b> <ol style="list-style-type: none"> <li>1. FN to share ETP list with Steering Group for review, with specific input requested from industry (AB and JPo) and, for invertebrates, from the IFCAs, JNCC and Natural England.</li> </ol>	 FN
5	<b><i>Actions from Item 6:</i></b>	

	<ol style="list-style-type: none"> <li>1. FN to finish the mapping exercise to understand the features and status is for each protected area in the Channel and share with the group.</li> <li>2. Secretariat to contact JNCC and MMO for an update on the East of Start Point MCZ management measures.</li> <li>3. LP to:           <ol style="list-style-type: none"> <li>a. request relevant iVMS/VMS data from the MMO for vessels in the Devon and Severn IFCA District and update the Steering Group.</li> <li>b. Review FN's mapping exercise and contact relevant counterparts from other IFCA Districts for their input.</li> </ol> </li> </ol>	<p>FN</p> <p>Secretariat</p> <p>LP</p>
	<p><b><i>Actions from Item 7:</i></b></p> <ol style="list-style-type: none"> <li>1. RW to provide a response on spatial tracking technologies and georeferencing to limit fishing away from vulnerable fishing areas once he had spoken with the Secretariat and colleagues in Natural England.</li> </ol>	<p>RW</p>