

## BSAC recommendations for the fishery in the Baltic Sea in 2022

**Note from BSAC Secretariat: this is a revised version 5<sup>th</sup> July 2021 – please see track changes at bottom of pages 3 and 9**

The BSAC held a Joint Working Group on 8<sup>th</sup> and 9<sup>th</sup> June 2021. After listening to a presentation of the ICES advice by ICES Vice-Chair of ACOM, Colm Lordan, the Working Group went through the Baltic stocks and began to formulate recommendations.

The BSAC recommends setting the catch levels for the Baltic stocks in 2022 at the values indicated in the table below. For all stocks, the recommendations are formulated and agreed after careful consideration of the scientific advice.

	ICES advice on fishing opportunities 2022 <sup>1</sup>		BSAC recommendation for EU TAC 2022	BSAC minority positions TAC 2022
Cod SDs 22-24	Advice postponed to September 2021		The BSAC will present its recommendation for this stock in September, after the publication of the advice	

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<sup>1</sup> Note that reference is made to ICES headline advice only. More details and nuances may be found in the “Issues relevant for the advice” section of the ICES advice.

<b>Cod 25-32</b>	<b>ZERO CATCH PA</b>	ICES advises that when the precautionary approach is applied, there should be zero catch in 2022. This advice applies to all catches from the stock in subdivisions 24–32.	<b>By-catch TAC 2.000 t</b>	<b>Zero catch</b>  <b>By-catch TAC of 595 t<sup>2</sup></b>
<b>Herring SDs 22-24</b>	<b>ZERO CATCH MSY approach</b>	ICES advises that when the MSY approach is applied, there should be zero catch in 2022.	<b>Rollover of 2021 TAC 1.575 t</b>	<b>Zero catch<sup>3</sup>.</b>
<b>Herring SDs 25-29, 32, ex GoR</b>	<b>Range 52.443 – 87.581 t</b>	<b>EU multiannual plan (MAP) for the Baltic Sea</b>	<b>62.353 t (EU MAP FMSY)</b>	<b>82.918 t<sup>4</sup></b>
<b>Herring Gulf of Riga SD 28.1</b>	<b>Range 34.797 – 52.132 t</b>	<b>EU multiannual plan (MAP) for the Baltic Sea</b>	<b>47 697 t (EU MAP FMSY)</b>	

<sup>2</sup> Coalition Clean Baltic, WWF and Fisheries Secretariat

<sup>3</sup> Coalition Clean Baltic, WWF and Fisheries Secretariat

<sup>4</sup> Confederation of Fishermen and Fish Processors of West Lithuania

<b>Herring SDs 30-31</b>	<b>Range 86.729 – 111.714 t</b>	<b>EU multiannual plan (MAP) for the Baltic Sea</b>	<b>111.345 t</b>	<b>MSY Lower 86.729 t<sup>5</sup></b>
<b>Sprat SDs 22-32</b>	<b>Range 214.000 – 373.210 t</b>	<b>EU multiannual plan (MAP) for the Baltic Sea</b>	<b>262.337 t</b>	<b>335.590 t<sup>6</sup></b>
<b>Plaice SDs 22-32</b>	<b>SDs 21-23: 8.821 t SDs 24-32: 3.956 t</b>	<b>SD 21-23: MSY approach SD 24-32: Precautionary approach</b>	<b>11.082 t</b>	
<b>Salmon SDs 22-31</b>	<b>Advice postponed to September 2021</b>		<b>The BSAC will present its recommendation for this stock in September, after the publication of the advice</b>	

<sup>5</sup> CCB, WWF, Fisheries Secretariat and European Anglers Alliance

<sup>6</sup> Association of Fishermen's at Sea-PO, the Fish Producers' Organisation Bałtyk, National Chamber of Fish Producers, Swedish Pelagic Federation PO, Marine Ingredients, Swedish Fishermen PO, Finnish Fishermen's Association, Danish Fishermen PO, the Fishermen's Association of Bornholm and Christiansø, the Confederation of Fisherman and Fish Processors of West Lithuania, Kołobrzeg Group of Producers Fish, Estonian Fishermen's Association, Polish Association of Fish Processors, Danish Pelagic Producer Organisation, [Swedish Fishermen PO](#).

<b>Salmon SD 32</b>	<b>Advice postponed to September 2021</b>		<b>The BSAC will present its recommendation for this stock in September, after the publication of the advice</b>	
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Please note that the recommendations relate to the TACs for the regulatory areas, not to the different stock components. Further explanation of how the recommendations for each stock have been reached is given in the text below.

## General comments

The recommendations presented here have been developed during and after the Joint Working Group held on 8<sup>th</sup> and 9<sup>th</sup> June 2021. A draft was sent by written procedure to the Working Group members and the Executive Committee members and was finalised and approved by written procedure by the Executive Committee on 30<sup>th</sup> June 2021.

The advice on **cod in SD 22-24, salmon in the Main Basin and salmon in the Gulf of Finland** has been postponed until September 2021. The BSAC will prepare its recommendations with relation to these stocks after the publication of the advice. For plaice, the recommendation is also to set the TAC in line with  $F_{MSY}$  even if this is not stipulated by the EU MAP.

The BSAC acknowledges that the fishery in the Baltic is severely challenged, because two stocks are faced with zero catch advice. The BSAC agrees on the continued need to focus on the overall ecosystem, and the other factors that are affecting the well-being of certain stocks. Fishing is just one of the factors that are having an influence on the stocks. Several other challenging developments are occurring at the same time.

### **Selectivity in the fisheries**

The limited commercial fishing opportunities for Baltic cod, in both east and west, together with the fact that the fishery in SDs 24-32 is exclusively for by-catches, bring into focus the imperative need to use technical solutions to reduce the catch of cod whilst continuing fisheries for stocks that have a good status. At the BSAC Joint Working Group, Germany gave an update on the trials and developments currently underway and progress towards a Joint Recommendation from BALTFISH.

In order to avoid the by-catches of cod in the fisheries targeting other species, **the BSAC advises** that the new gears with selective entities developed to avoid the capture of cod are approved, adopted and implemented as soon as possible. The gears that the fishermen are currently obliged to use are no longer fit for purpose, as they are unsuited to the prevailing stock situation. Several new gear designs are being developed, all aiming to reduce the catch of cod, whilst retaining the flatfish species. The roofless gear designed by German scientists is the one best documented at present, but other solutions are also being tested in cooperative research projects in Sweden and Denmark. None of the gears has yet been tested on a broader scale in practical commercial fisheries.

Although the BSAC sees selective gears as an important part of the solution to the present situation, it is imperative that:

1. new gears are not made compulsory until they have been tested under commercial conditions, and
2. the introduction of a new gear does not exclude the later introduction of another gear with similar or better selection.

In order to meet these demands, the BSAC suggests to immediately (or as soon as possible) allow the use of the German gear as described in the draft recommendation which BALTFISH is currently working on.

In order to give fishermen the incentive to actually use this gear, they should be exempted from closures currently in place (except the closure of the Bornholm Deep) and it should be agreed that while using this gear, they do not engage in fishery targeting cod.

Further development and scientific documentation of gears with similar selective properties in Denmark and Sweden (or anywhere else) is encouraged. When the scientific documentation of selective properties similar to or better than the German gear is available, it should be legal to use these gears immediately.

The final decision on which option(s) to choose as compulsory gear, should only be taken after trials have been carried out in the commercial fishery. Once tried, tested and selected, the gears can be implemented by means of a fast-track legislative procedure, and then replace the current gears. The current procedure under the Technical Measures Regulation is slow, cumbersome and not fit for purpose. The BSAC encourages the Commission to investigate every possibility to find options to replace or complement the procedure of Delegated Regulations.

### **Cod SDs 25-32**

**The BSAC recognises** that the poor status of the eastern Baltic cod has been largely driven by biological changes in the stock during the last decades. Growth, condition (weight-at-length), and size-at-maturation have substantially declined. These developments indicate that the stock has reduced reproductive potential. Natural mortality has increased and is estimated to be considerably higher than the fishing mortality in recent years. The size of the largest fish in the population has shown a decline since 1990.

**The BSAC recommends** that a by-catch TAC is allowed in 2022 in order for other fisheries to continue. It recommends a by-catch TAC of 2.000 tonnes. This would allow for the continuation of an unavoidable by-catch of cod in other fisheries, such as flatfish, some subsistence fishing, and help to avoid any potential bycatch situation in the pelagic fisheries. Whilst recognising that cod catches should be kept as low as possible, the BSAC does not consider a total closure of the cod fisheries to be realistic. It is a logical decision to continue to allow some cod to be caught in order to enable other fisheries to continue.

**The group of OIG<sup>7</sup> members** recommends that the TAC for 2022 should be set at zero in SDs 25-32 based on the ICES advice on fishing opportunities, which states that “ICES advises that when the precautionary approach is applied, there should be zero catch in 2022. This advice applies to all catches from the stock in subdivisions 25-32”. They recommend setting a by-catch TAC of 595 t, increasing monitoring and control on all vessels using active gears in all areas, but prioritised in cod concentration areas, combining both REM and traditional controls, introducing additional measures to avoid and minimise cod bycatches in active demersal flatfish fisheries, fully closing a wider area around the only known spawning ground in Bornholm basin and continuing with recreational measures agreed for 2021.

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<sup>7</sup> Coalition Clean Baltic, WWF and Fisheries Secretariat.

As mentioned above, **the BSAC recognises and encourages** the development of new/more selective gears in order to avoid the bycatch of cod. The trials should be planned to the widest possible extent in co-operation between fishermen and scientists. **The BSAC underlines** that these new gears should be introduced without delay. As the first step, the new gears should be tested on a voluntary basis by fishermen in commercial fishery. The trials should be planned to the widest possible extent in co-operation between fishermen and scientists. The final decision on which option(s) to choose as compulsory should be taken after the trials have been done in the commercial fishery. In order to facilitate the commercial trials of these gears, **the BSAC recommends** applying a derogation from closures for the fishing vessels which take part in the trials from area and time closures in Sub-division 24.<sup>8</sup> The new gears should also be tested for catch effectiveness and profitability. Once the compulsory options are selected, the gears should be implemented using a fast-track legislative option and replace the current gears in use.

### **Herring SDs 22-24**

**The BSAC** cannot agree to setting a zero TAC for 2022. The BSAC repeats and underlines the need to take into account the socio-economic consequences of a zero advice on the fishing industry. Moreover, the Baltic should not be the only area to bear the brunt of reduced fishery. Any continued reduction should be reflected in all management areas where spring spawning herring is targeted<sup>9</sup>.

**The BSAC calls** for a more sustainable solution for the fish and the fishermen allowing the limited and small scale directed fishery in the Baltic to survive, while also allowing the Baltic and 3A herring and sprat fisheries to continue. Several fisheries and communities rely on the western Baltic herring as a component in the targeted fisheries for sprat and other herring stocks.

**The BSAC** recommends that the 2022 TAC for herring in this management area should be a rollover of the 2021 TAC of **1.575 tonnes**.

**The group of OIG** members recommends that the TAC for 2022 should be zero and additional area and/or time restrictions on the herring fishery in the North Sea and SDs 20-21, as a catch of WBSS in the North Sea will be inevitable<sup>10</sup>.

### **Herring SDs 25-29, 32, ex GoR**

**The BSAC takes note** of the downward revision of SSB and upward revision of fishing mortality for central Baltic herring as a result of an inter-benchmark assessment in 2020 and as a consequence the advised dramatic reduction in the advised TAC for 2022.

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<sup>8</sup> According to Article 25 of the Technical Measures Regulation 2019/1241<sup>8</sup> such derogations from the provisions of the technical measures regulation are possible in order to carry out scientific research with a limited number of vessels.

<sup>9</sup> The Swedish Pelagic Federation PO and Danish Pelagic Producer Organisation do not agree with the last two sentences and do not think they reflect any majority opinion decided at the Working Group meeting.

<sup>10</sup> Coalition Clean Baltic, WWF and Fisheries Secretariat

**The BSAC** recommends that the 2022 TAC for herring in the central Baltic management area should be **71.939 tonnes**, which is in accordance with the MAP  $F_{MSY}$  scenario in the ICES advice.

The corresponding EU TAC in the central Baltic management area for 2022 would be calculated as: 71.939 tonnes – 6.834 t (Russian share) + 696 tonnes – 3.448 tonnes = **62.353 tonnes**.

**The group of OIG members**<sup>11</sup> recommends to consider setting the TAC in the lower  $F_{MSY}$  range (44.709 – 62.353 t) based on “*issues relevant for the advice*” and to increase control, enforcement, onboard monitoring and sampling of landings to ensure that the misreporting with sprat does not continue.

**The BSAC** is aware of the problem of species misreporting of herring that has occurred in the past, and there is still evidence of sprat being misreported as herring<sup>12</sup>. These effects have not been quantified or included in the assessment; however, they may affect the quality of the assessment.

The fishing industry is continuing to work together with the control authorities in the respective Member States in trying to solve this problem by improving data collection.

### **Herring SD 28.1 Gulf of Riga**

**The BSAC** recommends that the 2022 TAC for herring in this management area should be set at **44.945 tonnes**, in accordance with the MAP  $F_{MSY}$ . The corresponding TAC in the Gulf of Riga management area for 2022 would be calculated as 44.945 tonnes – 696 tonnes + 3.448 tonnes = **47.697 tonnes**.

### **Herring SDs 30-31**

**The BSAC** recommends setting the 2022 TAC for herring in this management area at **111.345 tonnes**, which is in accordance with the MAP  $F_{MSY}$  scenario in the ICES advice.

**The group of OIG members**<sup>13</sup> recommends to consider a far more cautious TAC in the lower  $F_{MSY}$  range in light of risks to sub-populations. They draw attention to the need to manage the sub-populations separately in the future.

**Some fisheries representatives** point out Member States have competence to manage any sub-populations of herring in SDs 30-31 at national level.

### **Sprat SDs 22-32**

**The BSAC recommends** setting the 2022 TAC for sprat at **291.745 tonnes**, which is within the range recommended by ICES. The corresponding EU TAC would be **262.337 tonnes**.

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<sup>11</sup> Coalition Clean Baltic, WWF, Fisheries Secretariat and European Anglers Alliance

<sup>12</sup> The Swedish Pelagic Federation PO and Danish Pelagic Producer Organisation do not agree with this. They are not aware of such evidence. The misreporting may be due in part to problems with correct determination of species composition at landing, when the fish is no longer fresh.

<sup>13</sup> Coalition Clean Baltic, WWF, Fisheries Secretariat and European Anglers Alliance



**Several members** do not agree with this proposed advice for sprat.<sup>14</sup> As mentioned at the BSAC Working Group meeting, due to the predation of cod eggs and other food species dependency (copepods), they support the  $F_{MSY}$  upper of **373.210 tonnes**. Taking into account the share for Russia (10.08%), this would give EU TAC of **335.590 tonnes**. In their opinion, maximising catches of sprat will help the situation for cod, and is according to the ecosystem approach. Sprat also competes with herring for food, and a lower sprat biomass may also be positive to allow the central Baltic herring to recover from its current low biomass levels. Sprat predation on herring eggs is known and scientifically documented, and with the current situation for the cod stocks all measures should be taken to reduce the natural mortality of the cod, including using the higher range for sprat to reduce egg predation as well as food competition between sprat and juvenile cod for plankton.

In the opinion of **several fisheries representatives**, the sprat fishery should be maximised to limit the predation of sprat on cod eggs. They also point out that the ICES advice does not contain advice for a spatial management for the fisheries that catch sprat.

According to the Baltic MAP Article 4.5 (b),  $F_{MSYupper}$  may be used when the stock is above  $MSY B_{trigger}$ . if there is scientific advice or evidence that there may be negative interspecific interactions. The sprat SSB is well above the reference values.

The ICES advice for sprat<sup>15</sup> states that misreporting has occurred in the past, with sprat misreported as herring in recent years. However, this is not included in the assessment, and fisheries organisations are cooperating with the authorities to eliminate misreporting. Reference is made to the discussions in the BSAC Joint Working Group.<sup>16</sup>

**The group of OIG members**<sup>17</sup> recommends setting the TAC in the lower  $F_{MSY}$  range (192.429 – 262.337 tonnes) linked to  $F$  being above  $F_{MSY}$ , misreporting issues and to maximise food availability for cod, introducing restrictions on the sprat fishery in SDs 25-26 in order to redistribute the fishery to SDs 27-29 & 32, increasing control, enforcement, onboard monitoring and sampling of landings to ensure that the misreporting with herring does not continue.

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<sup>14</sup> The Association of Fishermen's at Sea-PO, the Fish Producers' Organisation Bałtyk, National Chamber of Fish Producers, Swedish Pelagic Federation PO, Marine Ingredients, Swedish Fishermen PO, Finnish Fishermen's Association, Danish Fishermen PO, Fishermen's Association of Bornholm and Christiansø, Confederation of Fisherman and Fish Processors of West Lithuania, Kołobrzeg Group of Producers Fish, Estonian Fishermen's Association, Polish Association of Fish Processors, Danish Pelagic Producer Organisation, [Swedish Fishermen PO](#).

<sup>15</sup> <https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2021/2021/spr.27.22-32.pdf>

<sup>16</sup> [http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Joint-Working-Group-\(3\)/WG89062021REPORTFINAL.pdf.aspx?lang=en-GB](http://www.bsac.dk/getattachment/Meetings/BSAC-meetings/BSAC-Joint-Working-Group-(3)/WG89062021REPORTFINAL.pdf.aspx?lang=en-GB) Please see from page 6

<sup>17</sup> Coalition Clean Baltic, WWF and Fisheries Secretariat

### **Plaice in SDs 22-32**

**The BSAC** recommends setting the 2022 TAC for plaice in SDs 22-32 at **11.082** tonnes. This is based on the ICES  $F_{MSY}$  catch scenario for plaice in SDs 21-23 and the ICES precautionary approach advice for plaice in SDs 24-32.

**The BSAC** repeats its urgent message to implement more selective gears in the plaice fishery in order to avoid by-catch of cod in the flatfish fisheries. Given the continued positive development of the plaice stock in SDs 21-23, this is even more urgent.

**The BSAC** continues to question why the derogation from the landing obligation for plaice, which is implemented on the basis of high survival in most areas outside the Baltic, is still not accepted in the Baltic. The stock development is obviously not hampered by the discarding that takes place in areas with a derogation. The fishermen find it very difficult to accept that they must land and kill small plaice that could have survived if they were released immediately after being caught.

**The group of OIG**<sup>18</sup> recommends enhanced catch monitoring and control on all vessels in the targeted flatfish fishery because of the high volumes of cod bycatches.

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<sup>18</sup> Coalition Clean Baltic, WWF, European Anglers Alliance and Fisheries Secretariat