

BS RAC recommendations on the fisheries for species in the Baltic for 2012

Introduction

1. The BS RAC held its joint working group (Demersal, Pelagic and Salmon/sea trout) in Copenhagen on 8th – 9th June 2011 to discuss the ICES assessments and advice for the Baltic stocks. Dr Carl O'Brien, vice-chair of the Advisory Committee (ACOM) of ICES, gave power point presentations of the biological advice for the fisheries in the Baltic.
2. The working group had a thorough discussion on the stocks, but did not start to formulate a response at the meeting.
3. The working group also addressed the Commission's Communication: Concerning a consultation on Fishing Opportunities (2011) 298 final, based on a presentation by DG Mare representative, Stanislovas Jonusas.
4. The draft recommendations were produced after the working group and then discussed at the Executive Committee at its meeting in Copenhagen on 28th June 2011. They were subsequently revised and approved by means of a written procedure.
5. This paper brings together the BS RAC recommendations on the fisheries for Baltic Sea fish species in 2012, as well as comments to the Commission's Communication.

Summary of the recommendations

Cod: There is no unanimous position on how to set the TACs for the Baltic in 2012. Minority positions are reflected in the text.

Flatfish: For plaice, the BSRAC recommends that the TAC in 2012 is set at the same level as it was in 2011. The BSRAC recommends that the Commission calls on ICES to upgrade the work on flatfish in the Baltic.

Salmon: The BSRAC has agreed not to produce recommendations until it has held a meeting with ICES to discuss the advice in more detail.

Herring IIIa 22-24: The BSRAC endorses the ICES advice that on the basis of the MSY framework, catches in 2012 should be no more than 42 700 tonnes.

Herring in Subdivision 25-29 and 32 (excluding Gulf of Riga herring): The majority of BSRAC members recommends that the TAC for herring in the main basin for 2012 is set at 116 000 tonnes. There is a minority position from four members.

Herring in Subdivision 28.1 (Gulf of Riga): The majority of BSRAC members recommends a rollover. There is a minority position from four members.

Herring in Subdivision 30 (Bothnian Sea): The BSRAC recommends the ICES advice of a rollover.

Herring in Subdivision 31 (Bothnian Bay): The BSRAC takes note of the ICES advice that catches should not increase.

Sprat in Sub-division 22-32 (Baltic Sea): The majority of BSRAC members recommends a rollover of the current TAC of 288 766 tonnes. There is a minority position from six member organisations.

Recommendations from BS RAC on the fishery for demersal species in 2011

Cod

1. The biological assessments of the two cod stocks were not contested, but the information given spurred a discussion on what kind of management measures would be the most appropriate response to the development in the stocks.
2. The immediate reaction of the majority of members was that there is a management plan in place and that we should stick to it – implying a 13 % increase in the West and a 15 % increase in the East.
3. Then, a discussion of the consequences of staying with the management plan emerged. The consequence of following the management plan is that the stock will increase much faster than the TAC – to a level that is unprecedented – only to the effect that predation on sprat will be increased (and consequently the TAC reduced). It was generally agreed that the plan had worked well in its initial years, but that the increase in stock size was much above what was anticipated. Regardless of whether the increase was driven by the termination of the unreported fishery, by increased recruitment or by the measures stipulated by the plan (or a combination of all these), the actual increase has been well above that foreseen.
4. Representatives from the Association of Fishermen's of Sea-PO and National Chamber of Fish Producers are of the opinion that the plan has not worked well. They point out that the ICES advice for 2011, as well as that for 2012, confirmed the increasing difference between the mortality set by the management plan and the real status of the stock. The cod mortality and lack of flexibility in the management plan have such a big influence on the TAC for other fish such as sprat, which shows that the plan does not work properly.
5. An unwelcome effect of the substantial increase is that the increased abundance of cod has a negative impact on the catch opportunities of sprat. In answer to a question from the BSRAC, Carl O'Brien has calculated that by fishing cod at F_{target} , the predation on sprat would be reduced by 12 000 tonnes. This quantity could have been added to the TAC for sprat.
6. Another concern is that the gap between what could have been caught in accordance with MSY and what is allowed by the rules of the management plan is increasing from year to year. There is, so to say, an increasing under-utilisation of the stock, leading to a skewed balance in the sea. Many members of the RAC are concerned that we are building up reserves of cod, which wears on the ecosystem.

6. A minority of four organisations, namely the representatives of the two Polish commercial fishermen's organisations (Association of Fishermen's of Sea-PO and National Chamber of Fish Producers), and the representatives of the Estonian Fishermen's Association and the Latvian fisheries Association, calls for a TAC increase to a level that is in agreement with the MSY target value of the eastern Baltic cod stock. They call for an increase in the TAC for cod (SD 25-32) by 40% (according to the MSY framework). Some of them underline that the Johannesburg Agreement set its main target as the MSY level which should be achieved in 2015 and, according to the ICES advice, such an MSY could be obtained if the TAC was increased by more than 150%, which is the amount close to the level of Fpa, as presented in the ICES advice for 2012.
7. There is consequently no unanimous advice from the Baltic RAC on how to set the TAC for cod in the Baltic in 2012. This does not necessarily mean that the members of the RAC are in deep disagreement. The majority of members that support a "stick-to-the-plan" approach do see the problems we are facing and find that there is a need to allow for a more adaptive management when the plan is revised. Likewise, the members who prefer to set a TAC in line with MSY are aware of the legal problems this creates; they are simply worried that not doing so will create massive problems in the ecosystem – and certainly in the management of the fishery.
8. A second topic in relation to the regulation of the cod fisheries is the problems of effort. The BSRAC takes comfort in noting that ICES does not advise a further reduction in the West. Nevertheless, there is still need to allow for some derogation in the number of days at sea for the small-scale fisheries. With the growing cod TAC and a fixed number of days at sea allowed, there will be an ever-increasing number of small vessels that are not able to catch their allocation. In some systems they will have to sell their quota to larger vessels. In other systems they will just have to refrain from catching the fish and therefore not reap the benefits they have contributed towards. In all cases, this will lead to a reduced small-scale fishery – in contrast to what is generally claimed to be supported by managers and politicians alike.
9. An immediate derogation for small vessels is still needed. Moreover, in the revision of the management plan, it must be considered how an increase in available effort can be achieved – without jeopardising the objectives of the plan.

Flatfish

1. Currently, a TAC is only established for one species of flatfish in the Baltic. The majority of the BSRAC members finds that there is little need to change this system. This builds on the observation that the majority of flatfish stocks in the Baltic has apparently been able to thrive under such a regime. ICES advice indicates for the vast majority of the stocks a stable situation or an increase.
2. As the stock of plaice is apparently increasing, the BSRAC recommends that the TAC for plaice in 2012 is set at the same level as it was in 2011.

3. In the longer term, if and when it is decided to set TACs for other flatfish stocks not hitherto regulated, it must be remembered that a substantial proportion of the catches of “valueless” species has been discarded. A future TAC should not only be based on recorded landings. The BSRAC therefore recommends that the Commission calls on ICES to upgrade the work on flatfish in the Baltic. The BSRAC would also call on member states to make available any additional data they may have on flatfish stocks, so as to facilitate the work on assessments.
4. An undesired consequence of setting TACs for flatfish may well be that the fishery for cod will be reduced, merely as a consequence of “over-precaution.” This is particularly the case where the TAC will be set on the basis of trends in stock development rather than based on an analytical assessment. It must be remembered that for many vessels in the cod fishery, flatfish are caught as unwanted, but unavoidable bycatch.

Recommendations from BS RAC on the fishery for salmon in 2011

1. The advice for salmon and sea trout was presented and discussed at the Joint WG. The Salmon and sea trout WG group chair was critical of the Commission’s delay with a new management plan, (leading to a vacuum, where ICES set its own management targets, instead of advising on existing ones), the calculations of PSPS (increased by 50% in the past four years) and the weak foundation for post-smolt survival. After considering the viewpoints and reservations expressed by WG members, it was agreed by the WG not to produce draft recommendations.
2. Instead, it was agreed to arrange a meeting with the chair of the ICES Assessment WG, as well as the chair and vice chair of the ACOM to discuss the advice further. This meeting will take place on 16th/17th August 2011 (*to be finally confirmed with ICES*). DG Mare has been informed of the situation and been asked to grant the BSRAC an extension for providing its comments and recommendation for salmon and sea trout. A copy of this letter is attached at the end of this document.

Recommendations from BS RAC on the fishery for pelagic species in 2011

General Comments

1. The BSRAC welcomes the fact that this year, the advice for Herring Division IIIa and Sub-divisions 22-24 has come together with the advice for other pelagic stocks of the Baltic. The BSRAC has been calling for this repeatedly and appreciates seeing the picture as a whole for the Baltic.
2. But regrettably, we are in the same situation as last year: we still lack a long-term management plan for the pelagic stocks. We take note that for three of the pelagic stocks,

significant cuts in the TACs are advised by ICES on the basis of the MSY transition (central herring: -23%, Gulf of Riga herring: -22% and sprat: -25%). These are painful cuts for the industry to adapt to from one year to the next. The ambition is to achieve more long-term stability, which we hope can be gained from a long-term management plan, as we have experienced in the cod plan for the Baltic. It also raises the question, once the stocks have reached Fmsy, what the real management goals are going to be for these stocks. For the sake of consistency, we would call for transitions in all the advice sheets for the Baltic stocks, so we can see clearly the progression towards MSY. We acknowledge that the political decision is to move towards management based on MSY, but is this the whole picture?

3. We still feel that we are dealing with clear deficits in the ICES advice for pelagic stocks. This relates in particular to the assessments. We would continue to point to weaknesses with respect to data on catch-per-unit-effort and size composition and the distribution of the pelagic stocks. We would question whether there are adequate surveys to assess these stocks. One or two acoustic surveys is far from a sound foundation to build advice on. The fishing industry is more than willing to engage in this process and take part in the surveys and assessments by way of offering access to direct (real-time) data from a reference fleet, as has been successfully used as a method by our Norwegian colleagues.
4. At the BSRAC Joint Working Group meeting on 8th and 9th June 2011, BSRAC members were made increasingly aware of the need to take multi-species management considerations into account. The MSY advice is based on a single stock approach. We feel that this is far too simplistic. It was even underlined by the ICES representative at the meeting. He referred to work already done by ICES on this (Ref: ICES Advice 2009, Book 8: 8.3.3.1 Multi-annual management of pelagic fish stocks in the Baltic and ICES WKMAMPEL REPORT 2009, Report of the Workshop on Multi-annual management of Pelagic Fish Stocks in the Baltic 23 - 27 February 2009 ICES Headquarters, Copenhagen).

Herring Subdivision IIIa 22-24

1. The BSRAC endorses the ICES advice that on the basis of the MSY framework, catches in 2012 should be no more than 42 700 tonnes.
2. The BSRAC is still in agreement with the Pelagic RAC that the fixed division between area 22-24 and IIIa of 50%-50% should be maintained.
3. We would question the choice of 110 000 tonnes as the MSY B trigger for this stock. Work done by the JAKFISH project found that there could be different trigger points for this stock, (for instance 90 000 or 120 000 tonnes), and this would show that there is some uncertainty about the estimates. (See: Updated results about Management Strategies for WBSS herring, Version 5, by Clara Ulrich, DTU Aqua, 16 April 2010). We acknowledge the cooperation that developed with the scientists in the JAKFISH project. This kind of collaborative research work could also form an integral part of the long-term management plan, and the BS RAC recommends this. We look forward to further involvement in the

GAP2 project, which will deal with management plans for herring in ICES IIIa and adjacent areas; perceptions of stocks and fisheries. (DTU-Aqua in association with JAKFISH).

Herring in Subdivision 25-29 and 32 (excluding Gulf of Riga herring)

1. ICES advises, on the basis of the transition to the MSY approach, that catches in 2012 should be no more than 92 000 tonnes, which is a reduction of 23% compared to 2011.
2. The BSRAC takes note of the fact that the stock is increasing and that the fishing mortality is below $F_{0.1}$. The RAC is puzzled by the proposal to set F_{msy} as low as 0.16 – well below $F_{0.1}$ and at the extreme low end of the range given in last year's advice (0.16 to 0.22). Regrettably, there is not a management plan in place. Had such a plan been in place, it could well have had a rule for setting TACs that would require managers to set the TAC based on a fishing mortality that was 10 % less than the estimate of in-year mortality. In the case of main basin herring this would imply a TAC in 2012 of 116 000 tonnes. Catches by Russia must be taken in consideration, and the BSRAC adheres to allocations already agreed to within the International Baltic Sea fishery Commission.
3. The majority of BSRAC members recommends that the TAC for herring in the main basin for 2012 is set at 116 000 tonnes.
4. The Fisheries Secretariat, Coalition Clean Baltic, WWF, European Anglers Alliance, Finnish Association for Nature Conservation and the Alliance of Social and Ecological Consumer Organisations recommend that the ICES MSY transition advice be followed, meaning a TAC of less than 92 000 tonnes (-23% compared to 2011). They also recommend, in the absence of a pelagic management plan, that the ICES advice on a transition towards MSY is followed for all the pelagic stocks where it is presented in the advice, or else that the MSY approach should be followed. The EU is committed to achieving MSY by 2015, and a future pelagic management plan is likely to include target fishing mortalities based on MSY. Deviations from the MSY transition scheme in terms of setting TACs that are above what is recommended within the transition scheme are likely to result in higher cuts in coming years as the year 2015 approaches.

Herring in Subdivision 28.1 (Gulf of Riga)

1. ICES advises on the basis of the transition to the MSY approach that catches in 2012 should be no more than 25 500 tonnes, which is a reduction of 22%.
2. The spawning stock biomass is stable, which is in line with information and observations from the fishery. The majority of BSRAC members would recommend a rollover of the current TAC of 36 400 tonnes, until there is a long-term management plan in place.
3. The position of the Fisheries Secretariat, Coalition Clean Baltic, WWF, European Anglers Alliance, Finnish Association for Nature Conservation and the Alliance of Social and Ecological Consumer Organisations is that the ICES MSY transition advice should be followed, meaning a TAC of maximum 25 500 t (-22% compared to 2011).

Herring in Subdivision 30 (Bothnian Sea)

1. ICES advises, on the basis of the MSY framework, that the catch in 2012 should be no more than 104 000 tonnes. This stock appears to be ticking over quite nicely, which explains the recommendation of a rollover.
2. The BSRAC welcomes this rollover.

Herring in Subdivision 31 (Bothnian Bay)

1. Based on precautionary considerations, ICES advises that catches should not increase. There was previously no advice for this stock. This year, ICES has produced a scientific estimate, according to which there is no cause for concern, as long as the fishery does not expand on this stock. It has pointed out the socio-economic element as well, which should be borne in mind to explain the lower utilisation.
2. We appreciate the work by ICES to provide a qualitative assessment for this stock. We want to avoid the scenario laid out in the Commission's communication on Fishing Opportunities whereby a 25% reduction in the TAC would be made when scientific advice on overfishing is unavailable. (See Com (2011) 298 final).

Sprat in Sub-division 22-32 (Baltic Sea)

1. ICES advises, on the basis of the transition to the MSY approach, that catches in 2012 should be no more than 242 000 tonnes.
2. The majority of BSRAC members recommends a rollover of the current TAC of 288 766 tonnes.
3. The BSRAC is intending to set up a task force to invite ICES to look into the assessment for sprat. There are still reservations with respect to the advice. Fisheries representatives have expressed concerns about the assessment for sprat and have maintained, from observations on the fishing boats, that the biomass for sprat (as well as herring in the main basin) is really higher than what is stated in the assessment. The aim of the task force will be to work towards a solution together with ICES. It will call for a more extensive sampling scheme involving commercial vessels.
4. The fisheries representatives have also pointed to the fact that this year there has only been one acoustic survey. We would appeal to all to build up the level of knowledge for the Baltic pelagic stocks to a level similar to that in the cod plan before making such drastic cuts.

5. Another important consideration is the interaction between sprat and cod when setting the TAC. Whereas we are not aware of any policy move towards more integrated management plans for cod, sprat and herring, it does say in the advice that: “The exploitation of sprat will have to be reduced as the cod stock grows.” The implication is that as the cod stock grows, it is predated on sprat, since the highest yield which the sprat stock can sustain in the long term depends on its natural mortality, which is linked to the abundance of cod. The question is whether in the long term, adhering to the +/-15% variation in the cod TAC according to the long-term plan for cod can be justified. As mentioned under the advice for cod (Point 5), it is understood that by fishing cod at F_{target} (F_{msy}), the predation on sprat would be reduced by 12 000 tonnes.
6. The BSRAC is aware of work done by ICES in 2009 on mixed species advice and management, and is surprised not to see it in the sprat advice. (As referred to above under General Comments to the pelagic stocks)
7. The Fisheries Secretariat, Coalition Clean Baltic, WWF, European Anglers Alliance, Finnish Association for Nature Conservation and the Alliance of Social and Ecological Consumer Organisations Representatives recommend that the ICES MSY transition advice be followed, meaning a TAC of maximum 242 000 t (-25% compared to last year). The Polish representatives from the fisheries organisations the National Chamber of Fish Producers and the Association of Fishermen’s of Sea-PO also support this position, pointing out that the low fishing mortality of cod in SD 25-32 implies a high predation on sprat. They underline again, as they did during the discussions on the TAC for cod, the strong dependency between sprat and the cod stocks. They also underline that such a position has a strong scientific background. They are very interested in the sprat fishery and an increase in the TAC for sprat, which they seek to achieve through a higher (but safe) mortality of cod. They recall the reply from the ICES representative according to which an increase in the TAC for cod by 40% (MSY framework) should give 12 000 tonnes of sprat, which can be added to sprat TAC.

**BSRAC response to the Commission's Communication
Concerning a consultation on Fishing Opportunities COM (2011) 298 final**

1. INTRODUCTION

2. The BSRAC welcomes the opportunity to respond to the Communication. As with every year, we consider it to be a natural process to consult the RAC stakeholder bodies on this paper. We take note that the consultation process this year has been broadened to include European citizens, and the BSRAC has concerns that this broader approach may have been chosen at the expense of giving a more detailed analysis of the situation.
3. The Commission makes no distinction between the different categories of “data poor” stocks that exist. For some we may have a reasonable level of knowledge but insufficient information to calculate MSY; for others there is very limited information indeed. So while we recommend following the Commission's proposal, some further distinctions would have been useful for the third category.
4. In this context, it is important to point out that setting relevant values for MSY is not a straightforward issue. A calculation of Fmsy involves a broad set of assumptions regarding stock characteristics such as predation, recruitment and growth. The resulting value is strongly dependent on these input data. It is therefore important to underline that MSY is not a single mortality, but a range of different mortalities.

2. STATE OF RESOURCES

1. With particular reference to the short paragraph on the Baltic, the BSRAC does not recognise the figures. There are certainly more than 6 known stocks.
2. Appreciation in the text of the fact that two of the most important stocks are regulated through management plans, and that lack of plans for the remainder are halted due to legal considerations, rather than lack of support from industry and NGOs alike, would have been greatly welcome – and highly relevant.

3. ECONOMIC ANALYSIS

1. The information provided on the economy of the fleet does not go into detail and it paints a very sad picture of the industry. The extensive use of averages is not fair and only serves to send a message of doom and gloom – a message that is not needed to persuade fishers and stakeholders to manage the fishing resources in a wiser way. At the same time, as we are in the middle of a process to reform the CFP, we would expect to see something more than generalisations on the economy of the fleet, in order to make the industry feel more involved. We understand that

the data provided on the Baltic is more comprehensive than for other EU waters, and it is regrettable that we do not see this reflected in more detail in the Communication.

4. POLICY DIRECTIONS

4.1. Absence of scientific advice

1. The BSRAC takes note of the peculiar introduction to the chapter and, quite frankly, does not see any wisdom in the way it is hinted that lack of advice is caused by the industry trying to hide facts. It is factually wrong to state that there is a linkage between lack of advice and lack of data.
2. Where relevant, we fully support the requirement for member states to fulfil their reporting obligations under the Data Collection Framework. The Commission must evaluate how the strengthened financial assistance provided for this purpose has been made use of.
3. The proposal to reduce TACs by 25% for stocks when scientific advice on over-fishing is unavailable also appears to be a simplification. The BSRAC would like to highlight and commend the ICES advice sheets for stocks where there is no data (in this case flatfish and some pelagic stocks): these represent a significant move towards qualitative assessments and they are extremely welcome and useful. In the case of several stocks in the Baltic, among them plaice, there is a great deal of data, but the system is hampered by lack of time to analyse it. ICES should be commended for its hard work to give qualitative advice to avoid the “no advice at all” scenario.
4. It must also be pointed out that it is probably unrealistic to achieve sufficient data to perform full analytical assessments for all stocks. One may also ask if it is worth the cost and if Member States can be expected to spend the financial resources that it would demand. If they choose not to, it will be the fishermen who will suffer, to no obvious benefit for the fish stocks. A more pragmatic approach along the lines of what ICES has proposed for the flatfish stocks would be a reasonable way to deal with many of the “bycatch stocks.”
5. We would also point out that the industry has for many years been asking to improve scientific research and improve knowledge – and to participate in the process. The effort that has been put into the cod stocks in the Baltic has resulted in a lot of knowledge on the cod, which the fishermen are able to trust. However, the same cannot be said for Baltic sprat and herring: and we have a common interest in having sustainable stocks for which there is a reliable assessment. But it would be regrettable if entering into a multi-species assessment leads to further delays with long-term management plans for the Baltic.

4.2 Fishing effort

1. The regulation of effort in the Baltic has – as the Commission is well aware – created a range of problems. These problems have been presented to the

Commission on several occasions and a further discussion of them is anticipated in other fora than this response to the Communication. The Baltic RAC is not prepared to accept a further delay in this process just because a new deadline has been set. The successful workshop hosted by the Commission in February demonstrated the problems and pointed to possible solutions.

5. MANAGEMENT BY MULTI-ANNUAL PLANS

1. We are slightly disappointed to see that the Baltic fisheries have – again – been omitted in the list of successes. The eastern Baltic cod is apparently fished below the target and, from what we understand, the target in the plan is consistent with MSY. In the Baltic, this leads to rapid growth of the cod – at the expense of reduced catch opportunities for sprat. The Baltic RAC calls upon the Commission to request investigations of different scenarios through the use of a multi-species model in the Baltic. The RAC is aware that some work has been undertaken in ICES on this important question, but that the results have not been put to use.
2. In the context of the CFP reform, in order to guarantee the effectiveness of multi-annual plans, simpler and faster ways need to be found both to adopt new plans and to revise the existing ones.

6. WORKING METHOD FOR PROPOSING TACs

1. The BSRAC agrees to the principle of staying with the agreed plans, but wishes to point out that this should be a general principle – not a divine law. There are cases where developments are of such unexpected dimensions that it would be irresponsible – indeed counter-productive – not to adjust to the observed situations. Of course, it would be best if plans were so elaborate that they also covered extraordinary circumstances, but most plans have been prepared under extreme pressure and it would be unjust to expect them to cover all possible developments. Nevertheless, this is a challenge in the revision of the plans. Regardless, the setting of TACs should not dismiss the possibility of diverging from pre-agreed measures, as long as the changes are in accordance with a sustainable exploitation of the resource – as evaluated by biological assessments.

IN CONCLUSION

1. The BSRAC supports the Commission's attempts to set TAC rules that are more consistent with scientific advice. Nevertheless, the principles in the Communication should only be used as guidelines if they are not challenged by relevant observations indicating that alternative procedures will lead to greater benefits – without jeopardising the overall goals. As such, the Communication should be used as a guide, not a management plan per se.
2. It would be more interesting in this Communication to see a regional approach. This would be in line with what we are hearing on the reform of the Common Fisheries Policy. So we would have expected to see more regional information and policy thinking in this Communication, in line with setting TACs for the regions.

The Communication in 2010 was much more open to regional variations, and this is covered up in this year's paper.

3. We appreciate and endorse the bilateral talks between the Commission and Russia. The allocation for cod, salmon, sprat and herring should adhere to the agreement reached within the International Baltic Sea Fishery Commission, which was formerly the regional fisheries management organisation for the Baltic. Any reallocation of these quotas to Russia is not acceptable to the BSRAC.