BALTFISH draft Joint Recommendation regarding Derogation from the landing obligation in the Baltic Sea for plaice (Pleuronectes platessa) in ICES Subdivisions 22-32

Input from Danish Fishermen PO (DFPO)

Finally, we see this as a serious attempt to get the ball rolling. DFPO is happy to see the paper, but is puzzled by two things, one of them with several sub-issues.

Gear types and codes:

In the introductory summary it is mentioned that the exemption shall only be for certain trawl gears, and later in the text some gears are mentioned which we have no knowledge of. OTT is not a gear code that is familiar to us, and we assume that the reference to SND should rightly be SDN – Danish seine.[1] It is a little bit confusing, and we would hate to see fishermen being punished because of a spelling mistake in the regulation. We assume and expect that undersized plaice caught with any mobile gear which is legal in the Baltic will be exempt from the landing obligation.

Vessel size:

DFPO is unaware of any argument that should result in plaice caught by vessels longer than 18 metres to suffer a higher discard mortality than plaice caught by vessels less than 18 metres. The proposal has a bad taste of a political wish to exclude certain segments based on skewed science. DFPO is always open for discussion. However bearing in mind that it has taken several years to make a proposal for a derogation that is in place in most other comparable areas, it seems a simple waste of resources to spend precious scientific effort on a topic so speculative.

[1] https://fish-commercial-names.ec.europa.eu/fish-names/fishing-gears_en#TN
Secretariat has been in touch with DFPO representative and referred to EU Commission website on fishing gears

Joint input from Coalition Clean Baltic and The Fisheries Secretariat

Regarding the Derogation from the landing obligation in the Baltic Sea for plaice

(Pleuronectes platessa) in ICES Subdivisions 22-32, Draft Joint Recommendation of the BALTFISH HLG.

The Coalition Clean Baltic and Fisheries Secretariat express concern regarding the proposed derogation of the LO for plaice, due to the following reasons:

The survivability studies presented calls for concern

1. The scientific studies provided do not merit a derogation as samples are few and they are not representative of the fishery in the entire Baltic. On the contrary, the studies are very concentrated on the Danish fishery and only in a small area where environmental conditions are very specific, with salinity etc, that are not present in the areas 22-32 that is proposed to be included in the derogation. Even only considering the more relevant of the areas 25-26, the differences are substantial.

2. In the report from DTU Aqua [2] (Savina & Karlsen 2022 /Annex 6) the trials show that a large amount of the captured plaice actually dies after two to three weeks (see tables below), pointing against high survivability. However, the report blames cold temperature as a reason for this. If this would be the case the results cannot be used, and the trials should be re-done. However, the report instead omits the observation days after the mortality blamed for the cold temperatures, creating a bias in the results. Quote: *"If we do not include the observation days after the increase of the daily mortality rates due to the extreme cold temperatures (10/02/2021), fish from T90 (sampled first) were observed in captivity for a minimum of 10 days." (Savina & Karlsen, 2022, p 16).*

The survivability rate presented as the result of the study is thus based on the first 10 days, and stops just before the mortality increases dramatically (see the dashed line in the table below). This occurrence should have been reflected upon better in the results, as it is an obvious bias.

[2] Report on the discard survival and vitality of plaice (Pleuronectes platessa) and summary statistics of the fishery in the Baltic Sea, Esther Savina and Junita D. Karlsen (NB: Sent by BALTFISH in package of material)

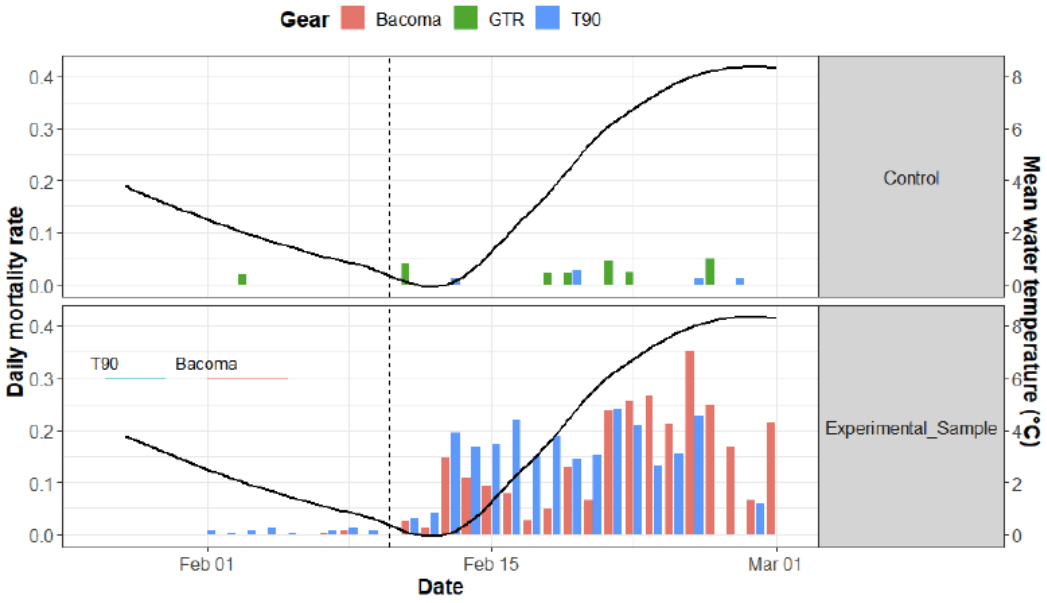

Figure 12. Mean water temperature in the observation tanks in Celsius degrees (black line) and daily number of individuals found dead for each day of the captive observation in the winter 2021 (T90 in blue and Bacoma in red). The horizontal lines indicate the days when fish entered the holding facility for both the T90 in blue and Bacoma in red (sampling at sea). The vertical dashed line indicates the day when we decide to stop accounting for the dead fish due to the start of the cold event (10/02/2021).

Important to note also is that the "cold event" seems to affect the fish caught in different gears very differently. After 15 days, the Bacoma catch seems to indicate about 50% surviva,l but at the same time, the T90 notes around 75% survival. After day 15, the temperature increases dramatically again, and with it the increased mortality (see figure 11 below).

Another note of concern is the high amount of Category C fish in the sample (50% or above), described as Poor Vitality: *"No body movement but fish can move operculum, minor/major external injuries."* In a study from Wageningen university in 2018 (see footnote 3), using a methodology that the DTU Aqua study uses as well, the fish categorised as "C " show a dramatic mortality rate in the first 5 days. The difference between the two studies results is noteworthy and hard to understand. The study simply leaves far too many questions and only clearly seems to indicate the problems with trawl gears compared to the control group.

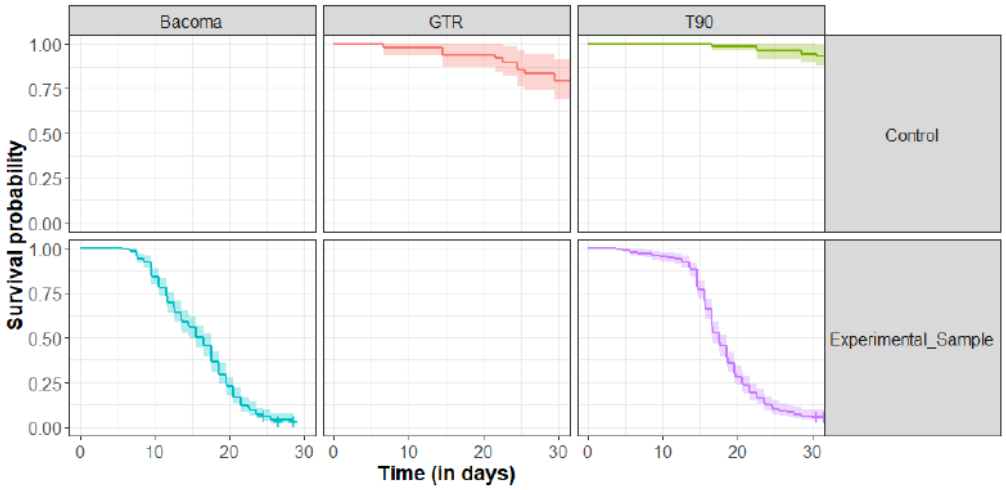

Figure 11. Kaplan-Meier curve for the control (sourced from trammel nets GTR, and T90) and experimental fish (Bacoma and T90) in the winter 2021.

3. A study from Wageningen university [3] (Schram & Molenaar, 2018) assessing survivability of undersized plaice (amongst other fish) in the North Sea shows a much lower survivability rate. The study shows an average survivability rate of 14% for plaice. The methodology of the study was in accordance with the International Council for the Exploration of the Sea (ICES) guidelines for discard survival studies. As the diagram shows, the survival rate decreases rapidly after a few days.

[3] *Edward Schram and Pieke Molenaar, 2018. Discards survival probabilities of flatfish and rays in North Sea pulse-trawl fisheries*. Wageningen, Wageningen Marine Research (University & Research centre), Wageningen Marine Research report C037/18. 39 pp.

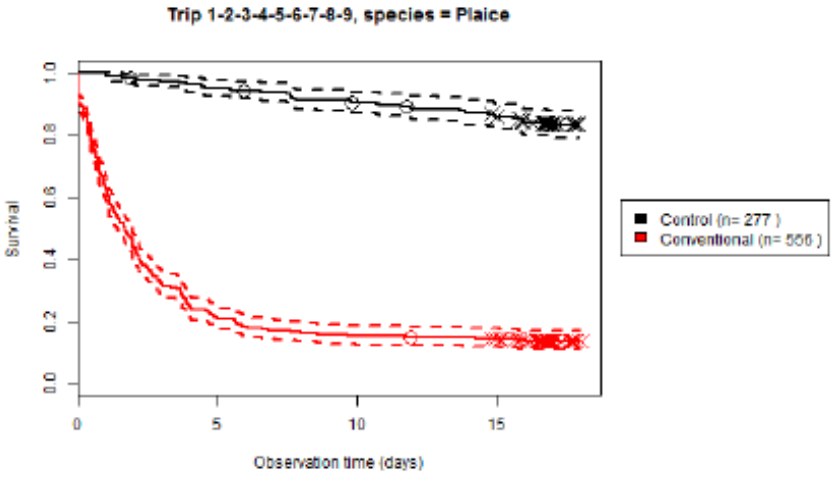

Figure 3. Kaplan Meier survival curves presenting survival (SD) for *n* individuals over time for all trips combined for test (red) and control (black) fish. In the figures X represent fish that is alive at the end of the experiment, O represent fish that died due to other causes than fishing mortality (e.g. technical failures) and were excluded from the experiment after O.

4. Plaice in SD 24-32 is a category 3 stock, which means there is a lack of data and the stock is submitted to the ICES PA assessment. This raises the concern that the knowledge base may not be sufficient for a derogation of the LO.

The time period of the derogation

5. The time period proposed to derogate from the landing obligation is strange considering that the data and studies provided are in a specific and shorter period and does not, as far as we can see, take into consideration the changes in condition of the fish during the spring, for example. The report from DTU Aqua [4] (Savina & Karlsen 2022 /Annex 6) is lacking e.g. most of February, March and April catches, yet the derogation proposal covers those months as well.

The effects on the Baltic cod

6. The proposal does not include a demand to avoid cod catches, or rather does not include a demand for gears to avoid both undersized plaice and cod in the first place. The main purpose of the landing obligation is not to take care of a “problem” after the fish are caught, but rather to avoid the catch at all, and this should be the focus of attention.

[4] Report on the discard survival and vitality of plaice (Pleuronectes platessa) and summary statistics of the fishery in the Baltic Sea, Esther Savina and Junita D. Karlsen

The need for REM is lacking

7. The proposal does not include a demand to have cameras installed to allow for any kind of derogation. Considering that EFCA and ICES have noted high, even up to 100% discard rates for plaice, a strict demand to document the fishery is highly relevant. There is clear scientific and practical evidence that REM increases compliance, and any derogation should be linked to the mandatory installation of REM on all vessels. We do not support a derogation as the one proposed, but as an example, any kind of derogation like the one proposed should be 100% linked to a fully documented fishery with CCTV.

Not in line with the CFP

8. In general, this proposal does in principle remove the landing obligation from the Baltic Sea demersal fishery all together since cod is not a targeted species and flounder is not included, and we question if it can be in line with the CFP to propose joint recommendations that make such fundamental changes to an EU regulation.