By-catch reduction plan (BCReP) in the North Western Waters

Scope

This reduction plan will only apply for stock(s) for which ICES had released a zero catch advice for 2019:

- Whiting 7a = in Irish Sea
- Whiting 6, 5b, 12, 14 = in West of Scotland
- Cod 6a, 5b (East 12°00W) = in West of Scotland
- Cod 7bce-k, 8, 9, 10, COPACE 34.1.1 = in Celtic Sea + SWW
- Plaice 7hjk = in South West of Ireland

NB: Should one of these stocks fall under 'normal TAC' from 2020 or afterwards, it then would not be bound to such BCReP.

Common measures to these 5 stocks

Prohibition of targeted fisheries

Targeting each of these stocks, though falling under the Landing Obligation general principle, is prohibited under EU regulations and implemented by MS, which also have to report monthly to the European Commission the volume of corresponding (by-)catches.

Technical Measures aiming to lower under MCRS catches

A- The Regulation of the European Parliament and of the Council *on the conservation of fisheries resources and the protection of marine ecosystems through technical measures*, and especially its Annex VI (NWW area), is to enter into force within a couple of weeks and will directly contribute to the achievement of the BCReP goals, especially through enhanced mesh sizes requirements:

1. Baseline mesh sizes for towed gears

1.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120mm[1], or at least 100 mm in ICES sub-area VIIb-k.

1.2. Without prejudice to the landing obligation, and notwithstanding paragraph 1.1, vessels may use smaller mesh sizes as listed in the following table for the North Western waters provided that:

(i) the associated conditions set out in that table are respected, and by-catches of cod, haddock and saithe do not exceed 20% of the total catch in live weight of all marine biological resources landed after each fishing trip; or

(ii) other selectivity modifications are used which are assessed by STECF upon request of one or more Member States and approved by the Commission. Those selectivity modifications shall result in the same or better selectivity characteristics for cod, haddock and saithe as that of 120mm, or 100 mm in ICES sub-area VIIb-k respectively.

Mesh Size	Geographical Areas	Conditions
At least 80mm[x]	ICES sub-area VII	Directed fishing for hake, megrim and anglerfish or whiting, mackerel and species not subject to catch limits and which are not covered elsewhere in the table. A square mesh panel of 120mm shall be fitted[xxx, xxxxx]. Directed fishing for sole using otter trawls or species not covered by catch-limits. A square mesh panel of at least 80mm shall be fitted[xxx].
At least 80mm	Whole area	Directed fishing for *Nephrops norvegicus*[xx]. A square mesh panel of at least 120mm or sorting grid with a maximum bar spacing of 35mm or equivalent selectivity device shall be fitted.
At least 80mm	ICES divisions VIIa, b, d, e, f, g, h and j	Directed fishing for sole with beam trawls. A panel with a minimum mesh size of at least 180mm[xxxx] in the upper half of the anterior part of the net shall be fitted.
At least 80mm	ICES divisions VIId and VIIe	Directed fishing of whiting, mackerel and species not subject to catch limits and which are not covered elsewhere in the table.
At least 40mm	Whole area	Directed fishing for squid (*Lolignidae, Ommastrephidae*)
At least 16mm	Whole area	Directed fishing for small pelagic species which are not covered

		elsewhere in the table. Directed fishing for common and *Aesop* shrimps. A separator trawl or sorting grid must be fitted in accordance with nationally established rules
Less than 16mm	Whole area	Directed fishing for sandeels

[1] To be phased-in over a 2-year period from the date of adoption.

[x] This is without prejudice to Article 5 of Commission Regulation (EC) No 494/2002.

[xx] At least 70mm mesh size shall apply for single rig vessels in ICES division VIIa.

[xxx] This is without prejudice to Article 2 (5) of Implementing Regulation (EC) 737/2012.

[xxxx] This provision shall not apply to ICES division VIId.

[xxxxx] This provision shall not apply when directed fishing for whiting, mackerel and species not subject to catch limits in ICES divisions VIId and VIIe.

2. <u>Baseline mesh sizes for static nets and driftnets</u>

2.1. Without prejudice to the landing obligation, vessels shall use a mesh size of at least 120mm[x].

2.2. Without prejudice to the landing obligation, and notwithstanding paragraph 2.1, vessels may use smaller mesh sizes as listed in the following table for the North Western waters provided that the associated conditions set out in that table are respected, and by-catches of cod, haddock and saithe do not exceed 20% of the total catch in live weight of all marine biological resources landed after each fishing trip.

Mesh Size	Geographical Areas	Conditions
At least 100mm[1]	Whole area	Directed fishing for flatfish or species not subject to catch limits and which are not covered elsewhere in the table. Directed fishing for whiting, dab and bass
At least 50mm	Whole area	Directed fishing for small pelagic species which are not covered elsewhere in the table. Directed fishing for red mullet

[X] A mesh size of at least 220mm shall be used when fishing for anglerfish. A mesh size of at least 110mm shall be used when directed fishing for pollack and hake in ICES divisions VIId and VIIe.

[1] In division VIId, at least 90mm shall apply.

B- Besides, such Regulation empowers the Commission to adopt delegated acts pursuant to Article 15 and in accordance with Article 29 in order to define 'directed fishing' for relevant species in Part B of Annexes V to X and Part A of Annex XI of the Regulation. The Regulation states that Member States having a direct management interest in the fisheries concerned shall submit any joint recommendations for the first time within twelve months of the date of entry into force of the Regulation.
To this end the High Level Group commits to work to define directed fishing for the fisheries covered by this plan by this deadline.

Spatio-temporal closures

The European Commission is invited by the NWW MS Group to refer to STECF (and/or ICES) to investigate the relevance of spatio-temporal closures in helping to reduce the magnitude of by-catches of these stocks; the ToR would request to precisely define areas and to suggest associated measures which could be jointly implemented.

Reporting obligation and avoidance rise

In the case where one of these stocks represents at least a certain % - precised below stock by stock - in the catch composition for a certain fishing operation (FO, understood as a single haul), the skipper has to immediately inform its Flag Fisheries Monitoring Center (FMC), which conveys without any delay such information to the coastal State FMC.

Appropriate avoidance measures such as enhanced detection/discrimination by all available means, including through electronic devices on board, are put in place by the reporting vessel as long as it operates within a 10 nautical miles diameter circle centred on the middle geographical point of the triggering haul.

Control measures

To be discussed by the Control Expert Group and approved by the High Level Group, in relation with a risk analysis developed with the help of EFCA, as part of a wider plan aiming to enhance the respect of the relevant discards plans in force.

Dedicated measures (stock by stock)

Whiting 7a

1- Reporting %: not considered relevant for this stock at the current time.

2- The Commission delegated Regulation (EU) 2018/2034 of 18 October 2018 *establishing a discard plan for certain demersal fisheries in North-Western waters for the period 2019-2021*, and especially its Article 10 (*Specific technical measures in the Irish Sea*), eventually amended [especially by Commission delegated Regulation (EU) 2019/905 of 13 March 2019 *amending Delegated Regulation (EU) 2018/2034 establishing a discard plan for certain demersal fisheries in North-Western waters for the period 2019-2021*], directly contributes to the achievement of the BCReP goals for this stock [following version in force on the 5th of June 2019]:

1. From 1 January 2019, fishing vessels operating with bottom trawls or seines in ICES division 7a (Irish Sea) shall comply with the technical measures set out in following paragraphs 2, 3 and 4.

2. Vessels operating with bottom trawls or seines with a cod-end mesh size equal to or larger than 70 mm and smaller than 100 mm and with catches comprising more than 5 % of Norway lobster shall use one of the following gear options:

(a) at least 300 mm squared mesh panel; vessels below 12 meters in length over all may use a 200 mm squared mesh panel;

(b) Seltra panel;

(c) Sorting grid with 35 mm bar spacing;

(d) CEFAS Netgrid;

(e) Flip-flap trawl.

3. Vessels operating with bottom trawls or seines with catches comprising more than 10 % of haddock, cod and skates and rays combined, shall use one of the following gear options:

(a) 120 mm cod-end;

(b) an eliminator trawl with 600 mm large mesh panels and a 100 mm cod-end.

4. Vessels operating with bottom trawls or seines with catches comprising less than 10 % of haddock, cod and skates and rays combined shall apply a cod-end mesh size of 100 mm with a 100 mm squared mesh panel. This provision shall not apply to vessels with catches comprising more than 30 % of Norway lobster or more than 85 % of Queen scallops.

5. A selective gear or device assessed by the STECF as having the same or higher selectivity characteristics for cod, haddock and whiting may be added as an alternative gear to the above.

3- Further measures

1. **Request an early assessment by ICES or STECF of the projected changes in exploitation pattern arising from the use of the selective gear options on the whiting stock.** The potential reductions of whiting catches resulting from the introduction of measures in the *Nephrops* fishery are in the order of the 50-60% compared to standard gears used in the fisheries. The full impacts of these measures on the whiting stock have not been fully assessed and may only become apparent in the next few years.

2. **Further analysis of the impacts of improving selectivity in the *Nephrops* fishery**. The aim would be to introduce new measures into the fishery from 1st January 2020.

3. **Review and test available or new gear modifications that permit escapement of < 20cm whiting earlier on in the capture process.** Given the concerns regarding survivability of escaping fish, further research is planned to consider gear modifications that will allow whiting to escape before they enter the codend, where the risk of damage is highest. Currently such gears options are limited.

4. **Establish enhanced specific Irish Sea monitoring programme to more accurately quantify levels of unwanted catches of whiting in the *Nephrops* fleet and to measure the efficacy of technical measures implemented compared to historic discard patterns in the fishery.** To assess the efficacy of the selectivity measures put in place an enhanced monitoring programme would be put in place. This would entail the establishment of a scientifically supervised observer programme or other means to achieve full and verified documentation of catches for strategically selected

sectors of the fleet. This could involve reference fleets and collaboration between fishermen, fisheries scientists and fisheries administrators.

5. **Carry out an audit of the gears used in the *Nephrops* fishery and assess the relative impact on whiting catches of these gears to inform future management measures.** The *Nephrops* fishery in the Irish Sea is prosecuted by a wide range of vessels using a variety of gears. Single trawls, twin-rigs and multi/quad-rig trawls are all widely used. Furthermore these gears may vary in their detailed design and construction. All these gears have different fishing efficiency in terms of CPUE for the target species, *Nephrops*, as well as for bycatch species including whiting. The results from the sampling programme estimate the relative fishing efficiency of the different gear types and relative impact on whiting. This audit would inform any future management measures to ensure that only the most effective gears are used and that detailed design and construction delivers consistent results in terms of selectivity.

6. **ICES to carry out a detailed assessment of the whiting stock with consideration given to additional measures and safeguards needed to control fish mortality.** ICES, through the Benchmark Workshop on sharing information on the Irish Sea ecosystem, stock assessments, and fisheries issues, and scoping needs for assessment and management advice (WKIRISH) should be requested to carry out a detailed assessment of the whiting stock in 7a. Based on this assessment, the group will submit a number of possible measures for STECF evaluation.

Whiting 6, 5b, 12, 14

1- Reporting %: 10

2- Additional technical measures
NB: For the purposes of these measures, mesh size shall be determined using the definition contained in Article 6(34) of the Regulation (EU) No 2019/xyz *on the conservation of fishery resources and the protection of marine ecosystems through technical measures*[1].

1 'mesh size' means:

(i) for knotted netting: the longest distance between two opposite knots in the same mesh when fully extended;

(ii) for knotless netting: the inside distance between the opposite joints in the same mesh when fully extended along its longest possible axis;

From 1 July 2020, fishing vessels operating with bottom trawls or seines in ICES divisions 6a and 5b (within EU waters, east of 12°W) shall comply with the technical measures set out below:

a) For vessels deploying a cod-end mesh size <100mm, mandatory use of a squared mesh panel (positioning retained) of at least 300mm;

b) In relation to (a), - for vessels below 12 meters in length over all and/or with engine power of 200kW or less - the panel overall length may be 2m and the panel may be 200mm;

c) For vessels deploying a cod-end mesh size of 100-119mm and with catches comprising more than 30% of Norway lobster, mandatory use of a squared mesh panel (positioning retained) of at least 160mm.

A selective gear or device assessed by the STECF as having the same or higher selectivity characteristics for whiting may be added as an alternative gear to the above.

Cod 6a, 5b (East 12°00W)

1- Reporting %: 10

2- Additional technical measures

NB: For the purposes of these measures, mesh size shall be determined using the definition contained in Article 6(34) of the Regulation (EU) No 2019/xyz *on the conservation of fishery resources and the protection of marine ecosystems through technical measures*[2].

From 1 July 2020, fishing vessels operating with bottom trawls or seines in ICES divisions 6a and 5b (within EU waters, east of 12°W) shall comply with the technical measures set out below:

a) For vessels deploying a cod-end mesh size <100mm, mandatory use of a squared mesh panel (positioning retained) of at least 300mm;

b) In relation to (a), - for vessels below 12 meters in length over all and/or with engine power of 200kW or less - the panel overall length may be 2m and the panel may be 200mm;

2 'mesh size' means:

(i) for knotted netting: the longest distance between two opposite knots in the same mesh when fully extended;

(ii) for knotless netting: the inside distance between the opposite joints in the same mesh when fully extended along its longest possible axis;

c) For vessels deploying a cod-end mesh size of 100-119mm and with catches comprising more than 30% of Norway lobster, mandatory use of a squared mesh panel (positioning retained) of at least 160mm.

A selective gear or device assessed by the STECF as having the same or higher selectivity characteristics for cod may be added as an alternative gear to the above.

Cod 7bce-k, 8, 9, 10, COPACE 34.1.1

1- Reporting %: 10

2- The Commission delegated Regulation (EU) 2018/2034 of 18 October 2018 *establishing a discard plan for certain demersal fisheries in North-Western waters for the period 2019-2021*, and especially its article 9 (*Specific technical measures in the Celtic Sea Protection Zone*), eventually amended, will directly contribute - from the 1st of July 2019 - to the achievement of the BCReP goals for this stock [following version in force on the 5th of June 2019]:

1. From 1 July 2019, fishing vessels operating with bottom trawls or seines in the Celtic Sea Protection Zone shall use one of the following gear options:

(a) 110 mm cod-end with 120 mm squared mesh panel;

b) 100 mm T90 cod-end;

(c) 100 mm cod-end with 160 mm squared mesh panel.

2. By way of derogation from paragraph 1, vessels operating with bottom trawls or seines with catches comprising more than 5 % of Norway lobster shall use one of the following gear options:

(a) 300 mm squared mesh panel; vessels below 12 meters in length over all may use a 200 mm square mesh panel;

(b) Seltra panel;

(c) Sorting grid with a 35 mm bar spacing;

(d) 100 mm cod-end with a 100 mm square mesh panel.

3. By way of derogation from paragraph 1, vessels operating with bottom trawls or seines with catches comprising more than 55 % of whiting or 55 % of anglerfish, hake or megrim combined, shall use one of the following gear options:

(a) 100 mm cod-end with a 100 mm squared mesh panel;

(b) 90 mm T90 cod-end and extension;

(c) 80 mm cod-end with a 160 mm squared mesh panel;

(d) 80 mm cod-end with a 2 m multiplied by 100 mm squared mesh cylinder.

4. By way of derogation from paragraph 1, vessels operating with bottom trawls or seines with catches comprising less than 10 % of gadoids (*Gadidae*) in ICES division 7f East of 5° West, shall use 80 mm cod-end fitted with a 120 mm square mesh panel.

5. A selective gear or device assessed by the STECF as having the same or higher selectivity characteristics for cod, haddock and whiting may be added as an alternative gear to the above.

3- The effects of measures contained within Article 9 of the delegated act will be evaluated over a 18 month period. Any additional measures agreed by the NWW regional group will come into force after this period unless that review process identifies contrary indicators which would mean those measures needed to be urgently reconsidered beforehand.

4- ICES and/or STECF are invited to carry out a review of the positive benefits of the Trevose closure in the Celtic Sea.

Plaice 7hjk

1- Reporting %: not relevant for this stock, especially in the 7h division.

2- ICES is invited to assess whether the management area for plaice in 7hjk is appropriate given plaice is only caught as a by-catch in 7hjk[3].

3 Consideration should be given to whether a stock area that combines 7e and 7h would be more appropriate, for example. A benchmarking exercise is also recommended given no data from 7h are currently used as part of ICES' assessment, despite notable catches being recorded in the area.

Such BCReP may be revised at any time upon request of the NWW HLG.