

Copenhagen 14<sup>th</sup> July 2016

BSAC/2016/1a(Correct)

### BSAC recommendations for the fishery in the Baltic Sea in 2017

The BSAC recommends setting the catch levels for the Baltic stocks in 2017 at the values indicated in the table below. For all stocks, the recommendations are formulated and agreed after consideration of the biological advice, as presented by the Vice-Chair of ACOM, Carmen Fernandez, to the Joint WG of the Baltic Sea Advisory Council on 13<sup>th</sup> and 14<sup>th</sup> June 2016 and further discussion at the BSAC Executive Committee meeting on 30<sup>th</sup> June 2016.

Please note that the recommendations relate to the TACs for the regulatory areas, not for the different stock components. A detailed explanation of how the recommendations for each stock have been reached is given in the text below. **The BSAC recommendations are for the EU TAC.** The BSAC asks the Commission to provide information on the official allocation keys used between the EU and the Russian Federation.

	<b>EU TAC 2016 Tonnes (except salmon)</b>	<b>BSAC recommendation for EUTAC 2017</b>	<b>Change</b> % figure reflects the change that the BSAC is advising compared to the current TAC figure	<b>Minority position</b>
<b>Herring 22-24</b>	26.274	<b>28.401</b>	8%	-
<b>Herring 25-29, 32, ex GoR</b>	177.505	<b>191.542</b>	8%	-
<b>Herring Gulf of Riga</b>	34.915	<b>31.121</b>	-11%	27.429
<b>Herring 30-31</b>	120.872	<b>140.998</b>	16.7%	-
<b>Sprat 22-32</b>	202.320	<b>282.349</b>	39.6%	-

	EU TAC 2016 Tonnes (except salmon)	<b>BSAC recommendation for EUTAC 2017</b>	Change % figure reflects the change that the BSAC is advising compared to the current TAC figure	Minority position
<b>Plaice 24-32</b>	4.034	<b>7.862</b>	+95%	-
<b>Salmon 22-31</b>	95.928 individuals	<b>95.928 individuals</b>	0	89.320 individuals
<b>Salmon 32</b>	13.106 individuals	<b>11.800 individuals</b>	-10%	9.000 (OIG + Federation of Finnish Fisheries Association)  13.106 (Estonian Fishermen's Association)
<b>Cod 22-24</b>	12.720	<b>10.176</b>	-20%	917
<b>Cod 25-32</b>	41.143	<b>41.143</b>	0	25.644

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

The BSAC is in favour of following the advice from ICES to set the TAC at 28.401 tonnes, in agreement with previous decisions to allocate 50 % of the catch opportunities on this stock to the management area in question. Moreover, it underlines its support for the previous efforts made that culminated in the agreement on the 50-50 split in the allocation of western Baltic herring between area IIIa and SDs 22-24.

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

Following the ICES MSY approach, catches in 2017 should be no more than 216.000 tonnes. The corresponding TAC in the central Baltic management area for 2017 would be calculated as  $216.000 \text{ t} + 233 \text{ t} - 4574 \text{ t} = 211.649$  tonnes.

The BSAC recommends that the 2017 TAC for herring in this management area should be set according to the ICES advice, as an 8 % increase of the 2016 TAC advised by ICES. This corresponds to setting a 2017 EU TAC for herring in Subdivisions 25-29, 32, excluding the Gulf of Riga at 191.542 tonnes.

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

The Latvian fisheries representative highlights the implications of the Commission Recommendation 2016/688 of 2 May 2016 on the monitoring and management of the presence of dioxins and PCBs in fish and fishery products from the Baltic region<sup>1</sup>.

A TAC set according to MSY F upper range would make it possible to limit the number of older fish. The Latvian fishery for Gulf of Riga herring is for human consumption purposes. The Fisheries Secretariat supports the Latvian proposal for a fishing mortality rate no greater than F-upper, based on the concern about unsafe dioxin levels in herring over 17cm and the industry's unavoidable need for a different selectivity from the stock.

The BSAC recommends that the TAC for 2017 should be 31.121 tonnes, which is an 11% reduction in the fishing possibilities compared to the TAC in 2016.

The OIG members CCB, WWF, Oceana and FANC are regrettably unable to take the same position, and must highlight their minority position to follow the ICES advice, which corresponds to an EU quota of 27.429 tonnes.

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

The BSAC recommends that the 2017 TAC for herring in this management area should be set according to the ICES advice, as an 11 % increase of the 2016 TAC. This implies a 2017 TAC of 140.998 tonnes.

The planned benchmark for this stock is anticipated and it is hoped that this will also lead to an improved assessment of herring in this management area.

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

The BSAC welcomes the second acoustic survey that is now conducted and hopes that its results will give a more relevant picture of the stock size and thus improve the advice.

The BSAC supports the idea to extend the BASS survey. The timing of the surveys is crucial.

In 2015, the BSAC expressed major concerns with regard to the assessment of Baltic sprat. The retrospective analysis of stock size shows changes of more than 100.000 tonnes from year to year, and the suggested value of  $F_{MSY}$  is constantly being revised. This does not help to have a consistent management framework and a stable fishery.

The revision of MSY values has resulted in an advice for a number of years to reduce the fishery. For 2017, ICES advises a 29% increase of the TAC as compared to 2016.

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<sup>1</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1463133056405&uri=CELEX:32016H0688>

Furthermore, the BSAC does not see the need to introduce a spatial management plan for the clupeid stocks in SDs 25-26. The BSAC supports that more science is being applied, focusing on achieving a mechanistic understanding of why the condition of cod has decreased, e.g. using bio-energetic modelling.

The BSAC recommends setting the total 2017 TAC for sprat (including the Russian allocation) in the Baltic Sea in accordance with the ICES advice at 314.000 tonnes and consequently the 2017 EU TAC at 282.349 tonnes.

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

The BSAC recommends setting the 2017 TAC for plaice in SDs 22-32 in accordance with the scientific advice. Under a landing obligation the TAC should be set at 7.862 tonnes.

Facing a large reduction in the cod TAC in SDs 22-24, the BSAC notes that fishers are likely to try to compensate their losses by targeting plaice where possible. Some BSAC members believe there is a considerable risk that plaice – given the very positive development in both plaice stocks – will become a choke species in the fishery.

### **Salmon SDs 22-31**

In accordance with the ICES advice, the BSAC recommends to set the TAC for salmon in Subdivisions 22-31 as a rollover of the 2016 TAC at 95.928 individual fish.

The Other Interest Group members EAA, FANC, CCB, WWF, Oceana and the Fisheries Secretariat take a minority position. They reflect that the handling of unwanted catch is less clear in the advice, but represents continuing discards in the historic catches table, including illegal and legal discarding through the exemption on seal-damaged fish and in the trap net fishery. Thus the amounts of misreported, unreported, and unwanted catch must be deducted from the total commercial catch to determine the EU TAC, arriving at an EU TAC of no more than 89.320 individual fish. Regardless of the quota set, OIG members highlight the ICES advice that management of salmon fisheries should be based on the status of individual river stocks, and that fisheries on mixed stocks should be reduced, as they present particular threats to stocks that do not have a healthy status.

### **Salmon SD 32**

The BSAC recommends that the TAC for salmon in SD32 should be based on the reared salmon, whilst keeping the mortality on wild salmon at the lowest possible level.

Several members in the BSAC recommend following the ICES precautionary approach, setting the TAC for salmon in the Gulf of Finland at 11.800 specimens.

The Federation of Finnish Fisheries Associations proposes a 30% cut to 9.000 specimens and underlines the need for extra management. It highlights the fact that quota uptake has been low, due partly to an increase in the number of seals and partly to the fact that the areas where salmon is released do not coincide where commercial fishery takes place.

The Estonian Fishermen's Association supports the rollover of the TAC, that is 13.106 salmon (Finland:11 762 individuals and Estonia:1 344 individuals). Estonia is carrying out river improvement and will put a package of management measures in place in different salmon rivers. Estonian fishermen believe that a TAC reduction in a situation where stocks are firmly in recovery will not be necessary. It could lead to illegal discards, which, in light of the discard ban in the Baltic, would be counter-productive. Estonia acknowledges that wild salmon stocks in the Gulf of Finland exist in three Estonian rivers and Estonia will therefore be highly committed to the measures necessary for conservation of the wild salmon stocks in the Gulf of Finland. In particular, Estonia will continue its strict and targeted management measures in the coastal waters, as well as salmon rivers and their outlets, e.g. construction and maintenance of fish passages, habitat restoration, restocking activities and protection measures to support wild salmon stock through its migratory ways as recommended by ICES.

The Other Interest Group members EAA, FANC, CCB, WWF, Oceana, and the Fisheries Secretariat, appreciate the views of both Estonia and Finland. The resulting TAC, using a similar logic as for the Main Basin salmon, is OIG support for an EU quota of no more than 9.558 individual reared fish (the OIG can support the Finnish figure of 9.000 individual reared fish), that no targeted fishing for wild salmon is permitted, and that bycatch of wild salmon be minimised.

### **Cod SDs 22-24**

The BSAC considers that the ICES advice to reduce the TAC by over 90% in a single year would have extremely severe consequences for the industry. In its advice, ICES correctly does not take into account the socio-economic considerations. The BSAC asks for this to be taken into account and expresses concern for the future of the fishing industry, in particular the small-scale coastal fishery.

The BSAC is in consensus concerning problems caused by mixing of the Western and Eastern Baltic cod stocks, particularly in SD 24. The consequences of this for cod stock conservation and assessment must be taken into account when taking decisions on management measures related to the cod stock in SDs 22-24. The BSAC cannot agree to the transfer of 471 tonnes from the eastern to the western cod stock.

Secondly, and with agreement from several OIG members, the management of the mixed cod stocks in SD 24 is another form of structural inaccuracy. SD 24 is part of the management area for Western Baltic cod, but is dominated by cod from the Eastern Baltic stock. Cod from the Eastern Baltic stock is transferred to the Western Baltic cod management areas in order to balance this. This is a direct reallocation of quotas and it interferes directly with relative stability, whereby some Member States gain and others lose. Therefore, the management of SD 24 has to be revised in such a way as not to be contrary to the EU management system by stocks. The Danish and German fisheries representatives do not share this view and will discuss this further.

The Fisheries Secretariat highlights that one of the primary objectives of the CFP is to “promote coastal fishing activities, taking into account socio-economic aspects” (CFP article 2.5.i). Due to the impact of continuing quota reductions, and the larger burden this places on the more vulnerable small-scale coastal fishery, it urges Member States to consider article 17 of the CFP, in particular the concluding line to prioritize fishing opportunities for “...fishing vessels deploying selective fishing gear or using fishing techniques with reduced environmental impact...”.

The BSAC supports a 20% decrease of the TAC ( $F=0.41$ ) for 2017. Directly applying the ICES approach of MSY will be a drastic reduction for the commercial fisheries. A gradual approach to reach MSY should be followed. In the catch option table presented by ICES, the BSAC finds options which are less draconian and which are also likely to lead to a positive development of the Western Baltic cod stock. A 20% decrease of the TAC will still allow for an increase of the SSB by 11% in 2017. It would also be chosen if the stock were categorized as “data poor”.<sup>2</sup>

The advantages of this option would be a better survival of local, small-scale fisheries and indicates a responsible management which takes into account the socio-economic impact at local level.

Representatives of the Other Interest Group and several fisheries representatives express concern at the state of the Western cod stock, which is the weaker Baltic cod stock at present. In addition, they note that the assessments for this stock have historically been overly optimistic, with regular downward revisions of biomass and upward revisions of  $F$ . It is thus likely that any anticipated stock growth is overly optimistic.

The other Interest Group representatives CCB, the Fisheries Secretariat, FANC, WWF and EAA support the following statement. “The new Baltic MAP stipulates what should be done under current situations as regarding the Western Baltic cod stock, and measures include closing a fishery to quickly rebuild the stock. Reproduction is now clearly impaired and the biomass is below the critical limit value. They call for stringent use of Article 5 safeguards and demand that fishing is reduced in line with the scientific advice, meaning a TAC of 917 tonnes. Recreational fishery with commercial style gears should also be limited and the Member States must shoulder that responsibility now. They can accept emergency financial support measures for temporary cessation of commercial fishing. They also support any additional activities to maintain the viability and fishers’ knowledge necessary for reintroducing fishing effort at a later date in line with the endeavour of CFP Article 17.

Oceana supports closing the commercial fisheries in 2017, while maintaining overall support for limiting recreational fishery with commercial style gears and the CFP Article 17 provisions mentioned above.

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<sup>2</sup> The representatives from the Swedish Fishermen’s Federation underline that the 20% reduction in the TAC must be subject to the introduction of management of the recreational fisheries.

Baltic Sea 2020 proposes a more comprehensive approach to the setting of cod TACs in order to combine a responsible TAC with actual compliance, including full catch accountability, and to release fishermen from straightjacket regulations. The TAC/quotas for 2017 must include recreational catches. In this case, a footnote for the Western Baltic cod in the TAC/quota regulation is needed to prescribe that Member States must count all catches against the Member States' quota.

The Swedish and Polish fisheries representatives propose that as part of the regionalisation process and in order to implement an appropriate adaptive fisheries management, there are some structural inaccuracies that have to be revised. Firstly, the recreational fisheries are in some parts of the Baltic considerable. This has in particular been highlighted in the ICES advice for Western Baltic cod for 2017.

With the proposed drastic reduction of the commercial quotas, it goes without saying that the recreational fisheries also have to be managed. Any kind of fishing mortality, from recreational or commercial fisheries, has to be seen and treated equally, both when it comes to impact on the stock and relevant management actions. This question has to be addressed to the EU Commission as well as the Member States fisheries administrations, because it has implications for relative stability.

The BSAC is of the opinion that a wise management of recreational fisheries is needed to ensure that recreational fisheries also takes some burden to secure the recovery of the western cod stock by means of sufficient and effective measures.

The BSAC is of the opinion that the division of a recommended TAC between the different sectors of fisheries should not be done by ICES, as this is the responsibility of the EU and Member States. Moreover, Member States should have the right to decide in which management area the catches are made or calculated.

Some members of the BSAC acknowledge that the assessment of cod in SDs 22 to 24 is very problematic. The problems are not caused by lack of data from the fishery, but rather by the fact that science is unable to explain the observed stock development, as shown by the repeated downward revisions of biomass and consequential upward revisions of mortalities.

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

The BSAC acknowledges that the assessment of cod in Subdivisions 25 to 32 is very problematic. The problems are not caused by lack of data from the fishery, but rather by the fact that science is unable to explain the observed stock development.

Information from the fishermen, as well as from the processing industry, indicates that the negative development has been reversed. It was suggested from the catches in 2016 that cod is in a better condition and the growth reduction, which has been described over the last couple of years, no longer seems to be affecting the stock.

A majority of the BSAC is of the opinion that catch advice should be based on the stock development according to scientific assessment and not on catch rules.

The BSAC does not support any TAC reallocation from the Eastern cod management area to the Western cod management area to account for stock mixing with Western Baltic cod because there is concern that reduced fishing pressure on the Eastern stock will increase the pressure on the Western cod stock in SD 24.

The BSAC therefore recommends that the TAC for cod in 2017 in the Eastern Baltic is set as a rollover of the TAC for 2016. It appears that all conditions for a further increase in stock size have been met.

The Other Interest Group members FANC, CCB, WWF, Oceana and the Fisheries Secretariat highlight that the data for this stock is highly uncertain, and they remind members that the stock is in a data-limited situation. They support the use of the precautionary approach in this situation, as developed by ICES, thereby setting the TAC at 26.994 tonnes. The resulting EU TAC, accounting for a 5% allocation to Russia, as they have been informed by the Commission, would be 25.644 tonnes.