

21 May 2014

***This is a joint letter from Oceana, the Fisheries Secretariat (FISH), Coalition Clean Baltic and the Finnish Association for Nature Conservation (FANC) regarding the BALTFISH High Level Group Joint Recommendation on the Outline of a Discard Plan for the Baltic Sea dated 14 May 2014.***

We thank the Latvian BALTFISH Presidency for circulating the latest recommendation and the efforts by all the Member States to advance on earlier drafts of the discard plan for the Baltic Sea. On 28 February, we submitted (together with other Baltic NGOs) more detailed comments on the discard plan, and this letter should be seen as an addition to those comments relevant to this latest version from BALTFISH.

We want to stress that we are supportive of a number of things in the current joint recommendations for a discard plan, such as the inclusion of cod from 2015. This species make up a large proportion of the current discarding in the Baltic Sea and more information is urgently needed to improve the stock assessment – especially of the eastern stock. We are also supportive of the inclusion of non-quota species by 2017, although we would have preferred to have sea trout included at the same time as salmon, to enable more efficient control and an improvement of catch data.

We will not repeat here comments already made in our earlier paper. However, since then, a change regarding seal damaged fish has been introduced in the proposed discard plan for the Baltic Sea: rather than using the *de minimis* exception, BALTFISH recommends that fish damaged by seals and other predators would be handled outside the scope of the discard plan and instead be counted under “natural fishing mortality”. We commented on this change in direction at the latest BALTFISH Forum in Riga on 29 April, but would like to expand on our arguments here.

As mentioned by us, at the BALTFISH Forum, a natural seal diet does not typically reflect the species composition or the sizes of fish caught in fishing gears (in this case primarily gillnets or longlines). In our view, the proposal to define fish damaged by seals feeding on the smorgasbord of – often large – fish trapped in fishing gears as part of the natural mortality of fish is likely to create confusion and a lack of clarity.

The main argument – that seals would have eaten the same fish in any case – is fundamentally incorrect. As most fishing gears are selective and fish species are not equally susceptible to be caught in them, the species composition in the catch depends to a high degree on the catchability of different species and the choice of fishing gears/techniques. For example, behaviour and physical characteristics make certain species more likely to be entangled in nets, and only predatory fish species are caught in longlines. Thus, catches in fishing gears only partly reflect the local fish community, and the diet of seals or other predators (e.g. cormorants) that feed on fish caught in gears only partly (at most) reflect their natural diet.

As mentioned at the last BALTFISH Forum meeting, the likelihood of seals being able to catch and feed on, for example, large salmon in the wild is very low, and cannot be compared to the likelihood that seals would feed on large salmon caught in fishing gears (that are not “seal safe”).

Although seals show individualistic feeding behaviours and may specialize in feeding on certain prey, diet analyses reveals that their typical natural diet is far from the average catch composition in gillnets or pelagic longlines, where mostly larger cod or salmon are caught. In fact, seals typically feed on herring; cod and salmon are targeted to a much lower degree<sup>1</sup>. Cormorants have been found to be mostly opportunistic and feed on the most abundant or catchable fish species – provided it is within a special size range<sup>2,3</sup>.

Furthermore, we would also like to stress that the documentation of seal damaged catches in the region is insufficient and, if this definition making them part of natural mortality is applied, control of the discard ban in some fisheries will be more difficult. The possibility to continue discarding seal damaged fish creates a loophole, which can be used to continue discarding undersized fish or simply for highgrading the catch. This exemption from the ban will also remove an incentive to use different, better gears, to change fishing practices or move to another area if catches are regularly damaged by seals.

*To summarise, we understand the problems with seal damaged fish in some fisheries, however, we strongly suggest that either another means of compensation is developed, in a way that ensures that seal damaged fish is taken into account when setting the TACs, or the de minimis exemption is applied – as suggested by BALTFISH as a last resort. The proportion of the catch damaged by seals and other predators must be included in the human-induced fishing mortality, as it would not have occurred naturally.*

*We would greatly appreciate if this issue could be further considered at the BALTFISH HLG meeting in June, as is tentatively planned according to minutes from the last HLG meeting.*

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<sup>1</sup>Lundström, K., Hjerne, O., Lunneryd, S-G. and Karlsson, O. 2010. Understanding the diet composition of marine mammals: grey seals (*Halichoerus grypus*) in the Baltic Sea. *ICES Journal of Marine Science* 67: 1230–1239.

<sup>2</sup>Leopold M. F., van Damme C. J. G., and van der Veer, H. W. 1998. Diet of cormorants and the impact of cormorant predation on juvenile flatfish in the Dutch Wadden Sea. *Journal of Sea Research* 40: 93–107.

<sup>3</sup>Boström, M. K., Östman, Ö., Bergenius, M. A. J. and Lunneryd, S-G. 2012. Cormorant diet in relation to temporal changes in fish communities. *ICES Journal of Marine Science* 69: 175–183.