

Director General João Aguiar Machado
D.G. for Maritime Affairs and Fisheries
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Ref: BSAC/2017-2018/14

Copenhagen 15th January 2018

The Commission proposal for an amendment to the Baltic multiannual management plan to combine the Bothnian Sea and Bothnian Bay and to establish ranges and biomass levels for it

Dear Director General,

On 18th December 2017, the Commission published a proposal for an amendment to the Baltic multiannual management plan with respect to herring in the Bothnian Sea and the Bothnian Bay (COM (2017)774 Final).

In 2017, ICES carried out an evaluation of the two stocks. It was decided to combine them on the grounds that there is no strong biological evidence for combining or separating the stocks; data availability does not support a good quality assessment for the Bothnian Bay herring and it is unlikely it will be possible to improve it in the future; and there is no concern for overexploitation of the smaller stock component in the Bothnian Bay when merged together with the Bothnian Sea herring.

New MSY reference values were estimated by ICES. The resulting FMSY point value is 0.21. The corresponding FMSY ranges were also calculated and resulted in FMSY lower equal to 0.15 and FMSY upper to 0.21. The corresponding biomass levels of MSY Btrigger and Blim were calculated to be 283 180 and 202 272 tonnes respectively. The revised values reflect the ICES advice from 31.5.2017.

The Commission proposal contains these values and proposes to replace the existing values as follows:

Existing regulation:

ANNEX I TARGET FISHING MORTALITY (as referred to in Article 4)

Stock	Column A (Part of the range of FMSY as referred to in Article 4(2) and (3))	Column B (Part of the range of FMSY as referred to in Article 4(4))

Bothnian Sea herring	0,11 - 0,15	0,15 - 0,18
Bothnian Bay herring	Not defined	Not defined

Commission Proposal

ANNEX I TARGET FISHING MORTALITY (as referred to in Article 4)

Stock	Column A (Part of the range of FMSY as referred to in Article 4(2) and (3))	Column B (Part of the range of FMSY as referred to in Article 4(4))
Gulf of Bothnia herring	0,15 - 0,21	0.21 - 0,21

Existing regulation:

Annex II

CONSERVATION REFERENCE POINTS FOR SPAWNING STOCK BIOMASS (as referred to in Article 5)

Stock	Column A Minimum spawning stock biomass reference point (in tonnes) as referred to in Article 5(2) (MSY Btrigger)	Column B Limit spawning stock biomass reference point (in tonnes) as referred to in Article 5(3) (Blim)
Bothnian Sea herring	316 000	Not defined
Bothnian Bay herring	Not defined	Not defined

Commission proposal:

Annex II

CONSERVATION REFERENCE POINTS FOR SPAWNING STOCK BIOMASS (as referred to in Article 5)

Stock	Column A Minimum spawning stock biomass reference point (in tonnes) as referred to in Article 5(2) (MSY Btrigger)	Column B Limit spawning stock biomass reference point (in tonnes) as referred to in Article 5(3) (Blim)
Gulf of Bothnia herring	283 180	202 272

The Finnish administration has at the start of this year contacted the BSAC Secretariat and encouraged the BSAC to urgently give its positive recommendation to this proposal. Finland and probably also Sweden are in favour of it and they hope that it can swiftly be agreed by the legislators so that the Commission could then propose an amendment to the Baltic TAC and quota Regulation for 2018.

In the best case, it would allow the Council to amend the existing TAC so as to follow the ICES advice already before the trapnet season starts in May. It would make it possible for the administration to allocate the quotas to their fishermen without any losses or interruptions. This would be important for the credibility of the Common Fisheries Policy.

The BSAC Executive Committee has been consulted by written procedure. Although this is a technical proposal, the BSAC is in full support of it and calls on the co-decision partners (Council, European Parliament and the Commission) to deal with it swiftly and demonstrate that this can be dealt with efficiently. One BSAC ExCom member, the Fisheries Secretariat does not support the BSAC position and has sent a statement in response to the consultation by the Secretariat. Their statement is attached.

Kind regards,

Reine J. Johansson
Chairman of the BSAC

Andrzej Bialas
Vice chair of the BSAC

Copy to: DG Mare, BALTFISH Member States, Fisheries Council of the European Community, European Parliament, European Fisheries Control Agency, ICES and HELCOM

Statement from the Fisheries Secretariat

In response to the consultation on a Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2016/1139 as regards fishing mortality ranges and safeguard levels for certain herring stocks in the Baltic Sea. Brussels, 18.12.2017 COM(2017) 774 final. 2017/0348 (COD)

We note that the CFP does not allow fishing above MSY (MAXIMUM Sustainable Yield) from 2020. We are therefore opposed to the concept of f-upper values in management plans because these by their nature are most often higher values than the F-msy point value and are not coherent with “restoring and maintaining populations of fish stocks above biomass levels capable of producing MSY”, as stated in the CFP. We note that Article 10 (e) of the basic regulation, "Content of multi annual plans" states “conservation reference points consistent with the objectives set out in Article 2”.

In this proposal the F-upper figure of 0.21 is proposed and in this case that is the same as the newly proposed F-msy figure. However the previous F-msy figure was 0.15. That figures of 0.15 has now been proposed to be used as the F-lower value.

We are concerned that there remains high uncertainty about the stock and the potential for the stock biomass falling below the safeguard levels. Therefore we should not be locking ourselves into this new untested f-upper figure. Fmsy figures can change annually but this new F-upper figure may be fixed for a number of years. This does not demonstrate the required precaution in our view.