

Adopted by Ex Com at its meeting Copenhagen 28th June 2018

Ref: BSAC/2018_2019/10

BSAC recommendations for the fishery in the Baltic Sea in 2019

The BSAC recommends setting the catch levels for the Baltic stocks in 2019 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 ICES Vice-Chair of ACOM, Colm Lordan, to the Joint WG of the Baltic Sea Advisory Council on 11th and 12th June 2018 and further discussion at the BSAC Executive Committee meeting on 28th June 2018.

At the working group meeting, the Working Group questioned the fact that ICES had used different reference points than those set up in the Baltic multiannual plan, with respect to herring in SDs 22-24. The BSAC would like to repeat that there is a need to establish a procedure for changing the reference points in the Annexes I and II of the MAP as new data becomes available. The provisions in Article 4 (6), whereby the Commission may submit a proposal for the revision of the conservation reference points, is not considered sufficient. Any changes to the provisions of the MAP should be done through a democratic process, in agreement with the stakeholders.

The content of the advice is sometimes complex. This refers in particular to the herring in SDs 22-24 and to both cod stocks. Moreover, the latest assessments of some stocks have shown drastic changes compared to the assessment of the previous year reflecting a retrospective change in stock perception. The BSAC repeats its concern about the consequences that these radical changes have on management. It is unfair to demand that the industry adapts to such radical changes from year to year.

	ICES advised TAC 2019	BSAC recommendation for EU TAC 2019	Minority position
Herring SDs 22-24	0	13.425	0
Herring SDs 25-29, 32, ex GoR	115.591-192.787	183.484 (20% decrease)	136.464
Herring Gulf of Riga SD 28.1	20.664-31.237	31.044	31.044
Herring SDs 30-31	88.703	88.703	88.703
Sprat SDs 22-32	225.752-311.523	280.121 msy upper	270.772

	ICES advised TAC 2019	BSAC recommendation for EU TAC 2019	Minority position
Plaice SDs 22-32	14.160	14.160	10.122
Salmon SDs 22-31	116.000	91.132	64.864
Salmon SD 32	11.800	10.003	9.418
Cod SDs 22-24	9.094 – 23.992 (less recreational catch)	15.021 MAP F_{msy}	6.716
Cod SDs 25-32	16.685 (Advice is for SDs 24-32)	18.168	13.224

Please note that the recommendations relate to the TACs for the regulatory areas, not to 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.**

Herring SDs 22-24

The BSAC recommends that the 2019 TAC for herring in this management area should be 13.425 tonnes. This figure corresponds to 50% of the total catch of this stock set on the basis of the agreed management plan with the new reference points.

The BSAC takes note that the management plan with the agreed reference points would give a TAC of 18.196 tonnes (50% of 36.391) for the management area, if the TAC was set in agreement with the F_{msy} approach. The BSAC also takes note that the stock has not declined over the last year and that the advice of zero catch is based exclusively on the upward revision of the reference points. $MSY B_{trigger}$ increased from 110.000 to 150.000 tonnes and B_{lim} from 90.000 to 120.000 tonnes. Nevertheless, the BSAC accepts the ICES estimate that extraordinary conditions prevail, because the SSB is believed to be below the (new) reference point for $MSY B_{trigger}$. The BSAC also accepts that the TAC is set below the figure that follows from the agreed plan.

The BSAC can support a 22% reduction of the advised TAC, reflecting a change in the perception of the stock, but it cannot agree to the proposed zero catch option.

Therefore, the BSAC recommends following the management plan with the new reference points, corresponding to an advised TAC of 13.425 tonnes for SDs 22-24.

The BSAC underlines the need to take into account the socio-economic consequences of a zero advice on the fishing industry. It also points out that small scale fishermen will lose their main source of income. The MSC certification for the herring fishery in SDs 22-24 could be suspended. The BSAC calls for a more balanced solution, sustainable both for the fish and the fishermen.

A fisheries representative informs that on the eastern part of the German Baltic coast (Mecklenburg-Vorpommern), a small scale coastal herring fishery is dependent on sufficient catch opportunities. Further documentation on this is provided by Fischerei – Freest i.G., member of LIFE (attached ./.). In order to improve their economic situation, a herring processing plant (“Eurobaltic”) was established in the late nineties. It has a capacity of 40-50.000 tonnes, which comes mostly from the North Sea, but up to 10.000 tonnes usually come from the local small scale fishery. In January to April the factory only processes western Baltic herring and a closure during these months will have severe consequences. The expected reduction of North Sea herring will further increase the importance of western Baltic herring for the factory. Without enough raw materials, about 200 employees will lose their jobs and probably not return after one year closure of the factory. Moreover, many fishing companies will also be closed down if a zero TAC is set. The entire structure of this small scale fishing business would be irreversibly lost. Setting a zero TAC because of an increase in the target value/reference point from one year to the next, with an increasing or stable stock is not responsible or sustainable management, nor is it sound scientific advice. The change of the reference value is not supported by any observable biological evidence. The indicators for a regime shift point to reduced capacity of the ecosystem and could lead to a stable or reduced B_{msy} trigger. If the increase in the reference point is the result of applying ICES rules, it must be checked whether they can deliver results which are related to reality.

Similar effects will be encountered in other areas, such as Fiskernes Filletfabrik in Gilleleje, Denmark and Skillinge Fisk Impex A/B in Sweden.

The BSAC further recommends that ICES is requested to advise on a recovery plan for western Baltic herring, including the possible effects of marine activities other than fishing (such as marine construction works, gravel extraction or effects of increased predation by birds and possibly mammals) on the herring spawning grounds herring. In particular, ICES should evaluate how a recovery period (to bring SSB above $MSY B_{trigger}$) of three and five years could be implemented through stepwise reductions in F .

The BSAC will take the initiative to propose remedial measures and find a solution to the particular situation that has arisen as a consequence of the new proposed reference points and will therefore form a focus group. It is the hope and ambition that this work will include BALTFISH as well as ICES. The potential of applying varying strategies that will lead to SSB recovery ($SSB > B_{lim}$) within a varying timespan, can be illustrated by expanding the forecast model used by ICES in the latest ICES advice for WBSS (ICES, 2018). Expanding this model so that it runs until 2025 and applying different management strategies all result in SSB recovery, but within different timespans.

The BSAC suggests further work on this.

Some OIG¹ representatives recommend a zero TAC. ICES advises that based on the MSY approach there should be a zero catch in 2019. They note the concerns of the fishing sector about the socio-economic implications of this advice, but would like to point out that the Baltic Sea multiannual plan Article 4.4 (Baltic MAP)² which provides exemptions allowing for TACs to be set a higher level than the F_{MSY} point value, does not apply to western Baltic herring, as its spawning stock biomass is below the required reference point, $MSY B_{trigger}$. In addition, due to the fact that western Baltic herring SSB is also below the critical reference point B_{lim} , it is appropriate for the decision makers to apply Article 5.3 of the Baltic MAP.

They understand the socio-economic consequences of the advice for the fishing sector and believe that appropriate support can be provided for the fishing fleet involved in this fishery by means of EMFF funds.

Herring SDs 25-29, 32, ex GoR

The **BSAC** recommends that the 2019 EU TAC for herring in the central Baltic management area should be 183.484 tonnes, which corresponds to a 20% decrease in the 2018 TAC and is in line with one of the scenarios in the ICES advice.

The rationale behind this recommendation is that the BSAC notes that the proposal to reduce the TAC is not based on an observed decline in the stock which is above $MSY B_{trigger}$ and the recruitment is high. The advice to reduce the TAC is driven by a new stock perception, which has led to a revision of stock size so that it is now believed to be more than 500.000 tonnes lower than last year. This translates into a reduction of more than 60% of the new stock estimate. The TAC for 2018 was actually set in line with the EU management plan and to a level below the scientific advice. The fact that ICES has now revised the estimate of SSB cannot be a reasonable argument for a draconian reduction in the TAC over just one management year.

Therefore, considering that the fishing mortality is estimated to be above F_{MSY} , and despite the stock being stable and above $MSY B_{trigger}$, the BSAC can accept a reduction in the TAC, but would like to see a stepwise decrease in order to avoid severe consequences for the industry. As previously stated, dramatic decreases and increases in TACs are difficult for the fishery to cope with.

For this stock it is also relevant to mention that in many fisheries herring is caught in a mixture with sprat. So a reduction as proposed by ICES would create choke problems and lead to an under exploitation of sprat.

Some OIG³ representatives recommend that the TAC does not exceed 136.464 tonnes, based on the ICES advice of F_{MSY} . Mixing of Gulf of Riga herring and Central Baltic herring as well as the Russian share (9.5%) have been taken into account in the calculations.

¹ WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation.

² http://www.bsac.dk/getattachment/BSAC-Resources/Documents-section/European-Parliament-and-Council/MAMPBaltic2016_1139http_eur-lex-europa.pdf.aspx?lang=en-GB

³ WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation.

Herring SD 28.1 Gulf of Riga

The BSAC recommends that the 2019 TAC for herring in this management area should be 31.044 tonnes, in accordance with the MAP F_{MSY} . This is based on the advised catch for the Gulf of Riga herring stock, plus the assumed catch of herring from the central Baltic stock taken in the Gulf of Riga, minus the assumed catch of the Gulf of Riga herring taken outside the Gulf of Riga.

Herring SDs 30-31

The BSAC recommends setting the 2019 TAC for herring in this management area at 88.703 tonnes, corresponding to the MSY approach.

Sprat SDs 22-32

The BSAC recommends setting the total 2019 EU TAC for sprat in line the F_{MSY} upper level, which corresponds to 280.121 tonnes.

The BSAC does not see the need for spatial management of the sprat fishery. If such an advice is to apply, all stocks should be taken into account. There is no clear scientific evidence that the growth of cod depends on sprat, but rather on benthic organisms.

One industry representative suggests solving this by sending larger vessels further north and compensating them with a larger quota, in other words by having temporal closed periods for the pelagic fishery in SDs 25-26.

The BSAC has been informed that ICES will host a workshop on closed areas and periods in August 2018⁴, and hopes that this problem will be dealt with on that occasion.

Some OIG⁵ representatives recommend a TAC of not more than 270.772 tonnes, based on ICES advice of F_{MSY} . The Russian share (10.08%) was taken into account in the calculations. They recommend, in accordance with the ICES advice, restrictions on the sprat fishery in SDs 25-26 and a redistribution of the fishery to SDs 27–32. They welcome a discussion on spatial management of the sprat fishery with more scientific input.

Salmon SDs 22-31

The BSAC is unanimous in expressing concern about misreporting of salmon and encourages the authorities to tackle the problem. However, misreporting has been observed in fisheries surveys and not in the EU fisheries control. It is a control issue that needs to be addressed as such and not by cutting the TAC. In view of the fact that, according to the advice, the salmon stocks are developing in the right direction, both salmon TAC (SDs 22-31 and SD 32) should be kept at the same level in 2019 as in 2018.

⁴ <http://www.ices.dk/news-and-events/meeting-calendar/Pages/ICES-CalendarDisp.aspx?sd=54af87b0-2b75-e811-80ce-00155d2cc047> WKCONGA

⁵ WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation

The BSAC therefore recommends setting the 2019 TAC for salmon in SDs 22-31 as a roll-over of the 2018 TAC at 91.132 salmon, in line with the EU Commission's proposal for a multiannual plan for Baltic Salmon, i.e. a harvest rule of $F=0.1$.

Some OIG⁶ representatives recommend setting the EU TAC at 64.864 salmon. Calculations of the salmon TAC are based on the ICES advice for wanted reported catch 68.000 fish plus 2% (2.320 fish) unwanted undersized discards⁷. Finally, the EU share of 98.1% is applied, assuming IUU and discards also occur in Russia. They highlight that misreporting of salmon as sea trout has been a long lasting problem in the salmon fisheries. ICES estimates that misreporting has increased from 6 % in 2014 to 29 % in 2017. They urge the European Commission and Member States concerned to take concrete action to improve control and halt misreported salmon catches.

Salmon SD 32

The BSAC recommends that the 2019 TAC for salmon in SD32 is set as a rollover of 10.003 salmon.

Some OIG⁸ representatives recommend that the 2019 TAC for salmon in SD32 is 9.418 salmon. Calculations of the salmon TAC are based on the ICES advice for wanted reported catch 9.676 fish plus 6% (708 fish) unwanted undersized discards⁹. Finally, the EU share of 90.7% is applied, assuming that IUU and discards also occur in Russia. They highlight that according to the ICES advice, measures to focus fishing effort on reared salmon should be implemented. Such measures could include seasonal regulations and/or relocation of coastal fisheries away from sites likely to be on the migration paths of the Gulf of Finland wild salmon. Fin-clipping of reared salmon stocks in all Baltic sea states would allow wild salmon to be distinguished from reared salmon, as well as help to identify wild salmon locations and fisheries on wild salmon.

Cod SDs 22-24

The BSAC recommends setting the 2019 TAC for cod in SDs 22-24 at 15.021 tonnes.

The BSAC sees the need to find a balanced approach in setting the fishing opportunities for 2019. The consequences of the radical reductions in the TAC have been severe for the fishing industry. The fishermen have already suffered considerable decreases in the TAC for the last two years.

⁶ WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation

⁷ EU undersized discards are added because salmon is fully subject to the LO and despite some high survivability exemptions for specific gear types we cannot assume that all discards are covered by the high survival exemption, as the advice does not specify which gears are responsible for the 2% discards.

⁸ WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation

⁹ EU undersized discards are added because salmon is fully subject to the LO and despite some high survivability exemptions for specific gear types we cannot assume that all discards are covered by the high survival exemption, as the advice does not specify which gears are responsible for the 6% discards. Calculated from Table 5 of ICES advice - based on 2017 ($506/9124=0.055$). Rounded to 2dp.

Setting the 2019 TAC for western cod according to the F_{MSY} approach would result in an expected total catch of 15.021 tonnes.

The BSAC is of the opinion that since the stock according to ICES will be above $MSY B_{trigger}$ in the regulatory year, there is no need for extraordinary measures, such as spawning closures. Spawning closures have not been demonstrated to have any measurable positive impact on stock development, but they have a significant negative impact on the small scale fishery. Closures should therefore only be implemented when stocks are below targets. Similarly the bag limits in the recreational fisheries were imposed as a consequence of the low stock level. As the stock is now above $MSY B_{trigger}$, they are redundant and should be removed.

With the ICES assessment that a TAC of 15.021 tonnes in 2019 will result in an SSB of 75.334 tonnes in 2020 (implying an F_{MSY} TAC of more than 23.000 tonnes in 2020), the BSAC is confident that the stock is in a better condition than it has ever been before. There is therefore absolutely no reason to be overly cautious in setting the TAC for 2019.

The problem of how to deal with the cod of eastern origin in the western management area is complex and now becomes even more complex as the size of the western cod stock increases. Given that there is no data to demonstrate how the present balance between west and east is reflected in the migratory behaviour of the two cod stocks, the BSAC is not in favour of a quota transfer for 2019 from the eastern Baltic cod TAC to the western Baltic cod TAC, calculated in the same way as in previous years.

Some OIG¹⁰ representatives are of the view that given the long term serious concerns about the western Baltic cod stocks, the risk of growth overfishing on one good year class clearly indicated in the ICES advice, the record low recruitment in 2016 and 2018 and the uncertainties in the assessment, managers should consider applying Article 4.3 of the Baltic Sea multiannual plan (Baltic Sea MAP) whereby fishing opportunities may be fixed at levels corresponding to lower levels of fishing mortality than those defined in the Annex I of the MAP. They therefore recommend applying a 20% TAC increase based on the 2018 TAC (5.597 tonnes), which will result in TAC for cod in SDs 22-24 of 6.716 tonnes. A 20% increase in the TAC will also secure a year to year stability in TAC setting. They also note that to make use of the full growth potential of the 2016 year class, ICES suggests using the F_{MSY} lower value in the Baltic Sea MAP when setting the TAC for western Baltic cod. Moreover, they support the continuation of the spawning closure in February and March 2019.

Those BSAC representatives of small scale fishers, who are also members of LIFE and the majority of the other interest group see substantial benefits in protecting the spawning stock by means of seasonal closures. A small-scale fisheries representative, LIFE member¹¹ considers it appropriate to increase the TAC by 80% in order to erase the effect of the recent TAC reduction.

¹⁰ WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation

¹¹ Fischereischutzverband Schleswig-Holstein/Association of Fisheries Protection

Some OIG¹² representatives note that for 5 of the 8 weeks of the closure in 2017 (until March 7th), there was fishery for flatfish that was also catching cod, so the closure was not actually fully in force during this period.

Cod SDs 25-32

The BSAC recommends setting the 2019 TAC for cod at 18.168 tonnes.

The BSAC expresses continued concern at the condition of this cod stock, as reflected in the advice. The BSAC is aware that the stocks show no improvement as compared to last year. Reports from the fishery also indicate a general decline in abundance, even if an increase in larger cod is found in the eastern parts of SD 26. According to ICES, the biomass shows a decline in most length groups, especially for large fish. The stock, as indicated by the large fish abundance index, is at its lowest level, even if there is a slight increase in the small fish abundance index from 2017 to 2018

Some of the mechanisms behind the generally bad condition of the stock are beginning to be understood in the scientific world. Reduced growth is now not only observed, but also described and the influence of parasite infection and eutrophication (and the consequential oxygen depletion) on the growth of cod are gaining increasing acknowledgement as potential causes for the situation.

In conclusion, the fishery is not the only factor influencing the stock condition and the stock cannot be improved by solely reducing the fishing pressure. On the other hand, it is not just a question about who is to blame, but also a realisation that the management must react to the observed situation. In consequence, the BSAC recommends following the ICES advice and setting the TAC according to the precautionary principle. However, the advised reduction should be applied to the TAC, rather than to the previous advice.

In suggesting this alternative use of the scientific advice, the BSAC has observed that the figure proposed by ICES is not a calculation of the proportion of the standing stock that can be sustainably harvested, but merely a precautionary reduction of a previously proposed figure. For the purpose of setting a precautionary TAC, the BSAC has tried to balance the ecological arguments for a reduction with the socio-economic consequences for the industry and coastal communities. A reduction in the TAC of 36% is beyond what would normally be considered socio-economically sustainable, but given the status of the stock, it can be accepted in the present situation.

As concerns the mixing of the eastern and western cod stocks in SD 24, the BSAC is not in favour of transferring the catch opportunities from east to west under the present conditions, as mentioned under the advice for western cod.

¹² WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation

Following the arguments given under the section on western cod, the BSAC is willing to accept that the status of the eastern stock is of concern and that the existing spawning closure east of Bornholm can continue in 2019. The BSAC is of the opinion that the spawning grounds and spawning periods should be assessed by scientists and therefore welcomes and looks forward to the planned ICES workshop in August to evaluate the effects of the spawning closures, and to the report due in September 2018.

Some OIG¹³ representatives are of the opinion that the TAC should be not more than 13.224 tonnes in SDs 25-32 based on the ICES advice. The Russian share (5%) was taken into account in the calculations. ICES advises catches of no more than 16.685 tonnes. This advice applies to all catches from the stock in SDs 24–32. Therefore the expected catch of eastern Baltic cod in SD 24 needs to be deducted. The Russian share (5%) also needs to be deducted. If managers apply a 20% variability to the western Baltic cod as the OIG recommends for western Baltic cod (see above), the corresponding figures for eastern Baltic cod would be a catch of 2.626 tonnes of eastern Baltic cod in SD 24 and 13.224 tonnes in SDs 25-32. They note with concern the ICES observations of discards being 11%, which they assume to be an underestimate, and ongoing problems of observer access to vessels.

One OIG¹⁴ representative points to the very weak development of the eastern cod stock, the lack of scientific data on why it is developing so poorly and other factors, such as seal populations and eutrophication are impacting the stock. Therefore, it recommends that the quota for the demersal fishery (bottom trawling) should be set at 0 (zero) and that a small quota should be left to preserve the small scale coastal fisheries using passive gears.

Plaice in SDs 22-32

The BSAC recommends setting the 2019 TAC for plaice according to the ICES advice: 14.160 tonnes.

Some OIG¹⁵ representatives recommend a 2019 TAC not exceeding 10.122 tonnes. This is calculated from ICES F_{MSY} advice for plaice in SDs 21-31 and the ICES precautionary advice for plaice in SDs 24-32. This recommendation is in accordance with the CFP requirements and Article 2.2 of the Basic Regulation which requires that the MSY exploitation rates be achieved by 2015 where possible, and on a progressive, incremental basis at the latest by 2020 for all stocks. ICES notes a change, at the request of the EU Commission, in the basis of the advice in SDs 21-23 from MSY to precautionary approach. The OIG understands that in line with the CFP, it is the MSY approach that should be followed.

¹³ WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation.

¹⁴ Baltic Sea 2020

¹⁵ WWF, Oceana, CCB, Fisheries Secretariat, European Anglers Alliance and Finnish Association for Nature Conservation