

Minutes: *Nephrops*, Principle 1 and 3 meeting

Meeting Date: 16th September 2021

Location: Teams

Attendees	Organisation
AB: Abigayil Blandon	WWF-UK
AH: Adam Holland	Sea Source
AC: Annika Clements	Ulster Wildlife Trust
BH: Barry Harland	Whitby Seafood
BL: Bill Lart	Seafish
CD: Calum Duncan	Scottish Environment LINK
CM: Cameron Moffat	Young's Seafood
CMe: Carlos Mesquita	Marine Scotland Science
CP: Claire Pescod	Macduff Shellfish
DW: Daniel Whittle (Chair)	Whitby Seafood
DG: Donal Griffin	Ulster Wildlife Trust
EW: Elaine Whyte	Community Inshore Fisheries Alliance
EB: Ewen Bell	Centre for Environment, Fisheries and Aquaculture Science
FN: Fiona Nimmo	Poseidon
GB: Giles Bartlett	Whitby Seafood
JP: Jo Pollett	Marine Stewardship Council
KC: Kenny Coull	Scottish White Fish Producers Association
ML: Mathieu Lundy	Agri-Food and Biosciences Institute
MS: Matt Spencer	Marine Stewardship Council
RG: Roy Griffin	Department of Agriculture, Environment and Rural Affairs
RL: Rebecca Lyal	Marine Stewardship Council
SSM: Sally Stewart-Moore	Seafish
SM: Simon Macdonald	West Coast Regional Inshore Fisheries Group
SD: Steph Davidson	Associated Seafoods
WD: William Davies	Hilton Seafood
Apologies:	
Ben Collier	Northern Ireland Gear Trials
Observer:	
MF: Mike Fitzpatrick	Verifact

Purpose of the meeting

This call was an opportunity for the Steering Group to review progress made against each of the Principle 1 and 3 actions in the *Nephrops* Fishery Improvement Project (FIP) action plan. It was also an opportunity for Mike Fitzpatrick to present the Irish *Nephrops* FIP.

Agenda Item 1: Update on Irish *Nephrops* FIP

Verifact is helping to deliver FIPs in the Republic of Ireland, including for *Nephrops* in the Irish Sea. Due to the overlap between its work and the Project UK *Nephrops* FIP, MF was invited to provide an update on their progress. The Verifact *Nephrops* FIP covers the ICES area VII trawl fishery, as there is only a very small creel fishery in Ireland. Specifically, the FIP covers Functional Unit 15 (Irish Sea

West), Functional Unit 16 (Porcupine), Functional Unit 17 (Arran Grounds), Functional Unit 20/21 (Labadie, James and Cockburn Banks) and Functional Unit 22 (Smalls), and a few others with very few *Nephrops* caught in them.

The FIP registered on FisheryProgress.org (FP.org) in October 2020 as a 'basic' FIP and is due to finish in August 2025. MF noted that Project UK seems to have a relatively high participation of experts on the Steering Group to address the actions compared to the Irish FIP, though Verifact is looking for collaborative opportunities in industry and research. The Verifact workplan aimed to set realistic expectations for the FIP by addressing 21 of the 28 MSC Performance Indicators over the five years in a phased approach (biannual action renewals) to adapt to the variable climate of the fishing industry. The current plan runs to December 2022, focusing on collecting data, building relationships and capacity to carry out the workplan, and ensuring fleet participation with the workplan. The FIP has had support from the Marine Institute and Bord Iascaigh Mhara's (BIM) Conservation Team.

The main issues from the Verifact *Nephrops* FIP pre-assessment related to varying *Nephrops* stock status, data deficiencies of cod and whiting bycatch, and cross-border assessments across the Functional Units. The FIP has progressed in vessel engagement, working relationships with co-ops, Producer Organisations, the Marine Institute and BIM. The FIP uses an opt-in approach to vessel membership, which MF explained relies heavily on the co-ops and Producer Organisations or a processor informing and incentivising the vessels they work with, which also helped gain trust and understanding from the catching sector. Member vessels have also been encouraged to join self-sample initiatives, which has been useful when observer coverage has been limited by Covid restrictions.

Upcoming work will include port workshops with skippers focusing on the FIP workplans and requirements, social risk assessment for FisheryProgress.org and initiating the certification process for Functional Unit 16 (Porcupine) if appropriate with a cost/benefit analysis. Work will also focus on traceability and supply chain verification, including specific vessel association to a product.

Discussion

DW asked MF how the Irish FIP plans to tackle Functional Unit management. MF said there are details of their approach in the workplan, and that the FIP has met with the Marine Institute *Nephrops* scientists to discuss how the FIP might move towards protecting individual Functional Unit stocks, while also taking an overall area-based management approach. This approach is favoured by the managers and industry in Ireland. Functional Unit 16 is the only stock in ICES Area 7 with a designated Functional Unit quota.

The FIP members have begun looking at potential safeguard measures for Functional Units in the North Sea and Western Waters Multiannual Plans (MAP), in the event of biomass triggers being exceeded, or if fishing pressure is too high. While the MAPs highlight the need for safeguards, there is no detail on what these should entail and when they will be applied, so the FIP members are looking to define these measures to better manage the Functional Units. BH asked about market demand for Irish *Nephrops*. MF has received a significant increase in interest in the last two years from markets (particularly from the UK) on whether the Irish *Nephrops* are from a FIP.

MF explained that the Irish industry are participating in self-sampling at the Functional Unit level to fulfil Principle 1 requirements. MF has met with Matt Darra, the Fisheries Liaison Officer at the Marine Institute on expanding the self-sampling to gather data required for Principle 2 actions such as the

technical measures being used in the FIP fleet. The outcome will be raised at the upcoming port workshops. The Marine Institute are trying to elevate participation in self-sampling due to the observer issues in 2020 – 2021 as a result of covid. On an on-going basis, a robust, verified self-sampling program reduces costs compared to improving observer coverage.

MF mentioned the FIP members are considering entering Functional Unit 16 to MSC assessment. The timeline will depend on BIM, who will undertake a cost benefit analysis of certification as there are immediate financial and resource costs. There is no expectation of it going forward to assessment in the next six months, though possibility within 12 months, and certainly decided by 2025.

GB asked if Brexit has and will impact the FIP and the working relationships around Functional Unit 14 and 15. MF has only seen increased FIP engagement and does not foresee issues with UK/Ireland collaboration at a FIP level.

Agenda Item 2: Review of this year's main action points

FN presented the latest progress on Principle 1 and Principle 3 actions in the *Nephrops* FIP. Expected score changes at the end of Year 3 are as follows:

Principle 1

- An improvement from 60-79 to ≥ 80 for P1 1.1.1 Stock status in Functional Units 6, 34 (all others are ≥ 80).
- An improvement from ≤ 60 to 60-79 in PI 1.2.1 Harvest strategy in all Functional Units.
- An improvement from 60-79 to ≥ 80 in PI 1.2.2 Harvest control rules and tools in all Functional Units.
- An improvement from 60-79 to ≥ 80 in PI 1.2.3. Information and monitoring in Functional Units 5, 10 and 34 (all others are ≥ 80).

Principle 3

A number of Principle 3 scores reduced to 60-79 in Year 2 due to uncertainties in UK legislation resulting from Brexit, though these should resolve over the next 12 months with new management established and proven to an extent. The expected improvements apply to all Units of Assessments and Functional Units.

- An improvement from 60-79 to ≥ 80 in PI 3.1.1 Legal and customary framework.
- An improvement from 60-79 to ≥ 80 in PI 3.1.2 Consultation, role and responsibilities.
- An improvement from 60-79 to ≥ 80 in PI 3.2.1 Fishery specific objectives.
- An improvement from 60-79 to ≥ 80 in PI 3.2.2 Decision making processes.
- An improvement from 60-79 to ≥ 80 in PI 3.2.3 Compliance and enforcement.

Agenda Item 3: Fishery Management Plan update

GB is the point of contact for the FIP's Fishery Management Plan (FMP) with MS supporting the content gathering. GB noted that the FMP document will be live for the continuation of the FIP and any future certification process. The sections will be developed by targeted interviews with Steering Group representatives from each sector. This approach increases engagement and pace of delivery while building rapport in the Steering Group.

The interviews are not being conducted by priority, but by ease of access to information. So far, ML and EB have been interviewed from the Devolved Administration's scientific bodies. The next interviews will be later in the year and will likely be aimed at the catching sector, then government fisheries management representatives, before closing with environmental organisations to give them a full overview of the FMP. GB may approach other members of the Steering Group for information requests between now and December 2021.

GB presented the FMP action tracker, which is available from the Secretariat. By the end of 2021, all sections should have a base level of information, and the FMP will have been circulated to the Steering Group for comment.

Discussion

CD acknowledged the level of work being undertaken, and the recognition of the stakeholders. GB expects the challenge will be to keep the document concise, and the content to be significantly enriched from the interview process. MS noted that there is an active comment box in the action plan that GB and MS use to identify Steering Group members who would be appropriate to interview or contact for further information.

Action from item 3:

1. GB and MS to continue outreach for information for the FMP and share a version of the FMP by the end of 2021.

Agenda Item 4: Harvest strategy

Prior to Covid, the Secretariat planned to conduct extensive outreach to the UK *Nephrops* fishery stakeholders to support the development of a draft harvest strategy. This has been delayed due to the pandemic but progress needs to be made on this action to avoid falling behind on the action plan.

The Secretariat will send a Doodlepoll to *Nephrops* stakeholders to schedule the first regional management meetings. These will be virtual, though in the future, in person meetings can be arranged if preferred.

Discussion

BL informed the group that he is adding a creel section to the alternative measures report, and suggested inviting colleagues from Seafish for the regional group meetings, which DW supported.

To support the dissemination of information discussed in the regional meetings, DW suggested the Secretariat attending Producer Organisation meetings as there are usually fishermen in attendance. DW, JP and EW agreed that the Inshore Fishing Groups (IFGs) meetings would also be a good platform for engagement, as external stakeholders may be invited to present. EW also suggested joining a Communities Inshore Fisheries Alliance (CIFA) Executive Committee meeting, or arranging an external meeting with the CIFA Executive Committee members.

CP reminded the Steering Group that they should be disseminating information to the members they represent. This can be done in person, or via Whatsapp and email. CP suggested sending a request to Scottish Fisheries Sustainable Accreditation Group members for them to share the information with their associated Producer Organisations and associations. SM chairs the West Coast Regional Inshore Fisheries Group, and welcomed a presentation at their next management meeting, and agreed to share information with the other IFGs.

FN notified that the regional meetings would be supported by Paul Medley who is a Principle 1 expert. DW informed the Steering Group that he recently met with Marine Scotland, and their stance on the development of Functional Unit management through technical measures is something they are open to, but Marine Scotland requested the current structure is respected.

Actions from Item 4:

1. BL to add a creel section to the alternative measure paper he leads on.
2. Secretariat to invite Seafish to the regional management group meetings.
3. Secretariat to follow up with SM, EW and DW around presenting at IFG and other fishing sector group meetings.
4. Steering Group members to disseminate information on regional management groups to their own members.
5. SM to check whether Secretariat can present on Project UK at the next West Coast IFG meeting.

Agenda Item 5: Harvest control rules

The Steering Group previously discussed the use of proxy reference points and concluded that $MSYB_{trigger}$ could be used as a limit reference point. The next step is to define B_{MSY} , and based on the MSC interpretation log on B_{MSY} and ICES assessed stocks, the Steering Group is working on the assumption that using $2 \times B_{pa}(B_{trigger})$ is an appropriate proxy for B_{MSY} . The implications of this calculation for each Functional Unit will be considered in the regional workshops. JP asked for Steering Group reflections on this application of $B_{trigger}$, evidence for and against managing using Catch Per Unit Effort (CPUE) and Cefas, AFBI and Marine Scotland's view on the stated approach to B_{MSY} .

$B_{TRIGGER}$ as a reference point

With regard to Action 3 in the FIP action plan, CMe asked whether the initial goal was B_{lim} , not calculating B_{MSY} as presented today. FN noted calculating B_{MSY} or a proxy is a requirement in the MSC Standard to assess where the stock is in relation to point of recruitment impairment (PRI) and MSY . The action plan focuses on B_{lim} , and based on the transferable learning from previous assessments where they used $MSYB_{trigger}$ as the limit reference point, there was general agreement it was a sensible approach for most Functional Units. FN noted the proposal for $2 \times B_{pa}(B_{trigger})$ was designed to stimulate debate as opposed to a decided approach.

ML and CMe believed that it is difficult to use a single formula, such as $2 \times B_{pa}(B_{trigger})$ for the calculation of a reference point. ML pointed out that as a generic rule, the reference point should be life-history based and considerate of each Functional Unit. NL, CMe and EB all agreed that they would have to defer to a more in-depth ICES led process in defining the rule. Using just $2 \times B_{pa}(B_{trigger})$ would leave the reference point open to debate. CMe noted that the ICES reference point workshops (though not necessarily *Nephrops*) will be in December/ January.

Approach to B_{MSY} calculation

EB noted that ICES is developing advice on this topic, which will be released shortly and may not align with the Steering Groups' approach. ML advised contacting ICES to raise *Nephrops* reference points as a priority, and stated that ICES is willing to consider multispecies or ecosystem approaches to management if stakeholders present a need for it. EB said the UK government is the advice requester

to ICES (a team in Defra operating on behalf of an agreed priority list from the Devolved Administrations), and would need to submit the request. Michelle Hackett (Defra) leads the MoU for ICES and would be the contact for requests. CP suggested forming a subgroup to develop a request.

Catch Per Unit Effort

EB raised the importance of environmental drivers causing *Nephrops* to leave their burrows that may give the impression of increased stock sizes. On several occasions in the Farne Deep, the landings have decreased despite large presence of burrows from the TV surveys. Therefore, the stock status should always be based on more than one year's data, which CMe and ML seconded. DW asked if any work had been undertaken on correlations between CPUE and changes in biomass. EB said there had, which in some places resulted in a negative relationship, though a more research is still needed.

Discussion

EW said that CIFA and the Producer Organisations have raised concern about Functional Unit management and any decisions should be going through Inshore Fisheries Management and Conservation group (IFMAC) and IFGs for wider consideration. The implications and potential changes in future fisheries management may depend on which Scottish political party take control.

DW asked EW to explain the Producer Organisation opposition to Functional Unit management through technical measures (not TAC or effort based) if the stock is at risk of failing in a designated Functional Unit. EW said the Producer Organisations she spoke to were concerned about what impact the closure of one Functional Unit may have on their MSC assessment, if the neighbouring Functional Unit remains open to fishing. They also asked if there would be a repercussion on their annual audit if the catch target had not been met in the 12 months prior. This impression was taken from a document EW will source and share with DW. FN clarified that if the fishery was certified, and the stock dropped below the limit reference point in a Function Unit, the agreed technical measures would be triggered. At EW's suggestion, DW proposed an action to speak to John Anderson (Scottish Fishermen's Organisation) and the Producer Organisation to clarify their position on Functional Unit management.

CP suggested the regional management outreach with Scottish fishing organisations will help with framing questions on the various Functional Unit management approaches. More generally on Functional Unit management, EW suggested reaching out to the Inshore Fisheries Management and Conservation Group and IFGs to gather wider input.

Action from Item 5:

1. DW to speak to John Anderson (Scottish Fishermen's Organisation) and the Scottish Producer Organisations to understand their concerns about Functional Unit management.
2. Secretariat to coordinate a request to ICES to prioritise *Nephrops* reference points.
3. EW to share the report of Functional Unit management that triggered her concerns, with the Secretariat for clarification.

Agenda Item 6: Stock status

FN reminded the Steering Group of the Action 1 performance indicator PI 1.1.1 Stock status target (currently scoring SG60-79), which is to maintain harvest ratio below 7.5% in Functional Unit 34 (Devil's Hole), and below 8.2% at Function Unit 6 (Farne Deeps). At the last annual review, Functional Unit 34 was on target (4.9%) but Functional Unit 6 was behind target (16.1%), which is double MSY.

FN asked the Steering Group for information on any measures that have been suggested to reduce the harvest rate in Functional Unit 6 (Farne Deeps), and whether these measures have been acted upon.

Discussion

DW explained that technical measures were introduced under EU requirements, and with the agreement of Producer Organisations brought together by Defra, because the stock had been consistently below B_{trigger} . The Scientific, Technical and Economic Committee for Fisheries (STECF) had raised concerns on these measures, but the associated scientific bodies thought it should be sufficient. The North Sea Multiannual Plan states that no action is needed unless the stock drops below $MSYB_{\text{trigger}}$, and therefore no action has been taken despite fishing being above MSY. DW suggested the Steering Group could raise the issue with Defra as it applies to English waters.

FN added that the regional management groups would discuss the various management approaches and appropriate reference points, including the use of $MSYB_{\text{trigger}}$ instead of HR_{MSY} . DW noted that the stock has rarely been fished at MSY, and since 2005, F has been below MSY once.

GB agreed that this is a discussion point for the regional groups, and that one measure previously put in place was a ban on twin rig trawling within 12 nautical miles, so the local boats operating a single rig have exclusive access within the 12 nautical mile limit.

Fishing outside Functional Units

CMe said ICES provides a basic report on total catch levels per Functional Unit every three years, applying a 20% decrease to the precautionary advice as a buffer, if necessary. GB asked if ICES determines new Functional Units based on a catch threshold. CMe doesn't think so but the topic is an action point for upcoming ICES meetings.

CP said traceability could be an issue if there is fishing outside of Functional Units, in terms of correctly separating the catch from certified and uncertified Units of Assessment. FN advised that a Risk Based Framework would be needed if the Steering Group wants to include catches from outside Functional Units, and that the eLog data would show which ICES area a catch was made in. The MMO would also have data on their iFish database. GB suggested the Steering Group only included the assessed Functional Units in any potential certificate for the fishery, and not permit fishing outside it. However, the Steering Group agreed it would not be appropriate to tell fishermen where they can or cannot fish.

FN noted the FIP includes both TR1 and TR2 gear, and as TR1 gear is designed to catch whitefish rather than *Nephrops*, it will not be limited to the Functional Units. FN suggested the next Steering Group meeting should discuss whether to include landings from outside Functional Unit as part of the FIP, with consideration for how it will shape the UoA, which GB felt should be discussed at a regional management group.

Actions from Item 6:

1. Steering Group to discuss whether to include landings from outside Functional Unit as part of the FIP, with consideration for how it will shape the UoA, at the next meeting.
2. CMe to update the Steering Group on catch outside of Functional Units when more information becomes available from ICES.

Agenda Item 7: Information and assessments

CMe and ML provided an update on the scientific surveys that went ahead in their national waters this year. Pre-covid, there were two rounds of advice from the North Sea, in Spring and Autumn, and one round in Autumn from the Celtic Sea and West of Scotland. The new survey schedule and advice runs only in Autumn in all Functional Units, and will be published on 29 October.

Irish Sea surveys for Functional Units 14 and 15 took place in the late Summer and the analysis is complete. The Functional Units had reduced sampling in 2020 due to covid restrictions. Functional Unit 15 is comprised of industry-led self-sampling. Preliminary results for the Celtic Sea is due next week, and will be published late October. CMe noted there was no survey update for Functional Unit 5. The survey for Functional Unit 6 saw a 6% decrease.

There was an action from the last meeting to review the WKNEPREF report, but it is no longer available online. ML and CMe offered to locate this report and share with the Steering Group.

Actions from Item 7:

1. ML/ CMe to share the WKNEPREF report with the Steering Group.

Agenda Item 8: Compliance and Enforcement

At the last Steering Group meeting there was a request to understand more about the progress of the MarPAMM project. DG (Northern Ireland task force officer at Ulster Wildlife Trust) sits on the MarPAMM advisory group and joined the meeting to provide an update. MarPAMM is looking to develop Northern Irish, Scottish and Republic of Ireland transboundary MPAs. A project extension has been granted due to covid to until September 2022, and is coordinated by AFBI in Northern Ireland and delivered by statutory, academic and non-governmental organisations. MarPAMM deliverables will supply management plan guidance to the statutory organisations.

Five work packages are being undertaken:

1. Seabird modelling- surveys have been conducted in the summer, with a report due by September 2022.
2. Benthic habitat modelling, with surveys carried out by AFBI.
3. Seal foraging and underwater noise modelling
4. Coastal processes models on shoreline evolution, primarily in the Murlough SAC.
5. MPA management plans. In Scotland the focus has been on strategic objectives in Argyll and Outer Hebrides. A first draft of MPA guidance is due late 2021.

iVMS:

MS highlighted that the score for compliance and enforcement is expected to change at the end of Year 3. The action requires the fishery to provide evidence that it is complying with Landing Obligation. MS asked the Devolved Administrations for any anonymised data on non-compliance with the Landing Obligation and for the Steering Group to suggest any other approaches to move the PI from SG60 – 79 to >SG80.

Discussion

KC noted that it is likely that the legislation around the Landing Obligation will change in Scotland. The Marine Scotland observer sampling scheme and Scottish Fishermen's Federation's self-sampling scheme have both recommenced and will provide data on discard rates. In the last two years there were derogations for discarding, which may be implemented again next year.

KC explained the SFF have started a self-sampling scheme that complements the surveys conducted by Marine Scotland, which will be operating on Scottish vessels, including on some *Nephrops* trawls.

FN suggested the *Nephrops* FIP should also align with the lemon sole and plaice FIP on this action, as both FIPs use TR-2 gear and are subject to the Landing Obligation. FN pointed out that MS had been in touch with Marine Scotland Compliance before and suggested asking again for any anonymised instances of non-compliance in the Scottish *Nephrops* fleet to support the MSC requirements to demonstrate compliance with all relevant national legislation.

Action from Item 8:

1. The Secretariat to contact Marine Scotland Compliance for anonymised data on instances of non-compliance.

Meeting Closes

16:37

Actions Arising	Responsibility
<u>Fishery Management Plan update</u> <ul style="list-style-type: none"> Continue outreach for information for the FMP and share a version of the FMP by the end of 2021. 	Giles Bartlett and Matt Spencer
<u>Harvest strategy</u> <ul style="list-style-type: none"> BL to add a creel section to the alternative measure paper he leads on. Secretariat to invite Seafish to the regional management group meetings. Secretariat to follow up with SM, EW and DW around presenting at IFG and other fishing sector group meetings. Steering Group members to disseminate information on regional management groups to their own members. SM to check whether Secretariat can present on Project UK at the next West Coast IFG meeting. 	Bill Lart The Secretariat The Steering Group Simon Macdonald
<u>Harvest control rules</u> <ul style="list-style-type: none"> DW to speak to John Anderson (Scottish Fishermen's Organisation) and the Scottish Producer Organisations to understand their concerns about Functional Unit management. Secretariat to coordinate a request to ICES to prioritise <i>Nephrops</i> reference points. EW to share the report of Functional Unit management that triggered her concerns, with the Secretariat for clarification. 	Dan Whittle The Secretariat Elaine Whyte
<u>Stock status</u> <ul style="list-style-type: none"> Steering Group to discuss whether to include landings from outside Functional Unit as part of the FIP, with consideration for how it will shape the UoA, at the next meeting. 	All Steering Group members Carlos Mesquita

<ul style="list-style-type: none"> CMe to update the Steering Group on catch outside of Functional Units when more information becomes available from ICES. 	
<u>Information and assessments</u> <ul style="list-style-type: none"> ML/ CMe to share the WKNEPREF report with the Steering Group 	Mathieu Lundy / Carlos Mesquita
<u>Compliance and Enforcement</u> <ul style="list-style-type: none"> The Secretariat to contact Marine Scotland Compliance for anonymised data on instances of non-compliance. 	The Secretariat