Minutes: plaice and lemon soleprinciple 1 and 2 

Meeting Date: 3rd February 2021

Location: Teams call

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| Attendees | Organisation |
| AJ: Aisla Jones | Co-op |
| AB: Andy Boulton | Waitrose |
| BL: Bill Lart | Seafish |
| CM: Cameron Moffat | Young’s Seafood |
| HS: Hayley Swanlund | WWF-UK |
| JP: Jo Pollett | Marine Stewardship Council |
| KC: Kenny Coull | Scottish White Fish Producers Association |
| KK: Katie Keay | Marine Stewardship Council |
| LH: Leendert Hakvoort | Lowestoft Producer Organisation |
| LR: Lisa Readdy | Centre for Environment, Fisheries and Aquaculture Science |
| MS: Matt Spencer | Marine Stewardship Council |
| MM: Mike Mitchell | Young’s Seafood |
| RC: Rod Cappell | Poseidon |
| WD: William Davies | Hilton Seafood UK |

Purpose of the meeting

This call was an opportunity for the Steering Group to review progress made against each of the actions under Principle 1 and 2 in the Project UK plaice and lemon sole Fishery Improvement Project (FIP) action plan and determine key priorities ahead of the annual review in March.

Agenda Item 1: stock status

The North Sea lemon sole fishery previously had biological reference points for stock management, but these were removed after an ICES benchmarking exercise in 2018. LR informed the Steering Group that only proxy reference points for lemon sole are available, based on fishing pressure. There are currently no plans for another benchmarking for lemon sole so the fishery will have to use the fishing pressure proxy reference points for any management measures.

RC explained that this is not the ideal situation for the fishery, but using the MSC Standard Risk Based Framework (RBF) approach for data limited stocks, the fishery should still reach the SG80 level. Assessors can choose to assess a fishery using proxy reference points, so it is the decision of the P1 assessor as to whether they want to use the RBF methodology or the fishing mortality (F) proxy reference points provided by ICES. The current ICES advice indicates a positive view for stock status and fishing pressure, similar to the results expected using RBF, so either way the fishery has possibilities for passing an MSC assessment, even if there is a condition attached.

LR explained that ICES use a ranking system to determine which species should be benchmarked each year. Lemon sole is quite low on the list as there has been no new information since the 2018 benchmarking exercise. If additional age-length information becomes available, then there is a possibility lemon sole could be moved up the priority list. ICES also needs to consider its resource capacity to host benchmarking workshops, which limits how many can be held per year.

RC asked whether any fisheries dependent information could be provided by Steering Group members to help ICES reconsider the stock assessment methodology. LR explained that the benchmarking tested as many assessment types as possible, including a full stock assessment. Due to lack of age information available to determine a stock size indicator the assessment reverted to the survey trends-based assessment (SURBAR) methodology. The ICES working group, WKLIFE, may be able to provide suggestions for alternative assessment models for Category 3 stocks, otherwise a full assessment is needed to provide the stock size indicators and reference points. The onboard observer programs and market samples don’t provide enough age or length data for a full assessment yet. Based on the benchmarking report, a full assessment is not feasible so stock management will continue to be based on the current data limited assessment methodology.

If this fishery became certified with a condition on stock status, the client action plan would need to detail proactive steps to take, rather than listing a ‘watching brief’ on ICES advice each year. LR suggested speaking to the ICES stock assessment coordinator to understand whether there is anything the Steering Group could do to support a full assessment for lemon sole, or to develop new data limited methods to address data deficiencies for this fishery. KC attended the 2018 benchmarking workshop, and noted that there was a lack of historic data for the assessment to fall back on. BL suggested asking a P1 specialist to review the WKLIFE assessment methods and consider how they would score in an MSC assessment. JP agreed to help the Steering Group draft a Terms of Reference for this work, and RC offered to provide recommendations for P1 assessors to deliver this review.

LR explained that a benchmarking exercise is not necessarily needed to change the stock assessment methodology for a fishery. When a new proxy reference point for stock size or fishing mortality is developed for a Category 3 species, it goes to an inter-benchmark. This does not involve a workshop, so can be put forward any time of year as long as all information needed is in an externally reviewed paper.

Actions from Item 1:

1. Secretariat to help the Steering Group draft a Terms of Reference for a P1 expert to review the WKLIFE Category three assessment methodologies and the redrafted DLS methodology, including whether the latest ICES report (fig.2) would be sufficient to score lemon sole without the RBF methodology.
2. RC to provide recommendations for P1 assessors to undertake the assessment review.

Agenda Item 2: harvest strategy

*Total allowable catch*

As it is unlikely that there will be a single species TAC for lemon sole in the foreseeable future the Steering Group agreed to consider an alternative harvest strategy. ICES provides annual advice based on the precautionary approach, and catches are consistently below this advice. KC reviewed the ICES advice alongside the spatial and temporal distribution of lemon sole catches across the Unit of Assessment (UoA) to help develop an alternative harvest strategy that could meet the MSC Standard requirements. KC explained that management of hotspot areas would require real-time information on the location of hotspots. As lemon sole is considered a bycatch species, introducing additional management measures could result in significant losses for the target fishery and lead to non-compliance.

BL presented figures on the TAC uptake in the North Sea: Belgium 400t, Denmark 900t, England and Wales 300t, Scotland 900t, Netherlands 350t, France, Germany, Northern Ireland and Sweden all take very small amounts. England, Wales and Scotland together take approximately 50%, and the Netherland also take a significant amount. RC highlighted that the P1 aspects of the MSC Standard are related to overall stock management so it is important to understand whether actions taken by the client group will have an overall impact on the exploitation of the stock.

LH estimated Osprey lemon sole catch to be around 200t per year. He clarified they usually fish lemon sole for a maximum for four months each year (May- Oct), and avoid these areas for the rest of the year. RC suggested that midway through the year there should be a review of the projected end of season catch relative to the TAC, while Osprey is still active in the fishery. The decision needs to be fair and equitable for all vessels so that those fishing later in the year are not negatively impacted by what is taken in the first quarter.

BL suggested getting Danish input as they catch such a large proportion of catch, but as they aren’t part of the client group this FIP has limited influence over their activity. For example, in the Fladen the MSC client group vessels abide by voluntary measures to protect seapens, but other nations that are not part of the certification continue to fish there anyway. RC said that the Danes are part of the Joint Demersal Fishery (JDF) certification in the North Sea, so they may consider extending their certificate to include lemon sole. The Secretariat offered to speak with the MSC Benelux office to understand whether the addition of lemon sole has already been considered by the JDF fishery.

*Potential technical measures*

KC suggested the client group should monitor the uptake and projected uptake of lemon sole quota. If uptake looks like it will exceed the TAC then measures would need to be put in place, including applying a move on rule for client vessels based on a CPUE trigger. KC has spoken with Jennifer Mouat at SFSAG and she believes she could monitor catches against quota uptake and arrange a meeting for the fleets to agree a move on rule once required.

RC said this is a sensible approach and should meet the requirements for SG80 in the MSC Standard. Ideally the trigger level needs to be defined first, but if the harvest control rule states that catch will be monitored to understand what level of CPUE trigger is necessary to remain below the TAC then that could be considered ‘well defined’, as outlined in the MSC Standard guidance. Usually a harvest control rule states ‘if X happens then we do Y’, but if there is a well-defined process instead of a value, and an explanation for this approach, then that could also be considered as a well-defined strategy. The background provided by KC and BL can be added to the Fishery Management Plan (FMP) to provide strong evidence justifying this approach.

CM asked whether two parallel FMPs are needed because of the two separate client groups, and RC explained that it would be stronger to have a single FMP that a large portion of the fishery is abiding by. Osprey is a member of the Lowestoft PO so their landings are included in the English data. KC explained that there are two separate fleets in this FIP so CPUE trigger levels might be different for each, so the harvest strategy needs to be appropriate and coordinated for both groups. Additionally, the CPUE reduction could be different each year based on activity levels and ICES advice. There is variability between the activity of both fleets temporarily, which will need to be considered by the harvest strategy as well.

Actions from Item 2:

1. Secretariat to speak with the MSC Benelux office to understand whether the addition of lemon sole has already been considered by the JDF fishery.
2. BL/CM to update the FMP with figures for Osprey and SFSAG TAC uptake, and details of KC’s harvest strategy.

Agenda Item 3: secondary species

RC said he spoke to his colleague Fiona Nimmo, who is working on the *Nephrops* FIP, to understand more about how *Nephrops* is considered under existing MSC certificates in the North Sea. The most recent surveillance audits do not raise *Nephrops* as an issue, so RC has asked FN to explore this further before the annual review in March. The current FIP score does not reach SG80 because it includes the status of *Nephrops* in Devils Hole, but other certified fisheries do not include this. RC wants to understand why and whether the FIP could harmonise with the approach of these other certifications. There is not much this Steering Group can do directly to influence *Nephrops* stocks or management.

JP reminded the group that the SFSAG certification in the North Sea is currently on v1.3 of the MSC Standard and is transitioning to v2.0 this year, which may highlight requirements for the consideration of *Nephrops*. RC explained that some of the North Sea assessments have considered each *Nephrops* Functional Unit as a separate stock, and then calculated *Nephrops* as a percentage of bycatch for each stock rather than overall for the fishery. RC said FN will explore this further, as it may mean the percentage of bycatch relegates *Nephrops* to a minor species for many of the Functional Units. The UoA covers demersal trawl (TR1 and TR2), which includes *Nephrops* trawlers, so as a percentage of total catch *Nephrops* is above the 5% designation for a main species, but breaking the catch down by Functional Unit means only those areas where the presence is above 5% would need to be considered in the assessment.

Actions from Item 3:

1. RC to discuss a suitable approach to *Nephrops* with Fiona Nimmo ahead of the annual review.

Agenda Item 4: alternative measures report

BL, WD and CM drafted an alternative measures review. BL needs to update the report with grading data from processors in relation to catch length frequency distribution. This will provide clarity on which section of the length frequency distribution is exploited and how this compares with the total catch. CM offered to share supply chain grading information to support this. BL agreed to finish these additions and then circulate the report to the Steering Group.

The report needs to be reviewed by Defra ahead of the annual review. RC said that their review does not have to be comprehensive, Defra can simply acknowledge that the FIP has undertaken a review of alternative measures.

Actions from Item 4:

1. BL and CM to finalise the alternative measures report, including grading information, and circulate to the Steering Group
2. Secretariat to have Defra review the alternative measures report

Agenda Item 5: endangered, threatened and protected species (ETP)

EG originally drafted an ETP list and consulted with the statutory nature bodies for feedback. WD and KC have since reviewed the list with the catching sector for their input. WD drafted a combined list, including existing ETP lists from certified fisheries, and noted where some species may not interact with this fishery, for example bird beaked dogfish is considered a deepwater species with no distribution in the North Sea. The JDF certification was useful as a reference list as it covers a similar fishing area.

The ETP list needs to be circulated to the Steering Group for further feedback on species that are missing, or are likely to draw attention during MSC the assessment process. RC explained that there has been a lot of focus on priority marine features (PMFs) in the other FIPs, and these will need to be considered as ETP species for this FIP as well. There are already management measures in place for most ETP species, including the wheelhouse guides for SFSAG, but there may be species that need to be added to the management. CM suggested the client groups undertake a gap analysis against their current lists to check if they need to add anything new. RC reiterated that it is just a case of checking whether there are additional species that need to be considered, but that does not mean additional measure will need to be taken. The group needs to recognise if additional measures are needed or provide a justification if not.

KC presented observer data for ETP species and RC reiterated how important this data is to inform any justification for action or management. Marine Scotland previously provided data on ETP interactions but cannot provide updated data as they cannot access their offices due to Covid. SFF has provided its own data from their observer sampling scheme in 2019, which mostly highlights skates and rays in the catch. KC has updated the ETP list with interaction levels in the SFSAG fishery, including ICES advice and a classification of the risk of interaction with a justification.

BL said the alternative measures report will need updating with the latest ETP data and management measures. CM and BL agreed to address this during their review of alternative measures. CM added that this ETP action is currently behind so it would be great to complete it before the annual review.

Actions from Item 5:

1. WD to add KCs justifications, evidence and rationale into the ETP list and circulate to the Steering Group for feedback before the annual review.
2. CM/BL to add the ETP list and management measures into the alternative measures report.
3. LH to ask the Osprey observer for the current status of their starry ray condition and share with the Steering Group.

Agenda Item 6: habitats

KC updated the Steering Group on his review of MPA management measures in Scottish waters. Currently the MPAs have been designated but no management measures have been implemented. Industry may need to introduce voluntary measures for an MSC certification, but fishermen may not be willing to agree to voluntary measures to protect a species generally considered bycatch. KC presented a table of MPAs and comments on how willing fishermen might be to consider voluntary measures in each of the areas. The main stumbling block is that fishermen are reluctant to stop fishing voluntarily if other nations are still able to fish in that area. Central Fladen already has voluntary management measure in place associated with the SFSAG certification, but the other MPAs do not. RC said that there needs to be a harmonization with the SFSAG and JDF certificates, and their conditions on this.

There is currently a Defra consultation on potential management measures for English MPAs, and Marine Scotland is expecting to agree management measures by early 2022. RC explained that there is a lag between the MPA designation and the introduction management measures, but the recent consultations may mean there is management in place when this fishery reaches the point of assessment. KCs review should get the habitats action on track at the annual review. RC agreed that voluntary measures should only be introduced if the official measures are delayed. LH explained that MPAs are not an issue for Osprey as their target area is the Norwegian border and the Danish area.

Actions from Item 6:

1. Secretariat to check the timeline for the Defra and Marine Scotland the consultations and implementation for management measures in MPAs, and inform Steering Group.

Any Other Business

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|  | Actions Arising | Responsibility |
| 1 | Actions from Item 1:   1. Secretariat to help the Steering Group draft a Terms of Reference for a P1 expert to review the WKLIFE Category three assessment methodologies and the redrafted DLS methodology, including whether the latest ICES report (fig.2) would be sufficient to score lemon sole without the RBF methodology. 2. RC to provide recommendations for P1 assessors to undertake the assessment review. | Secretariat  RC |
| 2 | Actions from Item 2:   1. Secretariat to speak with the MSC Benelux office to understand whether the addition of lemon sole has already been considered by the JDF fishery. 2. BL/CM to update the FMP with figures for Osprey and SFSAG TAC uptake, and details of KC’s harvest strategy. | Secretariat  BL/CM |
| 3 | Actions from Item 3:   1. RC to discuss a suitable approach to *Nephrops* with Fiona Nimmo ahead of the annual review. | RC |
| 4 | Actions from Item 4:   1. BL and CM to finalise the alternative measures report, including grading information, and circulate to the Steering Group 2. Secretariat to have Defra review the alternative measures report | BL/CM  Secretariat |
| 5 | Actions from Item 5:   1. WD to add KCs justifications, evidence and rationale into the ETP list and circulate to the Steering Group for feedback before the annual review. 2. CM/BL to add the ETP list and management measures into the alternative measures report. 3. LH to ask the Osprey observer for the current status of their starry ray condition and share with the Steering Group. | WD  CM/BL  LH |
| 6 | Actions from Item 6:   1. Secretariat to check the timeline for the Defra and Marine Scotland the consultations and implementation for management measures in MPAs, and inform Steering Group. | Secretariat |