

NSAC Advice Ref. 01-2122

NWWAC/NSAC recommendations on management measures for seabass for 2022

5 November 2021

1. Background

The joint NWWAC/NSAC Focus Group on Seabass met on 7 October 2021 to discuss the preparation of advice to the COM on potential measures to be taken in 2022 in both commercial and recreational fisheries to aid the recovery of seabass stocks. The advice presented below was further discussed and finalised by correspondence and approved by written procedure by the NWWAC and NSAC Executive Committees on 2 and 5 November 2021 respectively. No consensus could be reached on the entirety of the advice and accordingly this document provides recommendations adopted by a majority of the members of the NWWAC and NSAC and, as required by Annex III of (EC) No 1224/2009, records the dissenting opinion expressed by the European Anglers Alliance (EAA) and the International Forum for Sustainable Underwater Activities (IFSUA). Moreover, NSAC OIGs cannot fully support this paper. NSF and Oceana recommendations on setting of fishing opportunities are available [here](#).

2. Seabass catches allocation tool

At the request of the European Commission, ICES developed an allocation tool for seabass catches aimed at testing management scenarios for commercial fishing (annual or monthly individual limits by trade) and for recreational fishing (daily individual limit per period), using ICES sampling recommendations as the maximum value.

The tool was first made available to the NWWAC to prepare its opinion at the end of 2019 and an updated version was released in October 2020. In response and in view of the concerns that the use of the tool gave rise to, and the points of weakness identified and expressed in the advice provided by the NWWAC in 2019 and 2020, the NWWAC and NSAC consider that a revision and a substantial improvement of the tool are necessary before it can be put to good use for the exercise of discussing management measures.

The two Advisory Councils appreciate that the Commission is aware of these issues and is planning to prepare new Terms of Reference for ICES for an improved version of the tool. Paragraph 2 in the [NWWAC 2020 advice on seabass](#) contains a detailed explanation regarding the weaknesses of the tool in its current version and proposes a set of opportunities for improvement, as summarised below:

- The catches allocation tool does not consider catches' seasonality, which is a very marked trait for certain métiers, nor the higher activity constraints imposed on commercial fishing by a monthly and catch limitation. The tool is largely free from the restrictions applied in reality and cannot be used to test measures (such as the percentage of total catch per trip for demersal trawls and seines) other than individual catch limits.
- The tool is very unrealistic in assuming that each vessel exhausts its entire catch limit and consequently greatly overestimates the fishery withdrawals.
- Results overestimation can be addressed, at least partially, by subdividing the number of vessels corresponding to each métier into three groups, according to the individual production of each vessel in the previous year. This method would help to give sufficient credibility to the estimate levels to allow their comparison with ICES recommendations.

From the recreational fisheries point of view, the current version of the tool shows an increase of the recreational impact of about 7%, with similar bag limits compared to last year. This reasonably corresponds with the increase in spawning stock biomass. Therefore, the ACs would support the use of the current version of the tool for discussing management measures for recreational fisheries.

3. Recommendations on seabass management

Industry position:

The 2021 ICES assessment for seabass stocks in Divisions 4.b–c, 7.a, and 7.d–h (central and southern North Sea, Irish Sea, English Channel, Bristol Channel, and Celtic Sea, also referred to as North zone in this document) shows again some improvement, as it had in 2020, in comparison with previous years trends. Indeed, fishing mortality (F) has been below F_{MSY} since 2016. After a period of decline from 2009 to 2017, the spawning stock biomass (SSB) has shown an upward trend since then and is currently just above B_{lim} . ICES advises that when the MSY approach is applied, total removals in 2022 should be no more than 2216 tonnes (representing a 10% increase compared to the 2020 advice). According to the Western Waters Multiannual Plan (Regulation (EU) 2019/472) catch scenario, F_{MSY} ranges are between 1859 tonnes and 2216 tonnes.

To aid stock recovery, EU-wide measures have been introduced since 2015 to reduce exploitation, and now essentially prohibit directed fishing for seabass, except with hooks and lines. Recreational fisheries were restricted by no-retention some months of the year and daily bag limits the rest of the year. The management measures introduced for seabass have reportedly resulted in changes in fishing behaviour to avoid catches of seabass. These measures produced a dramatic decrease in fishing mortality, with biomass showing positive trends of recovery.

However, despite the positive evolution in the ICES advice, the stock remains vulnerable, and a cautious management approach continues to be necessary. It would not be wise to relax the management measures too early, as some good recruitment is required to rebuild the stock to safe levels. As reported by ICES, most catches since 2017 have been unavoidable bycatches. Industry

members have reported great and increasing levels of above minimum sized seabass discards since 2017. In 2019, French data (Obsmer, Ifremer) showed a proportion of above minimum sized seabass discards higher than 50% (54%). It is too early to consider this data as definitive, but it clearly confirms the comments of fishers. The industry reports that discards have been larger than landings in France since 2018. Industry members believe that this trend is likely to continue if measures adapted to the reality of the inevitable catch levels are not defined. This is mainly due to the stronger 2013, 2014, 2016 and 2018 year classes recruitment to the fishery. ICES assumed discards data suggest a decline over the last three years but note that this may be substantially underestimated.

In consideration with the above, it is still too early to change in depth the management principles applied since 2017 both for commercial fishing (total ban on fishing except for certain métiers, prohibition on targeted fishing except with hooks and lines, etc.) and for recreational fishing (bag limit and “no kill” period). The ACs consider the strategy of the last years efficient and, in line with the positives results, propose that the management measures for seabass in 2022 target the ICES catch scenario of 2216 tonnes corresponding to F_{MSY} by maintaining the following principles:

- No targeted catches
- Careful relaxation of the measures for trawl / seine (most concerned by discards) to transform unavoidable catches (today discards) to landings
- Maintain the total taking (landings and discard)

EAA and IFSUA minority position:

The latest ICES advice shows that the stock is still in a fragile state and growing very slowly. CEFAS advised that it could take 15 years for the stock to reach $B_{trigger}$ ¹. Having considered the large catch limit increases for demersal trawlers and seiners in 2021 (+ 46%) and recent ICES advice that demersal trawler seabass discards are > 95% undersized², EAA and IFSUA advocate targeting F_{MSY} lower \times SSB 2022/ F_{MSY} $B_{trigger}$ of 1859 tonnes, so as to grow the SSB in 2022.

¹ Excerpt from CEFAS response to questions about the ICES seabass assessment. Kieran Hyder, Timothy Earl, Thomas Catchpole & Carl O'Brien, 21st July 2021:

“Can an estimate be made of how long it will take the SSB to recover to $B_{trigger}$, given different recruitment assumptions?”

The short-term forecast developed by ICES is of limited use for answering this question. This is because it does not take into account all the feedback between stock size and recruitment, nor the fact that temperature is an important driver of year-class strength. With these caveats, it is possible to consider different assumptions about recruitment in the forecast. With recruitment similar to that seen in 2014, 2016 and 2018 the target would be reached in around 15 years.”

² 9 August 2021 reply from ICES to NWWAC:

“Currently only discards from French and UK trawler (OTB) fleets are included in the assessment (as well as estimates of recreational catch and release). The total amount discarded is available from 2002-present for the

ICES tagging has showed intermingling of bass in NWW and Areas 8a and 8b, so better protection in Areas 8a and 8b will help to restore the stock in the NWW. For this reason, and to avoid discrimination against fishers in NWW, it is proposed that the existing measures in the NWW are replicated in Areas 8a and 8b.

3.1. Management measures for commercial fisheries

Industry position:

The table below provides an overview of the exemptions implemented over the past four years and presents the proposed measures for 2022.

- **Hook and line and set net metiers**

The ACs' proposal for hook and set net metiers is as follows:

- Continuation of the ban on catches in February and March;
- Maintain individual maximum annualized landing limits per vessel;
- Maintain restrictions in terms of number of vessels, based on catch history in set net and hook metiers;
- Remove restrictions in terms of vessel capacity to facilitate the management of licences. Indeed, having to verify both restrictions (number of vessel and vessel capacity) is very tedious. Processing licence applications already takes vessel capacity into consideration by asking national authorization of fishing as a condition to be eligible. Adding this restriction a second time slows down the licence renewal of the affected fleet.

- **Bottom trawl and seine metiers**

These metiers generate the majority of seabass discards declared in the North zone (95% of discharges declared by all French vessels), mainly during the winter period (December-April). According to the 2019 French data (Obsmer, Ifremer)³, these discards consist mainly of individuals of legal size. Dead

French fleet, and since 2009 (except 2011) from the UKOTB fleet. The length distribution of the discards is estimated using data from 2017-present in years where sufficient sampling occurred, to date only 2016 for UK_OTB and 2016-2017 for the French fleet have sufficient sampling. These proportions discarded at length are assumed to be the same within each fleet and used for all the years where there was insufficient discard sampling. Almost all of the estimated discards (>95%) are below 42cm."

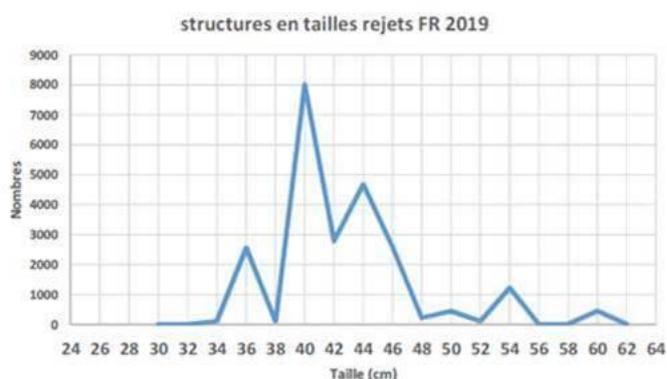
³ 2019 Obsmer data shows that 46% of discards are undersized according to the collected sample.

and lost for the rebuilding of the stock, they constitute a socio-economic waste, which the ACs, under the priority adaptations for 2022, propose to reduce in favour of landings, without increasing the overall mortality rate associated with commercial fishing. This objective should also make it possible to reduce the uncertainty surrounding the estimates of releases from existing models and help to make the ICES diagnosis more reliable.

According to the review of the 2020 French data, the changes between 2019 and 2020 in the management measures for these métiers contributed to this objective: while discards were reduced and landings increased at the start of the year (excluding the February-March closure period), total catches remained stable, and these changes did not lead to a return to targeted fishing.

Thus, in order to act in favour of the reduction of discards while supporting the efforts of the sector in terms of reporting, it is necessary to bring more flexibility to these most affected fisheries.

Metiers	2018 measures	2019 measures	2020 measures	2021 measures	ACs proposal for 2022
Hook and line	February-March ban 5 t/year Capacity ceiling (number + capacity of vessels)	February-March ban 5.5 t/year Capacity ceiling (number + capacity of vessels)	February-March ban 5,7 tonnes per vessel per year Capacity ceiling (number + capacity of vessels)	February-March ban 5,7 tonnes per vessel per year Capacity ceiling (number + capacity of vessels)	February-March ban 5,7 tonnes per vessel per year Capacity ceiling (number of vessels)



Set net	February-March ban 1.2 t/year Capacity ceiling (number + capacity of vessels)	February-March ban 1.4 t/year Capacity ceiling (number + capacity of vessels)	February-March ban 1,4 tonnes per vessel per year Capacity ceiling (number + capacity of vessels)	February-March ban 1,4 tonnes per vessel per year Capacity ceiling (number + capacity of vessels)	February-March ban 1,4 tonnes per vessel per year Capacity ceiling (number of vessels)
Demersal trawls and seines	February-March ban 1% total catch/day 100 kg/month (trawl net) 180 kg/month (seine)	February-March ban 1% total catch/day 400 kg/2months (trawls) 210 kg/month (seines)	February-March ban 520 kg/2 months 5 % weight total catches/ fishing trip	February-March ban 5 % weight total catches/ fishing trip 520 kg/2 months and switch in August 2021 to 380kg/month	4.5 t per vessel per year (i.e. 0.38 x 12) 5% weight total catches per fishing trip

The NWWAC and NSAC proposals for demersal trawls and seines metiers in 2022 are:

- **Lifting the ban on catches in February and March:** SSB is now above B_{lim} and accidental catches do not stop during this period, on the contrary, they tend to increase given the evolution of the stock: 75% of unwanted catches declared by French vessels were made in February and March over the first 7 months of 2020. In addition, due to the prohibition of targeted fishing practices, this closure is redundant and does not contribute to the rebuilding of the stock.
- **Maintaining individual vessel landing limits, set at 5% of total catch (by weight) per trip set for 2021,** which prohibits any targeted fishing practice and contributes visibly and effectively to the priority objective for these metiers.
- **Setting an annual individual vessel landing limit (by weight),** further increasing flexibility and consistency, considering the diversity of situations across the North zone. The members of the sector support this measure but recall that, if the management objective were really to limit the landings of these metiers to inevitable catches only, the percentage per trip would be sufficient and this quantitative limit would be superfluous.

Sector representatives would like to point out that further spatio-temporal measures, especially in February and March when bycatches are highest, would not be effective in reducing unavoidable catches, since fishers are already trying to avoid areas where these are likely to occur.

Before considering the above-mentioned proposals, a catch monitoring system should be established in the MS. This system should allow for tracking monthly catches (total landings and discards) offsetting these to prior monthly landings and discards, with the option to revise the above-mentioned rules in case more restrictive ones are needed to avoid an increase in overall mortality and/or discards.

EAA and IFSUA minority position:

The best available data from ICES indicates that over 95% of discarded seabass are undersized. This is a shocking figure, and we recommend that the issue is urgently addressed by investigating the implementation of avoidance measures. We note that, in 2020, 75% of unwanted catches declared by French vessels were made in February and March. This suggests that temporal or spatio-temporal measures could be highly effective in reducing seabass discards.

Since over 95% of seabass discarded by demersal trawlers are undersized, it seems the contention that discards in the demersal fishery can be shifted to landings without increasing mortality is fundamentally flawed. Concrete and expedited efforts by the relevant fleet segments continue to be a priority to produce reliable discards data. Until such data has been produced, there is no ground for a 'shift from discards to landings' – on the contrary, ICES data places relaxations to date for the demersal fleet in a troubling light, as these relaxations will have increased mortality. Therefore, we cannot see any basis for increases in demersal fishing bycatch limits and recommend that prior relaxations are reviewed and amended.

It has recently been made legal for commercial shore netters to land and sell seabass bycatch. However, there is no closed period for seabass landings and no catch limits for seabass landings. It is disproportionate that all other stakeholders in the seabass fishery are subject to a closed period during the spawning season and catch limits, whilst commercial shore netters have no such restrictions. We therefore recommend that a closed period and catch limits are established for commercial shore netters landing seabass bycatch⁴.

3.2. Proposal for recreational fisheries

Industry position:

Despite repeated requests and announcements in recent years, no supervision and monitoring of removals commensurate with the challenges has been implemented. The share of recreational fishing removals out of the total represented 25.8% in 2012 (1440 t out of a total of 5584 t) according to the

⁴ The French industry would like to inform that in order to establish a thoughtful management of the fishers concerned (estimated at around thirty fishers in France), a decree indicating the prohibition of this fishery in France is being prepared.

only quantified data available to date (survey). This proportion would represent 26.3% according to ICES projections for 2022, if the 2021 measures were repeated identically next year (489 t out of a total of 1859 t). Furthermore, flexibility for recreational fisheries, as asked, corresponds to flexibility for targeted catches.

For these various reasons, no additional relaxation should be considered in the measures concerning recreational fishing, and the industry representatives recommend that the 2021 measures be renewed identically for 2022.

Metiers	2018 measures	2019 measures	2020 measures	2021 measures	Proposal for 2022
MRF / Recreational	9 months retention ban (originally 12 months before revised ICES data): January – Sept 1 fish/day: Oct – Dec	Five months retention ban: January - March and Nov - Dec 1 fish/day: April - October	Retention ban in January, February and December. 2 fish/day: March – November Net fishing ban	Retention ban in January, February and December. 2 fish/day: March – November Net fishing ban	Retention ban in January, February and December. 2 fish/day: March – November Net fishing ban

The members of the fishing sector also recall that, as long as the stocks of northern seabass and the Bay of Biscay are assessed separately by ICES, the state of the southern stock and the management measures applied to recreational fishing in this area must not influence the setting of measures for the North zone. Otherwise, and without waiting for the results of current scientific programs on stock limits, commercial fishing would be legitimate to do the same.

EAA and IFSUA minority position:

Looking at the ICES advice for 2022 and at the increase available compared to last year of 179 tonnes (F_{MSY} lower in last year's advice is 1680 tonnes, F_{MSY} lower in this year's advice is 1859 tonnes), and considering relaxations in bycatch limits this year for demersal trawls, seines and shore netters, EAA and IFSUA recommend increasing the bag limit from 2 to 3 fish and an open period of 10 months (1 March to 31 December) to match the commercial season. The current 9 month open period discriminates against recreational fishing.

The ICES catch allocation tool should be relied upon for estimating recreational tonnage, because the tool is based on the matrix of F reductions provided by ICES in table 17 of WGCES Volume 1 Issue 29⁵, representing the best available science.

The tool shows that an increase from 2 fish for 9 months to 3 fish for 10 months would increase recreational removals from 458 tonnes to 545 tonnes, an increase of 87 tonnes. This can easily be accommodated given the 179 tonnes increase in removals recommended by ICES using $F_{MSY\ Lower}$ (2022 value 1,859 tonnes v 2021 value 1,680 tonnes). Should the Commission be uncomfortable with using the tool to estimate recreational tonnage, we advise that ICES is requested to calculate the recreational tonnage associated with the current bag limit (2 fish for 9 months) and our proposal of 3 fish for 10 months.

3.3. Improving data collection and additional measures

The proposed management measures should be accompanied with additional measures aimed at improving avoidance of bycatch of seabass combined with enhanced monitoring and data collection.

According to ICES, the poor quality of catch data, especially concerning removals from recreational fishing and discards from commercial fishing, represents a significant problem, which needs to be addressed urgently. Initiatives have been put in place in different Member States to collect more data, and the ACs recommend that these initiatives are encouraged. Moreover, indications from ICES regarding the characteristics of the sampling programme needed for establishing reliable discards data would be very useful.

Data on recreational fisheries:

The results of the 2018 ICES benchmark, which mainly concerned the reassessment of the pressure of recreational activities, demonstrate the importance of having a more precise and up-to-date estimate of the removals made by these activities. The relevance of ICES recommendations and the credibility of the management framework depend on these. A complete system for reporting, collecting and monitoring catches must be defined and implemented as quickly as possible, for the reasons mentioned above.

In particular, the ACs wish to put forward the following recommendations to the proposal for a revised Control Regulation:

- The introduction of a compulsory registration or licensing system, which would improve figures on the number of people engaged in recreational fishing at present and over time (trend figures). The registration of individual recreational fishers also would make it easier to collect other relevant data on recreational fisheries. Member States should have free choice

⁵ ICES. 2019. Working Group for the Celtic Seas Ecoregion (WGCSE). ICES Scientific Reports. 1:29. 1604 pp. <http://doi.org/10.17895/ices.pub.4982>

between a registration or a license system. In some MS, an obligatory registration or licensing system is already in place. Some schemes include a fee to be paid, whilst others do not (e.g., Italy). It is the opinion of the ACs that such schemes should not involve fees.

- The introduction of a recreational fisheries catch reporting scheme, mandatory for stocks subject to Union conservation measures like seabass. Priority should be given to electronic reporting to facilitate reporting for the recreational fisher after the fishing trip. However, non-electronic reporting might be preferred by some users, and this should be allowed as well.

Data on commercial discards:

For commercial fishing, a system for monitoring catches on a monthly basis must be set up in Member States which do not already have one.

In addition, depending on the evolution of catches (discards and landings), from one year to the next, the management measures mentioned above may be reviewed and, if necessary, reinforced to avoid an increase in total mortality and / or discards. In order to improve the avoidance of accidental seabass catches, a non-exhaustive list of additional measures can be drawn up:

- Increase in the observation effort at sea to improve scientific knowledge and available information on discards.
- Avoiding seabass catches by using a real-time reporting system. Seabass have a wide distribution and are highly migratory, depending on season, water temperature and population size, which limits the scope for using area closures beyond known nursery sites, but real time information, collated and made available to the fishery, could enable fishers to more effectively avoid areas in which seabass are aggregating. By providing bycatch reports in a regular timeframe (e.g. daily reports) on a grid reference system, advisory maps can be produced. Using a 'traffic-light' system to inform fishers of areas where there is a risk of encountering this species, fishers can make better informed decisions on their fishing behaviour.
- The participation of fisheries stakeholders in scientific programmes to acquire knowledge of the biology of the species and to monitor the status of the stock must be supported. The pandemic caused a delay in scientific programmes. The CBASS project is currently being carried out in the area in partnership with professional fishing. Concerning BARFRAY, which ended in 2021, and NOURDEM, which will be reconducted in 2022, results will be presented at the next WGCSE and, if necessary, integrated into the evaluation (after the next (inter)benchmark).
- IFREMER is conducting a project on how to avoid sole using historic year landings and fishing activity. Similar work could be carried out by IFREMER for seabass, but access to all ship movements and landings data is needed to build a predictive model. The ACs recommend that DG MARE supports this project by facilitating the provision of the necessary data.

3.4. Control and enforcement

The ACs highlight that regardless of the efforts to restore seabass stocks to sustainable levels, efforts to reduce the bycatch of seabass are undermined if there is insufficient control of the correct application of the measures. It is necessary that Member States continue and strengthen the effort to monitor fishing activities and control compliance with management measures, both for commercial fishing and for recreational activities.

The ACs further recommend that ICES establish a new estimate of IUU catches in the advice. The main sources of the problem must be identified in order to be able to define and implement effective and appropriate corrective measures.

The ACs also want to stress the importance of tackling illegal sales, by increasing inspections of restaurants and retailers.

Finally, the ACs would like to raise a query concerning the enforcement of the 2021 Fishing Opportunities Agreement between the EU and the UK. We would be grateful if the matter of catch reporting for commercial shore netting could be raised in the Specialised Committee on Fisheries. The ACs would like to ask for confirmation that both parties will introduce catch reporting for shore-based netting activities, as stated under point 13 f) ii) of the “Written record of fisheries consultations between the United Kingdom and the European Union for 2021”⁶.

⁶ Supporting information:

Some NWWAC and NSAC members have received feedback from UK sea anglers that the Welsh government has stated:

- It will not introduce catch reporting for landings of seabass by commercial shore netters in Wales, despite the commitment given during recent negotiations.
- there is no statutory requirement for shore netters in Wales to make catch reports on sea bass or any other species.
- It intends to rely on the existing “Registered Buyers and Sellers” scheme.
- it has no landing data for Welsh shore netting since 2015 (indicating that the “Registered Buyers and Sellers” scheme is not effective for collecting data for shore netting).