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George Eustice MP.

4th November 2015

Minister of State for Farming Food and the Marine Environment.

Nobel House,

17 Smith Square,

London

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Dear Minister,

**SWFPO Ltd Priorities for TACs and Quotas for 2016 in the light of the Demersal Landing Obligation:**

I hope this letter finds you well. I hope also that your team is preparing you well for the gruelling process that is the annual Council of Fisheries Ministers in Brussels. I know that this year you will have your hands full with the detail of the Demersal Landing Obligation. In that regard SWFPO has particular concerns and understandable priorities.

**Sole 7e: We urge you to seek the 44% TAC increase advised by ICES. The +/- 15% TAC change limit imposed by Article 4 of Council Reg'n EC No. 509/2007 is not acceptable. It flies in the face of the Demersal Landing Obligation and would increase discarding:**

In 2003, ICES expressed concerns that the stock of Dover Sole in Vile "may be in critical condition due to a decline of SSB below Bpa and fishing mortality levels well in excess of Fpa."

A recovery and management plan (Council Regulation EC No. 509/2007) was eventually adopted by Council, but not before the acceptable text, as drafted by Defra had been amended by the Commission and not before it had been established by ICES that SSB for this stock did not fall below Bpa. Other factors led to steep decline in fishing effort and thus of fishing mortality.

In December 2004, the SW UK fishing industry celebrated as Minister Ben Bradshaw announced the 188% increased TAC for 7e Sole to 865 tonnes. Since then, the long term recovery and management plan for this stock has been hailed a success.

A significant number of UK beam trawlers based in the SW UK was scrapped at taxpayers' expense in 2008. Other fleet restructuring was conducted at industry expense. Fishing gear modifications for improved selectivity to reduce discards have been funded under EFF and also at industry expense.

The target "Fmsy" F0.27 was achieved by 2009 and F has been below the target of the plan ever since. The SW UK fishing economy has been sub-maximum as a result!

These are facts I have pointed out annually and a year ago I asked you to seek more than the advised 2% increase in TAC. Sadly you had other priorities and ignored the plea.

Evidence published by ICES on 30<sup>th</sup> October 2015 shows continuing growth in Biomass (B), continuing decline in fishing pressure (F), good recent recruitment (R) and F2015 the lowest recorded, now at F0.19. This is 30% lower than required by the Regulation.

Setting TAC 2016 within the constraints +/- 15% as required by Article 4 would cause unnecessary economic and social hardship to SW UK fishing vessel operators.

Fmsy would allow TAC 2016 to be set at 1226 tonnes, an increase of 44%. Biomass (B) would remain well above Bmsy trigger having grown year on year since the introduction of the 7e Sole plan. In the latest advice it is reported again by ICES that there "is still a tendency to overestimate fishing mortality and underestimate SSB."

Sticking to the Regulation would impose TAC 2016 at 979 tonnes. The difference in EU landings would be 247 tonnes worth almost £4millions. The UK industry alone would thus lose 149 tonnes worth £2.2M.

The allocation for the Under 10m sector would be 39 tonnes if you secured the full 44% increase advised by ICES! The 15% increase would yield for them only 4 tonnes extra giving an allocation of 31 tonnes.

In the light of the introduction in 2016 of the Demersal Landing Obligation for Dover Sole amongst other stocks, there can be no justification in restricting the TAC increase to 15% as laid down in the Regulation.

We urge you to seek the full increase of 44% advised by ICES as the Fmsy approach.

#### **Sole 7d:**

Through our participation in the NWWAC, SWFPO has been following closely the development of a long-term multi-annual recovery and management plan for the stock of Sole in ICES Area VIId. (East Channel). At all stages of the development of a proposed low-risk and reliable strategy for the future health of this stock, I have ensured the UK Beam trawler interests have been kept informed. Defra and CEFAS officials also have participated in workshops and focus group meetings arranged by the NWWAC.

It is imperative that the proposed regime submitted by the NWWAC is adopted at Council and introduced with immediate effect in 2016. Reduction of the TAC should be limited to -14% to 3,000tonnes, rather than the ICES advised -32% (MSY Approach).

The NWWAC provided its advice dated 19 June, reiterated 16<sup>th</sup> October 2015:

- A. Reduce the TAC in 2016 to 3000 t (14% reduction).
- B. Keep the TAC constant to reach FMSY (0.3) in 2020 at the latest.

The NWWAC reiterated also that next to the 'stable TAC' rule, technical measures that have been evaluated by STECF should be considered if appropriate.

You will note that a TAC of 3,000tonnes in 2016 is in line with the Precautionary Approach as stated by ICES, so by supporting this approach you would not be accused of throwing caution to the wind!

In relation to the Demersal Landing Obligation, when deciding the distribution of Discards Uplift Quotas, we would ask that you

1. take into consideration the amount of Sole 7d quota you have already realigned from the POs to the benefit of the Under 10m sector (614 FQA Units from SWFPO alone) and
2. distribute 7d Sole discards uplift quotas according to remaining FQA holdings of all sectoral groups.

#### **Plaice 7d,e:**

This stock is managed as a combined TAC & Quota, with 7d and 7e assessed separately by ICES.

Because of growing Biomass (B) well above Bmsy and falling fishing effort (F) well below Fmsy, for the 7e part of the stock the ICES advice corresponds to 20% increase in catches.

The eastern channel (7d) part of this stock is similarly growing in Biomass (B) with fishing mortality (F) falling steadily over years. Under the MSY approach the increase in catches could be 202% (Yes, 202%!) without significant reduction in Biomass. (-4% only)

Very recently the Commission agreed an in-year increase in the 2015 TAC for this stock that provided the UK with immediate 30% increase for the final quarter.

Given the impending introduction of the Demersal Landing Obligation, we urge that you give all due support to the French in their endeavours to maximise the increase in Plaice 7de TAC & Quota for 2016.

#### **Finally:**

Your web Blog in October **2014** said this:

"Another feature of the reform is that there will be a ban on discarding healthy fish back into the sea. Instead, we will help Fishermen manage the realities of the marine environment allowing flexibilities between the quotas they have. So if a fisherman catches more haddock than he expected then rather than having to throw it overboard he can count it against quotas he has for other species

like whiting or cod so that he can land the fish he has caught. He will also be able to borrow some quota from the following year if needed and there will be an uplift in the amount that he can catch to take account of the fact that fish are no longer being discarded."

Subsequently you have reneged on that promise and now state (Fishing Focus Issue 38):

"In 2016 the non-sector pools will receive the first 100 tonnes of any quota uplift received. Of the remaining quota, a further 10% will be allocated to the non-sector pools and the rest will be issued to the Producer Organisations on the basis of the FQAs of their members affected by the landing obligation."

Already we know that Whiting will become a choke species for certain inshore vessels in POs in 2016. You have already taken much of POs Whiting quota under the FQA realignment process, yet you are determined to take 100 tonnes more for no good reason.

Sole will become a choke species for some beam trawlers in 2016. It is expected that quota uplift in Area 7d will be in the region of 50 tonnes, thus all will be given to the non-sector when already they have the FQA realignment amount and a generous guaranteed allocation.

It is members of SWFPO that have done all the work on beam trawl gear selectivity under Project 50%.

It is members of SWFPO that took cameras aboard for the catch quotas experiments. From that data your officials gained much to feed into the Discards Atlas and to derive the discards uplift quotas.

It is members of SWFPO that have brought about the strong and rapid recovery of 7e Sole and the associated recovery of 7de plaice.

Please, when are you going to start providing our members with some concrete incentives to kick-start reinvestment in this most important primary production sector upon which our Island nation depends?

Yours faithfully, with best fishes,

Jim Portus CEO SWFPO Ltd.