

Success Criteria: 2, 3, 4, 5 & 6

By: Chief IFCO and Lead Scientific and Conservation Officer

To: Kent and Essex Inshore Fisheries and Conservation Authority –
 24th November 2015

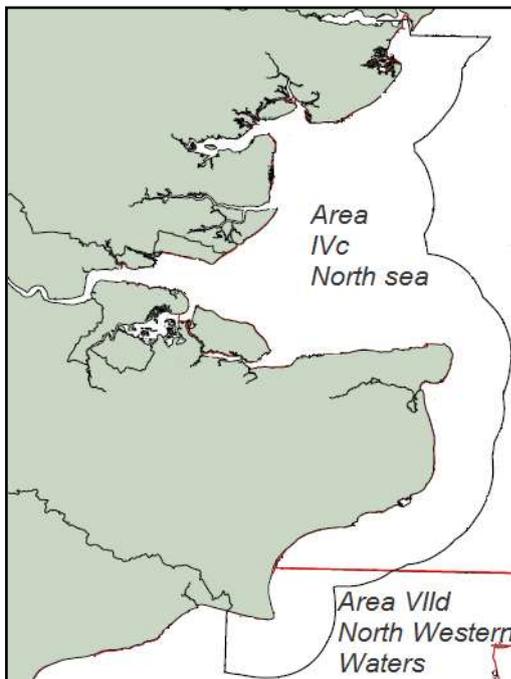
Subject: Common Fisheries Policy Reform: Demersal Landing Obligation

Classification Unrestricted

Summary: To highlight and discuss the impact of the reformed CFP in the KEIFCA district.

1. Background

The demersal landing obligation (discard ban) comes into force on 1st January 2016 and will only apply to demersal quota species. Not all vessels are affected in 2016, as the landing obligation is being gradually introduced. However there is expectation that by



2019 all demersal quota species will be subject to the new rules.

Whether a vessel is subject to the discard ban in 2016 is dependent on where they fish and what gear they use. Fishermen subject to the landing obligation are required to retain all catches of the species, including undersize fish. All catches will count against quota, unless an exemption applies.

The plans to introduce the landing obligation have been developed by Member States that share fisheries, at a sea basin level; this has led to a North Sea plan and a North Western Waters plan. Unfortunately for fishermen fishing with the KEIFCA district this means that there are two separate plans that apply within our district.

2. Key points from the North Sea discards plan just relating to area IVc

The regional discard plans are detailed and complex. In an effort to highlight the key points for KEIFCA a summary has been developed, however we would urge interested parties to read the full documentation at (www.gov.uk/government/publications/demersal-landing-obligation-guidance).

Species covered

The species included in landing obligation in 2016 are:

- **Sole***
- **Plaice***
- haddock
- hake
- saithe
- Nephrops
- northern prawn

(* important species in KEIFCA district).

Whether you have to land a species or not will depend on the type of fishing gear you are using, the sea area you are in and potentially your fishing track record. The full table can be found at (www.gov.uk/government/publications/demersal-landing-obligation-guidance) however the key species and gears for the KEIFCA district are listed below.

Gear	Species which must be landed	Who it applies to	Exemptions available
Trawls and seines ≥100mm	Plaice	All using the specified gear	No
Beam trawls ≥120mm	Plaice	All using the specified gear	No
Beam trawls 80 to 119mm	Sole	All using the specified gear	Undersize sole can be discarded
Gillnets and trammel nets	Sole	All using the specified gear	Undersize sole can be discarded

In addition to general exemptions there are fishery specific exemptions for the North Sea. The full list of exemptions can be found on the www.gov.uk website however the key exemptions for the KEIFCA district are listed below.

De minimis exemptions:

- You are permitted to discard undersize sole in trammel nets or gillnets in the North Sea.

- You are permitted to discard sole of less than then 19cm caught in 80 to 90mm beam trawls in the North Sea south of 55/56°N.
- You are permitted to discard undersize sole caught in 80 to 119mm beam trawls with increased selectivity in the North Sea.

3. Key points from the North Western Waters (NWW) discards plan just relating to area VIId

The regional discard plans are detailed and complex. In an effort to highlight the key points for KEIFCA a summary has been developed, however we would urge interested parties to read the full documentation at (www.gov.uk/government/publications/demersal-landing-obligation-guidance).

Due to the incredibly diverse nature of the NWW fishery, the regional group decided to split the fishery up into sea areas: West of Scotland, Irish Sea, Eastern channel and Western channel. This enables the landing obligation to be tailored to the specific needs of each region. The use of catch thresholds were necessary for some species to ensure the landing obligation applied only to those vessels who were clearly targeting a specific stock.

Species covered

The species included in landing obligation in 2016 are:

- **Sole***
- **Whiting***
- haddock
- hake
- Nephrops
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(* important species in KEIFCA district).

Whether you have to land a species or not will depend on the type of fishing gear you are using, the sea area you are in and potentially your fishing track record. The full table can be found at (www.gov.uk/government/publications/demersal-landing-obligation-guidance) however the key species and gears for the KEIFCA district are listed below.

Gear	Species which must be landed	Who it applies to	Exemptions available
Trawls	Whiting	Those meeting a catch threshold	Undersize whiting can be discarded
Trawls <100mm	Sole	Those meeting a catch threshold	No
Gillnets and trammel nets		All using the specified gears	Undersize sole can be discarded in VIId
Beam trawls		All using the specified gears	Undersize sole can be discarded in VIId in beam trawls with increased selectivity

Catch threshold

If you are affected by the landing obligation as a result of meeting a catch threshold you will be informed by the MMO.

North West Waters Exemptions

De minimis exemptions:

- You are permitted to discard undersize sole caught in trammel nets or gill nets.
- You are permitted to discard undersize whiting caught in bottom trawls in areas.
- You are permitted to discard undersize sole caught with beam trawls with increased selectivity.

Gears with increased selectivity have to be verified by the EU's scientific committee (STECF). A large mesh (120mm mesh) in the extension section of the beam trawl has been approved as an effective method to reduce the capture of undersize sole.

4. Overarching Exemptions

As well as the specific exemptions outlined in the North Sea and North West Waters plan there are a range of more general exemptions and fishermen will be allowed to discard a species that is subject to the landing obligation in any of the following situations:

- fish which has been damaged by predators e.g. marine mammals, predatory fish or birds
- fish damaged by disease or parasites e.g. sea lice
- contaminated fish which are unfit for human consumption e.g. fish chemically contaminated by oil
- catches released as part of regular vessel tasks such as cleaning the gear
- fish offal from the processing of fish onboard your vessel such as the gutting of fish and tailing of Nephrops

5. Handling undersize fish (discards/unwanted catch)

Fishermen must land all catches of any species for which they are subject to the landing obligation, including those that are undersize. All catches of the species will count against the quota unless an exemption applies. To reflect the 'land all' approach of the landing obligation the term Minimum Landing Size (MLS) has been replaced by Minimum Conservation Reference Size (MCRS), though the legal sizes of fish remain the same. Fishermen must continue to discard undersize fish of species which are not subject to the landing obligation.

How to store undersize fish on board a fishing vessel

Vessels 12m and over - Fishermen must store undersize fish separately from fish above MCRS. Undersize fish do not have to be stored separately by individual species. Undersize fish must be stored in identifiable boxes, compartments or containers.

Vessels under 12m - Do not have to separately store undersize catches from fish above MCRS. However if they have a log book they are required to estimate and record undersize catches.

What to do with undersize fish once landed

Fishermen are responsible for handling the undersize fish they catch until they pass it to someone else, known as another 'owner'. Fishermen can't sell undersize fish for direct human consumption. Fishermen can sell them into different markets for:

- non-direct human consumption where the fish is processed in some way before re-entering the human food chain (these uses include food additives and extracts of fish proteins)
- non-human consumption where the fish goes to markets where it does not enter the human food chain (these uses include fish meal, pot bait, pet food, and cosmetics)

There will not be one solution or process for handling undersize fish that will work across all areas of England. Different approaches will be needed depending on the fisheries in an area or what facilities are at port or nearby. Ports, markets and other businesses may want to set up new processes or slightly change existing ones e.g. processors might want to expand their existing collection networks to include additional ports.

Rules which apply to handling undersize fish

Fishermen must continue to follow food hygiene rules and apply them to undersize fish on board their vessel. By following food hygiene rules it allows for undersize fish to be sent to a wide range of uses. When it is decided that undersize fish will go to non-human consumption uses Animal By-Products (ABP) rules will apply. Fishermen will need to make sure that ABP fish is put in storage and transport that is ABP approved. Ports, markets and other businesses may want to provide facilities for fishermen that are ABP approved.

6. European Maritime and Fisheries Fund (EMFF)

The key priority for the EMFF in England (and the UK) is implementing CFP reform, particularly the new landing obligation, achieving maximum sustainable yield, and continuing to assist the industry to move to more sustainable fishing practices and methods e.g. more selective gear. The UK has been allocated €243m or £200m (England will receive €92m) under the new EMFF, which will greatly assist each part of the UK to meet the challenges of implementing CFP reform, and help foster growth in the

sector. Of the €243m, broadly €146m is for the “core” part, the bulk of which is to support fishermen directly. The remaining €97m is for data collection and enforcement work.

Examples of the main funding focus of the EMFF:

- Transition of the fleet to sustainably managed discard-free fisheries, e.g. more selective gear for vessels [can only be claimed for once during the programme].
- Onshore support for this transition - adaptations to ports so they are better equipped (cold stores, ice making plants etc.); and funding for marketing and processing sectors to encourage sale of under-exploited species.
- Innovation - funding for research projects that will assist the industry in its transition; funding for projects that disseminate the benefits of these projects among the fisheries sector; funding for more fisheries/science partnerships.
- Support for the inshore fleet - training and networking to facilitate knowledge exchange; and advisory services to assist businesses with their strategies.
- Minimisation of environmental impacts - projects protecting and enhancing marine biodiversity, and improving stock levels of freshwater and migratory fish.
- Investment in coastal communities and promotion of social cohesion (through FLAGs).
- Funding for projects that will improve health and safety on board vessels to a level above the statutory minimum.

7. Other aspects of the reformed CFP

The new Common Fisheries Policy has also introduced a range of structural flexible measures to help fishermen. Most of these policies are relatively complex (Quota Uplift, Quota Management Flexibilities (Banking and Borrowing) and Interspecies Flexibility (IF)) and so it is best to follow the MMO website (www.gov.uk) to understand these aspects more fully.

8. What does CFP reform mean to IFCA's?

IFCA's strategic involvement in CFP reform

Local fishing fleets and inshore fishermen have generally developed a relatively flexible fishing capability and business models and as such can adapt to changes in opportunities. For many fishermen and fishing fleets there is a balance between maximising their fishing opportunity between quota fish stocks (EU regulated) and non-quota fish stocks (IFCA regulated). Changes in the balance of fishing opportunity can effect IFCA management models and if fishing opportunities for quota stocks become limited or economic dynamics change (the price of bait drops) effort on non-quota stocks could increase and with it pressure for IFCA's to develop additional management. IFCA's

see they have an important role in ongoing discussions regarding the implementation of CFP reform.

IFCAs operational involvement in CFP reform

The Marine Management Organisation is currently the lead organisation for the implementation and enforcement of European control measures. IFCAs enforce a range of regional management measures (byelaws and regulating orders) as well as significant pieces of national fisheries/conservation legislation and the European technical control measures.

Reflecting the legislative duties described above, IFCAs see their operational role within the reformed CFP, as working closely with the MMO, to gather intelligence and record information that can best help the Marine Management Organisation prioritise non-compliance issues on land and at sea, and develop tactics and support operational plans to address these concerns. To best help the MMO, IFCA officers would need to receive basic CFP training to understand the new legislative requirements of the CFP and the operational application of these requirements. Through groups like NIMEG and COG, IFCAs see they have an important role in ongoing discussions regarding the implementation of CFP reform.

There will be a presentation from the MMO regarding the implementation of CFP reform.

Members are asked to **NOTE** this report and make **COMMENT** on it