

UK request for an in-year amendment to the 2017 fishing opportunities legislation

Council Regulation (EU) 2017/127, Article 9 ‘Measures on Sea Bass fisheries’ – Including regulated shore based fishing activity in the fixed gillnet derogation

Issue

In addition to applying measures to Union fishing vessels, this year’s bass measures included for the first time commercial fisheries from shore in the general prohibition on fishing for bass. The widening of the scope of these measures was a necessary step to close a loophole in the bass controls that had existed up until that point, and matched the scope of the previously established recreational measures.

The UK would like to request a small adjustment to those measures, however, to include historically regulated shore based fixed gillnetting in the derogation for unavoidable by-catches that was agreed for Union vessels. We would anticipate this being subject to the same conditions – i.e. having recorded catches of bass within the 1 July 2015 to 30 September 2016 reference period, and subject to the monthly 250kg cap for each operator.

Rationale

This shore-based fixed net activity, while of small impact in relative bass catch terms, nevertheless comprises mainly artisanal fisheries of significant cultural importance in coastal communities. Making an appropriate adjustment to this year’s bass measures will protect that heritage and reflect the reality of bass catches in shore nets. While we are conscious of the need to reduce bass catches, and support the Article 9 measures to do just that, bass will inevitably continue to be caught as by-catch in these shore based nets. Prohibiting the ability to retain and market those incidental catches only imposes an economic impact without reducing bass mortality. Including such activity within the fixed gillnet derogation will help ensure more complete data on bass catches and mortality by that means. We understand that other Member States have a similar issue with this element of the bass measures, which if so would emphasise the need for an appropriate adjustment.

Annual Catch estimates

In England and Wales we have around 100 regulated shore based netters using fixed gillnets whose total catches include bass by-catch. Due to the nature of this shore based activity, effort and catches are limited by weather conditions, tidal, seasonal and other environmental factors. Effort ranges for operators are between around 30 monthly setting operations to those only setting nets during half a dozen spring tides each month, and some have seasonally limited permits for activity taking place only from May onwards. There are no reports that catches of these operators are likely to reach or exceed the monthly cap of 250kg for unavoidable by-catches of bass.

Taking into account these variable factors, the combined annual tonnage for the UK is estimated to be in a range from 15 to 20 tonnes. Note as explained above that we

do not consider such catches to represent an additional mortality impact as a consequence of including this activity within the fixed net derogation, as this is unavoidable by-catch. Aside from bass by-catches, other captures range across a number of species, dependent upon area and season, such as flounder, cod, whiting, sole, grey mullet and thornback rays.

Suggested amendment

We suggest an amendment to Art 9 (2) (c), the final sub paragraph in 9 (2) and in paragraph (3) along the following lines as highlighted:

“(c) Union fishing vessels, and operators in shore based fisheries regulated at Member State level using fixed gillnets may retain ~~on board~~ unavoidable by-catches of sea bass not exceeding 250 kilograms per month.

The above derogations shall apply to Union fishing vessels that have recorded catches of sea bass over the period from 1 July 2015 to 30 September 2016: in point (b) with recorded catches using hooks and lines, and in point (c) to Union vessels and operators in shore based fisheries regulated at Member State level with recorded catches using fixed gillnets.”

3. The catch limits set in paragraph 2 shall not be transferrable between vessels. Union vessels that are authorised to retain bass catches or by-catches under the derogations in paragraph 2 shall not have additional access to the shore based fixed gillnetting by-catch derogation. Member States shall report to the Commission catches of sea bass per type of gear not later than 20 days after the end of each month.

UK delegation, June 2017