

**Note of Discard Action Group meeting held at Friends House, London.**  
**Thursday 21 April 2016**

**Seafish discards page** – for minutes and further information on discards and the Discard Action Group (DAG) activities see:  
<http://www.seafish.org/responsible-sourcing/conserving-fish-stocks/discards/the-discard-action-group>

**1. Welcome**

**Mike Park welcomed everyone to the meeting.**

Aaron Hatcher	Portsmouth University
Arina Motova	Seafish
Arvind Thandi	Defra
Dan Watson	Safetynet
Dave Cuthbert	NUTFA
David Parker	Young's Seafood
Duncan Vaughan	Natural England
Grant Course	Seascope Fisheries Research
Gus Caslake	Seafish
Hazel Curtis	Seafish
Heather Hamilton	ClientEarth
Jerry Percy	LIFE
Jess Sparks	Seafish
Jim Portus	SWFPO
Jimmy Buchan	Skipper, SWFPA
Jonathan Shepherd	Seafish Board
Jurgen Batsleer	VisNed
Ian Kinsey	Norwegian Fisherman's Association
Karen Green	Seafish (Minutes)
Klaas de Vos	Environmental Defense Fund
Liz Crocker	Defra
Mark Stafford	Welsh Government
Mike Montgomerie	Seafish
Mike Park	SWFPA, Seafish Board member (Chair)
*Pim Visser	VisNed/EAPO
Ross Jolliffe	Cefas
Sam Elliot	Cefas
Tristram Lewis	Funding Fish

**Apologies were received from**

Andy Buchan	Skipper
Anna Stansfield	Marine Scotland
David Stevens	Skipper
Elena Balestri	Scottish Industry Discards Initiative
Helen McLachlan	WWF

Ian Hume	DARD
Jennifer Mouat	Gear Innovation and Technology and Innovation Group
John Hooper	Marine & Fisheries Management Solutions
Jon Goodlad	Seafish Panel Chair
Kenny Coull	SFF
Marcus Coleman	Seafish
Mark Stafford	Welsh Government
Matt Sowrey	Defra
Mogens Schou	AquaMind
Paddy Campbell	DARD
Phil MacMullen	Seafish
Richard Ballantyne	British Ports Association
Richard Stansfield	Flatfish
Steve Stansfield	Flatfish
Tim Silverthorne	National Federation of Fishmongers
Toby Parker	UFI
Tom Catchpole	Cefas

## **2. Minutes from the DAG meeting held on 25 November 2015 in London.**

The minutes from the previous meeting were circulated before the meeting and were accepted as a true reflection of the meeting and have been added to the DAG web page. Attendees were asked to take note of the meeting guidelines. In the following minutes Seafish will provide a link to the various presentations given at the meeting but not summarise the whole presentation. In the main we do not attribute the comments made at the meeting. Arising actions are covered by the agenda. A suggested agenda topic for this meeting was enforcement – what would a workable control and enforcement structure look like? This has been deferred until later in the year when hopefully we will have further insight.

## **EU and fishers perspective**

### **3. State of play on the implementation of the Landing Obligation: lessons learnt.**

**Pim Visser, President, European Association of Fish Producers Organisations.**

[http://www.seafish.org/media/1626380/dag\\_apr2016\\_lo\\_eapo.pdf](http://www.seafish.org/media/1626380/dag_apr2016_lo_eapo.pdf)

[http://www.seafish.org/media/1626383/dag\\_apr2016\\_chokespecies\\_rederscentrale.pdf](http://www.seafish.org/media/1626383/dag_apr2016_chokespecies_rederscentrale.pdf)

This highlighted the implementation experience to date and the lessons that have been learnt, with the note of caution that the landing obligation is here to stay but that the rules and regulations are not necessarily do-able, compliable and enforceable. Research by Imares on the process was highlighted which looked at Policy Making in a multi-governance setting. This showed disparity between the fleet who maintained the landing obligation was impossible', that a principle discussion was needed and that these were impossible problems and dilemmas; whilst the administration said that the landing obligation is a fact, no principle discussion is needed and that we need to find room to manoeuvre at implementation. He cited a number of NL projects going forward: CCTV – failed; net selectivity - good progress; and survival trials - very hopeful. In terms of making the most of discards their view was that fishmeal was the only option. Their estimate of the total economic damage of the landing obligation was ≈ € 26.5mio, which excludes the cost of closing fisheries due to choking quota.

Work has also been done looking at choke species and zero TAC species. There was a description of what is meant by a choke species. The exhaustion of one quota prevents a vessel, fleet, or member state(s) from catching their main economic quotas. Chokes

could potentially be caused by every stock in mixed fisheries, including high volume stocks. Chokes will vary over time, although some chokes can be expected to persist unless the underlying causes are addressed. There will be different types of chokes, which will demand different management responses. They have identified 10 types of choke and a number of different mitigation measures but issues with choke species need to be resolved to make the CFP work and there were some thoughts on what could be achieved.

#### **4. Experience to date of the demersal LO in 2016. Jimmy Buchan.**

Highlighted his own experiences. We have known the landing obligation was coming for a number of years and in the last two years have been looking for solutions to the issues it will create for the fleet and individual vessels – but each solution trialled has been uneconomically viable. Has worked with Mike Montgomerie and net makers and has tried low flying nets and two cod ends with a grid. The most recent innovation has been trialling different sized square mesh with an incline panel, which includes a very long slope and an upper and lower chamber. Has moved from a 300mm square mesh to 600mm square mesh and this has demonstrated it was possible to segregate the bycatch from the target species. There has also been a noticeable improvement in the quality of the catch. This work will continue under the Gear Innovation Technology and Advisory Group (GITAG) in Scotland over the summer to allow trials in different seasons and different water depths.

#### Discussion

- There is a distinct advantage to these trials in Scotland. If a vessel can be selective in the upper chamber it means everything can be landed to market.
- **Q.** Does the introduction of cod ends create a lot more work for the crew?  
**Answer.** There were huge problems initially because the cod ends were different sizes and we very quickly realised they need to be the same length. The fact that we have been able to develop these ideas under commercial conditions (rather than as a traditional trial) has made all the difference. If I am going to encourage other vessels to use the same methods I need to be very confident about what I have been doing and the results it is producing.
- **Q.** Would it be true to say that in the past skippers would be more secretive about their technological innovations but now it is in everyone's interest to be more open? **Answer.** Definitely. The landing obligation is here to stay and we have to find solutions and those solutions could be across Europe. We have to pool resources. Fishermen have to experiment in order to develop and there needs to be a way to co-operate and a platform for net innovation.
- **Q.** Within the UK and across Europe how much cross-over is there in terms of net innovation? Are opportunities being missed for sharing ideas? **Answer.** Inevitably so we are hoping, under the Scottish Industry Discards Initiative, to convene an EU-wide Gear Innovation Summit in Scotland to bring everyone together in one room. We are looking for funding to do this.
- It is important that the new Technical Conservation Regulation does not damper this innovation. Also exemptions are really needed for trials to go ahead and to allow development.
- There was mention of an ICES Working Group on Fishing Technology and Fish Behaviour which does look at gear innovation.
- There is resistance to change amongst skippers however the introduction of the landing obligation provides an economic incentive to do so and we need to find the best way to work together on this.

## **Mapping, modelling and evidencing**

### **5. Mapping and modelling the incentives for a landing obligation in demersal fisheries. Dr Aaron Hatcher, Portsmouth University.**

[http://www.seafish.org/media/1626398/dag\\_april\\_2016\\_vesselmodelling\\_portsuni.pdf](http://www.seafish.org/media/1626398/dag_april_2016_vesselmodelling_portsuni.pdf)

Detailed a Fisheries Innovation Scotland funded project to map and model the incentives for a landing obligation in demersal fisheries. This was a six month study to look at the microeconomics of discarding in multispecies fisheries by surveying trawler skippers in NE Scotland and modelling the discarding behaviour of a North Sea whitefish trawler. This is an economic model prediction based on a formula and a large number of parameters. You can put in average daily catch rates and set prices. The model gave as an example a North Sea whitefish trawler with a fish room capacity of 60 tonnes and running costs of £4,200 per day with all quota leased. Profits were maximised on an 8 day trip (approx. £ 40k) and the hold was full on day 5. This includes discards of marketable whiting and saithe as well as all undersize fish.

#### **Discussion**

- This model shows that the hold capacity is the crucial factor.
- **Q.** Could the model look at a choke analysis by factoring in a quotas limits and price? **Answer.** The issue here will be the price some vessels will be prepared to pay to lease quota to avoid having to stop fishing because of a choke scenario. That price could be significantly higher than the current price and would be a lot higher than any price that could be modelled.
- **Q.** What was the purpose of the model? **Answer.** It is meant to be illustrative and demonstrate to fishery managers and policy makers of what the outcome could be at vessel level of the landing obligation.

### **6. Final report of the LO Economic Impact Analysis work and monitoring vessel activity under the LO to inform in-year business and policy decisions relating to possible choke situations. Hazel Curtis, Seafish.**

[http://www.seafish.org/media/1626386/dag\\_apr2016\\_loscenarioanalysis\\_seafish.pdf](http://www.seafish.org/media/1626386/dag_apr2016_loscenarioanalysis_seafish.pdf)

This Economic Impact Analysis set out to determine whether the LO flexibilities and exemptions will achieve the intended outcomes and avoid the unintended outcomes; how much difference will have to be made by fishing adaptations to avoid unintended outcomes; estimate the operational effects of the flexibilities and exemptions; and from the outcomes, estimate the impacts ££. Using the various policy levers a number of baseline scenarios were modelled and relative value of the policy levers were demonstrated for the UK beam trawl, the whitefish trawl and the Nephrops trawl for 2016-2022. The anticipated primary choke stocks in 2019 were also shown. With effective policy levers negative consequences of the LO may be relatively limited in 2016, 2017 and 2018 but once the LO is fully implemented policy levers can only do so much. The Nephrops trawl segment will be the most badly affected. By 2019 fleet-based responses will have to achieve a lot to avoid business failures. Additional analyses was also produced for 2017+ to inform phasing decisions for the Scotland Whitefish Trawl/Seine Fleet Segment in area 4 (North Sea). Further work is underway to look at Choke points/species at different levels, investigating possible business effects of LO on individual vessels at trip level and a de minimis comparison to see if the benefit is only in year one or if they could be long-term.

## Discussion

- **Q.** This is all doom and gloom and obviously changes in behaviour have not been factored in? **Answer.** No and there are of course other factors which will have an impact as well. It also assumes full compliance.

## **7. Discard plan evidence. Sam Elliot, Cefas.**

[http://www.seafish.org/media/1626389/dag\\_apr2016\\_discardplans\\_cefas.pdf](http://www.seafish.org/media/1626389/dag_apr2016_discardplans_cefas.pdf)

Presented the discard plan timetable. The deadline for evidence for the 2017 Discard Plans was April so we are now looking ahead to provide evidence for the 2018 Plans. Listed a large number of projects completed in 2015/2016 and the new projects for 2016/2017 with questions over where the projects were taking place.

## Discussion

- **Q.** Skates and rays are choke species but they are not mentioned here is that because of their high survivability? Has this been demonstrated? **Answer.** Yes each application has to be evidence based and evidence was submitted in the previous year on high survivability for skates and rays.
- **Q.** What does high survivability look like? Have any figures been agreed? **Answer.** The Scientific, Technical and Economic Committee for Fisheries (STECF) would not give a view on this. This is a political decision not a technical one.

## **Onshore implications and ongoing and new initiatives**

## **8. Short updates from devolved administrations. Led by Arvind Thandi and Liz Crocker, Defra.**

[http://www.seafish.org/media/1626392/dag\\_apr2016\\_lo\\_defra.pdf](http://www.seafish.org/media/1626392/dag_apr2016_lo_defra.pdf)

In 2016 we are not aware of much under sized fish being landed and are considering when to hold the next meeting of the onshore group. We are now working toward 2017 - the UK and the North Western Waters (NWW) and North Sea (NS) regional groups remain committed to progress in 2017. Since February work within the regional groups has focussed on reaching agreement on the landing obligation for 2017. Ideas need to be submitted by 1 June 2016.

- The North Sea regional group is reviewing the 2017 phasing pipeline developed during discussions on establishing 2016's rules. The inclusion of cod and whiting for certain gears in 2017 was dependent on securing changes to the Cod Recovery Plan (CRP). A firm decision on cod for 2017 has not yet been taken – uncertainty on when CRP repeal will take place. The current assumption is that the plan will not be repealed by 1 June 2016 but could be repealed later in the year. Whiting was originally dependent on the CRP, but the merger of TR1 and TR2 gear categories have reduced problems. The UK is currently exploring how best to introduce whiting – one idea being explored is the introduction for TR1 gear in 2017 with TR2 delayed to 2018. In the North Sea two exemptions are being sought for high survivability which are still being examined by other Member States. These are for: undersized sole caught with small mesh trawl gears in area IVc and VIId and Nephrops caught with trawl gears in areas IV and EU waters of IIa.
- The North Western Waters is more complex with numerous rules already. The regional group identified three potential ways to progress. This included: reducing thresholds to make more vessels subject to 2016 rules; the inclusion of bycatch

within targeted fisheries; and the introduction of new species/targeted fisheries. The best way to progress each rule for 2017 was taken on a case by case basis. Progress has been made by reducing thresholds and considering two new species: megrim and pollack. Where Member States are unable to agree to a species introduction in 2017, the UK is advocating that the species is added to a NWW phasing pipeline for either 2018 or 2019.

In the NWW two exemptions in 2017 are being sought: high survivability exemption for undersized sole caught with small mesh trawl gears in area IVc and VIId and potential de minimis exemption to accompany the megrim proposal.

#### Discussion

- The Advisory Councils and the High Level Groups need a closer working relationship. All voices must be heard within the High Level Groups.
- A Spanish de minimis application is interesting and we are looking to see if that would work for the UK as well.
- Re whiting and the idea being explored to introduce TR1 gear in 2017 with TR2 delayed to 2018. We would welcome this for the BT1 and BT2 as well.
- There are issues with the potential repeal of the cod recovery plan. The issues in the North Sea will be different to areas VI and VII. This will have to enter into the landing obligation.
- **Q.** An exemption is being sought for undersized sole caught with small mesh trawl gears in area IVc and VIId. Why bother when discard rates are so low? **Answer.** This issue was raised by industry. This selective gear does reduce white fish bycatch and this exemption would last forever. **Q.** Why small mesh trawl gears – why not just trawl gears? **Answer.** The evidence is from one project using small mesh trawl gears so we can't stretch this too far.

**Action:** Feed in experiences re the pelagic landing obligation and the demersal landing either to Defra directly or via the regional MMO officers.

#### **Marine Scotland update (provided in written form)**

- Marine Scotland, alongside Defra, continue to input to North Sea and North Western Waters meetings, where discussions continue with Member States on further phasing in of the landing obligation.
- Marine Scotland alongside Defra attended the Danish Workshop on International Quota Swapping on 11 March 2016 in Copenhagen.
- The Scottish Discards Steering Group (SDSG) met on 17 March – drafts minutes have been circulated and once finalised will appear on the Marine Scotland website.
- The UK hosted an international 'Access to quota' (i.e. choke species) workshop on 14-15 April in Edinburgh. Nine Member States; the North Western Waters, North Sea, South Western Waters, and Pelagic Advisory Councils; EAPO; and the Commission attended the session. The session aimed to move the discussion on from the problems associated with choke species, to identifying possible solutions to 'choke' scenarios. Initial feedback from participants indicates they found it helpful at moving the discussion on. The outcomes of the session will be shared with participants in due course and a paper will be prepared for HLGs consideration.
- Marine Scotland is working with Scottish industry representatives (via SIDI) on their request for a de minimis exemption for saithe.

- Scottish POs have submitted landing obligation management plans for 2016 to Marine Scotland, describing a range of initiatives by which they will assist members in implementing the obligation.
- Marine Scotland has issued a consultation outlining a proposed Clyde Herring TAC for 2016.

#### **Welsh Government update (provided in written form)**

- Welcome the continuing DAG process and the valuable input its content represents
- Wales maintains its dialogue with other Fisheries Administrations within the UK position on the formation of Delegated Acts particularly in the NWW region.
- Domestic Welsh fisheries have been largely unaffected by the DLO and this looks set to continue into 2017 on present proposals
- We have seen very little in the way of unwanted fish landed by OMS this year but accept that de minimis provisions have been in operation. We continue to monitor this position in relation to the systems required to manage unwanted fish on-shore.
- We ran a 'Discards Workshop' in early December 2015 for industry and other stakeholders to understand and discuss the implications of the DLO in Wales for 2016. As the changing DLO position emerges we intend to support Welsh industry with further, perhaps regional workshops in conjunction with Seafish later this year.

#### **9. Gear selectivity trends. Mike Montgomerie, Seafish.**

The introduction of the landing obligation has renewed interest in gear innovation and fishermen have changed their attitude. Our February Hirtshals course had more of an introductory focus and was very popular. Fishermen are already a long way down the road but the trend has been one net to do everything and size selectivity rather than species selectivity. With the landing obligation the focus is now on species selectivity but there is not enough quota to match what the fishermen are seeing in the sea. A lot of people are working on this – the Gear Innovation Technology and Advisory Group (GITAG), Cefas, DARD, and previously the 50% Project. There are some new innovations as well – how fish react to light, quad rigs, moves away from retro fitted designs to completely different trawls for different fish at different times of the year in different area. The real concern however is no obvious solution to the problem of large hauls of hake and saithe in the North Sea.

##### Discussion

- **Q.** Do you see EMFF as a useful tool? Whilst EMFF is open the call to allow selectivity trials is not yet open. Will this open soon? **Answer.** We will need to look into this. England, Scotland etc have different funding pots but we are open to ideas. There was the view that previously the application process in Scotland had been easier than in England.
- **Q.** Is there an option to have a central repository which could fund selectivity projects? **Answer.** This is what GITAG was set up for. To draw down funding and allow trials to go ahead without cost to the business.

#### **Gear Innovation Technology and Advisory Group (GITAG) update (provided in written form)**

The first phase of GITAG and was brought about to allow projects to be developed in advance of the EMFF funding coming on line. It has limited budget at this stage but

moving into Phase 2 there will be wider funding available. There are four approved applications in the first stage. The projects cover a range of innovations from completely new net designs to changes to more familiar gears. There is a fifth project which is also being developed on the West Coast to look at using short sweeps.

Stage 2 is in development and there is already some interest from skippers in developing projects. It would be hoped that a wide range of vessels and fishing gears as well as fishing areas will be included in the second phase. Support is being provided by Seafish and Marine Science and Policy. Ideas from all sectors are encouraged to ensure that the second phase is fit for purpose and can be a useful tool for skippers in meeting the Landing Obligation. The Phase 2 project will have an Advisory Group which will be made up of industry to guide the project and review outputs. Projects which are taken forward under GITAG will have trial gear and charters fully funded with derogations to cover quota and days where appropriate.

**10. Seafish South West Low Lift Trawl with Hopper Rig Project. Gus Caslake, Seafish.**

This is a new Seafish-funded project working with the South West Otter Trawlers to develop a low lift trawl to reduce the haddock bycatch. Currently tendering for vessel to take part.

**11a. Project Trawlright – An example of a small scale fishery improvement and innovation in the supply chain. David Parker, Young's Seafood; Sam Elliot, Cefas; and Dan Watson, Safetynet.**

This new technology has been trialled on a 15-18m twin rig Nephrops TR2 vessel (FV Providence) operating out of North Shields. The trials were carried out in October 2015, November 2015 and February 2016. Project Trawlright is all about illumination to guide the fish to the escape area within the net. Trawlright Gear uses 90mm aperture light rings (x6) – bright LEDs bolted into the square mesh panel on the starboard side trawl. Over four hauls initial observations suggest a reduction in bycatch of around 33% which is very promising. It was not clear whether the fish would have a passive or active reaction to the lights. There appeared to be a greater reaction the further you moved from the selectivity panel.

Discussion

- **Q.** Do the lights work at a lower depth? **Answer.** Yes we think so but it is more about the distance between the fish and the lights rather than the depth. We are catching fewer small fish. On a twin rig it was noted that the starboard side usually fishes better than the other side.
- This could be the first stage of a major development – a proof of concept. Could be an add-on to other gear innovations.

**11b. Gear selectivity 2.0. David Parker, Young's Seafood.**

The idea is to get a group together to look at new and up and coming technologies with a view to supporting industry in experimenting with these ideas to improve gear selectivity where required. This would be from a supply chain/retailer angle where the expectation is that fishermen will get their house in order in respect of discard reduction with a minimum of support. He sees a day, probably 2019, when, if the fishing industry does not address any issues of excessive discards in its fleet they will be classed by the larger retailers as IUU fisheries because they are not properly working to the requirements of the landing obligation.

To try to support the industry in addressing the discard ban and prevent the buyers from getting into an IUU situation David wants to pull together a group to encourage testing of some really innovative, high tech ideas, many of these will be technologies that have been developed for other industries and may have potential to aid selectivity in the fishing industry. He is looking to pull together a group consisting of supply chain companies, retailers, NGOs government groups etc who can all contribute **financially**, to enable the group to use this as match funding to apply for other forms of funding, such as EMFF to finance projects to source and test some of these more radical ideas with a view to commercial sea trials to test their effectiveness in commercial fishing gear. This will be an ongoing project. Potentially DAG could be the vehicle to potentially facilitate this and keep industry up to date with progress within this project.

#### Discussion

- There was general support in the room for an initiative such as this to share knowledge and best practice.
- Gets to the heart of the general communications struggle.
- The best call to action I have heard in ages.
- Fishermen must be in the driving seat.
- We must not fail to recognise what others are doing.

**Action:** Seafish to issue a call for expressions of interest to explore what role DAG could play in this. The first proposed step is to convene a sub-group of DAG to explore what this could look like and to brainstorm who should be involved, how it could be developed, its aims and objectives, what format it could take, what funding was needed and the type of projects to be shared. The aim is to engage with fishers, scientists, engineers and the supply chain.

#### **12. Date and topics for next meeting**

The date for the next meeting was not discussed but is likely to be September/October 2016.