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Location: West-Indisch Huis, Amsterdam, NL (Herenmarkt 99, Tel: +31 20 625 7528)

Date: 4 October 2012

Start time: 3 pm

End time: 6 pm

More info: see [www.pelagic-rac.org](http://www.pelagic-rac.org)

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### Participants:

Christian Olesen (chairman), Alex Wiseman, Almudena Gomez, Anne-Marie Kats, Audun Maråk, Bill Steward, Carmen Fernandez, Carl Jesper Hermansen, Ciaran O'Donnell, Christine Absil, Eibhlin O'Sullivan, Eric Roeleveld, Esben Sverdrup, Frank Minck, Frederik Schutyser, Fuensanta Candela, Gerard van Balsfoort, Henk Offringa, Iain MacSween, Ian Gatt, Ignacio Fontaneda López, Jean-Marie Robert, Jerome Nous, Jesper Juul Larsen, John Ward, Jose Beltran, Karin Victorin, Lesley Duthie, Miren Garmendia, Niels Hintzen, Nils Christian Jensen, Otto Gregussen, Reine J. Johansson, Remi Mejecaze, Rob Banning, Sarunas Zableckis, Sean O'Donoghue, Stewart Harper, Uwe Richter, Verena Ohms

### (1) Opening of the Working Group I meeting by the chairman, Christian Olesen

The chairman opened the meeting at 3 pm.

### (2) Approval of the agenda

The agenda was approved without amendments.

### (3) Approval of the minutes from 11 July 2012

The minutes were approved without amendments.

### (4) Fishing opportunities 2013 (including presentation of ICES advice by Carmen Fernandez)

The chairman gave the floor to Carmen Fernandez to present the recently published ICES advice on fishing opportunities in 2013 for Northeast Atlantic mackerel and Atlanto-Scandian herring.

- **Northeast Atlantic mackerel**

Carmen Fernandez explained that ICES advises the catch for this stock to be between 497,000 and 542,000 tons and that existing measures to protect the North Sea component should stay in place. She explained that  $F$  is above  $F_{msy}$  and  $F_{pa}$  and that although  $SSB$  is above  $MSY_{Btrigger}$  and  $B_{pa}$  it has started to decline. There is insufficient information to estimate recent year classes reliably and landings reached a historical maximum in 2011. Although a management plan has been agreed in 2008 there is no international TAC agreement. The stock is treated as a single stock, but three spawning components have been identified. In recent years the stock expanded north-westwards during spawning and

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summer feeding which lead to a significant increase of Faroese and Icelandic catches. Discards are thought to be underestimated. The assessment takes into account the triennial egg survey, landings data and discard estimates. Recruitment indices are not available.

After the presentation the chairman allowed questions. Sean O'Donoghue remarked that the ecosystem survey in the Nordic Seas which was carried out in July and August 2012 is not mentioned in the advice sheet and he wanted to know whether this is a valid survey which will be repeated every year and whether it will be taken into account in the future. He also said that stock size seems to be underestimated in the current assessment and therefore wondered if there was a problem with the underlying model.

Carmen Fernandez replied that the summer survey had been discussed in WGWISE, but not been included in the assessment yet because some of the methodology used must be peer-reviewed first. She emphasized that it is by no means ignored, but at the moment too uncertain to be taken into account. She also explained that historical under-reporting of landings complicates a reliable assessment. The benchmark in 2014 will provide a good opportunity to assess the quality of data and surveys.

Gerard van Balsfoort said that he understands ICES' point about uncertainty, but that there must be a time at which the time series will finally be adapted and he wanted to know when ICES will stop referring to historical under-reporting of landings. Regarding catch data he mentioned that the Faroe Islands caught much less mackerel than assumed by ICES and that real catches correspond to ca. 880,000 tons. He asked whether that would change the options table in the advice. Finally he noticed that to his knowledge all member states have to collect discard data and thus wondered why ICES does not seem to have the exact discards figure.

Carmen Fernandez explained that one needs a historical perception of the stock in order to determine reference points and that therefore the historical misreporting still has to be considered. She hoped that this issue might be resolved during the benchmark meeting. Regarding Faroese catches she said that with a little bit less catches fishing mortality would be a bit lower too while SSB would be slightly higher and this would cause a slight increase in quota. She said that discards are generally a problem and that even though discarding is prohibited in some non EU countries there might still be illegal discarding and slippage.

Reine Johansson commented that ICES is part of the problem as it is not assessing the stock reliably. He admitted that some stocks are more difficult to assess than others, but that mackerel has a significantly higher biomass than assumed by ICES. Therefore the stock will not collapse even though other countries fish too much.

Jose Beltran confirmed that fishermen see a lot of mackerel in the sea which cannot be fished because there is not enough quota. He pointed out that according to ICES biomass drops every year and hence quota. However, mackerel preys on horse mackerel and if not enough mackerel is caught this can also harm other stocks.

Carmen Fernandez replied that scientists are well aware of the fact that the industry disagrees with ICES' perception. She invited the industry to provide more and better data as input for the benchmark which might result in a better stock assessment.

Jose Beltran countered that if Carmen Fernandez is referring to landings data no better data will become available as these are swimming in the sea, but are not allowed to

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be caught.

Audun Maråk uttered that the egg survey is very uncertain and belongs to the past. He suggested asking ICES to improve the quality of future assessments and that all Coastal States should work together in this respect. Even if the process took a couple of years it would be worth exploring other data sources like trawl surveys.

Carl Jesper Hermansen wanted to know what the advice would have been if only the last egg survey had been used as recruitment index instead of the average as the 2010 year class showed a very strong recruitment.

Carmen Fernandez corrected that the entire time series of the egg survey had been used and not an average to estimate SSB and not recruitment.

The chairman remarked that he has been told that mackerel is an indeterminate spawner and that therefore egg surveys have to be treated very carefully for this stock.

Carmen Fernandez explained that the consequence of mackerel being an indeterminate spawner would be that no prediction on how many individuals produce the amount of eggs seen could be made. She furthermore said that the egg survey is only used as an indication for SSB meaning that if the survey goes up or down, SSB goes up or down. This method is based on assumptions, but models always have to make assumptions.

Gerard van Balsfoort responded that relying on the egg survey might distort reality and that there were discussions in the past on having other surveys and the egg survey on top. He proposed discussing this in the benchmark.

Rob Banning asked why SSB is at its highest level since 1990 in one figure, but not in the other and Carmen Fernandez explained that one figure displays observed data while the other one is based on the assessment and that both are relatively close.

Sean O'Donoghue remarked that the whole stock perception would change if mackerel turned out to be an indeterminate spawner. Figure 9.4.2.2 in the advice sheet does not show a big recruitment in 2008 although there should have been one. He said that in two years' time it will be proven that stock size is heavily underestimated with SSB being at least twice as large as is assumed by ICES meaning that fishing mortality is much lower than it could be and recruitment much higher than what it is assumed to be. He suspects that something is wrong with the assessment model.

Carmen Fernandez understood why the industry thinks there is more fish, but she did not understand where the industry's numbers are coming from as this would require an assessment. In 2010 not much data on the 2008 year class were available as this year class has been only two years old then and it will take a couple of years until scientists get a better estimate of that year class.

Otto Gregusson agreed on the necessity to find better ways to assess this stock. At the same time he pointed out that an agreement will have to be found with other parties and he wondered if the expansion of the stock into Icelandic and Faroese waters will continue or if it is so temperature dependent that it will go back to the previous situation.

Carmen Fernandez told the meeting that a workshop has been looking into this, but that the report is not yet available and that she cannot answer this question. However, she doubted that the shift is only temperature dependent. Furthermore she explained that

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ICES is especially interested in catch data and not so much landings and that it follows cohorts in the catch data. She said that it takes a few years until a cohort gets into the fishery, but once it does it will show up every year and then ICES will be able to make more reliable recruitment estimates. She admitted that it would be better to have a recruitment index, but that for mackerel none exists.

Ian Gatt stated that the problem with mackerel clearly lies in the uncertainty of estimating recruitment. He asked how fishermen could contribute in solving this problem and provide enough data for ICES to work with.

Carmen Fernandez answered that it has been suggested to increase the coverage of observer programs and Ciaran O'Donnell added that although there are concerns regarding the egg survey it does provide a very long time series. Unfortunately mackerel does not have a swim bladder. Otherwise it would be possible to use acoustic surveys which are much better for widely distributed stocks.

The chairman concluded that there is plenty of work to be done before and during the benchmark in order to improve the scientific assessment of mackerel, but that here and now the ICES advice had to be accepted and that the Pelagic RAC had to formulate its advice for 2013. He proposed, similarly to last year, not to advise a specific TAC as there is no Coastal States agreement, but to recommend to the Commission that everything has to be done to reach an international agreement.

Eibhleen O'Sullivan replied that the current situation might just continue and that at the end the European fishery is at stake. Therefore she said that it might be necessary to provide a more detailed advice.

Jose Beltran agreed. He argued that it will not be enough to urge the Commission to reach an international agreement, because this might only lead to a decrease in TAC and another decrease next year and so on. Not providing a more comprehensive advice would seem like the Pelagic RAC is not doing its work.

The chairman summarized that there are two problems with the mackerel stock. The first problem is how to harmonize stock perception between industry and science. The second is how to find an agreement with the Coastal States. Regarding the first problem he suggested launching initiatives that could help the scientific community to improve stock assessment. He asked Gerard van Balsfoort if there were any initiatives planned by the NPWG.

Gerard van Balsfoort explained that in several member states there has already been cooperation with science and that there even was the idea to establish a focus group on mackerel within the Pelagic RAC. However, before this is done he suggested that a few industry representatives should meet with ICES and discuss whether organising a joint workshop could be a fruitful way forward in developing a new methodology for assessment of the stock and maybe providing meaningful data to ICES which might be collected with industry vessels. He said he was happy to organize an appropriate meeting and inform the Pelagic RAC about its outcome. He also emphasized that people have to be found who actually have time to do this work.

Reine Johansson ensured his support. At the same time he pointed out that such a project would be rather costly and that therefore the Commission and member states have

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to be involved.

Gerard van Balsfoort agreed on the costs aspects, but nevertheless suggested to first involve the right people in the project and come up with useful ideas and then find the means to finance it.

Ian Gatt proposed adding in the advice that there is no confidence in the data and ask the Commission to push for the establishment of a comprehensive inspection team from Norway, Iceland, Faroe Islands and the EU to ensure that ICES gets true and reliable data.

Stewart Harper added that the fishing industry is facing a TAC reduction not only due to the ICES advice, but also because there is no international agreement. He said that the only other element going into the assessment is catch data and people are working hard to catch larger fish. This should be pointed out.

Sean O'Donogue suggested discussing this issue again in the Pelagic RAC's February meeting and to see what progress has been made by then and maybe set up a focus group at that time.

The chairman responded that he is not sure if the Pelagic RAC is the right forum for a focus group as there are four Coastal States involved. He agreed that data collection has to be improved, but he would rather see this undertaken under NEAFC or in collaboration between the Pelagic RAC and ICES. He promised to include this issue on the agenda for the February meeting. Until then the Pelagic RAC shall not recommend a TAC number, but push for an agreement between all Coastal States, the establishment of an international inspection team as suggested by Ian Gatt and to address the uncertainties of the stock assessment.

- **Atlanto-Scandian herring**

Carmen Fernandez presented the ICES advice for 2013 which follows the management plan and hence advises a TAC of no more than 619,000 tons. In recent years F has been underestimated while SSB has been slightly overestimated. Since 2005 the stock has been in a low recruitment phase and therefore SSB is expected to drop below MSY Btrigger in 2014 even with zero catches in 2013.

The chairman said that according to ICES discards do not seem to pose a problem. However, according to hear-say a lot of mixing between herring and mackerel occurs in the Faroese waters and fleets targeting mackerel do discard herring. He asked whether ICES has noticed that. Carmen Fernandez was not aware of anything relating to this issue. The chairman then explained that the Coastal States had sent a request to ICES asking whether to use  $F_{msy}$  in the management plan. The evaluation has been postponed, however, until March 2013. As a side comment to the Commission official's he suggested requesting an evaluation of the boarfish management plan by the same group which should save costs for the Commission. He then reminded the meeting that last year the Pelagic RAC had recommend evaluating whether the HCR could be increased and suggested following the management plan.

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Ian Gatt proposed including Atlanto-Scandian herring on the agenda of a potential international inspection team too because SSB is decreasing.

- **North Sea autumn spawning herring**

The chairman reminded the participants that during the Working Group I meeting in July it had been decided to wait for the results of WKHELP which dealt with the revision of the management plan before giving advice on this stock. WKHELP held one webex meeting and two physical meetings and chairman of that workshop was Niels Hintzen who promised to give a presentation on the outcome.

Niels Hintzen explained that WKHELP was requested to evaluate reference points, different HCR options and density dependence and that based on the results of this workshop an advice will be submitted to ACOM soon. He summarized that  $B_{lim}$  has not changed, that  $B_{pa}$  has changed to be at 1 Mio tons, that  $F_{msy}$  is a range of values between 0.24 and 0.3 and that  $B_{trigger}$  will depend on the scenario chosen. He showed an illustration of the current HCR rule which was evaluated during WKHELP with the new  $F_{msy}$  values and three different stability mechanisms (3 years rule, 50/50 rule and FIAV) which were either applied when SSB was above  $B_{trigger}$  or above  $B_{lim}$ . In total there was a large number of scenarios with lots of variation and in the end WKHELP selected 5 scenarios which were all precautionary, gave high yields and provided stability. Each scenario was associated with a different  $B_{trigger}$  to make it precautionary. In some instances the HCR rule worked best with  $F=0.24$ , in others with  $F=0.3$ . In any case SSB is predicted to decrease significantly until 2022 which is not surprising because  $F$  has been largely below  $F_{msy}$  over the past years and the stock has been "banked". Niels Hintzen then explained that there is a trade-off between yield and stability with those options providing the highest yield also being rather unstable due to rapid TAC adjustment. Regarding the effects of density dependence no conclusive evidence could be found, but the idea is to set up a plan together with the industry on how to tackle that question.

Gerard van Balsfoort added that the 10 year projections are based on low recruitment and that therefore SSB decreases in the simulations, which was admitted by Niels Hintzen.

The chairman subsequently explained that one option tested for being precautionary was banking and borrowing and that indeed banking and borrowing can be precautionary if the correct trigger values are used. Thus he concluded that it is legitimate to continue asking for this possibility. He showed a table comparing different scenarios in terms of mean yield, mean IAV and SSB in 2022. The most interesting scenarios to him were the FIAV and mean TAC (=50/50 rule) scenarios as these provided a good compromise between yield and stability. Although he was aware of the difficulty of reaching a decision based on this presentation he pointed out its necessity as there will be no more Pelagic RAC meeting in 2012. He explained that the WKHELP report should be finished by 12 October and that he and Gerard van Balsfoort have been part of the process and seen the results for all scenarios tested. In their view a  $B_{trigger}$  of 1.3 and  $F$  of 0.24 together with

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the 50/50 rule is the best option giving reasonable yield and stability. He therefore proposed advising on that option and suggested circulating the WKHELP report to Pelagic RAC members as soon as it has been published. Members would get one week to read the report and agree or disagree with the chairman's proposal.

Gerard van Balsfoort added that the simulations on banking and borrowing always assumed 10% banking and borrowing- a number which in reality would be much lower. He wondered if the Pelagic RAC should advise banking and borrowing on top of the 50/50 rule as he did not want banking and borrowing to compromise the 50/50 rule.

The chairman agreed that banking and borrowing should not compromise the 50/50 rule and therefore suggested formulating in the advice a "banking and borrowing of 10% or any lower sustainable number".

Fuensanta Candela remarked that she believed banking and borrowing to be excluded in the general regime of this stock, but Gerard van Balsfoort disagreed. Fuensanta Candela then said that if banking and borrowing was allowed for this stock she would not see any problem in actually applying it.

Jean-Marie Robert said that this type of work is very complex and that people will have to read the report carefully. He said that France will favour the rule which maximizes yield without compromising the quota system, i.e. the rule which best allies highest average yield and stability in TAC. He agreed that the rule suggested by the chairman seems to be indeed one of the best, but also remarked that the current LTMP does not seem to be too bad now that the stock perception has been corrected.

Gerard van Balsfoort explained that the LTMP and the 50/50 rule are only comparable this year due to a high upwards shift in SSB. If the same two rules had been used last year to calculate the TAC the difference between them would have likely been bigger. He argued for avoiding a system which cannot quickly adapt to changing perceptions in the future, because if recruitment increases in the coming years, yield will also increase with the 50/50 rule, but not with the current LTMP.

Rob Banning noticed that the allocation of the stock is also part of the current LTMP and that there is less NSAS herring in Norwegian waters now. He wondered if the Pelagic RAC should therefore also advise on allocation of quota. The chairman, however, responded that the Pelagic RAC usually leaves these discussions to managers and therefore proposed not to mention quota allocation.

Stewart Harper wanted to know what the TAC in 2013 would be if the scenario proposed by the chairman was adopted.

Niels Hintzen explained that it cannot be assumed that the numbers in the WKHELP report will be automatically translated into TAC advice as not everything will be the same when something is calculated for the short or the long term.

The chairman said that according to the WKHELP results his proposed option would deliver 431,123 tons in 2013.

The meeting agreed to the proposal by the chairman of adopting a recommendation through written procedure after distribution of the WKHELP report.

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- **WBSS herring**

The chairman informed the meeting that in July no consensus on an advice for WBSS herring could be found and the decision had been postponed to this meeting. He tabled a compromise and suggested that the Pelagic RAC should not advise on a TAC number for this stock as there is no management plan in place for the stock. Furthermore highest priority should be given to develop a management plan in 2013. Thereby the results of the benchmark meeting in 2013 should form the basis for the development and during the process the questions of allocation between 22-24 and IIIa, evaluation of mixing with NSAS and possible flexibility into the North Sea should be solved.

The participants agreed to this suggestion.

### **(5) Communication with WGWIDE**

The chairman provided an update on the communication with WGWIDE. After having sent a letter to WGWIDE David Miller had promised to send a reply before the current meeting. Unfortunately he was too busy and therefore could not write a reply in time. Therefore this issue will be presented at the next Working Group I meeting.

### **(6) AOB**

Jean-Marie Robert remarked in relation to the mackerel sanction rule that this should be linked to WTO. He wanted to know what the Commission is going to do about the potential implementation of that rule in the framework of WTO negotiations. He said that he had heard rumours about an exchange between the WTO and the EC regarding the mackerel situation.

Fuensanta Candela replied that she cannot answer this question because it is based on speculations and she rather does not speculate.

### **(7) End of Working Group I meeting**

The chairman closed the meeting at 6 pm and thanked the participants for a constructive and polite discussion.

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### **Annex I: Action list**

- Organize meeting between industry and ICES representatives to develop new methodology on meaningful collection of data by industry vessels (Gerard van Balsfoort)
- Discuss setting up a focus group on mackerel in February meeting
- Tackle question of density dependence in NSAS herring together with scientists
- Distribute WKHELP report once it has been officially published and adopt NSAS herring recommendation through written procedure