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Date: 24 September 2010
Our reference: 1011PRAC21/AC
Subject: Fishing opportunities 2011 herring stocks
CC: Mr Ernesto Penas-Lado, Mr John Spencer, Ms Isabelle Viallon (by e-mail)

Dear Ms Evans,

At the latest Pelagic RAC Working Groups meeting on 30 August 2010, the Pelagic RAC discussed the ICES advice for fishing opportunities in 2011 for several herring stocks and came to agreement on a number of recommendations. These recommendations were approved unanimously by the Executive Committee by written procedure.

Please find the recommendations attached in the Annex. If you have any questions, please do not hesitate to contact the secretariat.

Looking forward to your response,

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Aukje Coers', with a long horizontal line extending to the right.

Ms Aukje Coers
Pelagic RAC secretariat

Annex 1: Recommendations on fishing opportunities for herring stocks

North Sea herring

The PRAC acknowledges that science is subject to uncertainties. Although it is, of course, a very positive message that the SSB is larger than the scientists thought last year, the PRAC finds it unfortunate that the 15% IAV rule in the LTM plan denies the industry the opportunity to take full advantage of this development. The industry's concern is all the more so, because the ICES advice indicates that there is a vast difference between what the LTM plan prescribes, and what fishing at MSY would encompass. In short, at present (it is needless to say that uncertainties can work both ways and one can never be sure what next year's assessment will bring to table) the currently estimated fishing mortality indicates that the stock is being underexploited. These considerations caused the PRAC great difficulty in deciding what would be the most sensible solution in terms of setting a TAC level for 2011.

In May of this year, the PRAC sent a request to the Commission¹, to ask advice from STECF on what the implications the new insights of ICES would have if the TAC for 2010 was recalculated taking the new information into account. The PRAC was pleased to see that STECF has indeed made this evaluation². The PRAC was also pleased to see that the calculations by STECF confirmed what the PRAC had expected, namely that a TAC increase of 15% in 2010, rather than a TAC reduction of 4% would have been prescribed by the LTM plan. When the PRAC had its next Working Groups meeting in July and wrote to the Commission in August³, unfortunately the PRAC was not yet aware of the contents of the STECF report. The resulting recommendation to revise the North Sea herring TAC for 2010, did not have the support of the NGOs, because the scientific basis for this option was missing. Having been made aware of the STECF calculations, the PRAC would like to reiterate its unanimous recommendation that the TAC for 2010, be revised as soon as possible to be set at 196,650 t, provided that this in-year revision does not compromise the possibility to evaluate the LTM plan. In addition, agreement on the possibility to carry over 10% of the 2010 quota to 2011, would facilitate the industry to utilise these additional opportunities, at least partly, even when this decision comes late in the year.

As for the TAC for 2011, the PRAC recommends that the TAC is set in accordance with the LTM plan, i.e. to increase the TAC with 15%, *while using the by STECF recalculated 2010 TAC as the reference level*. In other words, in line with the evaluation by STECF, the PRAC recommends a TAC in 2011 of 226,148 t. Following a similar calculation, the TAC for the B fleet should then be set at 16,200 t.

Furthermore, the PRAC recommends that an evaluation of the 15% IAV rule in the LTM plan is carried out. ICES should be requested to evaluate its relevance in relation to ecological sustainability and STECF should be requested to carry out a socio-economic impact assessment. Considering that this year would be the first time that the rule is applied on an increase of the TAC, now seems an appropriate time to do so. Even more so when the current application of the 15% IAV rule would mean that it would take

¹ See letter by the Pelagic RAC on 7 May 2010 with reference 0910PRAC67/AC

² See STECF report of July 2010

³ See letter by Pelagic RAC on 20 August 2010 with reference 1011PRAC02/AC

several years before the actual exploitation level can be brought back in line with the target exploitation level of the LTM plan. The PRAC looks forward to discussing with the Commission the outcomes of these evaluations, and the question of whether or not the LTM plan should be amended or kept as it is.

In addition, the PRAC would like to draw the Commission's attention to the fact that the ICES advice reports 44,600 tons of alleged Atlanto-Scandian herring catches by Norwegian vessels in area IVa. The PRAC wonders if (a) it is certain whether these catches actually are Atlanto-Scandian herring or consist of North Sea herring and (b) whether this practice is in line with the principle to manage outtake per area? In other words, are these catches taken in compliance with the bilateral agreement between the EU and Norway or should they actually be counted against North Sea herring quota? The PRAC would like to request the Commission to investigate this.

In short, the PRAC recommends that:

- **The TAC for 2010 is revised and set at 196,650 t as calculated by STECF, following ICES' substantial revision of the level of SSB;**
- **The possibility to carry over 10% of the 2010 quota to 2011 is agreed to facilitate the industry in utilising these additional opportunities, even when this decision comes late in the year;**
- **The TAC for 2011 is set in accordance with the LTM plan, while using the by STECF recalculated 2010 TAC as a reference, i.e. at 226,148 t;**
- **The TAC for 2011 for the B fleet is set at 16,200 t;**
- **An evaluation of the 15% IAV rule in the LTM plan is carried out, by requesting ICES to evaluate its relevance in relation to ecological sustainability and STECF to carry out a socio-economic impact assessment, and;**
- **The Commission investigates the nature of the 44,600 t of Norwegian herring catches in area Iva.**

Western Baltic herring

The PRAC recommends that the outtake of this stock is based on the Commission's policy statement document, i.e. based on a 30% reduction in F. In May this year the PRAC submitted to the Commission a recommendation for a LTM plan for this stock, which was based on an elaborate process in the scientific project JAKFISH. The PRAC feels that the further TAC setting for the two areas (22-24 and IIIa) and for the different fleets should be based on the principles put forward in this LTM plan. This would result in the following TAC setting steps:

- A reduction of F by 30% results in a total of WBSS herring outtake of 43.600 t;
- Dividing this outtake 50-50% between the two areas results in a WBSS herring TAC of 21,800 t for area 22-24 (4% reduction in comparison to 2010 TAC) and WBSS herring outtake for area IIIa;

- To derive the TAC for area IIIa, mixing with NSAS herring needs to be taken into account, and so 8,478 t of NSAS herring should be added (based on the average mixing percentage over the last three years – 72%);
- The TAC for the C fleet in area IIIa should thus add up to 30,278 t (11% reduction in comparison to 2010 TAC);
- Changes in the TAC for the D fleet should be linked to the C fleet and for 2011 it should thus be reduced by 11% resulting in a TAC of 6,676 t.

In short, the PRAC recommends:

- **A TAC of 21,800 t for area 22-24;**
- **A TAC of 30,278 for fleet C in area IIIa;**
- **A TAC of 6,676 for fleet D in area IIIa.**

Celtic Sea herring

The PRAC recommends that the TAC is set based on the Irish industry proposal for a rebuilding plan and in accordance with the ICES advice, i.e. at 13,200 t.

Herring in VIa North

The PRAC recommends that the TAC is set based on the LTM plan, i.e. at 22,481 t.

Herring in VIa South

The PRAC takes note of the Commission's intention as put forward in its policy statement document that "In the context of a more regional approach to implementing the CFP, the Commission would like to consult interested parties on devolving the management of Total Allowable Catches (TACs) that concern only one Member State to that Member State, subject to long-term commitments on reporting requirements and good management practice". The PRAC supports this initiative and is of the opinion that it would be appropriate to deal with the management of herring in VIa South in this manner, i.e. that it should be left to Ireland. The PRAC is aware of the problems in relation to the survey on this stock and encourages the Commission and the Irish authorities to resolve this issue in collaboration with scientists and stakeholders. The PRAC furthermore would like to note that it will discuss the results of the ICES study group SGHERWAY, which may contain relevant information for the management of this stock.

Irish Sea herring

The PRAC recommends that the TAC is set based on the Commission's policy statement document and in accordance with the ICES advice on this option, i.e. at 5,520 t.