



Industry Shocked at Latest Advice from ICES on Mackerel

On September 28 ICES released 2019 catch advice for NEA Mackerel, Western Horse Mackerel and Blue Whiting. The industry is shocked at the ICES mackerel advice which is recommending a 68 per cent reduction on the 2018 catches (see Editorial.)

Mackerel Advice

A long-term management strategy for NEA Mackerel was evaluated by ICES in 2017. However, the plan is not agreed by all parties and ICES advice is therefore based on the MSY approach. The catch advice for 2019 is 318,403t, a reduction of 42 per cent on the 2018 advice. Following a number of strong year classes and a period of rapid increase in stock size, the 2015 and 2016 year classes are estimated to be weak. With large catches in recent years, the assessment and forecast indicate a stock that has been falling since 2011 (the industry perception is totally contrary to this decline) and is estimated to be below $MSY B_{trigger}$ in 2018 and 2019. Under the MSY advice rule, this results in an advice for 2019 based on a fishing mortality reduced from F_{MSY} .

Blue Whiting Advice

The 2019 catch advice for Blue Whiting is 1,143,629t based on the agreed long term management strategy. This is an 18 per cent reduction on the 2018 advice and, while the stock remains well above $MSY B_{trigger}$, catches have exceeded advice and fishing mortality has been above F_{MSY} in recent years. The very strong 2015 year class is now

fully recruited to the fishery. However, the most recent assessment has revised down the size of the stock in recent years and with recent recruitment (2017 and 2018) estimated to be weak this is forecast to lead to a further reduction in stock size in 2020.

Western Horse Mackerel Advice

2019 catch advice for Western Horse Mackerel is based on the MSY approach and is 145,237t, an increase of 24 per cent on the 2018 advice. Although the stock is estimated to have been at a historical low in 2017, the latest assessment has resulted in an overall upward revision of the historical biomass. Fishing pressure has been falling since 2013 and, with recent above-average recruitment, the forecast indicates an increase in SSB for 2019, above $MSY B_{trigger}$.

Advice Norwegian Spring Spawning Herring, Boarfish and North Sea Horse Mackerel

2019 catch advice for Norwegian Spring Spawning Herring will be released on October 22. Advice of 21,830t for Boarfish in 2018 and 2019 was released in 2017, and likewise for North Sea Horse Mackerel the advice for 2019 is the same as 2018 at 17,517t.

Proposed Control Regulation Needs Major Amendments

In May this year the European Commission adopted a proposal for a new control regulation. This was a further step in a process which had begun with its evaluation of the existing control regulation (Council Regulation (EC) No 1224/2009) and which was completed in April 2017. The amendments identified by the Commission are grouped under the headings: (1) Enforcement, (2) Data availability, quality and sharing, (3) Bridging the gaps with the CFP, (4) Synergies with other policies, and (5) Alignment with the Lisbon Treaty.

While the proposal specifically refers to simplification of the legislative framework and reducing the administrative burden, the details of the proposed regulation fail to meet the Commission's stated criteria regarding simplification, effectiveness, coherence and acceptability with significant issues regarding:

1. Sanctions
2. Weighing, transport, sales procedures and data
3. Landing obligation
4. Fishing capacity
5. Logbooks (e.g. margin of tolerance)
6. Traceability
7. Landing Declarations
8. Inspection and surveillance

1. Sanctions: A section of the Control Regulation of major concern to fishermen is the penalty point system; despite the issues already apparent in the existing Regulation, the new proposal does nothing to bring logic to the situation. There remains a lack of clarity as to who should be penalised; there is an assumption of guilt even if the master/owner has not been convicted in a civil court and, as currently, there is a significant disconnect between this system and our national judicial system. Here, as well as in other areas of the proposed regulation, there are a number of changes which appear to be in contradiction of the Irish judicial system and thus would be unworkable.

2. Weighing, transport, sales procedures and data:

The proposed increased detail on weighing requirements would also create disruption and economic hardship to many operators in the market chain. Existing derogations for weighing should be maintained. The proposed surveillance actions once fishery products are landed would create impossible obstacles for operators in the route-to-market sector. For instance, a transporter cannot be expected to prove geographical origin of fishery products; the definition of “lots” would be far too onerous to be workable, and operators providing transport cannot be expected to prove the products they carry comply with all standards as their available evidence is only one step back.

3. Landing Obligation: The use of CCTV, incorporating data storage, is being suggested for monitoring compliance with the Landing Obligation, the carrying out of inspections and the validation of the complete range of data a vessel must record and supply for control purposes. The use of CCTV for such purposes is not acceptable.

4. Fishing Capacity: The proposal to control fishing capacity by continuous monitoring of engine power is not acceptable and unnecessary given the existing monitoring, certification and verification.

5. Log Books (e.g. margin of tolerance): There are concerns regarding changes to “Hail-In” requirements such as a 10 per cent margin of tolerance regarding estimations of landings – a figure which has no official data value; also, the hail-in limits must be at the discretion of individual Coastal States as the entire fishing trip may be less than the advised time of four hours.

6. Traceability: The definition of “lots” as described in the proposal would be far too onerous to be workable. The level of detail required cannot become the responsibility of a transport operator who may have no access to data other than the transport documents which show only one step back.

7. Landing Declarations: The details required and the weighing of individual species, already referred to under “Weighing”, above, are not practical and would have serious consequences for product quality. Operators cannot be penalised for not complying with unattainable requirements.

8. Inspection and Surveillance: Inspections must be carried out in compliance with current GDPR rules including access to and usage of fishing vessel personnel data; when there is no evidence of wrong doing, data collected should not be uploaded to the proposed database of inspections and surveillance reports. Use of CCTV to carry out non-stop surveillance is not acceptable on fishing vessels.

Irish Inshore Fisheries Sector to Benefit from Development Strategy

The public consultation on developing a strategy specifically for the Irish Inshore Fisheries sector closed on September 9 last (‘Strategy for the Irish Inshore Fisheries Sector 2018-2023’.) This was the latest phase of a process begun in May 2014 with the setting up of the National Inshore Fisheries Forum designed to facilitate the development of a coherent inshore sector “voice” by encouraging fishermen to discuss their fishing issues and generate commonly supported initiatives. The National Inshore Fisheries Forum (NIFF) is supported by a network of Regional Inshore Fisheries Forums (RIFFs) based on and linked to the community-led Fisheries Local Action Groups (FLAGs) around the coast of Ireland. They have nominated delegates to bring forward regional proposals to NIFF for wider industry discussion. The RIFF members include inshore fishermen, usually using boats of less than 12m in overall length, environmental interests, marine leisure, marine tourism and other marine stakeholders.

The Inshore Fisheries Forums are financed under the Inshore Fisheries Conservation Scheme through Ireland’s EU Structural and Investment Funds Programme 2014-2020 and part financed by the European Maritime and Fisheries Fund. The Inshore Fisheries Forums are facilitated by the statutory bodies responsible for marine fisheries in Ireland, namely Department of Agriculture, Food and the Marine, Bord Iascaigh Mhara (BIM), Sea Fisheries Protection Agency and the Marine Institute. BIM provides administrative support to the forums.

This is part of a European Commission process to bring the inshore sector, widely referred to as the Small-Scale Coastal Fisheries (SSCF) into line with the larger fleet sectors. The SSCF is defined as under 12-metre vessels which do not use towed gears; in general they make up the greater part of the fleet in all EU countries. In Ireland, there may be some difficulties to overcome as the demarcation lines between inshore and offshore, SSCF and towed gear, are not as sharply delineated. There are many areas, particularly inside the 6nm limit, where the SSCF fleet shares the same fishing areas as vessels up to 18-metres; exposed coasts, severe weather conditions and lack of harbour facilities dictate that this will continue for many years.

It is inevitable, and desirable, that the SSCF operators

develop an identity and specific strategy but it comes with some substantial changes. Within a short time the SSCF vessels will be subject to the scrutiny currently applied to the larger vessels – VMS or equivalent, log sheets, gear marking, weighing on landing, traceability of catch will apply to all, even the smallest punt. Recreational fishers will be subject to similar surveillance.

The development of a more organised inshore sector has been increasingly evident, highlighted by recent events such as a public consultation on whether or not over 15-metre vessels should be excluded from inside the 6nm limit and the progress of the Island Fisheries (Heritage) Bill 2017 through the Oireachtas. The adoption of a formal strategy with Vision Statement and Key Objectives to be achieved in the next five years will move the inshore sector to a new level but not without overcoming significant obstacles. The stakeholders in this developing group are aware of the challenges posed by moving up the fishing industry ladder with all the additional responsibilities of participating in a highly regulated business. They are aware of the problems their colleagues in other sectors have overcome and the depth of knowledge which is available for a united, cooperative fishing industry irrespective of size.

Industry Hopes Technical Conservation Measures Agreed Soon

The Technical Conservation Measures (TCM) EC Regulation 850/98 and its many amendments has been the basis of fishery management throughout European waters for nearly two decades. There have been calls for its revision for many years and on May 11, 2017 the Agriculture and Fisheries Council adopted a proposal brought forward by the EU Commission for new technical measures for the conservation of fishery resources and the protection of marine ecosystems.

The need for simplification and regionalisation had long been the driver to revise the original TCM regulation and the Commission felt confident this would be a step forward; not alone would the rules be simplified but there would be opportunity for regional bodies to have an input and a more flexible system which could adjust to future developments.

There were other areas included such as working towards reducing catches below minimum conservation reference size as much as possible,

technical measures to improve selectivity, mesh size specifications which can be adjusted when appropriate and electric pulse fishing in those regions where the member states can demonstrate the lack of negative impact on habitat or other species.

It was expected the proposal would be adopted by the European Parliament in the second half of 2017 after which there would be a further period of negotiation between the two parties. However, the process became bogged down in argument and debate on a number of individual points with numerous amendments and counter-amendments. The electric pulse fishing, which was approved by the Council, was rejected at the European Parliament by a very substantial number of MEPs earlier this year and has remained a sticking point to date. Recent reports indicate there has been progress made on reaching agreement on the outstanding issues with a final overall consensus expected in the near future (see Editorial.)

On June 12 last the EU Commission launched a proposal for the European Maritime and Fisheries Fund (EMFF) which if adopted will come into force in January 2021. This is a significant proposal in many ways, not least that it is specifically constructed for 27 Member States (MS) after the withdrawal of the United Kingdom. This EMFF will support the Common Fisheries Policy, maritime policy and international maritime commitments of the European Union from 2021-2027.

The total EMFF financial package envisaged is €6,140,000,000. This would be implemented under the same delivery systems as the current EMFF 2014-2020 fund:

- under shared management by Member States through EMFF programmes based on national strategies - €5,311,000,000 (86.5 per cent)

- under direct management by the Commission - €829,000,000 (13.5 per cent)

There is a proviso that a minimum of 15 per cent of each MS budget must be ring-fenced for control operations.

The Commission estimates this would result in each MS having 96.5 per cent of their 2014-2020 allocation but this calculation is based on the UK not being included which creates a significant question mark over final available funds.

There was a consultation process in advance of this proposal which identified some of the shortcomings of the current EMFF and what changes MS would like to see going forward. Issues raised by the stakeholders included a call for a clear-cut legal framework for the implementation of Operational Programmes, monitoring and evaluation of the funding process itself, support for fishing fleets to be continued, targeted funding for the small-scale coastal fisheries, including Community Led Local Development (CLLD) and there was widespread agreement on continued support for Producer Organisations.

Under its over-arching statement of purpose for the EMFF, the proposal identifies four priorities:

- (1) Fostering sustainable fisheries and the conservation of marine biological resources;
- (2) Contributing to food security in the Union through competitive and sustainable aquaculture and markets;
- (3) Enabling the growth of a sustainable blue economy and fostering prosperous coastal communities;
- (4) Strengthening international ocean governance and enabling safe, secure, clean and sustainably managed seas and oceans.

Under these priority headings there will be flexibility in implementation. Rules and measures regarding eligibility will be drawn up by the individual MS and will be acceptable provided they are within the existing parameters consistent with the CFP. MS can establish areas of strategic priority rather than follow prescriptive lists of eligible actions which should enable focused and relevant support to the entire maritime sector.

The fishing industry faces many challenges over the lifetime of the proposed EMFF. A more flexible, common-sense approach by the Commission is very welcome. It is hoped that this will translate into practical and simplified access to funding as and when needed, and will be facilitated as per this proposal at this stage in the discussions.

In 2014 the European Parliament and the Council of the European Union adopted Directive 2014/89/EU which established a framework for Marine Spatial planning including its main goals and minimum requirements which must be in place by March 2021.

In Ireland this Directive comes under the remit of the Department for Housing, Planning and Local Government (DHPLG) and, more precisely, the Housing and Urban Development section currently headed up by Minister Damien English. The approach of the DHPLG is similar to that taken to produce the recently launched National Planning Framework and aims to create a process by which the relevant public authorities analyse and organise human activities in marine areas to achieve ecological, economic and social objectives. Eventually the National Marine Planning Framework (NMPF) will be consistent and fully aligned with the National Planning Framework in the terrestrial system. Maritime planning will apply from the High Water Mark in Ireland's coastal waters, territorial seas, exclusive economic zone and in designated parts of the continental shelf. Ireland's marine area is one of the largest in Europe totalling more than 488,000 Km².

An Interdepartmental Group chaired by DHPLG has been established to lead and oversee the development of the NMPF. All Government Departments whose policies and functions are relevant to the plan are represented, as well as one representative from the local government sector and one from the Marine Institute.

An Advisory Group chaired by Minister of State Damien English has been established to ensure the effective participation in the process of the economic, environmental and social pillars. It comprises members drawn from groups representing various marine sectoral activities, State agencies, environmental non-governmental organisations, professional bodies, technical experts and third level education. The Advisory Group advised on drafting the suggested marine planning high level objectives contained in the Baseline Report.

The DHPLG has held a comprehensive series of information sessions around the coast. The feedback from these sessions and the input from the Interdepartmental Group and Advisory Group has been pooled to produce a Baseline Report which was published on September 18 last. KFO has been a member of the Advisory Group from the outset and, together with other fishing industry representatives, has ensured the role of the industry has been protected and enhanced throughout this important process.

In an introduction to the Baseline Report Minister English says:

"This Baseline Report has been designed to help us identify what is happening in our seas; where, when and why it is happening, what challenges are faced, both at an individual sector level and collectively. When we see the demands being placed on our marine area clearly laid out we can effectively consider whether those demands can be met simultaneously or whether some management or governance is required in particular areas. As we move further along the process of plan-making, the report, and your feedback on it will play a critical part in the examining of potential synergies and co-existences, facilitating conflict resolution, anticipating future spatial needs and balancing the ecological, economic and social elements of the marine in a sustainable fashion."

The process of consultation will continue with a series of regional meetings on the Baseline Report featuring panel discussions with cross-industry participation and representation from across the economic, social and environmental sectors. It is hoped that all those stakeholders who will be eventually affected by the outcome of the NMPF will take such opportunities to ensure their views are expressed and included in the decision-making process. Your views can also be recorded by accessing <https://www.housing.gov.ie/node/9027> where there is a facility to make a submission.

Killybegs Identified as a Strategic Town in Donegal County Development Plan

In March 2018, after three years of work on many fronts, Ireland's National Development Plan and the National Planning Framework were published together to launch Project Ireland 2040. This 'framework' is intended to guide development and investment through a shared set of national objectives and principles. It is then left to three regional planning bodies and the 31 city and county councils to take a lead in refining these into more detailed plans.

In support of this process, the first comprehensive development plan for County Donegal was launched in May 2018. The Donegal County Development Plan (DCDP) supersedes any previous plans and while it focuses on the more immediate period of 2018-2024, it foresees development until at least 2038 in line with the National Planning Framework. The basis of the development plan is a three-tiered approach which will see Letterkenny at the hub, providing the infrastructure of a city which is an essential ingredient to fuel the second-tier of seven strategic towns of which Killybegs is one. The third-tier of development concerns smaller towns, villages and the wider countryside.

A major plank of this strategic plan is to increase the population in both Letterkenny and the seven tier-two towns identified for development. This requires major infrastructural development which has been itemised by the Development Plan including utilities such as water, both for use and disposal, road access and, very importantly, existing and future port facilities.

Killybegs meets many of the highest level criteria already. The deepwater harbour with substantial berthage is an asset which is available for immediate use but also has potential for future expansion. It is located in a prime position for international maritime traffic with good onward links to Ireland and Europe. The road system is currently being upgraded between Killybegs and major national routes to complete the transport system.

Nationally and internationally Killybegs is identified with the fishing industry; far from being a threat to the existing traditional businesses in Killybegs, the DCDP will open new opportunities for many to expand and diversify. Exposure to other processes will fuel innovation and encourage young people to become involved in the wider marine sector, and to stay and raise families in the area.

During the process of developing a future plan for Killybegs there was some concern that local heritage and environmentally important sites would be lost to major commercial development. This will not happen; aside from the normal safeguards afforded to such amenities, they will themselves acquire a high value with the current, and future, rise in tourism and eco-friendly projects. Killybegs local representatives have proved themselves to be sensitive to local opinion but broadminded and far-seeing when it comes to supporting a vibrant, sustainable future for Killybegs town and surrounding area and its dependence on the seafood and ancillary sectors.

Editorial



by Sean O'Donoghue

CHIEF EXECUTIVE, KFO



The ICES Advice for pelagic species 2019 TACs was issued on September 28 and was incredible. The advice for mackerel is 318,000 tonnes (see article page one) which is a reduction of 42 per cent compared with the 2018-TAC, and a 60 per cent reduction on that agreed by the coastal states EU, Norway and Faroe Islands.

At the basis of this unbelievable advice lies the method by which ICES arrives at its conclusions. The mackerel assessment is deduced from a combination of data: the tri-annual egg survey, the annual Norwegian Sea swept area survey and the RFID (radio frequency identification) tagging data. The RFID tagging has only been included in the assessment after the benchmark last year and the results from this system have indicated a large drop in Spawning Stock Biomass to below the trigger point for Maximum Sustainable Yield. However, there are a number of significant issues with this RFID tagging data, not least a quality control issue. ICES has indicated there will be an inter-benchmark for mackerel in early 2019 where this issue of RFID tags will be examined. In the meantime, ICES must reconsider its mackerel advice, exclude the RFID data and revise the advice for 2019.

The 2019 advice of a decrease in Blue Whiting of 18 per cent is disappointing but in line with the long-term management plan as catches and

fishing mortality have been above F_{MSY} in recent years. The increase in advice of 24 per cent for Western Horse mackerel is surprising and, like mackerel, the fishing industry has no confidence in this assessment and advice as it does not reflect reality on the fishing grounds. The Pelagic Advisory Council is actively working on a management strategy to try to resolve the major issues around this stock which hopefully will be available next year. There is no new advice for boarfish and North Sea horse mackerel, it is the same as this year and the Atlanto Scandia herring advice will be available later this month.

Brexit continues to dominate both the domestic and European stage. The European Fisheries Alliance (EUFA) is very active and in constant communication with both Michel Barnier's team and other Member States, while closer to home KFO and our fellow organisations are in continuous contact with Minister Creed and his Department of Marine officials. EUFA maintains that a strong link between fisheries and the wider trade arrangements, which copper-fastens the principle of maintaining current access to waters and existing sharing arrangements of the resources, is critical to a successful outcome of the fisheries negotiations. Once the core areas of access to waters

and the sharing of resources are agreed, the other issues such as management of stocks, financial concerns and governance will fall into place.

As indicated in our article on the proposed Control Regulation (page one), there are a huge number of issues where we would seek substantial amendments or complete removal. The area of sanctions has not been dealt with satisfactorily and the repeated effort to police many fishing activities using CCTV is completely unacceptable. The weighing of all species at the point of landing is not acceptable and existing derogations must be maintained. The whole area of route-to-market with unreasonable demands on chain of traceability is not feasible and will disrupt the supply chain with serious financial consequences at every point.

There has also been a proposal for a new EMFF (page three.) There are many improvements on the current EMFF with more flexibility and the Member States being able to set their own priorities but in real terms there is a substantial decrease in the budget which itself is based on the as yet unknown outcome of the United Kingdom withdrawal negotiations.

The final, and most difficult, phase of the implementation of the Landing Obligation is almost upon us. On January 1, 2019 all catches, with some exemptions, derogations, *de minimus* allowances, etc., must be recorded and landed. The most difficult aspect will be the "choke-species" effect which theoretically could leave fishermen unable to fish even though there are substantial uncaught quota fish available.

The launch of the Donegal County Development Plan is welcomed. This is the first time Donegal has had a long-term, comprehensive, multi-layered development plan. It appears to be well thought out and in line with the National Planning Framework and we are encouraged to see Killybegs identified as one of the seven strategic towns earmarked for development. Also in line with the NPF is the National Marine Planning Framework being carried out under the EU Directive on Marine Spatial Planning. KFO has been an active participant in this process and will strive to ensure that not only will the fishing industry not suffer negative consequences but will drive many positive initiatives which the NMPF should be able to deliver for fishing and the wider maritime community.

Regrettably, we have lost a number of good friends and colleagues in the recent past. I wish to extend sincere sympathies from myself and staff here in KFO to the family of Michael Gallagher whose family have been members of KFO for many years; to the family of Ken Byrne, whose brother Tony is a KFO Board member; to the family and colleagues of Fr. Eugene O'Carroll who will be missed from our annual Blessing of the Fleet and to the family of Richie Flynn, whose service to Irish seafood is legendary. Go ndéana Dia trócaire ar a n-anamacha uilig.

Important Dates October - December 2018

DATE	MEETINGS	VENUE
Oct 1	NPWG	The Hague
Oct 2	PelAC WG1 & WG2	The Hague
Oct 3	PelAC General Assembly & Executive Committee	The Hague
Oct 4-5	EAP0 AGM	Gdansk, Poland
Oct 8-9	Coastal States (Mackerel)	London
Oct 10-12	Coastal States (Blue Whiting, Atlanto-Scandian Herring)	London
Oct 15	NWWAC FG on Control	Brussels
Oct 15-16	Fisheries Council	Luxembourg
Oct 18	Markets Advisory Council WG2 & WG3	Brussels
Oct 19	Markets Advisory Council EXCOM & WG1 and FG on EMFF	Brussels
Oct 23-24	LDAC meetings	Brussels
Oct 23	Whitefish Quota Management	Dublin
Oct 24-26	Coastal States (Mackerel)	London
Nov 1	Industry Science Partnership	Galway
Nov 13	LDAC WG2	London
Nov 13-16	NEAFC	London
Nov 19-20	Fisheries Council	Brussels
Nov 26-30	EU/Norway Bilateral negotiations	Bergen
Dec 3	LDAC meetings	Madrid
Dec 4	LDAC/Joint AC meetings on Brexit	Madrid
Dec 10-12	EU/Faroes negotiations	Brussels
Dec 17-18	Fisheries Council	Brussels

Head Office: Killybegs Fishermen's Organisation Ltd.,
 Bruach na Mara, St. Catherine's Road, Killybegs, Co. Donegal.
 Tel: (074) 9731 089, (074) 9731 305, Fax: (074) 9731 577,
 Email: kfo@kfo.ie Website: www.kfo.ie
 Dublin Office Tel: (01) 825 8846, Fax: (01) 825 8847