

Northwest Atlantic Fisheries Organization



**Report of the NAFO Commission Ad hoc Working Group to Reflect on the Rules
Governing Bycatches, Discards and Selectivity (WG-BDS)
in the NAFO Regulatory Area Meeting**

10 July 2017
Dartmouth, Nova Scotia, Canada

NAFO
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2017

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1. Opening by the Chair, Temur Tairov (Russian Federation)	3
2. Appointment of Rapporteur	3
3. Adoption of Agenda	3
4. Discussion of the bycatch analysis performed by Scientific Council and the Secretariat	3
5. Action Plan in the Management and Minimization of Bycatch and Discards.....	5
6. Other Matters	6
a. STACTIC Intersessional Meeting, May 2017	6
b. WG-CR/CDAG Meeting, February and May 2017	6
c. NAFO Working Group on Improving Efficiency of NAFO Working Group Process	6
7. Recommendation to forward to the Commission	6
8. Adoption of Report	6
9. Adjournment.....	6
Annex 1. List of Participants	7
Annex 2. Agenda.....	9
Annex 3. Draft Action Plan in the Management and Minimization of Bycatch and Discards	10

Report of the NAFO Commission Ad hoc Working Group to Reflect on the Rules Governing Bycatches, Discards and Selectivity (WG-BDS) in the NAFO Regulatory Area

Dartmouth, Nova Scotia, Canada
10 July 2017

1. Opening by the Chair, Temur Tairov (Russian Federation)

The Chair opened the meeting at 10:00 hours on Monday, 10 July 2017 at the NAFO Headquarter in Dartmouth, Nova Scotia, Canada. He welcomed representatives from the following Contracting Parties (CPs) – Canada, Denmark (in respect of Faroe Islands and Greenland), the European Union and the United States of America. The Scientific Council was represented by its Chair, Kathy Sosebee. The presence of observers was also acknowledged (Annex 1).

2. Appointment of Rapporteur

The Senior Fisheries Management Coordinator of the NAFO Secretariat was appointed as rapporteur.

3. Adoption of Agenda

There was no substantive change in the previously circulated provisional agenda. As suggested by the Chair, the order of agenda items 6 and 7 was reversed (Annex 2).

4. Discussion of the bycatch analysis performed by Scientific Council and the Secretariat

Upon the recommendations of this Working Group (WG) from its August 2016 meeting, the Fisheries Commission during September 2016 Annual Meeting (Annex 14 of FC Doc. 16-20):

1. requested SC to examine relative levels of bycatch and discards of 3M cod/redfish, and stocks under moratoria in different circumstances (e.g. fisheries, area, season, fleet, depth, and timing) using the 2016 logbook (haul x haul¹) data, and
2. instructed the Secretariat to continue to analyze, for trends, patterns, anomalies:
 - in cases where bycatch thresholds² are exceeded or trends are apparent, the analysis should provide additional information on the associated catch weights for the specific stocks (3NO cod, 3M American plaice, 3LNO American plaice);
 - analysis should consider both historical and current CATs³ (2012 to current); and
 - trend in reported catch of non- Annex I.A species (3M witch flounder and 3M skate).

¹ Article 28.8.b of the NAFO Conservation and Enforcement Measures (NCEM) stipulates the recording and submission requirements of catches on a haul by haul (or tow or set) basis, or logbook information, of each fishing vessel.

² Threshold quantities are defined in Article 6 of the NCEM.

³ Article 28.6.c of the NCEM stipulates: every fishing vessel shall transmit electronically the quantity of catch retained and quantity discarded by species for the day, by Division, including nil catch returns, sent daily before 12:00 UTC. The daily catch report of the fishing vessel is identified as "CAT" in the NAFO Vessel Monitoring System.

Report of WG-BDS,
10 July 2017

Analysis of 2016 Logbook (Haul x haul) data

Due to time constraints during its June 2017 Meeting, SC was not able to conduct an analysis of the haul by haul data as requested by FC. Recognizing this, the Secretariat instead conducted analysis of the 2016 haul-by-haul data on for review by this WG. The presentation of the preliminary results is documented in Com-BDS-WP 17-03.

The analysis compared the numbers of fishing vessel/days in the haul by haul data with the equivalent data in CATs. In total, 82.5% of daily catch reports had corresponding haul by haul records. The Secretariat is working to resolve discrepancies between data sets and it is expected that some of the missing records will become available.

Catches of each species from daily catch reports and haul by haul data were presented. Overall, the haul by haul data are in the region of 80 to 93% of the totals from CATs as would be expected given the level missing data. However, there are a few cases where catches for individual flag stats are anomalously high or low.

Of the 32 272 records available, 15 66 (5%) lacked position information. The “end positions” reported for the remainder were plotted. Distribution of catches of each species by quarter were shown. Where available retained catches and discards by longline and bottom trawl are tabulated separately.

The main species (the most abundant species by weight) was determined for each haul. Catches from each stock, split by main species, were also tabulated and plotted in quarterly basis. For estimating the frequency of bycatch thresholds being exceed, the 2016 haul by haul data was used (see below)

Analysis of 2012-2016 of the daily catch reports (CATs)

As instructed, the Secretariat conducted the analyses of the 2012-2016 CATs for the detection of patterns, trends and anomalies. It was pointed out that a similar analysis was conducted the previous year using the 2012-2015 CAT data. The Secretariat also indicated that the latest analysis was previously presented at the STATIC Intersessional meeting in May 2017 (see agenda item 6.a). The presentation is documented in COM BDS-WP 17-002.

The CAT analysis confirmed the following characteristics that were revealed in the analysis conducted in the previous year:

- Cod in the Flemish Cap (Division 3M) represented the most predominant catch in any single division, followed by redfish,
- A major portion of the 3LMNO Greenland halibut catch comes from Division 3L,
- Redfish in a major species caught in all four Divisions. For 3LN Redfish, about 70% and 30% are caught in Divisions L and N, respectively. In Division 3O, it is the predominant species and skates is a distant second,
- Fish stocks 3NO skates and 3LNO yellowtail flounder are mostly caught in Division 3N.

With regards to bycatch:

- Skates and witch flounder are caught as bycatch in Division 3M (Flemish Cap),
- There was a remarkable reduction in the catch of grenadier for the period 2012-2016 and the latest grenadier catch was predominantly in Divisions 3LM,
- No trend was observed with regards to inter-annual variability of the bycatch.

With regards to estimating the frequency of hauls exceeding bycatch thresholds, the hauls of fish stocks 3LMNO Greenland halibut, 3M Cod, 3M Redfish, 3LN Redfish and 3LNO yellowtail founder as “directed species” were examined against their associated bycatch of 3NO Cod, 3M American plaice and 3LNO American plaice. In all, 5348 hauls were examined. The frequency of occurrence is summarized in Table 1 below.

Table 1. Frequency of hauls where bycatch thresholds were exceeded in 2016. (Data Source: 2016 Logbook (haul x haul) Reports.)

	Bycatch		3NO Cod			3M PLA			3LNO PLA		
	# Hauls	Catch (t)	> of 1000 kg or 4%			> of 1250 kg or 5%			> of 1250 kg or 5%, 15% in YEL fishery		
Directed Fishery	# Hauls	Catch (t)	# Hauls	DF Catch (t)	Bycatch (t)	# Hauls	DF Catch (t)	Bycatch (t)	# Hauls	DF Catch (t)	Bycatch (t)
3LMNO GHL	1614	7009.3	-	-	-	0	0	0	18	63.0	10.1
3M COD	1129	10774.2				10	34.8	3.6			
3M RED	995	4993.5				3	8.2	0.6			
3LN RED	1052	5708	17	92.7	14.3				7	249.2	34.5
3LNO YEL	558	3796.6	30	191.3	21.4				28	155.2	49

Discussion

The presentation of the Haul x Haul and CAT analyses elicited comments and points for discussion, including suggestions for further analysis in support of the NAFO Action Plan being developed:

- Noting that there have been outstanding technical issues regarding the submission and formatting of some haul by haul reports, the Secretariat should examine further the available data to detect possible discrepancies between the Haul x Haul and CAT reports, including working with Contracting Parties (Fisheries Monitoring Centres) to resolve any data issues.
- The Secretariat noted the specific suggestions and several areas for further analysis:
 - Expand existing by-catch threshold analysis to include directed fisheries for 3LNO Thorny skate and 3O Redfish;
 - Mapping of occurrences where by-catch thresholds have been exceeded by species and time period (quarterly intervals);
 - Report of discards, including rejects, by species and division;
 - Five-year trend analysis by species and division based on CAT reports;
 - Maps of by-catch of moratoria species for directed species in which it is most frequently encountered.
- The NAFO Roadmap towards an Ecosystem Approach to Fisheries (SCS Doc. 16-14) and the finalized Action Plan (see agenda item 5) shall provide direction to the SC and the Secretariat in further bycatch analyses.
- The results of the analyses could be useful in informing STACTIC in its task of formulating and evaluating management and enforcement measures relating to bycatch, discards, and selectivity.

5. Action Plan in the Management and Minimization of Bycatch and Discards

Recommendation 1 from WG-BDS meeting in August 2016 (FC Doc. 16-05) pertains to the Action Plan:

- ***the continuation of the Working Group to further develop and finalize the Action Plan in time of the 2017 NAFO Annual Meeting.***

The Working Group continued to work on the draft action. Due to time constraints, the draft was not finalized at this meeting. Further input was sought after the meeting. Annex 3 shows the status of the draft in which the input from CPs are reflected but has not yet been discussed by the WG. It was agreed to forward a recommendation with the aim to finalize the draft at the 2017 Annual Meeting (see agenda item 7).

6. Other Matters

a. STACTIC Intersessional Meeting, May 2017

The Secretariat informed that it presented the preliminary results of its threshold and patterns analyses at the STACTIC Meeting in May 2017 (FC Doc. 17-02). The presentation engendered discussions about the challenges with complying with bycatch rules outlined in Article 6 of the NCEM where domestic discard bans exist. STACTIC expects an updated presentation following input from this Working Group (see agenda item 4).

b. WG-CR/CDAG Meeting, February and May 2017

The Secretariat clarified that WG-CR met face-to-face in February 2017 (FC-SC Doc. 17-01) and that there were two follow-up meetings jointly with CDAG via Web-Ex in April and May 2017.

The SC Chair (concurrently the co-Chair of the WG-CR) Kathy Sosebee informed the Working Group that the *Catch Estimation Strategy* developed by the Catch Data Advisory Group was applied successfully in estimating Greenland halibut catches in the NAFO Regulatory Area. In addition, the method was also applied to stocks for which a full assessment was conducted by SC in June 2017. The WG-CR/CDAG will meet again in August 2017 to compare 2014 Greenland halibut catch estimates using this method with previous estimates, to consider haul by haul as part of the *Strategy* and to evaluate the usefulness of applying the *Strategy* to other managed stocks in the NAFO Regulatory Area. The recommendations to be forwarded to the Commission and SC will also be finalized at the August 2107 meeting.

c. NAFO Working Group on Improving Efficiency of NAFO Working Group Process

The NAFO Executive Secretary reported on the progress of this Working Group which comprises the Chairs of the NAFO bodies and other Working Groups:

1. a proposal will be forwarded at the Annual Meeting setting aside three 2-week periods as windows for Working Groups to meet intersessional – in February-March, in April-May, and alternating in late July or late August;
2. a proposal to revise the Rules of Procedure to streamline the communication mechanism of STACTIC with other bodies; and
3. a proposal that this Working Group would continue for another year in order to discuss the consolidation of Terms of References of the NAFO Working Groups.

7. Recommendation to forward to the Commission

The Working Group recommends that:

- the Commission requests the Contracting Parties to finalize the draft Action Plan in the Management and Minimization of Bycatch and Discards (see Annex 3) during the 2017 NAFO Annual Meeting.

8. Adoption of Report

The report was adopted via correspondence.

9. Adjournment

The meeting was adjourned at 17:00 hours on 10 July 2017.

Annex 1. List of Participants

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Report of WG-BDS,
10 July 2017

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Annex 2. Agenda

1. Opening by the Chair, Temur Tairov (Russian Federation)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Discussion of the bycatch analysis performed by Scientific Council and the Secretariat
5. Action Plan in the Management and Minimization of Bycatch and Discards
6. Other Matters
 - a. STACTIC Intersessional Meeting, May 2017
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Annex 3. Draft Action Plan in the Management and Minimization of Bycatch and Discards

(COM BDS-WP 17-01 Rev. 2)

This Action Plan builds on the version adopted by the NAFO Fisheries Commission (FC) in September 2015¹. The Action Plan below, if adopted, will conclude the ~~regular work~~ initial objective of the ad-hoc NAFO WG on By-catch, Discards and Selectivity (WG-BDS). However, the FC may re-convene WG-BDS ad-hoc, as if required to support implementation of the Action Plan; ~~WG-BDS will also be required to step in for actions under section 4 of the action plan.~~

The scope of the Action Plan would include:

- Stocks included in Annexes I.A and I.B NCEM and other stocks identified by the Working Group (e.g. 3M Witch flounder, 3M Thorny skate).
- All associated catch of marine mammals, sea birds and sea turtles.

The Action Plan will ensure that there is a systematic and horizontal consideration of the overarching objectives set out below across NAFO bodies, at least up to 2021. NAFO bodies identified will take the lead for each of the specified actions, but are expected to involve other bodies and coordinate with them regularly (see section 7 of interim report of the WG on Improving Efficiency of NAFO WG Process of 28 October 2016).

The Action Plan will require support from the NAFO Secretariat ~~the use of cost-effective and efficient IT tools in order for to support~~ the analysis of by-catch data, notably haul-by-haul data.

A. Overarching objectives

1. Effective management and the minimization of by-catch and discards, and improvement of selectivity, in fisheries of the NRA.
2. Accurate reporting of target, non-target and incidental catch.
3. Account for total catch (retained and non-retained) in scientific assessments and management measures.
4. Management measures are adaptive and address changing fishery conditions over time, or differences among areas and fleets.
5. Management measures reflect the precautionary and ecosystem approaches to fisheries management.
6. Identify priority areas for fisheries for by-catch management, in particular areas where there is a risk of causing serious harm to by-catch species.
7. Ensure linkage to other NAFO bodies doing work related to by-catch management (e.g. STACTIC, WG-EAFFM, WG-ESA, WG-CR).

Commented [IR(1): At this stage, the EU prefers to focus on the regulated stocks only.

Commented [D2]: This is outside the scope of the NAFO Convention

Commented [IR(3): Level of by-catches might be more relevant for fisheries than areas.

¹ FC Doc. 15-22 Rev (Annex 13 to the Fisheries Commission report on the 37th NAFO Annual Meeting in 2015).

B. Actions, actors, timing**1. Data management**

What	Expected result	NAFO body	Timeline
1.1. Standard formats, data collection and data transmission	Ensure that all forms and data used to report catch and effort are standardized according to existing NCEM provisions, including observer data. If appropriate, consider results of the study on catch data collection methodologies whose ToR were endorsed by the SC 2016.	SC <u>Secretariat/STACTIC</u>	AM 2019
1.2. Logbook data	Haul-by-haul data is available for NAFO bodies, with relevant breakdown for <u>for catches by species</u> by-catches, retained and non-retained.	SC <u>Secretariat</u>	AM 2019
1.3. Data completeness and identification of gaps	Identify gaps in information on by-catch, whether retained or not retained, i.e. is NAFO (1) capturing all the information it needs to assess by-catch, selectivity and discards and (2) are NCEM rules on reporting of by-catch being complied with?	SC <u>Secretariat</u>	AM 2019
1.4. Data sharing	Improve information sharing <u>with other international bodies (e.g. NEAFC, ongoing) and sharing exchange best practices related to by-catch discards and selectivity among between NAFO and Contracting Parties.</u>	STACTIC	AM 2019

Commented [D4]: If compliance with existing measures, this is a role for Secretariat
If requirement to standardize reporting, this is a role for STACTIC

Commented [D5]: Premature given the details have not yet been finalized and the study not yet approved. It would be more appropriate to consider as an update to the plan if later deemed appropriate (after details have been finalized).

Commented [IR(6)]: The Study is in the process of being finalized and the wording refers to "if appropriate" and "consider", therefore the current wording already provides a "safety net".

Commented [D7]: In conjunction with FMCs



2. Ongoing analysis and monitoring

What	Expected result	NAFO body	Timeline
2.1. Trends, patterns and anomalies	<p>A a) <u>Annual mapping of by-catch in NAFO from 2016 forward using haul by haul data</u></p> <p>b) <u>Secretariat to continue to analyze trends, patterns anomalies in reported catch of identified non Annex 1a and Annex 1b species (3M Witch flounder, 3M Thorny Skate) in the last 5 years which is possibly to be updated every year afterwards (ideally, an IT tool that can receive, integrate and analyze new data inputs).</u></p>	SC Secretariat	AM 2020
2.2. Specific issues by time, area, depth, fleet and fishery	<p>Specific issues identified as part of the work under 2.1.</p> <p><u>Specific need for Secretariat to compile data on discards in the NRA</u></p> <p><u>Identification of regulatory, technical and economic constraints which prevent the elimination of discards in NAFO.</u></p> <p>Identification of species under NAFO catch or effort limits with high survivability rates.</p>	Secretariat SC	AM 2020
2.3. Identification of best practices	On the basis of actions 2.1 and 2.2, tentative guidelines on best practices to avoid by-catch per time, area, depth, fleet and fishery.	BDS SC	AM 2020

Commented [1R(8)]: We would prefer to focus on regulated stocks

Commented [D9]: Need to identify scope of the problem first

Commented [D10]: Perhaps move to Section 4 under management options for consideration by BDS and SC

3. Identification of priorities

What	Expected result	NAFO body	Timeline
3.1. Moratoria species	Consider priority moratoria species which should recover quickly and identify moratoria stocks where the level of bycatch/discards may be impeding recovery are prevented from doing so by excessive by catch and/or discards	WG EAFPM SC (with BDS)	AM 2021
3.2. Areas where there is a risk of causing serious harm to by-catch species	Identify Consider priority areas, times and fisheries where by-catch and discards, notably of moratoria species, that have a higher rate of occurrence, are more harmful, notably to moratoria species under 3.1. Survivability of NAFO species should be considered (see task 2.2). Risk assessment procedures should be developed in order to help prioritize areas.	SC (with BDS)WG EAFPM	AM 2021
3.3. High rates of discards	Identify the species with the highest rate of discards in the NRA Establish criteria to rank NAFO fisheries according to its discard rates. Those criteria could include, among others, discard tonnage and discard value.	Secretariat WG EAFPM	AM 2021

Commented [D11]: WG has already identified priority stocks

Commented [D12]: Seems to fit better in Section 2



4. Development of management options

What	Expected result	NAFO body	Timeline
4.1. Time-area management	For NAFO fisheries identified as priorities under Action group 3, assess the need for time-area management measures and/or new move-on rules.	WG-BDS <u>STACTIC</u>	AM 2021
4.2. Fishery-specific solutions	For NAFO fisheries identified as priorities under Action group 3, assess the need for specific solutions per fishery, including the development and assessment, with the Scientific Council, of selectivity tests.	WG-BDS <u>STACTIC</u> <u>SC</u>	AM 2021
4.3. Incentives to avoid by catch and discards	For NAFO fisheries identified as priorities under Action group 3, assess the feasibility of incentives to avoid by catch and discards.	WG-BDS	AM 2021

Commented [D13]: Incentive is that you must stay within conservation limits.

Commented [IR(14): Could leave it in, for example in the EU, vessels that practice more "selective" fishing could be allocated higher quotas. Other potential incentives might be considered, wording is non-committal.

3. Review

No later than 2022, this Action Plan should be reviewed and assessed, if appropriate by including it expressly in the scope of a NAFO Performance Review.