

ANNEX I. Report to support the request of high survival exemption for skates and rays (Rajiformes) caught with all gears in ICES subareas VIII and IX.

This Support information contains the following documents:

- ***Introductory text (present document)***
- ***Report from DESCARSEL project with evidences of high survivability in SWW in gillnets and bottom trawlers.***
- ***Power point presentation with main points from the project and next work planned.***

Introductory text: Temporary skates and rays high survival exemption request for SWW

Background

Skates and rays represent a significant choke risk across many fisheries, also in the SWW. There is a concern that the group TAC will choke fisheries shortly after the full implementation of the landing obligation from 1 January 2019.

There is generally a lack of scientific information of the state of the stock for TAC setting and about actual catches/discards.

There are concerns about the current single TAC for multiple species of skates and rays. It does not allow adequate protection for vulnerable species, and restricts fishing for species that are increasingly abundant.

The Commission hosted a focus group and seminar on skate and ray management in May 2017. Subsequently it submitted a request to STECF to review possible management options and recommend a new approach for sustainable management of skate and ray fisheries.

A STECF working group met in October 2017 and has published its advice. It advised the following key points:

- To increase coverage of gear, area and species and to improve current estimates, STECF considers the UK model developed could be extended to other areas. Such a review should highlight the main information gaps by gear/metier where data collection and further analysis is needed.
- STECF reviewed a series of potential management measures proposed by NWWAC – looked at the advantages and disadvantages. Where a combination of measures is appropriate, they should be tailored to the specific needs and issues associated with particular stocks/fisheries.

- TAC setting by stock is the only method that sets limits in line with individual stock development and ICES catch levels. But TAC setting by stock may be compromised by species identification issues, and could create additional LO choke issues. There would also be increase in complexity of monitoring. More data would be needed on discards.
- It is difficult to increase size selectivity but there are some gear modifications that can reduce by-catch (by reducing catch over the whole size range).
- Prohibited species list should only be used for species biologically sensitive to exploitation – listing will not necessarily lead to a decrease in mortality and could just create unaccounted mortality.
- STECF was not able to fully and quantitatively evaluate any particular management measures or groups of measures – further work is needed. STECF suggests managers and stakeholders first decide on the objectives of potential management measures – and the scope in terms of species and areas, and governance framework.

This means that more work is needed to change into a new skates and rays management plan but it would not be ready before January 2019.

In the meantime South Western Waters group proposes that a time limited survival exemption is introduced from 1 January 2019 until 31 December 2021.

A 'best practice protocol' will be developed in order to increase the selectivity as much as possible and at the same time improve data collection. This three year period will be used to gather additional evidence on survival across the different skate and ray species in different fisheries, and will also be used to develop additional management measures.

Skates and rays high survival exemption for all species caught by any gear in the South Western Waters

On the basis of scientific evidence and rationale provided in this Annex the South Western Waters group recommends that by way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the landing obligation shall not apply to skates and rays species caught by any fishing gear in the South Western Waters.

The SWW regional group have reached the commitment to continue studying the Skates and rays and testing the survivability of individuals caught with different gears and fisheries in the future, and is conducting some experiences in 2018 with bottom trawlers and gillnets in the Iberian waters whose results will be ready and provided at the end of the second semester.

This exemption should be time limited and should be in place until 31 December 2021. It is proposed as a temporary management measure while Member States develop the evidence base on survival for its continuation and test and include additional management measures.

From the survival work carried out to date by Member States the following survival rates have been observed:

- 58% for thornback ray in the ICES 8c9a otter bottom trawl fishery (short-term 36h).
- 95.5 % for thornback ray in the ICES 8c9a trammel net fishery (short-term 36h).
- 83.3% for spotted ray in the ICES 8c9a trammel net fishery.
- 100% for undulate ray in the ICES 8c9a trammel net fishery.

Health vitality data on discarded skates and rays has been collated for certain fisheries in 2018. This work shows that most rays in these fisheries are alive and in good or moderate condition at the point of release and there is very little immediate mortality, demonstrating the potential for high survival. The following trends have been determined:

- 93.46% alive at point of release from otter trawl fisheries
- 100% alive at point of release from netting fisheries

Discards are known to occur for skate and ray species but discard estimates are not included in ICES advice. The South Western Waters group recommends that discards are included in this year's ICES assessment or that a new protocol is devised to calculate uplift for skate and ray species.

Current evidence on survival and additional work expected to report in the next year

Spain is working on high survival, a study with some results is presented in this annex and more results will be ready at the end of the year.

It is expected to plan new survivability studies by IEO-DESCARSEL project during 2018-2019.

A dedicated project to high survival called SUREDEPAR will work on survival rates and stress physiological analyses of skates and rays in the second half of 2018 on board a research vessel.

Current best practice on handling and avoidance

- Interviews with fishermen to coordinate and prepare IEO-DESCARSEL trials indicates that there is a large perception by the fishermen that rays have a high survival rate in these fisheries, which could be returned alive to the sea avoiding the obligation to take them to port and thereby endangering stock abundances and fishing quotas with a premature closure of the fishery.
- Gill net skippers and crew used to release very quickly the rays when they are under legal minimum conservation sizes or when quota are closed.

- Trawler crews recognise that many rays are discarded alive in the fishery but others not because of time of fish selection. It is common for many trawlers to keep the fish tank with water during fish selection, to preserve the quality of the fish and stop deterioration. This means that the surviving species are not totally exposed to the air and outside temperature and probably influence to survival rates of skates and rays.
- The project IEO-DESCARSEL and stakeholders will produce a 'Guideline of best practices: handling, maintenance and release of discarded rays'.
- IEO and fishermen associations are planning several workshops and dissemination of results to the fishing sector to advise them and encourage fishermen to good fishing discarding practices and involvement in research trials.