CONSEIL CONSULTATIF POUR LES EAUX OCCIDENTALES SEPTENTRIONALES
NORTH WESTERN WATERS ADVISORY COUNCIL
CONSEJO CONSULTIVO PARA LAS AGUAS NOROCCIDENTALES

Dublin, 21 November 2014

Subject: Improved knowledge on undulate ray: request by fishing sector to authorising landings in 2015

Dear Director General Evans,

The North Western Waters Advisory Council wishes to inform the European Commission of the results of several scientific studies on undulate ray (*Raja undulata*) in Western Waters, specifically the English Channel and proposals from the fishing industry for the setting up of management measures for this species, as an alternative to the current ban of landings.

In 2009, the NWWAC questioned the scientific basis for the ban of the undulate ray introduced in the legislation on TAC and quotas, as ICES had not in fact advised such a ban. Since then, the NWWAC has repeatedly reaffirmed its commitment to improving the knowledge about and the current management measures for Elasmobranchs, particularly for rays. A draft management plan has been discussed and several proposals have been made, in particular a measure of voluntary spatial management in the Irish Sea.

In July 2014, members of the Channel Working Group (WG3) of the NWWAC were informed of the results of the RAIMOUEST[1] and RECOAM[2] projects implemented by through French industry/science cooperation in the English Channel (with a focus on the Normand-Breton Gulf).

These projects, based on a close working partnership between fishermen and scientists aim to enhance fisheries and biological knowledge on undulate ray to improve the diagnostic of these stocks. The results of these studies were also presented to the ICES WGEF Mtg. in June 2014.

[1] Leblanc, N., Tetard, A., Legrand, V. E. Stéphan, L. Hegron Macé, 2014. RAIMOUEST: the French fishery of rays in the Western English Channel (VIIe), 2014 update. Working Document presented at the Working Group on Elasmobranch Fishes (WGEF) meeting, 17–26th June, 2014.

[2] Stéphan, E., Hennache, C., Delamare, A., Leblanc, N., Legrand, V., Morel, G., Meheust, E., Jung, JL., 2014. Length at maturity, conversion factors, movement patterns and population genetic structure of undulate ray (*Raja undulata*) along the French Atlantic and English Channel coasts: preliminary results. Working Document presented at the Working Group on Elasmobranch Fishes (WGEF) meeting, 17–26th June, 2014

The NWWAC wishes in particular to draw attention of the EC to the analysis of sampling at sea aboard professional fishing vessels carried out in the English Channel (7396 fishing operations were sampled between 2003 and the first quarter 2014). The results suggest that the Normano-Breton Gulf and northern Cotentin are areas of high abundance of undulate ray connected to areas of lesser abundance in Eastern Channel (ICES Division VIId) and in other parts of the Western Channel (ICES Division VIIe).

This analysis also suggests that the English Channel (ICES Division VIIde) forms a stock unit. The RECOAM tagging/recapture operations carried out in the Normano-Breton Gulf seems to show high site fidelity. The estimated landings of undulate ray before 2009 and discards of this species after the ban indicate the important potential for landings. In particular, based on sampling at sea, undulate ray discarded by the French bottom otter trawl fleet in ICES Division VIIe between 2011 and 2013 were estimated around 750 tons per year in average, despite avoidance measures introduced by fishermen. These analysis could not be performed so accurately for gillnet nevertheless the total estimate of discarded undulate ray of marketable size (>50cm) in ICES Division VIId,e by all métiers of the French fleet in 2013 was estimated to 1500 tons during ICES WGEF 2014.

Moreover, according to both fishermen's perceptions and the results of the Channel Ground Fisheries Survey (CGFS) in the Eastern Channel, since 2009, the abundance of undulate ray has increased dramatically (320% increase of the abundance indices).

Against this background, and especially, in light of the new fisheries data (fleet characteristics, fishing strategies, length distribution...) and biological (migration patterns, size at sexual maturity, length/weight and length/width relationship, nursery areas...) provided by RAIMOUEST and RECOAM projects, fishermen wish to propose to the European Commission different management measures for undulate ray in this area.

These measures include the protection of populations (minimum landing size to 78 cm), a limit on landings (TAC 0 with a percentage of by-catches of 10% triggered beyond the threshold of a 100 kilos by fishing day), a good practice guide to ensure high survival rates and a protocol for monitoring catches to improve the quality of stock diagnosis. It is important to highlight that in this proposals there are no targeted fisheries for these populations but by-catch provisions. Details of the proposals are appended.

In view of the arguments expressed above, the fisheries representatives of the Channel Working Group of the NWWAC would like the European Commission to give serious consideration to these proposals. The ban on landing of this species introduced in 2009 has been difficult for fishermen to understand or accept especially those who exploit the coastal waters of the normano-breton gulf, Sussex and Hampshire, where this species is very abundant, and are consequently strongly impacted. Fishermen have however not remained inactive and have participated fully in the scientific studies discussed above. We consider that it is important that all new scientific information available should be taken into account in proposals for the species in 2015.

The NWWAC would also like to include here the statement of a minority position received from the organisations representing the other interest groups that are members of the Channel Working Group and the Executive Committee of the NWWAC, i.e. Dutch Elasmobranch Society, Fundació ENT, the European Anglers' Alliance and the Irish Seal Sanctuary. The statement reads as follows:

> The above mentioned eNGOs and other groups of interest in WG3 do not support this position as the proposed management will not prevent over exploitation of this stock. Any decision to reopen the fisheries should be in line with the overarching CFP objectives for sustainable fisheries and have unbiased, verifiable evidence of compliance to catch restrictions and to the EU Community Plan of Action for Sharks which calls for a precautionary approach to management of elasmobranch stocks.
>
> Even though there is an increase in the local population of undulate rays in the Eastern Channel, the above mentioned NGO representatives in WG3 of the NWWAC do not support reopening of fisheries for undulate rays ICES areas VIId and VIIe for the following reasons:
>
> - Undulate rays are slow growing, late maturing (at 9 years old) which makes them intrinsically susceptible to over exploitation.
> - This species has been seriously depleted throughout the North East Atlantic in the past decades. Disappearing from many areas where it was shown to be abundant in the past (North Sea, West of Scotland) with no signs of recovery in those areas[3,4,5].
> - The RAIMOUEST and RECOAM studies indicate that these animals have a very close home range and strong site fidelity. Making them highly susceptible to local depletion.

[3] 'Portuguese official fisheries statistics for landings of *Raja* spp. in the Algarve have decreased 29.1% between 1988 and 2004 (DGPA 1988-2004).

[4] Raja undulata is the most common skate species in this area and its size makes it more vulnerable to depletion than smaller skate species, and these declines may under-reflect changes in the population of this species (Erzini et al. 2001, Coelho et al. 2005)' in Coelho, R., Bertozzi, M.,Ungaro. N. & Ellis, J. 2009.

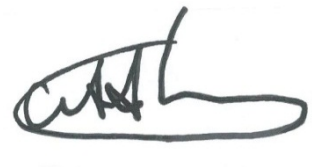
[5] *Raja undulata*. The IUCN Red List of Threatened Species. Version 2014.2. <www.iucnredlist.org>. Downloaded on **26 September 2014**

- The local fleet consist of several hundred small scale vessels all landing locally which makes any monitoring by control agencies almost impossible

- The proposed self-regulatory measures are inept to address these concerns:
    - Minimum landing sizes have been shown to be hard to monitor in the past especially as many of the rays will be processed before they can be assessed.
    - Spatial measures (closure of coastal nursery areas) can only be a successful measure if the area is closed to both gillnets and trawl.
    - Limiting the amount of rays to 10-20% per trip is another measure impossible to implement and monitor the same goes for limiting the number of days gillnetters would be allowed to fish for rays.
    - The eNGOs applaud improved handling of rays to increase discard survival as a voluntary measure but again see problems with the monitoring of this behaviour.

With my thanks for the consideration you will give to this letter, we look forward to hearing a reply from your services soon**.**

Yours sincerely,



Bertie Armstrong

NWWAC Chairman

ANNEX I

Management measures proposed by fishing sector representatives of the NWWAC

Protection of populations

The establishment of a minimum landing size is proposed to limit juvenile mortality. It is proposed that the choice of this size is based on the size at sexual maturity for males, 78 cm in total length (the size at sexual maturity for females is currently a preliminary estimation). The unit of measure in total length was chosen because it is used for fish by scientists and for landing sizes by European regulations. According to the length/width and height/weight relationship, a 78 cm total length undulate ray corresponds to a width of 48 cm for males and 50 cm for females and a weight of around 3,5 kg. Rays survivals can be considered good when caught by trawling, and very good when caught by netting and longlining thus justifying the interest of this measure (Ellis et al. 2012)[6].

RAIMOUEST results suggest that nurseries of undulate ray are located in the coastal waters and estuaries and juveniles are mainly caught by bottom trawling while netting and longlining catch mainly adults. Thus, the existing regulations limiting trawlers access in coastal waters contributes to the protection of these nurseries.

Good practice guide

A good practice guide is proposed to improve the survival of discarded rays, it would recommend:
- to discard rays firstly and as soon as possible,
- do not take rays by the tail (which increases their mortality),
- to limit netting soaking duration to less than 48 hours.

[6] Ellis, J.R., McCully, S.R., Silva, J.F., Catchpole, T.L., Goldsmith, D., Bendall, V. and Burt G. (2012b). Assessing discard mortality of commercially caught skates (Rajidae) – validation of experimental results. Report to Defra, 142 pp.