



To: English national fishing
organisations
English South coast fishing
organisations
Other interested parties

2 March 2015

Dear Sir/Madam,

Consultation on the allocation of undulate ray bycatch quotas in 2015

Background and Consultation Purpose

On 28 March 2015 the European Commission granted the UK and other member states specific quotas for undulate ray in 2015.¹ The UK quotas have been set for two ICES areas at bycatch levels of 26 tonnes in area VIIe and 2 tonnes in area VIId.

The Marine Management Organisation (MMO) is carrying out this consultation to provide an opportunity to inform how the quotas are managed.

Requirements of the Regulation

1. In order to support a limited bycatch quota for undulate ray a number of management measures were agreed and will be in place for the beginning of this bycatch fishery. These are intended to ensure that the stock is protected from over exploitation. The measures, outlined below, have been agreed jointly by France, Ireland, Portugal, Spain, the UK, and the EU Commission. We welcome comments from stakeholders on their practicality and effectiveness, in particular with regards implementation.
 - a) *Retention of no more than 20kg live weight per trip.*

The 20kg trip limit is intended to prevent targeting of the stock. It will also help reduce the speed at which the quota may be exhausted. In particular we would welcome views from industry on how practical this might be in light of current discard levels.
 - b) *Catches to be reported separately under code RJU.*

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2015:084:FULL&from=EN>

Species specific reporting is already a legal requirement. It is also a necessity in order to ensure robust stock assessments can be carried out and appropriate science based quotas established. In particular we would welcome views on whether the current reporting framework i.e. paper logbooks/e-logs allow for the efficient reporting of this data.

- c) *Provision of detailed geo-referenced catch and effort data, i.e. catch parameters (landings and discards) and gear characteristics (soak time or tow duration as appropriate)*

In order to ensure the precautionary bycatch quota is not causing harm to the stock, and better understand the status of the stock, more detailed fisheries data are required. This data will reduce uncertainty and potentially allow for future increases in the quotas if shown to be sustainable. In particular we welcome views from stakeholders on the ease of collecting and reporting this data and whether any additional data should be considered.

The reporting of the information described at b) and c) above is a requirement of the EU regulation so under ten metre vessels that don't use logbooks may need to fill in a form including these details. Do you have views on the format, practicality of recording and submission this information?

Requirements of UK and Other Members States' Joint Statement

- d) *Minimum landing length of 78 cm, maximum landing length of 97 cm.*

The minimum and maximum landing sizes are intended to protect juveniles and the mature breeding stock. We welcome views on increasing the current minimum landing length and/or decreasing the current maximum landing length in order to provide further protection for the stock and to help the bycatch tonnage last for longer.

- e) *Three-month ban on landing undulate ray during their breeding season.*

The three-month ban on landing undulate ray during their peak breeding season provides additional protection for the stock at a vulnerable stage in their life cycle and potentially helps maintain recruitment. **Do you have evidence on when the peak breeding season occurs in areas VIId and e?**

- f) *Landing only whole or gutted specimens.*

The landing of whole/gutted specimens will aid enforcement and reduce the risk of overfishing the stock.

- g) *No transshipment at sea of specimens.*

We do not consider this to be a concern as the practice is already prohibited under Article 20 of the Control Regulation.

- h) *Development of a code of good practice in cooperation with stakeholders.*

We intend to work with other Member States and stakeholders to agree a simple code of practice to help promote the continued recovery and protection of the stock. It would likely include guidance on increasing discard survivability, such as handling practices, and how to ensure robust data suitable for use in fisheries assessments are collected. **What do you consider needs to be included in the code of practice?**

Do you have any other views on the requirements above, bearing in mind that the UK must comply with them?

Possible Additional UK Requirements

2. There are a number of additional protective measures the UK could put in place to further safeguard the undulate ray stock. These could either be included within the fishing vessel licence or as part of a code of conduct. If these are supported by stakeholders we would seek to secure agreement from other Member States to also implement them.

i) Establishment of monthly landing limits for vessels.

Given the relatively small size of the bycatch quotas the introduction of monthly vessel limits alongside trip limits could help reduce the speed at which the UK quota is exhausted and the risk of overfishing the quota. This would also allow fisheries data to be gathered across a longer time period, which is essential to support revaluation of the quota in future years. In particular we would welcome views from stakeholders on if this would be appropriate and, if so, at what level should a monthly cap be set at.

j) Continued reporting of information after quota is exhausted.

Industry are required to continue to report the information set out under b) and c) above even after undulate ray quotas have been exhausted. There would be benefits regarding the amount of information available to the UK government, again supporting further revaluation of the quota.

k) Retention of dead bycatch only.

The retention of dead bycatch only in conjunction with the continued discarding of live specimens would ensure retention did not increase overall fishing mortality and continued stock recovery was maintained. Improved evidence of survivability and the extent of fishing mortality/dead discarding would, in turn, support potential future increases in the bycatch quotas. Inclusion in the code of good practice might be most appropriate for this measure in order to avoid enforcement difficulties. However, it would be difficult to ensure compliance and the measure may favour those fishing methods that result in higher mortality.

l) Return to the sea of all live females.

The return of all live females could contribute to the continued recovery of undulate ray by protecting the most important component of the breeding stock. In particular we would welcome views from stakeholders on whether this would be practical and effective.

Do you have any views on these additional measures that the UK could choose to adopt? Would any other measures be appropriate?

Management Options

We welcome comments on the 4 management options outlined below, and their appropriateness for managing the undulate ray bycatch quota in VIId and VIle.

Option	Explanation ²	Considerations
Option 1 – Business as usual	UK does not take up the quota allocation and continues to treat	This option would remove any risk of overfishing associated with managing a small quota allocation. It would also minimise the

² All options would require adherence to the measures outlined in the Joint Statement by France, Ireland, Portugal, Spain, the UK, and the EU Commission (Cion doc 6936/15 ADD 1 REV 1) as set out in this Consultation document.

	undulate ray as a prohibited species.	<p>additional burdens on regulators and industry given these could be considered disproportionate in light of the limited quota available. Also, the UK quota could be swapped with Member States for other quota species of commercial importance to the UK fleet.</p> <p>This option would not result in the collection of the fisheries data necessary to make future arguments for a change in the bycatch quotas.</p> <p>An economic opportunity from the value of the landed fish would be lost. Not taking up the quota may also be taken as a signal that the UK does not consider this to be an important issue for industry. This in turn may reduce its effectiveness in any future negotiations on this stock.</p>
Option 2 - Limit management of undulate quota to the EU agreed management measures including a landing restriction of up to 20kg live weight per trip restriction	Bycatch quota is made available to all vessels operating in the area through a blanket amendment to fishing licences.	<p>This option would allow all vessels access to this new bycatch fishery. This method would spread the opportunity to land equally between UK vessels, recognising that seasonality could affect this if quotas were exhausted before the end of 2015. This could help inform any possible future permanent allocation of the quota between UK fishing groups.</p> <p>Given the small bycatch quotas this option could result in rapid exhaustion of the quota and possible overfishing. Sourcing additional quota will be very difficult so could result in penalties for the UK. This could be managed to a certain extent by implementing monthly limits alongside trip limits.</p> <p>Other UK quotas set at comparably low levels are generally managed as set out in this option.</p>
Option 3 – Quota allocated to POs and non-sector and under 10 metre pools	Quota is allocated on the basis of FQAs for the ICES area VI and VII skate and ray stock and managed under current management options.	The same considerations apply as for option 2. In addition, due to the reported localised and patchy nature of undulate ray distribution, this option may result in a mismatch between quota holdings and fishing opportunities.
Option 4 – Manage the bycatch quota to maximise fishery data, limiting vessel access to quota allocation	The quota is made accessible to a limited portion of the fleet and managed over the year. Access could be based on, for example, gear types, discarding levels, fishing patterns, ability to implement the required management	<p>This option has the highest administrative burden although it is not considered to be too high to be restrictive at this time. It also brings with it difficulties in deciding which vessels should have initial access to the quota.</p> <p>This option would reduce the risk of the quota being rapidly exhausted and would seek to target access to those fisheries where discards are the greatest problem. It could help provide</p>

	measures etc.	<p>robust data across the whole year which could be used to make a stronger case for possible increases to the bycatch quotas in future years. It would also provide the opportunity for industry to show how potentially restrictive quotas can be managed effectively if sufficient flexibility is provided. Once sufficient data are available, and the uncertainty surrounding appropriate sustainable bycatch quotas has been resolved, industry and regulators could then re-evaluate the most appropriate access arrangements to put in place.</p> <p>If managed closely, this option could provide more data to the UK government than the other options about undulate ray landings that could be used to support future management at UK or EU levels.</p> <p>This option could distort the track record of landings in the UK, making future allocation based on stock landing potential difficult. However, this distortion could be taken into account in any future allocation.</p>
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Different options could be applied to Areas VIIe and VIId in light of the significant difference in available quota. However, it should be noted that a single approach may be easier to manage and may help the UK argue in future that the undulate ray bycatch quotas for VIId and VIIe should be combined in order to aid practical management of a single stock.

Which option or combination of options do you think to be the most appropriate? Are there other options that should be considered?

We are aware that the 2 tonne quota in area VIId will be disappointing to fishermen active here. However, this is a starting point. By agreeing to set a precautionary bycatch quota for a previously prohibited species, the Commission have shown that they are open to new ideas to manage these difficult species.

Sustainability Considerations

Making the quotas available to UK fishermen is highly unlikely to result in a general increase in fishing activity, targeting of the stock or a significant increase in stock mortality. The quotas have been set by the Scientific, Technical and Economic Committee for Fisheries, based on available scientific evidence. They are set low, allowing the retention of some bycatch, rather than targeting of the stock. Whilst ray species have been shown to have relatively high survival rates after capture, utilising the quotas under any of the options above should not significantly increase mortality. This assumption is based on the small size of the quotas when compared to the current discard rates for the stock.

Do you have any views or evidence related to the sustainability considerations above? Are there any other sustainability considerations that should be taken into account?

Please submit your comments to martyn.youell@marinemanagement.org.uk by Friday 17th April 2015. This is a relatively short period for comments, but we recognise the need to make a decision as soon as possible, allowing for full quota use where that is the preferred option after the consultation comments have been considered.

My best regards and I look forward to receiving your views.

Yours faithfully



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