**Request for a high survivability exemption for *Nephrops* in the TR1 and TR2 fisheries in Area VII in combination with highly selective gears**

In the framework of the landing obligation in accordance with article 15 of regulation (EU) No 1380/2013, [the NWW Member States Group] is proposing a high survivability exemption for 2019 for *Nephrops*. This exemption would apply in the mixed demersal fisheries conducted with bottom trawls with a mesh size of 70-99 mm in ICES divisions VII (including the Irish Sea but excluding the eastern Channel) in combination with one of the selective gear options (see section 6 of the JR) as follows:

* 300mm SMP (vessels under 12m may use a 200mm smp);
* SELTRA box trawl with 270mm diamond mesh or 300mm smp;
* Sorting Grid with 35mm bar spacing as defined in Annex XIVa to Regulation (EC) 850/98;
* CEFAS Net grid (Irish Sea only);
* Flip-flap trawl of specification defined (Irish Sea only);
* 100mm +100mm smp (Celtic Sea Protection Zone only)

In addition this exemption would apply to bottom trawls with a mesh size of greater than or equal to 100mm (TR1) in the Celtic Sea Protection Zone provided one of the gear options listed for fisheries targeting gadoids is used as follows:

* 110mm codend +120mm smp; or
* 100mm T90 codend with the possibility of increasing mesh size to 110mm from 1st July 2020 depending on the results of further trials; or
* 100mm+160mm smp

The scientific evidence underpinning the exemption is based on survivability trials carried out in Ireland in 2017. These trials were carried out in the *Nephrops* fishery in ICES division VIIb off the coast of Galway reports a survival rate of 64% with a trawl fitted with a SELTRA codend. The trials were conducted during the summer months when air and water temperatures were exceptionally high which provided a worst case survival estimate. See Annex Ib for details of these trials. Further survivability trials are planned by Northern Ireland, specifically with a 300mm smp later in 2018. The results of these trials will provide further information to support this exemption.

In addition high survivability trials with a net grid carried out in the Farne Deeps which showed survivability rate of 62% in this *Nephrops* fishery with this device is also relevant to this exemption (See STECF 17-08 and 16-08). The flip-flap trawl is a similar gear type to the Net grid and it is likely that the survival rates with this gear would be similar to the Net grid given that these gears give similar reductions in catches which based on the BIM trials is critical to high survivability.

In all cases *Nephrops* should be discarded swiftly and in the immediate areas where they have been caught. Discard rates for *Nephrops* in the fisheries using trawls are estimated at less than 16% by weight in ICES area VII based on 2016 STECF catch data. Based on this data a summary of the proposed de minimis exemptions is shown in Table 1.

**Table 1 Completed STECF table for high survivability proposal for Nephrops in VII**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Country** | **Exemption applied for (species, area, gear type)** | **Species as bycatch or target** | **Number of vessels subject to the landing obligation**  | **Landings (by landing obligation subject vessels)** | **Estimated Discards** | **Estimated Catch** | **Discard Rate** | **Estimated discard survival rate from provided studies** |
| IE | NephropsVII (including VIIa but excluding VIId)TR vessels using Otter Trawls | Target and Bycatch  | 114 | 9148 | 1735 | 10883 | 16% | 64% |
| UK | NephropsVIIa TR vessels using Otter Trawls | Target |  |  |  |  |  |  |