

FISHERIES AND MARINE RESOURCES PANEL

(45th Meeting)

Wednesday 6 February 2008

Present :

Mike Taylor - Chairman
Paul Bizec representing the Jersey Fishermen's Association
Jason Bonhomme representing the Jersey Fishermen's Association
Don Thompson representing the Jersey Fishermen's Association
Trevor le Cornu representing the Jersey Aquaculture Association
Ian Syvret representing the Jersey Inshore Fishermen's Association
John Syvret representing Boat Owners (Northern Section)

In attendance :

Tom Pickerell, UK National Shellfish Development Manager
Simon Bossy, Head of Fisheries and Marine Resources
Mike Smith, Senior Fisheries Inspector
Greg Morel, Sea Fisheries Officer
Paul le Neveu representing Jersey Harbours
Felicity Smith – Minutes

Action

Robert Viney and Mike Jackson had sent their apologies for not being able to attend.

Mike Taylor welcomed Dr Pickerell to the meeting.

1.0 Minutes and Matters arising

2.3 Don Thompson wanted more emphasis to be put on the stricter criteria needed when studying fish farm applications. The minutes were adopted subject to this amendment being made.

1.1 1.1 Trevor Le Roux had been contacted and had written to the Hospitality Association regarding Jersey plaice. He had notified members that only locally caught fish could be described in this way. Simon Bossy called on Panel members to notify the Department if and when any breaches occurred.

1.2 6.8 Greg Morel had contacted the CIEG concerning tidal turbines on the Banc des Ormes but had as yet received no reply.

1.3 5.2 Legislation regarding "neaped" nets was being drafted, it did not require UK approval.

2.0 Fish farm application for the same area of beach.

- 2.1 Simon Bossy informed the Panel that the application from Jersiaise Fluke had been withdrawn which left the Jersey Oyster Company application for consideration by the Panel.
- 2.2 Don Thompson expressed the objection raised by the JFA because bass fishing interests were involved. He asked if the concession was currently fully utilised. According to JOC plans the beds would all be in use by October 2008.
- 2.3 Jason Bonhomme asked for a copy of the chart showing fish farming concessions. **GM**
- 2.4 It was decided that a site visit would allow a better understanding of the layout on the beach and Tuesday 25 March 2008 was decided, meeting at Le Hurel slip at 15.00. **All**
- 3.0 Sea Fisheries (Establishment and Regulation of Fisheries)(Jersey) Regulations 1998**
- 3.1 The Jersey Fishermen's Association felt strongly that applications for fish farming concessions had to be viewed differently from other business concerns and protection given to prevent outside investors taking over concessions when no financial benefit to the Island could be demonstrated. The redrafting of these regulations was an opportunity to introduce such measures.
- 3.2 Simon Bossy explained that his work on the regulations had shown that refusing ownership on the basis of nationality was illegal under the discrimination law. He referred members to the speech by the Attorney General on the subject.
- 3.3 Jersey Harbours had introduced criteria limiting shipping registry to vessels owned by companies managed from within Jersey and controlled and directed from within Jersey. Similar criteria could be introduced into the Fisheries conditions applying to all seabed exploitation. The Panel agreed this should be done. **SB**
- 3.4 Trevor le Cornu explained the French system which required prospective fish farmers to sit a test on aquaculture practices with a compulsory 6 month residency required to sit the test.
- 3.5 Simon Bossy felt that the Irish legislation concerning fish farms could be of interest and would include a draft for the next Panel meeting. **SB**
- 3.6 The draft criteria for applications would be presented to the Panel at the next meeting. **SB**
- 4.0 Seymour Oyster Company Ltd application**
- 4.1 The Panel agreed to recommend the issue the licence to the Minister. **GM**
- 5.0 Chief Officers meeting – report by Simon Bossy**
- 5.1 The introduction of a Marine Bill in the UK would require Jersey to redraft its

FEPA legislation as the UK legislation it depends on would no longer exist. The other issue concerning crown dependencies involves the control of Jersey vessels outside the 200m limit. Politically it would not be good for Jersey to relinquish its constitutional power over these vessels even if on a practical level this may be difficult. This matter remained unresolved.

- 5.2 It was unlikely that Jersey would adopt administrative penalties involving on the spot fines.
- 5.3 The minimum age for shellfish permits did not concern Jersey who had brought in a minimum age of 16 for all boat licences.
- 5.4 Several zero to six mile areas around the UK were waiting to see the outcome of bag limit legislation in Jersey.(Secretary of State approval and States of Jersey debate still necessary)
- 5.5 No change in the Bass MLS of 36cm was envisaged.
- 5.6 Trevor le Cornu reported only very small numbers of incidences of divers using tanks and spear guns. The introduction of further measures in Jersey was unlikely.
- 5.7 In the UK kayaks were not licensed and fish caught from one could be sold. Jersey Harbours were seeking to introduce, as a safety measure, the registration of kayaks. They would then have to be licensed if fish was sold.
- 5.8 The next Shellfish Managers meeting was planned for 14 & 15 May in Guernsey. Simon Bossy and Greg Morel planned to attend.
- 5.9 The UK maximum limit for charter angling vessels was to move to 12m.

6.0 Forthcoming JAC

- 6.1 Lobster accreditation
The possibility of costs involved in the scheme being provided by the Rural Initiative Scheme was being explored.
- 6.2 Net free zone
Don Thompson had submitted a possible area to be kept free of spider crab nets to André le Berre hoping for feedback at the next JAC meeting.
- 6.3 Pot tag validity
A formal item concerning the possible 2 year validity of pot tags would be put on the agenda.

DT

7.0 Shellfish Development Strategy

- 7.1 Dr Tom Pickerell presented the work he does for the Shellfish Association of Great Britain to the Panel. The 2003 strategy unit produced the document “Net Benefits” recommending the development of the shellfish industry. The forty five issues identified for the expansion of the industry formed the basis for Dr Pickerell’s work. The table with the key themes and projects is attached.
- 7.2 In addition to this he has contributed to the setting up a “Shellfish Week“ in September, a PR campaign to promote shellfish as a source of omega 3 and the 2027 Defra Vision for Fisheries.

7.3 Before concluding he commended the Panel on the high degree of cooperation he had observed in solving problems in Jersey.

8.0 Any Other Business

8.1 2007 statistics

Greg Morel was able to give the Panel a preview of the 2007 figures he was compiling for the Annual Report. These showed lobster figures to have increased but bass figures had peaked in 2006.

8.2 MOB Guardian

Don Thompson explained that the units had been delivered. He expressed his concern for vessels that had not yet applied. Simon Bossy suggested that at a later date a list could be compiled and submitted to the Minister.

8.3 MLS Small Eyed Ray

Some fishermen deemed the same MLS for all species of ray to be unreasonable, particularly for small eyed ray. Greg Morel explained that locally just 3 species were caught and that if there was no problem with identifying the different species there could in theory be a different MLS for each. It was decided to ask those seeking a change to provide data on catches and to present a case to the Panel.

8.4 Mike Smith reported fines of £600 for two cases of undersize lobster.

8.5 Mike Taylor mentioned the length of time involved in permission being granted for a shed for the Jersey Oyster Company. Trevor le Cornu explained that a site visit had been organised with Senator Cohen.

9.0 The date of the next meeting was confirmed as Tuesday 8 April 2008.

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(46th Meeting)

Wednesday 9 April 2008

Present :

Senator Philip Ozouf (for item 2)

Mike Taylor - Chairman

Constable Mike Jackson – Vice Chairman

Andrew de la Haye representing the Jersey Fishermen's Association

Doug Ward representing the Jersey Fishermen's Association

Don Thompson representing the Jersey Fishermen's Association

Trevor le Cornu representing the Jersey Aquaculture Association

Ian Syvret representing the Jersey Inshore Fishermen's Association

Robert Viney representing Jersey exporters

In attendance :

Simon Bossy, Head of Fisheries and Marine Resources

Greg Morel, Sea Fisheries Officer

Dave Yettram, Sea Fisheries Officer

Felicity Smith – Minutes

Action

Chris le Boutillier had sent his apologies for not being able to attend.

1.0 Minutes and Matters arising

5.9 Don Thompson requested that it be made clear that this was a maximum limit.

1.1 3.5 and 3.6 concerning Fish Farming Regulations. Simon Bossy explained that the draft regulations were with the UK for Secretary of State approval. They would take into account the fact that any applicant must have a sufficiently close association with Jersey to be able to run and maintain the fishery in an efficient manner and any other matter considered by the Minister to be in the best interest of Jersey.

2.0 Fisheries Annual Report

2.1 One of the conclusions of the 2007 Annual Report was the decreasing profitability of the capture industry due to the falling prices for the more important species and the steeply rising cost of fuel. In addition rising fuel prices had further albeit less direct repercussions on the cost of other equipment needed for fishing.

2.2 Senator Ozouf recognised the issues facing the fishing industry and with

Simon Bossy and Andrew Sugden from the Economic Development team was actively seeking solutions. Senator Ozouf suggested that the publication of the Annual Report was used to underline the business pressures under which the industry was working. He was already looking into the Jersey margins on fuel compared to commodity prices as issued by Platts.

2.3 When wider markets could have helped to solve the problem concerning prices the possibility of landing into France no longer existed. The unique clearing agent in St Malo was not able to deal with Jersey landings and Granville had refused scallops from a Jersey vessel. Senator Ozouf was prepared to use high level contacts with the Breton authorities to intervene to solve problems.

2.4 Before Senator Ozouf left the meeting Don Thompson thanked him for the political will exerted in dealing with the Guernsey situation and also for the EDD contribution to the MOB Guardian scheme. A second series of applications could be expected.

2.5 It was suggested that the prices quoted in the Annual Report did not always reflect the prices obtained for catches. Thought would be given to a system to obtain more accurate data more regularly. The Panel agreed that the Report was excellent.

GM

3.0 UK under 10m proposals

3.1 Jersey fishermen with UK licences would be affected by these new proposals. They feared their licences would become worthless as having diversified to take pressure off certain stocks and invested in multi metier fishing they had not built up a track record for a specific species. The Panel agreed that a letter should be sent to the UK to explain the situation.

SB

4.0 Joint Advisory Committee in Paimpol

4.1 Concerning the spider crab closed season a large net free zone had been agreed which would ensure that no fishing took place during the closure.

4.2 The extension of pot tag validity from 1 year to 2 years was accepted as was the time of year the renewal would be carried out.

4.3 MSC accreditation had been discussed. Basse Normandie was working on the project. The Jersey export development team had been consulted and support had been obtained.

4.4 According to the Breton group pingers on nets would cost 1€ per metre. EU legislation would apply to vessels of over 12 m anywhere.

5.0 Whelk trials 2008

5.1 Greg Morel presented the results of the 2008 trials to the Panel. The decrease in CPUE was confirmed and various options were open to the Panel. It was thought an increase to 55mm MLS would be difficult as the market preference was for whelks of 45mm to 50mm.

5.2 Quota reduction, introduced previously to boost the market price and not in order to protect stocks, had so far resulted only in increased effort with French vessels moving further and further afield.

5.3 It was feared that if the whelk population was further depleted other species would take over the ecological niche and stocks would never be replenished. It was therefore agreed that a closure of the whelk fishery from 15 August to 15 January would be envisaged. Simon Bossy and Greg Morel were to attend the Whelk Commission in Carteret on 11 April 2008 and would inform the French fishermen of this decision.

SB/GM

6.0 Jersey Oyster Company application

6.1 Steve Luce joined Panel members to explain the background to the application which had been made in the name of Jersiaise Fluke, now owned by the Jersey Oyster Company. The company was in need of areas higher up the beach to store oysters ready for the very important Christmas market. An area lower down the beach and a holding area would be relinquished. Mr Luce agreed to move the tables lying outside the concession area about which the JFA had complained. He estimated that this area would meet the needs of the Jersey Oyster Company for the foreseeable future. The JOC did not intend to mark out the area with buoys

6.2 A discussion ensued about the gaps in the concession which would allow the fisherman who fished in this area to continue using nets. It was believed that the fisherman in question had contacted Chris le Masurier and had discussed the matter. It was suggested that the concentration of tables as was proposed would make fishing with nets easier. A 50m gap had been envisaged for the movement of trucks.

6.3 After Mr Luce had left the meeting Mike Jackson suggested that clearing the tables could be a condition of the licence. This was agreed and a deadline of 31 December 2008 was set.

GM

7.0 Public access to Panel minutes

7.1 Where no valid reasons for not circulating minutes to the public existed they could be published on the Fisheries and Marine Resources website. If any information was deemed by the Panel to be confidential the decision to not publicise could be taken on an ad hoc basis.

8.0 Any other business

8.1 Simon Bossy evoked the campaign by Fisheries and the Environment Department to reduce the amount of rubbish in the sea. Negotiations with Harbours were on going to provide bins near the cranes. He also gave the date of the States debate on the 96 hour limit on abandoned nets as 29 April 2008. Opposition to the measure was not expected.

8.2 Ian Syvret enquired if further discussion had taken place concerning sacrificial panels but the absence of Ifremer at the last JAC had meant that there had been none.

8.3 Don Thompson had circulated to the Panel the letter the JFA wanted the Panel to send to the Basse Normandie fishermen concerning pelagic trawling at La Frouquie. Attempts to arrive at an agreement at JAC level had failed and the latest meeting which was to be held in Jersey between fishermen had been cancelled at short notice. Simon Bossy explained that the Granville Bay Treaty should be respected but that in the absence of an agreement a procedure could be begun to introduce measures for Jersey waters. The Panel agreed that if the letter was modified to respect the Granville Bay Treaty

it could then be sent.

SB

- 8.4** Don Thompson said he appreciated the input of the Director of the Environment when he was able to attend Panel meetings.
- 9.0** The date of the next meeting was confirmed as Wednesday 4 June 2008.

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(47th Meeting)

Wednesday 4 June 2008

Present :

Mike Taylor - Chairman
Paul Bizec representing the Jersey Fishermen's Association
Don Thompson representing the Jersey Fishermen's Association
Chris le Masurier representing the Jersey Aquaculture Association
Ian Syvret representing the Jersey Inshore Fishermen's Association
Chris le Boutillier representing Boat Owners (Northern Section)

In attendance :

Chris Newton, Director of Environment
Simon Bossy, Head of Fisheries and Marine Resources
Mike Smith, Senior Fisheries Inspector
Greg Morel, Sea Fisheries Officer
Paul le Neveu, Jersey Harbours
Sarah le Claire (Item 5)
Felicity Smith – Minutes

Action

Senator Ozouf, Constable Jackson, Trevor le Cornu and Robert Viney had sent apologies for not being able to attend.

1.0 Minutes and Matters arising

8.4 Don Thompson underlined the need for Panel members to ask a colleague to deputise should they not be able to attend. For the Environment Department an appropriate policy officer would be asked to deputise for the Director if necessary.

2.0 Sea Fisheries netting amendment

2.1 The Scrutiny Panel had until 1 July to produce a report on the legislation which had been voted in the States Assembly (39 to 3). Panel members had as yet not been asked to attend an enquiry. Mike Smith explained why Guernsey legislation appeared to require registration for the use of nets. To protect the identity of the user Guernsey Fisheries issued numbered tags whereas Jersey required the net to be marked with the fisherman's name and telephone number.

2.2 It was agreed that this legislation had been fully discussed and it retained the support of the Panel. A full review of netting policy would be part of the Integrated Coastal Zone Management Strategy.

3.0 Panel members

3.1 It was agreed that the Société Jersiaise should be approached with a view to sending a delegate to the Panel. Simon Bossy would write to the President asking him to name the person who would represent the Société.

SB

3.2 A written resignation would be requested from Robert Viney who had retired. A new representative for Jersey merchants would be sought.

- 3.3 Keith White representing anglers had not replied to the letter, phone call and email sent to him and a letter would therefore be sent thanking him for his participation but explaining that a representative would be sought elsewhere. **SB**
- 4.0 Defra under 10m fleet proposals**
- 4.1 A general reply had been received from Defra saying the policy was still under consideration and that new proposals would be forwarded. This would be received by Jersey vessels holding a UK licence.
- 5.0 Integrated Coastal Zone Management Strategy**
- 5.1 Sarah le Claire, Assistant Director-Environmental Policy, explained the underlying principles and the key aims of the strategy. Parallel strategies in the UK and Europe had been studied to result in a strategy with particular relevance to Jersey. It had been lodged for debate on 15 July 2008. Given the importance of the document the Minister for Environment planned to present it to the States before adoption.
- 6.0 Shellfish stock surveys**
- 6.1 Greg Morel presented slides showing the results of the recent ormer survey carried out at St Catherines, St Brelade and les Minquiers. No change in stocks had been recorded at St Catherines or Les Minquiers and there was no evidence of mortality. A decrease was noted at St Brelade although it was not thought this was disease related .It was recorded that there was a noticeable amount of silt particularly at St. Brelade that had not been seen on previous surveys.
- 6.2 Mike Taylor, given the few ormers found at les Minquiers, wondered if a closure with the area being reseeded would constitute a solution. The problem remained the difficulty of finding spat from disease free areas.
- 6.3 Preliminary details of the juvenile lobster CPUE study were also presented to the Panel. The statistics concerning market sized lobsters were useful when studying the market but the real interest lay with the undersized distribution which was an indication of the health of future stocks. The CPUE for the undersized lobsters was similar to 2007 but the spatial distribution was different. More detailed analysis would be done following the completion of the study at the end of June. The table showing CPUE for the commercial fleet from logsheet data indicated that catches were consistent with 2007 though more effort was being deployed.
- 7.0 Jersey Oyster Company application**
- 7.1 Subsequent to the site visit by the Panel the area applied for had been moved to the north and the overall shape of the concession had been made more rectangular. This had freed an area important to fishermen and Chris le Masurier agreed that any tables outside the area would be removed. He left the meeting while the Panel discussed the application. **CleM**
- 7.2 The Panel agreed that the application should now be forwarded to the Minister for approval to publish in the JEP Gazette. **GM**
- 8.0 Issues facing the fishing industry**
- 8.1 The problems encountered by Jersey fishermen wanting to land into St Malo were discussed. The sole handling agent had not been able to deal with Jersey vessels. Seamus Canavan had worked on the fishermen's behalf and had obtained the offer that St Malo Customs could apply to Paris for a specific procedure to be designed for the landing of Jersey boats. Senator Ozouf would address an official letter to St Malo Customs. In addition HD Ferries were about to open a Customs clearance office in St Malo and Mike Taylor was due to meet with them to discuss the possibility of Jersey fishermen being handled by them. **MT**
- 8.2 The Minister had met with representatives of the JFA and presented the proposals for

a Jersey Fishing Industry Support Package. These measures included help with Marine Stewardship Council accreditation based on management of a sustainable lobster fishery, a reduction and simplification of Harbour fees, extension of Genuine Jersey label to local fish produce and research into existing markets.

- 8.3** In addition to marketing, fuel costs could be reduced with greater attention to fuel efficiency and maintaining clean hulls. The EDD had agreed that research into fuel monitoring devices could be part of the way forward.
- 8.4** In reply to a question from Paul le Neveu about environmental taxes on emissions from vessels Chris Newton explained that the decision had been taken not to apply environmental taxes in 2009 but that an energy tax would be placed on all fuels leading to a price rise per litre of approximately £0.02.
- 8.5** EDD required a prompt response to their proposals as they wished to finalise the document within the following two weeks. Don Thomson agreed to convene a meeting of fishermen early the following week.

DT

9.0 Any Other Business

- 9.1** It was agreed that items for the forthcoming JAC meeting would be agreed with Brittany and Basse Normandie and then the Agenda would be prepared by the Department. One item would be a report on the pair trawling agreement meeting. It was suggested that if the pair trawling agreement was to be discussed the presence of the skippers should be required. Mike Smith explained that a decision to limit the number of scallop dredges had been agreed at a JAC meeting in March 2004 but had never been implemented. He suggested that the matter could be put on the agenda for the next JAC. The problem encountered by Jersey boats wanting to land into Granville was also mentioned.
- 9.3** Greg Morel agreed to keep the Panel informed on plans to use text messaging and email to be informed regularly of market prices.
- 9.4** The bag limits legislation was once more with the law draftsmen. In its current form it was unlikely objections would be formulated by the UK.
- 9.5** Chris Newton informed the Panel of a spate of thefts from boats Island wide. Often this involved the removal of the fuel tank.
- 9.6** Chris le Masurier explained that his oysters had received a lower e-coli grading (B grade) and suggested there could be some investigation into water quality. Chris Newton explained that research was being done into catchment areas with a view to removing any sources of pollution. Often the water quality was related to the quantity of rainfall.
- 9.7** The date of the next meeting was confirmed as Wednesday 3 September 2008.

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(48th Meeting)

Wednesday 3 September 2008

Present :

Mike Taylor - Chairman
 Constable Mike Jackson – Vice Chairman
 Paul Bizec representing the Jersey Fishermen’s Association
 Don Thompson representing the Jersey Fishermen’s Association
 Trevor le Cornu representing the Jersey Aquaculture Association
 Ian Syvret representing the Jersey Inshore Fishermen’s Association
 Chris le Boutillier representing Boat Owners (Northern Section)
 Peter Gosselin representing Jersey anglers

In attendance :

Chris Newton, Director of Environment
 Simon Bossy, Head of Fisheries and Marine Resources
 Mike Smith, Senior Fisheries Inspector
 Greg Morel, Sea Fisheries Officer
 Paul le Neveu, Jersey Harbours
 Dave Yettram, Sea Fisheries Officer
 Felicity Smith, minutes
 Louisa Stokes, undergraduate internship scheme

Action

1.0 Minutes and Matters arising

1.1 The minutes for the meeting held on 4 June 2008 were adopted.
 Concerning point 3.0, Panel members, a letter had been received from the Société Jersiaise nominating Nick Jouault as their representative on the Panel. Following the letter received from Robert Viney, Nathalie Porritt had been nominated as the representative for Jersey exporters. Peter Gosselin would represent Jersey anglers with Steve Mullins deputising if he was unable to attend. New members would receive official invitations to attend to represent the views of their various sectors.

SB

1.2 The amendment concerning the length of time nets could be left in the same place (P36/2008), the subject of a report by a Scrutiny Panel, was now due to be presented a second time to the States Assembly on Monday 8 September 2008.

1.3 The decision not to introduce environmental taxes on vehicle emissions had now been reversed. The funds raised would be invested in energy efficient measures

1.4 The legislation concerning bag limits had received approval from Defra and was awaiting Secretary of State approval. It was unlikely that it would be discussed in the States before Christmas.

2.0 EU Technical Conservation measures

2.1 Mike Smith explained to the Panel that due to the very short time allowed for

consultation a reply had to be sent before fully consulting the industry. The Island's response had been sent by the Bailiff and more time had been requested to widen the consultation process for any future such issues. Many measures would have an impact on Jersey fisheries including the removal of the ban on parts of shellfish being retained on board, the introduction of a maximum soak time of 48 hours for nets including tangle nets, a ban on fishing with spearguns throughout Europe and the removal of minimum sizes for most shellfish and wetfish.

- 2.2** The Shellfish Association of Great Britain had also sent a detailed response to Defra. Regional regulations would complete the measures but it was as yet unclear whether or not the RAC would be responsible for introducing the MLS for shellfish.

3.0 Licensing of under 10m fleet

- 3.1** The Defra proposals would have implications for the Jersey fleet if licences were to remain transferable although few local fishermen would obtain full quota licences. Catches of quota stocks mackerel and pollack were rarely recorded. The decrease in the value of a limited quota licence was of concern to many. Whether Ireland, Wales, Guernsey and the Isle of Man intended to adopt the proposals was unclear. Scotland had decided to manage its own licence and quota system.

- 3.2** It was decided that the Panel would write to Defra outlining the position for Jersey boats who had had no opportunity to catch quota species.

SB

4.0 Lobster pre-recruit survey

- 4.1** Greg Morel presented in further detail the results which had been given in preliminary form at the previous Panel meeting. The CPUE of pre-recruit lobsters was less than had been recorded in previous surveys by 15%. The CPUE at sample stations differed significantly from previous surveys. The lobster fishery shows heavy dependence on new recruits to the fishery and this remains the fundamental weak link in the success or failure of the lobster fishery. Further work is needed to assess the relationship between CPUE of pre-recruits and CPUE of sized lobster.

He also showed the plankton light traps which had been designed to catch lobster at the larval stage, a fishery independent method of evaluating future stocks. MSC accreditation had been withheld from North East Fisheries on the grounds that no fishery independent evaluation of stocks existed.

- 4.2** Discussion ensued about the lack of information concerning the next stage of lobster development.

- 4.3** Various suggestions to increase the success of the light traps included a study on the nature of the light used and also the need to first prove the larvae were present by some other means.

5.0 Oyster mortality

- 5.1** Studies by Ifremer to identify the cause of the oyster mortality experienced from the Pas de Calais to the Mediterranean had isolated a herpes virus which would have been triggered by water temperatures of 18°. Jersey oysters had not been affected and local fish farmers were keen to put an end to rumours that the mortality had affected Jersey stocks. In France all oyster movements had been halted and a meeting to decide if these measures would be lifted was due to take place in Paris on 5 September. Linda Lowseck was in constant contact with the UK and France.

- 5.2** It was difficult to speculate on the effect on the future price of spat, demand was likely to be great from farms wanting to get back to past levels of production.

6.0 Health Protection and *E. coli* warnings

6.1 The sudden increase in *E. coli* levels around the Le Hurel slip remained unexplained although Water Resources data on outfalls and TTS records concerning pumping stations had been examined. The sample would now be sent for phage testing which would identify the strain as avian, human or bovine. The unusual concentration of sea birds and probably, less conspicuously, starlings attracted to the seaweed was not to be ignored.

6.2 Trevor le Cornu expressed the perceived lack of co-ordination between the three Departments involved but Chris Newton said that this was not the case and the Environment Department was working with TTS to sample before, during and after any future clearance of seaweed. Water Resources continued to monitor outfalls. More recent samples had shown e-coli had returned to previous levels and there was a danger that too much importance would be attributed to one single sample.

6.3 Mike Taylor expressed the concerns of oyster farmers whose concession classification had been down-graded and, in even more pressing need of purification sheds, had applied for Planning permission but without success. He suggested that letters be sent to both Ministers to make them aware of the situation. Mike Jackson thought the precariousness of the situation could be emphasized.

SB

7.0 Fish Farm application for St Aubin's Bay

This item was considered as an agenda item B.

7.6 It was agreed that further fish farm applications would be considered in the light of the new legislation Sea Fisheries (Fisheries)(Jersey) Regulations 200_. The new Application Form would be presented to the Panel at its next meeting.

GM

8.0 Any Other Business

8.1 The Joint Advisory Committee Bay of Granville was due to meet in Jersey on 17 September. Don Thompson outlined the agenda for that meeting which was to include an agreement on mobile/static gear loss where Jersey would propose access by permit only .

9.0 Date of next meeting

9.1 The date of the next meeting was confirmed as Wednesday 5 November 2008.

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(49th Meeting)

Wednesday 5 November 2008

Present :

Mike Taylor - Chairman
Constable Mike Jackson – Vice Chairman
Paul Bizec representing the Jersey Fishermen's Association
Don Thompson representing the Jersey Fishermen's Association
Chris le Masurier representing the Jersey Aquaculture Association
Ian Syvret representing the Jersey Inshore Fishermen's Association
Chris le Boutillier representing Boat Owners (Northern Section) until 16.20
Peter Gosselin representing Jersey anglers
Nathalie Porritt representing Jersey exporters
Nicolas Jouault representing the Société Jersiaise

In attendance :

Anne Pryke – Assistant Minister with special responsibility for Environment
Simon Bossy, Head of Fisheries and Marine Resources
Mike Smith, Senior Fisheries Inspector
Greg Morel, Sea Fisheries Officer
Peter Lawrence, Jersey Harbours
Felicity Smith, minutes

The Chairman welcomed Deputy Pryke to the meeting and also the two new Panel members, Nathalie Porritt and Nicolas Jouault. Mike Taylor reminded members of their role as representatives of different Associations and their duty to express the views of their Association members and not their personal opinion.

Action

1.0 Minutes and Matters arising

- 1.1** The minutes for the meeting held on 3 September 2008 were adopted subject to Mike Jackson's name being added to those present and E-coli being written with a capital E.
- 1.2** Concerning point 1.2, the Panel was informed that the legislation (P36/2008) concerning nets had been finally approved by the States of Jersey in the same form as had been presented prior to the Scrutiny Panel Report.
- 1.3** As regards point 1.4 and bag limits the Panel was informed that formal approval from the UK had not yet been received, but that informal approval had been obtained. A briefing of States members prior to the debate on the subject was planned. Peter Gosselin pointed out that where bag limits legislation existed elsewhere it was applied to species which were precluded from the commercial fishery.
- 1.4** Chris le Masurier was questioned on the oyster mortality which had occurred all over France and he informed the Panel that a herpes virus had been found to be responsible. The factors which triggered the mortality included a rise in sea temperature . At the time of the incident on the French coast temperatures of 23°C

were being recorded while Jersey remained at 15°. Sea temperature monitoring continued near the oyster farms. Simon Bossy explained that even winter temperatures played a role in that higher temperatures encouraged the smaller oysters to mature earlier which made them less immune when spawning. Seed from French hatcheries was still available.

1.5 Extensive testing had been carried out as a result of the *E.coli* incident with hundreds of samples being taken. As the movement of seaweed may have contributed to the elevated levels TTS had agreed to stop the movement of weed to lower down the beach. The defecated waste from an inordinate number of birds attracted by sandhoppers and maggots in the weed also no doubt contributed. A discussion ensued as to the long term strategy to adopt in order to satisfy those who would like to see the weed left on the beach and Jersey tourism. TTS had agreed to move the weed into stacks which would dry out and become more transportable for use by the agricultural industry.

1.6 Chris le Masurier expressed the regret that the incident had been treated badly with the mention of a “potentially lethal” substance being seized on by the press. Environmental Health had acted in the interests of the general public but Chris Le Masurier was concerned that this was not good for Jersey’s overall image.

2.0 Integrated Coastal Zone Management Strategy

2.1 Mike Taylor underlined the fact that action within the framework of the Integrated Coastal Zone Management Strategy would still be approved by the Sea Fisheries and Marine Resources Panel. The post created would be of no additional cost to the Environment Department as it used current resources differently. Mike Jackson suggested that the Marine industry should be involved. Anne Pryke reminded Panel members that overall policy was dealt with in the document and discussion of detail could now begin.

3.0 EU Technical Conservation Measures

3.1 Given that the proposed legislation would not include minimum sizes for many species which were very important in Jersey waters Mike Smith asked the Panel to consider the following points

(i) Should minimum sizes be kept ?

(ii) If so should agreement be sought with France ?

(iii) If France does not agree should minimum sizes be kept for the Jersey fishery ?

3.2 Mike Taylor pointed out that if Regional Advisory Councils each had their own list of minimum sizes enforcement would be difficult. He considered that the draft legislation did not take into account fishing with pots and that minimum sizes had protected the local lobster fishery. Don Thompson underlined the need to follow closely the decisions taken at RAC level.

4.0 JAC/JMC

The Panel considered the Presidents’ Briefing item by item.

4.1 Marine Stewardship Council accreditation.

Concern was expressed as to whether the funds made available by EDD from the 2008 budget would be rolled over into the 2009 budget. Simon agreed to confirm this with EDD. Jersey’s management of the fishery had given rise to resistant stocks and this was supported by fishery independent data. This would bring about the long hoped for exchange of data with the French authorities. A meeting was planned for 4 December in Granville to advance the project.

SB

4.2 La Frouquie Aubert

French fishermen had agreed to a permit system in this area and now discussion

would take place as to the details of the system with possible sunset clauses.

4.3 Whelk stocks

The present state of whelk stocks was such that Jersey was looking at dramatic measures and may have to close the fishery unilaterally in Jersey waters if agreement could not be reached with the French authorities. Increasing the minimum size was also suggested but due to the market demand for smaller whelks this was unlikely to be acceptable. Mike Jackson wondered if political support would give more weight to the scientific argument.

5.0 Aquaculture Application forms

5.1 These forms had been designed to comply with the new legislation and to provide more appropriate information to make an informed decision.

5.2 Paul Bizec thought the information requested was confidential and would not be supplied. It was explained that because public land was granted for private gain the information was asked for under the present legislation with audited accounts being required. This version was designed to provide a less costly solution.

5.3 Don Thompson was disappointed that no condition concerning domicile in Jersey had been included but the legislation had respected Human Rights legislation at the same time ensuring the Minister had the right to refuse if the application was not in the overall interest of Jersey.

5.4 Law Officers would be consulted concerning the form.

SB

5.5 Concern was expressed that environmental issues were not addressed in the application but it was explained that these could be included as conditions of the licence when it was issued.

6.0 Any Other Business

6.1 Euro Bins

Simon Bossy explained that Euro bins for the disposal of plastic had been installed at the Fish Quay and at Victoria Pier. The emptying had been arranged with St Helier refuse collectors. Peter Lawrence added that Harbours were willing to collect any large pieces if they were informed.

6.2 Green crab

Nick Jouault expressed his concern at the amount of green crab being taken away from the oyster farms and the possible knock on effect on the population. Chris Le Masurier explained that every year large amounts were caught to protect the seed mussels and given to whelkers with no detrimental effect.

6.3 Customs in France

Don Thompson explained that trade with France was becoming more and more difficult. Only once a week on a Friday was it possible to land to St Malo and have goods cleared by French Customs.

9.0 Dates for 2009 meetings

9.1 The dates for meetings in 2009 are as follows :

Wednesday 28 January

Wednesday 18 March

Wednesday 13 May

Wednesday 8 July

Wednesday 16 September

Wednesday 25 November.