

## **Ministerial Discussion Paper**

### **JFA Bass netting proposals – November 2018.**

#### **BACKGROUND**

The Jersey Fishermen's Association have put forward a bass netting proposition to the Marine Resources Panel to be considered for recommendation to the Minister for the Environment.

The proposal is focused on allowing a small number of local boats to resume targeted bass netting in Jersey Waters. The boats in question are all part of the current bass hook and line permit scheme (due to their previous track record on the species). The proposals look for an increase in the total allowable net landings of bass from the current bycatch only rate of 3% to a targeted total allowable catch of 1.2 tonnes with no % cap. In time the JFA would also like to see the overall Hook and Line allowance increase to match the UK at 5 tonnes / boat.

The JFA are proposing that the boats involved would move to a larger mesh size (from 90 to 100mm) and would look to adopt maximum soak times and agree to set a limited max length of net per boat. These measures have been proposed to offer a more sustainable fishery that ideally aims to be a no discard fishery – where only size fish are caught.

#### **PANEL MEETING**

At the meeting the proposals were examined by Panel. MR advised that taking this course of action would put Jersey at odds with the direction of travel for UK and European legislation – where the current proposed amends, due for debate at the December EU Fisheries Council, include a 1% bass by catch when static netting.

After consideration the proposals were voted on with five out of eight members in favour of taking the proposals forward to the minister for consideration. The Société Jersiaise, Jersey Inshore Fishermen's Association and the Jersey Recreational Fishermen's Association said they could not support the proposal (MR Officers do not have a vote at Panel – their role is advisory)

#### **MARINE RESOURCES POSITION**

Marine Resources are of the opinion that there are some significant risks associated with the proposal of the JFA.

1. We (together with other CDs) are subject to a high level of scrutiny at present by HMG due to Brexit, LPF and Fisheries Bill. A move to increase access to an impacted stock by allowing a targeted fishery would likely be seen as irresponsible and lay open the possibility of accusation of not fulfilling international responsibilities. It has the potential to lend weight to the UK government's argument that it should have the power to intervene in local fisheries matters if it sees fit to do so, which we are currently in discussion with over the inclusion of the PEC in the draft Fisheries Bill.

2. Whilst there is initial evidence of stock recovery Marine Resources do not yet have the evidence to suggest an inshore net fisheries could be sustained. Past decisions have always been based on best available data and a change in this principle would open the department to criticism. As a self-governing jurisdiction Jersey should be prepared to implement the right

management measures for our area and local industry, but it must be done on sound and robust science. We do not yet have the evidence to make this case.

3. Were there to be a reopening of the fishery (subject to evidence of stock recovery) wider consultation with industry should be undertaken to see if the majority preference would be for a small number of boats to have a larger share of the access to the stock through netting or if, as the Jersey Inshore Fishermen's Association suggest, it would be more appropriate to widen out the hook and line fishery to a greater number of boats.

4. Reopening of a targeted net fishery without strong evidence will likely be very unpopular amongst the recreational angling sector who see nets as much of the initial reason for the stock decline.

### ALTERNATIVE SCHEME

In partnership with the Blue Marine Foundation there is an opportunity to conduct a joint study into bass netting with the Lyme Bay fishermen who are also interested in creating a sustainable mixed wet fish fishery. Details are still to be confirmed but the scheme might allow the boats in question to net under scientific exemption - testing different mesh sizes, soak times etc. to determine what parameters would be needed to establish a sustainable fishery.

The fishermen would be supplied, by Blue Marine Foundation, with the test nets of various mesh sizes and paid a day rate to cover their time participating in the study. Additionally they would be able to sell the size portion of the catch. This scheme would likely be initiated early in the New Year and run through the spring netting season.

### SUMMARY

There are significant risks in adoption of the current JFA proposals with potential to adversely affect the reputation on a local, national and International level. The opportunity with Blue seems worth developing as a way to allow a small amount of fishing, gather large amounts of useful data and help shape a future where netting can again be a part of the local fishery.

Annex 1.

## Marine and Fisheries Resources Panel - Bass regs variation proposals 2018

**Presented by Jersey Fishermen's Association.**

**Chronology.** Since June 2015 European Bass stocks have been subject to a number of measures aimed at recovery of the stock. Fishing mortality from both the recreational and professional sectors has been cited as a primary concern, though there is scientific evidence [*M. Pawson "Status of Sea bass stocks around England and wales" 2006 paper*] to indicate that there was poor recruitment for a period pre 2012 and this will have been a major factor in poor/missing year classes in subsequent years, specifically from 2014/2015 onwards when those fish would normally have reached MLS.

A European ban on pelagic fishing in the English Channel and SW approaches was introduced in 2015 along with a subsequent increased MLS from 36mm to 42cm [Council reg. 2015/1316]. There was also a total ban introduced on bass fishing in the two main winter spawning months and some known nursery areas have been closed to bass fishing.

The UK, following ICES recommendations and EU directives, then further restricted commercial bass fishing to "qualified" vessels only and set various catch limits for hook & line, nets and for trawl catches. The Minister (at the time) in Jersey took the unusual decision, bearing in mind the migratory nature of the stock, to impose more draconian measures on Jersey fishermen than elsewhere

Since 2016 netting for bass by Jersey fishermen within our territorial seas has effectively been banned (though not for French fishermen) and a limit on hook and line caught fish was introduced at one tonne per annum over 10 months. This equates to just 20% of the allowable catch for UK, GU & French vessels. These measures, particularly the netting ban, for those that previously relied on the metier, have had major economic consequences. It is further recognised that the addition of bass to a host of restrictions of finfish applied to Jersey fishermen, has had negative impact by shifting effort onto other stocks. The negative effects have been felt across the market & hospitality sector also with practically no locally sourced finfish available for sale in the market.

By way of the Minister's decision: There are currently just 12 permitted bass fishermen in Jersey. Two of those have become non-active and one is in the possession of a non professional so that we can consider that there are just 9 legitimate and active permits.

Note-Data collection has been an integral part of the limited hook and line fishery and Jersey Fisheries department should now be in possession of some useful data on stock size structure, recovery progress etc.

**Present scenario.** At the end of September the Minister for the Environment announced, based on ICES advice and as a reflection of latest council regs, that recreational fishing for bass could resume.

The JFA have argued that this unfairly discriminates against the professional sector and we have consequently been presented with the potential to present a package of conservation measures

which Jersey fishermen would be prepared to adopt, in return for a controlled & limited resumption of netting.

**Current Catch limits.** UK French and GU fishermen are currently permitted to land up to 5 tonne of bass Per calendar year from hook and line for authorised vessels. The Jersey Licence condition applied to those authorised to fish hook and line is 1 tonne PA (excluding Feb and March)

UK (qualified) netting boats may land 1.2 Tonnes p.a. as unavoidable by-catch, while Jersey permitted vessels are restricted to a by-catch limit of 3%, though it should be noted that this has created a practical moratorium on netting.

The trawl sector limit of 1% by-catch is applicable to both UK & Jersey vessels.

**Proposition of the JFA-** Firstly and primarily it is clear that to enable a clean, selective and low discard netting fishery to take place in Jersey, there will be a long term requirement to review Jersey netting regulations. In the short term we envisage a need for derogations to be applied. This will allow targeted fishing for example, for species such as red mullet. Revised mesh sizes for other species including bass, will be aimed at minimising discards.

The main focus of the current proposals, is to allow some limited resumption of netting by way of adopting the same permissible quantities of net caught bass as the current figures in place in GU, UK and France.

Qualified Jersey fishermen would have any quantities of net caught fish deducted from their annual hook and line quota, rather than combined with, as is the case in the UK.

The following measures (over and above those in place elsewhere) are integral to the proposal.

The JFA suggest that mesh sizes in the 90mm-95mm/100mm range will have to be removed from the fishery in entirety. Smaller mesh sizes for targeted red mullet fishing will need to be permitted, (72mm-87mm) whilst 100mm or greater.

The most appropriate set of data on gill net selectivity research for Bass is <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.177.5896&rep=rep1&type=pdf>.to which we refer and from which the graphs below are copied. The graph/curves from the study clearly indicate that 100mm mesh size provides maximum for bass in the size range of 44cm-50cm thus validating the proposed 100mm (minimum) mesh size

There is further useful evidence/information of tailored mesh sizes available from reputable net makers on the South coast of the UK (Advanced Netting & South east Netting Ltd) who report that nets supplied to UK fishermen fishing for bass amongst other species, are being supplied currently at 100mm and over to give minimal or zero discards on bass.

By catch figures as applied to fishermen landing bass from nets in the UK cannot be an integral part of an overall plan to allow some limited landings of bass by Jersey netters as it would necessitate the

unacceptable practice of killing and landing other species which will otherwise be released. Wrasse, Rock soles bearded rocklings, bull huss and shad would all be good examples of such species. A derogation would be required if by catch limits could not be altered by licence variation.

Furthermore a limit on the permissible quantities of bass to be landed from nets sets the ceiling. Adding a by-catch equation as per the UK, neither lowers nor raises that figure and would have negative consequences.

**By-catch and discards regs.** It should be noted that bass is set to be exempted from the EU discards regs which will be in force from Jan 2019 for demersal species. Catch limits apply, however sea bass is not currently a TAC/quota stock.

**Permit numbers** at this point in time it is felt that with recovery of the stock underway, large amounts of small fish on the grounds and a local market which has diminished considerably, that allowing more licensed fishers to fish for bass, would be a retrograde step, although there is a good argument that at least the 2 currently non active permits could be made available to genuine applicants with track records.

**Soak Times and max net length.** The JFA submit that registered commercial net fishermen generally work in a responsible and ethical manner without the need for regulation and that much of the bad publicity over unattended nets particularly, is the result of unlicensed / unregulated fishing.

For the purpose of illustrating that Jersey could have a functioning controlled net fishery, the JFA members will be content to adopt restrictions on both soak times and net length. This can either be by voluntary code of practice or by regulation.

### Summary

- 1) Controlled and limited Net fishing, with the inclusion of seabass as a component of the catch, to be resumed with immediate effect, subject to specified measures unique to Jersey.**
- 2) Jersey catch limits to be altered to reflect the current limits in place in UK, Guernsey and France. (Net caught catches to be deducted from hook and line caught max permissible figures)**
- 3) Mesh sizes; removal of mesh sizes known to target below MLS bass and adopt minimum mesh sizes aligned to the 42cm MLS. Re-introduce sub 90mm mesh sizes for targeted red mullet fishing**
- 4) Low/zero discards; Remove UK by-catch from the equation and monitor catches/discard rates from 100mm and over mesh sizes.**
- 5) Max net length and soak times. Introduce new measures to ensure responsible fishing practices**
- 6) Revision of Jersey netting regulations; to incorporate the above measures and realise a high quality, clean & selective fishery.**

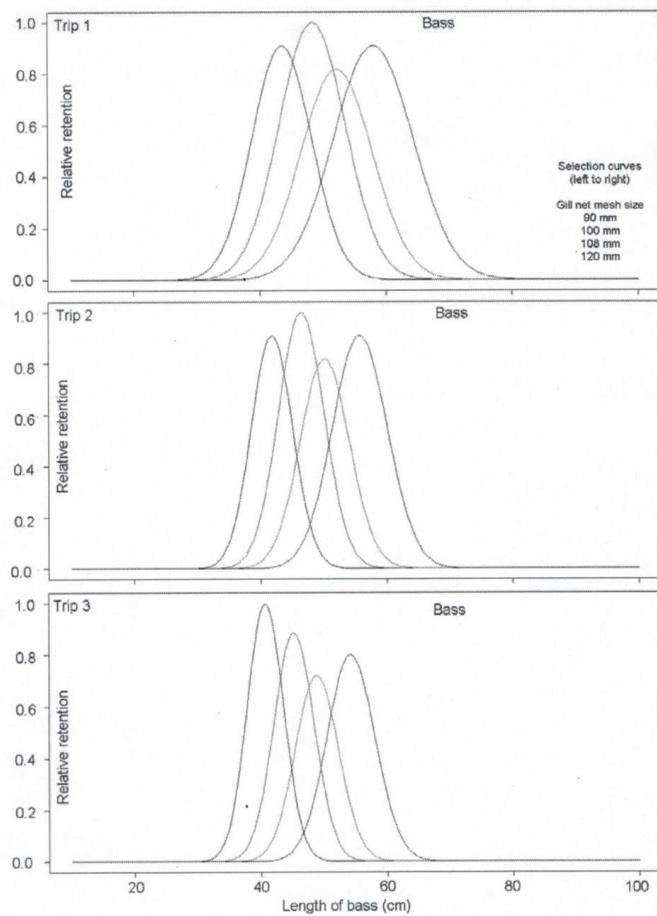


Figure 8. Selectivity curves derived for bass from the catch data  
*(NB: Peak heights are varied because this reflects the relative fishing powers of the nets used in the experiments)*