MARINE RESOURCES PANEL MEETING
92nd Meeting

Brief notes and action points from meeting held at HDF
23rd April 2018

Present:	Willie Peggie (WP) – Deputy Chief Officer/Director of Environment (Chairman) Greg Morel (GM) – Assistant Director - Marine Resources Mike Taylor (MT) – representing Jersey Aquaculture Association Gareth Jeffreys (GJ) – representing Société Jersiaise Peter Moore (PM) – representing Ports of Jersey Don Thompson (DT) - representing Jersey Fishermen's Association Chris Le Masurier (CLM) – representing Jersey Aquaculture Association Morven Robertson (MR) – representing BLUE Marine Foundation Sam Blampied (SB) – PhD student Chris Isaacs (CI) - representing Jersey Recreational Fishermen
In Attendance:	Louise Bennett-Jones (LBJ) - Marine & Fisheries Officer, Minutes Paul Chambers (PC) – Marine & Coastal Manager, Marine Resources Francis Binney (FB) – Marine Scientist, Marine Resources Robert Titterington (RT) Chloe Gould (CG) Gautier Panas (GP) – representing La Rocque Fisheries (LRF)
Apologies:	Deputy Stephen Luce (SL) – Minister for the Environment Steve Mullens (SM) Paul Bizac (PB) Ian Syvret (IS) – representing Jersey Inshore Fishermen Martin Le Maistre (MLM) – representing Boat Owners Associations Steve Mullens – temporary replacement for Derek Busnel

	Pre-Meeting Discussion	**Action**
	WP commented on the data protection review coming in, and the implications this may have surrounding confidential information discussed at Panel. The need for consideration of tighter protocols re. membership to Panel and sharing of documents was noted. WP proposed to formerly thank DB and ask him to reconsider his resignation and, if he does not reconsider, Steve Mullens will be formerly approached to join Panel. It was felt that SMs depth of knowledge and understanding of both recreational and commercial fishing would be a valuable contribution.	To formerly thank DB and ask him to reconsider
1.	**Approval of Minutes from the previous meeting and Matters Arising**	
	CI requested a quote to be changed as he felt it could be misconstrued to suggest he was supportive of the suggested bag limit regulations. He requested a re-wording to imply support of 'alternative' regulations. CLM noted a spelling correction in Item 4, and grammar of the following sentence. DT felt that wording in regards to bass data made the assumption that the data show there are very few mature fish around when in reality the data is very temporally and spatially variable.	

2.	**To receive an introduction of PhD study looking at MPAs and to the BLUE Marine Foundation who are supporting the work**	
	SB gave an overview of her PhD study - an assessment of the NMGZs around Les Ecrehous and Les Minquiers, investigating the socioeconomics of the closed zones and recovery of habitat - to be funded and supported by the BLUE Marine Foundation, forming part of a wider project. SB would like to hear from anyone affected (positively or negatively) by the NMGZs. MR gave an overview of the BLUE Marine Foundation - a worldwide charity set up in 2010, working in overseas territories and within the UK, with aims of creating marine protected areas, tackling over fishing, and promoting low impact fisheries and habitat restoration. An over view of the Lyme Bay project was given, and an explanation of subsequent expansion to additional sites, which is to include Jersey, where they are hoping to support SB and engage with the fishing industry.	No Action Points
3.	**To table the Marine Resources Annual Report**	
	GM explained that the report is currently unfinished, and that upon completion it would be circulated. CI questioned whether there was anything significant that was worth mentioning, to which PC explained that any issues had already been presented and discussed previously at Panel, e.g. brown crab stocks.	To finish and distribute
4.	**To Table NTZ proposal**	
	GJ gave an overview of the proposed project, for which Portelet was suggested as being an appropriate site. The initial view of the Panel on the suitability of this site was sought. Further comments were welcomed via email. CI felt that, although some recreational fishing occurs off the headland, this is often further west, so did not feel that the recreational sector as a whole would have any major issues. CI appreciated the appropriate data, evidence, and reasoning, and felt that a good case had been made for Portelet, however suggested delaying publicity of the project until the bag limit issues were resolved. PC noted that the proposed closure would only be for 5 years, and that there is scope to adjust the boundaries if required prior to set up, and that if it is to be done through the appropriate legislation then it will naturally take a long time. The question was raised as to whether catch and release fishing could occur in a NTZ, to which GJ explained that this would not be possible as there is still a possibility of mortality with catch and release. DT explained that, after discussion at a recent JFA committee meeting, the commercial sector considered Archirondel as a better fit or, failing that, Bouley Bay, which is effectively out of bounds to fishing due to the moorings. DT explained that Portelet is used during the winter to shelter potting gear from bad weather. WP questioned whether there is an alternative location for the safe storage of pots, to which DT explained that the NW side of Portelet was used by a small number of inshore fishermen and that therefore Portelet is not the best as far as the commercial sector is concerned. However he added that 12-15 years ago when NTZs were last on the agenda commercial fishermen were 100% opposed but that that mind set is much different now, providing the case is put across correctly. It was felt that a 5 year assessment period in particular could help to gain support of the industry. DT questioned whether Archirondel held some benefits, explaining that in SW gales Portlet experiences high energy, and thus there would be less impact of such gales in	GJ and PC to reconsider plan and discuss with DT and CI prior to next meeting

	Archirondel. PC noted that he would be happy to look again at other locations, however expressed concern over impact on the recreational sector at Bouley Bay and Archirondel. CI felt that Archirondel would not rank highly with the recreational sector. GM noted that, historically, lots of sites have been suggested with nowhere being identified as not impacting anyone, adding that the reasoning for the no take status needs consideration, e.g. PR, education, etc. CI added that the point of creating a NTZ implies there must be something being taken prior to the designation, adding that there would be many additional benefits, such as tourism, diving, etc., giving the example of tame wrasse. GJ explained that Bouley Bay experiences lots of disturbance, particularly in regards to the number of divers in the water, and that it would be difficult to replicate that at another site given the high level of diving activity in a small area. MT noted that, over the decades, Portelet seems to be the one suggestion that repeatedly arises. CI felt that some people do believe it is already a NTZ as it has been spoken about so often before. DT requested for Archirondel to be given some serious consideration, given the benefits in choosing that site as previously explained.	
9.	**To receive a report on the annual whelk stock assessment and agree any recommendations**	
	An overview was given by FB of the 2 year programme agreed with commercial fishermen (which is currently half a year in) and of the recent DoE whelk trials. Data show a general similarity to previous years, with slight a dip at some sites, and continued variability at others. Station D5 showed an increase in netted dog whelks, over which there is a concern that they may be displacing the main whelk population. It was noted that one new boat has expressed an interest in joining the fishery, but that they are aware it is closed to additional boats at the moment. DT explained that the mobile gear boats were upset that there was no consultation on the extension of the closure date from January to February, asking for them to be consulted in the future. FB explained that some fishermen requested their gear to be left in longer as they had had less fishing days over the winter due to the bad weather, agreeing that mobile gear boats would be taken into consideration next time. DT commented on the perceived crisis state of the brown crab fishery, noting that some boats are retaining soft brown crab for use as whelk bait, which many fishermen find unacceptable as previously these have always been returned, but are now forming part of the catch. PC reported that he had spoken to the whelk boats, who had said they do not get crab bait from other local fishermen. FB added that two import from Ireland, and one gets it from a mix of local and overseas suppliers. PC highlighted the problem that anything not officially declared as a landing will not be represented in the commercial catch data. The example of the lobster fishery was given in relation to sustainability – in order for it to attain MSC accreditation the lobster fishery must have no impact on other stocks. GM noted that France have MSC accreditation for their whelk fishery, and questioned whether the same should be considered in Jersey in order to improve aspects of the fishery such as acquisition of bait. MT noted that getting whelk bait has always been a problem, and that it is well known that brown crab is the best bait, questioning what alternative could be used. GM suggested 'sausages' manufactured from fishing industry	FB to confer with mobile gear boats prior to any changes / extension of dates. To continue to monitor whelk bait situation.

	waste products. DT added that the French use a lot of spider crab. He also noted that previously legislation has been set up surrounding the periodic closure of the spider crab fishery in relation to soft / hard shell, proposing that the same could be possible for brown crab. It was also considered that, when landing obligations are introduced, non-useable fish could be re-directed towards the whelk fishery. CLM noted the potential use of 'flobbers' – a mixture of dog fish or other soft fish, but noted that Jersey does not have the necessary equipment, e.g. freezers. This was suggested as a consideration for the BLUE Marine Foundation. CI provided a personal observation that, within the last few months, many low water areas have had reasonable sized brown crabs, so he was unsure what was going wrong as he felt there to be a substantial juvenile population, however he expressed concern over the current MLS.	
6.	**To consider a renewal application from R Titterington**	
	An overview of RT's application was given by FB. A discussion ensued around the importation of seed. CI questioned whether it is possible to obtain scallop seed, to which CLM noted it is available in France, but that Jersey concessions are not able to use that supply. GM noted that the problem in the past was that commercial spat was wild caught; some years they would spawn well and catches would be good, and other years not. It was therefore very difficult to guarantee a constant supply. CLM clarified and explained the diseases concerned with the disease free status, also discussing la baie de Saint-Briac, adding that if any diseases were to be found there, it would also likely be seen locally, and that he therefore did not agree with the ban on importing seed from France. GM noted that, at the moment, the Minister does not want to change anything that may affect Jersey's health status. CLM added that he has discussed this matter with the Minister, and had got the same answer which, although he respects, would like to tackle at the correct time in the future. RT explained that, as he is a full time scallop diver, he does not have time for spat collecting, and it is very difficult to get seed from anywhere else. Previously he had been granted money from the RSA to plant dredged scallops, and felt that this had been very successful (particularly as using larger scallops results in less mortality and less movement), however the Panel previously viewed this as 'working with' the dredges. He questioned whether Panel would consider allowing him to do that again, without RSA funding. MT questioned why RT stopped doing this originally, to which RT explained that the panel did not recognise it as 'reseeding'. GM questioned whether RT had spoken to the dredgers about it, to which he replied he had not, but felt that they would always be prepared to make money, so was sure they would be willing. DT felt that the application did not show reinvestment and, whilst he recognises there is a problem with importing spat, there had been no reason why the supply from dredgers could not have continued after RSA grant ended. RT explained the collaboration with the scallop dredgers did not continue due to an argument with Steve Viney, after which communication became awkward, adding that death rate was higher when working with other dredgers. RT also noted that it had been felt that he was 'ripping off' buyers by selling dived scallops that had been dredged, however he did not agree with this as their scallops are some of the cheapest dived scallops in Europe, with not much of a price difference between dived vs dredged.	RT to provide more information to FB for consideration by the Minister

	WP felt that this plan needed to be formalised in writing so it could be presented to the Minister. GM suspected the minister would want more clarity and detail surrounding the numbers, volumes, benefits, market details etc. WP questioned the possibility of a trial period to prove viability the plan's viability.	
7.	**To consider a renewal application from C Gould**	
	FB gave an overview of the application, including additional information provided which covered previous attempts at importing and future hopes to import seed. CG presented information detailing a supply chain from Norway via Ireland, explaining that on growing straight from Norway was not possible in Jersey's waters as the scallops need to be at least 30mm before they are put onto the seabed here. CLM supported this, adding that the first year they put mussel seed on the poles they had to dive to protect them with covers due to high levels of predation from green crab. GM and WP agreed that the information provided needed building into a more coherent, evidenced business plan, e.g. time lines etc. CLM commented that, if seed is available in May, an animal health licence will be needed. WP noted that this could become a joint processes with the vet team. DT felt that, in both cases, the applicants have placed themselves at a disadvantage as they had explained why it has not worked, rather than making the case as to how it could work, and that what they had brought in was not significant. MT questioned whether the renewal was for 9 years. GM noted that it does not have to be, as the Minister can grant anything up to 9 years. MT suggested a 1 year period. CLM felt that if re-seeding is not occurring, then it could not be considered aquaculture, and is therefore more like a private fishery questioning whether, depending on stocking density, they could use a smaller site. He added that applicants should not apply for a bigger area until they have fully utilised the initial area suggesting that, if they cannot bring in enough seed, they should have a smaller area. WP noted again that that would require advice on stocking density in order to determine the area needed. GM also noted that there is a case to be made for having a larger area in terms of policing, as it becomes harder for others to access stocks if they are within a larger area. However he questioned whether 100 hectares was necessary for what they are doing. CI expressed a desire to see more information on dispersal as, from his experience, stocking density depends on the type of ground, noting that this should be a consideration when identifying what size area one would need. WP noted it would be useful to have this information from the concession holders evidenced in the applications. CLM suggested that the French may know the stocking density through their work in la baie de Saint-Briac. GM questioned whether the Panel would want to see any additional information before it is presented to the Minister. WP felt it would not be unnecessary to come back through Panel again, although MT expressed a desire to see a limited release if they are renewed, as he felt a 9 year extension was unreasonable.	CG to provide more information to FB for considerati on by the Minister.
5.	**To consider an application from La Rocque Fisheries**	
	An overview of the application was given by FB. A discussion ensued between PM, PC, and CLM surrounding the boat channel to the West of the holding beds. PM noted that the line of the channel runs along edge of the suggested extension, and so he was OK with the proposal.	Holding Bed extension to be suggested for

	CLM felt that areas of the current concession are not being fully utilised, and that this application was therefore 'stock piling' area, particularly given recent staffing problems. WP questioned the viability of using additional areas in light of such staffing issues, to which GP explained that the extension to the north could be worked for longer. GM explained that the existing site should be fully utilised before new areas are given, questioning the intention for the empty tables. GP explained that they were starting to fill them, and would continue to do so, adding that as the summer season approaches more areas will be filled. GP also noted that LRF has recently been granted and filled 8 licences, and hopes for another 8 in the future. There was a discussion surrounding the extension of the main bed to the East, as this extended into deeper water. GM felt that it made sense not to extend the lower section, in favour of higher areas, rather than increasing both sides of the concession. WP questioned whether there is any benefit of extending to the East as it would not be beneficial in terms of tide. GP explained that this section could be used at 0.7m, but that the southern part of the current site is lower than the surrounding areas, so they remain covered a lot of the time. WP expressed concerns about extending to the East if it could not be utilised properly, questioning whether just the area to the North could be granted, with the possibility of granting the area to the East in the future if needed. CLM noted that, even in the NW area, extension could only occur as far as the rocks, which is roughly the same area as the area that is currently empty in other parts of the concession. GP noted that the middle section is in a hole, as the concessions to the north and south can work longer. CLM felt this meant the area to the East would be even lower. WP explained that he would be comfortable with a reduced area to the NE, with potential for expansion in the future if proved necessary. GM added that he would like more information on the utilization of the site and the time scale in which the current empty areas are planned to be filled. GP felt that there should not be a problem regarding area he as felt these additional areas were replacement areas for the Waterfall and Les Elavees sites which are not being renewed. GM noted that these sites were never used. GP explained that that was because they were historically used as a purification area, but that LRF did not need that process. WP proposed approving the extension of the holding bed, and renewal of the existing area of the main bed, with a view to favourable consideration of extension in the future on grounds of business development.	approval, renewal of current main bed to be approved, but Panel not minded to approve extension. GP to work with FB on new co-ordinates.
8.	**To consider an email from JOC and JAA in relation to unexploded ordinance in Grouville Bay**	
	An overview was given by CLM, who expressed concerns over a recent increase in metal detectorists in Grouville Bay, specifically 'hobbyists looking for trophies'. He explained that in the past ordinance has been blown up 100m from their site and staff, and that in the same year they experienced 100 ton mortality of full size oysters. CLM had spoken to French bomb disposal teams, who have a 1 mile exclusion zone around shellfish concessions, adding that locally there has previously been a process where the local bomb disposal expert would notify them prior to disposal. It was explained that the oysters have a virus which makes them highly susceptible to excess stress, and that they are currently experiencing high mortality.	PM to contact Andrew Jones. PC to monitor publication of French report.

	It was noted that the area is also a Ramsar site that is open to the public, and that there is therefore the argument of public safety to be considered. GJ noted that, as part of the reorganisation of the RMA, they are hoping to increase the contacting of the RMA for issues like this. CLM questioned why, if there is an issue of public safety, the last bomb that was found had still not been disposed of. CLM expressed a desire to ban hobby metal detecting from Grouville round to Green Island giving the reasoning that, if there are objects that need to be found and detonated, it needs to be done by a professional. WP explained that Marine Resources has no means under their legislation to limit activity of metal detectors on the beach, however the 'Policing of Beaches' legislation may be able to, adding that whilst legislation exists around banning detectorists, this is only on private land. WP suggested talking to Andrew Jones. PM said that he would be happy to contact him. CI and MT expressed a concern that there were not enough facts or data available, requesting more information surrounding how many people are doing it, how much is being found, what is being found, etc., and for more data on the effect of the blasts on the oysters. PC commented that, off the back of the windfarm development, noise impact on bivalves has been investigated, and a report is due to be published in May. CLM explained that high pressure processing is often used in processing shellfish, which causes the shellfish to come away from their shell, adding that this is essentially what is happening in the water. GM questioned, in regards to CLM's contacts in France, whether they would be able to provide anything in writing in terms of what they do / do not do in regard to the French concession as the more of a case that can be made the easier it will be.	
10	**To receive an updated report on recreational fishing and responses to consultation and petition**	
	GM summarised the 3 documents that had been sent out. WP explained that comments from Panel were being sought, although it was not looking at being finalised any time soon. GJ felt that the focus of the bag limit document still expressed a disparity between commercial and recreational sectors, whereas the document that responded to the petition comments was centred more around the key issues of conservation, sustainability etc. He felt this was a better, more constructive focus than the bag limit proposal document. He expressed concerns over technological advances, and wider availability of such technology, creating a potential in the future for greater exploitation and thus the need for management tools to guard against potential future exploitation. WP and GJ agreed that legislation is needed to future proof against advances in technology, whilst protecting traditional methods. DT commented that, for some commercial fishermen struggling to feed families due to effects of overfishing on particular stocks, to read in JEP that the Panel are looking at 'restricting the recreational sector while the commercial sector is doing what they like' was deeply offensive. He wished it to be recognised that fishing is a highly regulated industry, and that many comments received, even from past panel members, were misguided. CI apologised to DT for what happened, adding that it was unfortunate that the commercial sector was on the receiving end of negative comments, although noted that he had gone out of his way to ensure that other documentation did not get into the public arena.	CI to meet with Marine Resources to discuss.

	CI felt that the wording of the document could be described as 'careless', and seemed to be cut and pasted from the same proposal 10 years ago. He therefore did not blame the recreational sector for reacting to it in the way they did, as they feel strongly that what they do is sustainable, so restrictions for commercial benefits caused a lot of anger. He felt that at the previous meeting Panel had not shown a desire to change the contentious wording. GM commented that at the previous meeting the decision was simply to feed back to Panel any comments so that the document could be updated, however CI felt that the highly contentious wording would not be removed. WP noted that the threat of political and media intervention would not do Panel any good, and hence there is a need to prevent the premature release of draft documents. CI noted that this had not been clear originally and that, whilst he accepts issues surrounding data protection, he did not pass on anything he felt was confidential in terms of personal data. The most contentious issue was the solid link to commercial benefit. GM explained that he had been through comments carefully, and found that virtually none were in relation to the numbers of the limits themselves, suggesting that there seems to be little problem with the actual substance of the document. However he accepted the comments in terms of presentation and that the audience needed to be considered, although noting that originally the audience was considered only to be Panel. CI felt that there were more issues that needed to be sorted, and GM suggested facilitating a meeting outside of Panel to discuss. CI felt it was still being approached by a slightly incorrect angle, but added that he wished to try his best to help it through. WP concluded that separate meetings would be set up with CI, and any other panel members that would like to comment. GM questioned whether additional comments and the subsequent revised document would need another presentation at Panel for further consideration. DT felt that the principle of bag limits has been accepted, and that the discussion now is around the finer points of presentation and wording etc. CI agreed that having bag limits was seen as inevitable, but that limits are needed that people would respect, and would not get satisfaction out of breeching. CLM questioned whether it would be worth putting 'confidential' over documents that Panel do not wish to be published wider.	
	Next meeting 23rd July 2018 14:15	