

## MARINE RESOURCES PANEL MEETING

(76th Meeting)

### Brief notes & action points from meeting held at Howard Davis Farm on 3 March 2014

Present: Barry Goldman – Chief Operating Officer, Ports of Jersey (Chairman)  
Mike Taylor (MT) – representing Jersey Aquaculture Association  
Don Thompson (DT) - representing Jersey Fishermen's Association  
Paul Bizec (PB) – representing Jersey Fishermen's Association  
Ian Syvret (IS) - representing the Jersey Inshore Fishermen's Association  
Chris Isaacs (CI) - representing Jersey Recreational Fishermen  
Francis Binney (FB) – Société Jersiaise

In Attendance: Deputy Carolyn Labey (CL) – Assistant Minister EDD  
Mike Smith (MS) – Assistant Director Marine Resources  
Greg Morel (GM) – Marine and Coastal Officer  
Jonathan Shrives (JS) – Fisheries Officer R&D  
Dot Miller – Minutes  
Marc Woodhall (MW) – Natural Environment Officer

Apologies: William Peggie, Dan Houseago

#### 1. **Approval of Minutes from the previous meeting and Matters Arising** **Action**

The minutes from the meeting held on 16 September 2013 were approved with the following noted:

Item 2 – Bass stocks – “factors other than commercial fishing influence the status of fish stock”.

##### Matters Arising

H&S Report – netting danger to swimmers and snorkelers, report sent to P. Lawrence at Ports of Jersey. Proposal to bring a 'Nets' paper to the panel this year banning the use of vehicles on the beach. GM to include this health and safety issue in the paper. Currently there is no law prohibiting beach netting and these nets are being put in place predominantly by recreational fishermen, not professional boat users. CI stated that ideal would be to have certain zones where nets would not be permitted at any time.

**GM**

##### Marine Environment & Administration

#### 2. **To receive a progress report on the Marine Resources Strategy consultation**

GM reported on the responses from the consultation:-

- Unanimous support for licensing and bag limits
- Unanimous support for appropriate treaties and international affairs policies

- General support for suggested policies
- General support for Marine Panel, but a review of the Panel's objectives needed

It was hoped that the report would be finalised by end May 2014, however this timeline now looks too short as there is still a need to engage with more people. Engagement needed from professional fishermen as well as recreational, please contact the department with any ideas on how to encourage participation. Once this completed a draft strategy will be created and this will also go out to consultation.

General feed back on the consultation was that it was too complex and too long, this has been noted and the draft strategy will be simplified.

**3. To receive a briefing on progress made by the Whelk Working Group (WWG)**

JS gave a brief history of the setting up of the WWG. With whelk stocks in decline, the group are currently discussing/negotiating proposals to have restricted whelk fishing for a 2 year trial period to help manage the whelk fishery, which would include pot tagging and limitations, applicable both inside and outside Jersey's 3nm limit.

- outside 3nm maximum of 4,500 pots
- inside 3nm maximum of 2,300 pots

DT advised that the framework that JS described has come about following lengthy discussions. The JFA are comfortable with the proposals for within the 3nm limit, however further negotiations are needed regarding outside the 3nm limit to ensure Jersey gets its fair share of stocks. JS to arrange a further meeting of the Whelk Working Group to discuss further.

JS

JS left the meeting at 3.50 p.m.

**4. To receive a briefing on the progress being made in respect of the Jersey Coastal National Park**

MW addressed the meeting and gave an overview of the Jersey Coastal Park Management Plan and explained that the concept was first identified through a consultation process in 2009.

The Coastal National Park covers part of Jersey's coastline and countryside considered to be of local, national or international importance. These include Jersey's south west headlands, St Ouen's Bay, St Catherine's Bay and part of Grouville Bay as well as the offshore reefs and islets including the Ecréhous and the Minquiers.

The consultation process for the Jersey Coastal Park is beginning on 13 March at Radisson Blu and an invitation extended for a panel member to attend. FB agreed to attend if diary permits and would confirm via GM.

MW left the meeting at 4.10 p.m.

**5. To discuss the Marine Resources 2014 Section Delivery Plan**

MS reviewed the plan and updated the meeting.

### **Capture Fisheries**

#### **6. To receive a briefing on the Granville Bay meetings held on 27 and 28 February 2014**

MS and DT reported back on the following:

Lobster MSC – group of fishermen happy to add financial support for marketing the MSC certification.

Re-accreditation 2015 – Jersey excluded from Guernsey and France negotiations.

Undulate Ray – authorities say there won't be an open target fisheries.

Access Pemits – stabilise the number of permits/boats fishing in the Bay of Grouville. Around 60% of original number is the aspiration to reduce this to.

Whelks & fragile habitats – collate data for next Granville Bay meeting. Maerl protected areas are not well defined by the French but do exist.

Discussions undertaken on protected areas for rays.

JEC Cable laying – Jersey guard boat to protect Jersey waters. Harbours have been approached.

Next meeting 24 – 26 June in Jersey.

#### **7. Date of next meeting**

Monday 16<sup>th</sup> June 2014 @ 2.15 p.m.

Include nets on the agenda.

**MS**

## MARINE RESOURCES PANEL MEETING

(77th Meeting)

### Brief notes & action points from meeting held at Howard Davis Farm on 16<sup>th</sup> June 2014

Present: William Peggie – Director of the Environment/Deputy Chief Officer (Chairman)  
Barry Goldman – Chief Operating Officer, Ports of Jersey  
Mike Taylor (MT) – representing Jersey Aquaculture Association  
Don Thompson (DT) – representing Jersey Fishermen’s Association  
Paul Bizec (PB) – representing Jersey Fishermen’s Association  
Derek Buesnel (DB) – representing Jersey Recreational Fishermen  
Chris Isaacs (CI) – representing Jersey Recreational Fishermen  
Chris Le Boutillier – representing Boat Owners (Northern Section)  
Peter Lawrence – Marine Operations Manager, Ports of Jersey

In Attendance: Deputy Carolyn Labey (CL) – Assistant Minister EDD  
Mike Smith (MS) – Assistant Director Marine Resources  
Greg Morel (GM) – Marine and Coastal Manager  
Jonathan Shrives (JS) – Marine Scientist  
Dot Miller – Minutes

Apologies: Ian Syvret, Francis Binney

#### 1. **Approval of Minutes from the previous meeting and Matters Arising** **Action**

The minutes from the meeting held on 3<sup>rd</sup> March 2014 were approved.

##### Matters Arising

Netting activity (spider crab season), consider MD order instead of Gazette Notice. **MS/DT**  
DT and MS to look at areas agreed by JAC and JMC after the meeting.

##### Marine Environment & Administration

#### 2. **To receive a progress report on Marine Resources legislation**

EU control legislation going through next States sitting regarding vessels over 15 metres being fitted with an operational AIS system. Guernsey are already enforcing this rule and the UK is about to start.

General discussion followed on whether Government would help with grants or funding for new kit for fishermen when legislations are agreed. Clarification required if new equipment needs to be purchased due to EU legislation whether there is funding or not. MS stated policy position would form part of the Marine Resources Strategy and agree clarification for all concerned is important. **MS**

**3. To receive a briefing on FEPA permits**

GM gave an update on status of FEPA licence applications.

**4. To receive discuss the draft Marine Resources 2013 annual report**

JS explained that the report format mirrored the OSPAR report and that where possible, the same information was covered in our report. JS briefly reviewed:-

- Wet and shell fish figures
- Monitoring programmes
- R&D programme

Other topics discussed were:-

- RAMSAR action plans are included in the report. Any queries re. Maerl beds please speak to GM.
- Acoustic tagging – issues around some work in previous years, awaiting law drafting.
- Arsenic in heavy metals – decline this year, inclusion of data from other locations would be good for comparison. **GM**
- Start-up licences – possible pool of licences already exist, consideration being given to making entitlements for life.
- Reduction in spider crabs, discussion around possible landing size increasing to a kilo. It was noted that it is not known if the actual number of crabs is reducing, only what's being landed.
- MSC accreditation (monitoring) of lobsters would only be used if stocks were low.

**Capture Fisheries**

**5. To receive a briefing on progress made by the Whelk Working Group**

The following has been agreed by the Whelk Working Group:-

- 2 year trial period for new scheme.
- 2 regimes within the scheme – inside Jersey's 3nm limit and outside the 3nm limit.
- Inside 3nm limit – restricted pot tagging based on named vessels log sheet submissions.
- Outside 3nm limit – up to 40 permit holders with a maximum of 900 pots per permit.
- All permits/pot allocations are non-transferable.
- Licence conditions will be issued in July 2014.

**6. To discuss and make recommendations in respect of management measures for fishing activity in the intertidal zone**

Panel discussed beach netting activity, existing Regulations and their interpretation and possible further regulatory measures that might be introduced, in particular:

- Opportunity to make amendments/changes.
- What is considered commercial / recreational.
- No formal reports of people being caught in nets.
- Health and safety, RAMSAR, sustainable fishing all need to be considered.

#### Beach set nets

Panel were advised that when the then Agriculture and Fisheries Committee introduced legislation restricting the setting of nets within 200 metres of the shore during the hours of daylight in the summer months, the intention had been that it would only apply to boats. (*Note: Panel minutes of meetings 11/10/95 & 30/01/97 and Committee Act 26/02/97 refer*). In consequence the advice given to fishermen by Fishery Officers until the present time was that the legislation did not apply to beach set nets. It had however recently been brought to officers attention that the regulations covering the setting of nets within 200 metres of the shore (Regulation 8 of the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001) applied equally to nets set from the shore. Officers would seek advice on whether, as seemed likely, this interpretation was correct and what action should be taken to correct the advice and commence enforcing the Regulations. On receipt of the advice Officers would finalise a programme and timetable for education and enforcement of regulations around beach set nets.

There was a general discussion on such a timetable including:

- Education needed now but a period of grace before enforcement of any changes.
- A phased approach needed as some people may have recently spent a lot of money on new or replacement nets.

DT advised that commercial fishermen would not have any problems with a law being enforced, commercial netters are very responsible and lay nets accordingly.

There was general agreement that if the interpretation is correct, then it should stand as enforcement of the 200 metre summer months rule would provide some of the protection needed from excessive netting.

#### Vehicles on the beach

It is perceived that the amount of vehicles used on the beach for the setting of fishing equipment has increased in recent years. While the Panel voiced support for requesting the Minister considers amendment to the Policing of Beaches (Jersey) Regulations 1959, it agreed that officers should consult more widely to gauge opinion.

A maximum length of net was also discussed although it was felt that if vehicle use was not allowed this would have a significant impact of the length set.

Ideal scenario would be for everyone to have a log book but extremely difficult to get recreational fishermen to comply, also impossible to manage with current staffing levels.

**7. Date of next meeting**

Monday 29<sup>th</sup> September 2014 @ 2.15 p.m.

**MARINE RESOURCES PANEL MEETING**  
(78th Meeting)

**Brief notes & action points from meeting held at Howard Davis Farm on  
29<sup>th</sup> September 2014**

**Present:** William Peggie – Director of the Environment/Deputy Chief Officer (Chairman)  
Barry Goldman – Chief Operating Officer, Ports of Jersey  
Mike Taylor (MT) – representing Jersey Aquaculture Association  
Don Thompson (DT) - representing Jersey Fishermen’s Association  
Paul Bizec (PB) – representing Jersey Fishermen’s Association  
Derek Buesnel (DB) – representing Jersey Recreational Fishermen  
Chris Isaacs (CI) - representing Jersey Recreational Fishermen  
Francis Binney (FB) – representing Société Jersiaise  
Ian Syvret (IS) – representing Jersey Inshore Fishermen’s Association  
Natalie Porrit (NP) represent Jersey Merchants

**In Attendance:** Deputy Carolyn Labey (CL) – Assistant Minister EDD  
Mike Smith (MS) – Assistant Director Marine Resources  
Greg Morel (GM) – Marine and Coastal Officer  
Jonathan Shrives (JS) – Fisheries Officer R&D  
Dot Miller – Minutes

**Apologies:** C Le Boutillier

**1. Approval of Minutes from the previous meeting and Matters Arising**

**Action**

The minutes from the meeting held on 16<sup>th</sup> June 2014 were approved.

Matters Arising

Discussion regarding AIS enforcement and the following noted:

- MMO will enforce now in ‘aggravated circumstances’.
- French not yet ready to enforce.
- DT enquired if some funding would be available if this is an EU requirement. MS confirmed that D. Houseago is looking into this. MS to liaise with DH for an update.

**MS**

Marine Environment & Administration

**2. To receive a progress report on Marine Resources legislation including the new restrictions of netting during the closed season for spider crabs**

- Spider crab season closed by Ministerial Decision and this, for the first time, included a closed area for netting as recommended by the Granville Bay Joint Advisory Committee.
- In future years, netting restrictions can be changed with Granville Bay meeting



agreement, by Ministerial Decision and Order. DT advised that the JFA are considering recommending a larger closed area in future years. MS recommended that the JFA begins negotiations asap.

DT

- EU control regulations relating to AIS, electronic logbooks and VMS – legislation now enacted.

**3. To receive a briefing on the most recent meeting of the Territorial Sea Coordination and Advisory Group**

- Ministerial Decision signed to ratify Ministerial working group being supported by an officer working group (Economic Development, Dept. of the Environment, External Relations).
- Cable Projects – Strategic plan required for all cable developments. Relevant parties need to fully understand what is involved in laying a cable and in future FEPA and planning applications will be required. GM advising the electric companies.
- Draft memorandum of understating with the Marine Management Organisation – proposal under consideration, meeting scheduled for 21<sup>st</sup> October 2014 to progress further.
- EU Maritime Programme – useful to be involved but manpower and financial restrictions in Jersey.

**4. Options for management of Ramsar sites**

- Ramsar Management Authority wishes to be separate from Government, becoming an independently funded body with an independent chair.
- RMA would like a representative to sit on the Marine Panel.
- Summary of thoughts to be forwarded to RMA and Panel members, comments to Marine resources within 1 month (end October).

All

**5. To discuss recommendations from the Granville Bay meeting held in Jersey on 25<sup>th</sup> & 26<sup>th</sup> June 2014**

- Granville Bay Permits – agreed to reduce numbers by 15% on 1<sup>st</sup> January 2015, in agreeing to this all parties also recognised the need to further discuss technical conservation measures. Discussions also occurring in relation to bi-catch allowance of crab claws – Regulations already exist to restrict the amount that may be landed and Normandy and Jersey not supportive of any exemptions to be granted in respect of those regulations.
- Undulate Ray – Commission welcomes joint work from all three regions (Jersey, Normandy, Brittany) to manage exploitation of this stock.
- Whelks – Concerns raised that whilst Normandy and Jersey have measures to control fishing in the Granville Bay Area, Brittany do not. It was therefore agreed that licences/permits will be required for all fishermen to fish for whelks in the GB Area. – each jurisdiction will look to introduce regulations to that effect as soon as practicable.
- Habitat protection – As discussed at previous GB meeting, Jersey authorities to

supply charts to fishermen showing known areas of important habitat for discussion and identification of areas that should be closed. DT commented that there are concerns about closing areas as this would be hard for scallop fishermen who could in future lose more ground if other closures are required for various environmental/commercial reasons. MS sympathised with this and identified that these concerns would be included in marine spatial planning currently being developed, as such a plan could identify areas as 'suitable for dredging activity' to give some mid. to long term security to the industry. It was noted that any potential closures to fishing activity would have to be compliant with the terms of the Granville Bay Agreement if they related to the Granville Bay Area.

### Capture Fisheries

#### **6. To discuss and make recommendations on the areas where the summer inshore netting restrictions apply**

- Panel members discussed the suitability of existing inshore netting legislation and recalled that many of the restrictions were imposed to protect the safety of other marine users and not to help manage the fishery. Following an in depth discussion among the Panel it was felt that a review would be welcome and that it would be more appropriate to include safety legislation in more general harmonised marine legislation, rather than in the fisheries regulations.
- Areas that might need spatial restrictions include harbours and bays, other matters needing further discussion include the marking of fishing nets, zones for diving, jet skiing, risk assessments, safe areas for swimmers.
- It was agreed that Harbours and Marine Resources would meet outside of the Panel to discuss the transfer of such regulations and that Panel members would discuss such restrictions with their organisations and report back with ideas at the next Panel meeting.

All

#### **7. To discuss the most recent report by ICES in respect of Bass management and the response to that report from STEFC**

- DB talked members through the most recent report by ICES in respect of Bass management and the response to that report from STEFC (Scientific, Technical and Economic Committee for Fisheries) and raised his concern that there are no measures in Jersey to protect Bass stocks. The Panel noted that measures being considered at an EU level are likely to apply to both commercial and recreational fishermen and include quotas, closed areas, bag limits and improved gear selectivity.
- GM advised that he attended a meeting in Dublin to discuss Bass management and will send out a link from this meeting to the Panel.
- MS advised that a project to develop a Bass strategy had not been undertaken due to resources within the department; there are currently 160 projects which Marine Resources would like to undertake, however this is unachievable and needs to be reduced.
- A discussion then took place on the various management options including: bag limit for all, not just professional fishermen; subsidy for commercial fishermen

where areas are restricted; closed season (inshore/offshore); increase recreational landing size, increase mesh size (it was noted nets are not only used for Bass, Red Mullet is a valuable catch therefore difficult to change mesh size).

- MS commented that it is likely EU restrictions will be in place in January 2015, therefor sensible to wait and see what these restrictions are as they can apply to all who fish in the territorial sea and will not need further discussion with DEFRA or France .
- The Panel accepts that ICES has raised real issues which are also apparent locally and agreed to raise this subject again at the first meeting after the EU measures are announced.

#### **8. Date of next meeting**

Monday 1<sup>st</sup> December 2014 at 2.15 p.m., Committee Room, Howard Davis Farm.

It was also noted that Commodore Barry Goldman was retiring from Jersey Ports, and Captain Phil Buckley would be taking over the position shortly. DT, on behalf of the fishermen, stated that it had been a pleasure working with Barry and commented on his excellent level of professionalism. The Panel endorsed this view.

There being no other business the meeting closed at 5.45 p.m.

**MARINE RESOURCES PANEL MEETING**  
(78th Meeting)

**Brief notes & action points from meeting held at Howard Davis Farm on  
1<sup>st</sup> December 2014**

Present: William Peggie (WP) – Director of the Environment/Deputy Chief Officer (Chairman)  
Barry Goldman (BG) – Chief Operating Officer, Marine & Harbour Master (outgoing)  
Philip Buckley (PB) – Chief Operating Officer, Marine & Harbour Master  
Mike Taylor (MT) – representing Jersey Aquaculture Association  
Don Thompson (DT) - representing Jersey Fishermen's Association  
Paul Bizec (PB) – representing Jersey Fishermen's Association  
Derek Buesnel (DB) – representing Jersey Recreational Fishermen  
Chris Isaacs (CI) - representing Jersey Recreational Fishermen  
Francis Binney (FB) – representing Société Jersiaise  
Ian Syvret (IS) – representing Jersey Inshore Fishermen's Association  
Natalie Porrit (NP) represent Jersey Merchants  
Chris Le Boutillier (CLB) - representing Boat Owners (Northern Section)

In Attendance: Deputy Stephen Luce (SL) – Minister for Planning and Environment  
Mike Smith (MS) – Assistant Director Marine Resources  
Greg Morel (GM) – Marine and Coastal Officer  
Jonathan Shrives (JS) – Fisheries Officer R&D  
Dot Miller – Minutes

**1. Approval of Minutes from the previous meeting and Matters Arising Action**

The minutes from the meeting held on 29<sup>th</sup> September 2014 were approved.

**Matters Arising**

- AIS funding: MS advised that Dan Houseago is looking into this and the matter is 'still live'.
- Options for management of Ramsar sites: comments received by Marine Resources and are being collated.
- Whelk: new licence conditions issued, GM to check with David Yettram and confirm status at next Panel meeting. The Whelk Working Group continues to meet and will advise as appropriate. GM

**Marine Environment & Administration**

**2. To receive a briefing on matters discussed at the Granville Bay meetings held in St. Malo on 1<sup>st</sup> & 2<sup>nd</sup> October 2014**

DT reported to the Panel on the following:

- Permits: have been reduced by 15%. French are committed and Jersey letter sent confirming reduction.
- Power cable: French interested in this and need to be included in the decision making. FEPA licence has been applied for.
- Skates/Rays: possible 20% reduction in Ray, likely to run out of stocks September/October 2015. DT to send papers to GM.
- Habitat protection: French have promised to consult with their fishermen. GM thanked DT for his help in raising these matters at the Granville Bay meetings.
- Safe anchorage: fishermen are contributing suggestions, BG requested site of these before any decisions are made. GM to collate and forward to PB by 15<sup>th</sup> February 2015. DT happy to reinforce the point on the agenda at the next Granville Bay meeting.
- Spider crabs: Jersey trying to increase landing size of male crabs but no progress on this yet, there is however unofficial support for a proper closed season. MS advised that the problem of the nets catching spider crabs was acknowledged at the JMA meeting. Unable to issue a licence for whelk fishing (rules of the Granville Bay Treaty).

DT

GM  
DT

**3. To receive a briefing on matters discussed at the Jersey/UK Fisheries Management Agreement meeting held on 21<sup>st</sup> October 2014**

MS reported the following:

- Vessel licencing: very complicated to stay in line with the UK. Proposed to issue 100% on the back of the UK licence. Jersey would not lose any control, just the physical issuing of the licence.
- Western waters regime: Guernsey say yes, Jersey sitting on the fence and keeping a watching brief.
- Fisheries legislation: major step forward that Jersey can sign own agreements. It was noted that the London office has been really helpful in these matters.
- Managing own fish stocks: can no longer stay on the back burner and needs consideration, however there is no easy solution.

**Aquaculture**

**4. Progress on aquaculture licencing strategy**

- JS explained to the meeting the background to commissioning the strategy.

**5. The assessment and identification of areas suitable for aquaculture (linked to the development of an area based approach to managing aquaculture)**

Panel members discussed the above matter and the following was noted:

- EIA for the area; planning permission.
- Economic Development Department (EDD) to fund cost for EIA?
- Aesthetics need to be considered, not just conservation; physical barriers, access considerations.
- Co-ordinates to FB so he can check that the Société Jersiaise wouldn't have

objections if all things considered.

- JFA supportive in principle.
- Consider sub tidal? This has been investigated by the industry, logistically and costs.
- Security needed that income would stay on the island.
- How busy could it become?
- Green crabs.
- SL agreed to speak to EDD; if it's agreed by them then this initiative could be looked further into.
- SL confirmed that he no longer had links to the Jersey Oyster Company.
- Aquaculture report, circulate to Panel.

### **Capture Fisheries**

#### **6. To further discuss and make recommendations on measures in respect of the setting of nets that need to be included in safety regulations**

Following on from the previous Panel meeting when it was agreed that Harbours and Marine Resources would meet outside of the meeting to discuss the transfer of the regulations, and that Panel members would discuss with their organisations and report back.

As stated in the agenda for today's meeting, the JFA have forwarded their recommendations which include removing the restrictions on setting nets close inshore around Noirmont and for the area to be covered by seasonal restrictions to revert to beaches frequented by swimmers, ideally aligning with the area covered by speed restrictions for vessels.

The Jersey Recreational Fishermen's representative also forwarded a proposal in respect of the marking of nets, this proposal was forwarded to Panel members on 17<sup>th</sup> November via email.

The matter was again discussed at length and the following noted.

- Inshore Trawling Nettings Dredging regulations: reviewed and legislation not needed was highlighted.
- Inshore Waters regulation: reviewed and law officers' advice required on restrictions which GM will follow up. **GM**
- Marine Resource report needs to be consulted.
- Panel need to agree what needs to be regulated and then draft policy should go out to consultation.
- Dialogue between recreational bodies and the JFA to consider areas and if flags would be helpful.
- MS stressed to the Panel that nothing can change unless the Regulations change.
- Panel members to consult with their members.

#### **7. Proposed dates for 2015 Panel meetings**

- 23<sup>rd</sup> February

- 27<sup>th</sup> April
- 29<sup>th</sup> June
- 14<sup>th</sup> September
- 9<sup>th</sup> November

It was noted that this would be MS's last Panel meeting as he was retiring at the end of December. MT thanked MS for this contribution to the Marine Resources Panel. DT added that MS had the respect of all fishermen, and this included the French fishing industry.