

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(56th Meeting)

Wednesday 03 February 2010

Present :

Mike Taylor - Chairman
Paul Bizec representing the Jersey Fishermen's Association
Don Thompson representing the Jersey Fishermen's Association
John de la Haye representing Jersey merchants
John le Seilleur 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 :

Simon Bossy, Head of Fisheries and Marine Resources
Mike Smith – Senior Fisheries Inspector
Jonathan Shrives, Fisheries Officer R & D
Dave Yettram, Fisheries Officer – Licensing (item 5 onwards)
Paul Mimack, Jersey Harbours
Felicity Smith, minutes

Deputy Mike Jackson, Greg Morel, Natalie Porritt and Chris le Masurier had sent their apologies for not being able to attend. John de la Haye had been asked to represent Jersey merchants and John le Seilleur represented the Jersey Aquaculture Association.

Action

1.0 Minutes and Matters arising

- 1.1** The minutes of the meeting of 25 November 2009 were approved subject to certain changes being made.
5.5 IS stressed that his remark had concerned a permit scheme and not certificates of competence
2.3 The JFA had refuted the compatibility of turbines and fishing gear, coexistence was not possible.
7.1 “and” to be inserted before “since”. “would fund” to be changed to “may fund”
8.1 “would fund” to be changed to “may fund”
- 1.2** The JFA stated that trials with scallop dredges would be completed in time for the next JAC meeting on 16 March.
- 1.3** Discussions about Certificates of Competence were on-going with Jersey Harbours. A safety certificate for smaller vessels was being studied and the possibility of making it compulsory. MS suggested Mark le Cornu of Fire Services would be willing to help.
- 1.4** The JFA would send a letter additional to one already sent by the Chairman of the Panel to the CRPMEM in support of their opposition to windfarms. The JFA reported

that thanks to pressure exerted projects planned for the Cotentin peninsular had been moved to the Bay of Mont St Michel. **DT**

2.0 Marine Protected Areas and Ramsar

2.1 In the absence of GM SB presented the paper to the Panel. Deputy Duhamel, Assistant Minister for the Environment would attend and chair the meeting to discuss Ramsar Management plans now to be held on 4 March. Once draft Management plans for the various Ramsar sites had been drafted full public consultation would be carried out. Although some panel members had been invited to attend through their association the Panel would be kept in touch with the development of the management plans.

3.0 Inshore trawling regulations

3.1 The Panel discussed the case of a trawler fisherman who was derating his engine to be able to fish inside the 3 mile limit and sought reassurance that no further measures would be brought in to his detriment. **The Panel agreed** that no such guarantee was possible. With a derated engine the vessel would be subject to the same regulations as others of the same size. A reply would be sent explaining the Panel decision. **SB**

3.2 SB reassured the JFA that in future if any fishermen were a member of the JFA and wanted to bring a proposition to the Panel he or she would be advised to go first to their Association. **It was agreed** that this would apply to the other members of groups represented on the Panel.

4.0 Tail cutting

4.1 PG expressed the concerns of recreational anglers who thought that if the legislation maintained the terms "as soon as the fish is taken on board" the amount of fish killed would be multiplied by ten given that at present not all fish caught was retained. He deemed that the measure was not for conservation reasons but a wish to increase the commercial value of a species. Recreational anglers did however support tagging of fish by licensed fishermen.

4.2 JdelaH wished to see it made illegal for restaurants and hotels to purchase fish from unlicensed sources.

4.3 MS explained that the previous attempt to introduce tagging of legally caught bass had not been very successful and that only limited resources are available to police the illegal purchase of fish from unlicensed fishermen. **It was agreed** that he would prepare a simplified paper which he would present to the Panel when the Scrutiny Panel Report on bag limits became available. **MS**

5.0 Update on local legislation

5.1 MS reported that the amendment to the Trawling Regulations was with the UK for approval as was the change in whelk MLS. The Aquaculture legislation could now be lodged and debated in the States. Law drafting was underway on the amendments to the Law to allow conservation measures to be brought in more quickly.

6.0 EU control Regulations

6.1 MS presented the items included in the paper to the Panel. Changes would be made to Jersey legislation to mirror the new conversion factors.

7.0 Delegation of Panel seat

7.1 **It was agreed** that if any Panel member was not able to attend he or she should ask

someone from the same association or membership to delegate.

8.0 Crab crisis

8.1 DT had attended a meeting in Paris on 28 January where there had been general agreement that measures were necessary to avoid the collapse of the crab industry mainly because of the market problem in this sector. Various solutions were envisaged; production had to be cut, quotas introduced, unused shellfish entitlements would not allow re-entry into the system and quality of the product had to be improved.

9.0 Exemption/inclusion of pots

9.1 The JFA suggested that tagging all pots represented a hurdle to diversification. Cuttlefish pots may catch lobsters but they must not be retained. There had been little demand for whelk tags. **It was agreed** that the current pot tagging system did not apply to whelk or cuttlefish pots only to crab and lobster pots.

10.0 Possible Lobster measures

10.1 Various conservation measures were discussed and the JFA wanted to underline the importance of having in place contingency measures if the stock shows signs of weakness to present in the framework of the MSC accreditation. **It was agreed** that a 1mm increase in the MLS would increase significantly the percentage of mature lobsters landed. The problem consisted in convincing French fishermen to agree to act in the same way.

10.2 V notching was a popular option with the JFA as the berried hens could be returned to the 0-3 mile zone and would be paid for. It would also protect the hens for a second batch of eggs before the V notch was moulted out. The JFA reported that Paimpol in Brittany had begun a scheme sponsored by EDF. JS had studied work carried out by Northumberland Sea Fisheries where 1000 hens had been V notched during the course of one year at a cost of about £8,000 with an additional approx.£3,500 implementation costs. It was recognised that any increase in recruitment would only be perceptible after four to five years.

10.3 A ban on landing berried lobster for two months or more would result in more berried hens being returned to the sea than V notch scheme for 1000 lobsters. A seasonal ban – June/July - was proposed to allow time for the hens to shed their eggs yet affect the fishery as little as possible. Given the need for States departments to make savings wherever possible this option would be preferred over V notching unless corporate funding could be found.

10.4 DT wished to send papers to the JAC before the forthcoming meeting on both V notching and limiting vessel numbers.

DT

11.0 Capping effort

11.1 The JFA considered that the industry was so reliant on the lobster that if stocks dwindled there would be a need to control the number of vessels and that it was time to look at fleet size. Extending the Granville Bay Access Permit (GBAP) to the 0-3m was an option which should be looked into. MT considered that if the aim of metier specific permits was to ensure profitability some level of financial thresholds had to be set. He distributed a paper outlining the various issues which would need to be addressed before a species permit scheme could be envisaged. **DT agreed** to

present a paper which addressed all the points outlined in the paper at the next Panel meeting. **DT**

11.2 IS supported the extension of the GBAP to the 0-3m area. MS explained that the difficulty with this solution resided in the UK Fisheries Management Agreement (FMA) which allowed UK boats to fish in this area.

11.3 JdelaH thought that reducing effort using a permit scheme would have no effect on the problem of oversupplied French and European markets. He stressed that the current problems were marketing problems not problems with the shellfish stocks which were good at the moment. Flexibility and diversification were necessary. JleS underlined the fact that in the farming world supply and demand dictated operations and that farmers had learned to change their operation to meet changing market demand.

12.0 Reduction in GBAP numbers

12.1 DY presented his findings. The subject had been broached at the last JAC and the French Fishermen's Associations had seemed favourable. It was agreed that a reduction of 15% GB permits on both the French and the Jersey side could be suggested at the next JAC. The question would be asked at the next JAC why the number of French permits had increased by so many in the January of 2010.

13.0 Undulate ray ban

In the framework of the protection of elasmobranchs EU legislation had banned the landing of undulate ray. The French fishermen's associations had objected to the EU formally but the EU had maintained the ban. Jersey had not yet introduced the ban in case the EU reversed its decision but subsequent to enquiries from Guernsey and Plymouth the need to enforce the legislation and comply with the Jersey/UK FMA needed to be addressed. **It was agreed** that SB would present a paper to the Minister or Assistant Minister in the presence of the JFA Chairman setting out the various options (1) do nothing (2) introduce the EU ban (3) introduce the ban in the Granville Bay area but leave the 0-3m unaffected. **SB**

14.00 Date of next meeting

The date for the next Panel was confirmed as 7 April 2010.

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(57th Meeting)

Wednesday 07 April 2010

Present :

Mike Taylor – Chairman
Constable Mike Jackson Minister for Transport and Technical Services
Constable Len Norman Assistant Minister Economic Development
Rob Colligny representing the Jersey Fishermen's Association
Don Thompson representing the Jersey Fishermen's Association
Natalie Porritt representing Jersey merchants
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)
Peter Gosselin representing Jersey Anglers

In attendance :

Simon Bossy, Head of Fisheries and Marine Resources
Greg Morel, Marine and Coastal Zone Officer
Jonathan Shrives, Fisheries Officer R & D
Paul Le Neveu, Jersey Harbours
Andy Scate, Chief Executive Officer, P & E
Julia Elvidge and Claire Lane, minutes

Paul Bizec and Mike Smith had sent their apologies for not being able to attend.

Action

1.0 Minutes and Matters arising

- 1.1** The minutes of the meeting of 3 February 2010 were approved subject to certain changes being made.
Apologies from Constable Mike Jackson and not Deputy.
DT raised points on the following 1.4, 3.2, 4.1 and 9.1, but no amendments had to be made.
- 1.2** There were no matters arising from the previous minutes.

2.0 Draft Annual Report

- 2.1** SB gave a brief summary of the draft Annual Report. DT commented that he hadn't received a copy of the report from FS, however he requested a copy which was sent by JS. JS gave panel members an updated sheet of figures of landings. General discussion took place regarding figures for lobsters and brown crab. Draft report will go to ministers, then media. MT thanked SB, GM and Fisheries section for their work on the report.

3.0 Whelk Study Report

- 3.1 JS summarised the results of the whelk study to the panel. The results show that there is a continued reduction in numbers of small whelks. Legislation is going through at the moment to increase the minimum size to 50mm in Jersey's waters outside of the Granville Bay. SB informed the panel that moving the bar size by the French on graders to 22mm allows for whelks of between 50-55mm to pass through if graded correctly.

4.0 Scallop Dredge Ring Size Study

- 4.1 JS presented the results of the scallop dredge ring size study. MT asked why there were differences in the results between Jersey and France. JS explained there were many variables to consider when comparing results. Average size of scallop was larger in the 92mm dredge though there were less marketable scallops overall. 92mm dredge also had less stone and shell than the 85mm. DT raised the issue that a 92mm ring was not suitable for a 102mm scallop. It was suggested increasing the scallop minimum size to 105mm. It was discussed whether the legislation should be changed for just Jersey commercial fishing boats or should include the French. SB explained it would require a simple change in legislation to increase the scallop minimum size to 105mm but require agreement of the French. A change to the minimum size by licence condition would be easier but would only apply to J registered vessels. DT commented that the durability of the rings was disappointing, but changing the gauge could remedy that problem. DT gave his thanks to JS, Steve Viney for their work and EDD for their partial funding from the RIS. DT agreed to discuss with JFA members an increase of the minimum size to 105mm.

DT

5.0 Report of items from JAC meeting of 16 & 17 March

- 5.1 DT spoke about the JAC meeting on the 16th & 17th March. The undulate ray ban was discussed at length. The decision was made to approach France and the UK to ask them to put more pressure on in Brussels for fishing measures.
- 5.2 Meeting held in Paris this week. Fisheries minister to put forward the idea of lifting the ban on ray catching. In December the Council of Ministers put pressure on the UK for a combined approach, still waiting for a response. MJ asked if there were any specific figures on the number of rays caught. DT responded that there were not. DT commented that the French were working really hard and that Guernsey are enthusiastic and had produced some interesting figures to add to the case.
- 5.3 The crab working group, including Jersey, had reached the decision to maintain a minimum price throughout Europe.
- 5.4 The possibility of a Marine Park in the Bay of Granville was discussed. It was agreed that this subject required further discussion and observation studies of the area were needed.

6.0 Report on Recent Proposals for Wind Farm Development in Bay of Granville

- 6.1 SB gave an overview of the report. Following meetings with the French in St Malo, it has been established that the Brittany authorities are required to put a report into Paris by the end of May 2010 identifying specific areas. Paris will consider and formally agree or disagree zones. French authorities have asked for input by the end May from fisherman, panel and government. Access to the official French Government website has been given to the fishermen to input directly. The main area of proposal currently under consideration is north of St Malo in the Granville Bay and Zone F. AS & LN discussed the benefit of Economic payback for Jersey. DT & MT discussed the

exclusion zones. MT asked if there was any data on wind farms and their repercussions on the fishing industry. DT responded that he didn't know of any data. JFA expressed their wish to be involved and happy that the fishermen's input was being considered. It was agreed that a letter should be drafted to the Chief Minister to highlight the speed at which the French Authorities were proceeding and for the need for a formal Government response and the JFA would be included in attempts to reach a single Island position. SB & LN spoke about having a future meeting to discuss the implications in more depth.

7.0 NFFO paper "Effort limitation in the Shellfish Fisheries"

DT tabled an NFFO report that discussed management measures with regards to shellfish. The NFFO report highlighted latent effort and effort limitation. DT suggested we could wait and see what DEFRA comes up with or we could develop our own measures. MT's view is that we are well equipped and ahead of the game already under the Bay of Granville agreement. It was felt that the Granville Bay Treaty permit scheme was an effort cap and that adjustment of the numbers would address the issue of latent effort. DT did not feel that the Granville Bay scheme was suitable. IS wanted clarification of the boat capping – SB explained how it works. MT – The panel willing to discuss figures at the next meeting. LN said it was agreed to look at figures at the end of the year and ensure solid, accurate information. DT would also discuss with JFA and French colleagues.

The JFA's permit scheme was discussed but MT was unable to comment as he did not have a copy of the report. DT said the JFA want to be proactive, report really good work and want a scheme that pays for itself. DT felt that fisherman would be happy if any charge for permits was used for stock enhancement.

It was agreed to see what the MSC reports back regarding management before any decisions should be made.

8.0 Any other business

8.1 SB informed the Panel that an article would be in the JEP on 9.4.10. A Deputy had complained about the method of transportation to the meeting in St Malo. SB explained the full situation to the Panel

8.2 DT enquired if the level of service will remain the same with the new budget cuts and would the front line service cover be maintained. AS stated that 10% cuts have to be found, but front line service will remain in place.

8.3 GM informed the Panel that two questions on recreational fishing have been included in the Jersey Annual Social Survey.

8.4 RC Asked what the department was doing about the undulating ray situation. After discussion MT said it had to be a ministerial decision to refute it.

8.5 DT - Advised the panel that the JFA is interested in different minimum landing sizes for Rays. GM said he would be happy to attend JFA meeting and for it to put it on the agenda for the next meeting.

9.00 Date of next meeting

The date for the next Panel meeting was confirmed as 2 June 2010

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(58th Meeting)

Wednesday 02 June 2010

Present :

Mike Taylor – Chairman
Constable Mike Jackson, Minister for Transport and Technical Services
Paul Bizec representing the Jersey Fishermen's Association
Don Thompson representing the Jersey Fishermen's 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 :

Simon Bossy, Head of Fisheries and Marine Resources
Greg Morel, Marine and Coastal Zone Officer
Jonathan Shrives, Fisheries Officer R & D
David Yettram, Fisheries Officer Licensing
Paul Le Neveu, Jersey Harbours
Peter Lawrence, Jersey Harbours
Adrian Lake, Jersey Harbours
Felicity Smith - minutes

Nathalie Porritt, Constable Len Norman, Andy Scate, Chris le Masurier and Mike Smith **Action**
had sent their apologies for not being able to attend.

1.0 Minutes and Matters arising

1.1 The minutes of the meeting of 7 April 2010 were approved subject to certain changes being made:

4.1 Stress was to be put on the fact that the 105mm increase for scallops had only been discussed and DT had agreed to consult the JFA about it but had not agreed to bring a proposal.

5.3 The crab working group, including Jersey, had reached the decision to maintain a minimum price throughout Europe.

6.1 The JFA wished to make it clear that they wanted to be included in discussions attempting to arrive at a single Island position concerning wind farms.

7.0 In para 2 the word "reactive" to be changed to "proactive" and the JFA would be happy to be charged for permits if the money thus raised was used in part for stock enhancement.

1.2 PL explained that Jersey Harbours had been approached by energy companies to consider the impact of wind farms on routes in and out of the Island. GM suggested that the companies could be invited to Panel to explain their projects.

2.0 Defra advice on whelk size

2.1 The Defra missive set out the UK position where they could not impose an increase on foreign vessels in UK waters. They asked for details of the argument for Jersey to do otherwise. The reply could say that France had now adopted a wider bar space and therefore were only landing whelks of 50mm anyway thus rendering the proposed legislation unnecessary or could present the situation in Jersey where French vessels would have to respect minimum size legislation in Jersey waters (0 – 3m and zones A and B). Both JIFA and JFA representatives asked for the letter to Defra to ask for clarification.

SB

3.0 Pot marker free zones

3.1 Jersey Harbours had provided charts to serve as a starting point for discussion. They were seeking to ban fishing gear from anchorage areas (red dots on the charts). This was discussed and it was agreed that Jersey Harbours would send out a Notice to Mariners to this effect with detailed coordinates and charts.

PL

3.2 In other areas marked in red on the charts Jersey Harbours were mindful of substantial fishing activity . He asked fishermen's representatives to take back to their groups the need to be cautious and to avoid setting surface marking gear which constituted a danger to surface navigation.

DT,IS

3.3 PB thought that 95% of gear found in these areas belonged to JY boats. DT expressed the view that fishing grounds were being eroded.

4.0 Sea Bird Working Group

4.1 GM presented the work done by this group in 2009 and 2010 concerning terns, cormorants, puffins and protection zones. Although it was too early in the year to judge breeding success progress was being made on various fronts. The protection zones had been renewed, the impact of clay pigeon shooting had been studied and a Police Wildlife Liaison Officer was now in place. This post depended on the general public calling the police to report any likely breaches of the wildlife law. The success of the group depended on their ability to disseminate information throughout the Island.

4.2 One of the perceived issues involved hired kayaks but the code of conduct was being adhered to in general. Jersey Harbours issued licences to kayakers subject to conditions based on the environment code of practice and they encouraged attendance of Wise courses.

4.3 DT underlined the need to include black back gulls in the studies as it had been proved that no nesting birds co-existed with them.

5.0 Frouquie Aubert permits

5.1 DY explained the agreement between fishermen in the Frouquie Aubert box limiting pair trawling through the number of boats and days of the year. According to the Granville Bay Treaty all access and fishing permits for French fishermen are to be issued by the French authorities and Jersey had sent a template for the permit to them. However, in 2010 no permits have been issued. This would be discussed at the forthcoming JAC and JMC.

JAC,JMC

5.2 Policing activity in this area was made easier by the radar at Harbours. The recent arrest of a French fisherman in this area (no permit and outside the agreed dates) would, it was hoped, send a clear message and should be a deterrent.

5.3 The JFA would like Jersey to issue these permits thus seizing an opportunity to increase control. They were sure the French fishermen involved would agree to this.

5.4 The dangers of contravening the Granville Bay Treaty were discussed as this may leave Jersey vessels susceptible to French arbitrary measures.

6.0 **MSC lobster accreditation**

6.1 GM distributed graphs showing how the CPUE figure of 6 kgs per 100 pots had been arrived at for use in Fisheries management by the Department. He proposed using the same level for MSC accreditation purposes. It had been proved that stocks could descend to this level and then recover. This figure had also to be agreed with the French and seemed to be appropriate. JS reminded the Panel that the MSC were interested in stock sustainability and not the viability of the fleet where a higher figure may have been proposed. IS suggested that according to the graphs the stock had recovered from that level without measures being taken but SB pointed out that the MLS increase had not shown an immediate improvement but explained subsequent recovery.

6.2 Discussion followed on the order in which management measures should be brought into play. Both JIFA and JFA favoured the increase in MLS.

6.3 Limiting recreational fishermen was a possible measure although MT pointed out that any necessary legislation would have to be prepared well in advance. In addition to this in France there was already a limit of 2 pots for recreational fishermen so this would not represent an additional measure in the eyes of the MSC.

6.4 PG explained that pot limits would be acceptable to recreational fishermen as professionals had to abide by them but this was not the case for bag limits. He added that if the legislation allowed a large number of pots at first and then reduced the number it would be accepted more readily. It was pointed out that bag limits existed (15 lobster, 25 crab) for licence holders without a shellfish entitlement – about one third of the fleet according to IS.

7.0 **Granville Bay Access Permit reduction**

7.1 The percentage by which numbers should be reduced was discussed. Previously 15 % had been suggested but now 30% was thought preferable. There was disagreement as to the way in which the French would view the proposition, either as a very desirable move to reduce competition or a figure to be negotiated downward as far as possible. It was agreed that the idea or a reduction in numbers would be proposed and suggestions as to amounts would be solicited.

JAC

8.0 **Ray MLS**

8.1 The ICES elasmobranch group had asked for conservation measures which could be suggested to encourage the EU to relax the ban or at least to reconsider it. A minimum or maximum size were discussed. The technical impossibility of adopting a maximum size was evoked given the gear which would be required. Other possible measures included a closed season or observers on board. Suggestions had to be made before the end of June. GM was willing to discuss rays with the JFA.

9.0 **Permit Scheme**

9.1 IS had balloted his members and 98% did not support the introduction of a new permit. They would however support the extension of the Granville Bay Permit to the 0-3m zone.

9.2 DT feared that the Defra proposals concerning potting would be accepted wholesale. SB pointed out that the scallop permit scheme and the shellfish licensing scheme had both been adapted to the Jersey context and did not blindly follow the Defra proposals. DY explained that to uphold the value of licences they had to remain compatible with the UK.

9.3 Constable Len Norman had said he would wait for the MSC conclusions before making any decision. This delayed any measure until the autumn. For DT the Panel was not the best forum for discussions.

10.00 Any Other Business

PG was enjoying working with his French counterparts.

11.00 Date of next meeting

The date for the next Panel meeting was confirmed as 18 August 2010

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(59th Meeting)

Wednesday 18 August 2010

Present :

Mike Taylor – Chairman
Don Thompson representing the Jersey Fishermen's Association
Ian Syvret representing the Jersey Inshore Fishermen's Association
Chris le Boutillier representing Boat Owners (Northern Section)
Peter Gosselin representing Jersey Anglers
Chris le Masurier representing the Jersey Aquaculture Association
Nathalie Porritt representing Jersey merchants

In attendance :

Simon Bossy, Head of Fisheries and Marine Resources
Greg Morel, Marine and Coastal Zone Officer
Jonathan Shrives, Fisheries Officer R & D
David Yettram, Fisheries Officer Licensing
Paul Le Neveu, Jersey Harbours
Felicity Smith – minutes
Hayley Gueno – undergraduate observer

Deputy Phil Rondel, Constable Len Norman, Constable Mike Jackson and Mike Smith **Action**
had sent their apologies for not being able to attend.

1.0 Minutes and Matters arising

1.1 The minutes of the meeting of 2 June 2010 were approved subject to certain changes being made:

2.1 DT asked for the word "unilateral" to be deleted

4.3 PG asked for "contrary to cormorants" to be deleted.

6.3 The term "popular" to be removed and also " as soon as the trigger level was reached" . Delete "in place" and replace with "prepared well in advance"

1.2 For DT the MLS for undulate ray remained an important issue. French fishermen were reporting large amounts of discarded dead ray being trawled up and Jersey fishermen were working very long hours having to deploy twice as much net. Both the ICES group and the NWWRAC were due to meet in September to discuss the problem. Daniel Lefèvre would take the JAC proposal of an agreed MLS of 76cm to these meetings. The undulate MLS was only part of the overall issue.

1.3 IS suggested that, if the number of Granville Bay Access permits was reduced and this led to fishermen being refused a permit, legal advice should be sought on human rights. It was agreed that enquiries would be made. DY pointed out that very clear criteria were applied when Zone permits were oversubscribed and similar criteria could be used. Also vessels that never went outside the 3 mile had permits which could be

used for those who wanted to fish in the Bay of Granville.

2.0 Ormer survey 2010

2.1 The page missing from the agenda was circulated. JS suggested that a more comprehensive survey might include information provided by low water fishermen concerning size, approximate location and numbers of ormers. It was agreed that juxtaposing scientific and empirical data would allow a more detailed picture to be built up. GM agreed to contact fishermen susceptible to help with this.

GM

3.0 Seaweed in Grouville Bay.

3.1 PG circulated photos of the offending weed, sand and boulders in Grouville Bay. The problem lay not in the seaweed itself but in the boulders which had been transported with it and PG called for the use of fore-end loaders for more discriminating removal of the weed. GM agreed to contact TTS to request the use of more suitable equipment and the removal of the boulders already on the beach.

GM

4.0 Increase in scallop MLS

4.1 DT had discussed this measure with dredgers. No objection was foreseen from French fishermen who were already using a 92mm ring size leaving smaller scallops than this on the sea bed. Jersey could introduce the 105mm as a condition of the scallop diving permit although a measure covering all the Bay of Granville would be preferable. MT thought that given the considerable tonnage caught by divers they should also be consulted before such a move was mooted. The Department agreed to consult them.

SB

5.0 Disposal of scallop shells

5.1 Mike Smith had produced a paper on the problem proposing that commercial divers be issued a FEPA licence which would allow them to return scallop waste to the sea. PlEN suggested that the permit should stipulate that no scallop meat was to be carried on board at the same time as empty shells to avoid the ban on carrying dive tanks and surface demand equipment.

6.0 Lobster – JIFA survey re pot limitation

6.1 The Panel discussed the letter seeking views of the recreational fleet. PG would not be able to present the official point of view of his members until after their AGM in March 2011. CleB considered that recreational effort was negligible and that a permit structure was preferable.

Carried forward

7.0 MSC accreditation

7.1 At the July meeting the MSC had announced that accreditation could be awarded subject to certain management plans being in place. No conclusion was reached however as to the level of catches which would trigger emergency measures nor on the measure which would first be put in place; either an increase in MLS (Jersey's preferred option) or a reduction in the number of pots (option preferred by Basse Normandie).

7.2 GM was now in possession of the report published by the MSC stating that they were minded to grant accreditation but asking for an action plan to be produced using a more collaborative approach between Jersey and Basse Normandie. GM agreed to supply a summary of the report and circulate it to Panel members if requested.

GM

8.0 Legislation update

- 8.1**
- The annual Spider Crab closure from 1 September until 15 October had been advertised.
 - The Trawling, Netting & Dredging amendment dealing mainly with the introduction of electronic net measuring equipment had received Ministerial approval and would now be lodged for debate (in fact 28 September 2010). Fisheries Officers had offered to measure nets of fishermen on request and advise as to the legality of the net.
 - DT agreed to contact Mike Smith concerning the number of dredges allowed in the forthcoming legislation.
 - Legislation concerning the introduction of a fee for Granville Bay Access Permits was under consideration.

9.0 Any Other Business

9.1 SB described the recent complaint received by the Department from the dive centre concerning a net set across Bouley Bay inside the moorings. The fisherman had been contacted and the net removed. It was possible that Jersey Harbours would designate the area as part of the harbour or decide it was covered in the terms “or the approaches” to the harbour in already existing legislation.

9.2 GM had received a report from Normandie 3 concerning the submarine cable which he would make available to any Panel member requesting it.

9.3 JS said the 2010/2011 mooring calendar was now available and could be collected from Reception at HDF.

9.4 CleM wished to make the Panel aware of the Rural Economy Strategy (RES) White Paper currently going through a consultation process. The JAA had written at the Green Paper stage to voice their objection to the move to ban imports from other hatcheries into the Island but no account had been taken of their remarks.

9.5 DT added that in the same report he had learned of the intention to remove funding from “Genuine Jersey”, in his opinion a superb organisation which had accomplished a great deal in promoting shellfish and fish sales in the Island. He asked for a letter to be drafted to the Director of Environmental Management and Rural Economy expressing the Panel’s regret that such a highly valued organisation should disappear.

SB

9.6 CleB asked if it was a legal requirement for kayaks to carry a lobster gauge. It was agreed that the legal requirement was not to land undersized shellfish or fish and carrying a lobster gauge would be in the best interest of the kayaker. It was however a legal requirement for pots to be marked in the same way as any other and Fisheries Officers would be vigilant. He asked if ways of attracting young people to enter the fishing industry could be discussed at a future meeting.

Carried forward

9.7 PleN asked for associations to be reminded of the hazards of leaving gear at fishing spots e.g. St Catherine’s breakwater.

10.0 The date of the next meeting was confirmed as Wednesday 6 October 2010.

FISHERIES AND MARINE RESOURCES ADVISORY PANEL

(60th Meeting)

Wednesday 6 October 2010

Present :

Mike Taylor – Chairman
Don Thompson representing the Jersey Fishermen's Association
Chris le Boutillier representing Boat Owners (Northern Section)
Chris Isaacs representing Jersey Anglers
Chris le Masurier representing the Jersey Aquaculture Association
Nathalie Porritt representing Jersey merchants
Steve Viney representing the Jersey Fishermen's Association
Constable Len Norman, Assistant Minister EDD
Paul Le Neveu, Jersey Harbours

In attendance :

William Peggie , Director of Environment
Simon Bossy, Head of Fisheries and Marine Resources
Mike Smith, Senior Fisheries Inspector
Greg Morel, Marine and Coastal Zone Officer
Jonathan Shrives, Fisheries Officer R & D
Felicity Smith – minutes

Constable Mike Jackson, Ian Syvret and Peter Gosselin had sent their apologies for not being able to attend. **Action**

1.0 Minutes and Matters arising

- 1.1** The minutes of the meeting of 18 August 2010 were approved subject to certain changes being made:
1.2 DT asked for the insertion of an additional sentence explaining that the MLS was only part of an overall issue.
6.1 DT asked that “quantifying effort deployed by” be replaced by “seeking views of”
9.6 DT asked for the word “these” to be deleted
- 1.2** 4.1.DT added that before the increase in the scallop MLS was finalised he would inform the Joint Advisory Committee (JAC)
- 1.3** 3.1 CleM pointed out that seaweed on the beach would attract birds and become a potential source of *E-coli*
- 1.4** 5.1 MS explained that the condition concerning the disposal of empty scallop shells had been amended in light of comments at the previous meeting and now stipulated that no regulators were to be carried on board at the same time as the empty shells.

- 2.0 Whelk MLS**
- 2.1 Initially Jersey had proposed an increase in MLS to 50mm in the area out to 3m and in areas A and B. French fishermen had obtained the same result by setting the space between grader bars to 22mm. A discussion took place as to whether Jersey should continue with the increase in MLS or rely on a bar space of 22mm to solve the problem or do both. **The Panel agreed that both solutions should be put in place as a licence condition.** MS
- 3.0 Undulate Ray**
- 3.1 GM presented to the Panel the advice produced by ICES concerning the undulate ray ban. They admitted that there was a lack of information, particularly in the English Channel, for a firm management decision on undulate ray and suggested that localised management (e.g. NWWRAC) would produce more appropriate measures. They identified populations in the Channel Islands and in parts of the UK. The subject was on the agenda for the forthcoming Joint Advisory Committee meeting in Granville. JAC
- 4.0 Increase in scallop MLS**
- 4.1 DT wished to discuss this issue with the French Fishermen's Associations of the increase from 102mm to 105mm before the measure was implemented. DT
- 5.0 MSC Action Plan**
- 5.1 GM had prepared a draft Action Plan and timescale for each of the issues raised by the MSC for the Panel's consideration. The Panel agreed that these Action Plans should be tabled at the JAC. GM
- 5.2 DT explained his intention to organise a meeting of those involved in MSC accreditation after the JAC on the afternoon of 22 October 2010 in Granville. DT
- 6.0 Lobster – measures to ensure sustainability of stock**
- 6.1 JS had prepared a paper detailing common methods of lobster stock enhancement.
- 6.2 The preferred option of the JFA was V notching run as a largely self funding scheme. SB asked Constable Norman if EDD would have funds available to finance a V notching scheme but LN said not if there were other options which would attain the same result.
- 6.3 DT explained that having two months in the year when berried lobsters were returned to the sea would involve a high percentage of catches. NP agreed that the reduction in trade during those two months would be considerable. MT deemed that any losses could be compensated for in September when the lobster would not be berried and there would be better prices and heavier lobster.
- 6.4 The Panel agreed that the various options would be discussed at the forthcoming JAC with the results being presented at the next Panel meeting. JAC
- 7.0 EU Control Regulations**
- 7.1 Among the various measures outlined in the paper the buyers and sellers regulations, with compulsory registration and paperwork for fish movement, seemed particularly pertinent to Jersey. MS suggested a working group be set up to consider the matter involving merchants, fishermen, department officers and representatives from hospitality. MS

This was agreed

7.2 Funding for electronic logbooks was discussed. The Panel agreed that the proposal will go forward for the funding equivalent to what the UK will receive.

8.0 Scallop diving and scallop dredging

8.1 Deputy P Rondel, Rob Titterington, Trevor le Cornu and Trevor Motto joined the Panel. Deputy Rondel had received a letter expressing concerns that, with new technology, dredging had become feasible much nearer inshore where the seabed was being damaged and recovering at a very slow rate. In addition divers were no longer able to make a living from these areas. Deputy Rondel wished to arrive at a good working practice acceptable to both dredgers and divers.

8.2 A meeting had taken place where scallop dredgers had proposed a ban on scallop dredging on the North coast within an inshore area from Grosnez to La Coupe following the 20m charted contour.

8.3 The commercial divers explained that they dived beyond the 20m contour and CI said that the huge diversity of habitat in the area beyond the 20m contour. The Minquiers and the Ecrehous, also must not be neglected.

8.4 MT and LN urged the divers to accept the proposition which represented an increase of the current area where scallop dredging was prohibited from 9ml² to 24ml².

8.5 The Panel members voted on a ban on scallop dredging on the North coast within an inshore area from Grosnez to La Coupe following the 20m contour. NP, DT, SV, CleB, CI, PleN and LN voted for the ban. CLeM abstained as he had not discussed the issue with the JAA. **The ban was agreed.**

8.6 The proposition concerning the South coast was for a ban on scallop dredging to encompass the inshore area from the Dog's Nest to Demie de Pas and then along the 10m contour to 49°07.8N 01°59W and then to 49°08.6N 01°57.5W to Giffard to Horn Rock to La Coupe .

8.7 The livelihood of divers needed to be protected as did the maerl beds. The Anquettes were also in very shallow waters. The divers accepted that if areas were proved to be nursery areas they would look into banning diving too. CI asked for surveys to be carried out on the shallower areas but resources were lacking.

8.8 The Panel members then voted on a ban on scallop dredging to encompass the inshore area from the Dog's Nest to Demie de Pas and then along the 10m contour to 49°07.8N 01°59W and then to 49°08.6N 01°57.5W to Giffard to Horn Rock to La Coupe .NP, CLeM, DT, SV, PleN, CI (as starting point), CleB and LN voted for the ban. **The ban was agreed.**

8.9 It was agreed that the ban would appear first as a licence condition and then be drafted into legislation. **MS/SB**

8.10 MS explained that the Coastguards were due to extend the area covered by radar to the east and south of the Island and he asked that a letter be sent from the Panel to express support for use of electronic apparatus in this area. **The Panel agreed.** **SB**

9.0 Seymour Oyster Company holding area

- 9.1** The Seymour Oyster Company had received the approval of the Panel to move and expand (by 0.2 hectare) their holding area 100m² x 100m². They had then applied to Planning who had asked for an Environmental Impact Assessment to be carried out which included a survey of the sediment on the whole beach and an ecological survey on birds with a risk assessment concerning non native species. An appeal to the Minister underlining the disproportionate nature of the EIA had not been successful.
- 9.2** WP agreed that if TleC forwarded the paperwork to SB he would look into the matter on behalf of the Environment Division. **WP**
- 9.3** CleM asked for a letter to be sent from the Panel to the Environment Scrutiny Panel concerning the categories granted to oyster concessions. Whether the letter should be sent from the shellfish industry or from the Panel was discussed. CleM deemed the States of Jersey were responsible for maintaining the quality of the water. The Chairman agreed to write to the Scrutiny Panel. **MT**
- 10.0 Bass MLS**
- 10.1** Jason Bonhomme was present for this item. A letter from D Buesnel asked the Panel to consider once again an increase in the Minimum Landing Size for bass given the declining stocks. JB had no objection to an increase if the legislation covered French fishermen too. **It was agreed** that Department Officers would approach the French administration with the request from the recreational sector. **SB**
- 11.0 Any Other Business**
- 11.1** CleB asked if the Department had received a report of one individual taking a large number of Ormers from Bouley Bay on the September tide. No record of such a call was found.
- 11.2** DT informed the Panel of the decision by the French authorities to place the windfarm area off St Brieuc and also of the EU decision to clarify the cadmium levels in white crab meat which would allow Jersey fishermen to re-enter the Italian market.
- 12.0 Date of next meeting**
- 12.1** MT was unable to chair the meeting on 1 December as was Constable Norman. It was decided that Constable Jackson would be approached to chair a meeting on 24 November. The Panel would be informed of the date as soon as possible. **FS**