

MARINE RESOURCES PANEL MEETING

104th Meeting

Brief notes and action points from meeting held at Howard Davis Farm

24 January 2022

Present:	Mike Taylor (MT) – representing Jersey Aquaculture Association Chris Isaacs – representing Jersey Recreational Fishermen Gareth Jeffreys (GJ) – representing Société Jersiaise Steve Mullins - representing Jersey Recreational Fishermen Stanley Richard-Dit-Leschery (SRDL) – representing Ports of Jersey Don Thompson (DT) – representing Jersey Fishermen’s Association Paul Bizec (PB) – representing Jersey Fishermen’s Association Steve Viney (SV) - representing Jersey Fishermen’s Association Chris Le Masurier (CLM) – representing Jersey Aquaculture Association Natalie Porrit (NP) – representing Jersey Merchants Ian Syvret (IS) – representing Jersey Inshore Fishermen Appin Williamson (AP) - BLUE
In Attendance:	John Young (JY) – Assistant Minister for Environment Willie Peggie (WP) – Director Natural Environment (Chairman) Greg Morel (GM) – Assistant Director - Marine Resources Paul Chambers (PC) – Marine & Coastal Manager, Marine Resources Francis Binney (FB) – Marine Scientist, Marine Resources Dot Miller – Executive Officer, Natural Environment (Minutes)
Apologies:	Chris Casey – North Coast Fishermen

1.	<u>Approval of Minutes from the previous meeting and Matters Arising</u>	
	<p>Subject to changing Tuan to Tuna on page 1, paragraph 2, the minutes were approved.</p> <p>Matters Arising</p> <p>Seaweed aquaculture, - first draft received, completed study should be ready for the next panel meeting.</p> <p>Law drafting size limits – judgement call on the deck – landing obligations are in place. No intention to remove minimum size legislation, minimum size applies. DT - the French land the catch unsorted, consider there is no offence committed if catch is stored below and not yet graded, not sure if this is still in place. GM – our law is very clear that fish must be returned to the seas forthwith if undersized and not stowed below, or on deck. We must be explicitly clear on this, and MR will pursue this to ensure it is clear to all fishers.</p> <p>FB - been given limited time by the law drafters and is waiting to hear from them. Officers have also been busy with other matters and unable to proceed as quickly with this as hoped.</p>	MR

2. Capture Fisheries

JFA proposal for Scallop and whelk closure – paper sent out prior to the meeting.

DT – 2022 needs to be a year where the Fisheries team, in conjunction with Panel, needs to lead on this and not allow politics to lead, there can be no repeat of 2021 as there was no fisheries management and it took second place to politics. JFA have met with MR and agree on principles; this will be met with more hostility from France; the EU may have a different take on this, but external relations cannot interfere.

JFA feel the best starting point to get a management plan in place, is to get the scallop and whelk fisheries closed until there is a management plan.

JFA envisages the fisheries at near collapse and still trying to get agreement with France.

JFA would like a really clear signal today from Panel on where we go from here.

JY – advised that he has had the opportunity to talk with DT, and the views of the Panel are important. JY has spoken at great length with the MR team, and yes a horrible year of politics, but asked for by the EU. Temporary licences expire at the end of January. When licences were issued last April, a scheme was put in place. With regard to the details, nature and extent of provision, we need to look toward adopting a permit based operation which the marine team have been looking at in detail. JY feels this should be put to the EU as early as possible i.e. end of January plus 1 month. JY has voiced this to external affairs and other ministers. JY asked “what is the reality of us avoiding the decimating the industry” and “what do we know about the way the French run the scallop fishing controls?” Prior to 2015 overfishing by the French, they introduced licences, limits on landing and closed season dates – after that period there was a successful decline in the take. Is there evidence to justify the proposal by the JFA? MR have launched independent gathering of data, but only for one year, and really need three years for scientific justification. Proposal is well meaning but we need to be careful politically.

AW – BLUE has a piece of work which examines species that are at risk, Whelks are on this list, and are economically important to inshore fishermen. The report is available to share with everyone.

IS – agrees with the proposal, but what would be the consequence for hand divers is closure went on for a while?

SV – the proposal is outside the three mile zone so wouldn't affect hand diving. The French fish for scallops in Jersey waters in March because their waters are closed. We should mirror what they do in their waters as that has worked.

NP - agreed with nature and extent, but need to be really careful. The biggest fear is if we close, what would happen within the three mile limit? Would that get overfished? Or if they fish in our waters, could the scallops only be landed in Jersey?

JY - as a stance it could be seen as provocative, both points are well put, but it seems things are getting more positive with France. We need to move on from last year, and would want constructive dialogue. The points being made by panel members are valid.

DT – for clarity, JY indicates that under the TCA we don't have authority to bring in a closure without three years scientific data, JFA disagree with this. Precautionary principle has been used before when there is concern over stock, this is a tool that the EU would recognise as fair. Over 25,000 kilos per day was being landed, so permits wouldn't work and are not sufficient to protect the industry. With regard to NP's question, it's hoped that the closure wouldn't be for a long period, just until we get agreement from France on allowance. NP asked if it was the same boats that come to Jersey waters, DT believes that most of them are the same boats.

PC - (Marine Resources) historic problems over data sharing with France makes it difficult to estimate the fishing effort that is being taken from our waters. We are overcoming that by putting in place monitoring programmes, it calculates the thresholds using a vast amount of info from the species themselves. For this to be reliable you need three years of data and take thousands of measures. We have 1st year's data, stock at the moment is in good shape, we think it is in recovery, biomass is recovering, 550 days to 200 per year has allowed this recovery. Evidence suggests fishing effort has remained reasonably stable since 2017, of course there is no guarantee what will happen in the future. How do you demonstrate there might be a problem in the future? Where do we think the threat lies and how do we demonstrate it, keen to get on with nature and extent.

GJ – focus on the scallop fisheries, is there an update on the whelks fishery – is it in as good shape as the scallops? PC – no, it's not in good shape. Need to factor in the biology of the whelks. We think there is habitat fragmentation isolated in certain areas, so if it is overfished, there are no new whelks to reproduce. Temperature sensitive period and the rising sea temperatures may be affecting them.

SV – maximum sustainable yield could be exceeded and we need to preserve a certain amount of quota for our own boats. Are we prepared to allow fishing to reach the MSY and then bring in a complete closure. PC - MSY is mythical, and what's more important is the biomass threshold, it's a much more accurate measure. PC stressed that we should be wary of MSY. The figure of 650 tonnes is stock surplus methodology which only run to the end of 2018, there is evidence that these figures may be underestimated. At the start of this, it's complex, but this is the way to run a fishery.

AW – the Whelk Management Measures Report highlights isolated populations and recommends that this is taken into consideration. Could you have MLS for different populations? What would be the time period for whelk research?

PC - there's been a lot of research over recent years and we have a great deal of data. Suspected that whelks migrate to lay their egg and it looks like whelks arrived after the oyster collapse 150 years ago.

Historically the way data is collected in France is problematic, but we think it's probably been underestimated. Yes there are plans in place to ensure data sharing with France, i.e. operating under the same daily catch system.

GM – short term solution - the catch data must be shared and is happening now. Medium term we think the best way to do this is in collaboration with the French. Thre

	<p>is a requirement in the TCA for data sharing but it's not explicit. Local approach is the best way to get the data we want, so far the French are working with us.</p> <p>DT- appreciate the useful discussion round the table, but sensing the Panel reluctant to go with the JFA proposal for a closed area. If we get this wrong about what nature and extent really means with the EU, we're sacrificing our own fisheries. If we lose the scallop and lobster fishery we could no longer have a fleet. Our experience of how the French fish is 'fish 'til there's nothing left'. Still believe it is a really practical proposal, don't think France will find it odd to have a closed fishery until proper data and management is in place.</p> <p>IS - think we're too concerned about an adverse reaction from the French, and doesn't think there will be one, because it's what they did to protect their own stocks.</p> <p><i>Proposal – JFA want to close fisheries, but desire for ongoing dialogue is preferred by MR and the Minister.</i></p> <p>JY – CM and Ext Relations are having dialogue over nature and extent, not about fishing licences now. Latest is that the EU are not wishing to attend meetings with Jersey and France. JY will have to bring 'nature and extent' with the CM, and is grateful for the conversation today, both front line and scientific. JY stated he was not prepared to see this situation drift prior to his end of term. JY will take note of what the meeting decides.</p> <p>WP - More minded to take forward nature and extent that closure</p> <p>JY stated he didn't think he can give political backing to this proposal presently, but of course it could change as the situation moves on with France, EU and UK.</p> <p>SV – could give a month's notice, giving us a month to sit round the table with French fishermen. They are as concerned as us and we could come up with a starting point that would be fair to all, that would then bring in the permit system. Our fishery needs to sustain it for the next year. There's nothing to stop them leaving their waters open for a bit longer, they only come to Jersey because theirs are closed.</p> <p>NP – have we tried to talk to the French? If we close fisheries, they will stop all landings into France, we know that from experience.</p> <p>JY – seems that the French want to talk, it's the UK and EU who are not in favour. There are three options – close, ongoing discussions or disagree with the JFA proposition.</p> <p>DT – naive to think that dialogue with the French will be happy and productive.</p> <p>GJ - The Société considers that in using the science element of utilising sustainable management, if deemed necessary, we would support the proposal.</p> <p>Voting was 4 in favour of the proposal.</p>	
<p>3.</p>	<p><u>Aquaculture</u></p> <p>Chris Gould Scallop Concession: renewal application</p> <p><i>Chris and Chloe Gould joined the meeting</i></p>	

	<p>Scallop concession - brought in sprat at 3 – 4 cms in 2018, only lost 1%, they are now at 10 – 13 cms.</p> <p>FB shared a map of the concession. Full conditions asked for haven't been met, but there are reasons for this – covid, freight carriers etc.</p> <p>IS – why was 2019 a problem? Chris Gould - always intended leaving out 2019 to see how the 2018 spat survived. The scallops we imported are still undersized, so we still need a few more years to gain the market size. 2 – 3 years of the 20,000 for them to become marketable, to be a good size 16 – 18 cms. IS – what stock can the farm hold? Chloe Gould confirmed it could certainly hold 20,000 volume. Chris Gould confirmed that they want to grow large scallops for hand diving. Hoping for more sprat around August.</p> <p><i>Mr & Mrs Gould left the meeting.</i></p> <p>FB - the other concession is St Aubin ended a few years ago. Gould is the only farm now.</p> <p>Concession licence has lapsed, looking to increase the time. WP suggested extending for 1 year, however they need 3 years extension minimum. IS happy for 3 years, but to be reviewed yearly to ensure the area is being re-seeded.</p> <p>There were no objections, the Panel and will recommend to the Minister to extend the concession.</p> <p>Update on request for temporary holding beds to become permanent</p> <p>DT - there should have been a paper to ensure we have full knowledge of what is going on. JFA happy to support designation to the three companies provided the old area is removed.</p> <p>IS feels the same as the JFA. Understands the mortality rate is better in the lower area. If other concession holders want a similar area of beach on that level is there sufficient area?</p> <p>FB can't see this being a problem. Haven't discussed with the farmers about giving back the old area, but that can be taken to them.</p>	MR
4.	<p><u>Other Matters</u></p> <p>Annual Report</p> <p>The report was circulated prior to the meeting, PC asked if there were any comments, errors, issues to highlight etc.</p> <p>DT – mentioned that on several pages it's stated "to go to the French" re the Granville Bay Treaty; anyone reading it will think the info is current but it relates to 2020. Page 29 - Higher Fisheries Offences - need to clarify if it is commercial, recreational, low water etc.</p>	

	<p>PC taken both comments on board and will modify accordingly.</p> <p>Also refer as fishers not fishermen.</p> <p>GJ – highlighted some typos and will email them to MR.</p> <p>SM - page 39 could say fisheries related offences. DT this doesn't help the point that people will still think it's commercial only.</p> <p>CI – page 20 bit of an issue that nothing has been discussed about the restrictions. FB advised there had only one update in recent years. These are the original stats discussed over the last few years and all has been discussed in the past. CI stated that if that was the case then fine, just didn't recall them being discussed.</p> <p>GJ – commercial landings - dog fish and lesser dog fish, what is the distinction – PC confirmed it's from the database. GJ stated he just wanted clarification, no need to change anything.</p> <p>PC will draft something about fishing offences and liaise with JFA to confirm all happy.</p> <p>Blue Carbon Report update</p> <p>Being reviewed and some minor changes to be made, move to agenda for next panel meeting.</p> <p>MR Law drafting Portelet NTZ update</p> <p>GM – this has moved forward from the drafting stage, Minister to sign, Scrutiny need sight of this, then it will be lodged.</p> <p>TCA Fishing Licence update</p> <p>GM – not much to update since last meeting. France have taken a different view of our analysis and are going through data for each individual vessel that did not receive a licence; they think we have broken the rules.</p> <p>Still waiting on clarification on what licences have been given to Jersey vessels.</p> <p>Licensing still a live issue, but we need to move on.</p> <p>DT – the fallout is going to be felt for a very long time, the JFA have discussed at length the difficulty in moving anything forward is with Ext Relations who has a very different view to the Env Minister. JFA don't think it's unreasonable to suggest that we have a dedicated Fisheries Minister, to concentrate on the vast role that Fisheries play – Minister for the Sea, not just for fishing but renewable energy cables.</p> <p>WP stated it is good time to make these suggestions with an election coming up.</p>	<p>PC</p> <p>GJ</p>
	<p>Next meeting: Monday 25th April 2022</p>	