

Special Technical, Science and Byelaw Sub-Committee

13th October 2014: 1400 hours

**REPORT
NUMBER**

4

SOUTH AMERICA SEED MUSSEL 2014

Purpose: To consider a pressing demand from commercial operators that NWIFCA open a further area of Morecambe Bay to seed mussel dredging

Recommendations

1. That the Sub-Committee on behalf of NWIFCA decide on whether or not to open the area requested for removal of seed mussel by hand and/or dredge.
2. A multi-sectoral study of the Morecambe Bay mussel stock be undertaken to produce a management plan for its long-term sustainable future.

Options for this meeting

1. Do not permit seed mussel harvesting in line with previous policy
2. Permit some limited and defined removal of seed by hand and/or dredge fishery
3. Allow all seed within the area requested to be removed by hand and/or dredge.

NWIFCA Default General Principles

1. Fishing of undersize mussel is prohibited under NWIFCA Byelaw 3.
2. Fishing by dredge is prohibited under NWSFC Byelaw 12 without written authorisation.
3. NWIFCA issues derogations from these prohibitions under exceptional conditions for:
 - a. Ephemeral Seed (where experience shows that seed is lost in winter). The only ephemeral beds are Heysham Flat and South America skear. Although other beds scour heavily, loss of seed is variable and it often persists through the winter to provide a valuable mussel fishery and wildlife resource.
 - b. Seed inaccessible to intertidal hand-working. NWIFCA policy is that if a bed is accessible to hand working, it should first be authorised to Byelaw 3 permit holders. This policy is designed to support local industry, employment and the environment.
4. Management has to be subject to scientific assessment. Morecambe Bay mussel fisheries are highly dynamic. Sediment levels can alter from week to week and quantities of spat fluctuate from year to year.

The Area requested

5. Fig 1 shows:
 - a. the main area authorised in August 2014
 - b. a further area authorised 16 September

- c. a third area (box 2) authorised 30 September
 - d. the extension area now requested labelled box1
 - e. red boxes are the Oyster farm
 - f. blue dotted line is the mean low water mark as recorded in 2009 and should be treated with caution.
6. Operators assert that there is 4000 tons of fishable seed mussel in box 1, but this is unconfirmed. Most of the available stock is located towards the north of box1.

Risks of opening requested area to dredging:

- 7. As the area is largely intertidal (particularly the northerly end where the main areas of seed mussel exist) hand working of this area would be expected if this was permitted. Objections to dredging are expected from hand workers
- 8. The seed on the area in question is not confirmed as ephemeral so in accordance with policy this area would not be opened.
- 9. Allowing dredging in this area could be seen as setting precedent that could make future management more difficult and complex.
- 10. Dredging of the northerly end poses a risk of damage to the oyster farm. An objection from the operator is expected.
- 11. Opening the area will require a Habitats Regulations Assessment which must conclude that the fishery would have no adverse effect on the integrity of the EMS. This requires the agreement of Natural England and may make it more difficult to conclude no adverse effect in the assessment of future fisheries. Preservation of the mussel stock in Box 1 has already been accounted as necessary to mitigate the impact of earlier authorisations.

Industry case for dredging

- 12. Industry argues that if the seed is not dredged it will not be fished and will 'go to waste'.
- 13. Industry maintains that very few hand gatherers are operating and that the area is inaccessible to hand workers at this time of year.
- 14. Industry has a strong financial interest in additional dredging now because the resource has been scarce this year.

Officer's comments

- 15. Unfished seed is in fact not 'wasted' even if it is washed away in winter; the resource is part of the Morecambe Bay environment.
- 16. To comply with IFCA objectives all seed mussel fishing must be assessed for its impact on the wider stock to ensure sustainable exploitation.
- 17. Some or all of the seed in box 1 may survive to provide a resource for birds and/or the growth of sized mussel fisheries in Morecambe Bay. If the seed is washed away it will provide energy for the future development of Morecambe Bay shellfisheries in 2015 and beyond.
- 18. This South America seed fishery has been fished annually since the 1970s. The harvest is highly variable from year to year as shown in table 1 below. In years when spatfall has been low, a dredge fishery has not operated.

19. In 2014, spatfall on South America has been relatively poor. A harvest of 5000-10,000 tons of seed per year from the South America skear area is not unusual. In 2014, the first authorised area yielded around 800 tons and the 2 additional areas a further 200 tons. Fishing ceased on these areas after 1-2 days in both cases.
20. Since it is a poor year for mussel spat on South America, officers advise against any further authorisation of fishing on precautionary grounds in order to conserve stock to give the best chance of a higher crop in 2015.
21. NWIFCA cannot always respond to urgent demands by conflicting commercial interests within the fishing industry, but has to balance these with other social and environmental concerns.
22. Partially due to lobbying by commercial operators to open additional areas, this seed fishery has already taken up a disproportionate amount of officer time from August to October, resulting in delays to other urgent work. Unsubstantiated complaints from operators against officers carrying out the instructions of NWIFCA have reduced morale amongst diligent and dedicated staff.

Longer term planning

23. The management of the Morecambe bay mussel resource has been a matter of concern for the NWIFCA and predecessor bodies for over 100 years. Various approaches have been attempted over the years such as the NWNWSFC operated mussel management committee in the 1990s.
24. In the light of current demand both for sized and seed mussel it may now be appropriate to resurrect such a cross sectoral, multi-agency committee with a view to preparing a comprehensive management plan for mussel resources and their use.

**CEO and Senior Scientist;
9 October 2014**

Year	Seed Mussel Dredged (tons)
2014 to date	980
2013	5775
2012	12449
2011	7900
2010	4330
2009	South America sanded over – no fishing
2008	3447 (from Low Bottom as no mussel on South)
2007	870
2006	8920

Table 1. Catch returns from dredging of seed mussel at South America 2006 - 2013

* SFC agreed for seed mussel to be dredged from low intertidal and subtidal areas but a condition was that the boats had to relay 25% of catch on intertidal area around Foulney.

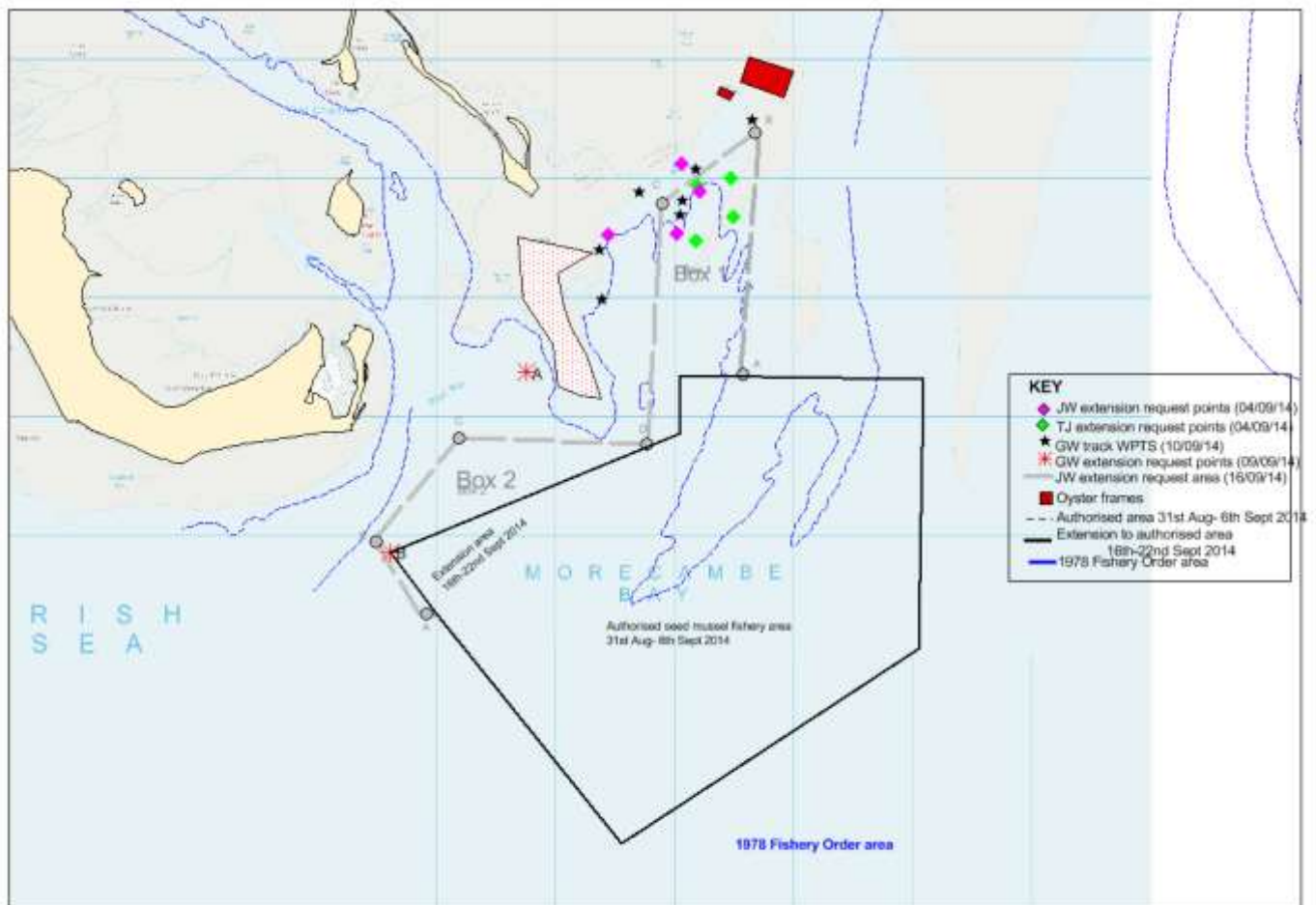


Fig.1 Morecambe Bay seed mussel dredge fishery authorised areas in 2014
(The red shaded area is the main Foulney mussel bed)