

NWIFCA Annual Meeting

14 June 2013: 10.30 a.m.

**AGENDA
ITEM NO.
14**

BYELAW 13A CLOSURE OF MUSSEL FISHERY AT FOULNEY TWIST

Recommendation

- A** That the Authority considers the following options for managing the hand-gathering of size mussel at Foulney Twist:
- i) to close the fishery under Byelaw 13a (Cockles and Mussels: Management of the Fishery) with effect from 00.01 on Monday 17 June until 23.59 on Saturday 31 August;
 - ii) that the fishery remains open for size mussel with the recommendation that only tides less than 1 metre are fished.
- B** That further survey in late summer be carried out to inform ongoing management of the fishery.
- C** That Officers conduct a review of fisheries management practice based on minimum landing size for Foulney mussels in conjunction with Foulney mussel fishing stakeholders, the NWIFCA TSB and Natural England.

Background

1. Members will recall that the NWIFCA was asked to authorise hand-gathering of seed mussel at Foulney Twist in November 2012, and following consideration made the decision to restrict harvesting to size mussel only.
2. Since then the area has been fished on the majority of spring low water tides by around 30 fishermen and there have been significant enforcement implications around the minimum size due to the distribution of the size mussel at the far extent of the mussel bed. The area adjoining this, which is more tidally accessible, has a large stock of undersize clean mussel. Fishermen report that some of this undersize mussel gets 'blown on to' the size mussel making sorting difficult. There is also the issue of some sectors of the industry fishing the areas further up the skear or trying to access the bed on unsuitable tides. The enforcement of the minimum landing size this year on this bed has been a substantial burden on the IFCA.
3. The lower end of the mussel bed was surveyed on 25th April 2013 on a 0.9m tide. Seventy-three stations were assessed for percentage cover of mussel type. The survey targeted the areas that held clean mussel. The higher more regularly exposed areas contained a mix of barnacled size and undersize clean mussel (Figure 1). Mid way down there was a significant spat settlement which continued down to the far end of the skear with spat increasing in size the further down the skear as would be expected (Figure 2). There was also evidence of scouring in this area. Figure 1 shows the division between the areas containing undersize and size mussel.
4. Towards the southern tip of the main skear gatherers must still be selective about which patch to fish as there is a mix of size and undersize. Nevertheless there is a good supply

of clean sized mussel still available although meat yield may be reduced following spawning and newly settled spat is mixed in with this stock.

5. A lot of mussel remains undersize but should survive and grow on for harvest next winter unless significant pearling reduces quality.

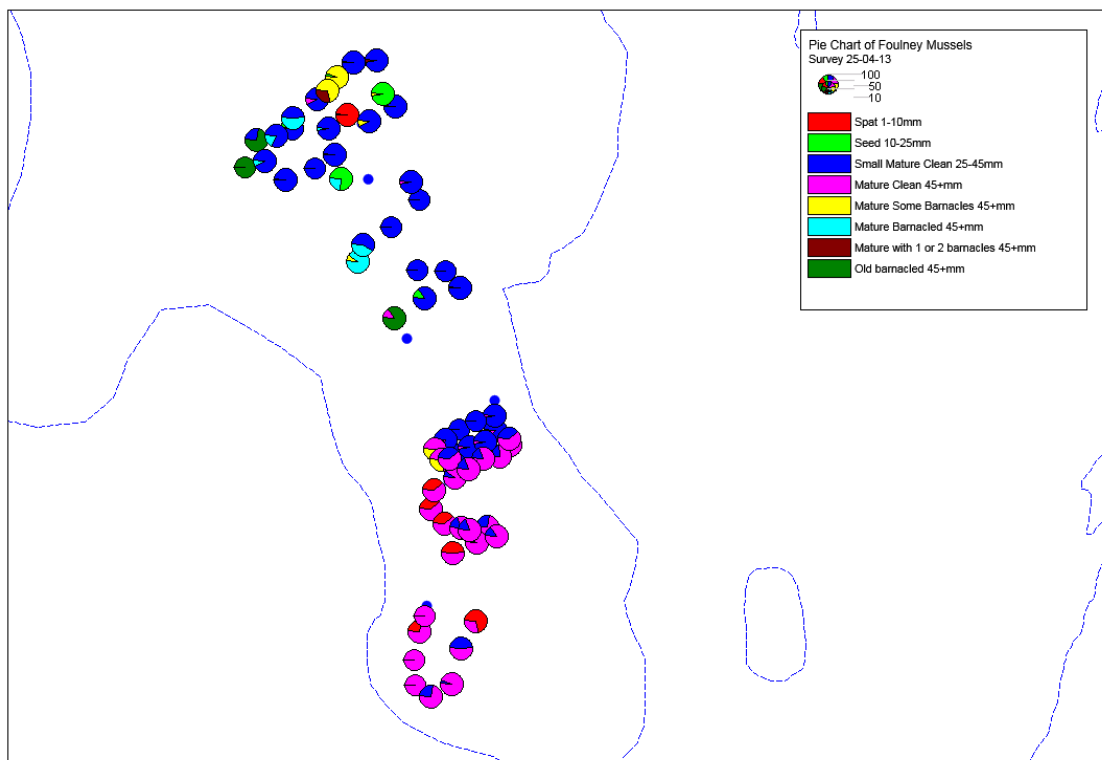


Fig. 1. Foulney Mussel survey 25-04-13. Pie charts indicating percentage of the two main mussel types within each quadrat at 73 stations.

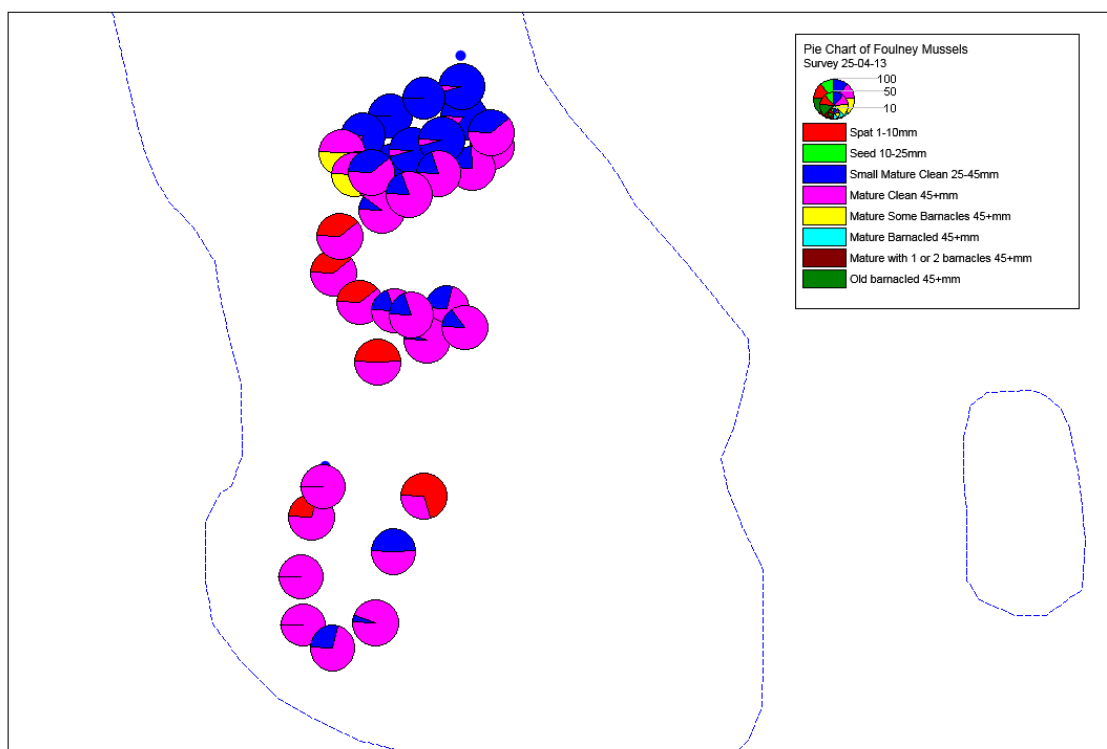


Fig. 2. Close up of the survey results on the bottom end of the skear - Foulney Mussel survey 25-04-13. Pie charts indicating percentage of the two main mussel types within each quadrat.

6. The survey showed that the western side of 'the island' (the most southern exposed area) which can only be reached on the biggest of tides, held mainly good, clean size mussel with spat in the areas closest to the channel that divides the island from the main skear. The eastern end of the island was relatively bare.
7. The fact that there is now newly settled seed mussel mixed in with the sized mussel now being fished raises the question of whether the NWIFCA should protect the spat and close the fishery.
8. A consultation to implement a temporary management closure of the fishery under Byelaw 13A through the summer was put on the website on 20th May. Comments from hand-gatherers and buyers were received but opinion was divided. Some agreed that the traditional fishing pattern of reserving mussels for winter fishing was important. Others wished to continue working on mussels through the summer.
9. With fishing already planned and orders in place for the weekend of 25th – 27th May when large tides would facilitate a well-managed fishery without problems of undersize, Officers did not implement an immediate closure but allowed the fishery to remain open until this meeting on 14 June. This allowed only 5 days of fishing on the large tides from 25 May to 29 May so the risk of damage to spat from this level of fishing was considered to be acceptable. IFCOs were present to ensure the size fishery was maintained over this period and the fishery passed with no problem of undersize being taken and without serious incident.
10. Officers are due to meet with hand-gatherers on 10th June prior to the NWIFCA meeting to discuss their views and a verbal report and recommendation will be given to Members to aid the Authority in its decision.

OPTIONS

Closure under Byelaw 13a from June to end August

11. Historically fishing for size mussel has been open all year with no closure and minimal management. Fishing typically declined to a low level in summer months because other fisheries such as shrimps and fin fish are available, the risk of disease was greater and mussels are difficult to transport in warm weather.
12. However, the nature of the fishery has changed this year. Little is now taken for direct human consumption and there is increased demand for relaying in other parts of Europe. This has led to an increased year round demand for all sizes of mussels. The fishery is less reliant on size, high meat yield or classification.
13. Allowing the fishery to remain open throughout the summer could create an enforcement burden during a period when many other fisheries demand attention. There are only 4-5 days per month when tides are large enough to permit size mussel fishing. However, recent experience is that there will be continual attempts by certain sectors of the industry to fish on poor tides and an ongoing problem with taking of undersize mussels in significant quantities.
14. Implementing a closure will require watching but in this case, there is a heavier enforcement burden from an open fishery because IFCOs must be out on the bed checking permits and catch size whenever the fishery is active. The area subject to this closure if this proposal is accepted is shown in Annex A.
15. Fishing through the summer months could significantly reduce the quantity and value of mussels available for harvest next winter. Disturbance and damage to spat could impact

the 2013 generation reducing stocks available in 2014. A closure should also give the undersize mussel time to grow on to size for a late summer fishery.

Option 2: Maintain the Open Fishery

16. Against the arguments above members should note that there are only 4-5 days per month when size mussel fishing will be possible and the stocks are very high in the Foulney area this year. Tides of less than one metre in height are required to access the areas where size mussel is well separated from smaller stock. There are 6 such tides in June, 8 in July and 7 in August.
17. If gatherers only fish these tides, only harvest from the bottom end of the skear and wash the mussel to remove as much spat as possible on the bed, the level of damage to the spat could be at an acceptable minimal level. Therefore it is reasonable to suggest that damage to spat or stocks from such limited fishing opportunities should be minimal and that fishing could continue through summer months if there is demand. Longer daylight hours should also improve the ability to select size-only mussel, and lessen the tendency for gatherers who try to access the bed too early.
18. Where there are distinct 'zones' of size and undersize as in the case in this area as shown by the survey data above, harvesting of size mussel with minimal damage to undersize stock is possible if gatherers are selective about which tides to fish, which areas to take from and are efficient in sorting mussel on the bed.
19. At least one buyer maintains that there are orders for relaying through the summer and there are some permit holders who have stated that they are reliant on mussels for their income.
20. With other fisheries in such decline, Officers are willing to attempt to monitor and police a fishery through the summer as long as the industry commits to fishing only on the largest tides (height under 1m) and to sorting and riddling efficiently so that there is no enforcement issue with undersize as has frequently occurred in recent months.

Consideration of other approaches to management of mussel fisheries

21. This fishery has highlighted the fact that managing mussel fisheries by minimum landing size alone is not wholly satisfactory. There is usually a mix of year classes on a bed and it is often difficult or impossible to separate sized mussel from undersize. At present, Foulney Twist holds at least three size classes of mussel with significant overlap in the distribution of the sizes. Once a new spat settlement occurs widely with juvenile mussels becoming spread over the zones, the washing out of undersize mussel from the catch becomes very difficult. This problem increases as the mussel grows on. If managing by minimum landing size alone, this could preclude a fishery from ever operating.
20. Some in the industry hold the view that the new spat will grow on quickly and take over the size mussel through the summer. This could create the same enforcement difficulties in September of taking only size mussel as we have had recently.
21. During the summer the Authority will aim to consider alternative ways of managing mussel fisheries which are less reliant on a minimum landing size. Officers will continue to consult with stakeholders investigating alternative management measures, which will also involve discussion with other IFCAs, background literature research and decision by the TSB.

Senior Scientist and Morecambe Bay Fishery Order Officer
5th June 2013