

# NWIFCA Technical Science and Byelaw Meeting

1<sup>st</sup> of November 2022: 10:00 a.m.

Agenda Item

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## MUSSEL MINIMUM LANDING SIZE CONSULTATION

**Purpose:** To provide an update on the strategy for investigating the potential for a localised, temporary reduction in mussel MLS.

**Recommendation:** 1) Receive the report  
2) Agree the proposed strategy

### 1. Background

At the meeting of TSB on August 2nd the results of the consultation for a reduction in mussel MLS were presented. The consultation went out to all Byelaw 3 fishers. There were 131 permit holders at the time of the consultation, out of which approximately 20 of these fish regularly for mussel – a number which has remained consistent over the past decade. Fourteen individuals responded to the consultation questionnaire.

The results identified that the majority of those surveyed were in favour of a temporary reduction in MLS in specific areas subject to biological factors. In the case of undersize fisheries where typically the resource is either a) likely to imminently wash away or, b) not survive to reach size, this approach is already applied by NWIFCA. Standard HRA considerations that have been agreed with Natural England are implemented in these circumstances.

Comments from fishers in the consultation questionnaire highlighted that there are areas on Foulney mussel bed in Morecambe Bay which are 'stunted' in growth. These mussels do not appear to reach size even after a few years, and the long growth period encourage barnacles and pearling which is undesirable to the industry. It was therefore, resolved that a draft strategy for how a 'temporary, local reduction' with regards to the issue of 'stunting', would be brought to the following TSB for further consideration.

Mussels are a protected feature of the Morecambe Bay SAC under 'Intertidal biogenic reef mussel bed' features. They are also a supporting habitat of the Morecambe Bay and Duddon Estuary SPA designated to protect specified bird species. Any activity that has the potential to impact the feature which is not directly linked to its management has to undergo a habitats regulation assessment (HRA).

Research into the past fisheries at NWIFCA has identified that a request to fish undersize mussel that had 'stunted', was made previously in 2014. The fishery underwent a HRA and at the time, found to be HRA compliant. However, records from the time indicate the fishery was not opened as fishers persecuted a different fishery.

Before such a fishery can be considered for opening, a number of factors require further consideration. See section 2 for strategy.

## 2. Draft strategy to address MLS reduction

### Key considerations

#### 1) Protected feature integrity

Removal of 'stunted' mussel does not fall within the remit of managing a protected feature and therefore this activity would have to undergo a HRA. Current knowledge gaps that need to be considered are:

- The biological function 'stunted' mussel plays within the ecosystem. It could provide habitat, food, breeding stock, etc.
- The extent and biomass of 'stunted' mussel on the bed.
- The size and age of 'stunted' mussel.
- Conditions which cause 'stunted' mussel to occur.
- What impact the removal of this mussel would have on the bed and supporting features, would the timing, location, and extent impact this, and how does its removal affect re-settlement, and further growth etc.

#### 2) Consequences for industry

The MLS consultation identified differing opinions on a reduction in MLS among industry members. There were concerns that a reduction in MLS would provide some sectors with an advantage, whereas others thought the reduction would allow for more commercial opportunities. Current knowledge gaps are:

- Benefits the removal of 'stunted' mussel would have to industry as a whole, and potential unforeseen consequences
- How a removal would change activity dynamics on the bed

#### 3) Enforcement requirements

The removal of a specific area requires enforcement procedures to ensure undersize mussel is not removed from outside the set area.

### Approach

Though these are all considerations we would like to address, not all can be addressed within a reasonable time frame and among other work streams. The main aim will be to draft a HRA for the fishery while establishing a monitoring plan for the effect of removal on the protected features and addressing the above knowledge gaps. The following plan aims to give clear targets that are Specific, Measureable, Achievable, Relevant, and Time-based.

Action	Aim	Timeline
<p><b>1) Conduct surveys</b></p>	<p>a) Identify the extent of the 'stunted area' – produce maps</p> <p>b) Collect samples for age and population structure analysis. Potential look at breeding condition.</p> <p>c) Undertake a trial removal</p>	<p>a) and b) Dependent on the location of the bed up the shoreline this can aim to be completed before January 2023.</p> <p>c) Dependent on the extent of the bed, a suitable area will be identified for removal. This will be completed before March 2023. Report to be presented to</p>

	in a specific area to understand how the removal of 'stunted' mussel affects the bed and potential re-settlement of mussel – re-survey throughout the following year to	TSB. Ongoing monitoring of the area will be required to identify the changes in spat settlement and growth etc.
<b>2) Literature review</b>	<ul style="list-style-type: none"> <li>a) Research current understanding of mussel MLS</li> <li>b) Research the biological function of mussel in biogenic reef systems</li> <li>c) If possible, use our own data (returns and survey notes) to identify patterns of seasonal fishing behaviours and mussel growth on the bed.</li> </ul>	This work can be completed and written into a report prior before March 2023. This work can also feed into the mussel management plan.
<b>3) In-person industry engagement</b>	<ul style="list-style-type: none"> <li>a) Identify the time of year most likely a reduction in MLS will be of interest or under what circumstances</li> <li>b) Discuss potential changes in activity should a reduction in MLS be applied</li> <li>c) Discuss the impact on different sectors of the industry</li> </ul>	This work can be completed before January 2023. Report to be presented to TSB.
<b>4) Enforcement considerations</b>	<ul style="list-style-type: none"> <li>a) Discuss possible ways of effectively managing such a fishery and what management measures are required</li> </ul>	To be completed prior to HRA drafted by April 2023
<b>5) Consult with Natural England</b>	<ul style="list-style-type: none"> <li>a) Identify key concerns regarding the function of biogenic reef features, and bird requirements</li> <li>b) Draft HRA</li> </ul>	To be completed by April 2023.

19<sup>th</sup> of November 2022