

**NWIFCA Technical, Science and Byelaw  
Committee**

**7th August 2018: 10:00 a.m.**

**AGENDA  
ITEM NO.**

**9**

**CHINESE MITTEN CRAB**

**Purpose:** to provide information to Members on the impact of sightings of Chinese Mitten Crab in the Walney Channel on Morecambe Bay's mussel fisheries

**Recommendation:** i. that Members approve the report;  
ii. that Members approve the actions of officers.

This is an on-going and fast-moving issue. The report below provides information up to 26<sup>th</sup> July 2018. Any further developments will be tabled at the TSB meeting.

**Background:**

1. Prior to this year there have been two confirmed sightings of Chinese Mitten Crab (*Eriocheir sinensis*) in the Duddon Estuary (neighbouring Morecambe Bay connected water body) – one in 2006 and one in 2012. The Senior Scientist made contact with the South Cumbria Rivers Trust INNS (Invasive Non-Native Species) Officer following the find in 2012.
2. During the large seed mussel fishery in 2012 the Senior Scientist was contacted by Northern Ireland regulators DARD – now DAERA (Department of Agriculture, Environment and Rural Affairs) - over inspections of seed mussel consignments destined to Northern Irish aquaculture lays. Correspondence centred around confirmation of health of the stock and lack of non-native species, and an undertaking was given to provide this information on an annual basis. Copies of the WLT partnership-produced annual reports on Heysham Flat which contained survey results of recorded species were also forwarded to them annually.

**Situation in 2018:**

3. In May 2018 crab tilers in the Walney Channel (connects Morecambe Bay to Duddon Estuary) found three CMC within a few days of one another and reported them to the local IFCO Dixon. The specimens were not seen by Officers as the fishers had removed and destroyed them. However they provided photographs immediately on request (photos below). Officers put word out asking for any other sightings to be immediately reported to NWIFCA and specimens retained. There have been no further sightings despite high awareness among fishers to report to NWIFCA.
4. These findings were immediately reported to NNSS (Non Native Species Secretariat GB) and DAERA.
5. Various seed / part grown mussel fisheries occur in Morecambe Bay – namely Heysham Flat (very regular annually), beds in North Morecambe Bay and Foulney (irregular).
6. Concerned industry contacted NWIFCA to inform that DAERA were not accepting any consignments of seed mussel from Morecambe Bay.

7. Although usually there is no need for officers to know the destination of the mussel unless it requires a Fish Health Inspectorate certificate in this case the Senior Scientist felt it important to gain information on where any mussel fished from the Bay will be going, for the purposes of ensuring Good Practice in terms of INNS and Biosecurity, and also to be instrumental in assisting to resolve any issues should they arise.
8. As a result information and dialogue has occurred with Eastern, Southern, Devon and Severn and Cornwall IFCA's. Northwest Natural England have also been informed.
9. BIM in Eire also contacted the Senior Scientist to ascertain detail for a risk assessment for seed to be shipped there. Bord Iascaigh Mhara is the Irish state agency responsible for developing the Irish Seafood Industry (NB Southern Irish boats are not permitted to fish in NWIFCA District).
10. There are established monitoring and surveillance protocols designed in 2011 for a limited dredge seed mussel fishery from the Welsh side of the Dee Estuary, permitted by CCW (Countryside Council for Wales) and destined for relaying in MSC accredited fisheries in Menai Strait, a European Marine Site. The Dee Estuary has a known population of CMC.
11. There is an on-going hand-gathered mussel fishery in the Dee Estuary with stock going to Menai Strait lays. Gatherers have been issued with the protocols, a NWIFCA Code of Good Practice and CMC ID guides. Stock is also inspected prior to relaying.
12. Heysham Flat seed mussel fishery opened on 23<sup>rd</sup> July under NWIFCA authorisation. Partly due to tides, partly due to the CMC issue, fishing has not occurred yet. Gatherers have been issued with the Code of Good Practice.
13. Buyers are keen to ensure an outlet for the stock and are implementing their own surveillance, to follow the 2011 screening protocol. NWIFCA scientists will assist where possible.
14. There are a number of opportunities for further visual inspection by industry:
  - i. during raking and bagging of seed by gatherers;
  - ii. during transferring seed from net bags to tonne bags by buyers / buyers staff;
  - iii. prior to stock being washed on to lays on deck of boat.
15. The larger buyers also sample tonne bags for waste prior to shipping and will check for CMC then, taking 1kg from 'dirtiest part of bag'.

#### **Legal Situation:**

16. As understood, the legal situation is that NWIFCA have no powers to prevent gathering of mussel from any areas that may have a risk of presence of INNS. Obviously a seed mussel fishery is only permitted under authorisation and derogation against NWIFCA byelaws. Therefore the Authority could choose not to approve the authorisation of seed mussel fishing. This would appear reactionary and prove extremely detrimental to Byelaw 3 permit holders livelihoods.
17. Size mussel fishing occurs all year round with no closures unless unusual circumstances occur. In view of the fact that mussel in Morecambe Bay rarely grows to much more than 45-50mm, size mussel from NWIFCA mussel beds may be sold as 'part-grown' mussel for relaying and therefore any concerns around gathering and transport of seed mussel also apply to size mussel from the Bay.
18. Release into the environment – Under section 14 of the Wildlife and Countryside Act 1981, it is a criminal offence to release into the wild a species of animal that is not ordinarily resident in

the wild in Great Britain or is listed on Schedule 9 to the 1981 Act. A person guilty of an offence under section 14 or 14ZA of the Wildlife and Countryside Act 1981 is liable:

- a) on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both:
- b) on conviction on indictment, to a imprisonment for a term not exceeding two years or to a fine, or to both.

19. A Case was successfully proved when MMO prosecuted people for buying American Lobster (INNS) from a UK fish market and releasing them back to the wild.

**Current Situation:**

- 20. This situation is extremely serious and affects a large number of stakeholders in what could be regarded as one of the NWIFCA District's key fisheries. If it cannot be resolved it could affect this fishery into the future.
- 21. Industry have been corresponding with DAERA to find a way forward. The current state of these discussions is not known but will be reported asap should NWIFCA action be required.
- 22. Eastern IFCA and the Senior Scientist have been developing a risk-based, proportional and pragmatic approach. This is under development and again an update will be provided to TSB at the meeting.





Photographs supplied by the crab tiler who found Chinese Mitten Crab in his traps  
– Walney Channel May 2018.

**Mandy Knott**  
**Senior Scientist**  
**27th July 2018**