

Annex 3 – Response Form

Inshore Crustacean Fishery Consultation

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Port (if applicable): **N/A**

Questions:

1. What is your interest in the crustacean fishery? Please tick **one** of the boxes below that best describes your interest in the Crustacean fishery in Wales:

Commercial Shell-fisherman
Commercial Fisherman
Recreational Fisherman
Industry body
Environment/Conservation **YES**
Other

2. Do you agree with the establishment of a Wales wide Minimum Size for Lobster (*Homarus gammarus*) at 90mm?

YES

3. Do you agree with the establishment of a Wales wide Minimum Size for Brown Crab (*Cancer pagurus*) (both genders) at 140mm?

YES

4. Do you agree with the establishment of a Wales wide Minimum Size for Spider Crab (*Maia squinado*) (both genders) at 130mm?

YES

5. Do you agree with the establishment of a Wales wide Minimum Size for Crawfish (*Palinurus elephas*) at 110mm?

YES

6. Do you agree with amending the legislation identified in this document that relate to Velvet crab?

YES

7. Do you agree with extending the jurisdiction of the above Minimum Sizes out to twelve nautical miles in line with Welsh Territorial Waters?

YES

8. Do you agree with creating a carriage offence, whereby it is an offence to be in possession of the above species, below the minimum sizes stated above, even if caught **outside** Welsh territorial waters (12nm)?

YES

9. Do you agree with a prohibition on fishing for, landing, selling, exposing or offering for sale or having possession of berried (egg bearing) lobsters? This would mean that berried lobsters must be returned to the sea immediately.

YES

10. Do you have any comment to make regarding the proposals outlined in Part II

General

Natural Resources Wales supports the Welsh Government's intention to consider additional management measures for Welsh crustacean fisheries in a further consultation process. However, before these additional measures are adopted, the evidence base for doing so must be clearly presented and examined.

For a number of years fishery managers have relied on managing crustacean fisheries on Minimum Landing Size (MLS) with few controls on the amounts landed or the amount of gear fished. Under the Marine Strategy Framework Directive, the UK, including Wales, has an obligation to sustainably manage certain shellfish fisheries to Maximum Sustainable Yield (MSY) by 2020. This means that certain UK shellfish fisheries may be being fished at or near capacity, impacting on the ecosystem's ability to sustain a viable long term shellfish industry.

To achieve MSY the Welsh Government will need to gather stock data to inform its management decisions rather than relying solely on the type of technical measures proposed in the further crustacean consultation. Aside from being informed by robust

stock data, it may be necessary in the future to manage certain shellfish fisheries under restrictive permit schemes and quota restrictions in order to achieve MSY.

Escape gaps

Natural Resources Wales welcomes the commitment by Welsh Government to investigate the scientific value of using escape gaps to release undersize crustaceans. We support the gathering of scientific data by the Bangor School of Ocean Sciences to underpin this initiative.

Ghost fishing

Mandatory incorporation of low cost effective biodegradable materials into fishing pots would be a welcome measure to alleviate ghost fishing in Wales. Natural Resources Wales supports the gathering of scientific data by the Bangor School of Ocean Sciences to underpin this initiative.

Maximum Landing Sizes

The introduction of maximum landing sizes (MLS) for lobster could be beneficial as it would potentially increase the reproductive capacity by allowing larger more fecund individuals to remain in the fishery, contributing towards a healthier population. The same argument applies to crawfish that brood eggs in the same way and therefore it follows that crawfish would also benefit from an MLS. These measures will need to be underpinned by a clear scientific rationale.

Diving and netting for crawfish

Before consideration is given to controlling the proposed fishery mechanisms for crawfish it would be advisable to return the stock to MSY levels. Only when the stock is in a self-sustaining condition should consideration be given to how much of the stock can be removed and by what method.

Non-commercial potters

In fisheries managed to MSY the amount of species removed by recreational or non-commercial means should also be considered when calculating the levels at which it can be fished sustainably by commercial and non-commercial fishers. MSY figures should guide the Welsh Government in setting catch/bag limits for non commercial fishers.

Permit scheme for commercial fishermen

The introduction of a restricted permit scheme for certain fisheries would be welcome provided it contributed towards the achievement of MSY.

Minimum size for green crab

Establishing a minimum landing size for green crab would be welcomed and must be underpinned by robust science.

11. We have asked a number of specific questions. If you have any comments relating to these questions please use this space to report them. Please keep each comment separate.

General

Natural Resources Wales supports the intention by Welsh Government to prohibit the landing of berried, scrubbed, v-notched or mutilated lobsters. The adoption of larger Minimum Landing Sizes (MLS), prohibition on carriage under MLS and prohibition on landing detached claws for all the crustacean species within the consultation are also a welcome development in the management of shellfisheries in the 0-12 nm zone in Wales. All these measures demonstrate a commitment to achieving sustainable Welsh crustacean stocks.

While these measures seem intuitively correct, i.e. increase in MLS equals larger breeding stocks, often the scientific evidence is not available to make informed decisions. Natural Resources Wales encourages Welsh Government to make decisions based on robust scientific data. We also appreciate that the Welsh Government has to make fishery management decisions in a phased manner and on the best available data since resources are limited.

Lobster

The Review of Evidence for Best Practice in Crustacean Fisheries Management in Wales by *Woolmer et al* 2014 suggests the mean size at maturity around the Irish Coast is 95mm, five millimetres more than that being proposed in Wales. It is acknowledged that there is currently a lack of comparative information for metrics available for Welsh lobster stocks but the current Bangor School of Ocean Science European Fishery Fund Project should provide information on the size of Welsh lobsters at maturity. If necessary, Natural Resources Wales encourages Welsh Government to further review the MLS for lobster when it is supported by this scientific data in Part II of their Crustacean Management consultation.

Crawfish

Natural Resources Wales appreciates that this is only the first part of the crustacean management proposals for Wales and we support the Welsh Government's proposal to establish an increased Wales wide MLS for crawfish of 110mm, even though it is not supported by clear scientific evidence. This is because it is likely that a significantly higher MLS would be required to increase the reproductive potential of the currently depleted crawfish populations in Wales¹.

Crawfish is a priority biodiversity species and the Welsh Government's own consultation document describes the current crawfish stocks as having suffered a 'dramatic decline' since the 1970's and to be in a 'residual' condition. Natural Resources Wales considers it would make sense from a sustainable fisheries perspective to temporarily suspend the

¹ Leslie, B., & Shelmerdine, R. L. 2012 Management measures for self propagated future recovery of crawfish, *Palinurus elephas* in Welsh waters. CCW Contract science report No: 989

fishery until such time as the stocks recover and become restored to a self-sustaining, stable population, attaining an age and length structure indicative of a healthy stock,

consisting of a greater numbers of larger and older individuals. This approach to fisheries management is compatible with the commitments Welsh Government has made to manage Welsh fisheries at MSY levels required under the Marine Strategy Framework Directive and Common Fishery Policy.

Prohibition of the landing of crawfish need not be permanent, but continuing to allow a stock to be fished when it is in a declined residual state is not compatible with sustainable fisheries management. The high value of the species means that it is economically attractive for fishermen to prosecute even at low yields, which place it at even greater risk from over fishing. Natural Resources Wales urges Welsh Government to take a precautionary approach to the future management of this species by protecting it from all fishing until we better understand the state of the Welsh stocks. We would further encourage Welsh Government to gather the scientific information to underpin any decisions on the management of crawfish in Wales.

If Welsh Government does not act on this advice, Natural Resources Wales as a minimum, encourages the extension of the additional mechanism of prohibiting the landing of berried, scrubbed, v-notched or mutilated lobster to also apply to crawfish within this consultation exercise

12. Responses to consultations may be made public – on the internet or in a report. If you would prefer your response to be kept confidential, please tick here

NO