

Notes of stakeholder workshop held at West Mersea Yacht Club, West Mersea, Essex on 30 March 2017 at 10am

Present: Ms Lisa Jenner (Natural England), Mr William Baker, Mr Richard Haward (Blackwater Oystermen Assoc), Ms Alison Debney (ZSL), Dr Philine Zu Ermgassen (The Nature Conservancy), Ms Alice Lown (Essex University), Mr Thomas Cameron (Essex University), Mr Allan Bird (Blackwater Oystermen Assoc), Mr Tim Dapling (Sussex IFCA), Ms Sarah Allison (Essex Wildlife Trust & KEIFCA), Mr Tim Glover (Blue Marine Foundation), Ms Morren Robertson (Blue Marine Foundation), Mr Ben Worrington (Environment Agency)

In Attendance: Cllr J Lamb (Chairman, KEIFCA), Mr J Nichols (Vice Chairman, KEIFCA), Cllr A Wood (KEIFCA member) Ms B Perkins (KEIFCA member), Dr W Wright (CIFCO), Mr D Bailey (ACIFCO), Mr R Dyer (IFCO) Mrs D O'Shea (Office Manager), Mrs K Woods (Admin Assistant)

The aim of this workshop was to look at the technical measures that would underpin a flexible byelaw and any associated fisheries management plan to allow the exploitation of native oysters once they had reached the recovery stage. Attendees would be asked to assist the IFCA with their ideas and knowledge of the issues relating to native oyster fisheries.

A previous meeting had been held with local fishermen at which they were provided with an overview of the reasons for the need to introduce management measures for native oysters in the Blackwater, Crouch, Roach and Colne MCZ (BCRC MCZ).

Key points presented to the meeting

Following public consultation, the BCRC MCZ was designated in November 2013. The concept of the site was to restore native oyster populations which would have protected areas and areas that would be fished. The conservation objectives included:

- Recovery to favourable condition of native oyster beds (marine habitat)
- Recovery to favourable condition Native oyster (*Ostrea edulis*) (Species of marine fauna).

The aim of the meeting was not to describe how recovery could or should be achieved; KEIFCA was working with the E-NORI group to discuss and develop plans to aid recovery.

Native oysters were now designated as a conservation feature in the MCZ and would be protected under conservation legislation rather than fisheries legislation.

However, there was a mechanism within the legislation that would allow it to be fished.

The native oyster beds in this area had been closed in 2012 under existing KEIFCA legislation due to a lack of young stock. They had been opened a few times since then for short periods but the lack of young stock had meant that in May 2015 KEIFCA decided to close the beds until May 2018. Due to the vulnerability of the species any management would need to be precautionary and based on evidence.

KEIFCA has been undertaking its own yearly surveys of the public grounds since 2014 which had continued to show that young stock was not coming through.

In addition, the site was not just designated for native oysters but also for native oyster beds as a separate feature. Natural England's advice was that core native oyster beds, due to their significantly greater sensitivity to deterioration, and the long period of time they would take to recover would not be open to fishing.

KEIFCA needed to establish a detailed definition of what an oyster bed was (i.e. number, density, other species, cultch, extent, area etc).

The legislation required that the 'population was sufficiently thriving and resilient to enable its recovery'. KEIFCA needed to be able to define a 'thriving and resilient' population and a 'healthy and resilient' oyster bed/ marine habitat within the BCRC MCZ when developing a management plan.

If a decision was made to introduce a permit byelaw, any management plan that was developed would lay out a framework, indicating in broad terms when the fishery could be opened and how it would be managed under certain scenarios.

1. An annual assessment of native oyster stocks in the public grounds within the site would be carried out by KEIFCA.
2. If stock levels were above agreed trigger points within the plan; a meeting would be held with permit holders to present the result of the surveys and discussed the proposed management recommendations.
3. The survey results, proposed management recommendations and an appropriate assessment would be presented to KEIFCA. If the Authority approve the management recommendations the fishery would be opened.
4. If the fishery was opened key fisheries data would be required from all permit holders which would include landings, catch rates, number of tows; these returns would feed into and help update the fishery management plan.
5. If trigger points had not been reached the fishery would remain closed and reassessed the following year.

Lisa Jenner, Senior Specialist, Marine Conservation Advice with Natural England presented to the Workshop the conservation advice NE had provided for the BCRC MCZ (NE was not the regulator, only the advisor). This included the requirement that native oyster beds and native oysters should be brought into a favourable condition. NE advice was that the IFCA focused on sub tidal mixed sediment beds within the area. Native oysters beds were focused within a restoration box within the MCZ which NE had suggested should not be fished and should be used as a brood stock area. Currently a native oyster bed was classed by OSPAR as 5 native oysters per m². Cefas recommended it be classed at 1.6 per m². It was pointed out that this figure of 1.6 per m² had come from New Zealand and therefore the IFCA should be cautious about transferring that classification to the BCRC beds. NE advised that they would work locally with E-Nori to define the classification for the BCRC beds.

Stakeholders were asked to look at six options that could be used as criteria to allow the Native Oyster fishery to be opened:

Option 1:

Using an overall native oyster stock estimate tonnage

Option 2:

Overall native oyster stock estimate in public grounds of MCZ (whole site), and a stock estimate for a specific area

Option 3:

Overall native oyster stock estimate in public grounds of MCZ (whole site) above a level for a period

Option 4:

A significant spawning event

Option 5:

Spawning stock biomass (oysters over 'x' size or age) estimate in public grounds of MCZ

Option 6:

Total stock biomass must contain a population of mixed age / size classes

Stakeholders felt that a combination of options 2, 3 and 6 would be more effective.

Stakeholders were then asked to look at how the fishing should be managed once the fishery was opened:

Option 1

TAC set as a percentage of sizeable adult stock – fixed amount within band

Option 2

TAC would be set on a sliding scale % harvestable TAC over a defined period (8 years) until a relatively stable harvestable quantity was established. The rate of increase and the length of time could all be varied

The majority of stakeholders felt option 2 was the more viable option.

Stakeholders were asked what action should be taken if the native oyster stock started to reduce:

Option 1

Close the fishery until the stock is increasing again

Option 2

Reduce the % harvestable TAC over a short defined period (2/3 years) until a relatively stable harvestable quantity is established.

It was felt that this would be dependent on whether stocks were plateauing or in there was a significant decrease. An adaptive management measure that provided options to set further restrictions would allow the IFCA an opportunity to be flexible in its system to reduce effort. This would allow the IFCA to be clear to the Industry what its response would be.

Stakeholders were asked to consider how the oyster beds should be managed:

Option 1

Look at the best type of habitat

Option 2

Look at a sub area and set aside one area for a native oyster bed

Option 3

If an area produces samples in excess of 5 per m² then that area should be closed for fishing

Option 3 was considered too complicated. Option 2 was thought to be viable although it was suggested that there should be a requirement for a method to promote bed development. As an example, it was stated that in the Solent the IFCA worked with fishermen to establish where they could not dredge and introduced native oysters in that area. Stakeholders felt that a definition of a bed and the density required was needed.

Stakeholders were asked to consider how the restoration box should be managed from a fisheries perspective.

The majority felt that there should be at least a ban on bottom trawl fishing if not a complete closure of the box as the area was small (2km²).

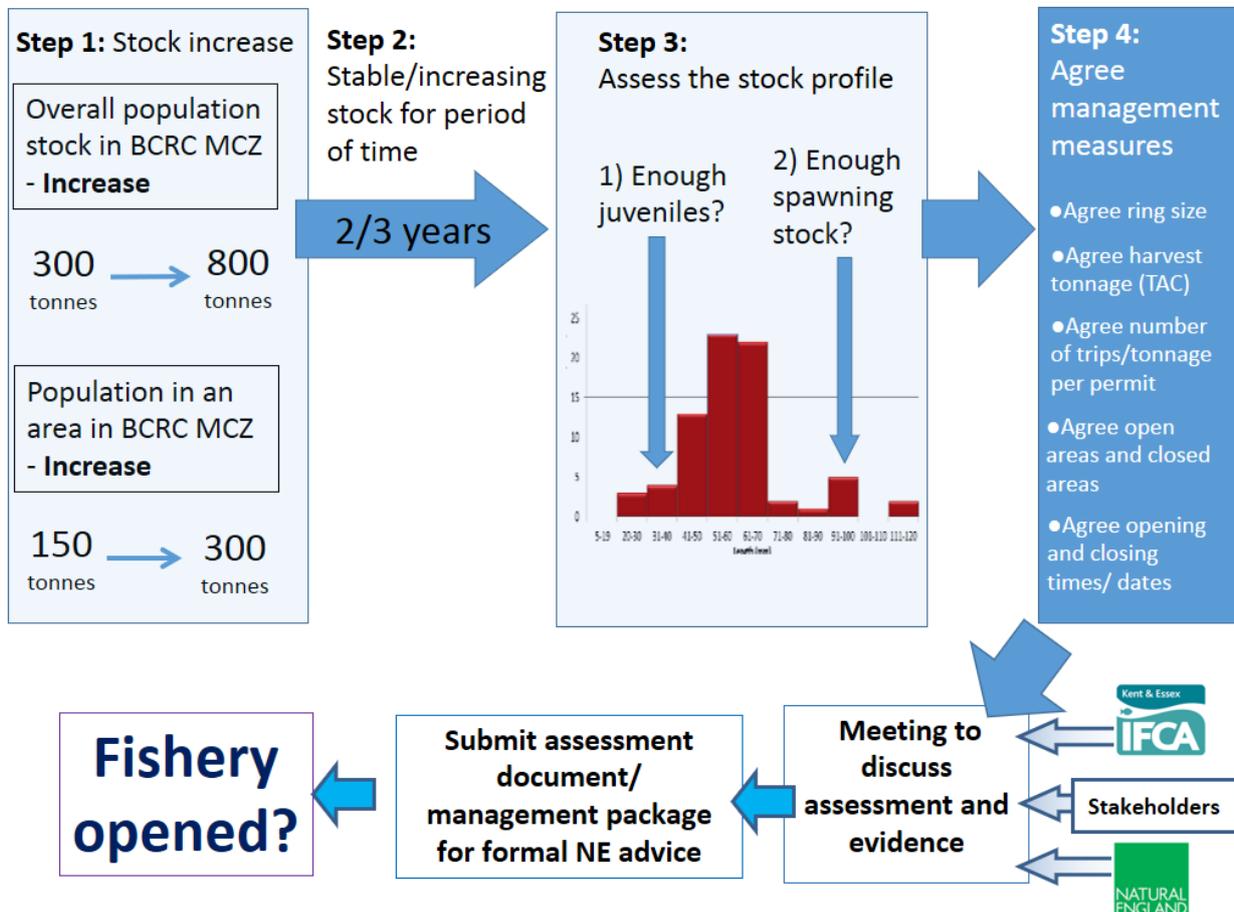
In respect of the risk of bonamia within the stocks, it was felt important that the IFCA had some mechanism within any byelaw to respond to this risk.

Tim Dapling provided a presentation on adaptive management for Chichester Harbour Native Oyster Fishery and the steps taken by Sussex IFCA to provide sustainable fishery within this area.

In summary, the Chief Fishery Officer informed the meeting that he felt that they had made a lot of progress and had provided good rationales for the criteria that could be used to open the fishery. There was agreement to hold a follow-up meeting to build on and scrutinise the proposals.

Although discussed in broad terms there was initial general agreement to the process and the steps to opening the oyster fishery.

1. The overall oyster stock needs to increase to about 800 tonnes or something that is a substantial increase from the current stock of about 300 tonnes.
2. The stock needs to be stable or increasing from this point for a period of 2-3 years
3. At this point the population/ age distribution of the stock would be assessed
4. A package of management measures would need to be agreed
5. All this information would be used to inform an assessment document for NE and would be used by NE to inform their formal advice.



- Once the fishery was opened then there would be a requirement to start at a low percentage of available TAC (10-15% compared to the more normal 20-30% for other shell fisheries) and then potentially increase the percentage of available TAC but once there is confidence that the fishery is stable and healthy state.
- If the fishery started to decline then depending on the extent, speed and relative stock size compared to the stock size that the fishery was opened at, the fishery would either be closed or the TAC dramatically reduced.
- For the oyster beds in summarising it was felt the restoration box should be managed in a slightly different way to other areas. The meeting also concluded that identifying and developing additional oyster bed boxes in each of the different areas of the site - a "lay field" option - was the most preferable option both for the fishing industry and from a conservation point of view for managing oyster beds on the site and that these areas could be managed in a slightly different way than the restoration box. The next step will be to identify areas of favourable habitat and agree exact locations and sizes.

Meeting closed at 15:30