

Kent and Essex Fishing industry response to KEIFCA whelk byelaw changes.

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Report prepared for KEIFCA

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Authors experience on subject, 20 years (approxamitly 45000 hours sea time) skippering <15m commercial fishing vessels across the Thames Estuary, Founding member of NUTFA and Catamaran designer/builder.

My son is also one of the top Whelk fishermen in the district, so I receive detailed weekly updates of the fishery.

This report has been prepared at this very late date as the majority of Whelk fishermen's and industry were not aware of the proposed byelaw changes, to the original byelaw were even being considered by KEIFCA, I first learnt of this just a few days before the last quarterly meeting in May.

Overview of the Kent and Essex Whelk Fishery.

Firstly, we should recognise that our local industry now only have two species. They can fish over the course of a year apart from small bycatches, this is Dover Sole and Whelks, the Sole stocks are at an all-time low, thanks to the nonstop Dutch Pulse beam trawling outside our 12 mile limit, which is proven to kill all marine life over hundreds of square miles. This is due to the Soles having to cross this area to access our waters and by the hundreds of years, worth of poisons dumped in the Thames river being disturbed by the London Gateway project dredging, which has killed the cockle beds and most marine life on the richest fishing grounds within the district, almost reaching out to the 6 mile limit, which are all positioned down tide from the dredging areas. Naturally the fishermen are very conscious of protecting these remaining two stocks as best they can, or there will be very obvious and severe consequences for the local industry.

Whelk fishing is considered by most fishermen as a hard, dirty, smelly, unpleasant back braking job which few fishermen wish to take part in, it also often causes repetitive strain injury.

Whelks frequent almost all areas that don't dry out in the Thames Estuary, although only around half of these grounds can be fished due to the beds being too small or the area having so many obstacles within it, including sand banks, shipping lanes, trawling grounds and over 800 wrecks. Even although some areas do have very good beds, they cannot be fished with the long strings of

pots that have to be used, as many shorter strings using the same number of pots cannot be worked within a 12 hour day.

Full time Whelk fishermen need to catch around 1 ton for each two day lay to earn a living, as this provides an average gross income of around £2,500 per week, which after expenses (£1000) have been taken, leaves the skipper and two crew with a reasonable and steady income weather permitting, minus income tax, holiday pay, PAYE and now pension contributions.

When a Whelk bed is found large enough to fish (around the size of Colchester), that one bed is fished for between 6/12 months depending on the size of bed, but as there is a pot limit of only 300 within this district, boats have to move away from beds when catches of large Whelks reduce to less than 3Kg per pot as it becomes unviable, this ground is then managed by the industry by resting and rotating it with other known beds for around one year, although normally longer, when fishing on that bed can restart again if desired for a further 6/12 months, with very similar quantities harvested again and so the rotation continues.

Industry comments on the KEIFCA Whelk byelaw report B5:

1 Page B5:1. Review of Management.

May we ask, is any skipper from the local industry with in depth knowledge of this subject on the Technical panel?

We note many academic presentations have been given to KEIFCA, entirely based on theory all suggesting the size of Whelks at 45mm have not reached sexual maturity, which we are sure is correct for each area this info has been gathered from however, it is common knowledge by all in industry and whelk processors alike that Whelks from this districted are and have always been much smaller than any other area of the UK, as a consequence of this, the local Whelk fishermen receive a lower price per ton for their Whelks caught within the 6 mile area, as they produce a lower meat yield per ton. We believe our Whelks are smaller due to our shallow waters, which in some way is affecting their growth, we know in very shallower water more extreme high and low temperatures drastically affect catches, But also our Whelks reach sexual maturity at a much smaller size than any other fishery in the UK, we witness this every year during the spawning season in January, when Whelks stop feeding and start laying their spawn on every seabed obstacle they can find it would seem. During this time of year, it is quite normal to haul and only have a hand full of immature Whelks inside the pot, but the outside of the pot have several on while spawning, when it is very easy for us to measure them from a size of 37mm.

To be perfectly clear on this, you can easily watch many different Whelks laying there spawn on each pot measuring from 37mm in length, every day during the spawning season.

B5:2 AND B5:3

Graphs based on inaccurate information.

B5:4 Review of landing data.

FIG 1 graph

I note a very important factor has not been included in this graph, being the larger visiting Whelk boats fishing just outside our 6 mile limit, moved back down the channel during 2015/16 and are now crab fishing off the French coast.

What actually happened in this case was that as the larger boats left our area, our smaller boats moved off onto their old grounds, as it had become apparent they had been on very good fishing of large Whelks, this is the only reason the graph shows landings inside the 6 mile reducing and the graph for outside the six showing little change in effort. So the graph does not give a true reading of fishing effort across the district.

I also note, there is no mention in the report of how many days our Whelk boats spent Whelk fishing each year, as most did also go Bass fishing for several months over the last two years.

A graph showing the average catch rate per pot for each area of the district, would have been helpful for the authority, as this would have clearly shown the average catches per pot and therefore stock condition, compared to previous years.

B5:5 and B5:6

Graphs based on inaccurate information.

B5:7

Analysis of Latent Capacity.

There is not a latent capacity issue with this fishery, few wish to do this job, older skippers can't fiscally do it and many have tried and given up, no doubt boats will come and go from this fishery as always, so no extra management is required, but this should be reviewed each year.

B5:8

Graphs based on inaccurate information.

B5:9

Last paragraph.

This is the most accurate and interesting piece of information I have found in this report, as it clearly contradicts all other information within it. It is a well-known fact amongst all in industry and marine science world over, that the first sign of any stock reducing, is catches per unit (pot) HAVE to drop if the stock is reducing, clearly this one factor alone proves beyond any reasonable doubt the stock has remained steady for a number of years.

B5:10

Working with the industry.

Unfortunately, I have to inform you that few in the industry wish to work with KEIFCA officers and the B5 Whelk report is a classic example why, as there are no signs or even a suggestion anywhere across this district that Whelk stocks within the district are down, or any sign of future problems.

I would suggest, there is little point in the Authority, if the evidence presented to it is so distorted.

May we ask, who has written the new research plan, as if this has not been compiled with industry input, the results of any surveys could never be correct and the same applies to any surveys

conducted at sea by management or science. With all due respect intended, IFCA officers including those with PHDs in marine science, only have a very general overall view of the industry and fisheries, with no in depth knowledge on any individual subject and nor could they be expected to, with the limited training they receive on this unique and complex subject. As an example, anyone can haul, bait and shoot pots, but to do this correctly consistently in order to produce accurate data that can be compared, can only be done by someone with at least a thousand hours of experience hauling and shooting thousands of pots on a full time fishing vessel,

I would ask you all to have a look at the CEFAS report, *The Environmentally Responsible Fisheries Project* at your earliest convenience, as this is the most accurate fisheries survey I have ever seen, The reason this report is so accurate is due to the industry supplying ALL the information and the science compiling that information, which has been gathered from tens of thousands of hours of data, gathered over hundreds of square miles, so its findings are entirely based on 100% fact. Management and science do not have the experience to conduct surveys accurately and nor should they be expected too, Fishermen do not have the experience or knowledge to compile that data into useful information, so could we stop crossing the line please and stick to what we know, so results are not based on deeply flooded information and assumptions.

Whelk Grading Machine.

The industry appreciates KEIFCAs efforts trying to resolve the Whelk grading problem, but unfortunately the machine being suggested, is too large, complex to ensure reliability and expensive. This grading issue is a big problem for the industry, as the present riddles used are only around 80% effective at removing immature Whelks, but they also allow many sizable Whelks through the bars most surprisingly,

The main problem being the shape of a Whelk, as it has an oval shape with a deep cork screw pattern embedded in the shell, so if an immature Whelk sits on the bars it naturally tries to skew around a little, which increases the Whelk diameter presented on the bars so it does not go through, but if a sizable Whelk sits slightly on end, it can cork screw through the bars easily and goes over the side, due to the cork screw pattern across the shell being a much smaller diameter, Many fishermen have now started keeping the under sized Whelks aboard until finished working each fleet of pots, then re-riddle the under sized ones again, as this produces an extra 7% of large Whelks a day on average.

I believe the only way to correct this problem is to use 25mm x 6mm flat bar fitted on end instead of round bar for the riddles, as I think this may help the smaller Whelks sit straight on the bars a little better and stop the larger ones from going through. So we intend giving this a try, also if this worked any new riddle made could be designed by the skipper to fit straight into the existing sorting table they have to use, so it could be a very simple, cost effective method of addressing this problem, if it works of course.

One more point, Fishermen are not paid for any immature Whelks they land, as the processors won't have them on their premises in fear of being prosecuted, so there is no financial incentive to land them and no one wants to haul heavy bags of Whelks up a quayside at the end of a hard day if they are not getting paid for them, as such I would suggest, no fisherman is prosecuted if they have less than 10% of undersized Whelks in the catch, to allow for the poor grading system we have, once the riddles have been improved and assessed for accuracy, this figure can be adjusted to suit. Such a move would be considered reasonable under the circumstances, there is no need to crack a nut with a sledge hammer. Obviously if crew had more time to spend riddling the Whelks, the degree of accuracy may be improved slightly, but that would increase the working day by many hours, which is not possible when governed by the tides.

B5:11

Enforcement of the Whelk fishery.

The need for new management.

The KEIFCA B5 report has not provided any evidence to suggest any new or more management is required, as all of its findings except the reference to catches per pot remaining the same over many years, are totally incorrect.

We have not been able to find one Whelk fishermen in this district who supports any such byelaw changes and why would they, there is no evidence to suggest its needed, but only theory's based on inaccurate information.

Perhaps we should remember, the only reason this byelaw is in place, is because the industry where banging on KEIFCAs door concerned about our stocks being overfished by visiting boats, are they banging on your door now concerned about the stock, I would suggest not.

B5:12

Not applicable.

Closing the Whelk fishery is not a conservation measure during the spawning season, as catches reduce by 80% during this period anyway, Whelks stop feeding during spawning as many other species do.

B5:13

Fig 9

Graph not correct for this area.

Feedback from industry.

I note that part time permit holders views have not been separated from full time permit holders views, this makes a very big difference, as a part timer will work his few pots in one small area generally close to his port, whereas a full time Whelk fishermen covers large areas with a lot of gear, so they have an informed view of the stock condition over large areas of the district. So were all the reply's received by KEIFCA only from part timers, if so this info cannot be used to give an informed overall view on the subject.

Also as I have already said, few if any full time Whelk fishermen were made aware of these byelaw changes were even being considered, if they had been aware we would have given a full industry response months ago. So it would seem the method used by KEIFCA officers to notify fishermen on subjects of interest, needs reviewing by the Authority.

B5:14

Evaluation of different options.

We would agree that a 300 pot limit remain.

Riddle size go back to 22mm which is a suitable size for our small Whelks.

Escape holes, we should point out escape holes are NOT a suitable conservation measure for Whelks. Escape holes where designed by the industry

(as every effective conservation measure in place today has been) for Prawn, Crab and Lobster

fisheries, for which they are very effective, as these species cannot escape from the pots as they have very effective entrances to prevent them from doing so, Whelks can and do leave a pot as soon as the bait is gone as there has never been an entrance designed to prevent them, but also and most importantly, before a Whelk can crawl, it has to come out of its shell much like a snail does, this increases the diameter of the Whelk by around 50%, so it can't fit through the escape hole when crawling, if the escape holes are increased in size to allow for this, when hauling the Whelks go back into their shells, so large Whelks would pour out of the holes as the pot travels through the water.

FIG 10

Graph based on inaccurate information.

B5:15

Developing Addition Management tools.

There has been no factual evidence produced to support this in the KEIFCA B5 report.

Industry does not support any more management over and above the original byelaw.

Comments:

What I find most surprising, is that KEIFCA officers have all the information the Authority need to accurately assess the Whelk stock, at their fingertips on an Excel spread sheet, which if cross referenced will give you a clear and accurate picture of the overall condition of the stock, compared to previous years catches per pot per day of fishing in each area of the district, weather more or less permit holders are fishing within the district or not is of no relevance, as boats will come and go from the fishery for many different reasons each year as previously explained., including catching Bass during 2015/16 for several months, last year my son who is a permit holder fished from Southwold as an example, which alone accounts for over 100 tons less landed within this district. If permit holders do not take part in the fishery, this does NOT indicate a problem with the fishery.

As KEIFCA only received such a few survey returns from the industry, this does not supply enough information to give an accurate view of the industry opinions on the subject, particularly if all the survey returns were supplied by part timers as we suspect.

Summary of B5 report.

There is no evidence to suggest the Whelk stocks are down.

There is evidence in the B5 report proving the stock is healthy.

Whelks in this area are smaller and reach sexual maturity at a smaller size.

Escape holes are not a conservation measure for Whelks.

Riddles are only 80% efficient.

Few if any full time Whelk fishermen were made aware of these proposed byelaw changes.

No evidence the Whelk industry supports any more management, as it is not required.

Closed areas are not a suitable conservation measure during the Whelk spawning season.

Industry proposal.

We would suggest, as the Authority is now receiving such conflicting views on this subject, the new Byelaw changes be postponed until factual evidence is gathered, on the size of our Whelks reaching sexual maturity and we can supply you with clear film footage of Whelks from 37mm spawning in

January but also, all permit holders be re-sent the survey forms so the industry is given the opportunity to comment on the subject.

No doubt, if I didn't know better, I would have also voted for this byelaw based on the B5 report, as the way it has been presented, is extremely misleading.

Perhaps we should also remember, the only reason more effort is now being placed on Whelks, is due to management not sharing UK quota out correctly, giving the under tens just 3% so they cannot earn a living on their historic stocks, when their legal entitlement is 22%.
So yet again, all directly caused by Management policy.

Skate and Ray

Although the efforts of KEIFCA are appreciated by the industry on this subject, it should be noted if not already, unless we can get guarantees from DEFRA that all of any possible rise in quota for this stock will be received by local boats only and not divided up in the normal way, our boats would receive very little of it, so the dumping would have to continue at high levels. Unless this one factor can be confirmed first, I would suggest there is little point continuing with this project unfortunately.

Finally

You may be aware of my recent negative comment in the Fishing News regarding KEIFCA and management in general, this comes from 40 years of watching our industry and stocks being continually damaged by management policy time and again and then blaming the industry when they fail, one example of this being, in 1975 when the industry approached MAFF concerned about our Herring stocks, so wanted a quota put in place to protect the stock, MAFF choice to ignore this advice but decided instead to close the fishery entirely after taking scientific advice, in theory this may make some sense, however as this fishery accounted for around half of the entire UK fishing industry, all these Herring boats (around 2000 at the time) had no choice but migrate into the white fish sector, a year later the fishery was opened again but by then 90% of the Herring markets had collapsed due to the closure, so almost all of those Herring boats had to continue targeting White fish, from then on our Herring stocks all around the UK are through the roof, but we still can't sell them, this is what directly started all overfishing in UK waters on white fish stocks, as it has directly caused over capacity within that sector. I hope this is a clear example of fisheries management when based on theory alone. 40 years later, we have the KEIFCA B5 report repeating history yet again. The crazy thing is, we all want the same thing, conservation and a healthy industry, but this can never be achieve if only based on academic opinions and theory's, with industry's views ignored.

If the CEFAS report previously mentioned is the best factual report I have ever read, unfortunately have to say, the KEIFCA B5 report has to be the worst.

Best Regards

Andrew Craig

On behalf of 55 Kent and Essex fishermen.