



# Isle of Man Government

*Reiltys Ellan Vannin*

## **Consultation on the Future Management of the Isle of Man Crab & Lobster Fisheries in Isle of Man Territorial Waters**



*Brown crab photographed by Dr Peter Duncan*

***Department of Environment, Food and Agriculture***

*Rheynn Chymmiltaght, Bee as Eirinys*

**Consultation Paper**

**October 2020**

# Part I – Proposals on the Future Management of the Isle of Man Crab & Lobster Fisheries in Isle of Man Territorial Waters

## 1. Background

The crab and lobster fisheries in the waters around the Isle of Man have significant commercial importance. Brown crab (*Cancer pagurus*) and European lobster (*Homarus gammarus*) were the fourth and fifth most valuable commercial fisheries for the island in 2018, achieving £1.18m and £0.60m respectively at the first-point-of-sale.

These commercial fisheries operate year round and work by deploying baited pots that are anchored to the seabed (static-gear method). The pots are soaked for a period of time before being hauled, the catch emptied and re-baited.

Existing management measures that apply for commercial fishing of crab and lobster in Isle of Man territorial waters (out to 12 nautical miles from shore) include:

- The vessel must be a British registered<sup>1</sup> and licensed fishing vessel with a shellfish entitlement.
- A requirement for an Isle of Man Sea Fishing Licence with a species specific licence to fish crab and lobster.
- Pots deployed within the 0-3 nautical miles (NM) must be fitted with escape gaps and identification tags.
- Pot limitation (a total pot limitation for territorial waters of 500 pots per vessel, of which no more than 300 may be fished between 0-3 NM).
- Minimum Conservation Reference Size (MCRS) for both crab and lobster (currently 87 mm carapace length for lobster and 130 mm carapace width for crab).
- Inshore prohibition on;
  - the retention of egg-bearing female crab and lobster,
  - the removal of eggs from females ('scrubbing'),
  - de-clawing of crab and/or lobster at sea,
  - or landing the tail of a lobster.
- Additionally, a moratorium on the issue of new Isle of Man species specific licences to fish crab and lobster is in place.

The moratorium on the issue of new species specific licences for crab and lobster was introduced following the king scallop consultation in 2016 after concerns of potential displacement of effort from the scallop fishery to the crab and lobster fisheries. A ministerial decision was taken in 2018 to extend the moratorium until a review of the fisheries was completed and recommendations made on the future management of both species.

Landings of both crab and lobster from Isle of Man territorial waters<sup>2</sup> were relatively stable between 2012 and 2017, but subsequently fishing effort (measured as the number of pots

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<sup>1</sup> The vessel must be registered as a fishing vessel under the Merchant Shipping Act 1995, or in the Channel Islands or Isle of Man.

<sup>2</sup> Landings and effort data are based on Isle of Man registered vessels and UK registered vessels with landings in 37E5. Effort is recorded using the Monthly Shellfish Activity Logbook or, where vessels have not recorded effort, a 'default effort' value is assigned to the catch data equal to the total pot allocation to the crab & lobster licence on that vessel.

hauled) and landings in the brown crab fishery increased significantly during 2018. Effort continued to increase into 2019 where total landings of crab decreased and lobster increased.

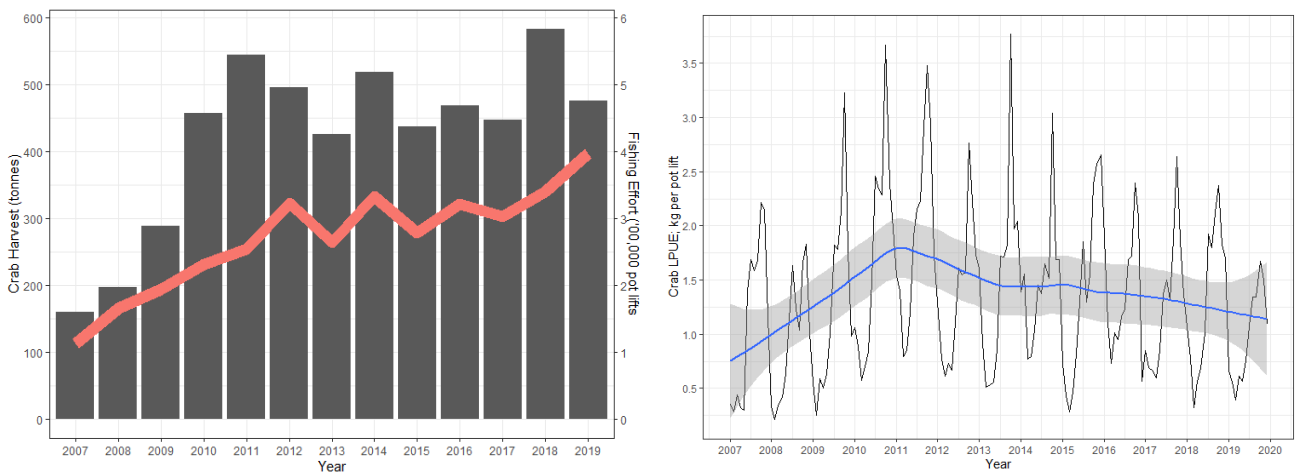


Figure 1. The landings and effort (bar and line respectively: left), and landings-per-unit-effort (LPUE; kg per pot lift: right) in the edible crab fishery from 2007-2019. Source: DEFA MSAL Logbooks (<10 m landings and effort) and iFISH (>10 m landings and default effort)

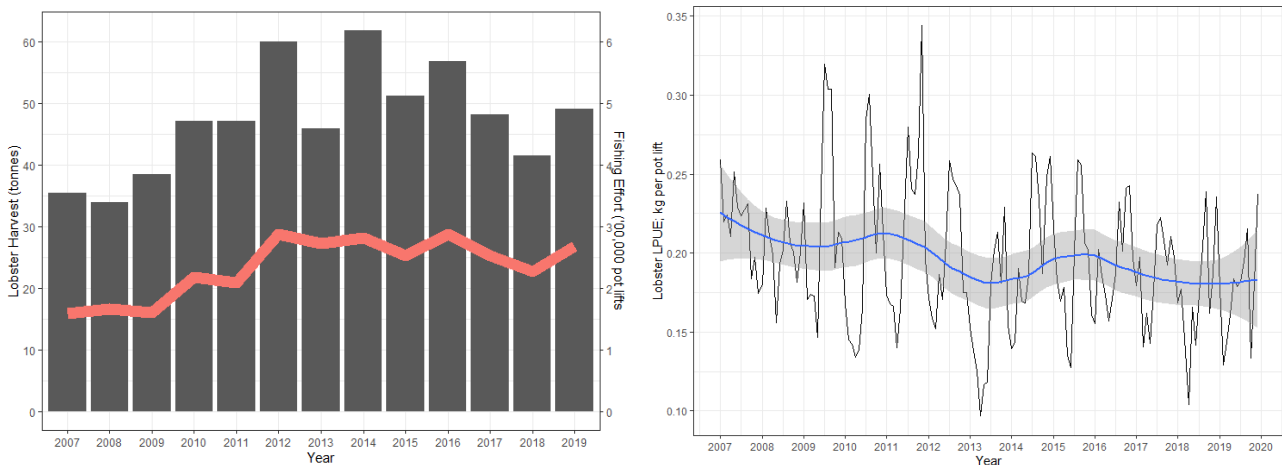


Figure 2. Landings and effort (bar and line respectively: left) and landings-per-unit-effort (LPUE; kg per pot lift: right) in the European lobster fishery from 2007-2019. Source: DEFA (MSAL and iFISH2).

As a result of having reviewed the crab and lobster fisheries, there is need to:

- develop appropriate management measures in order to protect target populations;
- develop a scientific research programme to address key knowledge gaps that currently preclude evidence-based management;
- develop a future management programme that ensures fishing effort is well matched to stock abundance in the long-term, and
- align the crab and lobster fisheries of the Isle of Man to the principles of the Future Fisheries Strategy<sup>3</sup>.

The scope of this consultation was developed by the Department of Environment, Food and Agriculture (DEFA) with assistance from an Isle of Man Crab and Lobster Working Group, which was specifically formed to assist the review, and which included representatives from processors as well as Manx and Northern Ireland catching sectors.

<sup>3</sup> The Department of Environment, Food & Agriculture Future Fisheries Strategy for the sustainable development of the Isle of Man's sea fisheries and marine environment at <https://www.gov.im/media/1349730/future-fisheries.pdf>

The Group acknowledges that there is a need to address the following issues:

- Not all vessels with a commercial Isle of Man Sea Fishing Licence for crab and lobster are actively being utilised (latent effort);
- Not all of these licence-holders fish their full pot entitlement (under-utilised capacity/effort);
- Consider changes to Minimum Conservation Reference Size (MCRS) for both crab and lobster.
- Industry led initiatives, such as a new new-entrants scheme;

In addition, the Department is seeking views on:

- A proposed scientific research programme for the development of evidence-based commercial crab and lobster fisheries;
- Review of commercial crab and lobster management measures throughout the territorial waters (different measures currently apply in the 0-3 and the 3-12 NM);
- Additional or alternative technical and conservation management measures;
- Changes to the management of the recreational crab and lobster fishery;
- Other aspects of crab and lobster fisheries management (Question 14 of the Consultation), including
  - An effort-based system e.g. Days at Sea
  - A catch-based system e.g. Total Allowable Catch / quota
  - Spatial management (e.g. permanent / temporary area-specific controls on fishing activity);
  - Temporal management (e.g. seasonal closures / real-time closures), and the sustainable development of an inshore velvet crab fishery.

**An evidence base in relation to these matters has been prepared by Bangor University scientists in connection with the commercial crab and lobster fisheries proposals in this consultation document, see Appendices 1 to 4.**

The Department of Environment Food and Agriculture's (DEFA) Future Fisheries Strategy approved by Tynwald in 2015, aims for the Isle of Man to have sustainable and diversified fisheries with an appropriate level of fishing effort, while the Isle of Man Government's Programme for Government<sup>4</sup> seeks to work towards a Sustainable Island. The Isle of Man Government also has responsibilities to protect the marine environment, habitats and species, as committed to in the Biodiversity Strategy<sup>5</sup> and other international agreements.

## **2. Management of the fishery**

### **• Commercial crab and lobster pot fishing**

The Department manages the commercial crab and lobster fishery within Isle of Man territorial waters (0-12 nautical miles (NM)) through regulations made under the Fisheries Act 2012 and conditions of licence associated with the Isle of Man Sea Fishing Licence.

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<sup>4</sup> Isle of Man Government Programme For Government 2016 – 2021 at <https://www.gov.im/media/1366422/190022-programme-for-gov-sept-19-digital.pdf>

<sup>5</sup> The Isle of Man's First Biodiversity Strategy 2015 – 2025 at <https://www.gov.im/media/1346374/biodiversity-strategy-2015-final-version.pdf>

Latent capacity was significant in the commercial crab and lobster fisheries between 2016 and June 2018 in the International Council for the Exploration of the Sea (ICES) statistical rectangles 36E5, 37E5 and 38E5 (see Figure 3) with 28 per cent of licences issued not being used to target crab or lobster. These latent licences have 6,150 pots allocated to them, or 30 per cent of the total number of allocated pots. If these pots were to be fully utilised, this would result in a potential increase in fishing effort of at least 60 per cent, and a full analysis of latency can be found in Appendix 1.

This latent fishing effort is of concern to the Department as effective fisheries management is significantly challenged when fishing effort cannot be effectively known or controlled. The majority (77 per cent)<sup>6</sup> of vessels licensed to commercially fish crab and lobster in the territorial waters are under 10 metres in length overall (U10s). Additionally, 51 per cent of licenced U10s have been allocated a maximum 500 pot limit (of which no more than 300 may be fished between 0-3NM) irrespective of vessel capacity to deploy and manage that amount of effort.

The Department wants to address latent commercial licences through the introduction of a track-record eligibility benchmark and to develop policy to address appropriate levels of pot allocation to ensure these fisheries can be more effectively managed.

- **Recreational crab and lobster pot fishing**

The Department manages recreational crab and lobster pot fishing between 0-3 NM via a licence, and based on the Sea Fisheries (Lobster and Crab) (Recreational Licensing) Regulations 2015<sup>7</sup> that set down restrictions and offences applicable for this fishery. The Department proposes to continue to licence this activity in the inshore area as per the current regulations, but with some important changes. These include moving to an annual licence charged at a fee, a cheaper licence fee for renewals meeting reporting conditions, and a change to the date for requirement to submit annual catch returns. See section 7 below for more details.

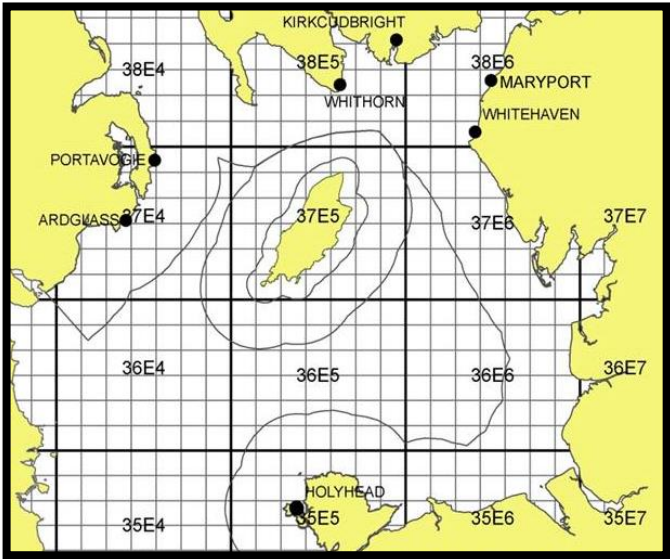


Figure 3 Map shows International Council for the Exploration of the Sea (ICES) statistical rectangles around the Isle of Man

<sup>6</sup> Based on vessels with an Isle of Man Sea Fishing Licence in 2020-21 at the time of consultation

<sup>7</sup> Sea Fisheries (Lobster and Crab) (Recreational Licensing) Regulations 2015 at <https://www.tynwald.org.im/links/tls/SD/2015/2015-SD-0039.pdf>

### **3. Minimum Conservation Reference Size (MCRS)**

Minimum Conservation Reference Size (MCRS), also known as minimum landing size, regulations prevent the landing of juvenile crab and lobster to give them more opportunities to grow and reproduce. By increasing the MCRS there is the added potential to increase harvest yield, by landing larger animals, therefore adding commercial value to the fishery (see Appendix 2). Bangor University scientists have also published a report on the size-at-maturity of lobster, which can be found in Appendix 3.

The Isle of Man MCRS for lobster is 87 mm carapace length (CL) and 130mm carapace width (CW) for crab, although 90 mm and 135 mm respectively was applied in *Baie ny Carrickey* for several years. Other fisheries administrations in the British Isles have reviewed their MCRS for crab and lobster and have increased the thresholds, for example Wales raised the MCRS of crab and lobster to 140 mm CW and 90 mm CL respectively.

The Department is considering increasing both MCRS, throughout the territorial waters, by 3 mm CL for lobster (to 90 mm CL) and by 10 – 20 mm CW for crab (to 140 – 150 mm CW).

A single increase in MCRS may result in initial fishing seasons seeing lower yields and therefore a delay in financial return due to the time allowed for additional animal growth prior to harvesting. An analysis of a change in MCRS is presented in Appendix 2, which includes models that predict how long it may take to recover short-term losses before realising increased yield, predicts that yields may increase by 2.4 to 6.5 per cent dependent upon the rate of natural mortality of the population. The analysis also concludes that it may take between 2.8 and 6.4 years to realise yield benefits depending on whether MCRS is increased in a single-step, or whether it is increased in a phased-approach, and is also determined by the rate of natural mortality in lobster populations.

The Department is therefore seeking views on increasing the MCRS for both species, whether any increases should be undertaken in a single step or phased approach and whether seasonal implications of any introduction should be considered (see Appendix 2).

### **4. Industry**

Representatives of industry proposed the development of a five-year scientific study of the island's crab and lobster fisheries, the creation of a new-entrant scheme for the crab and lobster commercial fisheries, and the enablement of a sustainable velvet crab (*Necora puber*) fishery. As a result, attached in the supporting documents to this consultation are Bangor University's proposals for scientific research (Appendix 4). The Department would only want to proceed with such an entrant scheme if scientific evidence justified this move. Likewise, the enablement of a velvet crab fishery would necessarily be established alongside an evidence-based management plan. Views on scientific research priorities, a new-entrant scheme, and a velvet crab fishery are being sought through this consultation.

### **5. Spatial management of pot fishing**

Spatial management, i.e. temporary or permanent area-specific controls on fishing activity, has been used successfully for various fisheries management purposes, both internationally and around the Isle of Man. For example, there are two types of closed areas used in Manx waters that deliver scallop fishery benefits, including the shorter-term offshore closed boxes



and the long-term/permanent closures within 0-3 NM (MNRs). The offshore closed boxes generally protect high concentrations of juveniles until they grow to legal size, whilst the inshore MNRs act as brood stock protection and larval supply sources but also includes the highly efficient seasonal Ramsey Bay scallop fishery.

Overall, the spatial management approach to scallop fisheries is considered to have:

- helped maintain stock biomass (numbers and average size of individuals);
- recovered the Ramsey Bay scallop fishery (via a temporary closure 2009-2013);
- provided beneficial 'spill-over' catch effects;
- provided a secure spawning stock resource that has boosted recruitment over a much wider area (Beukers-Stewart *et al.*, 2005<sup>8</sup>);
- improved overall environmental condition for biodiversity and fishery benefits, and
- provided security to baited-pot fisheries by limiting gear-conflict in specific areas.

At present, there are very few areas within the territorial waters with spatial management measures to deliver similar benefits to pot fisheries. Furthermore, in the absence of a specific spatial management for pot fisheries, the inshore scallop fishing exclusions may have led to initial benefits (safe refuge from towed fishing gear), but also an increased level of fishing effort and competition among pot fishers, which has anecdotally led to reduced economic yield in these areas.

The Department is seeking views on the principle of spatial management to benefit pot-fisheries within Isle of Man territorial waters and would welcome suggestions with regard to options, for example; purpose, area, size, duration and type of spatial management. To this end, there is scope to include scientific investigations of spatial management for pot fisheries within the 5-year research plan in collaboration with Bangor University and the fishing industry (see Appendix 4), which is further consulted on in this document.

## **6. Technical measures**

Proposals for conservation and technical measures for management and monitoring of the fisheries are included within the consultation, including:

- The requirement for commercial crab and lobster pots to be fitted with pot tags and escape gaps throughout the territorial sea
- The requirement for commercial crab and lobster fishers to clearly set, mark and prevent interference with another's pots and stock-cages throughout the territorial sea.
- The requirement for commercial crab and lobster fishers to identify the maximum number of pots, or stock cages, to a string in order to assist compliance/enforcement of the numbers laid on the seabed.

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<sup>8</sup> Benefits of closed area protection for a population of scallops; Beukers-Stewart et al., 2005. <https://www.int-res.com/articles/meps2005/298/m298p189.pdf>

## 7. Recreational licensing

The Department manages recreational crab and lobster pot fishing in the 0-3 NM through licence based on the Sea Fisheries (Lobster and Crab) (Recreational Licensing) Regulations 2015<sup>9</sup> that set down restrictions, offences etc. applicable for this fishery. The Department proposes to continue this arrangement as per the current regulations, but with inclusion of the proposals outlined below, for which change to the regulations would be expected. To enable transition from the current regulatory requirements to those proposed the Department may introduce a shorter or longer licence to enable a transition to take place.

<b>The following changes are proposed to recreational crab &amp; lobster fishery pot licensing:</b>	
<b>From</b> (current regulations)	<b>To</b> (proposals)
Licence issued under the 2015 regulations valid from the day granted until midnight of 31 December 2020 (under regulatory amendment <sup>10</sup> ), and which may be renewed by the Department for a further period of 3-years.	An annual licence, available from January and valid until 31 December.
Licence fee £30.	<ul style="list-style-type: none"> <li>• New annual licence fee £20. It is anticipated this cost may be increased annually in line with the rate of inflation (CPI).</li> <li>• A renewal annual licence fee to be set at half the cost of the 'new annual licence fee', which would apply to renewal applications from applicants whose catch returns are submitted by 31<sup>st</sup> January proceeding the year fished.</li> </ul>
Requirement to submit an annual catch return for the calendar year by 30 <sup>th</sup> April following the year fished.	Requirement to submit an annual catch return for the calendar year by 31 <sup>st</sup> January following the year fished, or the existing licence lapses and a 'new annual licence fee' charge would apply upon reapplication.

Should the new proposals be implemented, then new annual licences would need to be issued for the licence fee of £20, with the option to renew thereafter for those who meet the renewal requirements.

Views are requested on these proposals, which the Department believes would enhance administration process and improve fishery monitoring, and therefore the management of recreational sea crab and lobster pot fishing.

<sup>9</sup> Sea Fisheries (Lobster and Crab) (Recreational Licensing) Regulations 2015 at <https://www.tynwald.org.im/links/tls/SD/2015/2015-SD-0039.pdf>

<sup>10</sup> The Sea Fisheries (Lobster and Crab) (Recreational Licensing) Regulations 2015 at <https://www.tynwald.org.im/links/tls/SD/2015/2015-SD-0039.pdf> sets the licence validity date, which has been extended until 31 December 2020 by the Sea Fisheries (Lobster and Crab) (Recreational Licensing) (Amendment) Regulations 2019 at <https://www.tynwald.org.im/links/tls/SD/2019/2019-SD-0444.pdf>



## **8. Objectives and proposed measures**

It is the objective of the Department of Environment, Food and Agriculture to align the crab and lobster fisheries of the Isle of Man to the principles of the Future Fisheries Strategy, which was developed in consultation with stakeholders and contained 5 key themes:

- Managing sea fisheries.
- Safeguarding the marine environment.
- Developing our sea fisheries.
- Managing resources.
- Working with our customers.

Within these key themes, the specific outcomes that the Department would like to achieve from this consultation are as follows:

- To reduce the number of inactive ('latent') effort within the crab and lobster fishery in Isle of Man territorial waters.
- Gauge support for a pot-allocation mechanism for commercial licences based on vessel metric criteria.
- Review of the Minimum Conservation Reference Size for crab and lobster in Manx waters.
- Gauge support for the development of spatial management for pot fisheries in Manx waters.
- Implement conservation and technical measures in support of crab and lobster fishery management.
- Establish priorities and options for long-term industry-supported scientific research programme.
- Seek views on a new-entrant scheme to the fishery should scientific evidence support increased effort.
- Seek views and options for static-gear fishery diversification to include a velvet crab fishery within Isle of Man territorial waters.
- Improve the licensing process for recreational crab and lobster pot fishing.

Other existing management measures would remain and it is envisaged that the crab and lobster fisheries would continue to be managed through a combination of regulations made under the Fisheries Act 2012 and conditions of licence, associated with the Isle of Man Sea Fishing Licence.

## **9. Preferred options on which views are sought**

While the Department is seeking views on the proposals outlined above (in sections 2 to 7), the following paragraphs outline the Department's preferred options in relation to the proposed measures. Please note that, at present, these are preferences and may be subject to change following the outcome of the consultation process.

### **9.1 Latent effort**

The Department would prefer to address latent effort by removing inactive commercial crab and lobster licences based on vessel activity within a specific track-record period for currently licensed vessels.

It would not be the intention to exclude any vessels that can demonstrate valid evidence of commercial prosecution of crab and lobster within Isle of Man territorial waters in the years leading up to the review of these fisheries, which began in July 2018. Under proposals, licences would normally be issued to those who meet the following criteria:

- current vessel owner with active license(s) to commercially fish crab and lobster in Isle of Man territorial waters at the time of this consultation, and who can demonstrate a relevant track-record (to be determined);
- this track-record would be based on the vessel track-record of commercial fishing for crab (*Cancer pagurus*) and/or lobster (*Homarus gammarus*) using pots within ICES statistical rectangles 36E5, 37E5 and 38E5 during the reference period (to be determined);
- to be evidenced by timely submission of logbook returns in line with IOM Sea Fishing Licence conditions and in compliance with Isle of Man Sea Fisheries (Logbook) Regulations (2015)<sup>11</sup>, and
- the demonstrated commercial activity took place whilst the vessel had been licensed to fish for crab and lobster in Isle of Man territorial waters.

It is acknowledged that 'pipeline' case scenarios may exist, and these would be considered by the DEFA on a case-by-case basis.

## **9.2 Pot allocation**

The Department would like to develop policy to standardise pot allocation to vessel licence that takes account of the vessel's capacity to deploy fishing effort, e.g. pot allocation follows a linear relationship with registered vessel length overall multiplied by vessel breadth, up to the current maximum allocation (500 pots).

## **9.3 Minimum Conservation Reference Size (MCRSs)**

An increase in Minimum Conservation Reference Size (MCRS) for crab and lobster has the potential to increase the harvest yield through landing larger animals. Acknowledging the possible additional commercial value to the fishery, the Department would prefer to see the thresholds raised, by up to 3 mm carapace length for lobster, to 90 mm, and by 10 – 20 mm carapace width for crab, to 140 to 150 mm, either in a single step or phased approach, and taking into account any seasonal implications of any introduction. Increase in the MCRS would bring the Isle of Man in line with the size changes in other UK jurisdictions, see Appendix 2.

## **9.4 New-entrant scheme**

The Department seeks views as to whether there would be support for the development of a new-entrant scheme for the commercial crab and lobster fisheries, to facilitate those wishing to get started in the industry, should scientific evidence support this. The Department has no fixed proposals on this, however the possibility of new entrants having access to these fisheries in the future was raised by industry through the working group. Isle of Man Government recognises that data from the 2016 Isle of Man Census<sup>12</sup>, when comparing Economic Sectors by Age showed Agriculture, forestry and fishing had the highest percentage of those aged 55+.

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<sup>11</sup> Sea Fisheries (Logbook) Regulations 2015 at <https://www.tynwald.org.im/links/tls/SD/2015/2015-SD-0209.pdf>

<sup>12</sup> Isle of Man Census Presentation at <https://www.gov.im/media/1355783/2016-isle-of-man-census-presentation.pdf>

## **9.5 Spatial management**

The Department seeks views on spatial management for the benefit of pot fisheries. The Department has no specific spatial management preferences at this stage, and would like responses on the principle of spatial management.

## **9.6 Scientific research and research priorities**

This consultation also seeks views on the principle of a long-term industry-supported scientific programme for the island's crab and lobster fisheries. Bangor University has outlined potential research priorities within a report attached to this consultation document and seeks industry views and level of support for any and/or all priorities, and whether industry would be seeking to develop other evidence-bases for management, including spatial management.

## **9.7 Velvet crab fishery**

The Department seeks views as to whether there would be support for the establishment of a velvet crab fishery in Isle of Man waters. The Department has no fixed proposals on this, however Isle of Man Government would require any enablement of a Velvet crab fishery to be supported by an evidence-based approach to management.

## **9.8 Technical measures throughout the territorial sea.**

Proposals for conservation and technical measures for management and monitoring of the fisheries are included. The Department wants technical restrictions for commercial crab and lobster fishers to apply throughout the territorial sea, by:

- requiring their pots to be fitted with pot tags and escape gaps;
- requiring commercial crab and lobster fishers to clearly set, mark and prevent interference with another's pot (as outlined as Section 6. Technical measures).

## **9.9 Identifying pots to a string**

The Department proposes to introduce requirement for commercial crab and lobster pot fishers to identify the maximum number of pots, or stock cages, set on a string in Isle of Man territorial waters, to assist management of the number of commercial crab and lobster pots laid on the seabed.

## **9.10 Recreational licensing**

Changes to the licencing of the recreational crab and lobster pot fishery are proposed, including introduction of an annual licence and fee, a cheaper renewal fee and an earlier deadline for submission of annual catch returns.

## Part II – The Consultation

Please complete the following consultation response form and return to the below address:

### Consultation on the Future Management of the Isle of Man Crab & Lobster Fisheries in IOM Territorial Waters

Department of Environment, Food & Agriculture  
Environment Directorate  
The Slieau Whallian  
Foxdale Road, St John's  
Isle of Man  
IM4 3AS

**The closing date for responses is 17:00 hours Monday 7<sup>th</sup> December 2020.**

<b>Title</b>		<b>Full name</b>	
<b>Response type</b> <i>(individual or organisation)</i>			
<b>Organisation name</b>			
<b>Summary of individuals represented</b> <i>(please provide information to outline individuals and groups and the number who are represented by this response)</i>			

<b>Question 1</b>	
<b>Q1.1 Do you support the introduction of a cap on the number of licences issued in respect of Isle of Man commercial crab and lobster fisheries?</b>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Why?</b>	
<b>Q1.2 If you answered yes to question 1.1, please answer the question below; 1.2 i) Do you support a cap on licences at the existing number?</b>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>

**Why?**

**Alternatively, or as an additional measure;**

**1.2 ii) Do you support reducing the number of licences issued in respect of the fisheries to those vessels with an appropriate track-record within a specified reference period.**

**Yes**

**No**

**Why?**

The Department would prefer to address latent effort by removing inactive commercial crab and lobster licences based on vessel activity within a specific track-record period for currently licensed vessels.

**Question 2**

**Q2.1 The Department's preferred reference period is 1st January 2016 to 30th June 2018; please select which reference period you prefer?**

1st January 2016 – 30th June 2018  
(Department preference)

Other \_\_\_\_\_

**Why would you suggest this period?**

**Q2.2 a) Do you support a minimum number of days (track-record) fished within a reference period as above, as a means of determining eligibility for a crab and lobster fishing licence for Isle of Man waters (0-12 NM)?**

**Yes**

**No**

**Why?**

**2.2 b) The Department's preferred track-record is for 1 days fishing within the preferred reference period; what is a suitable number of days?**

At least 1 day  
(Department preference)

Other \_\_\_\_\_

**Why would you suggest this period?**

*It is acknowledged that 'pipeline' case scenarios may exist, and these would be considered by the Department of Environment, Food and Agriculture on a case-by-case basis.*

*Please note under these proposals licences would normally be issued to those who meet the following criteria:*

- *current vessel owner with active license(s) to commercially fish crab and lobster in Isle of Man territorial waters at the time of this consultation, and who can demonstrate a relevant track-record (to be determined);*
- *this track-record would be based on the vessel track-record of commercial fishing for crab (*Cancer pagurus*) and/or lobster (*Homarus gammarus*) using pots within ICES statistical rectangles 36E5, 37E5 and 38E5 during the reference period (to be determined);*
- *to be evidenced by timely submission of logbook returns in line with IOM Sea Fishing Licence conditions and in compliance with Isle of Man Sea Fisheries (Logbook) Regulations (2015)<sup>13</sup>, and*
- *the demonstrated commercial activity took place whilst the vessel had been licensed to fish for crab and lobster in Isle of Man territorial waters.*

*It should also be noted that, as current policy<sup>14</sup>, all Isle of Man species specific licences would remain the property of the Department and would therefore not be transferrable nor saleable. If existing licences revert to the Department, it may be that additional licences may be allocated using documented criteria to assess applications from interested parties.*

<sup>13</sup> Sea Fisheries (Logbook) Regulations 2015 at <https://www.tynwald.org.im/links/tls/SD/2015/2015-SD-0209.pdf>

<sup>14</sup> Policy number SF/01/2017 Administration of Species Specific Licences associated with the Isle of Man Sea Fishing Licence at <https://www.gov.im/media/1358247/species-specific-licence-policy-sf012017.pdf>



The Department would like to address latency within individual crab and lobster licences (i.e. crab and lobster pots allocated by licence to vessels that are not deployed at sea) to ensure overall fishing effort can be controlled. DEFA seeks an indication of support for the introduction of a policy to address allocation of pots. For more information, see Appendix 1 Bangor University's report on latency.

<b>Question 3</b>	
<b>Q3.1 Should the number of pots allocated to each vessel be set at the same amount (fixed) or variable?</b>	
Fixed <input type="checkbox"/>	Variable <input type="checkbox"/>
<b>Why?</b>	
<b>Q3.2. If you answered 'variable' to Q3.1, what metric should be used to allocate a variable pot limit?</b>	
<input type="checkbox"/> Vessel overall length (m) <input type="checkbox"/> Vessel area (overall length x breadth) <input type="checkbox"/> Other _____	<b>Why do you say this?</b>

The Department recognises that there is potential additional biological and economic-benefit to the fishery by increasing the Minimum Conservation Reference Size (MCRS) for both crab and lobster, although initial fishing seasons may see lower yields and therefore delay in financial return due to the time allowed for additional animal growth prior to harvesting. Any change in MCRS could be done either in a single step or with a phased approach. See Appendix 2 for evidence based discussion.

<b>Question 4</b>	
<b>Q4.1 Do you support an increase in the Minimum Conservation Reference Size (MCRS) of European lobster within Isle of Man territorial waters?</b>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Q4.2 Do you support an increase in MCRS of European lobster within Isle of Man territorial waters to:</b>	
<input type="checkbox"/> 90mm <input type="checkbox"/> Other _____	

**Q4.3 Do you support an increase in MCRS (Lobster) being introduced in a single step or phased approach?**

Single step

Phased approach

**Why?**

**Q4.4 Are there any seasonality considerations for an introduction you think should be taken into account?**

**Please specify**

**Q4.5 Do you support an increase in the Minimum Conservation Reference Size (MCRS) of brown crab within Isle of Man territorial waters?**

Yes

No

**Q4.6 Do you support an increase in MCRS for brown crab within Isle of Man territorial waters to:**

140mm

150mm

Other

\_\_\_\_\_

**Q4.7. Do you support an increase in MCRS (Crab) being introduced in a single step or phased approach?**

Single step

Phased approach

**Why?**

**Q4.8 Are there any seasonality considerations for an introduction you think should be taken into account?**

**Please specify here**

The Department seeks views as to whether there would be support for development in the future of a new-entrant scheme for the commercial crab and lobster fisheries, to facilitate those wishing to get started in the industry.

**Question 5**

**Q5.1 Do you support the future development of a new-entrant scheme to the crab and lobster commercial fishing industry, should scientific evidence support such, to facilitate those wishing to get started in the industry?**

**Yes**

**No**

**Why do you say this?**

**Q5.2 If yes, do you have any specific ideas or proposals on how you would like to see a new-entrant scheme introduced and managed?**

**Please specify here**

Views are sought on the principle of spatial management for pot fisheries.

<b>Question 6</b>	
<b>Q6.1 In principle, do you support the establishment of spatial management measures for the enhancement of pot fisheries?</b>	
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>
<b>Why?</b>	
<b>Q6.2 If yes, what issues do you envisage as being important in establishing and managing such areas?</b>	
<b>Please specify here</b>	
<b>Q6.3 Do you have any specific suggestions, ideas or proposals in relation to the location and management of such areas?</b>	
<b>Please specify here</b>	

Representatives of industry and members of the working group have expressed a desire for the development of a strategic plan for the Isle of Man crab and lobster commercial fisheries to support sustainable management of these stocks, therefore views are sought on development of such a scientific study.

**Question 7**

**Q7.1 Do you support the development of a scientific study, in partnership with key stakeholders, for the crab and lobster fisheries within Isle of Man territorial waters? (see Appendix 4) Please circle Yes or No to the research suggestions outlined below.**

- |   |          |
|---|----------|
| - Gear-in gear out technology to improve monitoring             | Yes / No |
| - Shore sampling for stock assessment                           | Yes / No |
| - Mark-recapture to model movement, growth and stock boundaries | Yes / No |
| - Recruitment survey for stock forecasting                      | Yes / No |
| - Habitat enhancement with the aim to improve biomass           | Yes / No |
| - Gear modification to reduce ghost fishing                     | Yes / No |
| - Spatial management for crab and lobster fishery benefits      | Yes / No |

**Q7.2 Appendix 4 highlights the research themes that the Department and Bangor University consider priorities for inclusion within a long-term scientific programme. What other priorities do you consider important for inclusion within an industry-supported long-term scientific programme?**

**Please specify here**

The Department seeks views as to whether there would be support for the enablement of a velvet crab fishery in Isle of Man territorial waters.

**Question 8**

**Q8.1 Do you support the future enablement of a commercial velvet crab fishery?**

**Yes**

**No**

**Why?**

**8.2 If yes, do you have any specific ideas or proposals on how you would like to see a Velvet crab fishery managed and regulated, e.g.**

- separate licensing to edible or brown crab/lobster
- a cap on the number of licences
- pot-limitations
- pot-tag requirements, and
- Technical measures including trap design, escape gaps mandates, MCRS (for velvet crab is currently set at 65 mm carapace width).

**Please specify here**

The Department proposes the requirement for commercial pots to be fitted with pot tags and escape gaps, throughout the territorial sea.

**Question 9**

**Q9. Do you support the requirement for commercial pots to be fitted with pot tags and escape gaps throughout the territorial sea (0-12 NM)?**



Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Why?</b>	

The Department proposes to introduce requirement for commercial crab and lobster fishers to clearly set, mark and prevent interference with another's pot in Manx waters.

<b>Question 10</b>	
<b>Q10.1 Do you support the introduction of requirements relating to the marking of pots, to include the type of marker and form and method of marking?</b>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Why?</b>	
<b>10.2 Do you support the introduction of measure to prevent interference with another's pots or stock cages?</b>	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Why?</b>	

The Department proposes to introduce the requirement for commercially licensed crab and lobster vessels to demark the maximum number of pots, or stock cages, set in each string deployed by that vessel in Isle of Man territorial waters by some method that is visible from the sea-surface at all states of the tide. This is in order to assist with fisheries enforcement of pot limits. The sum of each vessels declarations would not be allowed to exceed the allocated number permitted by licence.

**Question 11**

**Q11.1 Do you support the principle of requiring crab and lobster strings to clearly display a declaration of the total amount of pots on that string for enforcement purposes, which must be visible alongside vessel ID marks required under setting & marking requirements (Q10)?**

Yes

No

**Why?**

Recreational licensing of crab and lobster pot fishing is regulated. The Department proposes to retain the current restrictions and offences set out in these regulations, but seeks views on a shift to an annual licence with fees for a new licence and renewal of licence and requirement for the more timely submission of annual catch returns. Should the new proposals be implemented, then new annual licences would need to be issued for the licence fee of £20, with the option to renew thereafter for those who meet the renewal requirements. To enable transition from the current regulatory requirements to those proposed the Department may introduce a shorter or longer licence to enable a transition to take place.

**Question 12**

**Q12.1 Do you support having a new initial annual licence fee of £20, increased annually in line with the rate of inflation (CPI), for recreational crab and lobster pot fishing within the 0-3 NM?**

Yes

No

**Why?**

**Q12.2 Do you support charging half the cost to renew the licence where the applicant applies for renewal and submits their annual catch return by a set deadline? The Department's preferred deadline for annual catch returns is 31st January following the year fished – would you support this, or have an alternative date?**

**Yes**

**No**

**Why?**

**Deadline for annual catch returns:**

**31st January following year fished**

**Alternative date** \_\_\_\_\_

**If alternative date, please specify why?**

### **Question 13**

**Q13. Do you have any other proposals or ideas which you feel should be considered within the current or future policy in relation to the crab and lobster fisheries within Isle of Man territorial waters? For example, the adoption of;**

- **An effort based system e.g. Days at Sea**
- **A catch based system e.g. Total Allowable Catch / Individual Transferable Quota (ITQ)**
- **Spatial management (e.g. permanent / temporary closed areas, territorial user rights for fisheries (TURF));**
- **Temporal management (e.g. seasonal closures / real-time closures);**
- **Other**

**Please specify here**

## **Part III - Feedback to the consultation**

### **3.1 Responses**

**Responses should be sent in writing and preferably by email to:-**

**Consultation on the Future Management of the Isle of Man Crab & Lobster Fisheries in IOM Territorial Waters**

**Department of Environment, Food & Agriculture  
Environment Directorate  
Thie Slieau Whallian  
Foxdale Road, St John's  
Isle of Man  
IM4 3AS**

Should you require a paper copy of the consultation document please contact the Fisheries section at [fisheries@gov.im](mailto:fisheries@gov.im) or on 01624 685857.

Copies of this document may be downloaded from the Isle of Man Government website at <https://consult.gov.im>

It is important to note these proposals have been prepared for the purposes of consultation and that further refinement may take place in the light of responses received.

The closing date for the receipt of comments is **17:00 Monday 7<sup>th</sup> December 2020**.

Unless specifically requested otherwise (see below), responses received may be published either in part or in their entirety. If you are responding on behalf of a group, it would be helpful to make your position clear. To ensure that the process is open and honest responses can only be accepted if you provide your full name with your response.

It may be useful when giving your feedback to make reference to the specific proposal(s) set out in the document that you wish to comment on/discuss.

The purpose of consultation is not to be a referendum. It is an information, views and evidence gathering exercise from which to take an informed decision on the content of proposed legislation or policy. As with any consultation exercise, the responses received do not guarantee changes will be made to what has been proposed.

### **3.2 Other information**

If you have any views or observations or there is some point of clarification you would like to receive in relation to the topics in this document or any other issue related to the subject of the consultation you are invited to submit these in writing to:

**Fisheries**

Department of Environment, Food & Agriculture  
Thie Slieau Whallian  
Foxdale Road  
St John's  
IM4 3AS

Email: [fisheries@gov.im](mailto:fisheries@gov.im)

### **3.3 Confidentiality**

In line with DEFA's policy of openness, at the end of the consultation period copies of the responses we receive may be published in a summary of the responses to this consultation. **If you do not consent to this, you must clearly request that your response be treated as confidential.** The summary would not contain any personal information that would identify you. Any confidentiality disclaimer generated by your IT system in email responses will not be treated as such a request. Respondents should also be aware that there may be circumstances in which DEFA will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2015.

### **3.4 Handling Results**

A summary of responses will be posted on the Department's website within 3 months of the close of the consultation period and will also be available from the Tynwald library and the Department's head office. Information received will be dealt with in accordance with the access to information regimes. These are primarily the Public Engagement and Consultation Principles and the Code of Practice on Access to Information.

This consultation follows the Isle of Man Government Public Engagement and Consultation Principles (October 2017). If you have any comments on how this consultation has been carried out, please contact Mr Richard Lole, Chief Executive of DEFA, at the Department's head offices in St John's.