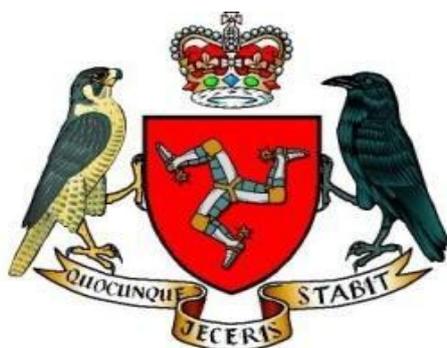


Proposals for the Future Management of the Isle of Man Common Whelk Fishery



Isle of Man
Government

Reiltys Ellan Vannin

Department of Environment, Food and Agriculture

Rheynn Chymmyltaght, Bee as Eirinys

Consultation Paper

April 2017

Part I -Proposals for the Future Management of the Isle of Man Common Whelk (*Buccinum undatum*) Fishery.

1. Introduction

The Isle of Man whelk fishery has historically seen relatively low effort, however, since 2011 there has been a year on year increase in commercial effort in the waters around the Isle of Man. This trend of increased effort has also been recorded in the rest of the UK generally, with annual landings increasing from 13,900 tonnes in 2011 to 20,900 tonnes in 2015 (MMO, 2016).

Globally, the whelk fishing industry has been driven by an increasing demand for whelks from the far-east Asian market since the early 1970's before a large increase in global landings in the 1990's shown in Figure 1 (FAO, 2017). This huge increase in demand has influenced the Isle of Man whelk fishery which has resulted in a significant increase in effort over the past 5 years. The Department of Environment Food and Agriculture is concerned by this increase, which does not show any sign of stabilisation.

Taking the above factors into account, along with indications from both the local and UK whelk industry that the increase in effort may not be sustainable, the Department has decided to take steps to protect and proactively manage the fishery to safeguard its future.

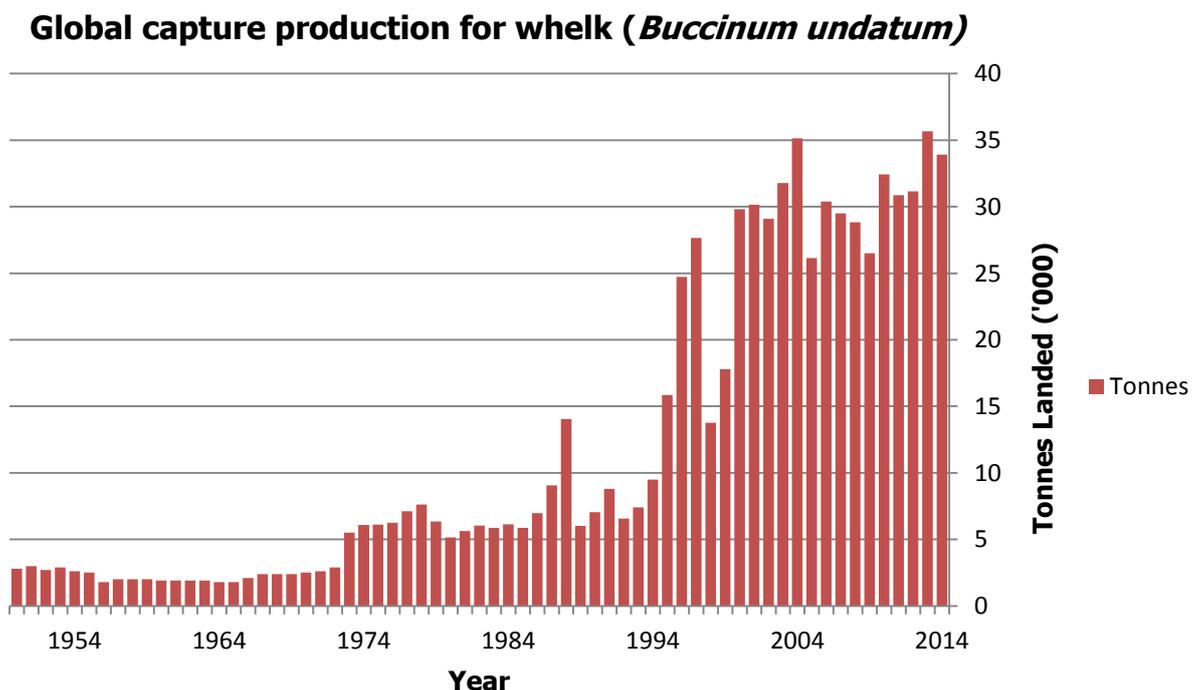


Figure 1: Global landings in tonnes, *Buccinum undatum* (FAO, 2017)

The vision of the Future Fisheries strategy, approved by Tynwald in November 2015, is for the Isle of Man to have sustainable and diversified fisheries with fishing effort appropriate for local stock to maintain a high-quality, protected marine environment. The proposed measures outlined in this document are significant in terms of realising this vision.

Whilst the majority of the proposals cover the 3-12NM limit, it should be noted that there are currently effort and licence restrictions within the 3 mile limit which allows a maximum number of 3600 pots to be fished across all licenced vessels.

2. Biology

The recent trend of increasing effort is concerning considering the species life history. Whelk are late maturing, slow moving and do not have a planktonic phase through which widespread dispersal is possible during spawning. Populations are therefore understood to be spatially discrete and inherently vulnerable to overexploitation. There is a high risk that populations may become depleted through recruitment overfishing (where the sexually mature 'spawning' biomass is reduced beyond the point where it has the capacity to effectively reproduce and sustain the population). Further detail relating to the biology can be found in the Evidence Base document which accompanies this consultation.

3. Data

3.1 Effort

The Department of Environment, Food and Agriculture, in collaboration with Bangor University, has been collating effort and landings data from the Monthly Shellfish Activity Logbook (MSAL) over the last 10 years in relation to the whelk fishery within the territorial sea. Although not all vessels actively fishing within the territorial sea report landings and effort via the MSAL, the data represents 80% of vessels and provides a useful insight into how the fishery has developed in recent years.

The data shows a continual increase in fishing effort (number of pot lifts per year) since 2011. In the period 2011-2012, a significant 178% increase in effort to approximately 123,500 pot lifts per year is observed. This level of effort continued to increase by an average of 20% each year until 2015, when a further significant increase of 63% was recorded.

The current level of effort reported via MSAL exceeds 300,000 pot lifts per year, an increase of almost 600% over the five year period beginning 2011.

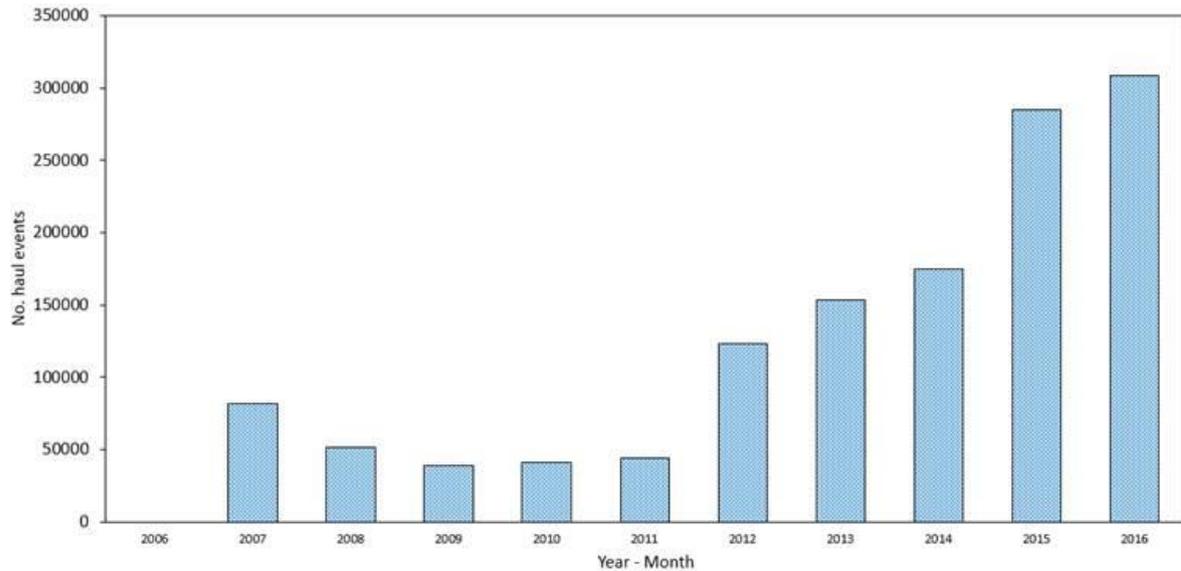


Figure 2: Whelk pot haul events by under-10 m vessels fishing within the Isle of Man territorial sea by year (Source: DEFA; MSAL).

3.2 Landings

The increase in effort seen in 2016 (Figure 2) was also the first year that a reduction in landings was recorded (Figure 3). Landings reduced from 679.4 tonnes in 2015 to 648.5 tonnes in 2016. Together with the increase in haul events between the two years, this came as a warning to the Department that the fishery may be showing early signs of decline, that there was a need for additional measures and to scientifically assess the true impact of effort on the whelk fishery around the Isle of Man.

The trend in average annual landings per unit effort (LPUE) for the whelk fishery has shown a general decline, shown in Figure 3. A decrease in LPUE since 2014 may indicate a decline in stock biomass, therefore, it is essential that measures are put in place to protect the fishery whilst continuing to monitor it.

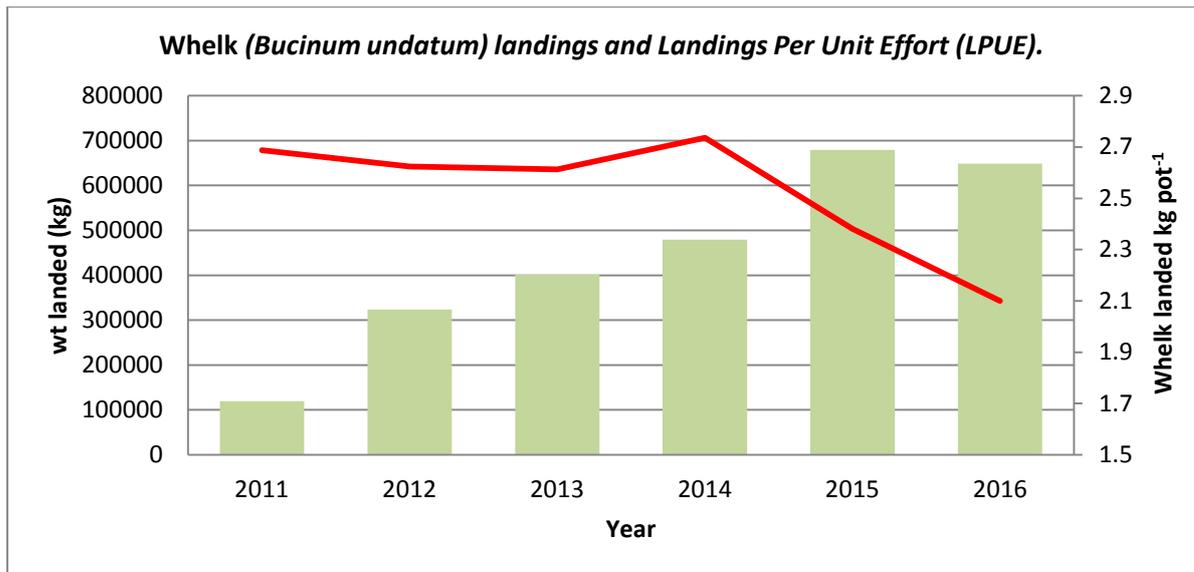


Figure 3: Whelk landings (green bars; left-axis; kg) and average annual landings-per-unit-effort (red line; right axis; kg pot⁻¹) of the <10 m vessels fishing within the Isle of Man territorial sea (Source: DEFA; MSAL).

3.3 Minimum Landing Size (MLS)

A recent size-at-maturity study undertaken by Bangor University found that approximately 20% of animals are mature at the current MLS of 70mm. Functional maturity, i.e. the size at which 50% of animals have reached maturity, was shown to be achieved at 80 mm Total Shell Length (TSL). In order to help protect the spawning biomass and safeguard against potential recruitment overfishing, it is recommended that the MLS be revised to 80 mm TSL.

4. Objectives

It is the objective of the Department of Environment, Food and Agriculture to align the common whelk fishery of the Isle of Man to the principles of the Future Fisheries Strategy which was developed in consultation with local stakeholders and contains 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 are as follows;

- 1) An appropriate level of fishing effort for the Isle of Man territorial sea whelk stock.
- 2) A comprehensive scientific dataset to support effective and sustainable management of the whelk fishery.
- 3) Through both of the above, achieve a sustainable and viable whelk stock within Isle of Man waters to ensure the ecological and economical contribution of the species to the Isle of Man.

Due to the increase in effort, reduction in landings and the potential of recruitment overfishing, the Department is consulting on proposals to introduce a number of management measures for the fishery.

5. Proposed Measures

The measures proposed by the Department are intended to cap the effort within the fishery at current levels.

These include;

1. Capping effort within the Isle of Man territorial sea at recent level through the introduction of whelk licences between 3-12NM.
2. Introduction of pot limits per vessel.
3. Increase in minimum landing size to 80mm.
4. Co-management approach to temporal and spatial management.

The Department will continue to monitor the fishery and it is the intention that once the measures are introduced, Bangor University will work towards a scientific assessment of the fishery for the common whelk within the Isle of Man territorial sea.

6. Proposed Policy

Whilst the Department is seeking views, the following paragraphs outline the preferred options in relation to the proposed measures. Please note that, at present, the measures outlined below are preferred only and may be subject to change following the outcome of the consultation process.

The Department's preference is to place a cap on effort to minimise the risk of collapse of the whelk fishery. This would ensure that effective, controlled monitoring of the fishery can continue, to ensure that management of the whelk fishery is regionally relevant to the waters surrounding the Isle of Man.

The Department is proposing to introduce specific whelk licences for the Isle of Man territorial sea due to increasing effort and a declining LPUE. It is not the intention to exclude any vessels that have prosecuted the fishery recently, hence under this proposal licences would be issued to current owners of vessels that have fished within the Isle of Man territorial sea during the year of 2016. Each vessel must be able to demonstrate a track record of having fished for at least a single day within ICES Statistical rectangles 36E5, 37E5 or 38E5 for whelks, using pots, during 2016 and must have been licenced to fish within the territorial sea between 1st January 2016 and 31st December 2016.

Although it is the Department's preferred option to introduce pot limits to the fishery, it would welcome views on how the number of pots are a) calculated and b) allocated to vessels.

Following the research carried out by Bangor University, an increase to the minimum landing size (MLS) has been recommended. This recommendation would see the current MLS increase from 70mm to 80mm in order to protect the spawning stock in the waters around the Island. The Department's preferred option is to introduce this increase as a single increase to the MLS of 80mm but is seeking views on alternative methods of implementing the change, for example a phased introduction.

The concept of introducing seasonal closed areas was proposed by current industry stakeholders to allow management and recovery of discreet populations in particular areas around the Isle of Man. It is the preferred option that decisions relating to closed areas are to be agreed by industry stakeholders in a co-management approach to ensure that measures are suitable for the whelk industry.

Your views on these proposals are appreciated. Please can you complete all of the attached questions at page 9 and return to the following address;

**Whelk Consultation
Fisheries Directorate
The Slieau Whallian
St Johns, Isle of Man
IM4 3AS.**

References

MMO, 2016. *UK sea fisheries statistics 2015* [Accessed online at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/555665/UK_Sea_Fisheries_Statistics_2015_full_report.pdf] Marine Management Organisation

FAO, 2017. *Species fact sheets: Buccinum undatum* [Accessed online at: <http://www.fao.org/fishery/species/2659/en>] Food and Agriculture Organisation of the United Nations.

Part II - Isle of Man territorial sea whelk fishery consultation response form.

Please complete the following consultation response pro-forma and return to the below address-

**Whelk Consultation
Fisheries Directorate
The Slieau Whallian
St Johns, Isle of Man
IM4 3AS**

Alternatively please email your response to fisheries@gov.im with the subject 'Whelk Consultation'.

The closing date for responses is 17:00hrs 15th May 2017

Salutation		Full Name	
-------------------	--	------------------	--

Response type <i>(individual or organisation)</i>	
Organisation Name	

Summary of individuals represented	<i>(please provide information to outline individuals and groups who are represented by this response)</i>

The Department of Environment, Food and Agriculture is exploring the possibility of capping effort through the introduction of specific whelk fishing licences in order to protect the vulnerable stock within the Isle of Man territorial sea.

Q1. Do you support the concept that the whelk fishery within the 3-12NM limit of the Isle of Man territorial sea should be a specific licenced fishery?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Why?	

Q2. Do you support the proposal that the whelk fishery should cap the number of licences issued within the territorial sea between 0-3NM, 3-12 NM or both?		
0-3NM <input type="checkbox"/>	3-12NM <input type="checkbox"/>	Both <input type="checkbox"/>
Why?		

Q3. Do you support a cap on whelk fishing effort within the Isle of Man territorial sea as a measure to protect stocks within the 3-12NM limit?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Why?	

The Department of Environment Food and Agriculture's preference is to issue licences for whelk fishing, using pots, based on previous activity within the reference period of the 2016 calendar year. This is to ensure that current stakeholders are not affected by the proposals.

Q4. Do you support the concept that specific whelk fishing licences for the territorial sea should be issued by reference period for the 0-3NM, 3-12NM nm or both?		
0-3NM	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3-12NM	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Both	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Why?		

The Department's preference is to use the calendar year of 2016 as the reference period for this issue of specific whelk licences, if you believe an alternative should be used, please state in the following question.

Q5 The Department's preference is 1st January 2016 – 31st December 2016; please select which reference period you prefer?	
<input type="checkbox"/> 1 st January 2016 – 31 st December 2016 (Department choice) <input type="checkbox"/> Other _____	Why would you suggest this period?

As part of the Department's proposal to manage effort within the whelk fishery within the Isle of Man territorial sea, the preferred option is to issue licences to vessels that have shown a single day or more fishing for whelks within the territorial sea during the reference period chosen for issuing licences. This method is due to the fact that whelk fishing is considered unsustainable due to increasing effort and a declining LPUE.

Q6. Do you support a minimum number of days fished within the reference period, as above, as a means of determining eligibility for receipt of a whelk fishing licence for the 3-12NM limit and what do you think is a suitable number?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> At least 1 day. <input type="checkbox"/> Other _____	Why?

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

Please note that under this proposal, licences would be issued to current owners of vessels which could demonstrate a track record of having fished for more than a set number of days (to be confirmed following the consultation process) for whelks, using pots, within ICES Statistical rectangles 36E5, 37E5 or 38E5, over a set reference period (to be confirmed) which were licenced between 1st January 2016 and 31st December 2016.

Licences would remain the property of the Department and would therefore not be transferable or saleable. Should scientific advice indicate that the fishery could withstand increased effort or if existing licences revert

to the Department, additional licences may be allocated using documented criteria to assess applications from interested parties.

The Department's preferred option is to introduce a total pot limit per vessel issued to ensure that overall effort can be controlled.

Q7. Do you support the principle of a pot limit per vessel fishing for whelks in the territorial sea?		
0-3NM	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3-12NM	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Both	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Why?		

Q8. If you supported the introduction of pot limits per vessel, how do you think the number of pots should be allocated?	
<input type="checkbox"/> Same number of pots per vessel. <input type="checkbox"/> Based on vessel length. <input type="checkbox"/> Other (please specify)	Why?

Q9. Based on your answer above, please can you give details of how you believe a suitable number of pots per vessel should be calculated? E.g. X pots per vessel metre/X pots per kilowatt.
Details

The recent scientific data provided by Bangor University following a study of whelks within the territorial sea has found that the optimum minimum landing size for whelks, to help protect spawning stock, is 80mm.

Q10. Do you support an increase in the minimum landing size of whelks caught in the Isle of Man territorial sea to 80mm?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Why?	
How should this be introduced?	
<input type="checkbox"/> Single increase	
<input type="checkbox"/> Phased approach	

Industry stakeholders have suggested that there may be a benefit to the whelk fishery if areas of the territorial sea were to be closed seasonally in order to allow stock recruitment and recovery.

Q11. Do you support the introduction of seasonal spatial and temporal closed areas within the territorial sea to protect whelk resources on the seabed through co-management with industry stakeholders?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Why?	

While there are already existing measures in place within the territorial sea between 0-3NM, the opportunity now exists to harmonise these existing measures with the proposals above.

Q12. Do you support harmonising existing management measures proposed in this consultation document with the existing measures already in place between the 0-3NM limit?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Why?	

The proposed measures are only the first stage in the development of management measures for the whelk fishery and the Department would like to hear other views on the management or monitoring of the whelk fishery.

Q8. Should the need arise in the future, which of the following approaches would you support in relation to managing the whelk fishery within the Isle of Man territorial sea between 3-12NM ? (Select multiple options)?

<p><input type="checkbox"/> Effort based system – total number of pots/days at sea.</p> <p><input type="checkbox"/> Catch based system – Total allowable catch/quota</p> <p><input type="checkbox"/> closure based system e.g. closed areas</p> <p><input type="checkbox"/> Total pot limit for the territorial sea.</p> <p><input type="checkbox"/> Other (please specify)</p>	<p>Why?</p>
---	--------------------

Q13. Do you have any other proposals or ideas which you feel should be considered within current or future policy in relation to the whelk fishery within the territorial sea? Please specify below.

Print Name: _____

Signature: _____

Date: _____

Feedback to the consultation

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

Copies of this document may be downloaded from either the Department website at <http://www.gov.im/daff/consultations.gov?menuid=16916&type=current> or from the consultations webpage of the Isle of Man Government website at www.gov.im/consultations.gov

Should you require a paper copy of the consultation document then please contact Andrew Jones at the postal or email address indicated below.

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 respond in writing to:

Andrew Jones
Fisheries Technical Support Officer
Department of Environment, Food & Agriculture
Thie Slieau Whallian
Foxdale Road
St John's
IM4 3AS
Email: fisheries@gov.im

The closing date for the receipt of comments is **17:00hrs 15th May 2017**.

Unless specifically requested otherwise (see below), responses received may be published either in part or in their entirety, together with the name of the person or body submitting the response. 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.

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.** 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.

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 Guidance on the Code of Practice on Consultation and the Code of Practice on Access to Information.

This consultation follows the Isle of Man Government Code of Practice on Consultation (June 2008). 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 Johns.