

ESFJC EIDER INQUIRY – SUMMARY STATEMENT

1. My name is Matthew Mander, I am the Clerk and Chief Fishery Officer at ESFJC. I have a Bachelor of Science degree in Marine Science. I have been with the Joint Committee for nearly 14 years. For 7 years during this period I was the Research Officer overseeing all survey work and stock assessment in the Wash. For the last 5 years I have been directly involved in the management of these fisheries, the last three of which have been in my current capacity as Clerk and Chief Fishery Officer.
2. ESFJC is a statutory body created by an act of parliament in 1894. The role of ESFJC is to manage fisheries, not to represent the fishing industry. ESFJC have direct management for the Wash shellfisheries as defined by the Wash Fishery Order 1992 (WFO). Incidentally the WFO combined two existing orders namely Boston and Lynn and was not created as a result of the shellfish crashes in the mid 1990's.
3. The Eastern Sea Fisheries Joint Committee has an intimate knowledge and understanding of the shellfisheries and the ecology of the Wash, which is based upon historically developed experience and the Committee's central role in bringing together the input of local fishermen, fisheries scientists and nature conservation advisers.
4. The Joint Committee develops and enforces fisheries management measures that are designed to maintain stocks within safe biological limits and to limit impacts on the habitats supporting the fishery and on dependent wildlife. The Joint Committee carefully and regularly evaluates each fishery according to the Habitats Regulations in order to assess the impacts of fishing activities on the Site's conservation features. The Joint Committee works towards true sustainable development of the fisheries through the integration of environmental objectives and socio-economic factors to inform management decisions.

5. Mussel cultivation is a key component of the Wash fisheries; the Several and Regulated Fisheries are inherently connected, both biologically and financially. The Several Fishery critically provides a stabilising influence on the mussel standing stock biomass, supporting the existence of natural mussel beds by boosting recruitment potential and providing a food source for natural predators, including birds protected within the European Marine Site.
6. The ability to cultivate private mussel stocks in a Several Fishery under the Wash Fishery Order provides crucial socio-economic benefits to the Wash fisheries. The advantages of stock control, reliable availability of a good quality product and the element of forward planning that the Several Fishery brings to the layholders have importantly promoted self-compliance with regulations/management measures and consequently reduced enforcement requirements for the Joint Committee.
7. The Joint Committee is of the view that there has been a significant increase in eider numbers in the Wash, which was first noted in 2003. The number of eiders and sizes of eider flocks sighted in the Wash by Joint Committee officers has increased substantially since 2003. It is likely that this increase has been influenced by the unfavourable conditions for eider in the Waddensee, rather than by the changes in the level of stocking in the Several Fishery that took place in 1997 and 1998.
8. The cockle and mussel stocks within the Regulated Fishery in the Wash are currently in healthy condition. To demonstrate this I have used the example of the current state of the mussel fishery:
9. In the context of the Dare report the last six years have shown a significant increase in the frequency of good spatfalls.
10. Spatial distribution and area of mussel beds have also increased significantly, again to demonstrate this point I will use the Dare report. 1977 is described in the Dare report to be the most recent year when stocks were really abundant. In 1977 there were reported to be 14 beds covering some 510 hectares. The 2005 ESFJC surveys identified 19 beds covering 425 hectares. If the Several Fishery mussel

were to be included that would provide a further 7 beds covering approximately 220 hectares.

11. Therefore, the Joint Committee cannot agree with English Nature's conclusion, and main reason for refusal of consent, that disturbance of eider and other feeding birds from selected mussel lays would have significant adverse effects on the Site.
12. English Nature's strict nature conservation remit has not allowed for a consideration of what the Joint Committee considers to be the significant and foreseeable consequences of the decision to refuse consent to scare Eiders from selected mussel lays. Eider have been displaced from the lays despite EN's refusal to consent scaring. In addition, wader birds have been displaced, but it is the displacement of the layholders themselves that has created the biggest threat to the stability of the Wash ecosystem. This point is illustrated in the attached Flow Chart. Thus, English Nature's over-protection of a low priority species (eider) will have wide and significant consequences across the European Marine Site. The Joint Committee believes that this case demonstrates the danger of managing for a single species rather than taking the widely advocated ecosystem approach.
13. If the Several Fishery were to cease to exist then the fishing effort targeting this fishery would revert back to the Regulated Fishery. It is highly unlikely that English Nature would support, through the Appropriate Assessment process, a significant increase in current quota allocation. In addition to this, one of the overall conservation objectives for the regulated mussel beds is to achieve favourable condition through the presence of a range of year classes. Market forces determine that the industry requires the ability to target single year classes. The question must be posed, what realistic alternative would that leave the fishermen to pursue?
14. It is the Joint Committee's viewpoint that there is a clear need to sustain the Several Fishery in the short term to ensure that the long-term integrity of the site is protected. In September 2005, the Joint Committee expressed a genuine concern that the practice of mussel cultivation in the Wash could be abandoned if it is not

supported at this critical time. This outcome would have serious negative implications for the fishing communities and the ecological integrity of the Wash.

15. In response to unsustainable predation losses, the majority of layholders cleared their stocks to recoup their remaining value in January and February 2006. The serious, negative implications anticipated by the Joint Committee are beginning to be realised.
16. ESFJC's lay lease criteria are designed, with the best available information, to ensure that lays are not situated in areas that currently harbour or historically have harboured naturally-settled cockle or mussel stocks. It is highly unlikely, therefore, that the presence of commercial mussel lays in the Wash will inhibit the development of natural mussel beds in these areas.
17. Mussel and cockle stocks fluctuate naturally in the Wash. Populations of both species exhibit cyclical patterns to their recruitment. There is no guarantee that this cycle will not coincide again to produce conditions last seen in the mid 90's. The British Trust for Ornithology recognise a significant several fishery can assist in minimising the impacts on birds if this were to occur.
18. The Joint Committee appeals to the Secretary of State to direct the competent authorities governing activities in the Wash over the prioritisation of short-term species protection or sustainable utilisation of resources within the Site.