

Consultation on Proposed Increase to Minimum Conservation Reference Size for Brown Crab

Purpose of this consultation

The purpose of this consultation is to seek the views of those with an interest in the Irish brown crab fishery regarding an industry-led proposal to increase the minimum conservation reference size (MnCRS) for brown crab (*Cancer pagurus*) from 130mm to 140mm. The information received during the consultation will inform policy decisions on the proposed measure and will assist in evaluating possible impacts it could have.

If you wish to respond to this consultation, you are invited to complete this consultation submission document. **Please read the entire document and provide answers to the consultation questions in sections 1-5 and 11-14.**

You are requested to submit the completed consultation submission document using one of the following methods:

- by email to: inshore@agriculture.gov.ie (with the subject line “Brown Crab”)
- by post to: Brown Crab Consultation
Marine Programmes Division
Department of Agriculture, Food and the Marine
National Seafood Centre
Clonakilty, Co. Cork P85 TX47

Please note that the consultation will last for six weeks, commencing on Monday, 22 January 2018, with a deadline of 5pm on Friday, 9 February 2018 for submissions.

FREEDOM OF INFORMATION & DATA PROTECTION

All submissions are subject to the Freedom of Information Acts and/or the European Communities (Access to Information on the Environment) Regulations and may also be published on the Department’s website (excluding certain personal information). If any of the detail you have provided is sensitive on the basis that it is personal, confidential, or commercially confidential, please identify it here and give clear reasons why you think it should not be released. The Department will, where possible, consult with you about any information which you have identified as sensitive information before making a decision in response to a request for release under the Freedom of Information Acts.

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CONSULTATION SUBMISSION DOCUMENT

Please read the consultation document in full before responding to this questionnaire.

1. I am making this submission:

- On my own behalf On behalf of an organisation/group

2. I am a:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fisherman <input type="checkbox"/> Representative of fishermen association <input type="checkbox"/> Representative of state body <input type="checkbox"/> Political representative <input type="checkbox"/> General public | <input type="checkbox"/> Shellfish buyer / processor <input type="checkbox"/> Representative of an environmental NGO <input type="checkbox"/> Scientist / technical expert <input type="checkbox"/> Representative of trade association <input type="checkbox"/> Other |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

3. My contact information is:

| | |
|--------------------------|--|
| Name | |
| Address | |
| Phone number (optional) | |
| Email address (optional) | |

If you are a fisherman:

| | |
|-------------------------------|--|
| Sea-fishing boat name | |
| Sea-fishing boat registration | |
| Home port | |

4. Do you catch brown crab?

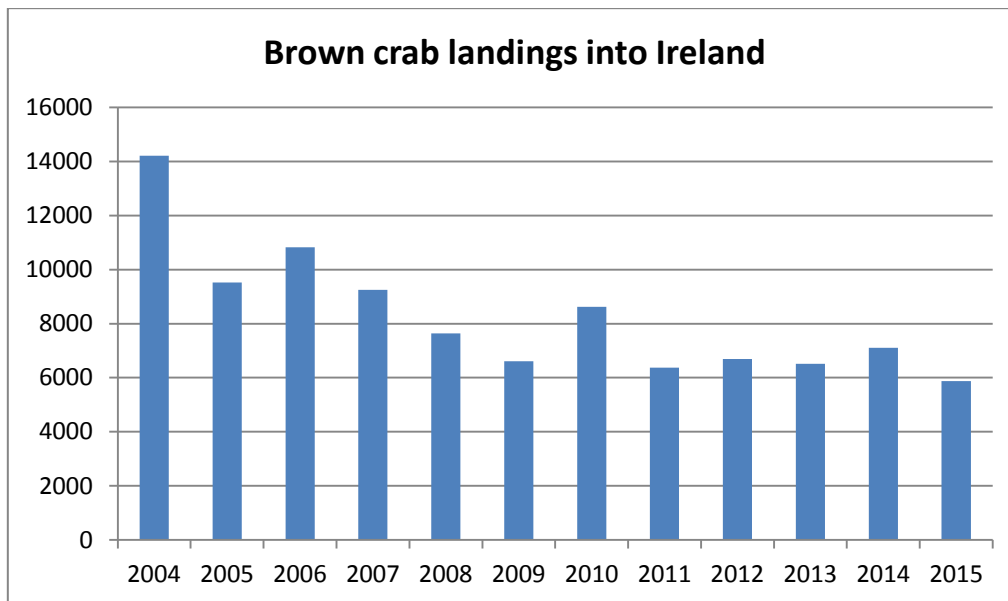
- Yes No

5. If yes, do you target brown crab or is it a by-catch of other fishing?

- Target By-catch

6. Brown crab fishing in Ireland

The fishery for brown crab (*Cancer pagurus*), also known as edible crab or common crab, is one of the most valuable in Ireland. Fishing occurs all year, but mainly during the period from March to November. The stock is landed in all major and many smaller ports around the Irish coast. While landings in 2004 exceeded 14,000 tonnes, this dropped in the period from 2008 to 2015 to about 6,000-8,000 tonnes per year. In 2015, landings of brown crab into Ireland amounted to 5,878 tonnes and were valued at more than €8.7 million.



Annual landings (tonnes) of brown crab into Ireland (Source: Marine Institute, *Atlas: Commercial Fisheries for Shellfish around Ireland*, 2017)

7. Current management measures

The fishery for brown crab around Ireland currently is managed by a minimum conservation reference size (MnCRS) of 130mm carapace width, while a MnCRS of 140mm applies for brown crab caught north of 56 degrees North (Council Regulation (EC) No 850/98).

There is no limit on landings of brown crab into Ireland, but EU legislation restricts the volume of brown crab claws that can be landed. For catches of brown crab made by pots or creels, the volume of claws that can be landed is limited to 1% of the volume of catch on board. For gears other than pots, the maximum volume of claws on board cannot exceed 75kg (Council Regulation (EC) No 724/2001).

There also is an EU limit on the fishing effort Member States can employ annually to catch brown crab (Council Regulation (EC) No. 1415/2004). This is in the form of “kilowatt days”, as defined in the Regulation, and is not a direct restriction on fishing effort, as the number of pots in the fishery (the potential effort) and the number of pot hauls per annum is not limited.

8. Proposal to increase MnCRS

Members of the fishing industry in the southeast initiated the current proposal, which would see the MnCRS for brown crab increase from 130mm to 140mm. The proposal was brought to the National Inshore Fisheries Forum (NIFF) by the South East Regional Inshore Fisheries Forum (SE RIFF).

Industry requested the increase as a way of supporting the sustainability of the brown crab fishery by allowing brown crab more time to reproduce. It is also hoped that the measure would improve the quality of crab being brought to the market.

The proposal to increase the MnCRS was recommended to the Minister by the NIFF at its meeting in September 2017. Accordingly, the Minister is now considering the introduction of the increase. The information received during the public consultation will inform policy decisions on the proposed measure and will assist in evaluating possible impacts it could have.

9. Status of the brown crab stock

The Marine Institute (MI) has said that the spawning potential of the brown crab stock is well protected by the current MnCRS (130mm around Ireland and 140mm north of 56 degrees North) as well as the effective market size, which is above 130mm. Catch rates and recruitment (undersized crab index) are stable.

Reviewing the proposal to increase the brown crab MnCRS to 140mm, the MI has indicated that such a change would have positive effects on the stock's yield and egg production. The measure would also reduce the risk of overexploitation, bringing the brown crab fishery closer to compliance with MSY (maximum sustainable yield) reference points.

10. What do others do?

The fishery for brown crab around Ireland currently is managed by a MnCRS of 130mm carapace width. A MnCRS of 140mm applies for brown crab caught north of 56 degrees North (Council Regulation (EC) No 850/98). Some areas in the United Kingdom set higher MnCRS for brown crab. Examples of these are set out in the table below.

| Area | Brown Crab MnCRS | Applies to |
|----------------------|---------------------------------------|-------------------------------------------------------------------|
| Wales | 140mm | UK-registered fishing boats in Welsh territorial waters (0-12 nm) |
| Cornwall IFCA* | 160mm for males, 150mm for females | Any person within the Cornwall Sea Fisheries District (0-6 nm) |
| Devon & Severn IFCA* | 160mm for males, 150mm for females | Any person within the Devon & Severn IFCA District (0-6 nm) |

* IFCA stands for "Inshore Fisheries and Conservation Authority"

With the exception of an area on its east coast, the MnCRS for brown crab in Scotland is 140mm, while in the Outer Hebrides it is 150mm. In January 2017, however, the Scottish Fisheries Division published draft recommendations following a 12-week public consultation carried out in 2016 (*Consultation on Landing Controls for the Scottish Crab and Lobster Fisheries*). One of the outcomes from the consultation is that Marine Scotland has indicated it will increase the brown crab MnCRS to 150 mm (the increase will not include Shetland inshore fisheries).

11. Should the current brown crab minimum conservation reference size (MnCRS) of 130mm be retained, or should the MnCRS be increased to 140mm?

Retaining the current brown crab MnCRS of 130mm would maintain the *status quo*.

| Pros | Cons |
|-------------------------------------------|---------------------------------------------------------|
| Fishing practices would remain unchanged. | No increase to yield and egg production in the fishery. |

Increasing the MnCRS for brown crab to 140mm would mean no brown crab less than 140mm could be landed. Fishermen would be obliged to comply with this standard.

| Pros | Cons |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| The MnCRS increase will have positive effects on yield and egg production in the fishery. | The MnCRS increase will lead to an increase in the number of fished brown crab being returned to the sea. |
| The MnCRS increase will reduce the risk of overexploitation and bring the fishery closer to compliance with MSY (maximum sustainable yield) reference points. | There is a risk that crabs of less than 140mm could be declawed during fishing. |
| The MnCRS increase may lead to increase in the quality of brown crab caught, and may improve crab prices on the market. | |

Please indicate which of the two options you recommend (pick one):

- Increase the MnCRS from 130mm to 140mm carapace width
- Retain the current 130mm MnCRS

Please give your reasons why:

12. If the MnCRS for brown crab is increased to 140mm, how should it be applied?

If a decision is made to implement the proposed MnCRS increase, the scope of the new measure will need to be defined. This includes identifying who the measure will apply to and in what fishing areas it will apply.

Under the Common Fisheries Policy Regulation (Regulation (EU) No. 1380/2013), a measure such as this can be applied to Irish fishing sea-fishing boats, wherever they are operating. It also can be applied to the fishing boats of other Member States operating in the 0-12 nm zone of the State. However, under the Regulation, such a measure can only be applied to other Member States' fishing boats following full consultation on the issue with the European Commission, the affected Member States and the relevant Advisory Councils.

Please indicate which option you recommend for the application of the increased MnCRS if it is implemented (pick one):

- | | |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> Irish sea-fishing boats out to <u>6 nm</u> | <input type="checkbox"/> All sea-fishing boats out to <u>6 nm</u> |
| <input type="checkbox"/> Irish sea-fishing boats out to <u>12 nm</u> | <input type="checkbox"/> All sea-fishing boats out to <u>12 nm</u> |
| <input type="checkbox"/> Irish sea-fishing boats in <u>ICES areas VI and VII</u> | <input type="checkbox"/> Irish sea-fishing boats <u>anywhere in EU waters</u> |
| <input type="checkbox"/> Other (Please describe in box below) | |

Please give your reasons why:

13. If the MnCRS for brown crab is increased to 140mm, should it be applied to non-commercial fishing as well?

Yes No

Please give your reasons why:

14. Would you recommend that different or additional measures are needed for the brown crab fishery? If so, please describe what other measure(s) you recommend. Please give reasons for your proposal(s).

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