

Eastern IFCA Enforcement Policy – Regulation 8: Mussels (*Mytilus edulis*) minimum size

Wash Fishery Order (1992) Welland Wall mussel fishery

Regulation 8 of the Wash Fishery Order 1992 (WFO) prohibits the removal of mussels less than 45mm in length from within the WFO.

Mussel relaying fisheries target juvenile mussels for the purpose of ‘relaying’ the mussel onto beds allocated for private aquaculture. The majority of mussel removed from the wild beds for this purpose are relayed within WFO Shellfish Lays within The Wash or the North Norfolk Coast.

The mussel relaying fishery is an established practice and is guided by associated policies which ensure the sustainability of the mussel fishery.

Policy

Eastern IFCA will not take enforcement action against fishers licenced to fish within the WFO Welland Wall mussel fishery with regards to non-compliance with Regulation 8 where such is removed for the purpose of relaying onto private aquaculture.

Eastern IFCA will enforce Regulation 8 where fishers fish for, take or remove any mussel from the Welland Wall fishery for the purpose of selling to market or as part of any harvestable fishery where mussels are not used for relaying.

Rationale and mitigation

Eastern IFCA has enabled several mussel relaying fishers in the past and it is an established fishery. Pending the planned review of the WFO Regulations, there is no formal mechanism to grant exemption from Regulation 8 for the purpose of aquaculture cultivation (as there is for Eastern IFCA byelaws). As such, an enforcement policy is required to enable the fishery.

Mussels less than 45mm in length are unlikely to have spawned and are therefore protected from removal during a ‘normal’ fishery. Removal of pre-spawning individuals has the potential to negatively impact the sustainability of the mussel fishery. However, the annual mussel survey has indicated that the mussel stocks in The Wash will not be adversely affected by a limited fishery targeting juvenile mussels. This is primarily a reflection of the high biomass of juvenile mussels.

The Welland Wall fishery is distinct from The Wash mussel stock on which conservation objectives are based on. As such, there is limited risk site integrity of the Wash and North Norfolk Coast Special Area of Conservation or Special Protection Area.

Risks of over-fishing and environmental impacts are mitigated primarily through WFO regulations and licence conditions. There is limited management of this fishery by

virtue of its small scale and low risk as set out in the 2019 assessment¹. Eastern IFCA monitors activity through weekly catch returns and monitors stock health through annual stock surveys.

¹ Eastern IFCA Marine Protected Area Sub-Committee meeting, 13th April 2019, Action Item 7