

## Draft Minutes BGMCF - Meeting 13

**Date:** 28<sup>th</sup> March 2013

**Venue:** BIM, Crofton Road, Dun Laoghaire

**In attendance:** Mr Donal Maguire – Chairman of the BGMCF  
Ms Joanne Gaffney – Secretariat  
Mr Michael Murphy – Secretariat  
Mr Damien Clarke – DAFM  
Mr Kenny Parker – DARD  
Mr Greg Griffiths - DARD  
Mr Declan Quigley – SFPA  
Mr Stephen Kelly – Industry Rep Kinsale/Waterford/Wexford  
Mr Arthur McCarthy – Industry Rep Castlemaine/Shannon/Cork  
Mr Raymond Dougal – Industry Rep Belfast/ Larne  
Mr Michael O’Driscoll – Vessel owner and operators association  
Mr Michael Havelin – Industry Rep – Foyle  
Mr Dave Garforth – GT Cert

**Apologies** Mr Richie Flynn – IFA  
Mr Barry Fox – Loughs Agency  
Mr George Golden – Industry Rep Carlingford/Dundrum

**Observing** William Dingemanns

Donal Maguire (DM) welcomed all to the meeting.

### 1. Minutes of the last meeting - 24<sup>th</sup> July

The minutes of the last meeting were accepted as presented.

### 2. Action Points from the last meeting

***BIM and the BGMCF secretariat to prioritise the development of an alien species protocol for the Bottom Grown Mussel sector.***

*Addressed under agenda item 12 below*

***JG to write to DARD outlining industry concerns with the surveying in 2012, JG to complete the seed survey proposal and submit to DARD for consideration***

*Complete – surveying plan submitted*

***All skippers to be notified of the new fishing dates as a matter of urgency***

*Complete*

***SFPA to provide a more detailed update on Norovirus to the secretariat for addition to these minutes***

*Complete – link to the EFSA report circulated to all industry members*

***Secretariat to proceed with consultation with the licence holders concerning the election process***

*A letter was circulated to all industry members asking if they wished to see an industry election in their area. No calls were received for new elections and thus the current representation has been reappointed. DM thanked all industry members for giving their time and valuable input to the Forum.*

***The Departments and the secretariat to advance the mussel production audit in an effort to track all uses of seed and assess the extent of seed exports. The Departments and the secretariat to advance the mussel production audit and prioritise the allocation review***

*Addressed under agenda item 8 below*

### **3. Report on the Seed Mussel Fishery 2012**

The seed fishing report below was circulated to the group.

For ROI waters;

Total Fished 7003.5 tonnes (Gross), 5544.5 tonnes (Net)

Days Fished 29

Fishing events 154

Compliance with SMS is approximately 95%

<2% of seed fished in ROI waters was relayed in Belfast

26.6% was relayed in Carlingford

<0.5% was relayed in Foyle

27.7% was relayed in Cromane

43.5% was relayed in Wexford

Industry members expressed disappointment with the quantity of seed that was available, however the seed that was fished was reported to have been of good quality.

DQ requested from industry members that log sheets be sent directly to him in Howth to allow for prompt compilation of statistics

### **4. Tides and dates for the Seed Mussel Fishery 2013**

Donal Maguire queried if industry members wanted a seed fishing period in May. He highlighted that; given recent weather conditions, the lack of seed in spring 2012, and that the new protected areas in the Irish sea will not be open at that time that it may be wise to skip the spring fishery in 2013. He also highlighted the ongoing MSC process and the need to demonstrate sustainable fishing practices

Industry members expressed disappointment with the exclusion from the protected areas in May and advised that in principle they wished to see the fishing pattern of previous years maintained. Notwithstanding this they agreed that current weather conditions made it unlikely that significant quantities of seed would be available in the spring fishery this year and that a version of the proposal would be acceptable on a strictly 'once off' basis. Thus the first tide in May could be used for surveying. If suitable seed was found outside the protected areas in significant quantities and in a good state for immediate transplantation then a short fishery could be allowed on the next tide.

It was proposed by the industry members of the Forum that the arrangements set out below were suitable for 2013, subject to final departmental and ministerial approval.

“Surveying should take place on the tide from the 1<sup>st</sup> of May until the 6<sup>th</sup> of May and if viable beds were identified, the seed fishery will open on the 15<sup>th</sup> May 2012. It will continue, subject to seed availability, until the 22<sup>nd</sup> May.

A close season will then ensue until the 27<sup>th</sup> August, when fishing will resume. Depending on seed availability fishing will continue through appropriate tides until 29<sup>th</sup> November. As in previous years,

a number of areas may remain closed to seed fishing due to considerations related to nature conservation”.

Also as in 2012, in cases where a seed bed is subject to heavy predation during a closed period, and it is clear that the seed will be lost to the industry unless fished, that opening such an area outside the dates agreed above could be an option. Such events would be treated on a case-by-case basis as they arose and on their individual merits. It should be noted that Natura 2000 designated areas would have to be treated separately if such a situation arises.

AMC sought clarification if these dates would also apply to Castlemaine. DM informed him that subject to the required stock assessment being completed and seed being available that there was no reason that these dates would not apply.

RD queried the proposals for NI waters. KP indicated that fishing periods would be in line with that proposed for ROI waters subject to seed availability

DM confirmed that the T burke would be surveying the Irish Sea from April. KP stated that AFBI would undertake the usual surveys in consultation with industry members and noted the proposed surveying plan tabled by the Secretariat for NI waters. It is hoped this will be formally agreed in the coming weeks.

The Departments also requested that all industry members ensure their black boxes are operational well in advance of the fishing season to avoid delays in issuing authorisations.

#### **5. New SAC's proposed in the Irish Sea and implications for the 2013**

The new Natura areas in the Irish Sea were discussed. DM agreed with industry members that nobody was happy with the new designations and assured industry that BIM had not been aware of the proposals in advance of them being published in National newspapers in December. KP also indicated that DARD had not been formally notified of these designations at any stage and that they were also unhappy with the consultation process.

Industry members were dissatisfied with the area selection and queried why it was necessary to designate areas that were so important to the bottom grown mussel industry. DM said that as far as he was aware NPWS had been placed under pressure to designate sand banks in the Irish Sea and that was the reason for the site selection.

Industry members said they were unhappy with the level of consultation particularly in NI given the transboundary implications of the proposals. DM suggested that although the objection period was over that industry members could still write to NPWS if they are dissatisfied with the process.

DM advised industry members that given the areas are proposed, EU law requires that an Appropriate Assessment is required in advance of any permitted activity in the area and therefore we are required to undertake the necessary steps to complete this process in line with what was done in Castlemaine. However a key difference this time is that the assessment will only cover fishing activity and not relay as was required in Castlemaine. DC stated that DAFM cannot issue consents unless the assessment is completed and the outcome is favourable.

Industry members queried if the assessment would be favourable. DM responded that we cannot anticipate the outcome of the assessment, however we know the sand banks are a highly dynamic environment and that mussel fishing activity is not intrusive and only occurs for a short period every year and therefore we would be optimistic of a favourable outcome.

DAFM have requested that NPWs prioritise the development of specific conservation objectives for the Long Bank, Blackwater Bank, Wicklow Bank, and Rockabill to Dalkey Island. It is hoped that these will be available before the end of April.

It was outlined to the meeting that the first step on the industry side is the completion of a Fisheries Natura Plan for the area, this can only be completed by someone having a material interest in the fishery or by the Minister, but the secretariat and BIM can provide assistance in drawing up the required plan which must cover all fishing activity in the areas. Industry members of the forum requested that the secretariat of the forum draft a plan in consultation with the industry members to the Forum and submit it for assessment. Again this should be completed by the end of April to allow for sufficient time to complete an assessment in advance of the 2013 seed fishing opening at the end of August.

**Action: Secretariat to draft a Fisheries Natura Plan in consultation with Industry members of the Forum**

#### **6. Castlemaine Harbour 2013 seed mussel fishery and 2012 Natura reports / Alien species**

AMC raised the issue of restrictions placed on the Castlemaine operators with regard to access to the Irish Sea and stated the operators in the area are concerned about the restriction and wish to see it lifted

JG stated that following consultation with the Marine Institute it is planned to conduct alien species sampling of the seed beds in the Irish Sea in advance of the 2013 season. These results should facilitate an amendment to the fishing plan which would then be considered within the framework of the current assessment which covers the period 2011-2016. AMC queried if this would be completed for the 2013 season.

DM stated that efforts would be made but that it was more likely that this would be complete in time for the 2014 season.

JG stated that the alien species work would further support the MSC certification.

**Action: Secretariat to advance the alien species work in consultation with the Mi and Industry members**

#### **7. Mussel Husbandry review 2013**

The draft husbandry review document circulated to Industry members of the forum was discussed. The Departments wish to have input of the industry members of the forum in advance of circulating a final consultation document to all industry members.

Industry members called that any amendments to the allocation system should ensure that active industry members receive the allocations rather than licence holders who are not farming their sites. The husbandry review will be designed to reward those operators who make best use of the seed resource in line with the recommendations of the Rising Tide report.

DM also stated the a review of husbandry and allocations is necessary if we are to maintain the MSC certification

Industry members expressed some reservations in how the data will be used, particularly if trying to compare operators both within and between bays and to alter their allocation accordingly. Some

operators may have high quality management measures but their ground may not be as productive as that used by other operators. Therefore husbandry practices should be included in the review.

The biggest difficulty for operators in the area of predator control is that some people do not manage their ground for predators, leaving their neighbours exposed. Ideally all ground would be actively farmed and predator control measures routinely undertaken at all sites.

#### **8. MSC Certification, interim report (Dave Garforth GT Cert)**

The MSC draft assessment has been completed and has passed a peer review, with no problems identified that could prevent certification. The draft report will go for public comment in the coming weeks, this phase of the process will last 30 days and then the report will be amended if required and the project will enter an objections phase that lasts for a further 15 days.

Currently both fisheries, NI and ROI are passing the standard (required score is 80 under each principal) the scores obtained are presented below.

<b>Principle</b>	<b>Score</b>
Principle 1 – Target Species	82.1
Principle 2 - Ecosystem	83.3
Principle 3 – Management System	85.0

The assessment will generate two certs, one for the ROI section and one for NI

Although the assessment team found the overall Principle and Unit of Certification in overall compliance with MSC Standard, it also found the performance of eight performance indicators to be below the established compliance mark (Score of 80). These indicators must be addressed through a client action plan that will elevate these score over the five year period covered by the certification.

It is hoped by early June certification will be obtained. Industry members congratulated BIM/AI on the work done to date on this project.

JG highlighted that BIM/AI will be in contact with licence holders on the administrative arrangements that will have to be put in place before operators can carry the cert. This will include chain of custody audits of the processors handling the mussels.

#### **9. Loughs Agency Aquaculture Implementation Plan**

The Loughs Agency was not represented at the meeting, so this item was deferred. However MH requested that an update be obtained from the Loughs Agency and circulated to all industry members.

*JG contacted the Loughs Agency – there has been some progress on the draft management arrangement between the Crown Estate and DAFM and it is hoped to have that draft agreed before the end of the summer 2013.*

**Action: Secretariat to request an update from the Loughs Agency and circulate**

#### **10. Norovirus**

JG circulated a CEFAS discussion paper on live bivalve molluscs and virus contamination, this paper looks at options for improving risk management and put forward a range of measures that could be adopted to further protect human health.

It was acknowledged by all in attendance that Norovirus is of particular concern and the group were informed that this paper had been subject to much discussion at a recent UK aquaculture forum meeting. Industry members called for more investment into prevention and mitigation measures rather than focussing on additional control for industry.

DM suggested that Richie Flynn as a member of the MSSC and as the national shellfish industry representative was probably up to date on this issue and should be contacted if more information was required on what industry responses were being made with regard to this issue.

## **11. AOB**

### **AZP Castlemaine**

AMC raised the issue of the AZP closure in Castlemaine. The area has been closed since September and producers in the area are requesting that zoning be considered for the area in line with what is done in Bantry and Killary. JG confirmed that she has raised this issue with members of the Molluscan Shellfish Safety Committee (MSSC) as the appropriate group for assessing the viability of such an approach in Castlemaine. It is understood that this may be possible but that there are some concerns over the ability to enforce restrictions from the different areas.

AMC stated that producers were willing to work with the SFPA on enforcement issues.

**Action: JG to again raise this issue with the MSSC**

### **Expenses**

Industry members queried if travel expenses could be paid for attendance at the forum meeting. DM undertook to investigate if this would be possible but cautioned that it was unlikely under the current financial restrictions set for the public service.

### **Next meeting**

It was suggested that the next meeting take place before the August fishery (Late July – TBC)