

Draft Minutes BGMCF - Meeting 8

Date: 3rd November 2010

Venue: BIM, Crofton Road, Dun Laoghaire

In attendance: Mr Donal Maguire – Chairman of the BGMCF
Mr Michael Murphy – Secretariat
Ms Joanne Gaffney – Secretariat
Mr Kenny Parker - DARD
Mr Greg Griffiths - DARD
Ms Roni Hawe – DAFF
Dr. Matt Service – AFBI
Mr Barry Fox – Loughs Agency
Mr. Richie Flynn – IFA
Mr George Golden – Industry Rep Carlingford/Dundrum
Mr Michael O’Driscoll–Vessel owner and operators association
Mr Arthur McCarthy–Rep Castlemaine/Shannon/Cork/Clew
Mr Michael Havlin – Industry Rep. Foyle

Apologies Mr John McLaughlin – Industry Rep Swilly
Mr Stephen Kelly – Industry Rep Kinsale/Waterford/Wexford
Dr Ollie Tully – Marine Institute

Donal Maguire welcomed all to the meeting.

Minutes of the last meeting

The minutes of the last meeting were accepted, and all action points were addressed through the agenda

Seed Fishery 2010

To date reports of the 2010 seed fishery indicate that 198 loads of seed have been fished, with a net tonnage reported of nearly 15,000 tonnes over 34 days of fishing. It is estimated that there has been a compliance rate of 85%, with the DAFF requesting that the SFPA obtain the data to fill these gaps.

GG noted that had been no problems between the mussel seed fishermen and the whelk boats during the current fishing season.

MOD requested that a full data set be available at the next meeting of the forum

Action: DARD, DAFF and SFPA to compile total 2010 seed fishing data in advance of next meeting

MOD further requested that the an information note on consents be provided to the industry

Action: Secretariat to circulate draft of manual at the next meeting of the Forum.

MOD highlighted that legislation on marking requirements for whelk pots had not as yet been provided to industry members.

Action: Secretariat to source relevant regulations from SFPA and DARD

Surveying ROI waters

GG stated that surveys done in ROI waters by BIM in 2010 were extremely helpful to industry. This investment of time and resources must be maintained or increased as it is a vital service to the sector.

Surveying NI waters

Whilst welcoming the fact that surveying had been carried out, GG outlined some problems still existing in surveys in NI waters. He stated that the industry survey conducted in early August identified a number of small patches of seed, industry members fail to see why access was not allowed to these areas during the autumn fishery.

KP and MS indicated that these patches were re-surveyed in late September however the tonnages were still small and extremely patchy.

KP indicated that such a distribution caused difficulties from a control and safety perspective, and queried the viability of fishing such small beds. The only way DARD can see fishing to be undertaken safely in areas such as this is under a system that allows a small number of boats in at a time in an orderly manner. Any such system should be devised by industry and must be a proposal that is equitable for all interested vessels.

GG welcomed the development of the August survey however there was not enough follow up i.e. this seed checked again 7-8 weeks post survey to assess status of seed found and to ensure that all areas identified were exploited. This needs to be sorted out in 2011. He suggested that there be a 1 week NI industry survey in April 2011, coordinated by the secretariat to the BGMCF and that an exploitation plan should be developed by industry with support from the secretariat and agreed with DARD to ensure that any suitable seed is fished and resource utilised.

MS reported that he carried out a brief survey in September at three sites; Skullmartin, Burial Island and Craigbrain, he noted the seed was still present, but in small quantities. He also noted that it had settled on old shell. MS also remarked that while a large number of boats were being promised for surveys when it came to the survey only a limited number of boats were actually available to participate.

GG acknowledged the difficulties with boat availability but also stated that he believed that an opportunity to fish this seed has been lost as there is no certainty that this seed will over winter.

DM suggested that DARD might be willing to look at opening the fishery if industry were to develop a plan to deal with such a contingency next year and that the forum could assist with facilitation. KP agreed with this provided that a mechanism that all could live with could be developed.

Action: Secretariat to support industry members in liaison with AFBI and DARD with a view to planning a NI spring survey and thereafter an exploitation plan to fish any seed found

GG queried the content of an article in September's Irish Skipper with quoted DARD as stating that seed beds in NI have been overfished.

Action: KP to investigate and provide GG with any related correspondence between the Department and the author of the article.

Opening & Closing Dates 2011

Letters have been received by the secretariat from Industry members in the Foyle objecting to the opening schedule adopted in 2009 and 2010. MH indicated that many industry members in the Foyle believe that the end of August is too late to open the main fishery as steaming long distances is unsafe during the unsettled weather typical of September and October. Seed is also being lost to starfish over the summer months, and the fishery should not clash with harvesting required in May and September. MH expressed a desire to see the seed fishery opened in July 2011.

DM indicated that this request will be noted with regard to health and safety and considered by the departments and their advisors and that fishery dates would be discussed further at the next meeting when 2011 tide tables are available to the group.

Action: Representation to be considered, specific dates to be discussed at next meeting of the Forum.

Donaghadee

Industry members requested that the BGMCF correspond with DARD on the issue of opening the Donaghadee area for seed fishing. The public fishery has been open for a number of months, no mussel has been fished and it's due to close in early January. They expressed the opinion that the option of the public fishery has been supported long enough in the absence of any markets for or fishing of the stock. They believe that this area must be made available as seed to the bottom grown mussel sector.

KP pointed out that the Minister had stated that if the public fishery boats did not avail of the opportunity to fish Donaghadee, that the Bottom Mussel Aquaculture sector would be allowed to fish it. He will check to see if this is still the case.

DM suggested that the forum should provide a note to DARD clarifying the consensus view of its members regarding seed fishing at Donaghadee.

GG stated a belief that Donaghadee could provide a sustainable source of seed to the sector in NI waters and support the sector along the Donegal and Northern Coasts which in 2010 were forced to steam 22-24 hours to access seed.

GG suggested that the date of the next forum meeting should be scheduled to take place a few weeks after the close of the public fishery. He requested that DARD supply the forum with an update on access to seed mussels in Donaghadee especially in light of assurances given before the public fishery was opened in 2010.

Action: Secretariat to draft a letter to DARD on the issue of the Donaghadee seed bed

Castlemaine Harbour Seed Mussel Fishery

AMC outlined the experiences in Castlemaine in 2010. He put forward the view that starfish destroyed the majority of the bed over the summer months when consultation was on-going on the assessment. Fishermen only had about 36 hours fishing and yield was less than 1000 tonnes. MOD and GG highlighted the financial implications of these arrangements – low sales from Castlemaine in 2010/2011 season due to closure in 2008 and now the prospect of very low sales in 2012 as a result of the small seed inputs in 2010.

DM stated that the regulatory authorities recognise the difficulties facing producers in Castlemaine and that the last two years though difficult have served to generate a significant amount of information and proof that the activities are not damaging to the features of the protected sites and it is expected that little further data will be needed for next year. NPWS should also be in a position to provide specific conservation objectives for the site before the end of this year.

Recent discussions have indicated that the relevant authorities can see the merits in undertaking an assessment covering a longer time scale (e.g 5 years) in Castlemaine. Such a system would avoid consultation at critical times for the fishery and avoid the need to go through full process every year. JG suggested that industry should begin looking at the proposed fishing plan as soon as possible and get it out of the way before Christmas, AMC did not expect the plan to change a lot from that put forward in 2009 and 2010.

Action: Secretariat to develop 5 year fishing plan in consultation with the Castlemaine Co-op

Seed Mussel Fishery in other NATURA Sites

GG queried what would happen if seed is identified in Natura sites. DM confirmed that an assessment would be necessary but that at the present time no guarantee could be given that resources would be available to undertake such an assessment in 2011.

Allocation Management

MOD asked what was happening regarding overall allocations

It was stated at previous meetings that allocations recommendations may be reviewed on the basis of an audit of production activities. Data requirements and procedures for such an

audit have not yet been finalised. Industry will be made aware of proposed procedures when agreed by the control authorities.

Aquaculture Licence Renewal – Natura

DM indicated in the absence of Dr Tully at this meeting he would update the group on this issue.

The Departments and state agencies have been investing significant resources in the development of a system of screening and assessment to facilitate the issuing/renewal of licences as appropriate in or adjacent to Nature sites. Areas that have been prioritised for initial full assessment are Castlemaine, Roaringwater Bay, Lough Swilly and Clew Bay. It is anticipated that it will take two years or more to get through all of the designated bays.

GG noted that there was a proposal to increase the SPA near Castlemaine towards Dingle and asked how this will affect the ongoing issue of fishing.

MS noted that objections on socio-economic grounds were not considered valid. JG informed the group that objections can only be based on scientific grounds; operators have a right to request the scientific data on which the designations are based, the name and qualifications of the people who collected the data, the dates that data was collected etc. This can then be examined to see if there is a scientific reason for objecting.

MS noted that with regard to Marine Conservation areas that objection could be made on socio-economic grounds

RF stated that the IFA have written to Europe asking for their opinion on the basis of the delay in carrying out assessments in ROI and subsequent damage to the sector. Industry members are constantly being told that the difficulties stem from the 2007 judgement and the standard that ROI is now being held to, he hopes that this will be clarified by the commission. He further reminded those present that existing industry can continue to operate as long as operation activity does not change.

RF also stated that aquaculture has been singled out among industries in Ireland, and that unfair regulatory standards have been applied to the aquaculture sector. The delay in licencing and renewals is the biggest problem currently facing the sector in ROI.

RF informed the group that the IFA have devised an objection letter template and that this can be supplied on request.

Action: Dr Oliver Tully to be invited to next meeting of the Forum.

Environment- Crepidula (Limpet)

JG informed the group that the Belfast CLAMS group have signed off a Crepidula project proposal for Belfast Lough. The project is split into three stages with stage 1 &2 focussing on scaling up the brine experiments undertaken by Seafish to test if the treatment is

commercially viable and stage 3 examining vessel infrastructures in Belfast Lough and giving advice on installing treatment systems. The project, if successful in gaining EFF funding from DARD, will hopefully be overseen by a steering committee drawing expertise from industry, regulators, BIM, Seafish and the marine Institute. MS suggested that someone should also be on the committee from NIEA.

GG stated that progress was welcome but that the current restrictions in movements from Belfast Lough were damaging to businesses there. He suggested that there is no evidence of an increase in the presence of *Crepidula* in Belfast lough and that there was no sign of it in Carlingford. JG suggested that on worked beds that there would be little sign of it whereas on non worked beds have had some settlement.

GG queried as to where it initially came from MS stated that first findings were on scallop shell.

Action: JG to move the project proposal forward

GG also requested that DARD provide the group with a copy of the report from a PESCA project undertaken in Belfast Lough in the 1990's

Action: KP to try and source the report

Restrictions to trade in the Netherlands

On the current restrictions on relaying Irish mussels in the Oosterschelde, RH briefed the group on the contact between the Departments in the Netherlands and Ireland on this matter. The authorities in the Netherlands are working on a new import licence however they must ensure that the new licence can withstand the legal challenges that led to the last suspension. The Dutch authorities will contact DAFF when Ireland is in a position to assist with the issuing or maintenance of the new licence. It was stated that at present one needed to be careful not to push too hard as currently there were just restrictions and total movements could be stopped until new import license becomes available.

KP indicated that DARD is liaising with DEFRA on this matter and that formal contact with the Dutch authorities has been established.

GG welcomed the work being done by the Departments on this matter but reiterated the sectors unease with the current restrictions and how they are affecting trade.

MSC Certification.

Industry members queried why this project is not proceeding. DM stated that in the current economic climate that all are awaiting allocation of budgets etc to see at what level assistance could be given. RH stated that there are a number of issues that need to be resolved before this project could proceed but that this should not be taken as an indication that the Department would not support the MSC certification of the sector. All outstanding matters should be resolved before the next meeting and that the industry will be informed as soon as possible of any developments.

GG again pointed out that there had to be a 32 county approach to this and requested that the Chairman of the forum should work with the two departments on this as the industry needs MSC just to have parity with other suppliers. Suggested that relevant information that will be needed e.g. seed seasons in recent years, be compiled now as it takes time to process. This sentiment was echoed by AMC.

Action: JG to update industry members when all outstanding matters are resolved

LA Aquaculture Implementation Plan

BF informed the group that the Loughs Agency Aquaculture Regulations are in draft format. The SEA is being written up based on consultation responses received. The issue of the lease agreement between the Crown Estate and DAFF is still outstanding but progress is being made and there is a meeting scheduled next week on this issue, after which it is hoped to have news on a management agreement. It is hoped that by the next meeting of the forum this will be resolved. It is envisioned that the regulations will be put in place very quickly after this agreement is reached.

MOD queried if the Aquaculture Regulations will be consulted on again. BF replied that this may not be necessary.

MOD noted that the last Loughs Agency consultation was very long and difficult to read. MH agreed with the above and stated that the consultations have been complex and that industry members are unclear as to what is actually being proposed. There needs to be better consultation and provision of information to aquaculture operators.

BF said he was happy to meet with producers in Foyle and Carlingford to answer any questions

Action: BF to meet with industry members before the end of year.

AOB

Inspections

MOD queried the inspection regime being operated in NI, operators in Belfast Lough feel the requirement to pull into Bangor with each load is contrary to the system agreed for the season opened.

GG stated that DARD had retained the option to inspect all loads on the basis of health certification; this was outlined in the information note circulated early in 2010

Action: JG to reissue information note to MOD.

Research projects

There are a number of areas which industry members in Belfast Lough would like scientific input on; barnacle settlement on mussel shell and starfish infestations.

Action: GG to liaise with Matt Service on research project partnerships between industry and AFBI

Black Boxes

DM informed the group that there have been interdepartmental and agency discussion on the issue of the Black Box System. Given current financial constraints the regulatory and Development authorities are minded to hand over the ownership and maintenance of the system to the vessel owners and operators. The system will remain a part of the control system on the sector.

Industry members will be updated as the regulators and current system owners agree the specifics of the handover.

MH queried if there would be any change in monitoring of the system and DM replied no there wouldn't be.

Biotoxin Samples

MOD queried the obtaining of receipts for biotoxin monitoring samples, so that if a sample was lost that a further sample could be submitted if needed.

RF suggested getting in touch with Brian Nolan of the SFPA as he had responsibility in this regard.

Date of next meeting

The next meeting is to be scheduled for the last week in January to coincide with an update from DARD on the Donaghadee seed beds.