

# Consultation Paper

## Proposals for the introduction of Regulations for the Protection and Conservation of Sea Bass

**2<sup>nd</sup> June 2010 to 24th August 2010**

The Department is writing to seek your views on proposals to make a Statutory Rule (SR) using powers under The Fisheries Act 1966. This SR will introduce measures to protect and conserve Sea Bass (*Dicentrarchus Labrax*) in Northern Ireland waters.

The proposals arise from various discussions during and following the Review of Inshore Fisheries. In DARD's response to the review we stated that there would be "merit in harmonising regulations to protect Sea Bass throughout the Island" and that DARD "proposes to bring forward proposals for new Sea Bass regulations in the Northern Ireland Zone". The introduction of regulations would also tie in with similar proposals being progressed by the Loughs Agency. The result would be a coherent conservation policy North and South that would better protect Sea Bass.

### **Importance**

The European Sea Bass is an important species for commercial fishermen in the southern waters of England and Wales and for recreational sea angling in UK and Irish waters. However, the species is not managed through the Common Fisheries Policy and is not one of the stocks assessed by the International Council for the Exploration of the Seas (ICES).

### **State of Sea Bass stocks**

Catch and landings data from both commercial and recreational fisheries is incomplete as there is not a requirement for small inshore vessels or anglers to submit data to the same level as larger commercial vessels.

There have been no assessments of the Bass stock in Northern Irish waters. In the South of Ireland commercial fishing for Sea Bass has been prohibited since the 1990s and therefore no stock assessments have been carried out. In conclusion, the state of the sea bass stock around the Irish coast is unknown, but is thought to remain depressed since overexploitation in the 1980s.

The behaviour of Sea Bass has been the subject of debate with speculation that Sea Bass in Irish waters may migrate and be caught in commercial fisheries elsewhere. Recent results from tagging studies carried out by the Marine Institute suggest that Bass stay close inshore and do not mix with Bass from other areas. Therefore any recovery in Sea Bass will depend on conserving local inshore stocks.

### **Existing Sea Bass management measures**

Commercial bass fisheries expanded in the 1980s, but in the absence of regulatory controls such as quotas or minimum landing sizes, overfishing of immature fish led to depletion of the stock. Bass are a slow growing fish, taking up to five years to reach a size of around 36cms. Bass mature at around 4 to 8 years old or a size of 31-35cms for male fish and 40-45cms for female fish. This slow growth makes Bass susceptible to overfishing.

In England and Wales measures were introduced in 1990 to protect younger fish until they were mature enough to contribute to the spawning stock. These measures included, a minimum landing size of 36cms, local seasonal closures of nursery areas and restrictions on gill nets used by commercial fishermen. Commercial fishing was still permitted due to the economic importance of the southern bass fishery.

In the Republic of Ireland the stock was also depleted and measures were introduced to ban the commercial sale of bass and introduce a bag limit, closed season and minimum landing size for recreational fishing.

In Northern Ireland the only restrictions are the minimum landing size of 36 cms and restrictions on the nets that may be used to catch bass. These are established in EU technical conservation regulations. Until now additional measures have not been considered because there is no significant commercial fishery for bass, however failure to regulate may hinder the growth and spread of Bass stocks in our waters.

### **Recreational angling interest**

Representatives from local angling groups have voiced concerns at the depletion of the sea bass stocks within our waters and have been pressing for some form of protection for this species under the Review of Inshore Fisheries and the need to recognise the value of sea angling.

Sea angling for bass could provide a useful additional opportunity for the development of angling in some parts of our coastal communities. Income from chartered fishing trips for both local anglers and angling tourists could make an important economic contribution to local coastal communities. It is thought that over the long term this opportunity will increase as coastal waters become warmer as a result of climate change and sea bass extends its northern range. It has been proposed that the species should be reserved for recreational angling by adopting measures similar to those already existing in the Republic of Ireland.

The DCAL and the Loughs Agency report “the Social and Economic Impact of Recreational Fisheries, Angling and Angling Resources 2007”, estimated around 5000 sea and shore anglers in NI, spending £7.4m annually and supporting up to 134 jobs.

The Loughs Agency which is responsible for Bass fishing in Lough Foyle and Carlingford Lough are currently progressing similar measures. These proposals if adopted would result in harmonisation of measures to protect and conserve Sea Bass in the coastal waters around Ireland. It is likely that as sea temperatures rise Bass will continue to extend their range northwards and become more important to local anglers. Since the species tends to stay within coastal waters there is merit in a single set of conservation measures around our coast.

### **Consultation**

The Department would be interested in your views on our 6 proposals (detailed below),

especially any possible impacts you feel they may have on fishing businesses, the environment or other activities associated with fishing or angling. A partial Regulatory Impact Assessment is enclosed which considers these impacts in more detail. In particular we would welcome views on;

### **Proposal 1**

- **A bag limit of 2 Bass retained over a 24 hour period** – The fishery will be maintained as a recreational fishery and we believe that 2 Bass are sufficient for recreational purposes.

#### ***Consultation Question***

Do you agree that the retention of Bass over a 24 hour period should be capped at 2 and if not what do you believe the number should be?

### **Proposal 2**

- **A closed recreational angling season from the 15<sup>th</sup> May to the 15<sup>th</sup> June both dates inclusive**–This is to protect spawning fish during the spawning season from May to June. Closing the fishery at this time will encourage an increase in stocks.

#### ***Consultation Question***

Do you agree that there should be a closed season and is May and June the best period for this closure?

### **Proposal 3**

- **Prohibition on first sale of Bass** – This proposal would prevent the first sale of Bass i.e. from the catcher to the first buyer and will ensure that the fishery is available for recreational fishing and will prevent both recreational and commercial fishers from developing a trade in Bass resulting in increased landings above sustainable limits. Retail and wholesale sales of Sea Bass caught outside Northern Ireland would not be affected.

#### ***Consultation Question***

Do you agree that the first sale of Bass should be prohibited and if not, why not?

If you own or operate an hotel or restaurant do you currently serve Northern Ireland caught Sea Bass?

If you have answered yes to the above question would a ban on buying locally caught Sea Bass affect your business?

#### **Proposal 4**

- **Prohibition on the retention of Bass less than 40cm length** – As Bass are a slow growing fish this will allow more fish to reach maturity and contribute to the spawning stock for a longer time and thus increase the stock.

#### ***Consultation Question***

Do you agree that Bass less than 40cm should not be retained and, if not, what size do you suggest?

#### **Proposal 5**

- **Prohibition of fishing for Bass, within the Northern Ireland zone by any means other than rod and line.** – This measure prevents fishing by intensive methods such as trawling and drift netting. Intensive methods would encourage retention of fish above the bag limit and illegal sales of fish. Fish stocks will be conserved to a level that sustains a viable recreational fishery which may increase tourism in coastal communities.

#### ***Consultation Question***

Do you agree with a prohibition on fishing for Bass by any means other than Rod and Line, if not, why not?

#### **Proposal 6**

- **Prohibition on the retention on board of Bass by any UK sea fishing vessel within the Northern Ireland zone** – This measure will ensure that Sea Bass are not retained on board any UK sea fishing vessel within the N Ireland zone. This measure will further discourage fishing for Bass by intensive methods and reduce the temptation to catch and sell Bass, helping to conserve Sea Bass stock.

#### ***Consultation Question***

Do you agree with a prohibition on retaining Bass on board any UK sea fishing vessel?

We have provided an answer proforma on the next page for your response which you may find convenient. Written responses not using the proforma are also acceptable.

## **Annex A: Pro-forma for response and comments**

### **Summary of 6 Proposals for Protection and Conservation of Sea Bass**

- 1 A bag limit of 2 Bass retained over a 24-hour period;
- 2 A closed recreational angling season;
- 3 Prohibition on the first sale of Bass;
- 4 Prohibition on the retention of Bass less than 40cm in length;
- 5 Prohibition of fishing for Bass by any means other than rod and line;
- 6 Prohibition on the retention on board of Bass by any UK sea fishing vessel within the Northern Ireland zone.

Proposal:	Agree	Do Not Agree	Comments
<p><b>A bag limit of 2 Bass retained over a 24-hour period</b></p>	<p>x</p>		<p>It is only by using the bag limit that the species will be preserved as a recreational fishery however, net catches from trawler, drift netting must be eliminated. Such a restriction would proportionally enable the spawning stock to recover from the damage caused by insensitive over commercial fishing on this sensitive and vulnerable species.</p>
<p><b>A closed recreational angling season from the 15<sup>th</sup> May to the 15<sup>th</sup> August</b></p>	<p>x</p>		<p>This would enable a potential steady increase in the numbers of young immature and school bass while providing spawning stock protection with the necessary breathing space to encourage an increase the size of the fishery.</p>
<p><b>Prohibition on the first sale of Bass</b> Hotel/Restaurant owner? Would a ban affect your business?</p>	<p>x</p>		<p>Farmed Sea Bass should be the only available commercial stock for sale in the hotels and restaurants around our local coastal settlements and in our main urban centres. By denying the potential for commercial interests to harness and exploit wild Sea Bass the fishery has a considerably better opportunity to replenish in size and quality.</p>
<p><b>Prohibition on the retention of Bass less than 40cm in length</b></p>	<p>x</p>		<p>The size of the fish is proportionate to the number of mature fish retained in the fishery over a longer period. Slow growing species such as Sea Bass require the necessary safeguards to protect their spawning potential. It is incumbent upon the legislator to put in place adequate safeguards, 40cm size restriction is central to that principle.</p>

<p><b>Prohibition of fishing for Bass by any means other than rod and line</b></p>	<p>x</p>		<p>It is recognised by experiences in the Irish Republic that recreational angling for Sea Bass is the only sustainable approach.</p>
<p><b>Prohibition on the retention on board of Bass by any UK sea fishing vessel within the Northern Ireland zone</b></p>	<p>x</p>		<p>All too often the Northern Irish fishery Zone has been unreasonably harvested by mainland and European craft. This is no less the case with the Bass species. A moritorium needs to be in place on the Irish Sea denying any catch quota to non-Irish vessels while netting must be eradicated across the Norther Irish fishery Zone. It is also fair to say many of the offenders have been small craft whose practice of over netting for self finaincial gain has been an indictment and has no place in the recovery and survival of the Sea Bass species.</p>



**Any other comments on the Sea Bass Proposals.**

The importance of recognising the contribution that species like the Sea Bass can bring to the local tourist industry and the contribution made to small coastal settlements through the focus of over night stays, tourist attraction and retention and specialist tourist visits cannot be overstated.

The Sea Bass is not the only species which can make an invaluable contribution to the tourist economy and through the MCZs and the new Marine Bill these species will be identified and scientific corroboration given.

The decline of the Sea Bass fishery in the Northern Irish Fishery Zone if successfully addressed through this consultation and the convergence of effective harmonisation with the Irish Sea Bass Fishery will provide a working model of the future of species and stock preservation around the Irish coast. The DCAL and the Loughs Agency report "The Social and Economic Impact of Recreational Fisheries, Angling and Angling Resources 2007" and its modest estimate suggesting that in the region of 5000 sea and shore anglers in NI spend £7.4m annually, supporting up to 134 jobs identifies the base line. The Sea Bass fishery enables a potential increase in employment, recreational anglers and tourist spend which if replicated through other desired species can make a sizeable and valuable contribution to the income generated by this economy

**If you wish to comment on the Partial Regulatory Impact Assessment or draft EQIA Screening document please do so on a separate sheet.**

In line with DARD's policy of openness, at the end of the consultation period copies of the responses we receive may be made publicly available. We will also publish a summary of the points raised at public and stakeholder meetings. The information the responses contain may also be published in a summary.

If you do not consent to this, you must clearly request that your response is treated confidentially. Any confidentiality disclaimer generated by your IT system in e-mail responses will not be treated as such a request. You should also be aware that there might be circumstances in which the Department will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act and the Environmental Information Regulations.

I do not want this response to be treated confidentially.

Signed: \_\_\_\_\_ Chairman – Marine Conservation NI

\_\_\_\_\_ Secretary – Marine Conservation NI

Date: \_\_\_\_\_