

CONSULTATION ON FISHERIES MANAGEMENT IN LUCE BAY SPECIAL AREA OF CONSERVATION

Marine Scotland

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CONSULTATION ON FISHERIES MANAGEMENT IN LUCE BAY SPECIAL AREA OF CONSERVATION

1. Introduction

1.1. This consultation seeks views on the future management of fishing with mobile gear in Luce Bay and Sands Special Area of Conservation (SAC). The intention is to manage fishing in a way which ensures the protection of the features for which the site has been designated, while at the same time exploring whether mobile gear fishing can continue in the Bay in a way which is sustainable in the context of the conservation objectives for the SAC.

1.2. The basis for the consideration of management measures which would control fishing within Luce Bay SAC is the changes and potential changes to scallop fishing management around the UK. The Scottish Government, as the competent authority, is required to consider the need for management and to take action necessary to avoid deterioration of the site. Not doing so could result in the Scottish Government failing to meet its international obligations under the EC Habitats Directive.

1.3. The intention is that future management would be put in place subject to this consultation. That management would be underpinned by an order made under the Inshore Fishing (Scotland) Act 1984. The measures would apply to all UK vessels.

1.4. This consultation will include, wherever possible, face to face discussion with stakeholders as a means of obtaining the views of those most likely to be affected by potential management measures. The views expressed during such discussions will be recorded so that they can be considered together with responses to the consultation made by e-mail and in writing.

1.5. In conjunction with this consultation, information is being sought on the location of fishing activity (both mobile and static) currently taking place in the SAC. This is being done by the Solway Firth Partnership on behalf of the Scottish Government and is effectively an extension of the Fishing Study in the Pentland Firth and Orkney Waters currently underway. The information collected on fishing in Luce Bay will be an important means of informing decisions on the fisheries management required for the site. It will also help with consideration of the economic impact of the management measures. A separate letter is being sent to fishermen about this exercise to map current fishing activity and Solway Firth Partnership staff will make direct contact with skippers as soon as possible.

2. Background

2.1. Luce Bay and Sands is of European importance and it was designated as a SAC under the EC Habitats Directive in 2005. The qualifying interests of relevance to fisheries management are sandbanks, mudflats, large shallow inlets and bays and reefs. Scottish Government has a responsibility to

maintain the status of these features as the competent authority for managing fishing and has to ensure that fishing does not bring about deterioration of the site. On that basis, the Scottish Government recently sought advice from Scottish Natural Heritage (SNH) on the management of Luce Bay.

2.2. SNH undertook a broad scale survey of the intertidal and subtidal biotopes in 2007/2008. The advice provided by SNH on the impact of fishing in Luce Bay is based on the interpretation of that survey. The chart at Annex A to this consultation paper shows those areas in Luce Bay considered to be most sensitive, moderately sensitive and least sensitive to physical disturbance by mobile gear fishing. It may be possible, however, for SNH to refine its advice and the charts once the information collected on fishing has been considered.

3. Mobile Gear Fisheries Management in Luce Bay

3.1. Luce Bay is currently closed to mobile gear fishing between 1 March and 31 August each year, and to scallop dredging in particular from 1 March to 31 October each year. In addition, scallop vessels are restricted to fishing with a maximum of 8 dredges per side and a minimum landing size for scallops of 110mm applies.

3.2. The advice received from SNH on the management of Luce Bay confirms the current arrangements for mobile fishing gear (benthic and hydraulic) are no longer adequate and that, therefore, there is a risk of deterioration and adverse impact on site integrity. There is a particular risk where there may be large numbers of vessels present. The sensitivity of the habitats in Luce Bay is significantly less in the case of static gear fishing and no specific issues have been identified in relation to that type of fishing.

4. Consultation on additional fisheries management in Luce Bay

4.1. The basis of this consultation is SNH's recommended approach to spatial management of mobile fishing activity in Luce Bay. This would involve a prohibition on fishing in the most sensitive and moderately sensitive areas of the Bay. These areas are shown in the chart attached at Annex B. It may also be possible, however, to adapt this approach to allow some mobile gear fishing to continue in the moderately sensitive and least sensitive areas, subject to additional management.

4.2. Views are sought therefore on the prohibition of fishing in the areas shown in the chart at Annex B to this consultation document and on possible fisheries management measures which may allow some mobile gear fishing to continue in both the moderately sensitive and least sensitive areas. The fisheries management measures which may be introduced to allow some continuation of mobile gear fishing include: a dredges per side limit on scallop fishing; a week end ban, a night time curfew; and a track record based access restriction.

5. Main Consultation Questions

5.1. Based on advice from SNH, the Scottish Government is proposing to prohibit mobile gear fishing in the most sensitive areas in Luce Bay SAC (see Annex B) to protect the features which the site has been designated and to maintain its favourable condition. Do you have any views on this proposal?

5.2. Based on advice from SNH, the Scottish Government is proposing to prohibit or possibly restrict (see 6.1- 6.5 below) mobile gear fishing in the moderately sensitive areas in Luce Bay (see Annex B) and the remainder of the site. Do you have any views on this proposal?

6. Possible Fisheries Management Measures in Luce Bay moderately sensitive areas.

6.1. Do you have any views on the implementation of a 6 scallop dredges per side limit as a fisheries management measure in Luce Bay SAC?

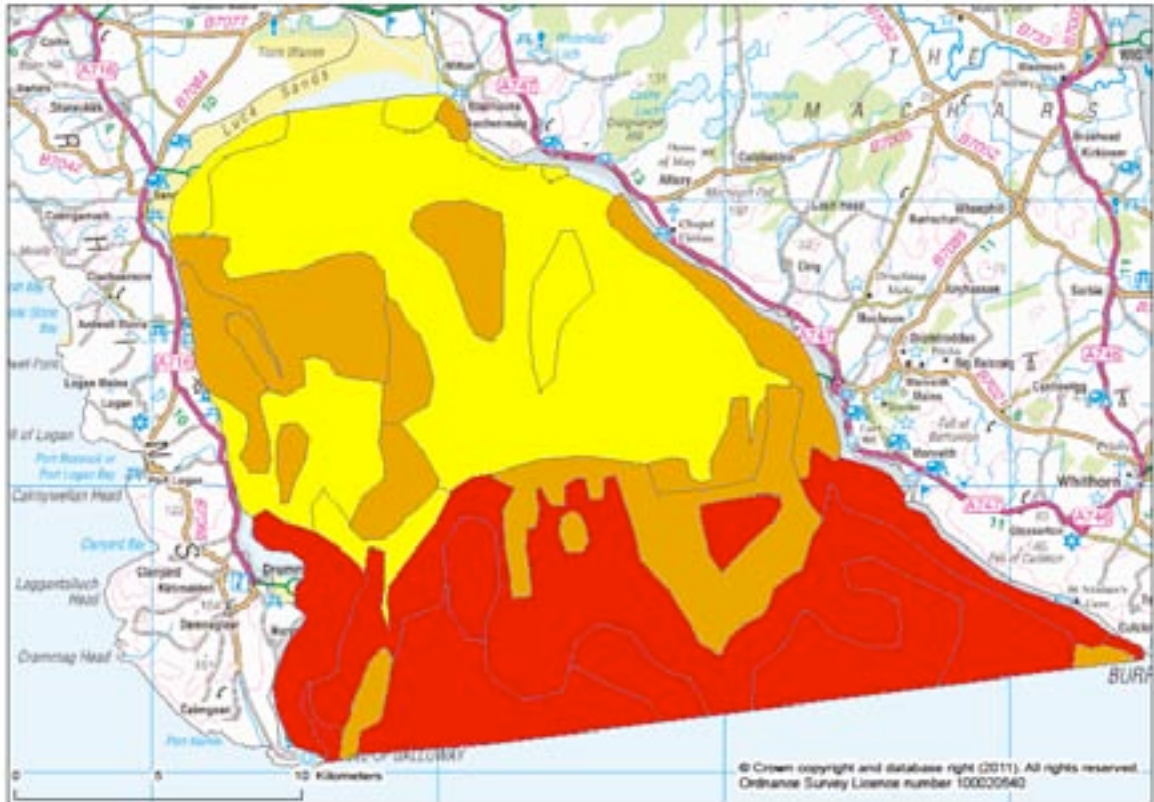
6.2. Do you have any views on the implementation of a week-end ban on mobile gear fishing as a fisheries management measure in Luce Bay SAC?

6.3. Do you have any views on a night time curfew on mobile gear fishing as a fisheries management measure in Luce Bay SAC?




6.4. Do you have any views on a track record based access restriction for mobile gear fishing in Luce Bay?

6.5. Are there any views you wish to express or points you wish to make not covered by the questions at 5.1- 5.2 and 6.1- 6.4 above?

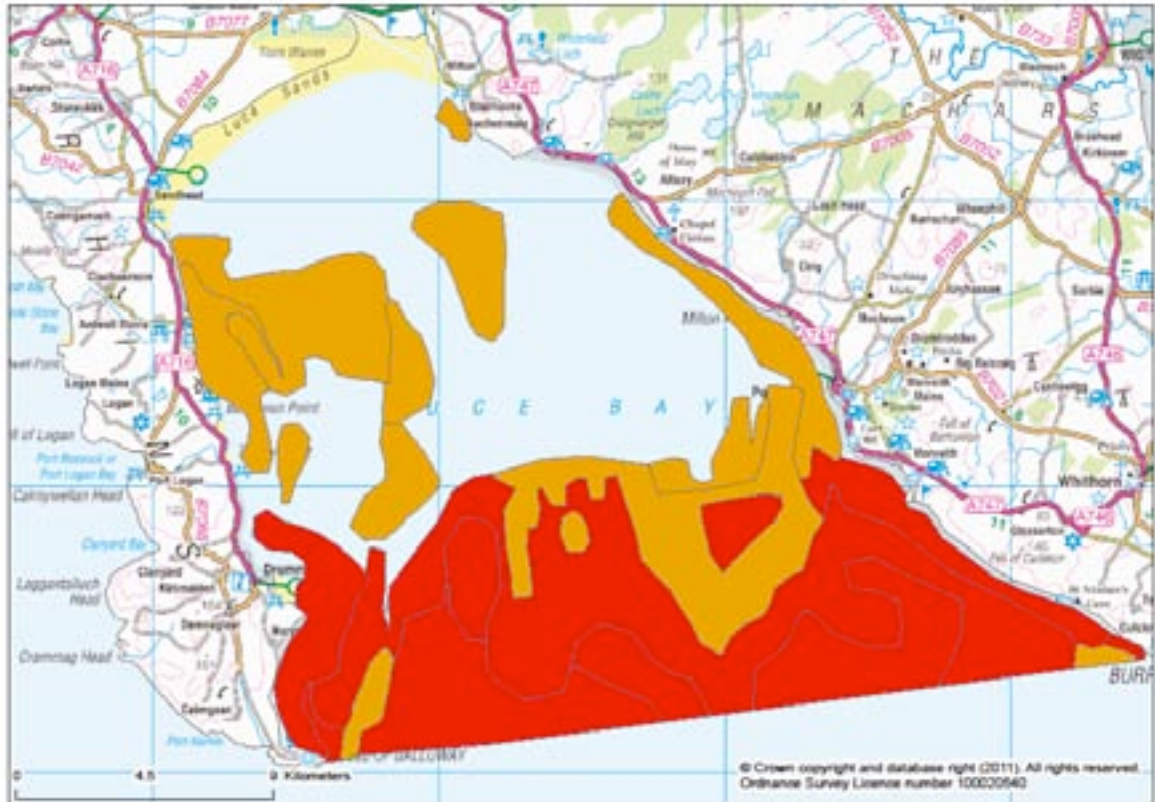
Annex A



Key:

-  Least sensitive
-  Moderately sensitive
-  Most sensitive

Annex B



Key:



Moderately sensitive



Most sensitive



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