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North Western Waters Regional Advisory Council

OPINION

**IMPACT ASSESSMENT ON THE COMMISSION REGULATION OF MARKING OF
GEAR.**

Presented to the EU Commission on the 7th of March 2006

Introduction

Our first observation is that the issue of the practicality of the legislation for static gear fishermen in terms of the construction, carrying, handling and deployment of marker buoys has not formed part of the drafting of this regulation. The practicality of this legislation, together with the cost and safety implications forms the basis of our opposition to it, and it is our opinion that these legitimate concerns render the legislation unworkable, uneconomic and totally unnecessary. We would therefore like to reiterate our concerns.

Practicality of the use of proposed marker buoys.

The proposed new complicated design of marker buoys (or dahns as they are commonly known) with lights and radar reflectors is a considerable departure from the effective and practical design that is currently used. A move to force vessels to use dahns of the proposed new design would burden fishermen with the following operational problems and dangers:

Vessel stability. The additional weight of the dahns would undoubtedly add to the already considerable total weight that static gear vessels have to carry, particularly the smaller vessels that fish outside of 12 miles. This would inevitably have repercussions for the stability of vessels and it is our understanding that due to this fact alone French fishermen will not be complying with this regulation.

The problem is potentially compounded by the fact that vessels would be required to carry heavier anchors or 'end-weights' to secure their fishing gear to the bottom, and longer buoy ropes because of the increased tidal drag and windage caused by larger dahns. Highly visible but smaller, less buoyant marker buoys and dahns are often used by vessels to ensure that when tides are strong, and in heavy seas, the drag caused by marker buoys is minimised. The enforced use of larger dahns would undoubtedly lead to the entanglement and possibly loss of static gear in strong tides and heavy seas because of increased drag

Crew safety. The deployment and recovery of static fishing gear is a hazardous process even in ideal conditions. The use of heavier and more cumbersome dahns and associated heavier anchors could potentially be more dangerous for the crew of static gear boats.

Cost. We feel that the estimated costs as set out in the draft regulatory impact assessment in the UK demonstrates a lack of understanding by Fisheries Administrations of the working practices of static gear fishing vessels and the potential financial impact of the regulations. Firstly, having asking fishing gear suppliers to cost the manufacture and supply of the components of the dahns proposed, a figure of £100 each appears to be a more realistic estimation of the unit cost. There must also be recognition of the labour involved in construction and alterations/replace of existing gear such as anchors.

We feel that the regulation considerably underestimates the number of dahns used by static gear fishermen; larger netters, for instance, regularly shoot between 10 and 20 tiers of nets when working tangle gear, so would need 20 to 40 dahns to mark a fleet of gear. Vessels would also have to carry spares because dahns are often lost to trawlers and other shipping. The potential initial cost of the additional equipment would be in the region of £2000 to £4000 per vessel. On occasions, vessels have been known to lose 10 dahns per trip to trawlers and shipping. The cost of the replacement of losses would add considerably to the running costs of vessels. These more realistic estimations are a factor of ten greater than those contained in the draft assessment in the UK.

The fact that the regulation applies only to fixed nets has also caused some confusion given that many potting vessels also work gear outside of the 12 mile limits and there is no requirement for them to comply with the regulation.

Once again we find ourselves writing with concerns about regulations that are ill conceived, ineffective and dangerous. At a time when simplification is on the European agenda this a step backwards.