

MARINE AGGREGATE EXTRACTION AND THE FISHING INDUSTRY

Operational Code of Practice

This code has been developed by the British Marine Aggregate Producers Association (BMAPA), the Marine Management Organisation (MMO) and The Crown Estate for the marine aggregate industry, in order to minimise operational conflicts between aggregate dredging vessels and fishing vessels/activity – particularly the loss or damage of fishing gear. This code defines best practice for communication between marine aggregate operators and fisheries interests both in advance of dredging operations commencing and while dredging operations are taking place.

The following procedures should be adopted by the marine aggregate industry.

In advance of dredging operations:

1. Regional Active Dredge Area (RADA) charts will be produced by BMAPA and The Crown Estate on a bi-annual basis (charts are dated 31 January and 31 July) to show where dredging is currently permitted within existing production licences. Areas where dredging is permitted is monitored by the MMO through the approved Electronic Monitoring Systems (EMS) located on each vessel. The need for working areas within production licences may be defined through existing licence conditions or through operators' voluntary management arrangements. Any changes to active dredge areas between issues of each RADA chart will be clearly highlighted.
2. Dredging operators will ensure that the limits of their active dredge areas are up to date and coincide with the EMS boundaries so they can be accurately presented through the RADA charts that are routinely issued.
3. The RADA charts will include up to date contact details for all marine aggregate operators with licensed interests in the region.
4. Laminated versions of the RADA charts will be produced by BMAPA on a bi-annual basis, and circulated to local fisheries interests (charts may be made available via the relevant MMO coastal office or direct from BMAPA). The latest RADA chart issued will also be flagged via the Marine Aggregate Kingfisher Fortnightly Bulletin service, <http://www.seafish.org/industry-support/kingfisher-information-services/kingfisher-bulletins> and will be available to be downloaded at http://www.bmapa.org/issues/other_sea_users.php
5. Where changes to active dredge areas are required (including the commencement of operations on a newly licensed production licence area), dredging operators will normally be required to provide a minimum of four weeks notice prior to commencing operations in any new working areas that are defined. Details of the proposed changes will be flagged via the Marine Aggregate Kingfisher Fortnightly Bulletin service, and operators may also be required to directly notify local fishing associations, using where necessary the assistance of the MMO and regional Inshore Fisheries and Conservation Authorities (IFCA) offices.
6. Under exceptional operational circumstances, changes to working areas may be required inside of the standard four week notice period. Should

this situation occur, operators are required to liaise directly with the MMO, regional IFCA offices and local fishing associations in order to determine any particular conflicts that could exist and any additional mitigation measures that may be required.

During dredging operations:

7. Dredging and fishing vessels to maintain listening watch on VHF Channel 16.
8. Masters of dredgers to call up on VHF Channel 16 when approaching a dredging area at a range of 10 nautical miles (approximately one hour before operations are to commence). They should provide an estimated time of arrival on the area and position of operation.
9. On hearing a dredging vessel's notification any fishing vessels in the area should respond giving their position and the gear being worked. A VHF working channel should be established between the dredger and the fishing vessel (s).
10. Once communications have been established liaison can take place to allow time for the removal of fishing gear as may be necessary. Dredging should commence clear of fishing gear until it is removed.
11. Masters of fishing vessels approaching an area where an aggregate dredging vessel is operating should call up the dredger on VHF Channel 16 to establish lines of communication.
12. The MMO, regional IFCA offices and local fishing associations can be used to establish communications depending upon the area being worked, such as in cases where direct communication between dredging vessels/operators and fishing vessels/activities is proving difficult.

During survey operations:

13. A range of survey activities may be taken by marine aggregate operators in order to investigate a new area of seabed for potential resources (prospecting) or to obtain environmental data to allow environmental impact assessment to inform a new application. Once an area has been consented, various survey activities will be required during its operation to demonstrate compliance with marine licence conditions and for the operators own resource management purposes. In all cases, it is recognised that such survey works have the potential to interact with other marine users, including fisheries interests.

14. Survey activities comprise of two principal types.

Sampling activities involve a grab or vibrocore being deployed to the seabed from a vessel at a number of sample stations across a given area. Each sample will take between 10 minutes and one hour to obtain, depending on whether the vessel is required to anchor. During the sampling activities, the vessel will display the appropriate lights/shapes for a vessel restricted in its ability to manoeuvre which may create a temporary obstruction for other marine users, including mobile fishing activity. If the vessel is not required to anchor, then the potential for the

sampling activities to interfere with static fishing gear is considered to be limited. However, if the vessel is required to anchor before undertaking the sampling works the potential for interaction with static fishing gear will be far greater.

Acoustic and geophysical surveys involve a vessel repeatedly transiting across a defined area in a grid pattern. The equipment for bathymetric surveys will typically be mounted on the hull of the vessel, so the potential for such works to interact with either mobile or static fishing activity is considered to be limited. However, survey works which require equipment to be towed behind the vessel (such as seismic, magnetometer or side scan sonar equipment) – either on the surface or submerged – clearly have far greater potential to interact with static fishing gear, although the cost of the equipment and importance of obtaining the data will mean that contractors will look to avoid this.

In both cases, the survey works are not expected to have any primacy over other activities that may be taking place.

15. Given the range of survey activity associated with marine aggregate interests that may take place throughout its lifetime, it is essential operators provide sufficient notice to other marine users, including local fisheries interests, to ensure that any potential conflicts can be minimised. Notices should include the type of works being undertaken, the geographical location, the start date and the estimated duration. Contact details for the vessel undertaking the works and the operator (or the operator's agent) should also be provided.
16. Similar to the notice required for the commencement of dredging in a new area (paragraph 5 above), a minimum of four weeks notice should be provided before any survey works begin outside of the active dredge zone(s) of licence areas. Details of the proposed works should be flagged via the Marine Aggregate Kingfisher Fortnightly Bulletin service, and operators may also choose to directly notify local fishing associations, using where necessary the assistance of the MMO and regional IFCA offices. In some cases, it may be advantageous to appoint a local fisheries liaison officer to assist with the local notifications. Should the commencement date for planned survey works change, on account of inclement weather or because of vessel availability for example, further updates should be provided.
17. The variables associated with suitable weather windows and vessel availability required to undertake offshore survey works mean there may be occasions where it is not possible to provide four weeks notice. Should this situation occur, operators are required to liaise directly with the MMO, regional IFCA offices and local fishing associations in order to determine any particular conflicts that could exist and any additional mitigation measures that may be required. In all but the most exceptional circumstances, a minimum of two weeks notice should be provided before any works commence outside active licence areas.
18. Unless there are exceptional circumstances, a minimum of five working days notice will be provided for surveys undertaken within the active dredge zone(s) of licence areas.

19. It is the responsibility of the dredging operator to ensure the risks of any conflicts with fisheries interests are minimised while survey works are being undertaken on their behalf. Operators will require survey contractors to be mindful of fishing interests and to take appropriate action to avoid or minimise interaction with fishing gear whilst surveying. Where appropriate, regular broadcasts by survey vessels, giving updates on the survey programme, will be made.
20. Where the notice of an offshore survey identifies the potential for conflict or interaction with existing fisheries interests, the operator should consider what additional mitigation measures may be possible. These may include excluding survey work in defined areas where high densities of fishing activity have been identified, only working during daylight hours to reduce the risk of interacting with static gear, appointing a fisheries liaison officer on board the survey vessel to liaise directly with fisheries interests, or delaying the commencement of works to allow time for fishing gear to be relocated. With careful advanced planning, it may be possible to arrange for temporary removal of static gear at a time that is mutually acceptable.
21. Where it has been established that specific interaction is likely to occur, throughout the survey, operators should provide regular update notices on progress with the works to local interests. Where the survey area is large, this may include defining the specific areas where works are underway over a given period of time. Any delays to the works, such as through inclement weather, should be clearly signalled along with the potential impact on the end date of the works. Where particular site specific interactions with local fisheries interests have been identified, confirmation should be provided once the survey works have ended.

British Marine Aggregate Producers Association
Gillingham House
38-44 Gillingham Street
London
SW1V 1HU

Marine Management Organisation
Lancaster House
Hampshire Court
Newcastle Business Park
Newcastle Upon Tyne
NE47YH

The Crown Estate
16 New Burlington Place
London
W1S 2HX