Date: 01 April 2020
Our ref: 302941
Your ref: SPPSE_006

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BY EMAIL ONLY

Dear Sarah,

Re: Fisheries in EMS Habitats Regulations Assessment for Red risk category. Assessment for the proposal for potential access area changes. European Marine Site: Start Point to Plymouth Sound and Eddystone SAC. Fishing activities assessed: Towed demersal and dredges.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development.

In 2012, the Department for Environment, Food and Rural Affairs (Defra) announced a revised approach to the management of commercial fisheries in European Marine Sites (EMS)[1]. The objective of this revised approach is to ensure that all existing and potential commercial fishing activities are managed in accordance with Article 6 of the Habitats Directive. The Department's strong preference is that site level assessments be carried out in a manner that is consistent with the provisions of Article 6(3) of the Habitats Directive. Appropriate management measures should be put in place to ensure that the fishing activity or activities either 1) have no likely significant effect on a site in view of its conservation objectives or b) following assessment, can be concluded to have no adverse effect on the integrity of the site.

Natural England has considered the Habitat Regulations Assessment (HRA) prepared by D&S IFCA for the proposal for potential access area changes to towed demersal gear and dredges operating within the Start Point to Plymouth Sound & Eddystone SAC. Please accept this letter as Natural England's formal (conditional) advice on that assessment.

[1] Defra revised approach: https://www.gov.uk/government/publications/revised-approach-to-the-management-of-commercial-fisheries-in-european-marine-sites-overarching-policy-and-delivery

In principle position on proposals for management change

As stated in the HRA, the key to the proposals for amending the current spatial restrictions on towed gear within the site is the ability to use iVMS and VMS to monitor the activity of demersal gear vessels operating in the area, and to have the ability to ensure compliance with the areas of reef closed to demersal gear.

In principle, Natural England agree that further areas within the site could be safely opened to towed demersal gear without significant adverse effect on the protected reef features. There would be an increased impact on areas of circalittoral coarse sediment within the site, which is not a protected feature of the SAC. However, we do have reservations about this management approach. Amending the current management of the site as proposed in the options provided will potentially complicate and may possibly compromise protection of the site, and the ability to effectively control trawling throughout the SAC. The use of iVMS will be key to the proposals.

Cornwall IFCA have implemented a similar approach to management around the Eddystone, allowing access between known feature locations within the site. However, Cornwall IFCA have, over a number of years, reported low compliance and frequent incursions by towed gear vessels into prohibited areas. This is concerning as although penalties can be applied after the incursion, this does not stop the potential damage to the protected feature that may have occurred by the time the incursion is registered.

The wider Defra policy context for this change in management should also be considered. There are current discussions within Defra to move away from a "feature-based" approach to site protection, and towards a "whole-site" approach to protection in sites of highest biodiversity value. Furthermore there is a commitment from Defra to do so within the 25 Year Environment Plan. In that potential future scenario, relatively fine-scale amendments to management of particular gears between features within such sites would no longer be appropriate.

Analysis of options presented

The HRA presents 3 potential options for changes in access for towed gear to the site.

Option 1: Open up access areas on both sides of the Prongs reef feature, based on the original reef layers provided by NE. This option would leave a narrow gap (150m wide) between the two reef buffers on the north east section of the Prongs (Annex 4, Figure 6).

Option 2: Still based on the original reef data layers, open up access only to the west of the Prongs feature (Annex 4, Figure 7).

Option 3: A larger access area proposed on the basis of the new data on reef feature distribution within the site from the towed camera work carried out by D&S IFCA, indicating that much of the Prongs area is sediment rather than reef (Annex 4, Figure 8). Based on discussions with IFCA Officers, we understand that this is the IFCA's current preferred option.

Based on the current data held by NE, we can advise that Option 2 would still ensure no adverse effect. This option uses current data, but refines the area that is open to demersal towed gear. We agree that there would be no adverse effect on the protection features of the site from this option.

Natural England advise that Option 1, whilst based on the same data, is not appropriate due to the narrow corridor of access created between 2 reef areas, and the consequent increased likelihood of accidental

incursion to the protected reef areas and potential damage to features.

Natural England advise that Option 3 would also ensure no adverse effect, provided that the new data used by the IFCA to map this option supersede the original reef data layers in quality. In order to include the new data in our feature mapping for the site we would require the data to be provided to us and to pass through our data standards QA. Final advice on this option can be supplied when the data have been transferred and QA processes completed.

Please do not hesitate to contact me if you have any questions or require further information.

Yours sincerely,

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Appendix 1: List of gear/feature interactions assessed:

D&S IFCA Interaction ID	Fishing Activity	Feature	Sub-feature(s)
HRA_UK0030373_AC	Beam trawl (whitefish)	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Beam trawl (shrimp)	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Beam trawl (pulse/wing)	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Heavy otter trawl	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Multi-rig trawls	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Light otter trawl	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Pair trawl	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Anchor seine	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Scottish/fly seine	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Scallops	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock
HRA_UK0030373_AC	Mussels, clams, oysters	Reefs	Infralittoral rock
HRA_UK0030373_Z			Circalittoral rock