Devon and Severn IFCA

Response to MMO Consultation for EIA/2021/00046

13th April 2022

Introduction and Scope of Response

The role of Devon and Severn Inshore Fisheries and Conservation Authority (D&S IFCA) is to lead, champion and manage a sustainable marine environment and inshore fisheries within its District, which covers the area from baselines out to six nautical miles in English waters as shown in Figure 1. As the proposed project is within those boundaries, and the project may generate effects which interact with D&S IFCA's core role, it is appropriate that D&S IFCA comments on the proposed project.

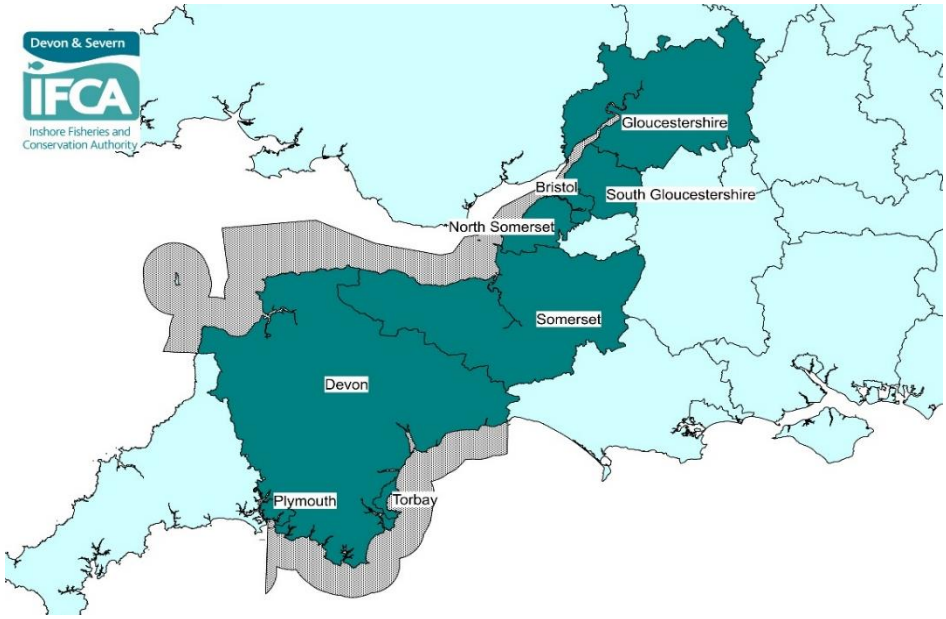

Figure 1. Map of Devon and Severn IFCA's District, showing in grey the sea area from baselines to 6nm (or the median line with Wales).

The ten regional IFCAs have a shared vision to: *"lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry."*

The powers and duties of all IFCAs are provided by the Marine and Coastal Access Act (MaCAA, 2009), in which the main legal duties are described in sections 153 and 154; IFCAs must manage the exploitation of sea fisheries resources in their District, balancing the social and economic benefits of exploiting these resources with the need to protect the marine environment, or help it recover from exploitation. IFCAs must also seek to ensure the conservation objectives of any MCZs in the District are furthered. In all consultation responses, the Authority assesses proposals in light of these duties, while also considering the adherence of proposals with policies detailed in the relevant Marine Plan, as directed under section 58(1) of the Marine and Coastal Access Act 2009.

The Marine Plans relevant to D&S IFCA's District are the South and South West Marine Plans. D&S IFCA considers whether proposed developments will have a positive, negative or negligible effect on plan policies related to the IFCA vision to "manage a sustainable marine environment and inshore fisheries". These considerations also enable D&S IFCA to provide advice in relation to the need to protect the environment, the need to protect human health and the need to prevent interference with other legitimate users of the sea.

This response outlines D&S IFCA's concerns regarding this application, in line with the context provided above.

Impacts to Marine Protected Areas

Within the proposal there is potential for impacts to features of Marine Protected Areas. D&S IFCA defers to the advice and comments of the relevant Statutory Nature Conservation Body in connection with these potential impacts, except where there may be an interaction with D&S IFCA's core remit.

Areas of concern include Invasive Non-Native Species (INNS) and assessment of potential impacts on the fish assemblage that is a sub-feature of the Severn Estuary Special Area of Conservation (SAC) "Estuaries" feature.

In the scoping document, the Applicant has stated that "*Subject to tidal conditions, the delivery barge will either be lowered onto the base barge naturally through a falling tide or alternatively ballasted down […] The delivery barge is subsequently re-floated by pumping out ballast water or waiting for the tide to rise*."

D&S IFCA is concerned that the delivery vessels may have ballast tanks with unknown INNS content. Ballasting these vessels then discharging ballast from said tanks may therefore present a risk of introducing INNS to the local marine environment. As noted by the Applicant, "*Introduction of INNS into any environment has the potential to result in changes to ecosystems, including effects on the wider food chain."*

The Applicant has stated that "*a Ballast Water Management Plan (BWMP) will be prepared for the Proposed Scheme, and this will accompany the Marine Licence application. A Ballast Water Record Book will be established for the base barge*" and that "*Through implementation of Environmental Management Plans (EMP) and best practice, the risk of introducing INNS will be reduced.*". The Applicant has also stated that "*The risk of INNS introduction by vessels associated with works at the Site (i.e. transported by vessels bringing in deliveries, or through release of ballast water) is also unlikely to be significant, through adherence to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, adopted in 2004. As a result of this it is considered unlikely that INNS will be introduced, and this potential effect is considered highly unlikely to be significant*." D&S IFCA considers that it would be prudent to for the Applicant to include the potential for introduction of INNS within an HRA for this project that covers the relevant Marine Protected Areas as outlined in the Scoping Report.

The HRA should also consider other potential impacts to marine ecology receptors. In section 5.1.12 of the Scoping Report, the Applicant has stated "*In addition to protected fish species, a range of other species are commonly found in the area as identified by fish monitoring completed in association with the Hinkley Point nuclear power stations. These species include sprat, whiting, sand goby, poor cod, Dover sole, pout, common sea snail, sea bass, flounder and dab.*" It should be noted that these species form part of the broader fish assemblage (of over 100 species) that is designated as a sub-feature of the "Estuaries" feature of the SAC (in addition to falling under criterion 8 of the Severn Estuary Ramsar site).

Within the proposal there are aspects which may have an impact on the ability of diadromous fish to undertake their normal migratory movements. We defer to the advice and comments of the relevant authority, who D&S IFCA understands to be the Environment Agency in connection with these potential impacts.

In relation to the potential impacts on marine protected areas, the Applicant should have regard to policies SW-MPA-1, SW-BIO-1, SW-BIO-2, SW-INNS-1.

Other Considerations

Can the Applicant confirm that appropriate technology and procedures are available and in place to ensure that the base barge can be re-floated as described, and that these technologies and procedures will not be compromised by extended submersion of the base barge? If this cannot be confirmed then there is a possibility that alternative re-floating methods would be required that may be more disruptive to the sediments and marine ecology than is suggested in the Scoping Report.

On a related note, in section 5.1.16 of the Scoping report, the Applicant highlights that "*Under current operations at Combwich Wharf, there is the need for periodic clearance of the berth bed to remove built-up material (primarily silt from the River Parrett)*". Can it be confirmed that the re-floating of the base barge will not be hindered by this build up of sediments, and that the proposed method for re-floating is resilient to such effects?