Devon and Severn IFCA

Response to SC2204 Scoping Opinion Request

19th December 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 or adjacent to 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.

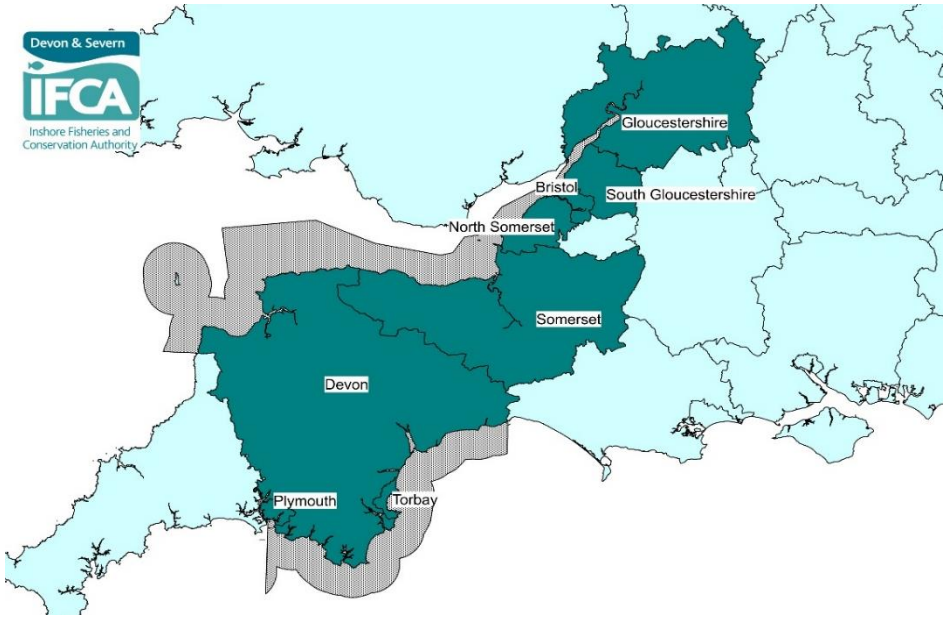

Figure 1. Map of Devon and Severn IFCA's District, showing in grey the sea area from baselines to 6nm (or the median line with Wales).

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.

In particular, Devon and Severn Inshore Fisheries and Conservation Authority (D&SIFCA) has concerns on the potential impacts to the following features of marine protected areas:

- Annex I habitats, specifically H1110 within the Severn Estuary Special Area of Conservation (SAC)
- Marine fish assemblage (sub-feature of Estuaries feature) of the Severn Estuary SAC

Annex I Habitats

D&S IFCA is concerned about the lack of consideration apparently given to the Annex I habitats (particularly H1110). The objectives for feature H1110 include the maintenance of the variety and distribution of sediment types across the feature, and the maintenance of the gross morphology of the feature (including its depth and profile). By the nature of the aggregate extraction process, these objectives will be directly impacted. When site integrity and functionality are considered, alongside the protection of the overarching 'estuary' feature it is also clear that this site should be given the same protection as the rest of the EMS.

Marine Fish Assemblage

The data highlighted by the Applicant to understand the marine fish assemblage, and its use of the proposed/ current sites, are lacking. This includes EA TRaC data, which is based on limited sampling by specific netting types at locations far removed from the dredging sites. The sampling at these sites was also conducted on a single catch sample basis. Therefore, such sampling cannot adequately characterise the assemblage in the dredging area or its specific uses of the area. For example, the applicant has rightly highlighted that herring may spawn in the area and that this needs to be considered. However, the available data cannot show whether or to what extent herring may use the sites that are proposed for further dredging (due to the location, timing and type of sampling which by its nature cannot determine spawning habitat use in the specific area). The applicant has been working in the area for some years now, which could have provided opportunity to investigate spawning and nursery functions of the area. D&S IFCA would recommend further investigation of the use of the site as a spawning ground. Previous surveys for spawning grounds have not investigated this far into the Bristol Channel or Severn Estuary, so it would be inappropriate to rely on such data (e.g. spawning ground assessments by Ellis *et al.,* 2012). Similarly, juvenile cod (known locally as codling) are abundant in the estuary in the winter months and are thought to belong to a Bristol Channel/ Eastern Celtic Sea stock. This is not captured in the Ellis *et al.* (2012) report, probably because the underlying sampling does not take place in winter months when cod are abundant in the Severn Estuary.

Similarly, some fish surveys were carried out at North Middle Grounds in 1999–2000 which is problematic in terms of (a) the sampling frequency, (b) the age and contemporary relevance of the data, and (c) the lack of consideration of the potential effects of climate change on species' distributions and abundances. Updated investigations are therefore required. Additionally, because many of the fish species will move in and out of the estuary, seasonally, in relation to food supply and according to tides, many more fish may transition through the dredged areas than use it habitually or for a specific function. Further sampling should account for such temporal variation.

Genetic data (Davies *et al.*, 2020) highlight that there are likely to be localised genetically discrete populations of herring in the Severn, which are distinct from nearby populations. It is therefore possible that disturbance of the spawning grounds of these populations could result in localised depletion that cannot be compensated by an influx from other populations. This warrants further investigation, including of substrate suitability for spawning and use by herring.

References

Davies, C. E., Gwilliam, M., Albini, D., Allen, C., Blow, G., Furness, E., Franconi, N., *et al.* 2020. Milford Haven Herring. Full report; 2020 sampling and morphological data. Final Technical Report of the SEACAMS2 project (SC2-R&D-S27) with Port of Milford Haven. Swansea University.

Ellis, J.R., Milligan, S.P., Readdy, L., Taylor, N., and Brown, M.J. (2012) Spawning and Nursery Grounds of Selected Fish Species in UK Waters. Sci. Ser. Tech. Rep., Cefas Lowestoft, 147: 56p.