



Devon and Severn IFCA
Response to MMO Consultation for
MLA/2022/00017

12th 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.

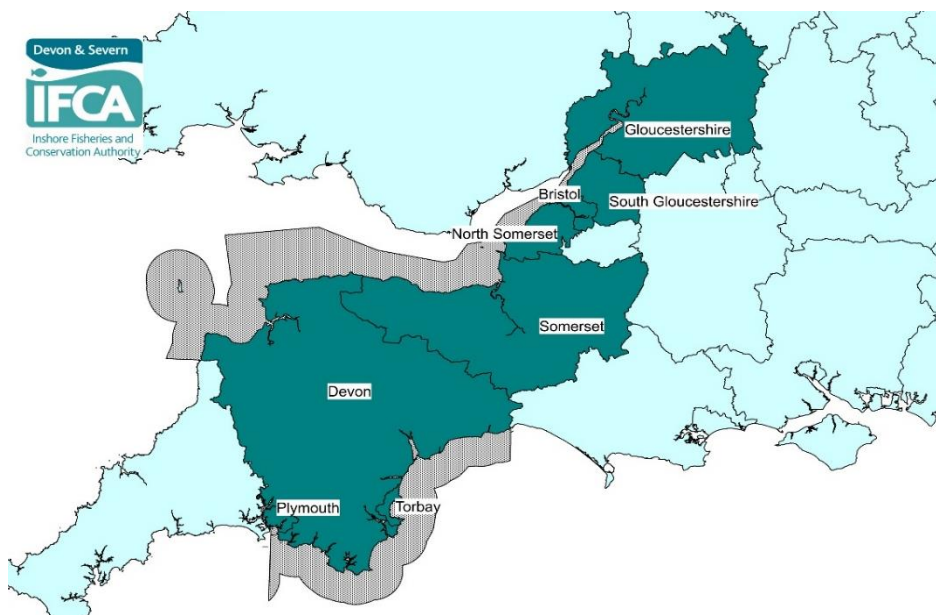


Figure 1. Map of Devon and Severn IFCA's District, showing in grey the sea area from baselines to 6nm (or the median line with Wales).

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.

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:

- Allis Shad within the Plymouth Sound and Estuaries Special Area of Conservation (SAC)
- Smelt within the Tamar Estuary Sites Marine Conservation Zone (MCZ)

The Habitats Regulation Assessment (summarised in section 4.1.1 of the Environment Report) states that the sediment plume arising from the capital dredging activity is minimal and limited to within the vicinity of the area that is being dredged; however, no modelling evidence has been provided to support this. Additionally, the conclusion that there is no Adverse Impact on Site Integrity refers to evidence within a Royal HaskoningDHV report (2017) that is not publicly available to verify.

Similarly, the Marine Conservation Zone Assessment (summarised in section 4.1.2 of the Environment Report) also states that the sediment plume arising from the capital dredging activity is minimal and limited to within the vicinity of the area that is being dredged; however, no modelling evidence has been provided to support this. Furthermore, the conclusion that there is no significant risk from the planned activities to the conservation objectives stated for the MCZ refers to evidence within the Royal HaskoningDHV report (2017) that is not publicly available to verify.

Shad and Smelt are sensitive to changes in suspended solids (Natural England, 2022), therefore D&SIFCA is concerned about the impact that capital dredging will have on water clarity.

On page 34 of the Applicant's Habitats Regulation Assessment, the applicant has stated "The main spawning location is on the Tamar just south of Gunnislake Weir. The targets for the relevant attributes of this feature (Table 5.1) have been set at 'restore' due to the potential impact of Gunnislake Weir on population size (NE, 2021e). It is therefore considered that the restore target does not relate to dredging activities." D&SIFCA would question this interpretation of the applicability of the target to the dredging activities, but defers to Natural England's position on this matter.

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.

References

Natural England. 2022. Advice on Operations for Plymouth Sound and Estuaries SAC <https://designatedsites.naturalengland.org.uk/> (Accessed 12 April 2022).