

Date: 16/08/2018  
Our ref: 250274  
Your ref: Devon and Severn IFCA – HRA Plymouth Sound and  
Estuaries EMS Crab-tiling



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## BY EMAIL ONLY

Dear Sarah,

Re: Fisheries in EMS Habitats Regulations Assessment for Amber Activities: Assessment for European Marine Site: Plymouth Sound and Estuaries SAC UK0013111 and Tamar Estuaries Complex SPA UK9010141

Fishing Activities: Crab tiling

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 \(EMS\)](https://www.gov.uk/government/publications/revised-approach-to-the-management-of-commercial-fisheries-in-european-marine-sites-ems).<sup>1</sup> 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. This document states that for 'amber/green' risk activities a site level assessment will be required to assess whether management of an activity is required to conserve site features. 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 Assessments (HRAs) prepared by D&S IFCA for the purposes of making an assessment consistent with the provisions of Article 6(3). Please accept this letter as Natural England's formal advice on the assessments including the conclusions reached in the assessments. Assessment has been made of the effects of crab tiling on Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA - European Marine Site (EMS) qualifying features (**Appendix 2: gear feature interactions**).

Natural England does have a minor comment relating to the Tamar Estuaries Complex SPA HRA, but this does not alter our views on the validity of the conclusions drawn (**Appendix 1: Minor comment on HRA**).

We are content that the best available and most up to date evidence has been used to carry out the HRAs by D&S IFCA officers, to determine whether management of an activity is required to conserve site features, and thus to ensure the protection of the features, from direct and indirect impacts from the collection of marine fisheries resources.


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(1) <sup>1</sup> 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>

**It is Natural England's view that through the four HRAs, D&S IFCA officers appear to have appropriately identified those activities that are not likely to have a significant effect in view of the site's conservation objectives and whether management measures are required in order to ensure that the assessed fishing activity or activities will have no adverse effect on the integrity of the EMS.**

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ruth Porter', written in a cursive style.

Ruth Porter

Marine Lead  
Adviser Natural  
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Appendix 1 – Minor comments on HRA in relation to the Tamar Estuaries Complex SPA feature - Avocet

The most recent low tide count on the BTO website for the avocet on the Tamar Estuaries Complex SPA was in 2002/2003 around 15 years ago. There is an issue around the synchronisation of WeBS core counts for this site related to the county border and complexity of the site. This means that establishing an accurate population figure for the Tamar has been difficult for a number of years. Without accurate counts for the avocet it is hard to establish if the species population is increasing, stable or declining. A paper was written in 2011 that nicely explains the issues (Reay and Kent 2011). Should more accurate population counts become available in the future we advise a reassessment may be necessary at that time.

## Appendix 2: List of gear feature interaction for which TLSE have been undertaken

### Plymouth Sound and Estuaries SAC

| D&S IFCA Interaction ID | Fishing Activity | Sub-feature(s)               |
|-------------------------|------------------|------------------------------|
| HRA_UK0013111_K39       | Crab tiling      | Intertidal mud               |
| HRA_UK0013111_L39       |                  | Intertidal sand & muddy sand |
| HRA_UK0013111_P39       |                  | Intertidal mixed sediment    |
| HRA_UK0013111_AR39      |                  | Intertidal coarse sediment   |

| D&S IFCA Interaction ID | Fishing Activity | Sub-feature(s)                   |
|-------------------------|------------------|----------------------------------|
| HRA_UK0013111_AE39      | Crab tiling      | Lower-mid saltmarsh              |
|                         |                  | Mid-upper saltmarsh              |
|                         |                  | Pioneer saltmarsh                |
|                         |                  | Transition & driftline saltmarsh |
|                         |                  | Upper saltmarsh                  |
|                         |                  | Atlantic salt meadows            |
| HRA_UK0013111_D39       |                  | Intertidal seagrass beds         |
| HRA_UK0013111_W39       |                  | Intertidal rock                  |

### Tamar Estuaries Complex SPA

| D&S IFCA Interaction ID | Fishing Activity | Sub-feature(s)               |
|-------------------------|------------------|------------------------------|
| HRA_UK9010141_AO39      | Crab tiling      | Avocet                       |
| HRA_UK9010141_AO39      |                  | Little egret                 |
| HRA_UK9010141_K39       |                  | Intertidal mud               |
| HRA_UK9010141_P39       |                  | Intertidal mixed sediments   |
| HRA_UK9010141_L39       |                  | Intertidal sand & muddy sand |

### Tamar Estuaries Complex SPA

| D&S IFCA           | Fishing Activity | Sub-feature(s)                     |
|--------------------|------------------|------------------------------------|
| HRA_UK9010141_AE39 | Crab tiling      | Saltmarsh spp.                     |
| HRA_UK9010141_AF39 |                  | Annual vegetation of driftlines    |
| HRA_UK9010141_AG39 |                  | Coastal reedbeds                   |
| HRA_UK9010141_AU39 |                  | Freshwater & coastal grazing marsh |
| HRA_UK9010141_D39  |                  | Intertidal seagrass beds           |

## Reference list

Reay, P and Kent, P (2011) Tamar Avocets – how many now? Devon Birds Volume 64 No.1 April 2011