

Date: 6/09/16  
Our ref: 189111; 189112; 189912 & 194070  
Your ref: D&S IFCA Interaction IDs (Appendix 2)



Sarah Clark  
Devon and Severn Inshore Fisheries and Conservation Authority  
Brixham Laboratory  
Freshwater Quarry  
Brixham  
Devon, TQ5 8BA

Andrew Knights  
Senior Marine Adviser  
Natural England  
Level 10  
Renslade House  
Bonhay Road  
Exeter, EX4 3AW

Tel. 02080 267363

## BY EMAIL ONLY

Dear Sarah,

**Re: Fisheries in EMS Habitats Regulations Assessment for Amber Activities: Assessment for European Marine Site: Plymouth Sound & Estuaries UK0013111**

### **Fishing Activities: Formal Notice – Multiple activities (appendix 2) v Allis shad**

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-overarching-policy-and-delivery).<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 those assessments including the conclusions reached in those assessments. Assessments have been made of the effects of fishing activities on Plymouth Sound and Estuaries European Marine Site (EMS) qualifying features (**Appendix 2: gear feature interactions**).

Natural England does have some minor comments relating to the content of the HRAs, but this does not alter our views on the validity of the conclusions drawn (**Appendix 1: Minor comments on HRAs**).

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 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 'Andrew Knights', written in a cursive style.

Andrew Knights

Senior Marine Adviser  
Natural England

Tel. 02080 267363

## **Appendix 1 – Minor comments on HRAs**

1. We advise that effort levels of netting within the site are monitored into the future as we feel this potentially poses the biggest risk of shad bycatch. If netting levels increase above the low level currently suggested within the HRA, we feel that this should trigger a reassessment. Our understanding is that your proposed netting permit bylaw will provide a suitable mechanism for you to adequately monitor the effort levels occurring within the site.
2. There is some uncertainty around the level of shad bycatch. Although it is thought to be very low, this is based in part on a lack of reports that it is occurring. We suggest there would be real benefit in introducing a shad bycatch reporting scheme in the site. This would allow bycatch to be better understood and should any future management be required, specifically targeted to the activities / locations / seasons where bycatch is occurring.

**Appendix 2: List of gear feature interactions for which TLSE have been undertaken**

<b>D&amp;S IFCA Interaction ID</b>	<b>Fishing Activity</b>	<b>Sub-feature(s)</b>
HRA_UK0013111_AJ24	Gill nets	Allis shad
HRA_UK0013111_AJ25	Trammels	Allis shad
HRA_UK0013111_AJ26	Entangling	Allis shad
HRA_UK0013111_AJ27	Drift nets (pelagic)	Allis shad
HRA_UK0013111_AJ28	Drift nets (demersal)	Allis shad
HRA_UK0013111_AJ29	Longlines (demersal)	Allis shad
HRA_UK0013111_AJ30	Longlines (pelagic)	Allis shad
HRA_UK0013111_AJ31	Handlines/ rod & gurdy	Allis shad
HRA_UK0013111_AJ32	Jigging and trolling	Allis shad
HRA_UK0013111_AJ33	Purse Seine	Allis shad
HRA_UK0013111_AJ34	Beach Seine/ring nets	Allis shad