

Date: 22/08/2016
Our ref: 191370
Your ref: D&S IFCA Interaction IDs (Appendix 2)



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Tel. 02080267589

BY EMAIL ONLY

Dear Sarah,

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

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).¹ 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 conclusion reached in the assessments.

An assessment has been made of the effects of gillnets, trammels, entangling and drift nets (demersal) on the Plymouth Sound and Estuaries EMS qualifying features (**Appendix 2**: gear feature interactions). Natural England does have a minor comment relating to the content of the two HRAs, but this does not alter our views on the validity of the conclusions drawn (**Appendix 1**: Minor comment 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.

(1) ¹ 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 their 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 blue ink, appearing to read 'V. Roberts', with a stylized flourish at the end.

Viv Roberts

Marine Adviser
Natural England

Tel. 02080267589

Appendix 1 – Minor comment on HRAs

Section 4: Information about the fishing activities within the site

Given your assessment of low-levels of static gillnets, trammels and entangling nets within the estuary and medium levels of drift netting, we agree with the assessment that the current level of activity is unlikely to have a significant effect on the features. However, we have noted there is some uncertainty around effort levels, as identified through your pre-consultation on the review of netting byelaws throughout the District - “early indications are that several fishers may be netting within the Sound”. NE would therefore recommend that the monitoring of netting effort within the site is improved and suggest this could be introduced through your netting byelaw currently under consultation.

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

D&S IFCA Interaction ID	Fishing Activity	Sub-feature(s)
HRA_UK0013111_K24	Gill nets	Intertidal mud
HRA_UK0013111_L24		Intertidal sand & muddy sand
HRA_UK0013111_P24		Intertidal mixed sediments
HRA_UK0013111_AR24		Intertidal coarse sediment
HRA_UK0013111_W24		Intertidal rock
HRA_UK0013111_K25	Trammels	Intertidal mud
HRA_UK0013111_L25		Intertidal sand & muddy sand
HRA_UK0013111_P25		Intertidal mixed sediments
HRA_UK0013111_AR25		Intertidal coarse sediment
HRA_UK0013111_W25		Intertidal rock
HRA_UK0013111_K26	Entangling	Intertidal mud
HRA_UK0013111_L26		Intertidal sand & muddy sand
HRA_UK0013111_P25		Intertidal mixed sediments
HRA_UK0013111_AR25		Intertidal coarse sediment
HRA_UK0013111_W26		Intertidal rock
HRA_UK0013111_K28	Drift nets (demersal)	Intertidal mud
HRA_UK0013111_L28		Intertidal sand & muddy sand
HRA_UK0013111_P28		Intertidal mixed sediments
HRA_UK0013111_AR28		Intertidal coarse sediment
HRA_UK0013111_W28		Intertidal rock
HRA_UK0013111_Q24	Gill nets	Subtidal mixed sediments
HRA_UK0013111_AS24		Subtidal coarse sediment
HRA_UK0013111_J24		Subtidal mud
HRA_UK0013111_B24		Subtidal sand
HRA_UK0013111_Q25	Trammels	Subtidal mixed sediments
HRA_UK0013111_AS25		Subtidal coarse sediment
HRA_UK0013111_J25		Subtidal mud
HRA_UK0013111_B25		Subtidal sand
HRA_UK0013111_Q26	Entangling	Subtidal mixed sediments
HRA_UK0013111_AS26		Subtidal coarse sediment
HRA_UK0013111_J26		Subtidal mud
HRA_UK0013111_B26		Subtidal sand
HRA_UK0013111_Q28	Drift nets (demersal)	Subtidal mixed sediments
HRA_UK0013111_AS28		Subtidal coarse sediment
HRA_UK0013111_J28		Subtidal mud
HRA_UK0013111_B28		Subtidal sand