

Date: 18/07/2016
Our ref: 189126
Your ref: D&S IFCA Interaction IDs (Appendix 1)



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BY EMAIL ONLY

Dear Sarah,

**Re: Fisheries in EMS Habitats Regulations Assessment for Amber Activities: Assessments for European Marine Site: Plymouth Sound & Estuaries UK0013111
Fishing Activities: Formal Notice – Fyke & Stakenets**

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 \(EMS\)](#).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 five 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 the assessments. Assessments have been made of the effects of Fyke and Stakenets on the Plymouth Sound and Estuaries European Marine Site (EMS) qualifying features (see **Appendix 1: gear-feature interactions**).

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 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 five 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 'V. Roberts', with a stylized flourish at the end.

Viv Roberts

Marine Adviser
Natural England

Tel. 02080267589

Appendix 1: List of gear feature interaction for which TLSE have been undertaken

D&S IFCA Interaction ID	Fishing Activity	Feature(s)	Sub-feature(s)
HRA_UK0013111_W36	Fyke & stakenets	Large shallow inlets & bays	Intertidal boulder & cobble reef
HRA_UK0013111_Z36		Large shallow inlets & bays	Subtidal boulder & cobble reef
HRA_UK0013111_H36		Estuaries	Estuarine rock (boulder, cobble & bedrock)
HRA_UK0013111_AC36		Large shallow inlets & bays	Kelp forest communities
HRA_UK0013111_K36	Fyke & stakenets	Estuaries	Intertidal mud
HRA_UK0013111_L36		Estuaries	Intertidal mud & sand
HRA_UK0013111_D36	Fyke & stakenets	Subtidal sandbanks	Seagrass
HRA_UK0013111_AJ36	Fyke & stakenets	Allis shad	
HRA_UK0013111_Q36	Fyke & stakenets	Large shallow inlets & bays	Subtidal mixed sediments
HRA_UK0013111_B36		Large shallow inlets & bays	Subtidal gravel & sand
HRA_UK0013111_J36		Large shallow inlets & bays	Subtidal mud
HRA_UK0013111_Q36		Estuaries	Subtidal mixed sediments
HRA_UK0013111_B36		Estuaries	Subtidal gravel & sand
HRA_UK0013111_C36		Estuaries	Subtidal muddy sand
HRA_UK0013111_J36		Estuaries	Subtidal mud
HRA_UK0013111_B36		Subtidal sandbanks	Subtidal gravel & sand
HRA_UK0013111_C36		Subtidal sandbanks	Subtidal muddy sand
HRA_UK0013111_C36		Subtidal sandbanks	Subtidal muddy sand