

Marine Conservation Zone Assessment

Site name: Otter Estuary MCZ
UKMCZ0065

Protected feature(s):
Intertidal coarse sediment
Intertidal mud

Fishing activities assessed at this site:

Stage 1 Assessment

Static fixed nets: Gill nets, trammels, entangling

Passive nets: Drift nets (demersal)

Lines: Longlines (demersal)

Other: Shrimp push nets, fyke & stakenets, ring nets



D&S IFCA Reference
OTT-MCZ-004

Contents

1. Introduction	3
2. MCZ site name(s), and location	3
3. Feature(s) / habitat(s) of conservation importance (FOCI/HOCI) and conservation objectives.	3
4. Gear/feature interaction in the MCZ categorised as 'red' risk and overview of management measure	3
5. Activities under consideration	4
6. Is there a risk that activities are hindering the conservation objectives of the MCZ?	4
7. Can D&S IFCA exercise its functions to further the conservation objectives of the site?	4
8. Referenced supporting information to inform assessment	4
9. In-combination assessment	4
10. NE consultation response	5
11. Conclusion	5
12. Summary table	5
13. References	9
Annex 1: Site Map(s)	10

Version control history			
Author/ Reviewer	Date	Comment	Version
Sarah Curtin	October 2021	Draft assessment	0.1
Sarah Clark	January 2023	Final review	1.0
Sarah Curtin	October 2023	New version to include static nets on front page and make NE aware of minor change. Reviewed by J Stewart November 2023	1.1

1. Introduction

This assessment has been undertaken by Devon & Severn Inshore Fisheries and Conservation Authority (D&S IFCA) in order to document and determine whether management measures are required to achieve the conservation objectives of marine conservation zones (MCZs). The IFCA's responsibilities in relation to management of MCZs are laid out in Sections 124 to 126, & 154 to 157 of the Marine and Coastal Access Act 2009.

2. MCZ site name(s), and location

The Otter Estuary MCZ is a small inshore site covering an area of approximately 0.11km². The estuary is located on the south coast of Devon near the town Budleigh Salterton. The site extends from the mouth of the river up to the aqueduct near East Budleigh.

Although the Otter Estuary is small, it is an important ecosystem supporting a range of habitats and wildlife. It is an essential link from the sea to the River Otter where it acts as a migratory route for European eel, Atlantic salmon, Sea trout and Shad. The mouth of the estuary is dominated by a shingle bank of intertidal coarse sediment extending from the west coast of the river. The sheltered areas behind the bank consist of highly productive intertidal mudflats and saltmarshes.

The Otter Estuary is one of the most extensive saltmarsh networks in Devon, providing important foraging grounds for wading birds and wildfowl and a sheltered refuge from high tide. Several species of specialised salt and flood-tolerant flowering plants can be found within the saltmarshes as well as an abundance of worms, crustaceans, and tiny snails.

The intertidal muds are a highly productive habitat and support a diverse range of species including ragworms, mudshrimps and the commercially important cockle. At low tide these areas form vital feeding grounds for wading and migratory birds, while at high tide flatfish and others migrate to these areas to forage for food (Defra, 2019).

Further information regarding the MCZ and its protected features can be found in the Otter Estuary MCZ Factsheet.

3. Feature(s) / habitat(s) of conservation importance (FOCI/HOCI) and conservation objectives

Table 1 - Protected features relevant to this assessment

Feature	General management approach
Intertidal coarse sediment	Maintain in favourable condition
Intertidal mud	Maintain in favourable condition

The conservation objectives for these features are that they remain in favourable condition.

4. Gear/feature interaction in the MCZ categorised as 'red' risk and overview of management measure

None - There are no gear/feature interactions in the MCZ that are categorised as 'red' risk.

5. Activities under consideration

- Static fixed nets: Gill nets, trammels and entangling
- Passive nets: Drift nets (demersal)
- Other: Shrimp push nets, fyke & stakenets, ring nets.

Seine nets are considered in a separate assessment (OTT-MCZ-005).

See Curtin (2021) for more information regarding fishing activities occurring in the Otter Estuary MCZ.

6. Is there a risk that activities are hindering the conservation objectives of the MCZ?

No,
Evidence:

These activities fall under the D&S IFCA Netting Permit Byelaw and are currently not permitted to take place within the Otter Estuary MCZ. In the estuary landward of the coordinates set out in set out in Annex 1; Figure 3, a permit holder or named representative is not authorised to use any net other than a seine net in accordance with paragraph 3.2 of the Netting Permit Conditions. Seine nets are considered in a separate assessment.

7. Can D&S IFCA exercise its functions to further the conservation objectives of the site?

Yes,
Evidence: Monitoring and Control Arrangements

- Enforcement of current byelaws
- Monitoring and review of current byelaws
- Monitoring of fishing activity in the Estuary
- Changes can be made to the permit conditions, via consultation, if the D&S IFCA deems it to be necessary. This could include limitations or spatial/temporal restrictions. The permitting system allows for adaptive management.

8. Referenced supporting information to inform assessment

N/A

9. In-combination assessment

Table 2 - Relevant activities occurring in or close to the site

Plans and Projects		
Activity	Description	Potential Pressure(s)
No other plans or projects known to be occurring within Otter Estuary MCZ	The impact of future plans or projects will require assessment in their own right, including accounting for any in-combination effects, alongside existing activities.	N/A

Other activities being considered		
Activity	Description	Potential Pressure(s)
Crab tiling	There is no evidence that this activity is occurring. Additionally, as the activities assessed (section 5) are not occurring, it is thought there is no in-combination effect	Abrasion/disturbance of the substrate on the surface of the seabed
Bait digging	There is no evidence that this activity is occurring. Additionally, as the activities assessed (section 5) are not occurring, it is thought there is no in-combination effect	Removal of non-target species Removal of target species
Hand working (access from land/access from vessel)	There is no evidence that this activity is occurring. Additionally, as the activities assessed (section 5) are not occurring, it is thought there is no in-combination effect	Changes in suspended solids (water clarity)
Static – pots/traps: Pots/creels, cuttlepots, fish traps	As there is little to no level of this activity in the Otter Estuary MCZ, no in-combination effect thought to be possible. Additionally, as the activities assessed (section 5) are not occurring, it is thought there is no in-combination effect.	Penetration and/or disturbance of the substratum below the surface of the seabed, including abrasion
Lines: Longlines (demersal)	As there is little to no level of this activity in the Otter Estuary MCZ, no in-combination effect thought to be possible. Additionally, as the activities assessed (section 5) are not occurring, it is thought there is no in-combination effect.	Smothering and siltation rate changes (Light) Genetic modification & translocation of indigenous species
Beach seine netting	There is no evidence that this activity is currently occurring. Additionally, as the activities assessed (section 5) are not occurring, it is thought there is no in-combination effect.	Introduction of microbial pathogens
Aquaculture	There is no evidence that this activity is occurring. Additionally, as the activities assessed (section 5) are not occurring, it is thought there is no in-combination effect	Introduction or spread of invasive non indigenous species

D&S IFCA concludes there is no likelihood of significant adverse effect on the interest features from in-combination effects addressed within Table 2 **Error! Reference source not found.**

10. NE consultation response

Natural England provided their formal advice on version 1.0 of this assessment on 17th March 2023 (see Annex 2). The text of version 1.0 included an assessment of static net activity, but this was not reflected in the list of fishing activities on the front page. This assessment (version 1.1) has rectified this, and also accounts for the formalisation of the Conservation Advice Package for the site.

11. Conclusion

The activities assessed fall under the D&S IFCA Netting Permit Byelaw and are currently not permitted to take place within the Otter Estuary MCZ. Therefore, D&S IFCA concludes that there is no significant risk of the activities hindering the achievement of the conservation objectives for Otter Estuary MCZ.

12. Summary table

Feature or habitat of Conservation interest	Conservation objectives/ Target Attributes (Natural England, 2023)	Activity	Potential pressures from activity and sensitivity of habitats to pressures. (Natural England, 2023)	Potential exposure to pressures and mechanism of impact significance	Is there a risk that the activity could hinder the achievement of conservation objectives of the site?	Can D&S IFCA exercise its functions to further the conservation objectives of the site? If Yes, list management options
Intertidal coarse sediment	<p>Maintain the presence and spatial distribution of intertidal coarse sediment communities</p> <p>Maintain the total extent and spatial distribution of intertidal coarse sediment</p> <p>[Maintain OR Recover OR Restore] the abundance of listed species to enable each of them to be a viable component of the habitat</p> <p>Maintain the species</p>	<p>Commercial fishing;</p> <p>Static fixed nets: Gill nets Trammels Entangling</p> <p>Passive nets: Drift nets (demersal)</p> <p>Other: Shrimp push nets Fyke & stakenets, ring nets</p>	<ul style="list-style-type: none"> • Abrasion/disturbance of the substrate on the surface of the seabed • Removal of non-target species 	<p>No exposure</p> <p>Activities not permitted to take place within the Otter Estuary MCZ as this activity falls under the D&S IFCA Netting Permit Byelaw</p>	<p>Activities not believed to be occurring</p> <p>D&S IFCA conclude that there is no significant risk of the activities hindering the achievement of the conservation objectives.</p>	<p>Yes,</p> <p>Management measures could include:</p> <ul style="list-style-type: none"> • Enforcement of current byelaws • Monitoring and review of current byelaws • Monitoring of fishing activity in the Estuary • Changes can be made to the permit conditions, via consultation, if the D&S IFCA deems it to be necessary. This could include limitations or spatial/temporal restrictions. The permitting system allows for adaptive management.

	composition of component communities					
Intertidal mud	<p>Maintain the presence and spatial distribution of intertidal mud communities</p> <p>Maintain the total extent and spatial distribution of intertidal mud</p> <p>[Maintain OR Recover OR Restore] the abundance of listed species to enable each of them to be a viable component of the habitat</p> <p>Maintain the species composition of</p>	<p>Commercial fishing;</p> <p>Static fixed nets: Gill nets Trammels Entangling</p> <p>Passive nets: Drift nets (demersal)</p> <p>Other: Shrimp push nets Fyke & stakenets, ring nets</p>	<ul style="list-style-type: none"> •Abrasion/disturbance of the substrate on the surface of the seabed •Removal of non-target species 	See above	See above	See above

	component communities					
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13. References

Curtin, S. (2021) Otter Estuary MCZ Fishing Activity Report. Devon and Severn IFCA Report.

Defra. 2019. Otter Estuary Marine Conservation Zone factsheet.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915660/mcz-otter-estuary-2019.pdf

Natural England (2023) Formal Conservation Advice for Otter Estuary Marine Conservation Zone (MCZ)

Annex 1: Site Map(s)

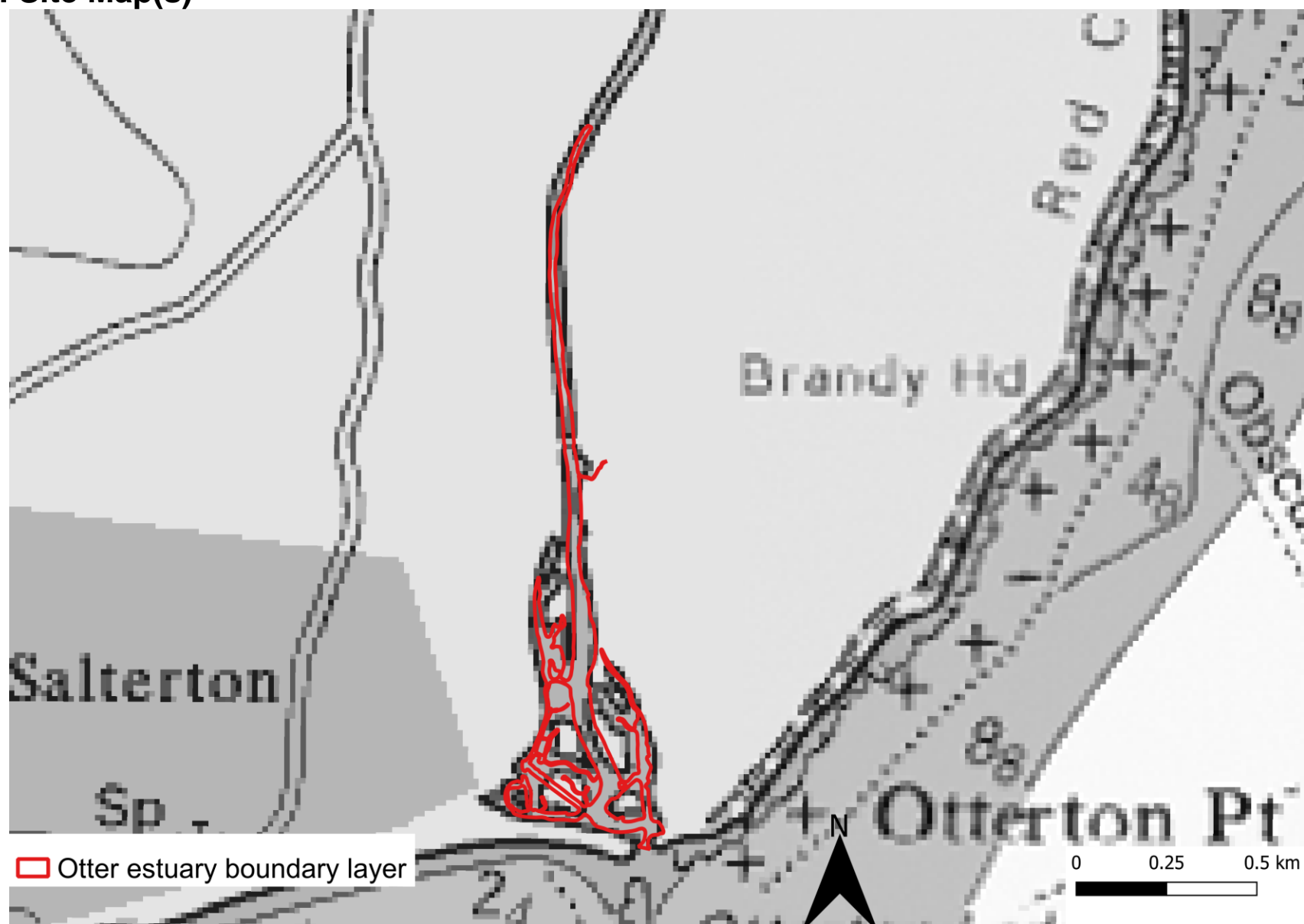


Figure 1 – Otter Estuary MCZ



Figure 2: Extent of features, intertidal coarse, intertidal mud, and coastal saltmarshes and saline reedbeds) designated in the Otter Estuary MCZ

Annex 2 Chart of River Otter closing line - No access for the use of nets other than a seine net in accordance with paragraph 3.2 of the Netting Permit Conditions



River Otter closing line latitude and longitude positions:

Point	Latitude	Longitude
A	50° 37.791'N	003° 18.676'W
B (Otterton Ledge)	50° 37.626'N	003° 18.399'W
C (Otterton Point)	50° 37.821'N	003° 18.143'W

Figure 3: River Otter closing line latitude and longitude, from Annex 2 to the Netting Permit Byelaw. No access landward of the line to the use of nets other than a seine net in accordance with paragraph 3.2 of the Netting Permit Conditions.

Annex 2. Natural England's formal advice on version 1.0 of this assessment.

Date: 17 March 2023
Our ref: 419092
Your ref: OTT-MCZ-004



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BY EMAIL ONLY

Dear Sarah,

Formal advice to D&S IFCA: Otter Estuary MCZ: Nets – Intertidal sediment

Thank you for the above assessment, received by email on 1st February 2023.

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 revised approach was subsequently extended to ensure fishing activities in Marine Conservation Zones (MCZs) are managed in accordance with the provisions of the Marine and Coastal Access Act 2009.

Assessments have been made of the effects of the following fisheries activities in Otter Estuary MCZ:

- Passive nets, lines and seines: Intertidal coarse sediment and intertidal mud features, ref. OTT-MCZ-004

Natural England has considered the assessment prepared by D&S IFCA for the purposes of making an assessment consistent with the provisions of the Marine and Coastal Access Act 2009. Please accept this letter as Natural England's formal advice on the assessment and the conclusions it makes. We are content that the best available and most up to date evidence has been used to carry out the assessment 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.

It is Natural England's view that, through their assessments, D&S IFCA has appropriately identified that the above stated activities are not likely to hinder the conservation objectives of the feature of the MCZ.

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>

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

Yours sincerely,

Liz Bailey

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