Date: 31 October 2023
Our ref: 448365
Your ref: TOR-MCZ-005 Version 3

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BY EMAIL ONLY

Dear Sarah,

Formal advice to D&S IFCA: Torbay MCZ:

- **Static Pots and Traps: Seagrass**
- **Monitoring and Control Plan - potting on seagrass**

Thank you for the above assessment, received by email on 29 August 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 Torbay MCZ:

- **Fisheries activities (Static Pots and Traps): Seagrass beds, ref. TOR-MCZ-005 Version 3**
- **Monitoring and Control Plan for TOR-MCZ-005 V.3**

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, and the accompanying Monitoring and Control Plan. Please accept this letter as Natural England's formal advice on the assessment and the conclusions it makes.

[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 this assessment, D&S IFCA has appropriately identified that current levels of activity for **fish traps and crab and lobster pots/creels** offer no significant risk of the activity hindering the conservation objectives of the features assessed.

The assessment also shows that **whelk pots** are thought to occur at low levels on the feature subtidal mud. We agree that at current levels there is no significant risk of the activity hindering the conservation objectives of the feature subtidal mud.

We **do not agree** with the conclusion that there is no risk of the **cuttle pot** activity hindering the conservation objectives of the long-snouted seahorse (*Hippocampus guttulatus*). There is a lack of evidence regarding the direct impact of cuttle potting on the long-snouted seahorse. Any impact on seahorses would likely be indirect and related to the loss of seagrass habitat within the MCZ. **It is Natural England's view that, on the basis of the information presented in the assessment, adverse effects from interactions that might hinder the conservation objectives of the MCZ features (seagrass beds, and therefore long-snouted seahorse) cannot yet be excluded for the cuttle pots activity. No final conclusion can be drawn for the effect on the long-snouted seahorse until impacts on the seagrass feature have been more firmly quantified.**

We agree with the proposed points of action to gather more evidence to understand the fishing behaviour in the site regarding number of pots, the exact location potting is taking place, and the makeup of strings being used currently. We support the proposal of meeting with the industry in order to establish the level of activity, and in particular its location, as well as the use of iVMS to monitor the fishing activities. We look forward to further consultation once this work is done.

Further points are set out in Appendix I that accompanies this letter.

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

Yours sincerely,

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And

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Appendix 1 – Further comments on the MCZ Assessment

1. We agree with the assessment that more information needs to be gathered to understand the fishing behaviour in the site, and the degree to which the seagrass beds there are exposed to the cuttle potting activity.
2. We note that the Hall, 2008 reference, for potting sensitivity in Welsh seagrass beds, may not fully account for the potentially sparser seagrass beds in Torbay MCZ, potentially therefore leading to underestimation of potting impacts in this site. It may be necessary to consider different seagrass bed densities during any final consideration of potting impacts on the seagrass feature.
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3. During the small-scale study of potting impacts on seagrass, it was observed that one of the last pots caused uprooting of seagrass rhizomes, as seen in the camera footage. While the study was limited in scope, when extrapolated, the cumulative impact on the seagrass bed may be more significant than initially expected. Additionally, the seagrass that surfaced or attached to the pots in the video footage may not accurately represent the true extent of the cuttle pots' impacts on the seabed. Seagrass recovery can be slow, with evidence suggesting that it can take several months to a couple of years for a plant to recover even from leaf damage (Boese et al, 2009).
4. We agree that, although there is a lack of evidence on the direct impact of cuttle potting on long-snouted seahorse, any impact would most likely be indirect and linked to the loss of their seagrass habitat. We therefore feel that a final conclusion on the impact of cuttle potting on this species cannot be drawn until there is greater certainty about the scale of the impact of cuttle potting on the seagrass habitat.

References

BOESE, B. L., J. E. KALDY, P. J. CLINTON, P. M. ELDRIDGE, and C. L. FOLGER. 2009. Recolonization of intertidal Zostera marina L.(eelgrass) following experimental shoot removal. Journal of Experimental Marine Biology and Ecology 374:69-77.