

## 2<sup>nd</sup> KEIFCA MPA working group meeting

11am – 3pm Tuesday 4 November 2014 The Best Western Clifton Hotel Folkestone (Pleydell room)

### Background

In the first meeting the working group discussed the different Marine Protected Area designations in the district and prioritised the actions of the Authority in addressing these issues. The group agreed:

- IFCA to write to Defra to enquire on the progress of the Hythe Bay site (letter attached)
- That the two sites in Dover be combined with Folkestone Pomerania MCZ and Hythe Bay MCZ when considering management plans; and
- The next meeting should be held in November 2014 in Folkestone to discuss in more detail the Folkestone Pomerania MCZ site as well as management of the proposed Dover to Deal and Dover to Folkestone MCZ sites (Tranche 2) and Hythe Bay MCZ site (Tranche 3).  
Fishermen and Stakeholders to be invited to attend the first part of the meeting, following which the Group would discuss matters by itself.

### Aim of the meeting:

To discuss in detail the potential fisheries management options for the 4 MCZ sites/ potential MCZ sites (Folkestone Pomerania MCZ, Dover to Deal and Dover to Folkestone MCZ sites and Hythe Bay).

To discuss the data, process, regulatory options and timelines for delivery.

### Agenda

Public meeting

- Introductions (The remit of the group and what it does.)
- Introduction to MCZs and Hythe Bay background.
- CEFAS presentation – Initial indications from the March whole Hythe Bay Survey
- Proposed next steps and management solutions for the 4 MCZ sites
- Questions on presentation and points made from the floor

### LUNCH

KEIFCA MPA working group

- Discussion on Hythe Bay/ MCZ next steps/ Recommendations to the Authority
  - Surveys and experiments
  - Management
  - Time lines
- Update Blackwater, Crouch, Roach and Colne MCZ (Oysters)
  - Update on work done
  - Agree relationship between BCRC MCZ working group and KEIFCA working group
- Screening update/ national MPA process
- AOB

Chairman: Cllr J Lamb  
Clerk: Mr P Sass

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Your Ref:  
Our Ref:

Nigel Gooding  
Deputy Director – Marine Biodiversity  
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Dear Nigel,

I am writing on behalf of Kent & Essex IFCA and our associated MPA working group (which includes local and national fishermen's associations and NGOs).

On 25<sup>th</sup> July a meeting was held to discuss the prioritisation of our European Marine Site and Marine Conservation Zone work streams. The meeting was generally successful however the group did raise two points that it asked be followed up with Defra:

***Greater clarity on fishing impacts compared to other anthropogenic activities***

There was a relatively involved debate concerning the impact of fisheries in the outer Thames and other estuaries compared to the major infrastructure projects located in that area. The [group](#) debated that it felt that the in combination effect of these large scale projects was not really being assessed especially in the Thames. The group asked for feedback and comment from Defra as well as an indication of how future activities in MCZs would be assessed.

***Progress on Hythe Bay MCZ***

The group expressed serious concerns about the progress concerning this site since the Ministerial announcement in March 2014 (six months ago). The group felt that there had been an implicit commitment to gather more evidence for this site especially concerning the interaction between the trawling used in the bay and the mud feature.

All the group reflected on the lack of communication on future Defra plans and were concerned that the summer window, key for undertaking such work, has been lost. The group recognised the relatively short timelines involved in meeting the T3 commitment if new evidence needed to be gathered, processed and then included in future management discussions.

Since the last meeting local fishermen have developed potential management solutions covering the Folkestone Pomerania MCZ site as well as the proposed Dover to Deal and Dover to Folkestone MCZ sites (Tranche 2) and Hythe Bay MCZ (Tranche 3). These options have been discussed with other regulators as well as the NGOs via Kent Wildlife Trust. The Wildlife Trust are unwilling to make any comments or engage in discussion of these proposals until the Cefas survey undertaken in late March 2014 has been published. If Defra could update the group as to a likely publishing date this would help everyone decide how to move forward.

***Invitation to the next meeting***

The next meeting is due to be held in Folkestone on 4<sup>th</sup> November to discuss the Folkestone Pomerania MCZ site as well as management of the proposed Dover to Deal and Dover to Folkestone MCZ sites and Hythe Bay MCZ site. The group has asked that an invitation to attend is passed to Defra to attend the meeting and discuss progress to date.

I would therefore like to invite you or a representative to attend this meeting which will be held in the [Pleydell](#) room at The Best Western Clifton Hotel in Folkestone beginning at 11am.

# KEIFCA MPA working group - Briefing paper for Hythe Bay MCZ

**Appendix 1** Notes of DEFRA Hythe Bay MCZ stakeholder meeting

**Appendix 2** Ministers press statement

**Appendix 3** CEFAS draft site report

**Appendix 4** Fishermen's proposal

## Why is Hythe Bay ecologically important?

The feature that was designated for Hythe Bay MCZ was subtidal mud. The importance of this specific feature is the presence of the 'megafaunal rich spoonworm and burrowing shrimp communities'. These communities are very rare in the UK especially in English waters and are not only important themselves but their burrows provide habitat for a wide range of other species (Fig. 1). The mud within Hythe Bay is probably a historic feature of the River Rother that once flowed into Hythe Bay, not Rye and is probably not currently accreting.

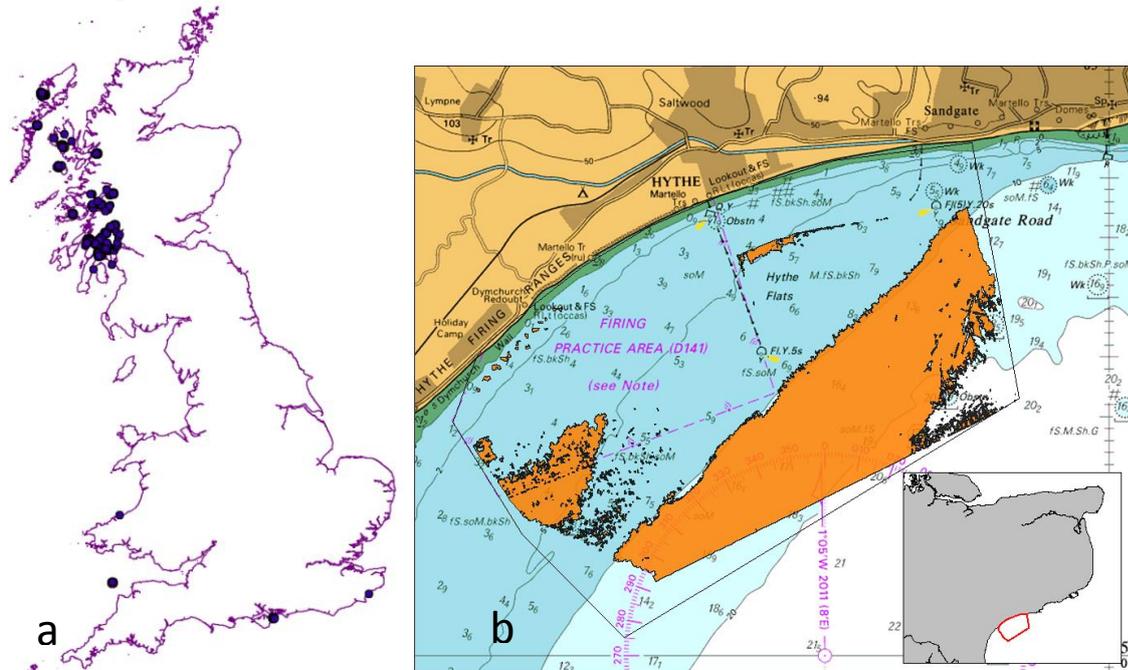


Fig. 1 a) Locations where spoonworms have been found in the UK. b) The distribution of subtidal habitat in the Hythe Bay MCZ site (Sub-tidal mud is orange).

## Background to Hythe Bay MCZ designation and next steps

In November 2013 the government designated 27 MCZs; however, the decision on the Hythe Bay MCZ site was deferred, with the intention of considering the issues further with local stakeholders, and with the goal of making a decision on designation in early 2014.

Defra asked KEIFCA to help develop the evidence base for the site; both in more clearly understanding the site's proposed features, and the fishing activity occurring on the site. To help achieve these goals KEIFCA officers gathered additional grab and video data from the site using FPV Tamasis. In addition to this officers also worked with local fishermen to

gather data concerning the level of activity on the site, fishing gears used, the historic fishing levels in the bay and impacts to the fleet of any subsequent management measures. KEIFCA officers also helped facilitate Defra led management discussions for the site and supported discussions using GIS data layers for the sites.

Although significant efforts were made and a Defra led stakeholder meeting was held at Folkestone (Notes from the meeting - Appendix 1), an agreed management solution could not be reached that met the potential management objectives for the site and satisfied the different concerns of local fishermen and NGOs. In the light of this the Minister decided that a decision on creating a Marine Conservation Zone at Hythe Bay is now going to be considered under the 3<sup>rd</sup> tranche of MCZs due to be consulted on in 2016 ( Ministers Press Statement - Appendix 2).

Defra concluded that this will allow for further survey work to be carried out to see whether the important rich mud habitat at Hythe Bay extends beyond the southwest boundary of the current proposed site. If the evidence supports this it would potentially allow Defra to re-draw the boundary of the site to protect more of the important mud habitat and free up more of Hythe Bay for fishing with less impact on the local fishing industry (Draft CEFAS report - Appendix 3). In order to protect the environment before a decision is made, Defra officials indicated that they will work with local regulators to consider restricting certain commercial fishing activities within the Bay such as vessel size and types of gear limitations (Fishermen's proposed management measures – Appendix 4).

#### **Next step options for the KEIFCA MPA working group to discuss**

**Option 1:** Develop management for Folkestone Pomerania MCZ and just discuss management options of the proposed Dover to Deal and Dover to Folkestone MCZ sites after Tranche 2 designation and Hythe Bay MCZ site after a possible Tranche 3 designation.

**Option 2:** To work with CEFAS to gather and review new data for Hythe Bay and to develop a greater understanding of the site, then to revisit the management options at a later date (whilst leaving enough time to meet ministerial commitments for Folkestone Pomerania MCZ management).

**Option 3:** To work with CEFAS to gather and review new data for Hythe Bay and to develop a greater understanding of the site. Then to revisit the management options using the fishermen's proposal as a starting point and discuss at the January full Authority meeting or the next KEIFCA MPA working group (February).

**Option 4:** Work with all stakeholders to develop more detail for the 4 MCZ site solution using the fishermen's proposal as a starting point. With the clear ambition to develop a detailed solution with accompanying draft byelaws within months of this meeting.

## **Appendix 1 Notes of DEFRA Hythe Bay MCZ stakeholder meeting**

*The meeting notes will be passed on once received from DEFRA.*

## **Appendix 2 Ministers press statement - 07 April 2014 Media note on Hythe Bay**

### **Decision on Hythe Bay MCZ requires further consideration**

A decision on creating a Marine Conservation Zone at Hythe Bay is now being considered under the 3<sup>rd</sup> tranche of MCZs due to be consulted on in 2016.

This will allow for further survey work to be carried out to see whether the important rich mud habitat at Hythe Bay extends beyond the southwest boundary of the current proposed site. If the evidence supports this it would potentially allow a re-drawing of the boundary of the site to protect more of the important mud habitat and free up more of Hythe Bay for fishing with less impact on the local fishing industry.

George Eustice, Marine Environment Minister said:

“There is no simple solution to the designation of this site.

“Therefore we must have all the necessary information to make the correct decision, which will provide long term protection for the important and unique marine habitat in the area and take account of the potential impacts on the local fishing industry.”

This delay provides the opportunity for us to ensure we are able to consider the long-term and sustainable protection for the important marine habitat in and around Hythe Bay taking into account the socio-economic impacts on the local fishing industry and backed up by robust evidence. This will take time but it is important we get this right.

In order to protect the environment before a decision is made, Defra officials will work with local regulators to consider restricting certain commercial fishing activities within the Bay such as vessel size and types of gear limitations.

### **Key messages:**

- There is no simple solution to the designation of this site;
- In order to ensure the best result for residents, fishermen and the environment of Hythe Bay, our decision must be backed up with robust evidence and this will take time;
- This approach has been discussed with the local wildlife trust and representatives of the local fishing industry.

**Top actions:**

- Undertake further survey work to assess whether the important biota rich mud habitat extends beyond the SW boundary of the current proposed site;
- Explore the effects of a small closed area and gather information on what fishing activity takes place there;
- If the evidence supports this it would allow us to explore re-drawing the boundary of the site to protect more of the important mud habitat and free up more of Hythe Bay for local fishing activity with potentially less impact on the local fishing industry.

**Appendix 3 CEFAS draft site report**

*The report is due to be published on the 31<sup>st</sup> October and will follow later via email. A CEFAS representative will be present at the meeting to answer questions about the initial draft report.*

#### Appendix 4 Fishermen's proposal

### **Fishermen's proposed management measures for Hythe Bay, Folkestone and Dover:**

Suggested management option as discussed with Folkestone fishermen.

In order to fish within the proposed permitted fishing area vessels would be required to obtain a permit from KEIFCA

#### **Vessel Requirements:**

In order to apply for a permit, vessels will be limited to:

- 12.5 metres in overall length
- Using otter trawl(s) only.
- Vessels will also require equipment to broadcast IVMS.

Vessels that are granted a permit under the above criteria must adhere to gear restrictions.

#### **Gear requirements**

- Ground rope maximum aggregate length of 48m (26 fathoms)
- Ground ropes must be enclosed by rubber discs
- Maximum rubber disc diameter 10 cm
- Maximum chain link thickness throughout gear 10mm
- No tickler chains
- No attachments ahead of the ground rope.
- All ground rope attachments including weights must not exceed a diameter of 10cm.

#### **Area (s):**

- Proposed permitted fishing area shown in green shaded area on chart
- Proposed closed areas shown in blue on the chart. Vessels that are granted a permit must not fish within these closed areas.

#### **Limited number of permits:**

Further discussions needed with industry as to how a limited permit can be introduced and over what time period.

