



Agenda Item No.B9

Success Criteria

By: Lead Scientific and Conservation Officer, Chief Officer
To: Kent and Essex Inshore Fisheries and Conservation Authority – 19 May 2015
Subject: **MARINE PROTECTED AREAS (MPA) UPDATE**
Classification Unrestricted

Summary: To update on progress with MPA assessments

1. EUROPEAN MARINE SITES (EMS) REVISED APPROACH TO MANAGEMENT

1.1 Background to the revised approach

To bring fisheries in line with other activities, the Department for Environment, Food and Rural Affairs (Defra) announced on 14 August 2012 a new approach to manage fishing activities within EMS. In an effort to try and deliver this revised approach a risk matrix has been developed by the European Marine Sites Implementation Group to identify the level of risk for each EMS. Based on the risk matrix, each site was assigned to one of three categories; red, amber and green, which reflect the priority and order that the site assessments are being undertaken. "High risk" (red) sites were required to have protection in place by the end of 2013 and other sites (amber and green) by the end of 2016, if necessary.

The process to assess "amber and green" risks is more complicated than addressing the red risks as an assessment of the impacts of different fishing gear on the different features is required at a site level, rather than a national assessment, before management options can be developed. The potential impact of fishing gear on designated MPA features is assessed using a method developed by the EU to assess proposed plans or projects within European Marine Sites, termed Habitat Regulations Assessments (HRA's). The HRA process

has two parts; there is an initial screening component (test of Likely Significant Effect – LSE) and a more detailed assessment (an Appropriate Assessment) for the interactions that are flagged as potentially significantly deteriorating the feature, or an unknown impact, and therefore requiring a more detailed assessment.

1.2 KEIFCA HRA progress

On 27 March 2014 KEIFCA's bottom towed gear byelaw was signed by Defra, protecting the chalk reef and seagrass red risk features in our district.

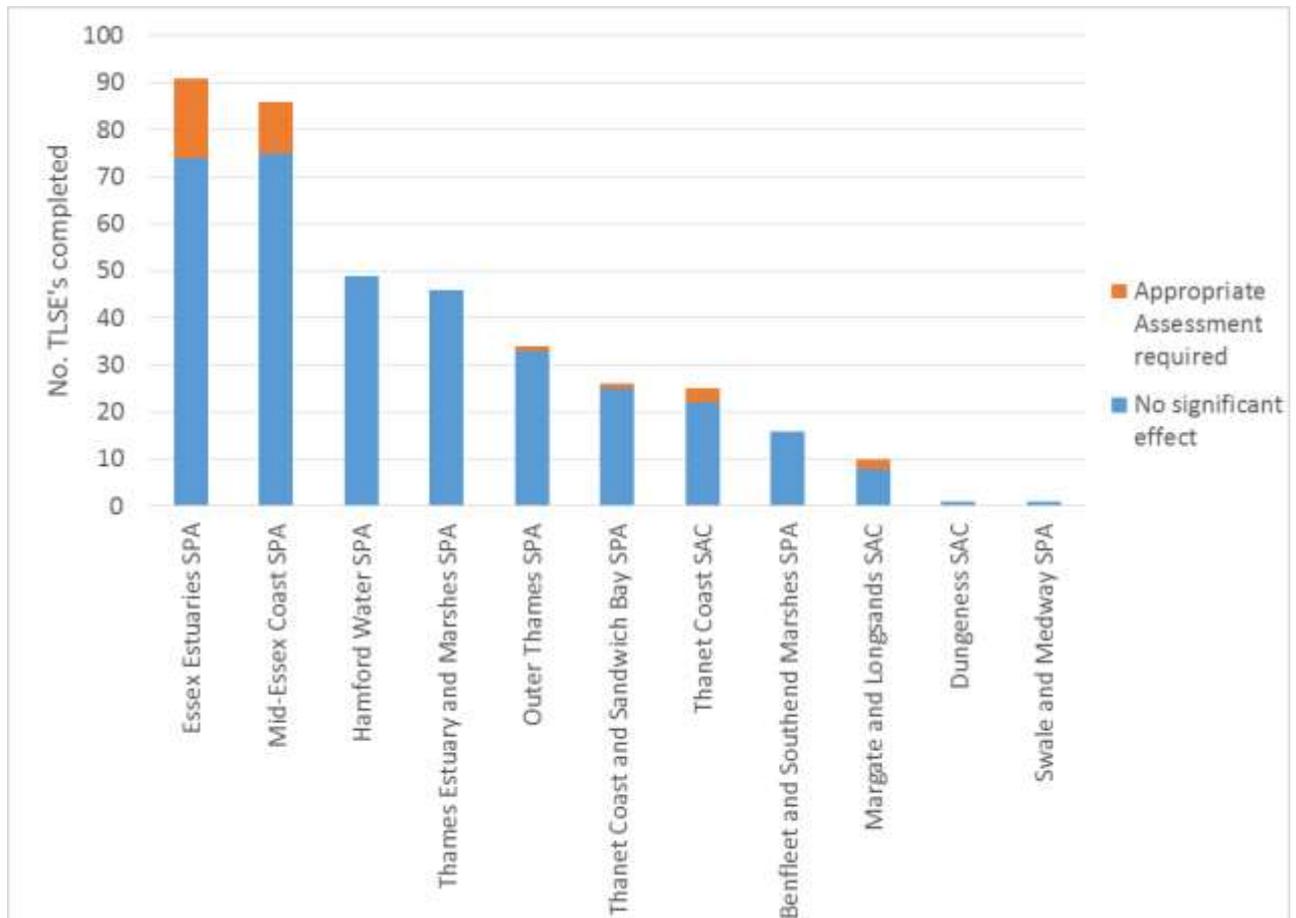
In the KEIFCA district there are 16 EMS and 1643 fishing gear / feature interactions required to be assessed. Tests of likely significant effect (LSE) have been carried out by officers for all the fishing gear/feature interactions in 13 of the 16 EMS as an initial filter to assess if any activity will have a SIGNIFICANT effect on any feature in an EMS. Assessments of fishing activities in the other EMS are being carried out by other IFCA's or the MMO, where sites cross outside the KEIFCA district. Any gear / feature interaction that fails an LSE test (either due to insufficient data on the likely impacts or because it is deemed likely to significantly impact the feature) will have to undergo an appropriate assessment.

The tests of LSE were carried out on a prioritised basis agreed by the MPA working group and in close partnership with Natural England. All the tests for each MPA, with the exception of the Swale and Medway Special Protection Area (SPA) (due to questions arising from who is responsible for undertaking the assessments on private grounds) have now been reviewed and the conclusions agreed with by Natural England.

1.3 Results of tests of LSE

A large amount of officer time has been spent completing the tests of LSE and in total, 385 tests of LSE have been completed (with similar fishing gears and features grouped together where applicable). These have been reviewed and approved by Natural England (the tests of LSE for Mid-Essex Coast SPAs are approved pending minor edits and tests for the Medway and Swale SPAs are being undertaken since there is now clarification on IFCA's responsibility in areas covered by private rights). Out of these, 35 fishing gear / feature interactions failed the test of LSE and these 35 interactions will progress onto the appropriate assessment phase (Fig. 1). This next, more in-depth assessment will allow further examination of data available and may require further data to be collected to determine whether these fishing activities are having a significant impact on the features of the MPA's or on the integrity of the whole site. This will determine whether any further management of the fishing activities in these sites is required.

Figure 1: Number of tests of LSE completed by KEIFCA officers and approved by Natural England for each European Marine Site.



The 35 fishing / gear interactions that have been identified as requiring appropriate assessments are listed in the following two tables (Tables 1 and 2). Due to the large volume of paperwork involved in conducting the 385 tests of LSE, they are not included here, however they can be made available for members or stakeholders if they wish.

Table 1: Summary of appropriate assessments on fishing gear / feature interactions to be carried out on SAC's in the district.

	EMS: Special Area of Conservation (SAC)		
Feature or sub feature	Essex Estuaries SAC	Thanet Coast SAC	Margate and Longsands SAC
Subtidal sandbanks	<ul style="list-style-type: none"> • Fixed netting • Trawling • Potting • Cockle suction dredging • Other shellfish dredging 		<p>AAs to be completed by MMO with input from KEIFCA</p>
Subtidal mud, muddy sand and mixed sediments	<ul style="list-style-type: none"> • Fixed netting • Trawling • Potting • Cockle suction dredging • Other shellfish dredging 		
Seagrass	<ul style="list-style-type: none"> • Fixed netting 		
Intertidal mud and sand	<ul style="list-style-type: none"> • Cockle suction dredging • Other shellfish dredging • Hand gathering 		
Saltmarsh	<ul style="list-style-type: none"> • Hand gathering and bait digging 		
Subtidal and intertidal chalk reef		<ul style="list-style-type: none"> • Hand gathering and bait digging • Potting • Fixed netting 	

Table 2: Summary of Appropriate Assessments on fishing gear / feature interactions to be carried out on SPAs in the district.

Feature or sub feature	EMS: Special Protection Area (SPA)		
	Mid-Essex Estuaries SPA's	Outer Thames SPA	Thanet Coast and Sandwich Bay SPA
Bird Species	<ul style="list-style-type: none"> • Trawling • Hand gathering and bait digging • Cockle suction dredging 		<ul style="list-style-type: none"> • Hand gathering and bait digging
Seagrass	<ul style="list-style-type: none"> • Fixed netting 		
Intertidal gravel and sand	<ul style="list-style-type: none"> • Cockle suction dredging 		
Intertidal mud and sand	<ul style="list-style-type: none"> • Cockle suction dredging 		<ul style="list-style-type: none"> • Hand gathering and bait digging
Saltmarsh	<ul style="list-style-type: none"> • Cockle suction dredging 		
Subtidal and intertidal chalk reef			<ul style="list-style-type: none"> • Hand gathering and bait digging (intertidal)
Intertidal mixed sediments			<ul style="list-style-type: none"> • Hand gathering and bait digging
Estuarine fish			<ul style="list-style-type: none"> • Hand gathering and bait digging
Subtidal sandbanks		<ul style="list-style-type: none"> • Trawling 	<ul style="list-style-type: none"> •

The Authority is asked to **APPROVE** in principle the above selection for undertaking appropriate assessments and the outcomes of the tests of LSE.

2. MPA WORKING GROUP

The KEIFCA MPA working group that was set up in 2014 has a sunset clause that requires the Authority to review the group a year after it started functioning. The first meeting was held on the 25th July 2014. As the first year anniversary of the working group falls before our next meeting on the 4th September it would now be timely to review the functioning of the group.

Since July 2014 the group has met twice, initially helping to prioritise KEIFCA's EMS and Marine Conservation Zone (MCZ) work and subsequently focusing on the MCZs in the south of the district (Hythe Bay, Folkestone Pomerania, Dover to Deal and Dover to Folkestone). The group has proved successful and has made progress in helping to deliver KEIFCA's MPA duties.

One of the aspects that has changed since the group was formed is the makeup of the Authority. The change in the Authority members will have a knock on effect on the make-up of the group with several members leaving and the introduction of new members that may wish to be included in the group (Table 3). This could subsequently change the balance between different stakeholder views and who the Authority might want to co-opt onto the group.

Table 3: KEIFCA MPA working group formed May 2014

KEIFCA Chairman (John Lamb)	Ingrid Chudleigh (KEIFCA NE member)
KEIFCA Vice-Chairman (John Nichols)	William Baker (MMO appointee)
Cllr Andy Wood (ECC)	Leon Roskilly (MMO appointee)
Cllr David Baker (KCC)	Barry Smart (MMO officer)
Paul Gilson (Essex Trawler – NFFO)*	Bryony Chapman (Kent Wildlife Trust)*+
Terry Knowks (Kent Trawler – Folkestone)*	Jean-Luc Solandt (Marine Conservation Society)*

*non-voting seats on the group. + Now an Authority member. **Members in bold have now left the Authority.**

The predicted work and the focus of the MPA work over the next year is starting to move from the strategic (prioritisation and planning of MPA work at a district level) to the site specific (implementation of specific management measures). Site and issue specific meetings, as their remit suggests, tend to have a far higher proportion of local participants attending and would require more specific site knowledge thus the Authority might want to co-opt specific expertise to a meeting to help make recommendations. In the light of this slight change in requirement and emphasis the best way the Authority could address these issues might be to hold specific technical panel meetings close to the MPA site to discuss the issues and make recommendations. The current members of the MPA working group would be updated with developments and invited to the meetings, but the meetings would be run as a normal technical panel. The work undertaken and the meetings held would be the same but hopefully in this way we can keep the continuity of the MPA working group input but allow for the more specific demands of site management decisions.

The Authority is asked to **APPROVE** the above recommendation