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KEIFCA
Paragon House
Albert Street
Ramsgate
Kent
CT11 9HD

By e-mail



Kent Wildlife Trust

Tyland Barn
Sandling, Maidstone
Kent ME14 3BD

Tel: (01622) 662012
Fax: (01622) 671390

info@kentwildlife.org.uk
www.kentwildlifetrust.org.uk

**Response to consultation
Blackwater, Crouch, Roach and Colne Estuaries MCZ
KEIFCA Native Oyster Permit Byelaw**

Kent Wildlife Trust welcomes the opportunity to respond to the Kent and Essex IFCA's consultation on the above. We appreciate that a very complex situation exists in this site with its historic native oyster fishery set against multiple national and international nature conservation designations including conservation objectives designed to protect and recover the health of the target oyster species and oyster bed habitat.

Kent Wildlife Trust's position is that direct exploitation of an MPA feature should not be permitted, and that bottom-towed gear fishing should not take place in an MPA where this can impact on sensitive features that have been identified for protection.

However, we note the statutory advice that the conservation objectives for this site could allow for controlled exploitation of the conservation feature, and appreciate the merit of a byelaw and management plan whose criteria set out to ensure strong recovery of the oysters and oyster beds prior to any exploitation. We therefore set out our comments on some of the specific consultation questions in this context and without prejudice to our overarching objections to bottom towed gear fishing on sensitive features of an MPA and exploitation of MPA features.

Consultation questions:

Question 1: Do you have any comments or views based on the opening times proposals?

We recommend that potential opening times should be based on an assessment of whether the timing of dredging through the year would impact differently on the success of spawning, settlement and growth of oysters or on the health of the associated benthic community.



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Question 2: Do you have any comments or views based on the areas and boundaries proposed?

Question 3: Do you have any comments or views on how sub-areas should be opened and closed and the process behind making this decision?

Area-based management of a site has advantages from a fisheries management perspective, and we believe it to be essential for areas of the site to remain permanently protected from any bottom-towed gear fishing activity to allow a return to a natural undisturbed community. Assessment of potential impacts to all designated features, wider biodiversity and the oyster bed associated community would have to be undertaken in addition to oyster stock assessment prior to opening any areas.

Question 4: Do you have any comments or views on the minimum size or comments on the review process?

Decisions on appropriate minimum size would have to be based on maximising the future health of the oyster population.

Question 5: Do you have any comments or views on how permit fee costs should be set or the cost of the permit fee?

It seems reasonable to set the licence fee at a level that would at least cover the additional costs to KEIFCA involved in administering the byelaw and any other additional work by its staff related to this MPA.

Question 6: Do you have any comments or views on the maximum size of vessel that could fish for native oysters under the permit?

It is desirable for a fishery to have a strong local interest in its future sustainability, and essential for it to be small-scale and as low impact as possible in an MPA. We would oppose any increase in vessel size from the under10m category, and suggest a power limit would also be essential.

Question 7: Do you have any comments or views on the gear controls being suggested?

Kent WT remains opposed to the use of bottom towed fishing gear where it can impact on MPA features and site integrity. We would oppose any compromise on use of the least damaging gear types available and would favour a mechanism which actively encourages advances in fishing methods and gear types to reduce impact on the benthic ecology and all MPA features.

Question 8: Will conforming with these potential requirements incur any additional costs on your business. If yes please could you provide a breakdown of those costs?

Question 9: Do you have any comments or views on using vessel tracking systems as a management tool within the fishery?

Kent WT supports the use of vessel tracking systems on all fishing vessels to facilitate fisheries management and ensure compliance. However, we do not support use of iVMS as a justification for allowing access to features in MPAs. We believe further work is required on the accuracy of iVMS and gear position (vs vessel position), on the ecological links between designated and non-designated features, on the application of buffers and margins, and on the indirect impacts of fishing activities on designated features.

Question 10: Do you have any comments or views on:

• The detail of the proposed management plan?

Kent WT commends the KEIFCA on the clarity of the consultation document, helpfully setting out

the background, context and proposals.

- **Using 800 tonnes as the starting point?**

Kent WT remains opposed to the exploitation of a designated feature of an MPA. We would prefer to see the level set significantly higher than this before any fishery were contemplated, and we would strongly oppose any reduction in this minimum level.

- **The management plan process?**

Kent WT appreciates the efforts of the KEIFCA, industry and many other organisations in working together to prepare a management plan in a very complex context.

- **The criteria used to reach decisions?**

Assessment of potential impact on the benthic communities associated with oyster bed habitat, wider biodiversity, and, in addition, impacts on the SAC will be essential criteria, and we seek assurance that the 'Conservation Objective Criterion' of 'The quality and quantity of the habitat' encompasses all of these considerations.

Although an assessment of the oyster populations is included in the conservation objective criteria on p15, we would expect to see future long-term sustainability featured strongly and explicitly in the stock management criteria.

- **The make-up of the expert group?**

- **Do you think anything else should be added or removed from the proposed management process, plan or criteria?**

Question 11: Do you have any comments or views based on the closure of the restoration box (area 2a) applying to oyster dredging and harvesting activities?

Kent WT welcomes the establishment of an oyster restoration box where no oyster harvesting activities are permitted. We believe that this measure should apply to the entirety of suitable oyster habitat within the MCZ.

Question 12: Do you have any comments or views based on the closure of the restoration box (area 2a) applying to fishing gears that could interact with the sea bed (e.g. trawling)?

Kent WT fully supports the closure of restoration areas to all bottom-towed fishing gears as an essential part of management.

Question 13: Do you have any comments or views on the concept of identifying smaller set-a-side areas in preferred oyster bed habitat.

See question 11.

Question 14: Do you have any comments or views regarding the location or design of the proposed additional set-a-side areas?

See question 11 and 12.