

***NATIONAL ASSEMBLY FOR WALES "ENVIRONMENT & SUSTAINABILITY COMMITTEE INQUIRY:  
MARINE POLICY IN WALES SUBMISSION ON BEHALF OF;  
THE WELSH FISHERMEN'S ASSOCIATION LTD – CYMDEITHAS PYSGOWYR CYMRU CYF (WFA-CPC)***

**In addition to our previously submitted written and subsequent oral evidence to the Environment 7 Sustainability Committee Inquiry into marine policy in Wales in November of 2012.**

The WFA-CPC welcomes this opportunity to discuss progress in respect of the implementation of the inquiry recommendations and thank the Committee for your kind invitation to attend your meeting on the 6<sup>th</sup> February 2014 whilst confirming our availability to attend.

Accordingly please find a short paper by the WFA-CPC outlining the progress made in the meantime including further considerations that were unsighted at the time of our initial submission.

For the Committee's information this paper will include the views of the Bangor Mussel Producers Ltd (BMPL) represented by Mr James Wilson (Deepdock Ltd). A very brief biography of the WFA-CPC and BMPL is included, for your reference, on the face of the attached joint response to the "Draft Third Report" by Joint Nature Conservation Committee (JNCC) and the Country Agencies including Countryside Council for Wales (CCW) on behalf of the United Kingdom under "Article 17 of the European Councils Habitats Directive" which we will refer to later within this paper in more detail outlining our grave concerns in relation to the reporting process at a Country level for due consideration by the Committee.

In terms of progress toward the recommendations of the Committees inquiry into marine policy in Wales we will provide an update, to the best of our understanding, in respect of the implementation of the Committees recommendations 1,2,3,4,5,6,7,8,9,10,12 & 13.

On the 18<sup>th</sup> June 2013 the Minister for Natural Resources and Food made a welcome statement of his intentions for marine policy and fisheries in Wales, setting out his vision for "clean, healthy, safe, productive and biologically diverse seas.

We note the Minister's support for "Striking the Balance" and welcome his shared vision and commitment to work with the fishing industry to develop co-management arrangements to deliver a healthy and productive marine environment which we are pleased to report was re-affirmed on the 26<sup>th</sup> November 2013 when the Minister made a further statement publishing, for the first time, a "Wales Marine & Fisheries Strategic Action Plan" (M&FSAP)

The M&FSAP has been received positively by the fishing industry and aquaculture producers in Wales.

In our considered opinion the M&FSAP incorporates the majority of the Environment & Sustainability Committee recommendations within the four thematic objectives and includes the Ministers commitments from previous statements within a measurable action plan for each quarter of 2014. We also welcome the adaptive nature of the plan providing a living framework that can evolve in response to an improving evidence base consistent with an ecosystem based approach (as advocated in "Striking the Balance").

## **CONCERNS:**

The only recommendation by the Committee that does not appear to have been addressed within the M&FSAP is recommendation 11 – Offshore Marine Conservation Zones (MCZ's).

As far as we understand the current position in relation to offshore MCZ's is:-

“The Irish Sea Conservation Zone Regional Project” (ISCZ) Submitted Final Recommendations on the 29<sup>th</sup> July 2011.

The ISCZ submission included three significant site proposals for designation within the Welsh Zone:-

## **RECOMMENDED:-**

r MCZ 3 – NORTH WEST ANGLESEY

This site includes two reference areas – S & B and one static gear prohibition area:

NB: Reference areas are “NO TAKE ZONES” Non Depositional and Non Extractive (eg: managed activities)  
All fishing, angling anchoring of vessels and diving:

r MCZ 4 – SOUTH WEST OF PEN LLŶN

This site includes one reference area with the additional exclusion of military activity:

## **PROPOSED:**

p MCZ 5 – NORTH WEST OF ST DAVID'S HEAD

No reference areas have been identified, however, specific activities will require management ie: bottom towed gears:

In 2013 the UK Government designated 27 MCZ's by UK Ministerial Order in Phase 1 of the process, we understand that there will be a further two phases over the next three years with the consultation of the next phase expected in 2015; p MCZ 5 will be considered within the next phase.

If successfully designated the sites referenced above would displace existing activities with the potential to adversely impact surrounding areas where the seabed habitat is less understood. We would support the Committees recommendation in this regard.

It is our understanding that the UK Government is currently investigating both the legal basis for, and the necessity of, no take zones for the purpose of marine and nature conservation. We would therefore suggest that no decision be taken in Wales on this matter until the results of the review are known.

## **ENVIRONMENT & SUSTAINABILITY COMMITTEE INQUIRY INTO MARINE POLICY IN WALES (JANUARY 2013)**

### **7. EUROPEAN DIRECTIVES:**

As mentioned earlier we would like to draw the Committees attention to our grave concerns in respect of the “Third Report by JNCC on behalf of the United Kingdom under Article 17”.

We attach, for your information, a copy of our joint response to a one month consultation by JNCC that we were unaware of until a couple of days before the closing date, hence our apologies for a rushed document that was limited to one section of the Report on Habitats Assessments.

To provide a context we refer below to Section 7 of the Inquiry Report January 2013 items 143 & 147

**WELSH GOVERNMENT STATES:**

Item 143: the framework for this third round of reporting is the assessment of the conservation status of all the habitats and species in the Directive with information on the wider environment and not just protected sites:

**THE COMMITTEES VIEW:**

“Item 147; Article 17 reporting on 2014 will provide us with a better view of the environmental status of marine protected areas in Wales and we intend to revisit this once this information becomes available”: Both the above statements quite rightly infer confidence in the reporting process, however, in reality from our experience the report at a Wales Country Agency Level gives cause for concern which we trust is demonstrated in our rushed response albeit only in respect of one section of the report by CCW.

We do not at this time know how this translates into the UK report as it has not yet been published.

We have raised this matter with Natural Resources Wales (NRW), Welsh Government (WG) and JNCC and I am pleased to report that we are currently working with NRW with the intention of proceeding to an independent review of the process to ensure transparency and confidence in the mechanism for the future.

We make specific reference to the Article 17 reporting process as the UK Government is currently consulting on the implementation of the second stage of the European Marine Strategy Framework Directive (MSFD) UK marine monitoring programmes which we are given to understand will incorporate existing monitoring programmes (Article 17) to inform measures.

We would respectfully request the Committee to consider this matter carefully in light of the longer term ramifications that would result from a misleading Country Report.

Furthermore on the 23<sup>rd</sup> October 2013 the WG published its consultation on the “Environmental Bill White Paper”

Whilst the marine environment barely features in the White Paper, where it does Section 5.15 points out that there are relatively few active Several and Regulating Orders and that the full potential of cultivation is not being realised in Wales. We are delighted that this is recognised in line with European aims to expand industry in the reformed Common Fisheries Policy.

The document details the intention of WG to make Several and Regulating Orders more flexible via the management plans and quicker to obtain. This is all very welcome as the industry has in the past struggled both to get orders in a timely fashion and have the necessary flexibility to operate a business efficiently. It is widely accepted at EU level that one of the major barriers to increased aquaculture production is the difficulty of obtaining licenses and the security of tenure for businesses to be able to invest. However, despite this recognition the document talks about having regular reviews to licenses and also about introducing powers to revoke them at short notice. The industry is very concerned about these proposals and questions whether, under these circumstances, any security of tenure will be provided at all. The result of which could lead to the opposite of the stated intention in that there would be a decrease in investment and a contraction of the industry as investment would be unlikely.

We would have preferred to be involved in the discussions prior to the White Paper being released so that any proposals could have benefitted from the agreement and support of the industry.

Finally, in terms of WG resourcing to meet its challenging statutory obligations, we are not in a position to comment on financial matters, we are however aware of current bottle necks that are a cause for concern. If we are to maintain a fully compliant and diverse fishing industry within the ever increasing application of EU Directives the areas we consider to be currently under pressure are:-

- a) Timely "Habitats Regulation Assessments" (HRA).  
There is currently a backlog of applications. The complexity of the process and the limited human resource available leads us to suspect that this area may become a hurdle for future investment in sustainable development, given that the HRA applications are likely to increase in light of future legislative drivers increasing the burden in this key function.
  
- b) Equally we believe that in terms of human resources the WG Legal Department is also a bottle neck given the detailed advice required to approve/sign off applications generated through the HRA mechanism alone.

Whilst we have detailed areas that are of concern in relation to marine policy in Wales we would note that we are encouraged by the publication of the M&FSAP and we look forward to cooperating with WG, NRW and Marine Stakeholders to deliver this ambitious programme.

# A Joint Statement from the Welsh Fisherman's Association-Cymdeithas Pysgotwyr Cymru Ltd and the Bangor Mussel Producers Ltd

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*Concerns and Objections to the Draft Third Report by the United Kingdom under Article 17*

## **Consultee Information:**

**Name :** Jim Evans

**Position :** Chairman

**Organisation :** Welsh Fishermen's Association Ltd – Cymdeithas Pysgotwyr Cymru cyf (WFA-CPC)

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The WFA-CPC Ltd is a fishing industry representative body established in 2011. The membership of the WFA-CPC consists of six elected representatives from the Regional Fisherman's Associations in Wales making up the Board of Directors:

The Llyn Pot Fisherman's Association  
The Welsh Inshore Scallopers Association  
The Llyn Fisherman's Association  
The North Wales Fisherman's Cooperative  
The Cardigan Bay Fisherman's Association  
The South Wales & West Fishing Communities

Bangor Mussel Producers Ltd is an association of four businesses that operate out of Bangor and Holyhead to farm mussel beds off the North East coast of Anglesey. Mussels have been farmed extensively and sustainably in the Menai Strait for over 50 years and mussels now represent 40-50% of the gross turnover of Welsh fisheries. In 2010 Bangor Mussel Producers Ltd became the first enhanced fishery in the world to be certified as sustainable to the Marine Stewardship Council standards, demonstrating that this economically important fishery is conducted to the highest levels of sustainability. The four businesses represented by Bangor Mussel Producers Ltd are:

Extramussel Ltd  
Deepdock Ltd  
Myti Mussels Ltd  
Ogwen Mussels Ltd

The WFA-CPC and BMP Ltd welcomes this opportunity to contribute to the consultation having not been previously recognised or engaged as formal consultees.

It appears that the report is overly pessimistic and subjectively biased to a negative outcome. We could speculate about the motivations of NRW (CCW) staff for adopting this approach but ultimately the Assessment as it stands could have serious ramifications for sustainable development. Any N2K site features judged to be in “unfavourable” condition will require a management plan to restore them to a favourable condition. This will affect existing activities and raise the bar of appropriate assessment making new activities less likely to gain consent. The current report falls short in a number of areas that we feel assessment of this kind, with the potential ramifications, should be based upon:

- Quality issues: it is extremely worrying to see so many unsubstantiated and erroneous statements, and generalisations, that have been used to support the outcome of the judgments in the report (see our analysis below). This is especially worrying when evidence-led decision making is central to UK Administrations governance e.g. the MCZ process in England. A particular example would be the lack of evidence to support the designation of cobble reef features in the Cardigan Bay SAC and its subsequent inclusion in the report and habitat assessment.
- We are concerned with the short time scale of the consultation, limited opportunity to respond and the lack of communication with key stakeholders. This especially concerning as the outcomes of the report have the potential to significantly affect the activities and management of marine users.

**Given our grave concerns we request in the strongest possible terms that the Welsh report to be withdrawn forthwith from the UK process and it be subjected to a full and thorough review addressing what we feel are significant quality issues and bias.**

Habitat Assessment	Section	Statement	Response
<p><b>H1110 Sandbanks which are slightly covered by sea water all the time</b></p>	<p>2.5 Main pressures: Fishing and harvesting aquatic resources</p>	<p>Ranking: H</p> <p>F02 - Fishing and harvesting aquatic resources. Many typical fish species of sandbanks are caught in commercial fisheries, either targeted or as bycatch. The populations of most of these species are substantially reduced compared to non-recent historic levels. Some of these species populations are not in good condition and/or in continued decline as a consequence of current and/or past fishery activity. Management of the fisheries that affect some of these species are not currently in a state that is likely to lead to species recovery. Relevant species vary with location and sand bank type but include for example: skates and rays, plaice, sole, whiting, gurnard.</p>	<p>The inclusion of wide ranging mobile species that are subject to numerous far-field effects in the “typical species” of this feature have questionable value in assessing its condition. These species have the potential to regularly undermine a favourable status assessment despite local best practice and effective management.</p> <p>We challenge the validity of the comments on reduction in population sizes as the comparison to current populations to some undefined “non-recent” (we assume pre-exploitation) level.</p> <p>Commercial species are an important strategic food resource and the basis of important economic activity. These populations or stocks are managed via EU and National legislation using a variety of quota or/and technical measures. Each of the examples cited are subject to these. The current reform of the CFP and the implementation of the MSFD will enshrine the use of MSY as the target population size for important fish populations and as a tool to encourage stock recovery. A population at MSY level will always be lower than a non-exploited population, the use of non-recent stock level as a baseline will therefore always result in a negative assessment for these habitat features. We challenge this ranking for this pressure accordingly.</p>
	<p>2.6 Main Threats: Fishing and harvesting aquatic resources</p>	<p>Ranking: H</p> <p>Many typical fish species of sandbanks are caught in commercial fisheries, either targeted or as bycatch. The populations of most of these species are substantially reduced compared to non-recent historic levels. Some of these species populations are not in good condition and/or in continued decline as a consequence of current</p>	<p>We challenge this ranking and take issue with the negative assertions in this paragraph; the use of non-recent population levels is inappropriate and does not account for the reality of fisheries management and the MSY target for stock levels (see discussion above).</p>

Habitat Assessment	Section	Statement	Response
		and/or past fishery activity. Management of the fisheries that affect some of these species are not currently in a state that is likely to lead to species recovery. Relevant species vary with location and sand bank type but include for example: skates and rays, plaice, sole, whiting, gurnard. Fishery activity will continue, with the threat of further declines or lack of recovery determined by fishery pressure and management measures.	
<b>H1170 - Reefs</b>	2.3.4 Short-term trend - trend direction  2.3.7 Long-term trend - trend direction  2.4.9 Long-term trend - trend direction	<i>There have been some on-going small losses of reef, typically small intertidal losses due to development and coast protection or biogenic reef losses due to mobile benthic gear. Larger, unrecorded losses, may have been occurring unobserved offshore due to damage by mobile benthic fisheries gear but are not accounted for here.</i>	Although we acknowledge the potential for negative interactions between mobile fishing gears and fragile habitats such as biogenic reefs this is rare in Wales and subject to improved management measures. Fishermen from ports local to these reefs regularly fish with static gears on and around them and very much value their ecosystem role. We challenge the statement that larger and unrecorded losses are occurring offshore as pure conjecture, unsupported by reference to evidence and therefore not relevant to this assessment.
	2.5 Main pressures:  F01 Fishing and harvesting aquatic resources	Ranking: M  F01 Fishing and harvesting aquatic resources): Use of heavy mobile fishing gear remains a pressure for subtidal reef. Whilst there have been some significant recent improvements in management (The Scallop Fishing (Wales) (No.2) Order 2010), important sensitive reefs continue to be impacted from inadequately managed or illegal fishery activity (e.g. Modiolus reefs off north Wales, sheltered reefs in Milford Haven).	Reporting that “important sensitive reefs continue to be impacted from inadequately managed or illegal fishing activity” is misleading at best, in consideration of the following:  1. As a result of routine survey work undertaken by the Countryside Council for Wales (CCW) previously “unknown” Horse Mussel ( <i>Modiolus modiolus</i> ) was identified off the North Wales Coast (date unknown) 2. Similar horse Mussel Reef located nearby is already protected by the former North Western and North Wales Sea Fisheries Committee (NWNWSFC) Bylaw (21) which lies within the Penllyn A’r Sarnau special area of conservation (SAC)

Habitat Assessment	Section	Statement	Response
		<p>Regular dredging for mussel seed on some intertidal and subtidal reef areas occurs.</p>	<p>3. Pursuant to (1) above the Welsh government launched its consultation document – management proposals for Horse Mussel (<i>Modiolus modiolus</i>) Reefs off the North Wales Coast in September 2011 following which the former Byelaw (21) was subsequently revoked and replaced with a statutory instrument that included the newly identified Horse Mussel Reef under the title of The Sea fish (Specified Sea Areas) (Prohibition of Fishing Methods) (Wales) Order 2012.</p> <p>4. Equally absent is the successful introduction of WG secondary legislation “The Scallop Dredging Operations (Tracking Devices) (Wales) Order 2012 which came into force on the 1st November 2012. This Order is a requirement of the Permit Scheme for any vessel entering the scallop fishery In Welsh Waters from the 1st November 2012.</p> <p>As a result of the above process all scallop vessels operating in Welsh waters have to be fitted with iVMS equipment which provides an effective compliance monitoring tool to enforce spatial protection of sensitive reef features.</p> <p>The statement that mobile gears have damaged sheltered reefs in Milford Haven is made without supporting evidence. Other than the small oyster fishery (1 or 2 vessels) that until recently took place on historic oyster beds in small areas of the waterway there are no other dredge fisheries operating within the reporting period.</p> <p>We challenge the inclusion of mussel seed harvest in this section. Seed mussel beds targeted are ephemeral in nature and the fishing gear used is designed to be non-</p>

Habitat Assessment	Section	Statement	Response
		<p>Bait collection (boulder turning) is present, often in sensitive sheltered and tideswept habitats.</p> <p>Many typical fish species of reefs, both fin fish and crustacea, are caught in commercial fisheries, either targeted or as bycatch. The populations of most of these species are substantially reduced compared to non-recent historic levels. Some of these species populations are not in good condition and/or in continued decline as a consequence of current and/or past fishery activity. Management of the fisheries that affect some of these species is not currently in a state that is likely to lead to species recovery.</p>	<p>penetrating and to have minimal seabed interaction. Mussel seed harvest is subject to comprehensive management controls when carried out in Welsh waters. When carried out in N2K site permissions must be obtained which are subject to Appropriate Assessments and only go forward when the AA concludes “no significant effect”.</p> <p>We challenge the negative assertions in this paragraph and the use of non-recent population levels is inappropriate and does not account for the reality of fisheries management and the MSY target for stock levels (see discussion in H1110 Sandbanks above).</p> <p>We object to the ranking for this pressure as there is no evidence that fishing related impacts are anything other than acting over a small part of the area/acting only regionally which should return a ranking of “L”. In sites where mobiles operate in the vicinity of reef features there are well developed management measures as highlighted above.</p>
	2.6 Main threats:	<p>Ranking “M”</p> <p>F01 - Marine and Freshwater Aquaculture</p> <p>Intensive bottom culture of mussels is extensive in some areas (e.g. Menai Strait) and increasing in others (e.g. Burry Inlet and The Three Rivers).</p>	<p>We challenge this ranking as the statement makes the erroneous assumption that aquaculture cannot take place without an unacceptable impact to the H1170 Reef habitat. No evidence is presented to support this or describe the negative effects.</p> <p>All aquaculture activities are highly regulated and consents for Several Orders are subject to a great deal of scrutiny. Those currently taking place have been subject to Appropriate Assessments and future developments</p>

Habitat Assessment	Section	Statement	Response
		<p>F02 (02.05, 03.01) - Fishing and harvesting aquatic resources</p> <p>Use of heavy mobile fishing gear remains a pressure for subtidal reef. Whilst there have been some significant recent improvements in management (The Scallop Fishing (Wales) (No.2) Order 2010), important sensitive reefs continue to be impacted from inadequately managed or illegal fishery activity (e.g. Modiolus reefs off north Wales, sheltered reefs in Milford Haven).</p> <p>Regular dredging for mussel seed on some intertidal and subtidal reef areas occurs and expansion in this industry is likely to generate increased demand.</p> <p>Bait collection (boulder turning) is present, often in sensitive sheltered and tideswept habitats.</p> <p>Many typical fish species of reefs, both fin fish and crustacea, are caught in commercial fisheries, either targeted or as bycatch. The populations of most of these species are substantially reduced compared to non-recent historic levels. Some of these species populations are not in good condition and/or in continued</p>	<p>will only be consented following assessments finding “no significant effect”. Once consents have been granted these operations are very often subject to regular monitoring and the focus of academic research e.g. the Bangor mussel industry. In the context of the regulatory framework and the need for sustainable development it is difficult to see how aquaculture can be considered either a pressure or a threat at anything other than an “L” category.</p> <p>We challenge this ranking and take issue with the negative assertions in this paragraph; the use of non-recent population levels is inappropriate and does not account for the improvements in fisheries management in Wales, a reformed CFP, the implementation of the MSFD and the MSY target for stock levels (see discussion</p>



Habitat Assessment	Section	Statement	Response
	F06 - Hunting, fishing or collecting activities not referred to above	<p>Dredging for mussel seed on some intertidal and subtidal areas occurs (e.g. Burry Inlet).</p> <p>Bait collection (boulder turning) is present, often in sensitive sheltered and tideswept habitats. Bait digging is widespread and has generated clear habitat damage and modification in some areas. Sensitive habitats such as seagrass and muddy gravels are being impacted (e.g. Milford Haven).</p> <p>Many typical fish species of reefs, both fin fish and crustacea, are caught in commercial fisheries, either targeted or as bycatch. The populations of most of these species are substantially reduced compared to non-recent historic levels. Some of these species populations are not in good condition and/or in continued decline as a consequence of current and/or past fishery activity. Management of the fisheries that affect some of these species is not currently in a state that is likely to lead to species recovery.</p> <p>Commercial cockle raking occurs over wide areas of the Burry Inlet and the Three Rivers estuary flats. Sporadic but intensive commercial cockling activity has impacted sheltered sediment habitats including seagrass. Cockle populations in several estuaries are significantly down following mass cockle mortality likely due to introduction of a non-native parasite. Commercial mussel removal for bottom lay seed (by hand and dredge) or sale occurs, largely limited to mussel farming areas in the</p>	<p>We challenge the inclusion of mussel seed harvest in this section (see discussion in H1170 - Reefs above).</p> <p>We challenge this ranking and take issue with the negative assertions in this paragraph; the use of non-recent population levels is inappropriate and does not account for the improvements in fisheries management in Wales, a reformed CFP, and the implementation of the MSFD and the MSY target for stock levels (see discussion in H1110 Sandbanks above).</p> <p>The conclusion that mass cockle mortality is “likely due to introduction of a non-native parasite” is erroneous. This is a widespread issue affecting cockle populations in England and Wales and no clear cause has been established. The link to a non-native parasite is unproven and there are a number of other equally valid theories including anthropogenic chemical pollution e.g. endocrine disrupters. The statement implies some level of liability or blame on the part of the cockle industry; this is unfair and suggests a bias in the assessment.</p>

Habitat Assessment	Section	Statement	Response
		north and south of Wales. Other species such as winkles are also collected commercially.	<p>Cockle harvest is subject to comprehensive management controls when carried out in Welsh estuaries. When carried out in N2K sites, such as the Burry Inlet and Three Rivers estuary, permissions must be obtained which are subject to Appropriate Assessments and only go forward when the AA concludes “no significant effect” thus enabling a sustainable fishery to take place.</p> <p>As discussed in H1170 - Reefs above mussel seed harvest is subject to comprehensive management controls when carried out in Welsh waters. When carried out in N2K site permissions must be obtained which are subject to Appropriate Assessments and only go forward when the AA concludes “no significant effect”.</p>
	<p>2.6 Main Threats</p> <p>F01: Marine and Freshwater Aquaculture</p>	<p>Ranking “H”</p> <p>F01 – Marine and Freshwater Aquaculture Intensive bottom culture of mussels is present and increasing in some estuaries (e.g. Burry Inlet and The Three Rivers) proposals for oyster culture (Crassostrea) have also been made (e.g. Teifi Estuary).</p>	<p>We challenge this ranking as the statement makes the erroneous assumption that aquaculture cannot take place without an unacceptable impact to the H1130 Estuaries habitat. The discussion in row above makes clear that these activities are well managed and consents are subject to comprehensive assessment processes to ensure that they have a non-significant effect.</p>
<p><b>H1140 - Mudflats and sandflats not covered by seawater at low tide</b></p>	<p>2.5 Main pressures:</p> <p>F01: Marine and Freshwater Aquaculture</p>	<p>Ranked “H”</p> <p>F01 (03) - Marine and Freshwater Aquaculture Intensive bottom culture of mussels is present in some areas (e.g. Menai Strait) and increasing in others (e.g. Burry Inlet and The Three Rivers).</p>	<p>We challenge this ranking as the statement makes the erroneous assumption that aquaculture cannot take place without an unacceptable impact to the H1140 Mudflats habitat. No referenced evidence is presented on recent increases and to our knowledge there are no recent consents. The discussion in H1130 Habitats above makes clear that these activities are well managed and consents are subject to comprehensive</p>

Habitat Assessment	Section	Statement	Response
	<p data-bbox="539 328 837 389">F02 Fishing and harvesting aquatic resources</p> <p data-bbox="539 951 837 1043">F06 - Hunting, fishing or collecting activities not referred to above</p>	<p data-bbox="860 328 1404 813">F02 (02.05, 03.01) - Fishing and harvesting aquatic resources Dredging mudflats (<i>Zostera noltii</i>) for cockles has occurred in Pembroke River, Milford Haven, and regular dredging for mussel seed and mussel crumble on the flats of the Carmarthen Bay &amp; Estuaries SAC occurs. Bait digging is widespread and has generated clear habitat damage and modification in some areas. Sensitive habitats such as seagrass and muddy gravels are being impacted (e.g. Milford Haven). Populations of some typical fish species subject to commercial exploitation (including bycatch) are not at an abundance equal to or greater than that required to achieve maximum sustainable yield.</p> <p data-bbox="860 951 1404 1107">Commercial cockle raking occurs over wide areas of the Burry Inlet and the Three Rivers sediment flats. Cockle populations are significantly down due to (probably) non-native parasite introduction (probably industry related).</p>	<p data-bbox="1426 233 2045 293">assessment processes to ensure that they have a non-significant effect.</p> <p data-bbox="1426 328 2045 485">The statement that dredging for cockles has occurred in Pembroke River is unsupported and likely to be erroneous; discussions with local fishermen suggest that gear scars on the mud flats there were due to a fisheries survey by a visiting University (unidentified).</p> <p data-bbox="1426 520 2045 644">Mussel dredging for seed mussel/crumble only occurs following a consenting procedure that includes an Appropriate Assessment. See discussion in H1170 – Reefs above.</p> <p data-bbox="1426 679 2045 916">We challenge this ranking and take issue with the negative assertions in this paragraph; the use of non-recent population levels is inappropriate and does not account for the improvements in fisheries management in Wales, a reformed CFP, and the implementation of the MSFD and the MSY target for stock levels (see discussion in H1110 Sandbanks above).</p> <p data-bbox="1426 951 2045 1171">Cockle harvest is subject to comprehensive management controls when carried out in Welsh estuaries. When carried out in N2K sites, such as the Burry Inlet and Three Rivers estuary, permissions must be obtained which are subject to Appropriate Assessments and only go forward when the AA concludes “no significant effect” thus enabling a sustainable fishery to take place.</p> <p data-bbox="1426 1206 2045 1362">The statement that mass cockle mortality is “due to (probably) non-native parasite introduction” and is “probably industry related” is misleading and demonstrates a high degree of bias. This is a widespread issue affecting cockle populations in England and Wales</p>

Habitat Assessment	Section	Statement	Response
		<p>Commercial mussel removal for bottom lay seed (by hand and dredge) or sale occurs, largely limited to mussel farming areas in the north and south of Wales.</p> <p>Elsewhere, there is limited but increasing collection of other intertidal sediment flat molluscs (e.g. razor fish).</p>	<p>and no clear cause has been established. See the discussion in H1130 – Estuaries above.</p> <p>Mussel dredging for seed mussel/crumble only occurs following a consenting procedure that includes an Appropriate Assessment. See discussion in H1170 – Reefs above.</p> <p>This statement is a good example of an unreferenced assertion of an effect or activity. Whilst this activity undoubtedly takes place, we question whether effort estimates exist or are regularly monitored.</p>
	<p>2.6 Main Threats</p> <p>F01: Marine and Freshwater Aquaculture</p> <p>F02: Fishing and harvesting aquatic resources</p>	<p>Ranking “H”</p> <p>F01 – Marine and Freshwater Aquaculture Intensive bottom culture of mussels is present and increasing in some estuaries (e.g. Burry Inlet and The Three Rivers) proposals for oyster culture (<i>Crassostrea</i>) have also been made (e.g. Teifi Estuary).</p> <p>Ranking “M”</p> <p>Dredging mudflats (<i>Zostera noltii</i>) for cockles has occurred in Pembroke River, Milford Haven, and regular dredging for mussel seed and mussel crumble on the flats of the Carmarthen Bay &amp; Estuaries SAC occurs most years.</p> <p>Bait digging is widespread and has generated clear habitat damage and modification where it is intensive. Sensitive habitats such as seagrass and muddy gravels are being particularly impacted (e.g. Milford Haven). Some of these impacts</p>	<p>We challenge this ranking as the statement makes the erroneous assumption that aquaculture cannot take place without an unacceptable impact to the H1140 Mudflats habitat. The discussion in row above and in H1130 Estuaries makes clear that these activities are well managed and consents are subject to comprehensive assessment processes to ensure that they have a non-significant effect.</p> <p>As stated in the row above the Milford Haven example is likely to be erroneous and management already exists to prevent this occurring; it is not a credible threat and may influence the “M” ranking.</p>

Habitat Assessment	Section	Statement	Response
		<p>could recover, even if in the long-term, but existing pressure threatens the possibility of any recovery.</p> <p>Populations of some typical fish species subject to commercial exploitation (including bycatch) are not at an abundance equal to or greater than that required to achieve maximum sustainable yield. Management of the fisheries that affect some of these species are not currently in a state that is likely to lead to species recovery.</p>	<p>We challenge this ranking and take issue with the negative assertions in this paragraph; the use of non-recent population levels is inappropriate and does not account for the improvements in fisheries management in Wales, a reformed CFP and the MSY target for stock levels (see discussion in H1110 Sandbanks above).</p>
	2.7.5 Other relevant information	<p>Management plans to reduce existing impacts and avoid future ones appear slow to come in, have long timescales for action or are seen as unfeasible. It appears unlikely that nutrient issues, fisheries management and bait digging, let alone public perception, are likely to be resolved in the foreseeable future.</p>	<p>We believe that this statement is based on a subjective bias against fishing and aquaculture and cannot be supported by evidence; it is opinion rather than information.</p>



		<p>Dredging for mussel seed on some intertidal and subtidal areas occurs.</p> <p>Bait collection (boulder turning) is present, often insensitive sheltered and tideswept habitats. Bait digging is widespread and has generated clear habitat damage and modification in some areas. Sensitive habitats such as seagrass and muddy gravels are being impacted (e.g. Milford Haven).</p> <p>Many typical fish species of reefs, both fin fish and crustacea, are caught in commercial fisheries, either targeted or as bycatch. The populations of most of these species are substantially reduced compared to non-recent historic levels. Some of these species populations are not in good condition and/or in continued decline as a consequence of current and/or past fishery activity. Management of the fisheries that affect some of these species is not currently in a state that is likely to lead to species recovery.</p>	<p>period.</p> <p>Mussel dredging for seed mussel/crumble only occurs following a consenting procedure that includes an Appropriate Assessment. See discussion in H1170 – Reefs above.</p> <p>We challenge this ranking and take issue with the negative assertions in this paragraph; the use of non-recent population levels is inappropriate and does not account for the improvements in fisheries management in Wales, a reformed CFP, the implementation of the MSFD and the MSY target for stock levels (see discussion in H1110 Sandbanks above).</p>
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