

Response ID ANON-NWK3-QP44-C

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Introduction

What is your organisation?

Organisation:

Northumberland Inshore Fisheries and Conservation Authority

Would you like your response to be made confidential?

No

If you answered yes to this question, please state your reason.:

Question 1: Are the proposed measures for the Descriptor sufficient to meet the requirements of the Directive, bearing in

mind the current limitations in our knowledge base?

Q1 Please indicate your responses for as many Descriptors as you would like.

D1&4 Fish:

Yes

D1&4 Marine mammals:

Yes

D1&4 Birds:

Yes

D1,4&6 Pelagic habitats:

Yes

D1&6 Benthic habitats:

Yes

D2 Non-indigenous species:

Don't know

D3 Commercial fish:

No

D3 Commercial shellfish:

No

D5 Eutrophication:

Don't know

D7 Hydrographical conditions:

Don't know

D8 Contaminants:

Don't know

D9 Contaminants in seafood:

Don't know

D10 Marine litter:

Don't know

D11 Underwater noise:

Don't know

Please give reasons for your answers, specifying which Descriptors your comments refer to.:

Fish:

EU legislation/regulations are fit for purpose in terms of meeting the Directive, but they need to be adhered to.

CFP is inherently flawed. Mixed fisheries cannot be managed by MSY models. Better knowledge of stocks is required to inform TACs and quotas. Inherent differences and inequality in TACs/Quotas between Member States have to be addressed. Fisheries closures should not only be limited to larger vessels. CFP bycatch: if the proposed changes to landing obligations of bycatch do lead to technical improvements in reducing bycatch there will be knock on improvement to biodiversity in general. However, if they do not, bycaught individuals still die and biomass is removed from the ecosystem. Hopefully, the technical overhaul of the regulations will address this.

WCA is predominantly for intertidal SSSI in the marine environment and would not protect the biodiversity and foodweb as a whole (but play a role as a tool).

Regarding various Shark/elasmobranch related measures, many are voluntary, and may not be put in practice, e.g. MOU. Therefore they may not deliver the proposed measure.

Regarding the legislation relating to diadromous fish (e.g. salmon) there is a lot of protection for specific species, this does not benefit biodiversity/foodwebs directly (however, maybe indirectly) only the fish.

WFD should lead to good ecological status of water bodies which is fundamental to the marine environment.

In the main, many of the proposed measures, which currently exist, are focused on commercial fish species and not protection of the biodiversity and food webs.

The question is, does the combination of measures meet the requirements of the Directive?

Marine mammals:

EU legislation/regulations are fit for purpose in terms of meeting the Directive, but they need to be adhered to. With regards to marine mammals, habitats especially for cetaceans are not adequately identified or protected e.g. nursery/breeding grounds. A number of legislative tools are designed to prevent disturbance and injury/death to marine mammals, however, compliance is variable/unknown – therefore protection from these tools is a grey area. Technical measures such as pingers need to be monitored to determine their efficiency.

Birds

EU legislation/regulations are fit for purpose in terms of meeting the Directive, but they need to be adhered to. With regards to SPA birds, habitats especially for nursery/breeding and roosting grounds are identified but maintenance areas should also be identified.

The impact of changes in CFP, with regards to bycatch, may have knock effects especially on bird spp. /populations which effectively have utilised this resource and will no longer be able to feed on bycatch. However, this may lead to improvements in other populations' abundances which have been competitively excluded e.g. kittiwakes. But in terms of biodiversity how do the proposed measures balance difference species i.e. is a roseate tern more important than a colony of shags? Will the UK Seabird bycatch plan of action address these concerns?

CFP-technical measures to reduce bycatch can only aid biodiversity.

Benthic and pelagic habitats

Measures to deliver the requirements for pelagic habitats under MSD are mainly achieved indirectly. Measures are more focused on biodiversity and foodwebs.

WFD improving good ecological status of water bodies should lead to GES of pelagic habitats. However, it is difficult to comment further on this question.

Non-indigenous species - outside the NIFCA remit

Commercially exploited fish

The CFP is focused on MSY which doesn't include non-anthropogenic drivers and doesn't effectively model mixed fisheries, which makes it a flawed tool.

Regionalisation is potentially a useful tool, but the effects would have to be monitored. Better knowledge of stocks is required to inform TACs and quotas. Inherent differences and inequality in TACs/Quotas between Member States have to be addressed.

Fisheries closures (of various types) should not only be limited to larger vessels.

CFP bycatch: if the proposed changes to landing obligations of bycatch do lead to technical improvements in reducing unwanted catches there will be knock on improvement to biodiversity in general. However, if they do not, bycaught individuals still die and biomass is removed from the ecosystem. Hopefully, the technical overhaul of the regulations will address this.

Shellfish

NIFCA byelaws are in place to prevent the over exploitation of lobster and crab stocks (these include pot limitation and protection of v-notched lobster) NIFCA have identified that additional evidence is required to fully understand the population dynamic of these species and are currently gathering this in house and with inputs from Newcastle University. This information will then allow an assessment of exploitation levels, and provide evidence as to whether additional management is required.

However, the document refers to MSY generated fishing mortality references e.g. proxy F_{MSY}) we question how powerful MSY is for modelling shellfish stocks?

Eutrophication, Hydrographical conditions, Contaminants, Marine litter and Underwater noise - outside the NIFCA remit.

Question 2: Are there any additional existing or planned measures for this Descriptor we have not identified that might

also contribute to the achievement of the relevant environmental targets and the achievement or maintenance of GES?

Q2: Please indicate your responses for as many Descriptors as you would like.

D1&4 Fish:

No

D1&4 Marine mammals:

No

D1&4 Birds:

No

D1,4&6 Pelagic habitats:

Yes

D1&6 Benthic habitats:

Yes

D2 Non-indigenous species:

Don't know

D3 Commercial fish:

Yes

D3 Commercial shellfish:

Yes

D5 Eutrophication:

Don't know

D7 Hydrographical conditions:

Don't know

D8 Contaminants:

Don't know

D9 Contaminants in seafood:

Don't know

D10 Marine litter:

Don't know

D11 Underwater noise:

Don't know

Please give reasons for your answers, specifying which Descriptors your comments refer to.:

Fish, Marine mammals & Birds

Defra's revised approach to commercial fisheries management in EMS resultant measures (now and in the future) is a significant change in fisheries management which may improve the condition in MPAs, but this has to be monitored, so adaptive management can but put in place.

Benthic & Pelagic habitats

It is important to monitor changes in pelagic habitats e.g. a switch from a phytoplankton --> zooplankton --> larval fish --> fish, for example, to a jellyfish dominated ecosystem which out-competes the previous 'classic' foodweb.

Non-indigenous species - outside the NIFCA remit

Commercially exploited fish & shellfish

Defra's revised approach to commercial fisheries management in EMS resultant measures (now and in the future) is a significant change in fisheries management which may improve the condition in MPAs, but this has to be monitored, so adaptive management can but put in place. This is because "typical species" in the Habitats Directive include commercially exploited species.

Eutrophication, Hydrographical conditions, Contaminants, Contaminants in seafood, Marine litter and Underwater noise - outside the NIFCA remit

Question 3: Are there any new measures that are needed? If so please provide details and evidence to show how they

would contribute towards the achievement or maintenance of GES or the environmental targets as set out in the Marine

Strategy Part One.

Q3: Please indicate your responses for as many Descriptors as you would like.

D1&4 Fish:

Yes

D1&4 Marine mammals:

Yes

D1&4 Birds:

Yes

D1,4&6 Pelagic habitats:

Don't know

D1&6 Benthic habitats:

Don't know

D2 Non-indigenous species:

Don't know

D3 Commercial fish:

Yes

D3 Commercial shellfish:

Yes

D5 Eutrophication:

Don't know

D7 Hydrographical conditions:

Don't know

D8 Contaminants:

Don't know

D9 Contaminants in seafood:

Don't know

D10 Marine litter:

Don't know

D11 Underwater noise:

Don't know

Please give reasons for your answers, specifying which Descriptors your comments refer to. Please make clear how any new measures would

contribute towards the achievement or maintenance of GES or the environmental targets as set out in the Marine Strategy Part One.:

Fish

Yes -- but that requires funding to investigate the different options validity and would be a consultation in itself. Exclusive access to resident fishers in defined geographical units, with greater incentives to manage on an ecosystem approach and allow long-term strategies to be developed.

Marine mammals

Yes -- but that requires funding to investigate the different options' validity and would be a consultation in itself. Under the Habs Directive designation of important habitats for cetaceans other than harbour porpoise is required, e.g. white-beaked dolphin and minke whale .

Birds

Under the Habs Regs process new SPA are to be designated, but the timelines may not match up with the MSFD objectives.

Non-indigenous species - outside the NIFCA remit.

Commercial fish

Yes -- but that requires funding to investigate the different options' validity and would be a consultation in itself.

New measures relating to technical measures (which are referred to in the documents) are needed -- it is unclear from the document if this work is being carried out?

Commercial shellfish

Yes -- but that requires funding to investigate the different options' validity and would be a consultation in itself.

Eutrophication, Hydrographical conditions, Contaminants, Contaminants in seafood, Marine litter, Underwater noise - outside the NIFCA remit

Question 4: Are there any measures proposed that you think are not justified or that will not contribute towards the

achievement or maintenance of GES or the environmental targets set out in the Marine Strategy Part One?

Please indicate your response below.

Please tick:

No

Please give reasons for your answer, specifying which Descriptors your comments refer to.:

All the measures play a role, but there may be gaps in the measures (see other columns e.g non-commercial fish species and marine mammals).

The proposed deadline for achievement of GES is very ambitious. To monitor and detect robust evidence of change in condition of GES in five years or to confidently state that the measures adopted by 2020 will result in GES is ecologically unlikely. There will have to be future monitoring and assessment of the proposed measure to determine if they are achieving their objectives.

The indicators and targets related to the measures need to be adaptive to ideally monitor non-anthropogenic changes in the system (given that anthropogenic changes should be managed).

There are definite gaps in understand relating to the populations of cetaceans which will affect the understanding and monitoring of the proposed indicators and targets under the various measures.

Question 5: Do you agree with the justifications provided for the use of exceptions under Article 14?

Please indicate your response below.

Please tick:

Yes

Please give reasons for your answers, specifying which Descriptors your comments refer to.:

Fish - agree.

Marine mammals - marine mammals distribution and abundance may also be subject to non-anthropogenic drivers such as changes in sea water temperature, disease, therefore Article 14 (e) may apply.

Birds - bird distribution and abundance may also be subject to non-anthropogenic drivers such as changes in sea water temperature, disease, therefore Article 14(e) may apply.

Pelagic and benthic habitats - phytoplankton and zooplankton distribution and abundance may also be subject to non-anthropogenic drivers such as changes in sea water temperature, therefore Article

14 (e) may apply. It is important to monitor changes in pelagic habitats e.g. a switch from a phytoplankton --> zooplankton --> larval fish --> fish, for example, to a jellyfish dominated ecosystem which out-competes the previous 'classic' foodweb.

Non-indigenous species - outside the NIFCA remit.

Commercial fish and shellfish species - Agree.

Eutrophication - Agree.

Hydrographical conditions, contaminants, marine litter and noise pollution - outside the NIFCA remit.

Question 6: Are there any significant human activity-related pressures that are not addressed by the proposed measures?

Please indicate your response below.

Please tick:

No

Please give reasons for your answers.: