

Fisheries in EMS Habitats Regulations Assessment for Amber and Green risk categories

NWIFCA-RA-SPA-005

Date completed: 25/11/2015

Completed by: S. Temple

Site: **Ribble and Alt Estuaries**

European Designated Sites: UK9005103 Ribble and Alt Estuaries Special Protection Area (SPA)
UK11057 Ribble and Alt Estuaries Ramsar
Sefton Coast SAC
(UK9020294 Liverpool Bay/Bae Lerpwl SPA adjoins this site – assessed separately in NWIFCA-LB-SPA-003)

European Marine Site **Ribble and Alt Estuaries**

Qualifying Feature(s):

SPA and Ramsar

A037 *Cygnus columbianus bewickii*; Bewick's swan (Non-breeding)
A038 *Cygnus cygnus*; Whooper swan (Non-breeding)
A040 *Anser brachyrhynchus*; Pink-footed goose (Non-breeding)
A048 *Tadorna tadorna*; Common shelduck (Non-breeding)
A050 *Anas penelope*; Eurasian wigeon (Non-breeding)
A052 *Anas crecca*; Eurasian teal (Non-breeding)
A054 *Anas acuta*; Northern pintail (Non-breeding)
A130 *Haematopus ostralegus*; Eurasian oystercatcher (Non-breeding)
A137 *Charadrius hiaticula*; Ringed plover (Non-breeding)
A140 *Pluvialis apricaria*; European golden plover (Non-breeding)
A141 *Pluvialis squatarola*; Grey plover (Non-breeding)
A143 *Calidris canutus*; Red knot (Non-breeding)
A144 *Calidris alba*; Sanderling (Non-breeding)
A149 *Calidris alpina alpina*; Dunlin (Non-breeding)
A151 *Philomachus pugnax*; Ruff (Breeding)
A156 *Limosa limosa islandica*; Black-tailed godwit (Non-breeding)
A157 *Limosa lapponica*; Bar-tailed godwit (Non-breeding)
A162 *Tringa totanus*; Common redshank (Non-breeding)
A183 *Larus fuscus*; Lesser black-backed gull (Breeding)
A193 *Sterna hirundo*; Common tern (Breeding)

Waterbird assemblage

Seabird assemblage

Breeding Waterbird Assemblage

Natterjack toad (NON MARINE)

SAC

H2110. Embryonic shifting dunes

H2120. Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes"); Shifting dunes with marram

H2130. Fixed dunes with herbaceous vegetation ("grey dunes"); Dune grassland*

H2150. Atlantic decalcified fixed dunes (*Calluno-Ulicetea*); Coastal dune heathland*

H2170. Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*); Dunes with creeping willow

H2190. Humid dune slacks

S1166. *Triturus cristatus*; Great crested newt

S1395. *Petalophyllum ralfsii*; Petalwort

Site sub-feature(s):**SPA and Ramsar****Supporting Habitat:**

- intertidal rock
- intertidal sand and muddy sand
- intertidal mud
- intertidal mixed sediment
- coastal saltmarshes and saline reedbeds – (Saltmarsh)
- freshwater and coastal grazing marsh (Saltmarsh)
- coastal sand dunes (Sand dunes)
- water column

Great crested newt and Natterjack toad Supporting Habitat: Coastal sand dunes

Generic sub-feature(s):

Estuarine birds, Surface feeding birds, Benthic feeding seabirds, Intertidal mud and sand, Saltmarsh spp.

High Level Conservation Objectives:

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified and the Ramsar Site and the wetland habitats and/or species for which the site has been listed (the 'Qualifying Features' listed above), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive and ensure that the site contributes to achieving the wise use of wetlands across the UK, by maintaining or restoring:

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Sefton Coast SAC

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Fishing activities assessed:

Gear type(s):	Pots/ creels (crustacea/ gastropods)
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1. Introduction

1.1 Need for an HRA assessment

In 2012, the Department for Environment, Food and Rural Affairs (Defra) announced a revised approach to the management of commercial fisheries in European Marine Sites (EMS). The objective of this revised approach is to ensure that all existing and potential commercial fishing activities are managed in accordance with Article 6 of the Habitats Directive.

This approach is being implemented using an evidence based, risk-prioritised, and phased basis. Risk prioritisation is informed by using a matrix of the generic sensitivity of the sub-features of EMS to a suite of fishing activities as a decision making tool. These sub-feature-activity combinations have been categorised according to specific definitions, as red, amber, green or blue.

Activity/feature interactions identified within the matrix as red risk have the highest priority for implementation of management measures by the end of 2013 in order to avoid the deterioration of Annex I features in line with obligations under Article 6(2) of the Habitats Directive.

Activity/feature interactions identified within the matrix as amber risk require a site-level assessment to determine whether management of an activity is required to conserve site features. Activity/feature interactions identified within the matrix as green also require a site level assessment if there are “in combination effects” with other plans or projects.

Some European Sites within the NWIFCA District consist of features that are not fully marine (eg. sand dunes) and therefore fall outwith of the EMS Review process. They have not been included in the original risk matrix. Due to the nature of some of the fisheries in the District, particularly intertidal fisheries, the NWIFCA has adopted the approach of carrying out full HRA on all the features (including non-marine) within European Sites to ensure that any potential risk from fishing activity has been identified and assessed.

Site level assessments are being carried out in a manner that is consistent with the provisions of Article 6(3) of the Habitats Directive, that is to determine that fishing activities are not having an adverse effect on the integrity of the site, to inform a judgement on whether or not appropriate steps are required to avoid the deterioration of natural habitats and the habitats of species as well as disturbances of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of this directive.

If measures are required, the revised approach requires these to be implemented by 2016.

The purpose of this site specific assessment document is to assess whether or not in the view of NWIFCA the fishing activity of ‘Pots/creels’ has a likely significant effect on the qualifying features of the Ribble and Alt Estuaries European Site and on the basis of this assessment whether or not it can be concluded that ‘Pots/creels’ will not have an adverse effect on the integrity of this European Site.

1.2 Documents reviewed to inform this assessment

- Natural England's risk assessment Matrix of fishing activities and European habitat features and protected species¹
- Reference list² (Annex 1)
- Natural England's consultation advice (Annex 2)
- Site map(s) – sub-feature/feature location and extent (Annex 3)
- Fishing activity data (map(s), etc) (Annex 4)

2. Information about the EMS

(See cover pages). Throughout this document this group of designated sites will be referred to as a whole as "Ribble & Alt Estuaries European Site".

3. Interest feature(s) of the EMS categorised as 'Red' risk and overview of management measure(s) (if applicable)

No interest features of the EMS categorised as 'Red' risk.

4. Information about the fishing activities within the site

Potting in the Ribble and Alt Estuaries European Site is a very small scale fishery. Local IFCOs report that the only potting activity to occur within the Ribble and Alt Estuaries European Site is off Formby (and occasionally off Crosby) (see Annex 4), with one commercial potter using around a dozen pots. He uses a beach launched boat which is towed to the beach using a tractor via established access tracks through sand dunes (near the old coastguard station and the north side of Altcar). The local IFCO reports that the fisherman sets pots for lobsters on the Mersey Walls and local wrecks on an occasional basis.

5. Test for Likely Significant Effect (LSE)

The Habitats Regulations assessment (HRA) is a step-wise process and is first subject to a coarse test of whether a plan or project will cause a likely significant effect on an EMS³.

Is the activity/activities directly connected with or necessary to the management of the site for nature conservation? NO

¹ See Fisheries in EMS matrix:

http://www.marinemanagement.org.uk/protecting/conservation/documents/ems_fisheries/populated_matrix3.xls

² Reference list will include literature cited in the assessment (peer, grey and site specific evidence e.g. research, data on natural disturbance/energy levels etc)

³ Managing Natura 2000 sites: http://ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm

5.1 Table 1: Assessment of LSE

What pressures (such as abrasion, disturbance) are potentially exerted by the gear type(s) to features? (taken from NE Advice on Operations-traps)

1. Above water noise
2. Underwater noise changes
3. Visual disturbance
4. Collision ABOVE water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures)
5. Collision BELOW water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures)
6. Litter
7. Removal of non-target species
8. Introduction or spread of non-indigenous species
9. Abrasion/disturbance of the substrate on the surface of the seabed (*supporting habitat*)
10. Penetration and/or disturbance of the substrate below the surface of the seabed, including abrasion (*supporting habitat*)

SCREENED OUT-

Due to the nature of the potting activity, the low levels of activity occurring in the European Site and existing background levels, the following potential pressures can be screened out as unlikely to be a pressure:

11. Genetic modification & translocation of indigenous species
12. Hydrocarbon & PAH contamination. Includes those priority substances listed in Annex II of Directive 2008/105/EC.
13. Introduction of light
14. Introduction of other substances (solid, liquid or gas)
15. Synthetic compound contamination (incl.pesticides, antifoulants, pharmaceuticals). Includes those priority substances listed in Annex II of Directive 2008/105/EC.
16. Transition elements & organo-metal (e.g.TBT) contamination. Includes those priority substances listed in Annex II of Directive 2008/105/EC.
17. Barrier to species movement

Qualifying Feature	Sub-feature	Gear type and potential pressures	Potential for Likely Significant Effect?	Justification and evidence
A037 <i>Cygnus columbianus bewickii</i> ; Bewick's swan (Non-breeding)	Intertidal rock, intertidal sand and muddy sand, intertidal mud, intertidal mixed sediment, coastal saltmarshes and saline reedbeds – (Saltmarsh), freshwater and coastal grazing marsh (Saltmarsh), coastal sand dunes (Sand dunes), Water column	<i>Pots/creels</i> 1. Above water noise 2. Underwater noise changes 3. Visual disturbance	NO	(Estuarine birds) 1,2 & 3. Disturbance risk to birds through noise/ visual disturbance from fishing activity. Limited activity means that exposure of features to potential pressures and noise/ visual disturbance is minimal. Any noise exerted by the vessel or gear operation would be unlikely to exceed ambient noise levels in busy estuary. Activity is limited spatially and temporally and access to beach is via vehicle and foot on established access routes.
A038 <i>Cygnus cygnus</i> ; Whooper swan (Non-breeding)				
A040 <i>Anser brachyrhynchus</i> ; Pink-footed goose (Non-breeding)				
A048 <i>Tadorna tadorna</i> ; Common shelduck (Non-breeding)				
A050 <i>Anas penelope</i> ; Eurasian wigeon (Non-breeding)				

A052 <i>Anas crecca</i> ; Eurasian teal (Non-breeding)		found in the marine environment (e.g., boats, machinery, and structures)	highly unlikely due to nature of activity and low levels of numbers of pots leading to a small fishing footprint. Pots are set on existing rock therefore no increased risk from the physical objects present there.
A054 <i>Anas acuta</i> ; Northern pintail (Non-breeding)			
A130 <i>Haematopus ostralegus</i> ; Eurasian oystercatcher (Non-breeding)			
A137 <i>Charadrius hiaticula</i> ; Ringed plover (Non-breeding)			
A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding)			
A141 <i>Pluvialis squatarola</i> ; Grey plover (Non-breeding)			
A143 <i>Calidris canutus</i> ; Red knot (Non-breeding)			
A144 <i>Calidris alba</i> ; Sanderling (Non-breeding)			
A149 <i>Calidris alpina alpina</i> ; Dunlin (Non-breeding)			
A151 <i>Philomachus pugnax</i> ; Ruff (Breeding)			
A156 <i>Limosa limosa islandica</i> ; Black-tailed godwit (Non-breeding)			
A157 <i>Limosa lapponica</i> ; Bar-tailed godwit (Non-breeding)			
		6. Litter	6. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels.
		7. Removal of non-target species	7. Biological disturbance-extraction of non-target species. Selectivity of pots results in low incidental catch; IFCOs enforce a minimum landing size byelaw for various crab, lobster and fish species and undersized crabs/lobsters are returned. Limited activity means impact on bird feature food resource is minimal. Local IFCO does not know of any non-target by-catch.
		8. Introduction or spread of non-indigenous species	8. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels. Fisherman doesn't move pots further than surrounding local area therefore unlikely to move non-indigenous species.
		9. Abrasion/disturbance of the substrate on the surface of the seabed (<i>supporting habitat</i>)	9 & 10. Abrasion risk to substrate and sub-surface substrate- potential impact to substrate and associated communities through

<p>A162 <i>Tringa totanus</i>; Common redshank (Non-breeding)</p>		<p>10. Penetration and/or disturbance of the substrate below the surface of the seabed, including abrasion (<i>supporting habitat</i>)</p>	<p>abrasion and movement of substrate via contact of pots and associated lines. Pots are set on hard substrate comprising Mersey training wall- may strike the substrate and organisms during deployment, drag on the benthos during storm events or tidal/ current movement, and drag during hauling. Fishing activity footprint is small- limited activity means that exposure of features and sub-features to potential pressures is minimal. Area is naturally highly dynamic with strong currents, a large tidal range and additionally experiences disturbance from shipping activity in the Mersey. Access to the fishery is via established access routes. No increase in disturbance on existing background levels.</p> <p>Estuarine bird feature interaction categorised as "Blue" in generic matrix.</p>
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<p>A183 <i>Larus fuscus</i>; Lesser black-backed gull (Breeding)</p>	<p>Intertidal rock, intertidal sand and muddy sand, intertidal mud, intertidal mixed sediment, coastal saltmarshes and saline reedbeds – (Saltmarsh), freshwater and coastal grazing marsh (Saltmarsh), coastal sand dunes (Sand dunes), Water column</p>	<p><i>Pots/creels</i></p> <ol style="list-style-type: none"> 1. Above water noise 2. Underwater noise changes 3. Visual disturbance 4. Collision ABOVE water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 5. Collision BELOW water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 6. Litter 7. Removal of non-target species 8. Introduction or spread of non-indigenous species 	<p>NO</p>	<p>(Surface feeding seabirds) 1,2 & 3. Disturbance risk to birds through noise/ visual disturbance from fishing activity. Limited activity means that exposure of features to potential pressures and noise/ visual disturbance is minimal. Any noise exerted by the vessel or gear operation would be unlikely to exceed ambient noise levels in busy estuary. Activity is limited spatially and temporally and access to beach is via vehicle and foot on established access routes.</p> <p>4 & 5. Interaction (such as collision) between bird feature and fishing gear highly unlikely due to nature of activity and low levels of numbers of pots leading to a small fishing footprint. Pots are set on existing rock therefore no increased risk from the physical objects present there.</p> <p>6. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels.</p> <p>7. Biological disturbance-extraction of non- target species. Selectivity of pots results in low incidental catch; IFCOs enforce a minimum landing size byelaw for various crab, lobster and fish species and undersized crabs/lobsters are returned. Limited activity means impact on bird feature food resource is minimal. Local IFCO does not know of any non-target by-catch.</p> <p>8. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels. Fisherman doesn't</p>
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<p>A193 <i>Sterna hirundo</i>; Common tern (Breeding)</p>		<p>9. Abrasion/disturbance of the substrate on the surface of the seabed (<i>supporting habitat</i>)</p> <p>10. Penetration and/or disturbance of the substrate below the surface of the seabed, including abrasion (<i>supporting habitat</i>)</p>	<p>move pots further than surrounding local area therefore unlikely to move non-indigenous species.</p> <p>9 & 10. Abrasion risk to substrate and sub-surface substrate- potential impact to substrate and associated communities through abrasion and movement of substrate via contact of pots and associated lines. Pots are set on hard substrate comprising Mersey training wall- may strike the substrate and organisms during deployment, drag on the benthos during storm events or tidal/ current movement, and drag during hauling. Fishing activity footprint is small- limited activity means that exposure of features and sub-features to potential pressures is minimal. Area is naturally highly dynamic with strong currents, a large tidal range and additionally experiences disturbance from shipping activity in the Mersey. Access to the fishery is via established access routes. No increase in disturbance on existing background levels.</p> <p>Surface feeding seabird feature interaction categorised as “Blue” in generic matrix.</p>
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<p>Waterbird assemblage</p>	<p>Intertidal rock, intertidal sand and muddy sand, intertidal mud, intertidal mixed sediment, coastal saltmarshes and saline reedbeds – (Saltmarsh), freshwater and coastal grazing marsh (Saltmarsh), coastal sand dunes (Sand dunes), Water column</p>	<p><i>Pots/creels</i></p> <ol style="list-style-type: none"> 1. Above water noise 2. Underwater noise changes 3. Visual disturbance 4. Collision ABOVE water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 5. Collision BELOW water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 6. Litter 7. Removal of non-target species 8. Introduction or spread of non-indigenous species 9. Abrasion/disturbance of 	<p>NO</p>	<p>1,2 & 3. Disturbance risk to birds through noise/ visual disturbance from fishing activity. Limited activity means that exposure of features to potential pressures and noise/ visual disturbance is minimal. Any noise exerted by the vessel or gear operation would be unlikely to exceed ambient noise levels in busy estuary. Activity is limited spatially and temporally and access to beach is via vehicle and foot on established access routes.</p> <p>4 & 5. Interaction (such as collision) between bird feature and fishing gear highly unlikely due to nature of activity and low levels of numbers of pots leading to a small fishing footprint. Pots are set on existing rock therefore no increased risk from the physical objects present there.</p> <p>6. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels.</p> <p>7. Biological disturbance-extraction of non- target species. Selectivity of pots results in low incidental catch; IFCOs enforce a minimum landing size byelaw for various crab, lobster and fish species and undersized crabs/lobsters are returned. Limited activity means impact on bird feature food resource is minimal. Local IFCO does not know of any non-target by-catch.</p> <p>8. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels. Fisherman doesn't move pots further than surrounding local area therefore unlikely to move non-indigenous species.</p> <p>9 & 10. Abrasion risk to</p>
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		<p>9. Abrasion/disturbance of the substrate on the surface of the seabed (<i>supporting habitat</i>)</p> <p>10. Penetration and/or disturbance of the substrate below the surface of the seabed, including abrasion (<i>supporting habitat</i>)</p>	<p>surrounding local area therefore unlikely to move non-indigenous species.</p> <p>9 & 10. Abrasion risk to substrate and sub-surface substrate- potential impact to substrate and associated communities through abrasion and movement of substrate via contact of pots and associated lines. Pots are set on hard substrate comprising Mersey training wall- may strike the substrate and organisms during deployment, drag on the benthos during storm events or tidal/ current movement, and drag during hauling. Fishing activity footprint is small- limited activity means that exposure of features and sub-features to potential pressures is minimal. Area is naturally highly dynamic with strong currents, a large tidal range and additionally experiences disturbance from shipping activity in the Mersey. Access to the fishery is via established access routes. No increase in disturbance on existing background levels.</p>
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<p>Seabird assemblage</p>	<p>Intertidal rock, intertidal sand and muddy sand, intertidal mud, intertidal mixed sediment, coastal saltmarshes and saline reedbeds – (Saltmarsh), freshwater and coastal grazing marsh (Saltmarsh), coastal sand dunes (Sand dunes), Water column</p>	<p><i>Pots/creels</i></p> <ol style="list-style-type: none"> 1. Above water noise 2. Underwater noise changes 3. Visual disturbance 4. Collision ABOVE water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 5. Collision BELOW water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 6. Litter 7. Removal of non-target species 8. Introduction or spread of non-indigenous species 	<p>NO</p>	<p>1,2 & 3. Disturbance risk to birds through noise/ visual disturbance from fishing activity. Limited activity means that exposure of features to potential pressures and noise/ visual disturbance is minimal. Any noise exerted by the vessel or gear operation would be unlikely to exceed ambient noise levels in busy estuary. Activity is limited spatially and temporally and access to beach is via vehicle and foot on established access routes.</p> <p>4 & 5. Interaction (such as collision) between bird feature and fishing gear highly unlikely due to nature of activity and low levels of numbers of pots leading to a small fishing footprint. Pots are set on existing rock therefore no increased risk from the physical objects present there.</p> <p>6. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels.</p> <p>7. Biological disturbance-extraction of non- target species. Selectivity of pots results in low incidental catch; IFCOs enforce a minimum landing size byelaw for various crab, lobster and fish species and undersized crabs/lobsters are returned. Limited activity means impact on bird feature food resource is minimal. Local IFCO does not know of any non-target by-catch.</p> <p>8. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels. Fisherman doesn't move pots further than surrounding local area therefore unlikely to move non-indigenous species.</p>
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		<p>9. Abrasion/disturbance of the substrate on the surface of the seabed (<i>supporting habitat</i>)</p> <p>10. Penetration and/or disturbance of the substrate below the surface of the seabed, including abrasion (<i>supporting habitat</i>)</p>	<p>surrounding local area therefore unlikely to move non-indigenous species.</p> <p>9 & 10. Abrasion risk to substrate and sub-surface substrate- potential impact to substrate and associated communities through abrasion and movement of substrate via contact of pots and associated lines. Pots are set on hard substrate comprising Mersey training wall- may strike the substrate and organisms during deployment, drag on the benthos during storm events or tidal/ current movement, and drag during hauling. Fishing activity footprint is small- limited activity means that exposure of features and sub-features to potential pressures is minimal. Area is naturally highly dynamic with strong currents, a large tidal range and additionally experiences disturbance from shipping activity in the Mersey. Access to the fishery is via established access routes. No increase in disturbance on existing background levels.</p>
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<p>Breeding waterbird assemblage</p> <p>Page 14 of 24</p>	<p>Intertidal rock, intertidal sand and muddy sand, intertidal mud, intertidal mixed sediment, coastal saltmarshes and saline reedbeds – (Saltmarsh), freshwater and coastal grazing marsh (Saltmarsh), coastal sand dunes (Sand dunes), Water column</p>	<p><i>Pots/creels</i></p> <ol style="list-style-type: none"> 1. Above water noise 2. Underwater noise changes 3. Visual disturbance 4. Collision ABOVE water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 5. Collision BELOW water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 6. Litter 7. Removal of non-target species 8. Introduction or spread of non-indigenous species 	<p>NO</p>	<p>1,2 & 3. Disturbance risk to birds through noise/ visual disturbance from fishing activity. Limited activity means that exposure of features to potential pressures and noise/ visual disturbance is minimal. Any noise exerted by the vessel or gear operation would be unlikely to exceed ambient noise levels in busy estuary. Activity is limited spatially and temporally and access to beach is via vehicle and foot on established access routes.</p> <p>4 & 5. Interaction (such as collision) between bird feature and fishing gear highly unlikely due to nature of activity and low levels of numbers of pots leading to a small fishing footprint. Pots are set on existing rock therefore no increased risk from the physical objects present there.</p> <p>6. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels.</p> <p>7. Biological disturbance-extraction of non- target species. Selectivity of pots results in low incidental catch; IFCOs enforce a minimum landing size byelaw for various crab, lobster and fish species and undersized crabs/lobsters are returned. Limited activity means impact on bird feature food resource is minimal. Local IFCO does not know of any non-target by-catch.</p> <p>8. Limited activity means that exposure of features to potential pressure is minimal and no greater than existing background levels. Fisherman doesn't move pots further than surrounding local area therefore unlikely to move non-indigenous species.</p>
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		<p>9. Abrasion/disturbance of the substrate on the surface of the seabed (<i>supporting habitat</i>)</p> <p>10. Penetration and/or disturbance of the substrate below the surface of the seabed, including abrasion (<i>supporting habitat</i>)</p>	<p>surrounding local area therefore unlikely to move non-indigenous species.</p> <p>9 & 10. Abrasion risk to substrate and sub-surface substrate- potential impact to substrate and associated communities through abrasion and movement of substrate via contact of pots and associated lines. Pots are set on hard substrate comprising Mersey training wall- may strike the substrate and organisms during deployment, drag on the benthos during storm events or tidal/ current movement, and drag during hauling. Fishing activity footprint is small- limited activity means that exposure of features and sub-features to potential pressures is minimal. Area is naturally highly dynamic with strong currents, a large tidal range and additionally experiences disturbance from shipping activity in the Mersey. Access to the fishery is via established access routes. No increase in disturbance on existing background levels.</p>
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Natterjack toad (NON MARINE)	Intertidal rock, intertidal sand and muddy sand, intertidal mud, intertidal mixed sediment, coastal saltmarshes and saline reedbeds – (Saltmarsh), freshwater and coastal grazing marsh (Saltmarsh), coastal sand dunes (Sand dunes), Water column	<i>Pots/creels</i> <ol style="list-style-type: none"> 1. Above water noise 2. Underwater noise changes 3. Visual disturbance 4. Collision ABOVE water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 5. Collision BELOW water with static or moving objects not naturally found in the marine environment (e.g., boats, machinery, and structures) 6. Litter 7. Removal of non-target species 8. Introduction or spread of non-indigenous species 9. Abrasion/disturbance of the substrate on the surface of the seabed (<i>supporting habitat</i>) 10. Penetration and/or disturbance of the substrate below the surface of the seabed, including abrasion (<i>supporting habitat</i>) 	NO	<p>1, 2 &3. Feature present on land in area near Hightown Dunes- any access from there is by one vehicle via established access routes or coastal path, therefore no increase on existing background disturbance levels.</p> <p>4 & 5. No interaction between feature and pressure.</p> <p>6. Low levels of activity and access to beach is by one vehicle on established access routes, therefore no increase on existing background disturbance levels.</p> <p>7. No interaction between feature and pressure.</p> <p>8. No interaction between feature and pressure.</p> <p>9 & 10. No interaction between feature and pressure.</p>
H2110. Embryonic shifting dunes		<i>Pots/creels</i>	NO	Access to beach is by one vehicle via established access routes through sand dunes. No increase on existing background levels.

H2120. Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes"); Shifting dunes with marram		<i>Pots/creels</i>	NO	Access to beach is by one vehicle via established access routes through sand dunes. No increase on existing background levels.
H2130. Fixed dunes with herbaceous vegetation ("grey dunes"); Dune grassland*		<i>Pots/creels</i>	NO	Access to beach is by one vehicle via established access routes through sand dunes. No increase on existing background levels.
H2150. Atlantic decalcified fixed dunes (<i>Calluno-Ulicetea</i>); Coastal dune heathland*		<i>Pots/creels</i>	NO	Access to beach is by one vehicle via established access routes through sand dunes. No increase on existing background levels.
H2170. Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>); Dunes with creeping willow		<i>Pots/creels</i>	NO	Access to beach is by one vehicle via established access routes through sand dunes. No increase on existing background levels.
H2190. Humid dune slacks		<i>Pots/creels</i>	NO	Access to beach is by one vehicle via established access routes through sand dunes. No increase on existing background levels.
S1166. <i>Triturus cristatus</i> ; Great crested newt	Coastal sand dunes	<i>Pots/creels</i>	NO	Access to beach is by one vehicle via established access routes through sand dunes. No increase on existing background levels.
S1395. <i>Petalophyllum ralfsii</i> ; Petalwort		<i>Pots/creels</i>	NO	Access to beach is by one vehicle via established access routes through sand dunes. No increase on existing background levels.

<p>Is the potential scale or magnitude of any effect likely to be significant?⁴</p>	<p>Alone</p> <p>No</p> <p>Comments :</p> <p>Small scale activity with very limited impacts on a small number of features.</p>	<p>OR In-combination⁵</p> <p>Uncertain</p> <p>Comments :</p> <p>These activities also occur at the site:</p> <ul style="list-style-type: none"> • Beam trawl (whitefish, shrimp) • Light otter trawls • Handworking (access from land and vessel) • Static- fixed nets • Drift nets (demersal and pelagic) • Longlines (demersal) • Shrimp push nets <p>In combination effects will be assessed when all initial TLSEs for a site are completed.</p>
<p>Have NE been consulted on this LSE test? If yes, what was NE's advice?</p>	<p>Yes</p>	

7. Conclusion⁶

Taking into account the information detailed in the Test of Likely Significant Effect, it can be concluded that fishing using pots/creels, has no likely significant effect on the Ribble and Alt Estuaries European Site interest features.

8. In-combination assessment¹³

Other fishing activities and plans/projects occur in the SPA, therefore an in combination assessment is required. This will be assessed in a separate document when all initial TLSEs for a site are completed.

9. Summary of consultation with Natural England

See attached advice from Natural England (Annex 2).

⁴ Yes or uncertain: completion of AA required. If no: LSE required only.

⁵ If conclusion of LSE alone an in-combination assessment is not required.

⁶ If conclusion of adverse affect alone an in-combination assessment is not required.

10. Integrity test

As this assessment has concluded no likely significant effect on the interest features of the Ribble and Alt Estuaries European Site in the NWIFCA district, there is no need to conduct an integrity test for this activity.

Annex 1: Reference list

Brown, S. 2014. *Personal communication from IFCA local fisheries officer- 9th June 2015*

Natural England Marine Conservation Advice for Special Protection Area: Ribble and Alt Estuaries, published March 2015, including Advice on Operations. Available at: <https://www.gov.uk/government/publications/marine-conservation-advice-for-special-protection-area-ribble-and-alt-estuaries-uk9005103>

Annex 2: Natural England's consultation advice

Date: 11 December 2015
Our ref: 174084
Your ref: NWIFCA-RA-SPA-005, NWIFCA-RA-SPA_008 & NWIFCA-RA-SPA-010



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BY EMAIL ONLY

Dear Sarah

Formal Advice to NWIFCA. Fisheries in EMS Habitats Regulations Assessment for Amber risk Categories in Ribble & Alt Estuaries SPA, including gear types: Pots/creels (NWIFCA-RA-SPA-005), longlines (demersal) (NWIFCA-RA-SPA-008) and shrimp push nets (NWIFCA-RA-SPA-010).

Thank you for your consultation on the above which was received by Natural England on 08 December 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

In 2012, the Department for Environment, Food and Rural Affairs (Defra) announced a revised approach to the management of commercial fisheries in EMSs¹. The objective of this revised approach is to ensure that all existing and potential commercial fishing activities are managed in accordance with Article 6 of the Habitats Directive. This document states that for 'green' risk activities a site level assessment will be required if there are 'in combination effects' with other plans or projects. The Department's strong preference is that site level assessments be carried out in a manner that is consistent with the provisions of Article 6(3) of the Habitats Directive. Appropriate management measures should be put in place to ensure that the fishing activity or activities either 1) have no likely significant effect on a site in view of its conservation objectives or 2) following assessment, can be concluded to have no adverse effect on the integrity of the site.

Natural England has considered the three Habitat Regulations Assessments (HRAs) prepared by North Western Inshore Fisheries and Conservation Authority (IFCA) for the purposes of making an assessment consistent with the provisions of Article 6(3). Please accept this letter as Natural England's formal advice on the assessment and the conclusions it makes. The assessments consider the effects of the following fishing activities on the Ribble & Alt Estuaries Special Protection Area (SPA):

- NWIFCA-RA-SPA-005: Pots/creels;
- NWIFCA-RA-SPA-008: Lines: longlines (demersal);
- NWIFCA-RA-SPA-010: Seine nets & other: shrimp push nets

¹ Defra revised approach:

<https://www.gov.uk/government/publications/revised-approach-to-the-management-of-commercial-fisheries-in-european-marine-sites-overarching-policy-and-delivery>

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Natural England is accredited to the Cabinet Office Service Excellence Standard

We are content that the best available and most up to date evidence has been used to carry out the HRAs by North Western IFCA officers to determine whether management of an activity is required to conserve site features, and thus to ensure the protection of the features, from direct and indirect impacts, from the collection of marine fisheries resources.

We note that in combination effects will be assessed in a separate document when all initial Tests of Likely Significant Effects (tLSEs) for a site are completed.

Subject to the outcomes of the in combination assessments, it is Natural England's view that through their three HRAs, North Western IFCA officers appear to have appropriately identified those activities that are likely to have a significant effect in view of the site's conservation objectives, and whether management measures are required in order to ensure that the assessed fishing activity or activities will have no adverse effect on the integrity of the EMS.

It is Natural England's view that any foreseeable risk, or harm to the site has been appropriately assessed; and a robust mechanism for re-assessing that risk is in place. This view is based on our current knowledge of the impacts of these fishing activities on the designated features.

If you require any further comments or have any queries regarding the above please contact me to discuss them further.

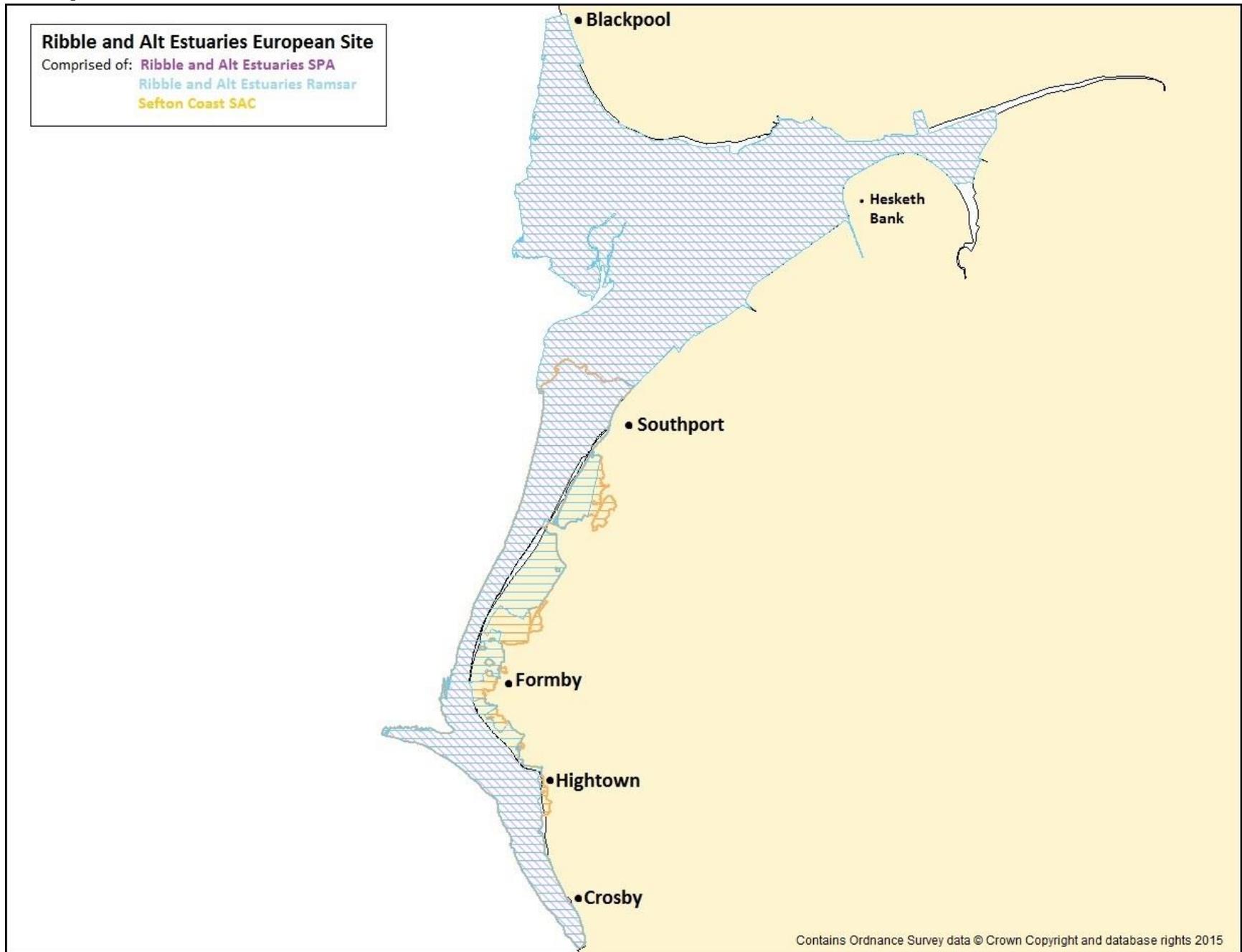
Yours sincerely



Emily Hardman
Cheshire, Greater Manchester, Merseyside and Lancashire Area Team
Email: Emily.Hardman@naturalengland.org.uk
Tel: 0300 060 4011

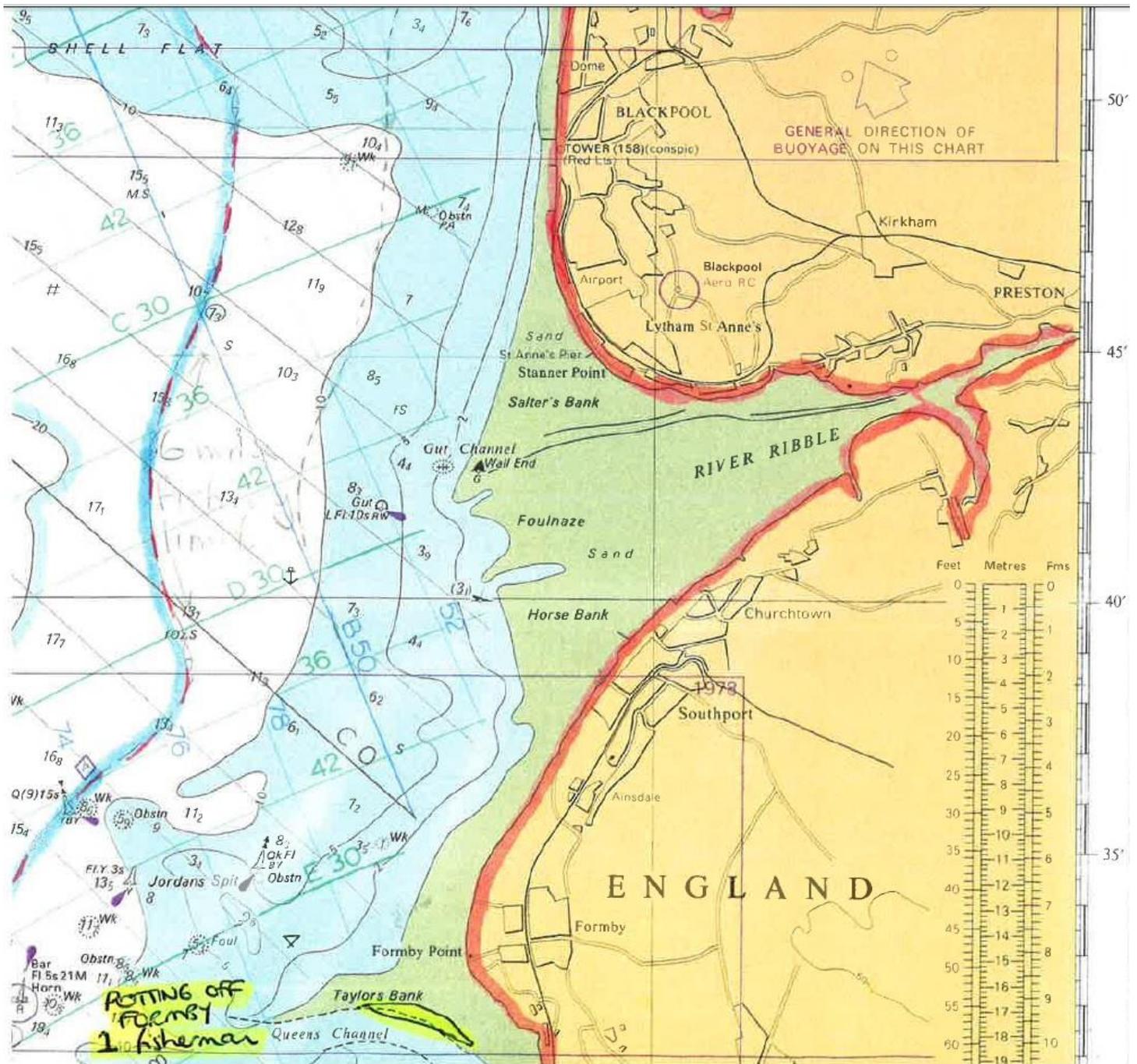


Annex 3: Site Map



Annex 4: Fishing activity map

Annotated by local area IFCO 12th June 2015

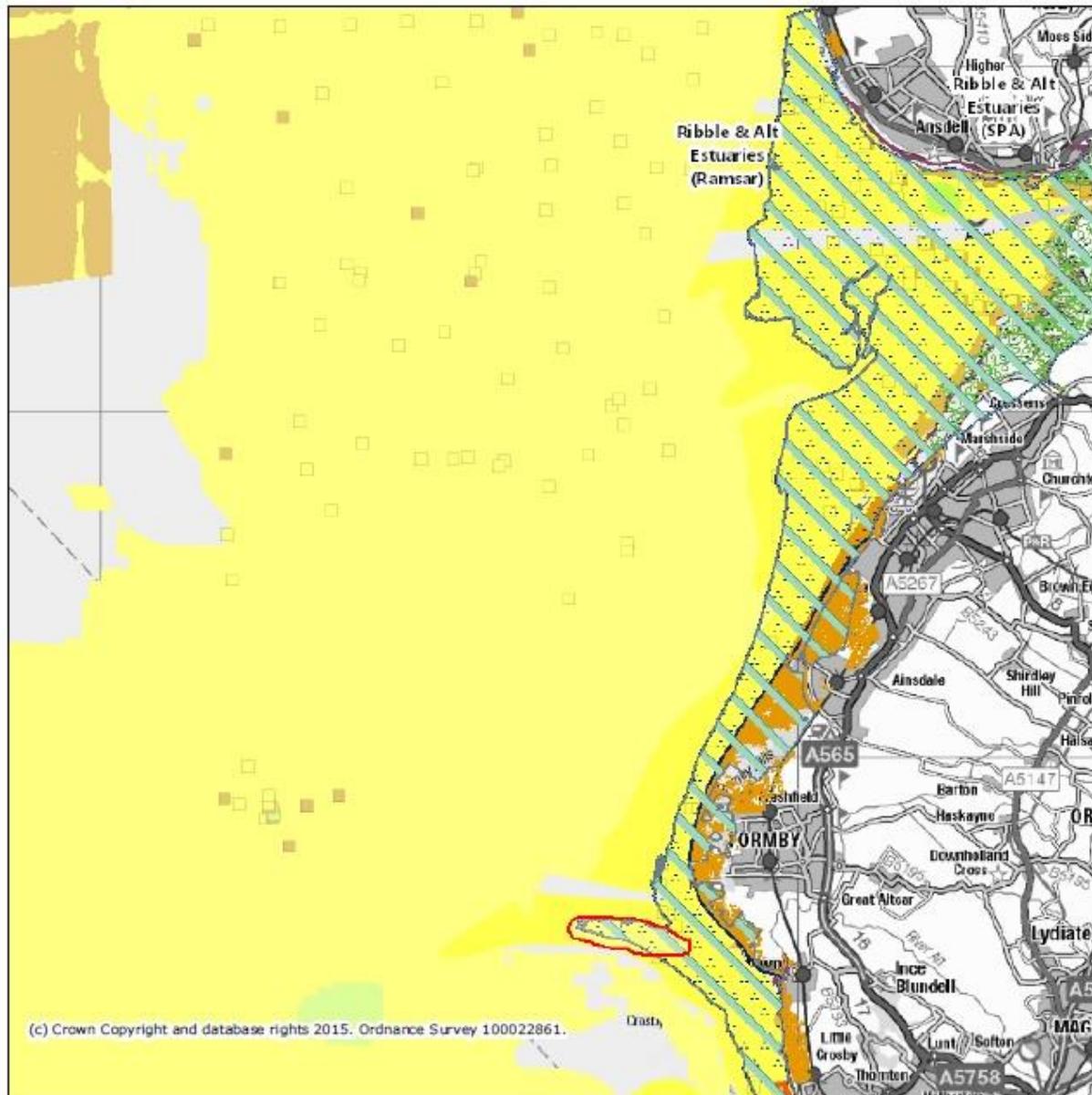


Annex 5: Fishing activity and feature map

Using local IFCOs annotation and Magic Map mapping

MAGIC

Magic Map



Legend	
Ramsar Sites (England)	
Special Protection Areas (England)	
Priority Habitat Inventory - Coastal Sand Dunes (England)	
Intertidal coarse sediment (A2.1)	
Intertidal sand and muddy sand (A2.2)	
Intertidal mud (A2.3)	
Intertidal mixed sediments (A2.4)	
Intertidal seagrass beds (A2.61)	
Intertidal coarse sediment (A2.1)	
Intertidal sand and muddy sand (A2.2)	
	<p>Projection = OSGB36 xmin = 278400 ymin = 394000 xmax = 367500 ymax = 437800</p> <p>Map produced by MAGIC on 23 November, 2015. Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.</p>