

COUNCIL FOR NATURE CONSERVATION AND THE COUNTRYSIDE

An Advisory Council to the Department of the Environment

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15th September 2010

Barry Fox
Loughs Agency
22 Victoria Road
Londonderry
BT47 2AB

Dear Barry,

SEA of the Aquaculture and Shellfisheries Management Strategy

The Council for Nature Conservation and the Countryside (CNCC) is the statutory body providing advice to the Department of the Environment on nature and countryside conservation issues, particularly as they affect Northern Ireland. CNCC is grateful of the opportunity to contribute to this consultation.

General Comments

We welcome the comprehensive review conducted and, from our biodiversity-focused viewpoint, consider that the SEA environmental report has identified the key issues and potential effects that would most likely result from the proposed strategy. However, as comprehensively dealt with in the SEA, there are data and knowledge gaps that need addressing. We suggest that there is great merit in co-ordinating the proposed data gathering and monitoring with NIEA, who have their own requirements arising from their statutory obligations. It is felt that a synergistic approach could result in significant savings for both bodies. This point has been separately made to NIEA.

Policy and Legislation

Since publication of the SEA, additional guidance and regulations have been published. It is suggested the following items are taken into consideration;

- Shellfish Regs (COMMISSION REGULATION (EU) No 558/2010) have been recently amended. See; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:159:0018:0021:EN:PDF>
- Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture. See; http://europa.eu/legislation_summaries/maritime_affairs_and_fisheries/fisheries_resources_and_environment/l28179_en.htm and http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!DocNumber&lg=en&type_doc=Regulation&an_doc=2007&nu_doc=708
- UKTAG has classified *Crassostrea gigas* as High Impact on Ecosystems in Eco-region 17. See; http://www.wfduk.org/tag_guidance/Article_05/Folder.2004-02-16.5332/alien_tag_table

- The current proposals for Marine Licensing under the Marine and Coastal Access Act 2009 are available at <http://applications.doeni.gov.uk/publications/document.asp?docid=17076>
- When considering GES, the Commission decision on criteria and methodological standards on good environmental status of marine waters is relevant. Details at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:232:0014:0024:EN:PDF>
- In regard to soil biodiversity, the EU report on Soil biodiversity at <http://ec.europa.eu/environment/soil/biodiversity.htm> is of relevance and should be taken into consideration

Comment on detail provided in Tables

The inclusion of greenhouse gases as a receptor in Table 3.3 is welcomed. We note that the Agri-food Stakeholder Group has been recently formed in order to contribute to the Government's response to climate change targets and would commend engagement by the Loughs Agency with this group in order to avail of emerging thinking in this sector.

It is suggested the following additions are made to Table 3.4 (Existing Environmental Problems)

- EP1 – add alien species introduction
- EP10 – add Didemnum to list
- EP13 – intertidal disturbance and impacts on intertidal species
- EP35 – add impact of schemes on coastal processes such as sediment deposition and erosion, currents, etc.

It is felt Table 3.5 - Data and Knowledge Gaps and Proposed Survey/Research/Management Approach to Fill Gaps - should include data needs for development and validation of a carrying capacity model. This approach is suggested elsewhere and has our wholehearted support, but inclusion in the Table would serve to highlight the need for data required for validation of the model.

Also, at Para 4.4.1.3, the SEA states; "*The Agency will aim to optimise production in the aquaculture and wild shellfisheries sectors and will investigate the potential for carrying capacity modelling as a tool in facilitating this in the sea loughs*". We would like to see the phrase "without impacting adversely on biodiversity" added after the word sectors. Notwithstanding the Loughs Agency commitment to sustainable management of stock, this would serve to highlight the wider sustainability issues.

Licensing

Para 5.3.3 Assumptions, states; "*Given this uncertainty about the outcomes of the Strategy, in carrying out the environmental assessment the following assumptions have been made:*

- 1. In regards to Carlingford marine and freshwater aquaculture, Foyle freshwater aquaculture, and wild shellfisheries in both catchments: licensing currently exists and the Strategy will primary result in a simple transfer of licensing responsibility to the Loughs Agency. It will not be necessary to reassess existing licences until they expire."*

We have grave concerns with the above assumption. It is our current understanding that none of the aquaculture licences issued by DARD have expiry dates, nor is there is legislation currently existing that will allow licences to be withdrawn. We recommend that such powers of review be included in the emerging Loughs Agency regulations and that the implications of not having such powers be included in the SEA.

Summary

A considerable amount of work has obviously gone into the SEA process and we appreciate the substantial effort that has been made towards identifying the potential environmental impacts of the strategy. However, in the context of an imminent Comprehensive Spending Review that is likely to reduce funds available, it is felt important that the timescale and resources available to the monitoring programme will need to be carefully monitored. In particular, there is the potential for savings to be realised through co-ordination with existing NIEA monitoring programmes and the Loughs Agency is urged to investigate this.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patrick Casement', written in a cursive style.

**PATRICK CASEMENT
CHAIRMAN**