

Written representation made by Eastern Inshore Fisheries and Conservation Authority (IFCA):

Provided for Deadline 1, 20th February 2023

Please note: Eastern IFCA's representation is limited to matters that could affect the Eastern IFCA district (0-6nm between Haile Sand Fort in the north to Felixstowe in the south). This includes activities related to the export cable route and the proposed potential Measures of Equivalent Environmental Benefit (MEEB).

In relation to the export cable route:

Impacts to chalk features:

- Eastern IFCA have agreed a byelaw (Closed Areas Byelaw 2021) which prohibits bottom towed gears from the majority of the MCZ to protect subtidal chalk features where they outcrop and where they are veneered, based on the potential for veneered chalk features to become exposed following advice from Natural England (Figure 1 – Area 35). The Applicant proposes cable works which have the potential to interact with these subtidal chalk features that Eastern IFCA aim to protect through this byelaw. The Closed Area Byelaw 2021 will also protect subtidal mixed, sand and coarse sediment features from mobile fishing gears; these features which will be directly impacted by cable works.

Impacts on fishing activities:

- Restrictions to potting grounds and displacement of activities during cable works is of key concern, particularly the potential impacts to small inshore potting boats who are limited in how far they can travel. Typically, crab and lobster potting is known to occur inshore (within 3nm) between Weybourne and Happisburgh and whelk potting further offshore beyond 3nm. Consultation and dialogue with industry is needed to fully understand the extent to which inshore potters may be impacted by cable works and ways this could be mitigated (e.g. through considering seasonal and spatial patterns in activities).
- Some netting also occurs within the cable corridor, this includes fixed netting for bass and drift netting for herring, sprat and some other species at a lower level.
- Several potting and netting boats launch from Weybourne where the cable route meets land. Construction activities in this area could have impacts on these boats and must be considered through consultation with industry members.
- Beam trawling may also occur in the cable corridor. Eastern IFCA's agreed Closed Areas Byelaw 2021 (Figure 1 – Area 35), once in force, will prohibit bottom towed gears (including beam trawling) from the section of cable corridor that overlaps with the MCZ but there is potential for displacement of such gears which operate outside of the MCZ. Eastern IFCA's [Byelaw 12](#) and [Byelaw 15](#) currently restrict bottom towed gears within 3nm miles of the coast between Blakeney and Mundesley.
- Eastern IFCA support the development and agreement of a Fisheries Liaison and Co-Existence Plan, and have had some involvement in its development. We are happy to provide feedback and comment on this but it is for the fishing industry and the applicant to agree on appropriate and effective mitigation. Compensation packages are not our favoured approach to mitigation as they are not a long-term solution and previous experience has shown us that similar payments of compensation in the past have resulted in fishers using the money to purchase more fishing gear, increasing effort elsewhere. Potential impacts as a result of any increased effort resulting from compensation payments should be assessed as

to effects on features of MPAs (if appropriate) and on fishers already operating in those areas.

Issues relating to Cables and EMF

- Whilst the Applicant has assessed the potential impacts of electro-magnetic fields (EMF), Eastern IFCA maintain that not enough is known about electro-magnetic field impacts on marine fauna, particularly the cumulative effects of multiple cable routes. This position is informed by studies such as Hutchinson *et al* 2020 ([REDACTED]). We do not consider this can be addressed by a single developer; instead, there is responsibility for the marine cable industry to investigate and conduct research to better understand impacts from EMFs on marine organisms. However, we note that for every new electricity cable that is laid, the potential for cumulative impacts increases. This is of particular concern in the southern North Sea which already contains a high number of wind farm cables and electricity interconnector cables that could be impacting marine species, including commercial fish and shellfish.

In relation to the proposed MEEB:

- The evidence to suggest that the proposed area has supported Native Oyster beds in the past is limited. There is evidence to suggest that a specific set of conditions are required for beds to establish and be maintained and can be quickly lost if environmental conditions change¹. There is a need to understand why oysters have not “made a comeback” on their own. What is preventing the natural re-establishment of beds? If these conditions are not addressed, the chances of successful planting may be slim. A feasibility study is needed.
- Discussion with Kent and Essex IFCA who have a similar Native Oyster restoration project within an MCZ have highlighted that the likelihood of restoration efforts achieving densities high enough to maintain a sustainable Oyster fishery is extremely low and, if ever achieved, would take a very long time.
- Oyster reefs are not designated features of the MCZ and whilst they may increase diversity in the vicinity if they become established beds, they will also replace a habitat that is already designated within the site such as subtidal coarse or mixed sediment. If there is the potential for Oyster reefs to become a designated features of the MCZ the applicant would need to provide ongoing financial support for assessment, management and enforcement of activities and condition monitoring in any new additional designated area or features.
- The biosecurity risk associated with diseases such as *Bonamia* could have implications for other shellfish fisheries in the area and needs to be considered in greater detail.
- The management measures proposed in Appendix 1 predict that fisheries restrictions will not be required. However, this requires further consideration; if there is potential for restrictions to be put in place, Eastern IFCA would not support the project because of the negative impacts it would have on fisheries and the apparent low likelihood that the bed will provide fishing opportunities in the future. Eastern IFCA’s preference would be for co-

¹ [REDACTED] (page 49)

location of oyster bed planting within the windfarm array where inshore fisheries would not be impacted.

- The proposed initial 1km² native oyster restoration site search areas overlap with an area predominately targeted by whelk fisheries but may also be targeted by crab and lobster or netting and beam trawl fisheries (as described for the cable corridor). Consultation with industry is required to fully understand the type and scale of activities which occur in this area and the potential impacts on industry if fishery restrictions were to be introduced. Oyster bed restoration may also have the potential to have impacts on fish and shellfish stocks in the area due to a change in habitat type and requires further consideration.

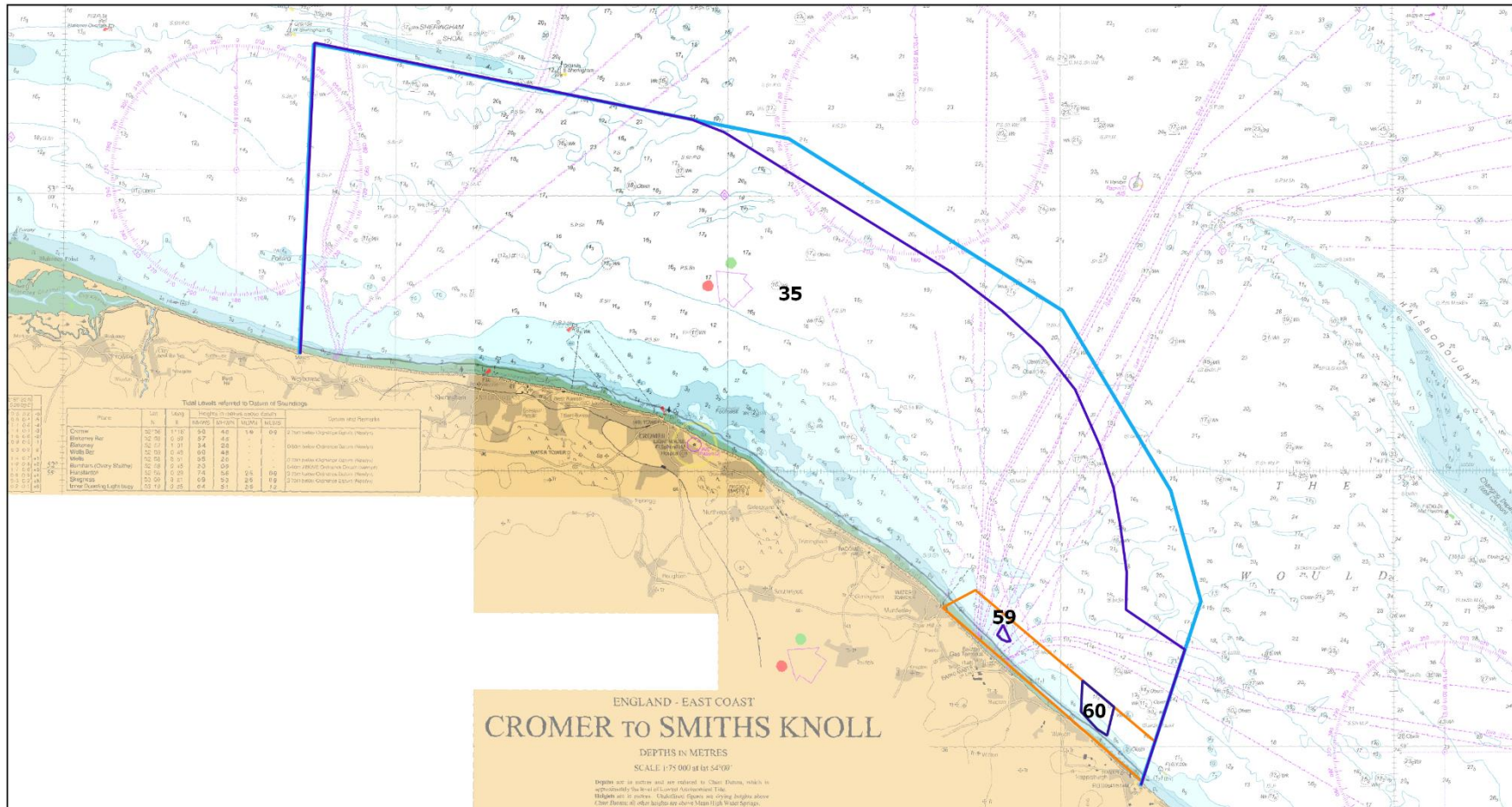


Chart 4: Cromer Shoal Chalk Beds MCZ - Restricted Areas 35,59 and 60 and the Artisanal Shrimp Management Area

- Cromer Shoal Chalk Beds MCZ boundary
- Restricted area to bottom towed gear
- Artisanal shrimp management area

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Date: 01/10/2021
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Figure 1: Spatial restrictions in Cromer Shoal Chalk Beds MCZ agreed by the Eastern IFCA (not yet in force)