

# Nature Conservation Review

## for the proposed

# "Portland Harbour Fishery Order 2019"



**version 30<sup>th</sup> May 2019**

## 1. Introduction

This technical note considers those designated sites and species not discussed in the Habitat Regulations Assessment and a review of potential impacts associated with Proposed Portland Harbour Fishery Order on these sites and species.

Relevant documentation includes:

- Portland Harbour Fishery Order
- Management plan
- Habitat Regulation Assessment

This report includes the following sections:

<b>1</b>	Introduction
<b>2</b>	Marine & Coastal Access Act 2009
<b>3</b>	Wildlife and Countryside Act 1981 (as amended)
<b>4</b>	Habitats of Principal Importance/ Priority Habitat
<b>5</b>	Details of the Plan, Activities and Pressures
<b>6</b>	Mitigation/ Measure

**Figure 1** shows Portland Harbour Authority's jurisdiction as defined by the Portland Harbour Revision Order. This is the same area that is subject to the application for the Portland Harbour Several Order. It also shows Sites of Special Scientific Interest which are the subject of this report. European sites and Sites of Local Nature Conservation Importance are also shown but not the subject of this report.

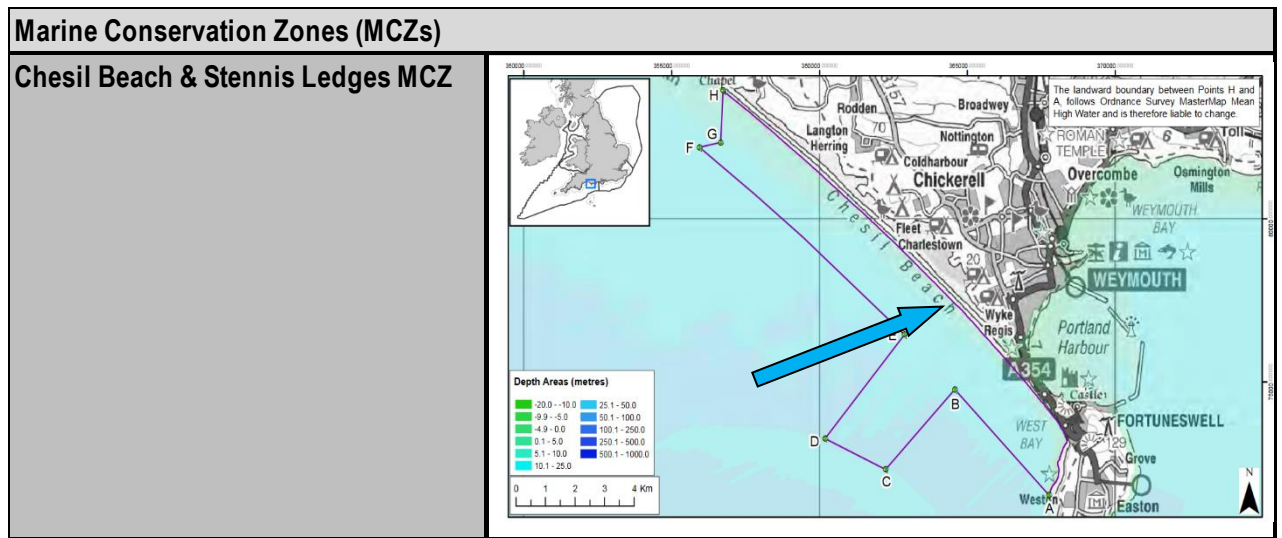
A primary source of information is sourced from the following website:

<https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>.

## 2. Marine & Coastal Access Act 2009

Chesil Beach and Stennis Ledges Marine Conservation Zone is located within 2km of the proposed site however the Chesil Beach forms a physical barrier between the MCZ and Portland Harbour. There is therefore no pathway by which activities potentially associated with the proposed Fishery Order could have an impact. Any fishing activity resulting from this Order therefore would not hinder the conservation objectives of such a site. The location of the MCZ in relation to Portland Harbour is shown in **Figure 2i** below and information about the site is included in **Table A** at the end of this document.

**Figure 2i.** Chesil Beach and Stennis Ledges Marine Conservation Zone in relation to Portland Harbour



## 3. Wildlife and Countryside Act 1981 (as amended)

The following series of tables include details of Sites of Special Scientific Interest (SSSI's) and their proximity to Portland Harbour.

**Figure 3i.** Chesil & The Fleet SSSI

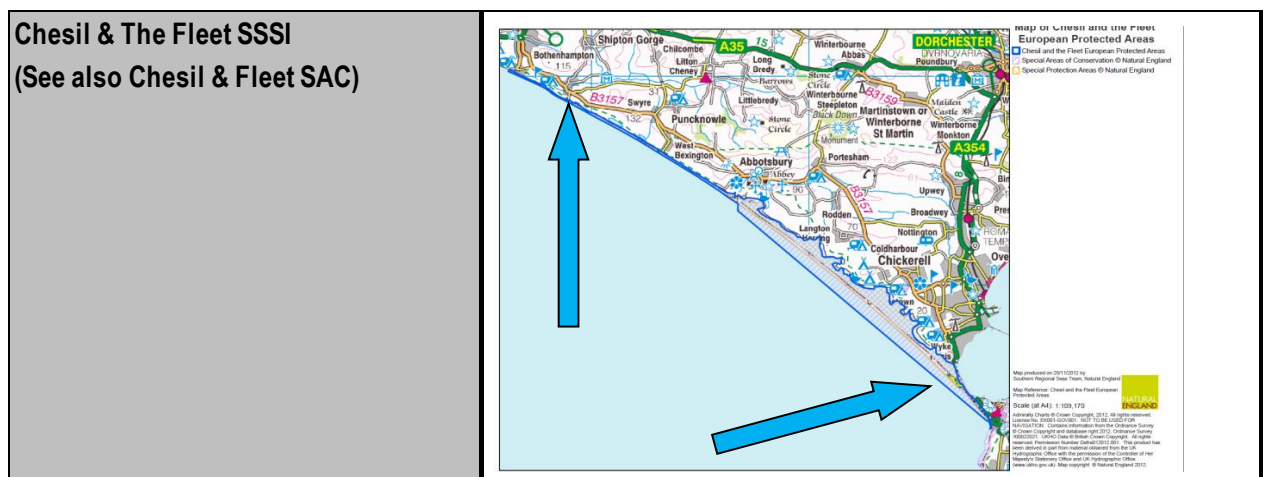


Figure 3ii. Portland Harbour Shore SSSI



Figure 3iii. South Dorset SSSI

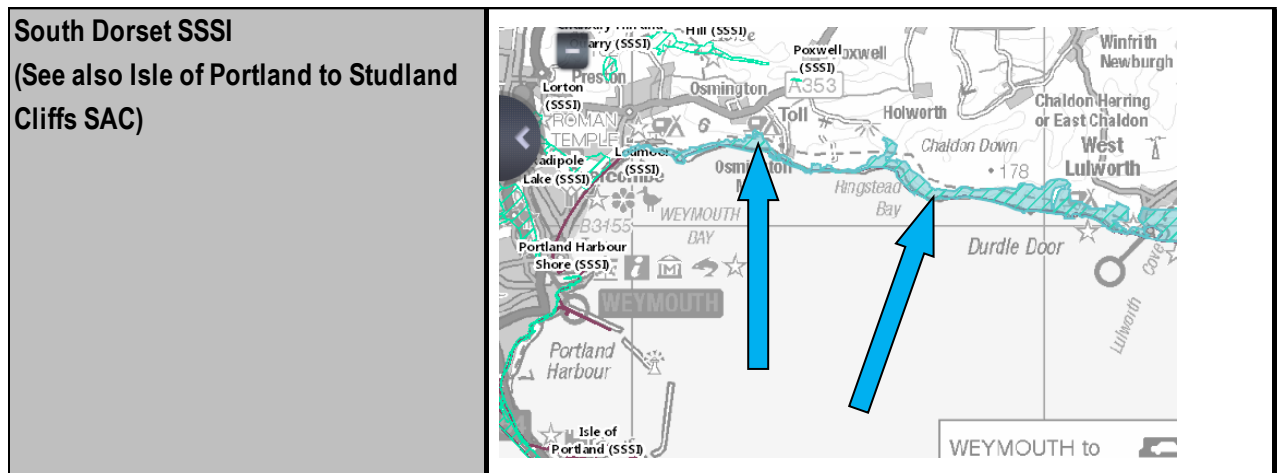
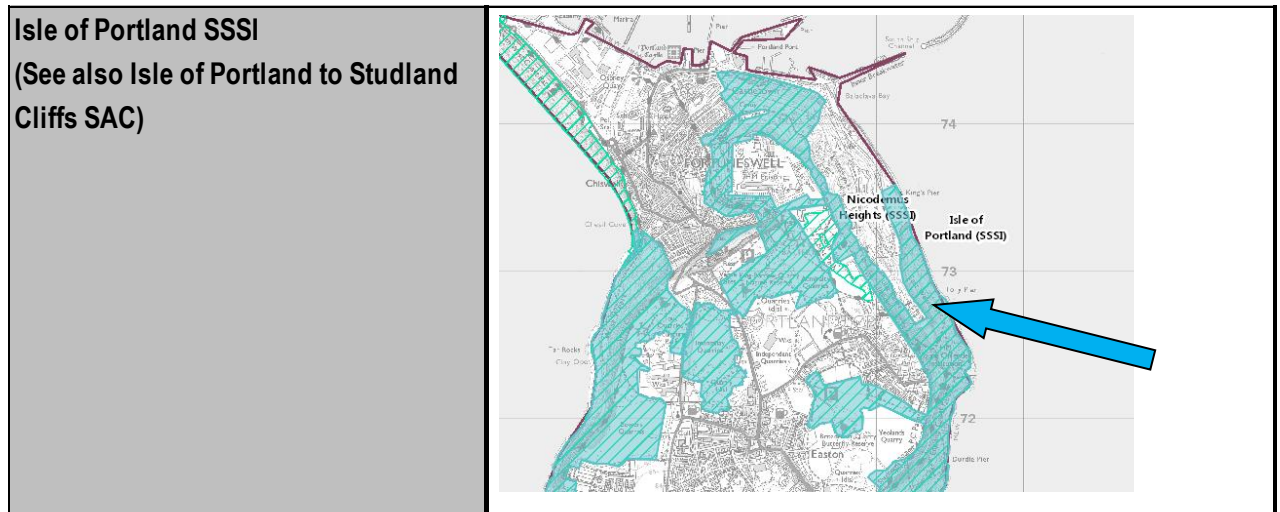


Figure 3iv. Isle of Portland SSSI



Further details on the above Sites of Special Scientific Interest can also be found in **Table A**.

*Armandia cirrhosa*, Lagoon Sandworm (<https://www.marlin.ac.uk/species/detail/1160>), and the Long Snouted (or Spiny) Seahorse *Hippocampus guttulatus* (<https://www.marlin.ac.uk/species/detail/1891>), are present in Portland Harbour. Further details are included in **Table A**. Both species are protected under Schedule 5, Section 9 of the Wildlife and Countryside Act 1981 (as amended). They are also a Species of Principal Importance in England.

In the case of the SSSI's and protected species mentioned above there are potential pathways by which an activity associated with this proposed Fishery Order could have an impact.

## 4. Habitats of Principal Importance/ Priority Habitat

Seagrass beds (*Zostera* spp.) is listed on Section 41 of the Natural Environment and Rural Communities Act 2006 as Habitats of Principal Importance for Conservation of Biodiversity in England, and on the OSPAR list of threatened and/or declining habitats in need of protection are also a consideration. Further details on this habitat is included in **Table A**.

*Philine aperta* and *Virgularia mirabilis* in soft stable infralittoral mud (SS.SMu.IFiMu.PhiVir) and Seapens and burrowing megafauna in circalittoral fine mud (SS.SMu.CFiMu.SpMmeg) are also located within the harbour. The relevant Habitat of Principal Importance/ Priority Habitat of potential relevance, 'Mud habitats in deep water' are a Habitat of Principal Importance.

Data from the Dorset Wildlife Trust for the habitats discussed above can be found at **Appendix A**.

In the case of the above habitats there are potential pathways by which an activity associated with this proposed Fishery Order could have an impact which are discussed in the next section.

## 5. Details of the Plan, Activities and Pressures

**Table B** includes a list of tables from the Habitat Regulations Assessment (HRA) that are also relevant to this nature conservation review. This report should therefore be read in conjunction with the HRA.

<b>Table B – List of tables from the Habitat Regulations Assessment that are also relevant to the Nature Conservation Review</b>	
<b>Part A</b>	
<b>Table A2</b>	Details of the plan or project
<b>Table A2i</b>	Activities relevant to Extraction of Living Resources
<b>Table A2ii</b>	Activities relevant to Production of Living Resources
<b>Table A2iii</b>	Pressures relevant to activities associated with Extraction of Living Resources
<b>Table A2iv</b>	Pressures relevant to activities associated with Production of Living Resources

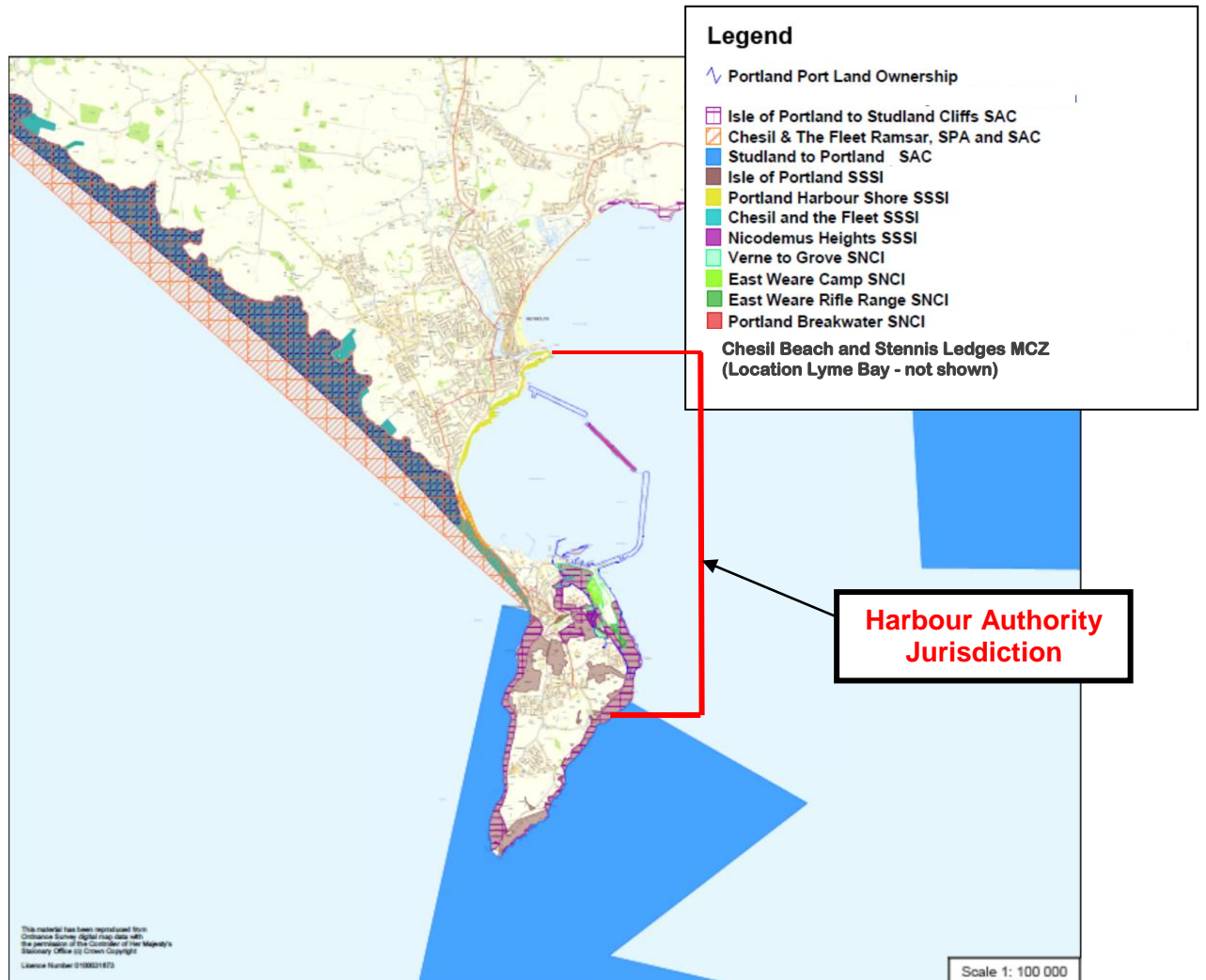
In terms of an explanation, the following points are relevant:

- **Table A2**
  - Includes details about what in this case is considered to be a 'Plan'.
- **Table A2i, A2ii, A2iii and A2iv –**
  - the 'JNCC Pressures-Activities Database' (see <http://jncc.defra.gov.uk/default.aspx?page=7136>) has been consulted in order to populate these tables
  - the following categories have been identified as being relevant to fisheries:
    - Extraction of Living Resources
    - Production of Living Resources
  - 'Activities' relevant to each of these categories are listed in **Tables A2i and A2ii**
  - 'Pressures' relevant to these activities have also been listed and can be found in **Tables A2iii and A2iv**
  - In the case of both activities and pressures these are reflective of fishery activity in a more general sense and do not necessarily reflect what would actually take place.
  - In the email response from DWT included at **Appendix A** this includes their feedback on impact on the habitats present.

## 6. Mitigation/ Measures

Due to the potential pathways by which an activity associated with this proposed Fishery Order could have an impact on sites and species an applicant will be required to demonstrate to the harbour authority that their proposals are environmentally acceptable taking account of designated habitats and species including those described in this report in order to secure a lease or licence.

# Figure 1 – Portland Harbour Authority Jurisdiction and Nature Conservation Sites



# **Table A**

## **Information about designated sites and species**

**Proposed "Portland Harbour Fishery Order 2019"**  
**Nature Conservation Review**



# **Appendix A**

## **Data provided by Dorset Wildlife Trust (May 2019)**

**Proposed "Portland Harbour Fishery Order 2019"**  
**Nature Conservation Review**

## Appendix A. DWT Data (email 30<sup>th</sup> April 2019)

**From:** Emma Rance <ERance@dorsetwildlifetrust.org.uk>

**Sent:** 30 April 2019 14:05

**To:** Sandie Wilson <s.wilson@portland-port.co.uk>

**Subject:** DWT comments RE: Portland Harbour Authority Several Order proposal

Hi Sandie,

Here's a few comments. Sorry for the delay on this.

Kind regards,

Emma Rance

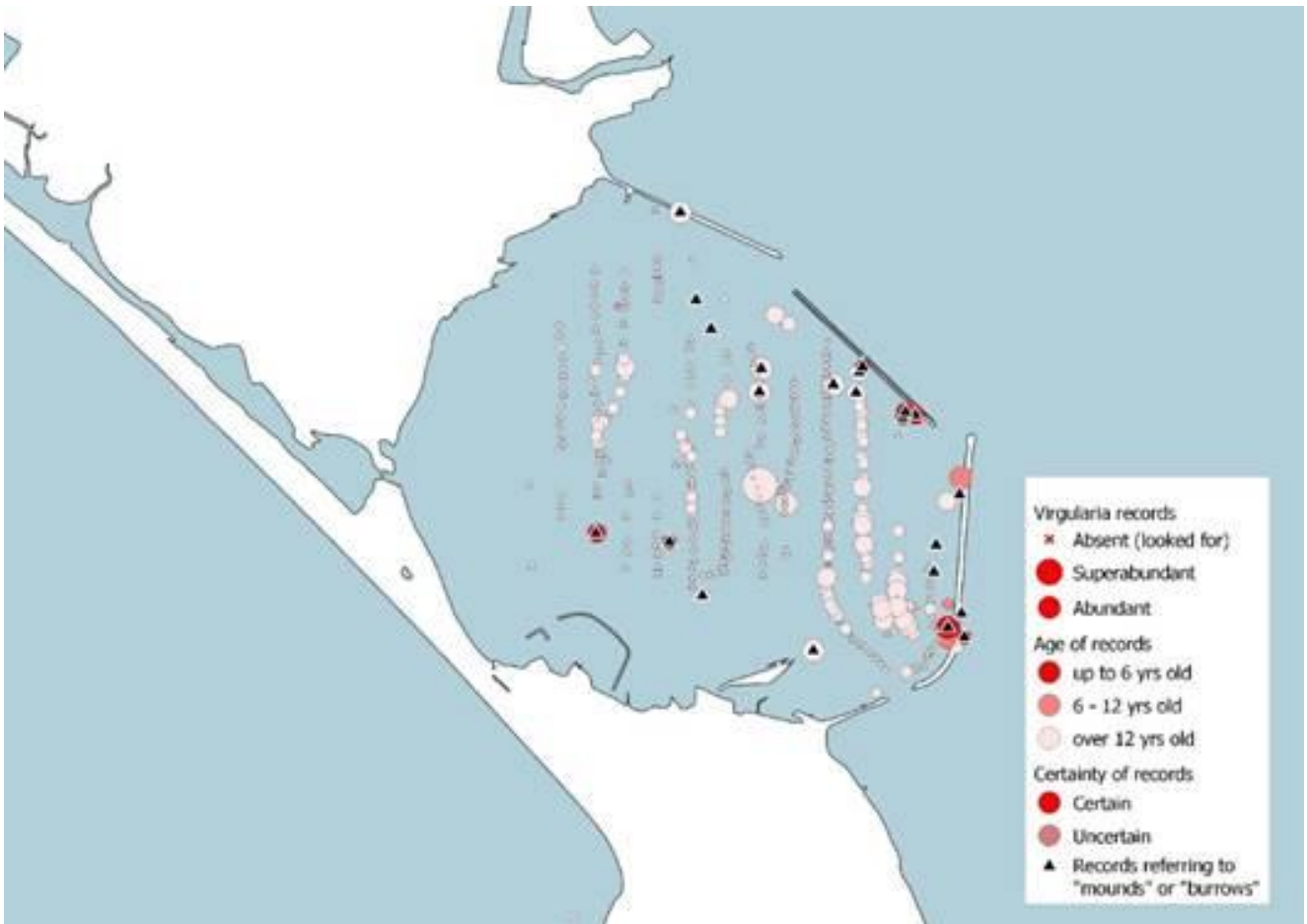
### Portland Harbour Several Order Application – DWT comments

Dorset Wildlife Trust has written a Dorset Marine Audit to reflect the current understanding of the marine environment. This audit is not yet published but we understand it will be available through DERC.

#### **Sea pens *Virgularia mirabilis***

As previously highlighted, the seabed of Portland Harbour contains an interesting deep mud habitat with *Virgularia mirabilis* sea pens and burrowing megafauna which is like this Habitat of Conservation Importance. This is also a rare example of this habitat in shallow water - it is usually found in depths greater than 12m. The audit data shows the two known biotopes containing sea-pen and burrowing megafauna communities are located in dense areas within Portland Harbour and are referred to in the following:

There are a number of related biotopes describing communities of sea-pens and burrowing organisms in deep soft mud. Biotopes qualifying are generally understood to include "Seapens and burrowing megafauna in circalittoral fine mud" but not "*Philine aperta*<sup>[1]</sup> and *Virgularia mirabilis* in soft stable infralittoral mud". The latter better describes the mud habitat found in Portland Harbour (shallow water, abundant *Philine*) but the Portland Harbour mud habitat does also appear to be heavily bio-turbated, with many burrows and mounds. The burrows are variously attributed to *Cepola macrophalma* (red bandfish), *Nephrops*, and *Gobius niger*. On the grounds of the bioturbation and the rareness of this habitat in the south of the UK, it is proposed that the Portland Harbour seapen-dominated mud is considered a Habitat of Principal Importance.

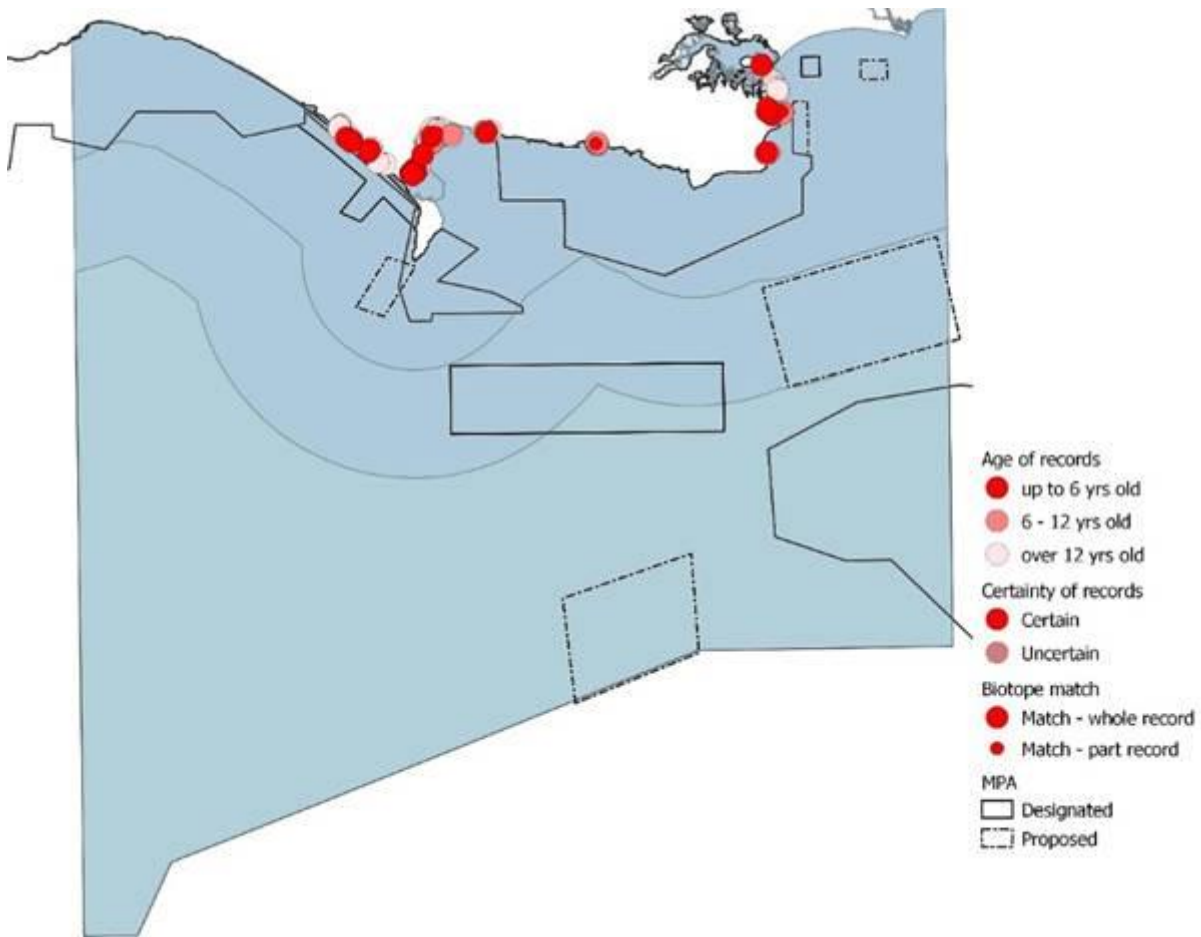


State of knowledge: The Collins survey of Portland Harbour in 2000 documented the widespread occurrence of slender sea-pens in Portland Harbour. Further study to establish the degree of bio-turbation and the population of *Cepola* would be useful to support the proposal that this qualifies as a Habitat of Principal Importance

### **Seagrass beds *Zoster* sp.**

The audit also highlights the two separate biotopes for seagrass beds *Zostera* sp. in Portland Harbour mapped by the Community Seagrass Initiative and shown below.

Proposed "Portland Harbour Fishery Order 2019"  
Nature Conservation Review



In light of this information and the relaying area set out in the MEP aquaculture proposals map, DWT would not support any dredging as part of the re-harvesting of seabed cultured oysters and mussels.