

**South East and Thames Liaison Panel Transitional and Coastal Waterbody (TraCs) extraordinary meeting, 10 September 2013. Proceedings and Discussion Paper**

**Delivering for Water Framework Directive (WFD) in our TraC Waterbodies**

The following paper is the proceedings from the Liaison Panel meeting held on the 10<sup>th</sup> September at the Shoreham office of the Sussex Inshore Fisheries and Conservation Authority (IFCA). It was decided at the meeting to write up a discussion paper so that the interest in taking forward understanding of our estuaries, coast and seas could continue. This paper will help define those discussions and make recommendations to take back to the panel.

James Humphrys (Environment Agency Area manager and marine lead) gave some introductory remarks to help frame the discussion: 'The coast should be the jewel in our crown but has been a slightly poor relation (compared with our attention to inland river systems), there is a complexity of organisations (government agencies, NGOs, local authorities, businesses, fisheries) and activities (shipping, leisure, fishing, discharges, conservation) which make the marine context a difficult one, we want to give our best but we need guidance on where to focus our efforts to make the sea environment a better place.'

The policy framework was outlined by the Environment Agency Marine Strategic manager. It is clear that the WFD has a role in helping to deliver the Government's white Paper on the environment, national and international biodiversity targets, Sustainable fisheries management as well as elements of the Marine Strategy Framework Directive. In turn there are localised plans that help deliver WFD benefits including the Shoreline Management Plans, IFCA Management Plans and the Marine Management Organisation's (MMO) Marine Plans. All this policy and legislation is helping drive us to get the balance right between the environment, the community and the economy.

In this context four key questions were considered at the meeting;

- **What evidence should we use?**
- **What does a functioning TraC look like?**
- **Do we need specialised partnerships for TraCs?**
- **What do good actions look like for TraCs?**

**What evidence should we use?**

The current evidence base being used for classification was described to the meeting by the Environmental Planning Teams of the Environment Agency. The majority of our 48 TraCs are of moderate ecological status. WFD asks that other designations must be satisfied, such as Bathing and Shellfish Waters Directives. The monitoring of these other Directives therefore contributes to WFD status. From chemical monitoring it is known that Nitrate is a problem in the Solent and that chemical

toxins, such as mercury, are an issue in the Thames. Some of this toxicity is a legacy from now banned substances. Modelling is planned to confirm ecological impacts

A recent Environment Agency paper which considers the habitats that support the estuarine & coastal biological elements of a waterbody states that classification reporting alone is not sufficient for assessment of risk. It is accepted across member states that we do not have a full suite of tools on-line. Monitoring informing classification is not fully representative of the biological elements, due to either resource or technical constraints.

An open discussion on the knowledge that exists around us was had. Other organisations, such as the IFCA, suggested their quality environmental evidence as a proxy for WFD environmental status. The ecological status of our inshore waters was identified as a knowledge gap. Citizen Science was also suggested as a mechanism currently used in other circumstances to collect evidence. The use of fish to evaluate ecosystem function was discussed. It was noted that fish evidence is used in freshwaters but that fish evidence was less evident in TraCs. A good run down on fisheries tools used at the beginning of the WFD process was given in one of the session talks. The concept of trialling evidence approaches in a 'pilot' was suggested by the Panel.

An important aspect of evidence is the economic element. Questions were raised about how we calculate the value to society of cleaning up our TraCs. Are we capturing the less tangible benefits of an improved ecology to the local community and economy?

A key point raised by the Panel was that of the 'common sense test'. We need to check that official classification matches the observed state and pressures of any given waterbody. This is a question of how our interpretation of the science overlaps with the public perception of their environment. In addition, the evidence needs to be clearly set out so that the community can help with informed discussions.

### **What does a functioning TraC look like?**

In order to justify action we need to be able to clearly articulate the goal we are heading towards. For TraCs, and particularly the heavily modified TraCs, this goal is not clear. We need to achieve Good Ecological Status or Potential (GES/GEP) in these waterbodies, but can we explain what GES/GEP looks like? The reality is that the majority of TraCs are modified and so will be aiming to achieve GEP. The importance of understanding this was discussed in the context of Shoreline management Plans, mitigation measures, legacy chemical contamination sites and the resolution of monitoring. There was a discussion on how we might describe GES/GEP in TraCs using other plans, such as Shoreline Management Plans, Fisheries Management Plans and Marine Conservation plans.

There is a need to use a local understanding of waterbodies to help consider GES/GEP and there is an opportunity to involve the Liaison Panels in approving definitions of GEP.

The following is a suggested plan on how to get to a clear understanding of GEP for each individual TraC:

The Environment Agency, through its Integrated Environmental Planning Teams, can help define local options on GES/GEP for further Liaison Panel decisions (or liaison panel deferral to and GES/GEP governance body e.g. coastal groups/forums);

Initial options are (shellfish and bathing waters taken as read);

- All current actions complete (common sense check these)
- Bare minimum of cost beneficial actions and shellfish and bathing waters
- Using adoption of proxies, such as SMP delivery, IFCA Fisheries Management Plans for key spp./habitats, MCZ Management Plans and their associated targets and tracking, i.e. intelligent plans.
- Combination of above

## **Plan of Action**

### **Stage 1-Review Evidence**

- Review classification and designation of individual TraC water bodies
- Review our evidence and subsequent actions
- Check third party evidence to cover any gaps and clarify decision making

### **Stage 2-Describe Actions**

- Develop 'common sense' list of Actions
- Feedback and review actions and measures

### **Stage 3-Describe GES/GEP**

- Describe what GES/GEP may look like in each TraC water body
- Feedback and review actions and measures

### **Stage 4-Cost Benefit Analysis**

- Cost benefit and affordability tests carried out on actions and review GES/GEP

### **Stage 5**

- Plan how to get to GES/GEP
- Describe wider actions that benefit waterbody that go beyond GEP

This will need to happen soon in order to be incorporated into the second cycle of River Basin Plans for Thames and South East.

### **Do we need specialised partnerships for TraCs?**

A question was raised about whether we have the correct partnerships to deliver WFD in our TraCs. Our current catchment approach is based on the freshwater catchment network, which may not be suitable for delivering in partnership within the estuaries and coast of the South East. Numerous coastal groups do exist and they are engaged with the WFD to varying degrees. For example, the Thames Estuary Partnership is a respected community group that is immersed in WFD, whereas the Solent Forum is a respected Partnership with much less involvement with WFD.

How can we best understand how existing partnerships are delivering for TraCs? In addition, if we find gaps, how shall we deal with those gaps?

### **What do good actions look like for TraCs?**

Even in the current economic climate it was recognised that more needs to be done for our TraCs. Standards are still required and we need to have confidence in showing how status may change with actions. It was noted that we should be bold about saying where more resource may be needed. Political decisions can then be made on affordability.

There is a tension between setting defined objectives that can be ticked off and a more aspirational approach that understands that we could always do a bit more a bit better. How can we reconcile signing off the achievable whilst acknowledging the possible?

Other existing management plan actions, such as those in Shoreline Management Plans, IFCA fisheries plans, Port Plans and Marine Conservation Zone Plans are an efficient way of delivering WFD, where those plans and actions can be reconciled with ecological status.

### **Key Recommendations**

**Will the Liaison panel consider how the additional evidence sources can be incorporated?**

**Will the Liaison panel consider the governance of GEP decision making, and the technical options around GEP presented?**

**Will the Liaison panel consider consulting with coastal groups to discuss partnership working and how the catchment approach works for TraCs?**

**Will the Liaison panel consider running a pilot for TraCs in the South East to test the above ideas?**

**Appendix I**

**An overview of Environment Agency monitoring, evidence and investigations**

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