



Alex Attwood MLA
Minister of the Environment
Clarence Court
10-18 Adelaide St
Belfast
BT2 8G

13 October 2011

Dear Minister,

Re. proposed ban on anchoring in Strangford Lough (below the 10m contour line between: Castle Island to Gransha Point in the North and the Southern tip of Island Taggart to Kate's Pladdy in the South)

The RYA are concerned to learn of your intention to "introduce regulations to restrict anchoring" in affected areas of Strangford Lough. The reason for our concern is the lack of sound scientific evidence to substantiate the need for this stringent measure in order to further protect *Modiolus modiolus*.

The RYA is the national body for all forms of recreational and competitive boating. It represents dinghy and yacht racing, motor and sail cruising, RIBs and sportsboats, powerboat racing, windsurfing, inland cruising and personal watercraft. The RYA is recognised by all government offices as being the negotiating body for the activities it represents. The RYA currently has over 100,000 personal members, the majority of whom choose to go afloat for purely recreational non-competitive pleasure on coastal and inland waters. There are an estimated further 500,000 boat owners nationally who are members of over 1,500 RYA affiliated clubs and class associations.

The Queen's University Belfast (QUB) Modiolus Restoration Research Project report of May 2011 states "remaining *M. modiolus* communities in Strangford Lough still face a number of threats which could limit or prevent their recovery. These include increases in the temperature due to global climate change, eutrophication through agricultural inputs, disease and an increase in the intensity of pot fishing."

Anchoring of recreational vessels and laying of racing marks are not noted anywhere in the report as potential threats to *M. modiolus*. However, one of the recommendations of the QUB report to DARD/DOE is that "a total protection zone is established below the 10m contour line between: Castle Island to Gransha Point in the North and the Southern tip of Island Taggart to Kate's Pladdy in the South".

Of interest, the Habitats Directive Article 6 Test of Likely Significance regarding pot fishing within Strangford Lough SAC in February 2011, repeatedly stated “no evidence could be found at the time of writing, within current scientific literature of pot fishing having negative impacts on *Modiolus modiolus* reefs”.

Similarly, a document prepared for the OSPAR Commission (2009), and cited in the Article 6 document above, states that “the fragility of individual *M. modiolus* is not particularly high nor are reefs thought to be particularly fragile”.

Notwithstanding this, on July 27th 2011, commenting on the report by QUB, you said “I understand the importance of having robust scientific evidence to support the continuation of existing restrictions or the need for additional restrictions. This extensive report recommends ‘total protection’ in those areas of the Lough where pot fishing and other activities may be preventing recovery of the horse mussel reefs. I fully accept that. It is now for both Departments to use their powers to introduce legislation to make that happen. For my part in DOE, I will introduce regulations to restrict anchoring of boats and diving in affected areas as soon as possible.”

In areas such as Strangford Lough where restrictions on anchoring are proposed, the RYA’s policy position is that such restrictions:

- should only be introduced if sound scientific evidence confirms that a particular protected feature and vessel anchoring cannot reasonably co-exist in a particular area.
- should be confined to the specific parts of an area in which anchoring and the protected habitat or wildlife feature cannot reasonably co-exist.
- should not be imposed unless it can be demonstrated that such a restriction will be effective in protecting the habitat or wildlife feature.
- should not be imposed unless it can be demonstrated that such a restriction will be enforceable and enforced.
- should not be imposed unless the area in which it is to be applied is properly marked on navigational charts and/or by physical marking such as buoyage.
- should not be imposed unless appropriate alternative facilities or management measures are available or made available in the locality in which the restriction is to be applied.

In addition, the implementation of any protection measure should be subject to regular review. Any protection measure restricting a particular activity should only remain in place for as long as it can be demonstrated that the activity and the protected feature cannot reasonably co-exist in the relevant area and that the protection measure remains proportionate to the perceived impact of the activity.

Should a ban on anchoring in the proposed area of Strangford Lough below the 10m depth contour be implemented, it would have a severe adverse impact on sailing and boating on the Lough. On the whole the main anchorages are in shallower water, however seasonal racing marks are laid in the area and are used every week by at least 7 out of the 12 clubs on the Lough. These club marks are laid once for the season, from about April to December.

Furthermore, the area proposed for total protection is the main area of open water where marks are laid for major championship and open sailing events. These championship marks may require repeated re-laying depending on the wind direction during the course of an event. Both Ards Borough Council and Down District Council have put considerable effort in recent years into trying to encourage major championship sailing events in the Lough to encourage sustainable tourism.

The RYA welcome further discussion on this matter and would like clarification of the “robust scientific evidence” on which your intentions to introduce restrictions on anchoring are based.

Yours sincerely,

A handwritten signature in blue ink that reads "Alana Murphy". The signature is written in a cursive style with a large, sweeping initial 'A'.

Alana Murphy
RYA Planning and Environmental Advisor

cc: Bob Bleakley, Northern Ireland Environment Agency