Dear Directors of Broads Angling Services Group

Thank you for letter dated 15th November 2019 addressed to myself and Marcus Sibley (Environment Agency), this reply is a joint response from both of us.

As you mentioned I did email John Currie, as our agreed BASG point of contact, on 16th October 2019 to say that we were on track to have the NE and EA Area Directors meeting by the end of November. Indeed, he replied on 18th October confirming my message. I understand that John is no longer connected with the BASG and I would be grateful if you could confirm who within BASG we correspond with now?

The project is designed to deliver much needed environmental improvements for this nutrient enriched protected site, and as you know both organisations have invested in better understanding of how fish utilise the broadland area. This information is now being considered at a high level in both organisations to ensure that we make the best decisions on how to accommodate both wider environmental benefits and fisheries concerns. This is a process that requires careful consideration and one that has taken some time to facilitate.

As I am sure you are aware, the Environment Agency has been responding to severe flooding and this has involved local EA staff being called in to support the effort. As a result the local fisheries team needed more time to collate their comments to present to the Area Directors and consequently the decision meeting has been moved back to early December. Due to pre-election (purdah) restrictions imposed on all Government bodies we won’t be able to publish any communications about the meeting until after the general election on 12th December. I can confirm that these communications will be a joint EA/NE operation.

In response to your direct questions I can offer the following:

* Has the 2019 Spawning assessment paper been shared with Natural England? *Yes, NE colleagues have seen this document.*
* Has Natural England completed a WFD assessment for the project and this final phase of isolating the Broad and impact on fish? If not, when is this available for us to view and assess? – *A WFD assessment was submitted as part of the full planning application in 2014.*
* Why has dredging operations recommenced within the Broad? We were told that this was completed and the associated budgets were used. If the project has found additional funds, from whom, when Natural England stated it cannot support any further assessment work due to budget limitations? *There was always a need for a third stage of sediment removal works. This was always budgeted for. While decisions are being made the project has to continue ‘at risk’ to meet the requirements of our funders and project schedules. No additional funds are being used.*
* Why, as the competent authority, would the EA authorise the installation of barriers that have a sole purpose of blocking fish migration when:
  + Millions are being spent by the EA to remove barriers and open up fish passage to spawning grounds in rivers across England. *There is a requirement under the WFD to achieve good ecological status (or potential) for the whole water body by the date stated in the River Basin Management Plan. This relates to all elements, including fish. Improving fish status often requires specific measures to improve fish passage around existing barriers which are assessed as having an impact on the fish quality element. In this case, the barriers are temporary and are designed to improve the ecological status of the water body, including fish, in that the habitat created should support a more diverse fish community on completion of the project.*
  + The EA has recently taken a decision to retain the close season in England to protect spawning fish in rivers and the Broads *The project acknowledges that Hoveton Great Broad and Hudsons Bay are used by spawning fish and aims to provide fish improvements in the wider broads system as part of the legacy of the work. It is envisaged that there will be much better spawning habitat in the broads for a variety of fishes at the end of the project. The close season is especially important to protect sensitive species such as pike, barbell and dace. This is especially true in smaller rivers and upper reaches. It is fortunate that the Broadland system has many tens of kilometres of connected habitat for primarily bream and roach that will be available for any temporarily displaced fish.*
* Have NE carried out EIA assessment of this activity and consulted EA fisheries relating to this? *Yes an EIA assessment has been submitted*
* Has the underlying RBMP strategic environment assessment being taking into consideration with this activity? *An SEA was undertaken for the last River Basin Management Plan. It took an overview of the potential impact of implementing the cost beneficial package of measures for each operational catchment. A Habitats Risk Assessment was also completed for the plan. The assessment was necessarily high level with the possible impacts of individual projects still requiring an appropriate level of environmental assessment. This is why extensive fisheries surveys have been undertaken as part of the project and we are working with the EA fisheries function to understand the possible impacts in more detail.*
* Have NE put the necessary precautions in place to remove or rescue fish as per all other areas of the country when dealing with fisheries issues and civil engineering projects? *Yes, measures and precautions are in place*
* Have the associated land owners surrounding Hoveton Great Broad been made aware of the impact this activity on their land, undertaken by statutory authorities? *Yes, all permissions have been gained and granted*.

Once we have a decision from the Area Directors as part of the united communications plan we will be in touch with you.

Yours sincerely

Mr Chris Terry

On behalf of the addresses / Cc’d colleagues in your letter dated 15th November.

2nd Dec 2019