



MARINE AND COASTAL ACCESS ACT (2009). REVIEW OF SUPPLEMENTARY INFORMATION REPORT FOR THE SOUTH BANK QUAY PROJECT ON THE RIVER TEES BY SOUTH TEES DEVELOPMENT CORPORATION.

Reference Number: MLA/2020/00506/7.

FISHERIES ADVICE

From: Maria Gamaza
Cefas, Lowestoft Laboratory
Date: 15th June 2021
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To: Emmanuel Mulenga
Cc: Fisheries Advice
Joe Perry

– **MMO (by MCMS)**
– Cefas, Lowestoft
– SEAL Case Officer Cefas, Lowestoft

1. With reference to the above request to review the supplementary information report for the construction of a new quay at South Bank in the Tees estuary by South Tees Development Corporation and your request for comments dated 24th May 2021, please find my comments below in my capacity as advisor on fish ecology and fisheries.
2. This minute is provided in response to your advisory request in relation to the above proposal in my capacity as scientific and technical advisor for fish and fisheries. The response pertains to those areas of the application request that are of relevance to this field. This minute does not provide specialist advice regarding benthic ecology, marine processes, shellfisheries or underwater noise as, whilst these are within Cefas' remit, they are outside my area of specialism.
3. In providing this advice I have spent 3.75 hours of the allocated 3.75 hours by the MMO. I have booked my time to C8369B134.

Documents reviewed.

4. South Bank Quay Supplementary environmental information report, Royal HaskoningDHV, 06 May 2021.

Description of the proposed works

5. South Tees Development Corporation (STDC), the Applicant, is proposing to construct a new quay at South Bank in the Tees estuary. In summary, the proposed works comprises demolition, capital dredging, offshore disposal of dredged material and construction and operation of a new quay to be set back into the riverbank (for more details on location, methods and timing please defer to previous Cefas fisheries advice on the EIA report¹).
6. The fisheries assessment presented in the Environmental Impact Assessment (EIA) report was informed by existing publicly available survey data from other projects within the Tees, as site-specific survey data was not available at the time of writing. I note that updated surveys have now been completed by the Applicant and results presented here for review.

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7. I recognise that Cefas fisheries advisors were previously consulted both during the EIA review¹ and following Applicant's response to comments². In providing my response I have considered previous advice provided by Cefas fisheries and underwater noise specialists.

No questions have been raised by the MMO case officer. Therefore, please see a summary of my comments related to the fish fisheries supplementary data provided (section 4 in document 4) below.

Please note that all responses are observations unless stated.

8. I note that benthic ecology surveys (including benthic trawls and fyke net surveys) have now been completed and the results are presented within the supplementary report (document 4) and discussed in the context of fish. For instance:

Benthic trawl surveys

9. A total of five benthic trawls were undertaken on 17 and 18 November 2020 using a 2m beam trawl with a 10 mm mesh and a 5 mm codend. Results show a total of ten finfish species identified, with plaice (*Pleuronectes platessa*) as the most abundant and frequent fish caught, followed by whiting (*Merlangius merlangus*) and sand gobies (*Pomatoschistus minutus*).
10. In addition, the 2020 site-specific trawls show that most commercial species caught were juvenile. In agreement with the Applicant conclusions, I believe these results are a useful complement to the fish species described in the EIA Report, reaffirming that the lower Tees estuary acts as nursery ground for commercial species such as plaice, whiting and cod.
11. Although the gear used in these surveys is not specifically designed to target fish, the findings of the surveys have been used to inform the description of demersal fish species likely to inhabit the lower Tees.

Major Comment

12. I appreciate that the applicant has also acknowledged some of the data limitations of these surveys in the EIA report (i.e., underestimation of pelagic species). However, it should be recognised that in addition to pelagic species, beam trawls do not adequately target larger / adult demersal fish. Furthermore, as the 2m beam trawl and fyke net surveys were only undertaken over a 2-day period during November the resulting data do not provide any useful information on the seasonal variations in fish assemblages in the Tees, and this should be recognised by the Applicant when making conclusions on the presence/absence of individual species.

Fyke net survey

13. Four fyke nets were deployed within the mid-shore zone on the landward side of the existing South Bank Wharf aiming to identify the fish species that may use the structure for shelter. A total of six species of fish were recorded in very low numbers, namely; cod, flounder, plaice and pollack (*Pollachius pollachius*), three-bearded rockling (*Gaidropsarus vulgaris*) and Bull-rout (*Myoxocephalus Scorpius*).

¹ Advice reference: MLA/2020/00506 dated 5th February 2021 by Maria Gamaza.

² Advice reference: MLA/2020/00506 consultation 2 dated 13th April 2021 by Maria Gamaza.



14. These results confirm the wharf offers shelter for juvenile fish, as per the EIA report conclusions. However, based on the fyke net survey results, the Applicant concludes the value of the habitat as a shelter for juvenile fish may be relatively low.
15. In addition, the Applicant has also provided an updated count of upstream salmonid movements up to January 2021 using the latest data from the Environment Agency's Tees Barrage fish counter. Results confirm the EIA findings by showing peak upstream movements in July and August with lowest numbers from December to March. I thank the Applicant for having updated this information within the EIA report.
16. I note that based on the supplementary survey results, the Applicant has updated the assessment of impacts (see Table 4.3, document 4) maintaining that all impacts conclusions set out in the EIA remain valid (i.e., no significant impacts to fish) because no new sensitivities have been identified.
17. I thank the Applicant for providing the latest surveys results and updated data which I agree are a valid complement to the EIA findings in the context of fish species present in this area.

Note to MMO

18. As per my latest advice under consultation 2², we still have concerns relating to potential cumulative impacts arising from the dredging works proposed under this consultation. My review of the supplementary survey data provided does not address our concerns relating to potential cumulative impacts. Therefore, I am unable to provide any further comments at this stage but look forward to the Applicant's/MMO response to our previous comments².

Maria Gamaza
Fisheries Regulatory Advisor

<i>Quality Check</i>	<i>Date</i>
<i>Joe Perry</i>	<i>15/06/2021</i>