

Birrell, Alasdair

From: Mason, Richard [Richard.Mason@rspb.org.uk]
Sent: 18 December 2012 15:08
To: Goodfield, Hannah
Cc: Pearson, Philip
Subject: RE: Catfield Renewals Update
Attachments: image001.gif; EA comments.zip

Hannah,

Attached, let me know if still no good.

All the best,

Richard Mason

RSPB Site Manager,
Sutton Fen
Longmoor Farm,
Wood Street,
Catfield,
Norfolk.
NR29 5DF

Phone: 07989 388302

www.rspb.org.uk

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-----Original Message-----

From: Goodfield, Hannah [<mailto:hannah.goodfield@environment-agency.gov.uk>]
Sent: Tue 18/12/2012 2:50 PM
To: Mason, Richard
Cc: Pearson, Philip
Subject: RE: Catfield Renewals Update

Dear Richard,

Thank you for providing data and your comments for the Catfield renewals - unfortunately I'm having trouble opening the attachment. Are you able to provide it in a different format?

Thanks for your help,

Hannah

Hannah Goodfield
Senior Permitting Officer - Water Resources
National Permitting Services - Part of National Operations

Environment Agency, Icen House, Cobham Road, Ipswich IP3 9JD
Direct Dial: 01473 706826 (internal 750 6826)

Mobile: 07717200114

Email: hannah.goodfield@environment-agency.gov.uk<<mailto:hannah.goodfield@environment-agency.gov.uk>>

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From: Pearson, Philip [<mailto:Philip.Pearson@rspb.org.uk>]

Sent: 12 December 2012 13:20

To: Goodfield, Hannah

Subject: RE: Catfield Renewals Update

Click

here<<https://www.mailcontrol.com/sr/G6hCjH6SXFjWQxILzJ5p94A!ryrambYa2qhYurAp0MT44eMsrNeWmuazR8sQHIII+YHDBiFbjrDRvLOheD46gw==>> to report this email as spam.

Dear Hannah,

Many thanks for your request for any additional information that the RSPB may hold that would be useful in determining the renewal applications. The attached information has been provided by Richard Mason (RSPB Sutton Fen Warden). The information contains Richard's observations of changes to water levels and flows at Sutton Fen and Catfield Fen (Butterfly Conservation site), with data included to justify Richard's comments. If you have any queries regarding the information please contact Richard directly using his email address richard.mason@rspb.org.uk<<mailto:richard.mason@rspb.org.uk>>.

Having reviewed the documents attached to your email of 29th November the RSPB has the following comments:

* The Ant valley is important for hen harrier as indicated by figures for c. 2009. The Ant valley regularly supports small numbers during most winters, but also provides alternative roost sites when birds are displaced from other roost sites. For example, observations in c. 2009 indicated that hen harrier were displaced from the Breydon Water raptor roost by the presence of large numbers of marsh harriers. This resulted in up to 8 hen harrier roosting at Sutton Fen. This will be a nationally significant number - but will vary from year to year depending on a number of factors e.g. disturbance, weather, concentration of raptors at roost sites. The RSPB is therefore concerned by the statement from Natural England that the Ant Valley is "Not particularly relevant to Ant system", as stated on p. 22 of the Appendix 11 under the Broadland SPA section.

* Information on Bewick's and Whooper swan is also incomplete as they feed on grazing marsh in the Ant (at Horning marshes - just NW of Ludham bridge and north of the A1062) and in the Bure at St Benet's levels (usually NNE of the abbey near a decoy pool).

* Crane as a breeding species would also be affected by abstraction. Whilst this species does not appear on the current Broadland SPA or Ant Broad and Marshes SSSI citation it is an Annex I species of the Birds Directive (as identified by the JNCC at <http://jncc.defra.gov.uk/page-2823>). Whilst this population lies outside of a designated SPA, Annex 1 species are protected under Article 4 of the Birds Directive. This states that "Member States shall strive to avoid pollution or deterioration of habitats" for listed species. A European Court of Justice judgement (C-418/04 Commission vs. Ireland) states in respect of this that Member States must make serious attempts to implement this provision: this requires the taking of all reasonable measures to avoid pollution or deterioration of the species' habitats (paragraphs 179 and 190).

* It is important to note that some experts such as Plantlife consider there to be a link between species diversity (especially botanical) and surface water flows. By surface water flows we mean almost imperceptible water movements in the surface layer of the fen (top 10-20cm). If abstraction occurs it will create an inverted hydraulic cone (as occurred at Strumpshaw Fen when the PWS borehole was working) meaning there would be no surface flows across large areas and species diversity would drop (probably significantly).

* Some information provided above and in the attached documents are difficult to quantify and are hard to take beyond the

anecdotal level. However, these difficult to quantify issues are likely to be significant.

Having reviewed the available information, and as stated in our 11th September 2012 response, the RSPB does not consider that sufficient information has been presented at this time to conclude that there will not be an adverse effect on either the Broadland Special Protection Area (SPA), Broads Special Area of Conservation (SAC), or Ant Broads and Marshes Site of Special Scientific Interest (SSSI). The RSPB believes a precautionary approach must be taken at this time in accordance with European and UK legislation and case law. This is necessary to ensure that the fragile fen habitat in the area does not suffer short term or long term deterioration in quality, especially given their international and national importance.

If you have any queries regarding the content of the email, please do not hesitate to contact me.

Regards,
Phil

Philip Pearson (Dr),
Senior Conservation Officer,
RSPB,
Stalham House, 65 Thorpe Road,
Norwich, Norfolk, NR1 1UD.

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[Stepping up for Nature]<<http://www.rspb.org.uk/steppingup>>
RSPB, UK Headquarters, The Lodge, Sandy, Bedfordshire, SG19 2DL.
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From: Goodfield, Hannah [<mailto:hannah.goodfield@environment-agency.gov.uk>]
Sent: 29 November 2012 14:25
To: tim@catfieldhall.com<<mailto:tim@catfieldhall.com>>; Sue Collins; peter-riches@talk21.com<<mailto:peter-riches@talk21.com>>; d.j.gilvear@stir.ac.uk<<mailto:d.j.gilvear@stir.ac.uk>>; Wilson, Sarah (NE East); Walters Nick; Andrew Alston; ojanrich@aol.com<<mailto:ojanrich@aol.com>>; joverton60@googlemail.com<<mailto:joverton60@googlemail.com>>; Andrea Kelly; Mason, Richard; Pearson, Philip; Paul Hammett; John Hiskett; Mandy Gluth (mandy_gluth@hotmail.com<mailto:mandy_gluth@hotmail.com>)
Subject: Catfield Renewals Update

Dear all,

We have just updated our webpage to include further documents (attached for your information) and to inform you of the progress we are making in determining the 2 renewal applications at Catfield, Norfolk.

This can be found by clicking on the following link;

<http://www.environment-agency.gov.uk/research/library/consultations/143536.aspx>

Included on the webpage is a document listing the available sources of information we have to make our decision and giving you an opportunity to provide any further information relating to the conservation of the site that may help us. If you have any further information could you please contact me by 11 December 2012.

If you have any queries regarding the website or the applications please do not hesitate to contact me on the details shown below;

Kind regards,

Hannah

Hannah Goodfield
Senior Permitting Officer - Water Resources
National Permitting Services - Part of National Operations

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