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Steven O'Leary  
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DEFRA

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10<sup>th</sup> February 2009

Dear Mr O'Leary,

**Consultation on Draft Statutory Instrument to amend provisions of the  
Water Resources Act 1991 for Water Protection Zones, and related Draft  
Statutory Guidance for the Environment Agency**

**Introduction**

This letter is in response to your consultation above. It is made on behalf of Seafish following discussions with its Marine Environmental Legislation Expert Group. This group consists of cross sector industry representation, as well as country government departments and agencies.

Seafish is a non-departmental public body that provides support to all sectors of the seafood industry. It has no official mandate for involvement in resource or environmental management but has an obvious interest in the outcomes of the management processes. Seafish has a publicly stated commitment to “the sustainable and efficient harvesting of those resources on which the UK seafood industry depends, the protection of marine ecosystems, and the development of marine aquaculture based on sustainable resource utilisation and best environmental practice”.

This response begins with general comment and then moves on to address a more specific issue.

**General Comment**

We welcome the initiative from DEFRA to update the Water Resources Act and to provide a mechanism for the protection and improvement of the environment. This can only bring benefit to our industry.

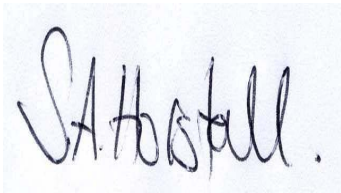
## **Specific Comments**

The consultation document states its intention to enable the designation of water protection zones for several purposes including implementing the guidance standards contained within the Shellfish Waters Directive. As you may be aware there is currently considerable concern within the shellfish industry that these guidance standards, and indeed the whole Shellfish Waters Directive will be repealed in 2013.

This would leave the industry, and these newly designated water protection zones without any basis for protection, particularly from bacteriological contamination. It seems illogical to introduce new legislation on this basis, and we would ask that this apparent anomaly is addressed urgently.

If you need any further information or clarification, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in dark ink, reading "S. Horsfall.", on a light blue background.

Sarah Horsfall  
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