

Protocol H Comments log

This is the comments log for the SNCB's Advice – Assessing the contribution of existing sites to the network (Technical Protocol H)

The comments arise from the Independent Expert Review Group commissioned by Defra and stakeholders following a request for comments by Natural England and JNCC.

Log number	Date received	Review stage	MCZ section	MCZ protocol/Version	Organisation	Organisation Type	Response format	Response details	Action Owner	Comments
1	03/10/2011	MPA Tech Group	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	CCW	SNCB	email	MPATG7_8: Although this paper concerns the MCZ project area not the whole UK MPA network area, as the number of MCZs in the projet area potentially could be very large compared to the number of other MPAs in England I am presuming that they will dominate the network in England while in Wales the number and area of MCZs compared to the area of other MPAs will be very small. I am presuming that some of what you are proposing for the MCZ project area could become the accepted practice across the whole of the UK MPA network. That said in this paper when you say that sites are listed - do you mean for qualifying and/or notified marine features - in Wales we have a lot of SSSI that were designated before the full survey of the Welsh coast was carried out and we manage them for the qualifying marine feature identified through this survey although they have not been notified for these features. Our list of MPAs in Wales contains these SSSIs. Also when you say that only sites with conservation objectives can be included how prescriptive is this? our MPA SSSIs, which we would be including in a larger UK MPA network do not have conservation objectives they have site management statements.	EM/JO	clarification to respondent. Possible revision (for clarity) to protocol on where sites are listed (see comment). Decision taken and agreed that only existing MPAs would be included if protection afforded to feature directly through the conservation objective.
2	24/11/2011	ALB	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	Science Advisory Panel (SAP)	Academic	email/Word doc	Protocol H. Assessing the contribution of existing sites to the network. (I would rather hope that this protocol is a reflection of the approach already taken by the Regional Projects.) Broadly, the Protocol is OK. However, it should be clearer that a SAC can only be considered to protect a FOCI or Broad Scale Habitat if that FOCI or BSH can be 'nested within' or is a 'component part of' the very broad Annex 1 habitats. Perhaps a note is needed in 4a. For instance, deep mud cannot. JNCC has already developed read-across tables and I assume those will be used. I have always wondered whether SPAs are relevant when protecting seabed features and a logical extension of the discussion in 4b might be to unequivocally state that they are not!	EM/JO	

3	02/12/2011	Defra policy	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	Defra	Defra	email/Word doc	Protocol H So the advice we will receive is what is needed to fill the gap between what existing sites provide and the ENG? References to the GAP analysis tool – peer reviewed? Generally accepted? Analysis of protection is only based on whether feature has a CO. More useful to consider whether this offers protection to other features listed in ENG as there isn't direct overlap between EMS and MCZ features What is quality and uncertainty around spatial data sources on p5?section 3b mentions lots of uncertainty. Doesn't explain how judgement will be made or a view provided on level on uncertainty. Para d on p8 refers to assumptions but doesn't explain what they are or how they have been made	EM/JO/BS
4	02/12/2011	Defra policy	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	Defra	Defra	email/Word doc	This document reads like a project report or a research proposal but not like a protocol. Revision is needed to adjust the content and style. It is not clear to me when I read this protocol how this info will support the designation process. After some discussions with NE and JNCC I understand that the results from this analysis will then be combined with the ecological contribution that each of the rMCZs is expected to make to show how the rMCZs will fill the gaps. Is what I described correct? Please, add some information to cover that component of the analysis so, the steps in that part of the process are also covered.	add a line to the protocol to clarify this output of the work. Adjust any overly-technical phrases or content to make the protocol less like a research report and more like the other protocols, as requested.
5	05/12/2011	ALB	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	RSPB	NGO	email/Word doc	As the MCZ network is designated for different features that are not included in other MPAs, MCZs should stand up as a coherent network on their own. The existence of other MPAs, or potential future MPAs should not be used as a reason for reduction in the coverage of the MCZ network. While MCZs should be considered alongside other MPAs as part of a wider network, and the assessment of the ecological coherence for the UK network as a whole should take into account all relevant MPAs, it is still important for there to be a comprehensive, coherent and representative network of MCZs. We do not have any detailed comments on the proposed methodology for the gap analysis – especially as it refers to a process for an analysis that has already been completed.	comment relates to consideration of the network, ie, MCZs should comprise an ecologically coherent network on their own, independent of existing designations
6	06/12/2011	ALB	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	Renewable Energy Association	Industry	email/pdf	6.1 The REA believes that the use of existing MPAs to contribute to the development of a coherent MCZ network and the proposed approach are sensible. 6.2 The section on Page 5 about features in existing MPAs that may receive incidental protection through the protection of other designated features, explains that if the site management regime changes, any incidental protection of non-designated features may be removed. Rather than ignoring the contribution of such features to the MCZ network, the REA respectfully suggests that provision should be made for the "incidental protection" to remain in place.	

7	06/12/2011	ALB	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	ScottishPower Renewables	Industry	email/pdf	It is unclear within the report how habitats that support SPAs with marine components will contribute to the network. How will future designations be considered to support the network?	Eddy/Jenny	Treatment of SPAs in the analysis described in current version, but may need to be clearer. Also clarify that gap analysis is a 'snapshot' and as such does not take into account future designations (although cSACs are covered)
8	13/12/2011		Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	152. This protocol sets out the challenges and explores potential solutions. This is fine but it doesn't really set out how the SNCBs will proceed in a practical sense. It is very much an internal rather than external document.		
9	13/12/2011		Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	153. There are many small issues that could be raised about the technical detail but is it necessary to include all this in the protocol when it will presumably have to evolve during the process?		
10	13/12/2011		Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	154. There should be more thought given to the idea of what an "ecologically coherent network of MPAs" would look like. It would be useful to define what the UK should be aiming for so we can adequately assess progress.		
11	13/12/2011		Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	155. The ENG defines an "ecologically coherent network of MPAs in terms of specific guidelines to achieve representivity, replication, viability, adequacy, connectivity and levels of protection for defined habitats and species within MPAs, based on best available evidence. The protocol should refer to these guidelines and advise that they are read alongside the protocols.		
12	13/12/2011		Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	156. Connectivity is little mentioned throughout these protocols and yet this is perhaps the attribute which is most questionable (or at least the way it was derived and interpreted).		
13	13/12/2011		Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	157. Last two lines, "existing and updated evidence": from when? the end of the RP process, the production of the recommendations, etc?		
14	13/12/2011		Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	158. Lines 4 -6: One cannot judge the adequacy of the approach without knowing the adequacy of the Gap Analysis Tool. Hence the in-depth review will also have to assess the adequacy of the Gap Analysis Tool. If it is proposed that the in-depth review is carried out by an independent body, as requested by Defra, then this will be possible. However, if the review is carried out by the SNCB who performed the Gap Analysis Tool then the review would not be independent. Hence, again the SNCB need to be clear about the type of review being performed.		

15	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	159. Middle of page “To assess the contribution...”, This needs to be cross-linked to the matrix of features but is that the GAT?
16	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	160. Last paragraph: it is good to see examples used – this is sorely needed in the other protocols otherwise there will be ambiguity/confusion.
17	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	161. Section on “Assessing levels of protection”: Isn’t this confusing two things; the protection and the management in the other protocols? This approach is merely looking at contribution (check logic).
18	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	162. Paragraph 2, last sentence: Not sure of the logic or repercussions of this - be clearer.
19	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	163. Last section (bullet points): This seemed a very limited set of data sources. More should be included.
20	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	164. First paragraph (list): This list needs to be inter- linked to the rMCZ as by definition the network is only coherent if both the rMCZ and existing (de facto) MCZ are included. Isn’t section 2 then also needed in a rigorous way for the rMCZ?
21	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	165. Item 2b: Be clearer ‘objectives of those existing/de facto Marine’
22	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	166. Section 3, second line, “will be shared with Defra”: Is this the same as ‘given to’?
23	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	167. Section 3, #2: Either this is just a critique of the final RP report and analysis or it requires the analysis to be re-run – which?
24	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	168. Last paragraph, second line, “results will be indicative rather than absolute”: But will this be any better than what is present now (indicative)? Be clear about the scale of what you want to happen when the contractors carry out the in-depth review.

25	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	169. First paragraph: It should be acknowledged that the SAC Site Assessment Documents could provide a lot of help with this task.
26	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	170. Second paragraph, lines 4-11: a. The main message should be that if you maintain the physical structure and functioning then the ecology will take care of itself. b. The mobile species are perhaps not the best examples to give here – as their protection also relies on what happens at areas away from the sites being protected – e.g. as breeding areas.
27	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	171. Fourth paragraph: Therefore, this suggests the whole process is to be re-run – check.
28	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	172. Para graph 1: This calls into question the adequacy of the original data layers; if these are not good then why were they not questioned before now? The SNCB have to be clear if they are expecting the contractors carrying out the in-depth review to check the original data layers or merely take the data at face value.
29	13/12/2011	Section 3.3	SNCB MCZ Advice Project – Assessing the contribution of existing sites to the network (Technical Protocol H)	IERG	Academic	report via Defra	173. Middle of page, items a – c: The SAP final report took the de facto designation of the already designated sites as MPA at face value – is this paragraph suggesting that this was or was not valid?

Protocol H Action log

This is the action log for the SNCB's Advice – Assessing the contribution of existing sites to the network (Technical Protocol H)

The actions arise from the comments received from Independent Expert Review Group and stakeholders

Protocol version	Section / page	Comment	Response log number	Suggested action	Owner	Action undertaken	Date action completed
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H	v2.0	Overall	<p>...it should be clearer that a SAC can only be considered to protect a FOCI or Broad Scale Habitat if that FOCI or BSH can be 'nested within' or is a 'component part of' the very broad Annex 1 habitats. Perhaps a note is needed in 4a. For instance, deep mud cannot. JNCC has already developed read-across tables and I assume those will be used. I have always wondered whether SPAs are relevant when protecting seabed features and a logical extension of the discussion in 4b might be to unequivocally state that they are not!</p>	2	<p>clarification needed to the text to make clear the limitations of the analysis and also of concept of making comparisons between levels of protection afforded from existing sites, whose initial purpose is not necessary the same as MCZs, eg SPAs/features within SACs not necessarily being directly comparable to MCZ features (BSH and FOCI). This is in the standard text but needs to be exaggerated further. Clarification needed for the respondent.</p>	<p>Revised text to provide more clarity. NE need to clarify text on how SPA habitats were dealt with in the gap table. - done 19/12</p>	19.12.11
H	v2.0	Overall	<p>Protocol H So the advice we will receive is what is needed to fill the gap between what existing sites provide and the ENG? References to the GAP analysis tool – peer reviewed? Generally accepted? Analysis of protection is only based on whether feature has a CO. More useful to consider whether this offers protection to other features listed in ENG as there isn't direct overlap between EMS and MCZ features What is quality and uncertainty around spatial data sources on p5?section 3b mentions lots of uncertainty. Doesn't explain how judgement will be made or a view provided on level on uncertainty. Para d on p8 refers to assumptions but doesn't explain what they are or how they have been made</p>	3	<p>Clarify uncertainty in the text (of the Protocol and also in the outputs). Clarify that protection is only attributed from existing sites if there is a conservation objective for a comparable feature (this is in the text but seems to need to be even clearer). more text for page 8 on assumptions? peer-review of gap tool possibly exists in some form (or QA) - Beth S may have more info</p>	<p>Final paragraph on page 7 already explains how uncertainty would not significantly impact the outputs from the gap analysis. Added some text to explain link between protection of Annex I habitats and FOCI/broadscale habitats. The gap analysis tool is the software that was used to carry out the analysis so it was not necessary for this to undergo peer review. Clarified text about translation of REC data.</p>	14.12.11

H	v2.0	Overall	<p>This document reads like a project report or a research proposal but not like a protocol. Revision is needed to adjust the content and style. It is not clear to me when I read this protocol how this info will support the designation process. After some discussions with NE and JNCC I understand that the results from this analysis will then be combined with the ecological contribution that each of the rMCZs is expected to make to show how the rMCZs will fill the gaps. Is what I described correct? Please, add some information to cover that component of the analysis so, the steps in that part of the process are also covered.</p>	4	<p>Add a line to the protocol to clarify this output of the work. Adjust any overly-technical phrases or content to make the protocol less like a research report and more like the other protocols, as requested.</p>	<p>Added a sentence at the beginning of Part 2 to explain how the outputs were used.</p>	14.12.11
H	v2.0	Overall	<p>MCZs should stand up as a coherent network on their own. The existence of other MPAs, or potential future MPAs should not be used as a reason for reduction in the coverage of the MCZ network. While MCZs should be considered alongside other MPAs as part of a wider network, and the assessment of the ecological coherence for the UK network as a whole should take into account all relevant MPAs, it is still important for there to be a comprehensive, coherent and representative network of MCZs. We do not have any detailed comments on the proposed methodology for the gap analysis – especially as it refers to a process for an analysis that has already been completed.</p>	5	<p>n/a - comment needs to be passed on, but is more around strategic approach of MPA project than the technical protocol.</p>		

H	v2.0	Overall	<p>The section on Page 5 about features in existing MPAs that may receive incidental protection through the protection of other designated features, explains that if the site management regime changes, any incidental protection of non-designated features may be removed. Rather than ignoring the contribution of such features to the MCZ network, the REA respectfully suggests that provision should be made for the "incidental protection" to remain in place.</p>	6	<p>Comment relates to the approach taken throughout the gap analysis, ie that we <i>should</i> also be considering those sites which offer incidental protection to features, even if there is no specific CO in place for the feature (we haven't done this). Although a reasonable request, this goes against the decisions taken previously in the gap analysis process and would introduce huge uncertainty and margin for error in the assessment of the contribution of existing sites. It would also potentially seriously alter the targets that the regional MCZ projects were working towards in their work and final recommendations. Comment back to the respondent should be made to this effect.</p>	<p>Added sentence to section 1b to clarify this.</p>	14.12.11
H	v2.0	Overall	<p>SPA supporting features and future designations</p>	7	<p>exaggerate the text around how SPA supporting features were/are treated in the analysis, and future designations</p>	<p>The protocol makes it clear that it is only existing sites which are covered by this analysis. I don't know enough detail about how SPA supporting features were treated in the analysis to be able to add any text to clarify this>> NE need to deal with this</p>	14.12.11
H	v2.0		<p>152. This protocol sets out the challenges and explores potential solutions. This is fine but it doesn't really set out how the SNCBs will proceed in a practical sense. It is very much an internal rather than external document.</p>	8		<p>No action required. The protocol details how the contribution of existing sites was assessed</p>	14.12.11
H	v2.0		<p>153. There are many small issues that could be raised about the technical detail but is it necessary to include all this in the protocol when it will presumably have to evolve during the process?</p>	9		<p>No action required. The process has already been carried out to assess the contribution of existing sites.</p>	14.12.11

H	v2.0	154. There should be more thought given to the idea of what an “ecologically coherent network of MPAs” would look like. It would be useful to define what the UK should be aiming for so we can adequately assess progress.	10	No action required. This is beyond the remit of this protocol. The protocol is specifically about the contribution of existing sites to the network of MPAs in the MCZ Project area.	14.12.11
H	v2.0	155. The ENG defines an “ecologically coherent network of MPAs in terms of specific guidelines to achieve representivity, replication, viability, adequacy, connectivity and levels of protection for defined habitats and species within MPAs, based on best available evidence. The protocol should refer to these guidelines and advise that they are read alongside the protocols.	11	No action required. The ENG is referenced in the protocol.	14.12.11
H	v2.0	156. Connectivity is little mentioned throughout these protocols and yet this is perhaps the attribute which is most questionable (or at least the way it was derived and interpreted).	12	No action required. This is beyond the remit of this protocol. The protocol is specifically about the contribution of existing sites to the network of MPAs in the MCZ Project area.	14.12.11
H	v2.0	157. Last two lines, “existing and updated evidence”: from when? the end of the RP process, the production of the recommendations, etc?	13	Text revised to clarify that it is only existing evidence that was used in the process (we will not be carrying out a further analysis using updated evidence)	14.12.11

H	v2.0	<p>158. Lines 4 -6: One cannot judge the adequacy of the approach without knowing the adequacy of the Gap Analysis Tool. Hence the in-depth review will also have to assess the adequacy of the Gap Analysis Tool. If it is proposed that the in-depth review is carried out by an independent body, as requested by Defra, then this will be possible. However, if the review is carried out by the SNCB who performed the Gap Analysis Tool then the review would not be independent. Hence, again the SNCB need to be clear about the type of review being performed.</p>	14	<p>No action required. The SNCBs are not planning to assess the adequacy of the Gap analysis tool. It is up to Defra to decide whether the adequacy of the tool is considered as part of the Independent review.</p>	14.12.11
H	v2.0	<p>159. Middle of page "To assess the contribution...", This needs to be cross-linked to the matrix of features but is that the GAT?</p>	15	<p>required. The text explains that matrix of existing protected sites and the features that they protect is used by the Gap Analysis tool to calculate the contribution of existing protected sites.</p>	14.12.11
H	v2.0	<p>160. Last paragraph: it is good to see examples used – this is sorely needed in the other protocols otherwise there will be ambiguity/confusion.</p>	16	<p>No action required.</p>	14.12.11
H	v2.0	<p>161. Section on "Assessing levels of protection": Isn't this confusing two things; the protection and the management in the other protocols? This approach is merely looking at contribution (check logic).</p>	17	<p>required. It is clear in the text (section 1b) that in order for the analysis to be carried out we need to determine which features are considered 'fully protected'</p>	14.12.11
H	v2.0	<p>162. Paragraph 2, last sentence: Not sure of the logic or repercussions of this - be clearer.</p>	18	<p>Revised text to clarify</p>	14.12.11

H	v2.0	163. Last section (bullet points): This seemed a very limited set of data sources. More should be included.	19	required. The analysis has already been carried out using these data sources so there is no scope to include more.	14.12.11
H	v2.0	164. First paragraph (list): This list needs to be inter-linked to the rMCZ as by definition the network is only coherent if both the rMCZ and existing (de facto) MCZ are included. Isn't section 2 then also needed in a rigorous way for the rMCZ?	20	No action required. This is beyond scope of this protocol which focusses on the contribution of existing MPAs and not rMCZs.	14.12.11
H	v2.0	165. Item 2b: Be clearer 'objectives of those existing/de facto Marine	21	required. The relevance of conservation objectives of existing MPAs is explained in Section 4a.	14.12.11
H	v2.0	166. Section 3, second line, "will be shared with Defra": Is this the same as 'given to'?	22	No action required.	14.12.11
H	v2.0	this is just a critique of the final RP report and analysis or it requires the analysis to be re-run – which?	23	Clarified text to explain that the outputs of the analysis were used by the RPs.	14.12.11
H	v2.0	168. Last paragraph, second line, "results will be indicative rather than absolute": But will this be any better than what is present now (indicative)? Be clear about the scale of what you want to happen when the contractors carry out the in-depth review.	24	Revised text to clarify	14.12.11
H	v2.0	169. First paragraph: It should be acknowledged that the SAC Site Assessment Documents could provide a lot of help with this task.	25	required. The first paragraph in the document explains that the SAC selection assessment documents were used.	14.12.11

H	v2.0	<p>170. Second paragraph, lines 4-11: a. The main message should be that if you maintain the physical structure and functioning then the ecology will take care of itself. b. The mobile species are perhaps not the best examples to give here – as their protection also relies on what happens at areas away from the sites being protected – e.g. as breeding areas.</p>	26	<p>No action required. The text explains that maintaining the physical structure would not necessarily fully protect the habitat as a biophysical feature. It is important to use this example because the issue relates specifically to habitats in SPAs.</p>	14.12.11
H	v2.0	<p>171. Fourth paragraph: Therefore, this suggests the whole process is to be re-run – check.</p>	27	<p>Revised text to clarify that gap analysis is not going to be re-run</p>	14.12.11
H	v2.0	<p>172. Para graph 1: This calls into question the adequacy of the original data layers; if these are not good then why were they not questioned before now? The SNCB have to be clear if they are expecting the contractors carrying out the in-depth review to check the original data layers or merely take the data at face value.</p>	28	<p>No action required. The data layers used were based on the best available evidence, and the associated uncertainty is acknowledged.</p>	14.12.11
H	v2.0	<p>173. Middle of page, items a – c: The SAP final report took the de facto designation of the already designated sites as MPA at face value – is this paragraph suggesting that this was or was not valid?</p>	29	<p>No action required. This paragraph does not suggest that the results of the analysis of the contribution of existing MPAs in not valid - the text explains that the potential error due to the use of draft and possible SACs is likely to be small and unlikely to significantly affect the results.</p>	14.12.11