

JNCC MARINE NATURA 2000 PROJECT GROUP MINUTES

THIRTEENTH MEETING 14TH SEPTEMBER 2006

11:00 – 15:00 THE NATTERJACK TOAD ROOM, NORTHMINSTER HOUSE,
PETERBOROUGH

APPROVED MINUTES

Present (around table):

Lynda Warren (LW) - JNCC
Malcolm Vincent (MV) - JNCC
Charlotte Johnston (CJ) – JNCC
Annabelle Aish (AA) – JNCC
Alan Drewitt (AD) – EN
Peter Clement (PC) - EN
Carol Daniels (CD) - SNH
Andy Webb (AW) - JNCC
Simon Brockington (SB) – EN
Nigel Buxton (NB) - SNH
David Connor (DC) - JNCC

By video-link:

Sarah Wood (SW) – CCW
Mark Tasker (MT) - JNCC
Jim Reid (JR) - JNCC
Kirsten Ramsey (KR) - CCW

Apologies:

Viv Blyth-Skyrme – JNCC
John Baxter - SNH
Sian Whitehead – CCW
Ben Dean - SNH
Kate Jennings – EN
Louise Burton – EN
Wyn Jones - JNCC
Ben James – SNH
Jen Ashworth – EN

Joe Breen - EHS
Helen Baker - JNCC
Howard Platt – DoENI
Kate Bull - EN
Howard Platt – EHS
Ian Enlander – EHS
Mandy McMath – CCW

1. Welcome and apologies for absence

2. Minutes of the 12th Marine Natura Project Group meeting 11th May 06 and matters arising

The group was informed that minutes from the 12th MN2K Project Group meeting will be submitted within the coming weeks: apologies were expressed for the delay in their circulation. Minutes from the 11th Marine Natura Project Group have been approved by the group and will be uploaded on the JNCC's website.

Action points from 12 th MN2K Project Group meeting		Status
11.5	MT to convey results of SCANS II survey to Project Group (11 th meeting: Agenda item 5)	Carried forward (to be addressed under Agenda item 5.1)

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11.7	CJ to re-circulate meeting minutes from OSPAR MPA UK meeting (11 th meeting: Agenda item 3.4)	Completed
11.10	Agencies (EN, SNH and EHS) to provide comments to AA & CJ on MN2KPG11_1_OSPART&D.doc particularly with regard to Tables 3, 4, 5 and 6 (11 th meeting: Agenda item 7.5) (circulated 01/02/06)	Carried forward
11.11	AW to circulate report on Inshore Aggregations of Waterbirds in the Moray Firth to the Project Group (11 th meeting: Agenda item 9)	Carried forward
11.12	JR to provide Project Group with an update paper on marine SPA classification work to be reviewed intersessionally, as a draft Committee paper for Sept 06 (11 th meeting: Agenda item 11)	Completed September 2006
12.1	JNCC to respond to Defra re the Offshore Regulations. Agencies to contribute comments if they wish (particularly focusing on any discrepancies/conflicts with the 1994 Habitats Regulations amendments) (12 th meeting: Agenda item 3.2)	Completed Aug 2006
12.2	Agencies to lead on responding to the revised 1994 Regulations. JNCC input on marine-related items. (12 th meeting: Agenda item 3.2)	Completed June 2006
12.3	Agencies and JNCC to contribute to/update MN2KPG12_1_MN2KSurveyTimetable.doc on prospective areas of search and associated timings (12 th meeting: Agenda item 4.1)	Completed Sept 2006
12.4	AA to liaise bilaterally with relevant specialists (SB, LB, BJ, KR, JBr) to finalise paper on completion of UK SAC series for Annex I and II marine features for which the SAC list is still open (formerly MN2KPG11_4_UKHabitat.doc) (12 th meeting: Agenda item 4.3)	Partially completed/Carried forward
12.5	AA to circulate 'integrated' offshore SAC proformas (for Stanton Banks, Braemar Pockmarks and North Norfolk Sandbanks and Saturn Reef) to the Project Group (12 th meeting: Agenda item 4.4)	Carried forward
12.6	Agencies and JNCC to contribute to/update MN2KPG12_2_JNCCcommittee+MN2KPGTimetable.doc (12 th meeting: Agenda item 6.1)	Completed Sept 2006
12.7	CJ and AA to select pragmatic GIS landward boundaries for SACs submitted as OSPAR MPAs for submission to OSPAR Commission via MASH in October 06 (11 th meeting/12 th meeting: Agenda item 7.2)	Carried forward

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12.8	CJ to produce draft paper on process for consideration of additional OSPAR MPAs by 2010 (12 th meeting: Agenda item 7.4)	Carried forward
12.9	HB to consult the Group on the detailed scope of the 2008-2010 SPA & Ramsar (Avian) Review in September 2006 (12 th meeting: Agenda item 11.1)	Completed September 2006
12.10	Agencies (CCW, SNH and EHS) to contribute to European marine site management plan database (circulated by AA 02/05/06) (12 th meeting: Agenda item 13.2)	Carried forward (EN contribution complete)
12.11	AA to draft a proposal for the creation of a JNCC/Agency EMS website (12 th meeting: Agenda item 13.2)	Carried forward

3. Selection of SACs for Annex I habitat interest features

3.1 Agency/JNCC updates on 2006/07 SAC survey programme. Review of MN2KPG13_1_MN2KSurveyTimetable.doc

SB outlined plans for collaborative EN-JNCC survey work in areas of potential Annex I habitat which extend across the 12nm boundary. The group was informed of the alterations in EN's stand alone survey plans (due to changes in government funding streams). Project group discussion focused on the need for i) greater emphasis on the *management* of existing sites (including sustainable financing of this management) ii) a joined-up/coherent approach to the implementation of Natura 2000. The group was informed that BJ would provide an update on SNH's SAC survey developments at the next MN2K project group meeting. KR clarified that the Welsh position remained the same: no new areas will be surveyed for SAC identification for the time being. The group was reminded that 30% of Welsh waters were already covered by the Natura 2000 network. The group discussed the scope for collaborative CCW-JNCC survey work in North West Anglesey (potential Annex I reef). This area may be of interest from both a SAC and BAP perspective.

CJ advised the group that the offshore survey programme had been hindered somewhat due to swings in funding. CJ provided a breakdown of the offshore AoS: i) JNCC is likely to survey the South West approaches shelf break in 2007, possibly through collaboration with Plymouth University or the MESH programme ii) Rockall will be progressed as a site early next year: JNCC is currently surveying this area iii) Hatton Bank was investigated through SEA7 surveys this summer. There is some evidence of coral reefs at this site. The data now needs to be worked up, and should be progressed early next year. This area is high on the priority list in terms of this year's funding iv) Rosemary Bank survey results have just been delivered, though it is not clear whether sufficient data exists to identify a potential SAC v) George Bligh Bank and Anton Dorn: some survey work has been conducted, though JNCC has yet to receive the associated data to analyse. vi) Survey of the north west Irish Sea mounds and the mid Irish Sea reef will be funded by Defra this winter.

The group continued to discuss the challenges presented by uncertain funding for future survey work and N2K site management. It was noted that this led to difficulties in long-term planning. The group considered how these issues could best be communicated to government, for example by means of a letter from the chair of the MN2K Project Group to the Secretary of State. This could be discussed at the next JNC Committee meeting (September 06). The role of other government departments in supporting Natura 2000 and the protection of the wider marine environment was also discussed. Finally, the project group was reminded of a former inter-governmental steering group established at the beginning of the

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offshore SAC programme; all those interested parties within the Agencies, Government (including Defra Fisheries) and the devolved administrations were represented. It was acknowledged that a similar kind of grouping would still be beneficial to progress offshore Natura 2000. There was some indication at a recent meeting on offshore SACs (involving JNCC/Government/Devolved administrations) that the Scottish Executive would encourage this course of action.

AP 13.1 AA to update MN2KPG13_1_MN2KSurveyTimetable.doc with Agencies' assistance

AP 13.2 CJ to forward a list of attendees at Defra Offshore SACs meeting (25/09/06) to MT

AP 13.3 MV to propose letter to Secretary of State on marine Natura 2000 to Chairmen of all the Agencies at the September JNC Committee meeting

AP 13.4 SB to formalise comments on the content of the letter to Secretary of State (to be sent to MV)

3.2 SAC selection progress and completion of UK SAC series. Review of MN2KPG13_3_UKHabitat.doc

CJ advised the group that this Agenda item linked closely to discussions under Agenda item 3.1. CJ outlined the history of this paper and previous iterations. This paper presents a means to assess the representation of Annex I Reefs and Sandbanks within the UK N2K network. This analysis is particularly relevant to JNCC's and EN's survey work (both independent and collaborative) and subsequent site selection. At the last Project Group meeting, JNCC presented an approach to assessing representativity based on biotope sub-divisions for Reefs and Sandbanks. JNCC has now devised a more pragmatic means of identifying sub-types, focusing on parameters that lead to the development of particular ecological variants. It is now imperative that JNCC receives feedback from the Agencies on this revised system, given the requirement to complete the network of SACs (including marine) by 2008. The group discussed what level/type of information would be required to undertake the representativity assessment. An enquiry was made as to how this work might tie into that of UK Seemap, and whether it might also be extended for the purposes of other conventions/initiatives (such as OSPAR/UK marine BAP). An inter-agency workshop was suggested as a means to reach agreement on a set of subtypes for Reefs and Sandbanks. KR informed the group that she will not be available to contribute to this work, due to her imminent maternity leave. Kirsty Dernie and/or Karen Robinson should be contacted in her absence.

AP 13.5 AA to set up an inter-agency workshop on Identifying sub-types for Annex I Reefs and Sandbanks in order to assess Representativity for these interest features across the Natura 2000 network

4. Selection of SACs for Annex II species

4.1 Update on progress with cetacean and seal research

MT informed the Project Group that the results of the SCANS II project would be available next week, following their presentation to the ICES annual science meeting and at the ASCOBANS MoP. The final report is due out at the end of this calendar year. The group asked for a formal conclusion on the use of SCANS II data for SAC selection. MT reminded the group that the SCANS II survey strategy had not been designed with SAC identification in mind, and agreed to produce a paper stating that these data had been reviewed and found unsuitable for this purpose.

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AP 13.6 MT to produce a short document explaining limitations of current cetacean data (in particular SCANS II) for SAC selection

JR advised the group that he has reviewed existing cetacean data to ascertain whether these data could potentially be used to identify SACs for cetaceans. It is likely that more recent data will assist in making an accurate assessment, though it is probable that these data will not help to inform SAC selection. A plan for updating the Joint Cetacean Database has been developed. This will not be finalised until 2009.

5. Papers to Project Group and JNC Committee/Agency councils

5.1 Update on MN2KPG13_2_JNCCCommittee+MN2KPGTimetable.doc

CT presented MN2KPG13_2_JNCCCommittee+MN2KPGTimetable.doc: this paper outlines JNCC/ Agency plans for submitting papers to the Project Group, and subsequently to the JNC Committee. At the December Committee meeting, JNCC anticipates submitting the conservation objectives and advice on operations for three dSACs: Braemar Pockmarks, North Norfolk Sandbanks and Saturn Reef, and Stanton Banks. The boundaries of these three sites have already been approved by Committee. It is anticipated that the dossiers (formally 'proformas') for Rockall and Blackstones Bank will be submitted to Committee at the March meeting.

AP 13.7 AA to update MN2KPG13_2_JNCCCommittee+MN2KPGTimetable.doc with Agencies' assistance

6. OSPAR

6.1 UK contribution of SACs to the OSPAR MPA network: Phase I by 2005

AA summarized the agreed procedure for delineating the landward boundaries of OSPAR MPAs. As concluded at the last Project Group meeting, this will be done on the basis on MHW (for England, Wales, and N Ireland) and MHWS (for Scotland).

6.2 UK contribution to the OSPAR MPA network: Phase II by 2010

CJ notified the group of plans to produce a paper on the next steps towards developing a network of OSPAR MPAs in UK waters. The group was informed that the task of developing the network had been split into two: i) an initial submission of N2K sites to OSPAR by 2005; and ii) the completion of the network by 2010. The details of the second stage are still to be determined, but for the time being JNCC is focused on identifying obvious gaps in the network (see MN2KPG11_1_OSPART&D.doc.). The group discussed the inclusion of representative habitats and species, as well as nationally important marine features (informed by the UK marine BAP work programme) in the network. The group acknowledged that, if 'representativity' were prioritised, by default many of the threatened and declining species and habitats will be protected. The group was reminded that OSPAR was a lower priority than marine Natura 2000, although the development of the OSPAR MPA network should not be sidelined at this stage. It was reaffirmed that JNCC and the Agencies' remit was nature conservation and preventing the deterioration of sites: OSPAR was a conservation opportunity. However, the group expressed concern with regard to resource limitations. CJ informed the group that JNCC will shortly be appointing an Offshore Survey Programme Organiser and Communications/Consultations Officer, which should ease the Marine Strategy and Sites Team's workload.

AP 13.8 SB to write 'think piece' on UK Government's commitment to OSPAR process for next MN2K Project Group meeting

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7. EU & UK Marine working groups

7.1 Update on work of the EU Marine Expert Group

CJ informed the group that there had been little activity within the EU Marine Expert Group since a meeting in June to review the definition of Annex I Sandbanks. A modified definition has now been agreed upon, which may go to the Habitats Committee in September as part of the revision of the Habitats Directive. The adjusted definition maintained that Sandbanks should be at 20m depth or shallower, but deeper areas could potentially be included as part of the interest feature.

7.2 Update on Habitats Directive Regulations

CJ informed the group that the Offshore Habitats Regulations went out to consultation in July; these were not significantly different from the draft regulations circulated in 2003. JNCC has not yet been named as the relevant conservation body in these Offshore Regulations (this is likely to be amended by Defra). The group discussed the lack of requirement in the regulations to develop management plans for offshore sites. The Offshore Habitats Regulations will apparently be going before Parliament in February 2007.

7.3 Report on Natura and Ramsar Steering Committee and UK Marine Sub-Group

CJ notified the Project Group that the Natura and Ramsar Steering Committee had scheduled another meeting in early October. It was noted at the last Natura and Ramsar Steering Committee meeting that greater interaction with the Marine Natura Project Group would be welcomed. Project Group members are encouraged to suggest agenda items to the Steering Committee.

8. Seaward extensions to seabird breeding colony SPAs

8.1 Update on 2006/07 survey programme and breeding colony SPA extensions

AW explained that work on potential extensions to red throated diver breeding areas had been carried out in summer 06. Undertaking further research on seaward extensions to seabird breeding colonies would depend on funding availability, and may include investigating tern and shag colony extensions. Sea surveys and radio-tracking surveys of seabird breeding colonies have been undertaken in Shetland.

9. Inshore aggregations of waterbirds

9.1 Update on survey and analysis

AW outlined two elements of planned survey work: firstly the summer survey programme, and secondly aerial surveys of spring aggregations of waterbirds in Aberdeen Bay. In terms of data analysis, a report on the Moray Firth's waterbird aggregations was imminent. The group was informed that a report on inshore aggregations of waterbirds in the Wash had been delayed due to queries over the number of wintering RTDs present at this site. The issues of boundary identification for inshore SPAs and appropriate survey methodologies were also discussed by the group. It was noted that the likely boundary of the SPA anticipated in the Thames estuary (to protect inshore aggregations of waterbirds) was unlikely to vary significantly from that documented in JNCC's recent report, or at least not in a way that would affect the wind farm companies (i.e. the boundary was unlikely to extend into areas of interest to wind farm developers). The MN2K Project Group acknowledged the challenges faced in implementing the Birds Directive given uncertainties regarding how many sites Government and the devolved administrations envisage being designated, and how large these should be. These discussions centred on both scientific and political constraints. Better communication of these issues to Government was identified as a priority.

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10. Aggregations away from the coast

10.1 Update on analysis

JR informed the group that little progress had been made this year on the analysis of seabird aggregations away from the coast. JNCC is currently in the process of recruiting two new officers: one to focus on inshore aggregations (a 2-year post), and one on offshore aggregations (a 1-year post), which will be supported through additional Defra funding. These new staff members will be in place at the beginning of the next financial year.

11. Timetable of work and process for classification of marine SPAs

11.1 2008 SPA review

JR briefly introduced a paper authored by Helen Baker and David Stroud on marine SPAs. Greater engagement with JNCC's Seabirds and Cetaceans unit was recommended in relation to this review.

AP 13.9 HB to liaise with JR with regard to the development of the 2008 SPA review paper

11.2 Review of MN2KPG13_1_MN2KSurveyTimetable.doc

AW provided details of the marine SPA survey sites. Three survey sites have been identified in England: Morecambe Bay, Bridlington Bay and Solway Firth. There are potentially two additional SPA survey sites in England, though work in these areas will depend on funding availability. EN was asked to consider which sites were priority survey areas. Following funding provision from EHS, two new sites in NI waters will be surveyed this winter: Killough Harbour and Carlingford Lough. Several sites in Shetland will also be surveyed (by boat) this winter. The group considered whether Cardigan Bay should be included in the Welsh SPA survey timetable. It was agreed that this site should be included for the time being (pending clarification of funding availability). The group was informed that no programme was yet in place for SPA survey work in offshore waters.

12. Papers to Project Group and JNC Committee/Agency councils

12.1 Update paper on SPA selection progress

CJ reminded the group that the update paper on the SPA selection progress (produced by JR) would be submitted to the September JNC Committee. The paper outlined progress made to date on marine SPA selection and summarised the background to this work. The group discussed whether the rationale behind SPA selection might be destabilized by recent queries from Government. It was noted that any such challenges would best be resolved at this stage, to forestall potential difficulties in the future. It was ultimately concluded that this update paper to Committee was not an appropriate context in which to address such issues. Further engagement with Government and the devolved administrations was recommended by project group members, in order to clarify past decisions on N2K implementation.

12.2 Review of MN2KPG13_2_JNCCommittee+MN2KPGTimetable.doc

CJ asked whether any further contributions to this timetable should be anticipated from those project group members involved with SPA selection. JR confirmed his intention to write another Committee update paper on progress made with SPA selection by 2007. The project group acknowledged that, as a matter of principle, the MN2K Project Group should update Committee annually on progress with N2K implementation. This is particularly applicable if there are no other substantial papers on this issue submitted in the interim.

13. Any other business

13.1 UK Marine SAC management plan database

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AA summarised the objectives of the UK Marine SAC management plan database, and asked for input from those agencies which had not yet contributed. The group was informed that both sites managed through EMS management schemes and those managed through alternative systems should be included in this spreadsheet

13.2 English Nature ‘European Marine Sites workshop’: Outcomes

SB summarised the European marine sites workshop hosted by EN in September, which 40-50 people attended. The group was advised that EMS Conservation Officers and Project Officers often work in isolation both geographically and in terms of gaining support for their work. Despite the marine sites being very different in character, managers often face similar problems that could be better resolved through collaborative working arrangements. It was suggested that the EMS workshop i) be expanded in scope to consider UK MPAs more broadly, ii) be independently- funded, iii) encourage participation of NGOs and other stakeholders. A website to same end could also be developed. The group considered these proposals. It was concluded that retaining an EMS-focused workshop would still be beneficial. The issue of maintaining control over a potentially independent ‘virtual MPA resource centre’ was also raised. The development of a web-portal open to managers/the public was suggested as an alternative. This could act as an information resource, and bring together those working on MPA initiatives; however, care should be taken not to imply any endorsement of content. A lack of sustainable financing for EMS management was identified as a key stumbling block by the group; it was noted that EMS with long-standing Project Officers (funded by a relevant authority) had more successful management regimes in place, and encouraged wider public engagement. It was suggested that a new government funding protocol could potentially be developed to support EMS management. However, the project group was reminded of the sectoral nature of offshore SAC management requirements in legal terms, and the lack of a legal requirement to develop a management plan (or employ a PO) for these sites. The group went on to discuss the evolution of conservation efforts, commencing with site-based conversation and extending to broad scale moderation in industry practice. The group compared the regulation of the Oil and Gas industry (highly regulated with a few points of contact), to that of the fishing industry. It was acknowledged that site-based efforts alone were insufficient in the marine environment, though were publicly understood to be a central part of a national conservation strategy.

Summary of Action Points from 13th meeting of Marine Natura Project Group, 14th September 2006

Action point number	Action	Action by	Action on
11.10	Carried forward: Agencies (EN, SNH and EHS) to provide comments to AA & CJ on MN2KPG11_1_OSPART&D.doc particularly with regard to Tables 3, 4, 5 and 6 (11 th meeting: Agenda item 7.5) (circulated 01/02/06)	January 2007	All MN2K Project Group members (bar CCW)
11.11	Carried forward: AW to circulate report on Inshore Aggregations of Waterbirds in the Moray Firth to the Project Group (11 th meeting: Agenda item 9)	Upon receiving approval from SNH	AW
12.5	Carried forward: AA to circulate ‘integrated’ offshore SAC proformas (for Stanton Banks, Braemar Pockmarks and North Norfolk Sandbanks and Saturn Reef) to the Project Group (12 th meeting: Agenda item 4.4)	Early February 2007	AA

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12.7	Carried forward: CJ and AA to select pragmatic GIS landward boundaries for SACs submitted as OSPAR MPAs for submission to OSPAR Commission (11 th meeting/12 th meeting: Agenda item 7.2)	Early February 2007	AA
12.8	Carried forward: CJ to produce draft paper on process for consideration of additional OSPAR MPAs by 2010 (12 th meeting: Agenda item 7.4)	Early February 2007	CJ
12.10	Carried forward: Agencies (CCW, SNH and EHS) to contribute to European marine site management plan database (circulated by AA 02/05/06) (12 th meeting: Agenda item 13.2)	November 2006	All SAC members (bar EN)
13.1	AA to update MN2KPG13_1_MN2KSurveyTimetable.doc with Agencies' assistance (13 th meeting: Agenda item 3.1)	Early February 2007	AA
13.2	CJ to forward a list of attendees at Defra Offshore SACs meeting (25/09/06) to MT (13 th meeting: Agenda item 3.1)	30 th Sept 2006	CJ
13.3	MV to propose letter to Secretary of State on marine Natura 2000 to Chairmen of all the Agencies at the September JNC Committee meeting (13 th meeting: Agenda item 3.1)	28 th Sept 2006	MV
13.4	SB to formalise comments on the content of letter to Secretary of State (to be sent to MV) (13 th meeting: Agenda item 3.1)	28 th Sept 2006	SB
13.5	AA to set up an inter-agency workshop on 'Identifying sub-types for Annex I Reefs and Sandbanks in order to assess Representativity for these interest features across the Natura 2000 network' (13 th meeting: Agenda item 3.2)	November 2006	AA
13.6	MT to produce a short document explaining limitations of current cetacean data (in particular SCANS II) for SAC selection. To be submitted to Feb Project Group meeting. (13 th meeting: Agenda item 5.1)	February 2007	MT
13.7	AA to update MN2KPG13_2_JNCCCommittee+MN2KPGTimetable.doc with Agencies' assistance (13 th meeting: Agenda item 5.1)	Early February 2007	AA
13.8	SB to write 'think piece' on UK Government's commitment to OSPAR process (13 th meeting: Agenda item 6.2)	Early February 2007	SB
13.9	HB to liaise with JR with regard to the development of the 2008 SPA review paper (13 th meeting: Agenda item 11.1)	November 2006	HB/JR