



**REVIEW OF HARBOUR PORPOISE AS A QUALIFYING FEATURE OF THE
DOGGER BANK DRAFT SAC**

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JOINT NATURE CONSERVATION COMMITTEE

REVIEW OF HARBOUR PORPOISE AS A QUALIFYING FEATURE OF THE DOGGER BANK DRAFT SAC

Paper by Sonia Mendes, Mark Tasker, Charlotte Johnston, Eunice Pinn, Jim Reid & John Goold

1. Background

- 1.1 Harbour porpoise are wide-ranging, highly mobile marine species that occur in nearly all continental shelf waters around the UK. They are listed on Annex II of the Habitats Directive, for which Special Areas of Conservation (SACs) need to be identified. The Directive requires that SACs be identified for wide-ranging aquatic species only where there is a clearly identifiable area representing the physical and biological factors essential to their life and reproduction (Article 4(1)) and this requirement has been transposed into UK Regulations, the Habitats Regulations and the Offshore Marine Regulations.
- 1.2 The issue of SACs for harbour porpoise was discussed by the Joint Committee in March 2004 (JNCC 04 P05a), when it was agreed that, on the basis of available information, there was no strong case to support any proposal for an SAC primarily selected for harbour porpoise with the possible exception of the north Pembrokeshire coast/south Cardigan Bay area (this area has not yet been submitted to Committee for consideration). Generally there was an absence of well-defined distributional hotspots and natural boundaries¹.
- 1.3 In September 2008, Joint Committee endorsed paper JNCC 08 P10 which proposed a rationale for the identification of SACs for harbour porpoise in the context of a site whose boundaries were proposed for a habitat feature. The Dogger Bank draft SAC (dSAC) proposed for its ‘sandbanks slightly covered by seawater all the time’ served as a case study.
- 1.4 In paper JNCC 08 P10 the Habitats Directive Annex III criterion² ‘Size ***and*** density of the population of the species present on the site in relation to the populations present within national territory’ was interpreted as meaning ‘either size ***or*** density’. The C-grade recommendation for the Dogger Bank was made on the basis of the estimates of the percentage of national population of harbour porpoise contained within the dSAC boundaries and the regularity

¹ Since 2004 a variety of new data has been collected for inshore areas around the UK which may benefit from examination with respect to identifying hotspots for harbour porpoise. There are no new data for offshore areas such as Dogger Bank.

² Annex III of the Habitats Directive sets out criteria for selecting sites eligible for identification as Sites of Community Importance and designation of Special Areas of Conservation.

of occurrence of the species there. The density of animals in relation to other areas in the North Sea was not considered to be a determining factor.

2. Thresholds for designation of SACs for harbour porpoise

- 2.1 The key criterion as set out in Annex III of the Habitats Directive – ‘Criteria for selecting sites eligible for identification as Sites of Community Importance and designation as Special Areas of Conservation’ - is³:

(a) Size and density of the population of the species present on the site in relation to the populations present within national territory.

The [explanatory notes to the Natura 2000 standard data form](#) suggest the following progressive model to classify the size of the population in the site relative to the population in the national territory:

A: >15% to 100% of national population

B: >2% to 15% of national population

C: >0% to 2% of national population

A fourth category (D) is used in all cases where a population of the species concerned is present on a site in a non-significant manner. A classification as D means that no conservation objectives are needed for that feature and therefore no special conservation measures for the species are needed for the site. In cases where the site representativity for the population concerned is classed as ‘D: non-significant’, no other indication is required for the other evaluation criteria concerning this species on the site in question.

- 2.2 Assuming that >0% means > or = to 0.1% of the national population, it then follows, with a North Sea porpoise population of *ca* 250,000 individuals (from SCANS II, 2008), that a site large enough to contain 0.1% (*ca* 250 individuals) will meet the size component of this criterion. Therefore sites in the North Sea larger than 450 km² could potentially be considered for inclusion of harbour porpoise as a qualifying feature if the density aspect is not taken into account. This would include many existing sites designated for habitat features.
- 2.3 However, comparison of the harbour porpoise annual sightings rate data at Dogger Bank dSAC, the North Sea excluding the dSAC, and the North Sea as a whole indicate no significant difference (Figure 1). As such, this would suggest that the Dogger Bank dSAC is no more important for harbour porpoises than other parts of the North Sea.

³ Other criteria are:

(b) Degree of conservation of the features of the habitat which are important for the species concerned and restoration possibilities.

(c) Degree of isolation of the population present on the site in relation to the natural range of the species.

(d) Global assessment of the value of the site for conservation of the species concerned.

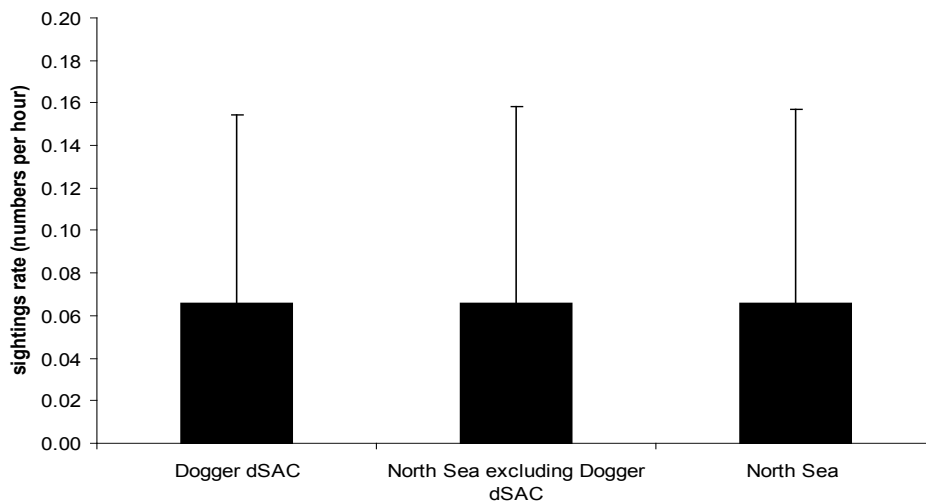


Figure 1: Comparison of mean harbour porpoise sighting rates for Dogger Bank dSAC and the rest of the North Sea from the annual Joint Cetacean Database data (error bar shows standard deviation).

- 2.4 Harbour porpoise population estimates for the North Sea as a whole (derived from the SCANS II data⁴) indicate a population of approximately 250,000 animals. Crude estimates from these data indicate that approximately 2.5% of the North Sea harbour porpoise population was present within the dSAC in June/July 1994 and 4.6% in July 2005. Although the latter figure suggests a greater than average density, the coefficients of variation reveal that the differences observed were not statistically significant. Further, it should be noted that the SCANS II surveys were designed to provide a broad scale population estimate for the North Sea and were not designed to search for harbour porpoise hotspots.
- 2.5 The size and density criterion has been recognised as difficult to apply to the harbour porpoise. Given the natural variability in distribution of this species, a site with a high density in relation to the populations present within national territory at one time might not have such densities at another time.
- 2.6 To address this problem, the European Commission produced guidance in 2007⁵. This included the results of a workshop held in December 2000. The workshop concluded that “it is possible to identify areas representing crucial factors for the life cycle of this species. These areas would be identifiable on the basis of:
- i. the continuous or regular presence of the species (although subject to seasonal variations);
 - ii. good population density (in relation to neighbouring areas);

⁴ SCANS = Small Cetaceans in the European Atlantic and North Sea. These were surveys of small cetaceans on a broad geographic scale but a limited temporal scale (i.e. ca. 1 month snapshots taken 11 years apart.)

⁵ Guidelines for the establishment of the Natura 2000 network in the marine environment. Application of the Habitats and Birds Directives

- iii. high ratio of young to adults during certain periods of the year;
 - iv. additionally, other biological elements are characteristic of these areas, such as very developed social and sexual life.”
- 2.7 These guidelines represent the views of the Commission, but they are not legally binding and are secondary to the provisions of the Directive.
3. **Assessment of the criteria for selecting SACs for harbour porpoise for the Dogger Bank draft SAC**
- 3.1 Consideration of the application of both the Annex III criteria and the Commission’s guidelines to assess the grading of harbour porpoise for Dogger Bank dSAC is as follows.
- 3.2 Annex III criterion **(a) Size *and* density of the population of the species present on the site in relation to the populations present within national territory.** Population size is clearly greater than 0.1% given the size of the site, but best available scientific evidence shows that densities on the Dogger Bank are not significantly different from those in any other area within the range of the populations present in UK waters. Therefore application of this criterion, with regard to the intent of Article 4(1) of the Habitats Directive, indicates grade D.
- 3.3 European Commission Guidance 2007. *Guidelines for the establishment of the Natura 2000 network in the marine environment. Application of the Habitats and Birds Directives.*
- i. **Continuous or regular presence of the species (subject to seasonal variations).** As with most of the North Sea, the Dogger Bank would qualify on this guideline.
 - ii. **Good population density (in relation to neighbouring areas).** Dogger Bank would not qualify on this guideline as there is no evidence that harbour porpoise densities are significantly higher than neighbouring areas.
 - iii. **High ratio of young to adults during certain times of the year.** There is no evidence to support qualification under this criterion. Best available scientific evidence shows that harbour porpoises give birth and nurture their young throughout their range.
 - iv. **Other biological elements that are characteristic, such as very developed social and sexual life.** There are no other biological elements that are characteristic, since there is no evidence that harbour porpoises use the area in any way that is different from other areas.
- 3.4 This assessment, based on the best available evidence, is that Dogger Bank would qualify for notification of harbour porpoise on only one out of four of the 2007 guidelines and as such would warrant a D-grade.

