

JNCC MARINE NATURA 2000 PROJECT GROUP MINUTES

EIGHTH MEETING 9TH FEBRUARY 2005

11:00 – 14:30 JNCC, MONKSTONE HOUSE

Present (around table):

Jan Pentreath (JP) (Chair) - Joint Committee
Malcolm Vincent (MV) - JNCC
Charlotte Johnston (CJ) - JNCC
Caroline Turnbull (CT) - JNCC (secretary)
Jim Reid (JR) - JNCC
Mark Tasker (MT) - JNCC
Wyn Jones (WJ) - JNCC
Kerry Howell (KH) (up to item 6) - JNCC
John Baxter (JB) - SNH

Nigel Buxton (NB) - SNH
Joe Breen (JBr) - EHS
Peter Clement (PC) - EN
Leigh Jones (LJ) (up to item 6) - EN

By video-link:

Mandy McMath (MM) (up to item 6) - CCW
Catherine Gray (CG) (item 7 onwards) - CCW

Apologies:

David Connor (JNCC)
Andy Webb (JNCC)
Helen Baker (JNCC)
Allan Drewitt (EN)

Ben Fraser (EN)
Angela Moffat (EN)
Kirsten Ramsay (CCW)
Ian Bainbridge (Scottish Executive)

1. Welcome and apologies for absence

JP welcomed the attendees. Apologies were noted as above.

2. Minutes of the seventh Marine Natura Project Group Meeting and matters arising

The minutes were approved with one amendment to item 5.2 where it was requested that it should be made clear that the *Modiolus modiolus* reefs extended into offshore waters. Action points from the last meeting were all completed with the exception of action points 1 and 12 which will be carried over as action points 1 and 2 from this meeting:

AP1: CJ to produce a revised process for the designation of marine SPAs by next meeting

AP2: Group to provide to CJ examples of Council/Board papers and departmental briefs as used in the process for SPA approval.

3. OSPAR

3.1 Update of UK work on identifying a first set of OSPAR MPAs

CT introduced backing paper MN2KPG8_1_OSPARMPAs which had been provided to the group for information and highlighted that, whilst no substantial work was currently required of the group, this may change quickly depending on the outcome of discussions with Defra. CJ added that the devolved administrations and Defra had been contacted to discuss the current situation regarding progressing this work and that a meeting was likely in mid-March. It was highlighted that the quantity of intersessional work between MASH meetings was very high and that work programmes would need to be adjusted to ensure delivery in time for MASH rather than the anticipated intersessional meeting of the MPA working group in April. In order to prevent too much work being attempted close to MASH 2005, the group agreed to provide comment on the principles which could underpin the identification of Natura sites which could be submitted as OSPAR MPAs and try to complete some of the scientific aspects of this work as soon as possible.

AP3: Group to provide comments to CT on the principles outlined in Annex A of MN2KPG8_1_OSPARMPAs by 21st February 2005.

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MT highlighted that subsequent work should note OSPAR's limited competency with regards to fish species. It was also noted that any considerations of MPAs for fish species should be coordinated with work being undertaken by other UK working groups under a number of strategic initiatives.

3.2 Update on developing an ecologically coherent network of OSPAR MPAs

CT introduced the backing paper MN2KPG8_2_EcoNetwork and highlighted that the paper is intended to provide project group members with the final version of the ecological network paper which was approved by attendees of MASH 2004. The paper also updates the group on planned work for 2005 to meet the UK commitment to continue the development of guidance on an ecologically coherent network of OSPAR MPAs and criteria by which the network can be assessed. The group noted the paper.

4. EU and UK Marine working groups

4.1 Verbal report on work for the EU Marine Expert Group

CJ reported that there had been little activity within the EU MEG since the last meeting of the Project Group; a new version of guidance on locating and assessing sites is due to be completed by 15th February. Definitions for Reef and Sandbank were not discussed at the last EU Habitats Committee. JNCC made a submission to Defra advising on amendments to the annexes and this contributed to the subsequent submission which was made to the EU working group.

AP4: CJ to provide EU Marine Expert Group papers to the group when they become available.

4.2 Update on Habitats regulations

CJ reported that regulations are currently anticipated to be laid before parliament in 2005.

4.3 Report on discussions at Natura and Ramsar Steering Committee

WJ reported that the Natura and Ramsar Steering Committee met on the 7th January and, amongst other business, considered a paper submitted by the JNCC which provided an update on Marine Natura work. The Steering Committee had some concerns about terminology in the paper regarding sites and the clarity over roles and responsibilities of the JNCC with regards to advising on marine Natura. In addition to this, there was also a query over the JNCC providing advice on marine Natura issues prior to guidance being finalised by the EU Marine Expert Group.

The group discussed how best to address the concerns of the Natura and Ramsar Steering Committee and concluded that discussions should be held at meetings with Defra and the devolved administrations and that formal clarification should be requested by the JNCC in response to concerns of the Steering Committee which are recorded in the minutes.

AP5: MV to respond by letter to issues raised regarding marine Natura in the Natura and Ramsar Steering Committee minutes (January 2005 meeting).

5. Selection of SACs for Annex I habitat interest features

5.1 Report from Committee

MV reported that the Support Unit submitted a paper to the Joint Nature Conservation Committee in December 2004 which contained a request for the Committee to approve for recommendation to Defra four sites for habitat interest features. The paper also contained conservation objectives and suggested management actions for the Saturn *Sabellaria spinulosa* reef site and requested the Committee to approve the standard format and the content for these. Committee approved all four sites, the format for management action and the suggested management actions for Saturn *Sabellaria spinulosa* reef site. The four sites and management actions for Saturn have been transmitted to Defra.

5.2 Update on sites being submitted to agency councils and JNCC

CT advised the group that JNCC intended to submit up to four areas of habitat to the Joint Nature Conservation Committee for approval for recommendation to Defra in September 2005. JB advised the group that there were no plans for any new sites for Annex I habitat interest features in Scottish inshore waters. MM advised the group that the Dee and Severn Estuaries remained pSACs and that no new sites had been identified. LJ advised the group that currently no new sites for Annex I habitat interest features had been identified in English inshore waters. JBr advised the group that EHS planned to submit Red Bay maerl beds as a site and that they are looking at the pockmark in Dundrum Bay.

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5.3 Forward plan for the completion of a UK suite of sites for Annex I habitat features (inc. work plan)

CT advised the group that the backing paper MN2KPG8_3_UKHabitat contained the same text as the second section of MN2KPG7_2_Plan and that work to determine appropriate sub-types of Annex I habitats which occur through UK waters was necessary along with achieving an overview of the UK suite of sites for these habitats. It was agreed that CT would work with individuals in the country conservation agencies (as proposed by Project Group members) to undertake the work. The group discussed whether the work was best conducted by the Project Group or the Inter-agency Marine Habitats Group and it was agreed that it would remain with the Project Group.

AP6: Group to provide CT with points of contact for work to progress habitat SACs as detailed in MN2KPG8_3_UKHabitat by 21st February.

5.4 Update of survey plans

KH introduced backing paper MN2KPG8_4_Survey and advised the group that survey in 2005 would take place in the eastern English Channel in collaboration with BGS and Cefas. Additional collaborative survey may take place on Rockall and the seamounts (with FRS) and in the Irish Sea through collaboration on the HabMap project with CCW. KH highlighted that the JNCC was limited to collaborative survey work to progress data gathering on potential and known Annex I habitat areas due to extremely limited financial resources. JB advised the group that SNH will be undertaking monitoring work in Loch Creran, Firth of Lorn and Loch Sunart cSACs in 2005 and habitat surveys near Mingulay (working with FRS), North Rona and the Sound of Harris. JBr advised the group that a detailed habitat mapping exercise and status assessment will be undertaken around Rathlin as well as monitoring work in Strangford Lough. LJ advised the group that English Nature is in early planning stages of survey work and is likely to undertake survey in a pilot area to refine techniques and consider uses of data. MM advised the group that a survey of *Modiolus modiolus* biogenic reef north of Anglesey has been undertaken as part of SEA6.

5.5 Updating of timetable re: Annex I habitat SACs

The group agreed to supply changes to the timetable (MN2KPG8_5_Timetable) to CT within two weeks.

AP7: Group to provide to CT modifications to the timetable in MN2KPG8_5_Timetable by 21st February.

6. Selection of SACs for Annex II species

6.1 Update on consultation exercise for bottlenose dolphin recommendation

JR advised the group that the consultation document was placed on the JNCC website just before Christmas and that the consultation was due to close on the 25th February. As yet no comments have been received.

6.2 Update on considerations for a harbour porpoise site in Wales

MM advised the group that further considerations by CCW of a harbour porpoise site in Wales were on hold until in receipt of a policy statement produced by CCW and endorsed by the Welsh Assembly Government on SACs in Welsh waters. CJ requested that the document be copied to her upon its production.

AP8: MM to provide to CJ the policy statement on SACs in Welsh waters when it becomes available.

6.3 Update on progress with seal research

JB reported that the PhD studentship was proceeding well and that a number of tags had been successfully been deployed on common seals at South-East Islay Skerries and Ascrib, Isay and Dunvegan cSACs. Initial results indicate that seals located at Islay are faithful to the locality at some times and unfaithful at others whereas seals at Ascrib were faithful to the locality all the time; this will need further work. The studentship is also examining repeatability and reliability of seal counts which are currently undertaken as one-off counts by aerial survey of colonies. Experimental five consecutive day counts show that there is a degree of variability in observed numbers which correlates with weather conditions. This will be looked at further in the coming year. Additional work funded by SNH will look at the effectiveness of acoustic seal scarers and also whether rogue seals are the same few individuals.

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MM added that tagging of grey seals as funded through the DTI's Strategic Environmental Assessment 6 also has promising initial results, is due to report at the end of March and should feed into any further site identification work.

7. Seaward extensions to seabird breeding colony SPAs

7.1 Update on consultation and analysis of remaining species

JR advised the group that the consultation document was placed on the JNCC website just before Christmas and that the consultation was due to close on the 25th February. As yet no comments have been received. It was agreed that CT would provide the group of a summary of comments received upon the closure of the consultations.

AP9: CT to provide to the group a summary of responses to both consultations after they close.

8. Inshore aggregations of waterbirds

8.1 Response from SPARSWG to prioritisation work and next steps

JR reported that the response from the SPARSWG was generally positive and that the group had made the following specific comments:

- a) A clearer definition of how the list of areas had been compiled would be useful.
- b) Members of the SPARSWG would like the option to add further areas of inshore aggregations of waterbirds for consideration (this was welcomed by JR).
- c) The treatment of areas supporting single species should be re-visited especially with regards to those identified for red-breasted merganser.
- d) Questions remain over the ongoing definition and application of 'ecologically coherent network' in relation to the UK suite of SPAs.

JR advised the group that the deadline for comments from the SPARSWG had passed and that a final version of the paper would be produced taking these into account. The group discussed the issue of ecological coherence with regards to this strand of work and agreed that it required further work which would need to be undertaken in tandem with and consideration of work being done in other fora. It was also noted that these considerations would not affect the prioritisation work and, therefore, this could be finalised and acted upon. The group agreed that the sections of the paper on prioritisation of areas identified as supporting inshore aggregations of inshore waterbirds should be finalised taking into account comments from both the SPARSWG and members of the Project Group and then made available through the JNCC website.

AP10: Group to provide JR with final comments on the prioritisation of inshore aggregations of waterbirds (SPARSWG Jan 2005 version) by 21st February.

AP11: JR to produce a final version of the paper detailed the prioritisation of inshore aggregations of waterbirds by the end of March.

8.2 Update on survey and analysis

JR reported that aerial survey was progressing in a number of areas, e.g. Moray Firth and around the Hebrides, as well as in The Wash, Thames and Liverpool Bay windfarm SEA areas. Analysis of the Thames is proceeding well and early release of this year's data to the JNCC is anticipated. A first draft of the Thames report should be available in time for the next Project Group meeting in May. JR confirmed that work was progressing well on the analysis of Manx shearwater survey data and that a generic extension may be appropriate although with a larger radius than other species for which guidance has already been provided.

AP12: JR to provide first draft of the analysis of the Thames inshore aggregations of waterbirds report to the next Project Group meeting.

8.3 Update on agency work

NB confirmed that all work in Scotland on SPAs in the marine environment was being conducted through the JNCC and supported by funding from SNH. JBr advised the group that an update on SPAs in the marine environment around Northern Ireland would be provided to the group as soon as possible. PC reported that English Nature would be following the Scottish model for further SPAs in the marine environment around the English coast but that the funding contribution had not been finalised. CG

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advised the group that work was currently restricted to the DTI funded survey of Liverpool Bay and initiating monitoring surveys of Carmarthen Bay SPA.

9. Aggregations away from the coast

9.1 Update on analysis

JR reported that this strand of work has stalled due to lack of funding and still required initial, pilot analysis to be done. The group discussed how this work could be supported given the current situation and, whether alternative funding could be sort.

AP13: JR to contact country agencies and work with MT to pursue alternative funding opportunities for the analysis of ESAS data from country agencies and the DTI.

10. Strategic approach to the classification of marine areas as SPAs

10.1 Timetable for marine SPAs and response from the SPARSWG

JR reported that, based on current funding projections, two areas of inshore aggregations for waterbirds in the non-breeding season would be analysed this year. A large funding gap was for tern analysis and this work cannot be scheduled at this time. The response from the SPARSWG was not provided. The group agreed to update the timetable in backing paper MN2KPG8_5_Timetable and provide details of which inshore aggregations would be analysed based upon the prioritisation work.

See Action Point 7.

10.2 Development of a process for implementation of agreed guidance

The group discussed the issues faced by the country conservation agencies with regard to implementing agreed guidance when it becomes available. Discussions clarified that issues remained as to which colonies should be extended using the guidance produced, the implications of delayed work on particular species, e.g. terns, and also the need for clear guidance from Defra and the Devolved Administrations before this work could proceed.

11. Papers to groups

11.1 Papers to the Joint Nature Conservation Committee in 2005

CT tabled a paper which outlined papers which were currently planned to be submitted to the Joint Nature Conservation Committee in 2005. The group noted the list and suggested that the update on harbour porpoise pinger trials was placed into a separate information paper in September 2005. This was agreed.

12. Any other business

None.

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Summary of action points

Action point number	Action	Action by	Action on
1	Produce a revised process for the designation of marine SPAs	Next meeting	CJ
2	Provide to CJ examples of Council/Board papers and departmental briefs as used in the process for SPA approval.	11.3.05	AD/PC, CG & NB
3	Provide comments to CT on the principles outlined in Annex A of MN2KPG8_1_OSPARMPAs.	21.2.05	Group
4	Provide EU Marine Expert Group papers to the group when they become available.	When possible	CJ
5	Respond by letter to issues raised regarding marine Natura in the Natura and Ramsar Steering Committee minutes (January 2005 meeting).	When possible	MV
6	Provide CT with points of contact for work to progress habitat SACs as detailed in MN2KPG8_3_UKHabitat.	21.2.05	Group
7	Provide to CT modifications to the timetable in MN2KPG8_5_Timetable.	21.2.05	Group
8	Provide to CJ the policy statement on SACs in welsh waters when it becomes available.	When possible	MM
9	Provide to the group a summary of responses to both consultations after they close.	28.2.05	CT
10	Provide JR with final comments on the prioritisation of inshore aggregations of waterbirds (SPARSWG Jan 2005 version).	21.2.05	Group
11	Produce a final version of the paper detailed the prioritisation of inshore aggregations of waterbirds.	31.3.05	JR
12	Provide first draft of the analysis of the Thames inshore aggregations of waterbirds report to the next Project Group meeting.	May 05	JR
13	Contact country agencies and work with MT to pursue alternative funding opportunities for the analysis of ESAS data from country agencies and the DTI.	When possible	JR