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JOINT NATURE CONSERVATION COMMITTEE

UPDATE ON DRAFT OFFSHORE SACS FOR ANNEX I HABITATS

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1. Introduction

1.1 The Joint Nature Conservation Committee have previously considered several papers concerning the identification in UK offshore waters of areas eligible for designation as Special Areas for Conservation (SACs) for habitats listed on Annex I to the Habitats Directive:

- i. Committee agreed a working method for identifying marine habitat SACs in March 2003 in the context of the need to complete the UK SAC series in UK offshore waters out to 200 nautical miles;
- ii. also in March 2003 Committee agreed guidance on defining boundaries for marine habitat SACs fully detached from the coast;
- iii. in June 2004 Committee agreed the process for its consideration of offshore SACs, and agreed what supporting information needed to accompany site proposals;
- iv. nine areas of Annex I habitat have already been endorsed by Committee at meetings from 2002 to 2005, for recommendation to Government as fulfilling the criteria for selection as SACs in UK offshore waters.

A full list of papers considered by the Joint Nature Conservation Committee in relation to offshore SACs for Annex I habitats is included in Appendix A.

1.2 The draft Offshore Marine Conservation Regulations, which aim to complete the implementation of the Habitats and Birds Directives in UK offshore waters, were consulted upon by Defra in summer 2006. The Regulations have been amended by Defra in the light of responses to the consultation, and are due to be laid before Parliament and come into force in summer 2007. Specific responsibilities for JNCC in relation to SAC identification for Annex I habitats are set out in the amended draft provided by Defra to JNCC, and are unlikely to change before the Regulations come into force. The principal responsibilities for JNCC in relation to SACs for Annex I habitats are:

- i. Reg 7: recommend to government sites eligible for designation as

offshore SACs, providing required information on each site (Annex I habitats present; name, location, extent and a chart of the site; data on assessment against selection criteria) to enable the Secretary of State to propose a list of sites to the European Commission;

- ii. Reg 8: conduct a formal consultation, on behalf of the Secretary of State, with devolved administrations, competent authorities and others likely to be affected by the designation, on sites to be proposed to the Commission under Regulation 7;
- iii. Reg 18: once the list of sites has been proposed to the European Commission, establish conservation objectives for each site, notify these to Competent Authorities, and advise Competent Authorities of operations which may adversely affect the integrity of the site.

1.3 We anticipate that, provided the Offshore Marine Conservation Regulations come into force in summer 2007, the first tranche of offshore SACs will be subject to a formal public consultation conducted by JNCC in Autumn 2007. The outcome of this consultation will be reported to Defra in early 2008, with a view to the Secretary of State submitting the first tranche of offshore SACs for UK to the European Commission in 2008. The consultation for each SAC will include a site-specific Impact Assessment (formerly a Regulatory Impact Assessment) prepared by JNCC at Defra's request.

2. Changes made to draft offshore SAC documents

2.1 Committee Paper JNCC 06 N09, paragraph 2.6 outlined the changes being made to the information provided for each of the areas recommended to Defra as offshore SACs for Annex I habitats. These changes have now been made to incorporate comments made by Committee and also those received from subsequent consultation with Defra, the devolved administrations and other government departments in September 2006 and April 2007. The documents have also been standardised and updated to reflect the now published European Commission's Guidance on implementing the Habitats and Birds Directives (EC2007)¹ and content added to reflect more clearly the requirements of the draft Offshore Marine Conservation Regulations.

2.2 Some changes to the documents are site-specific, others have been made to documents relating to all draft offshore SACs. The principal change made is that for all dSACs the documentation has been separated into two parts, to reflect more clearly the requirements of the forthcoming Offshore Marine Conservation Regulations. For each Draft Special Area of Conservation (dSAC) two documents are now provided:

- i. *SAC Selection Assessment* (Section 1 of previous documents). This contains the information required under Regulation 7 by Secretary of

¹ EC (2007) Guidance for the establishment of the Natura 2000 network in the marine environment. Application of the Habitats and Birds Directive. 112 pp.
http://ec.europa.eu/environment/nature/nature_conservation/natura_2000_network/marine_issues/index_en.htm

State to submit sites to the European Commission; and

- ii. *Advice on Operations* (including Conservation Objectives, formerly Section 2 of previous documents). This includes information provided by JNCC to Competent Authorities under Regulation 18 once the site has been notified to the Commission.

General changes made to SAC Selection Assessment documents for each draft SAC

2.3 Changes to *SAC Selection Assessment* documents made for all dSACs recommended to Defra so far are summarised below:

- i. review and standardise text, including version control for document, maps and draft boundaries;
- ii. provide introduction, placing the information provided within the context of Habitats Directive and UK legislative requirements;
- iii. revision of the site summary to give a clearer picture of the site's character;
- iv. site map revised to reflect boundary changes (where necessary), clarify Annex I habitat location within the boundary and give better print quality;
- v. include the same figures for the extent of each habitat within UK territory as those used for reporting to the European Commission on Favourable Conservation Status;
- vi. inclusion of general selection principles within the Global Assessment selection criterion;
- vii. inclusion of maps showing the extent of available data on which the selection assessment is based.

Site-specific changes made to SAC Selection Assessment documents for each draft SAC

2.4 Site-specific modifications have been made to the initial advice approved by the Joint Nature Conservation Committee for recommendation to Defra. These are detailed below:

- i. Darwin Mounds: Draft SAC boundary has been aligned with boundary of area where bottom fishing methods have subsequently been prohibited by regulation under the Common Fisheries Policy. This reduced the site area by removing two corners of the previous rectangular boundary, where there was no evidence for the occurrence of mounds or corals. The boundary has retained a simple shape and remains based on simple coordinates (according to guidance agreed by the JNCC in 2003);

- ii. Stanton Banks: Draft SAC boundary has been modified to remove a corner of the previous rectangular boundary to exclude part of the sea bed which does not support Annex I Reefs habitat. The boundary has retained a simple shape and remains based on simple coordinates (according to guidance agreed by the JNCC in 2003);
- iii. North Norfolk Sandbanks and Saturn Reef: Amalgamation of the two dSACs into one dSAC. The North Norfolk Sandbanks draft site boundary is retained since the Saturn Reef draft SAC boundary lies fully inside it. Reference has been made to the absence of *Sabellaria spinulosa* reef in 2006 at the location within the dSAC where it was recorded in 2003;
- iv. Haig Fras: No change to site details or draft SAC boundary;
- v. Scanner Pockmark: No change to site details or draft SAC boundary;
- vi. Braemar Pockmarks: No change to site details or draft SAC boundary.

Final versions of the *SAC Selection Assessment* for the above six of the eight draft SACs previously recommended to Defra have now been completed, and submitted to Defra's UK Marine Biodiversity Policy Steering Group. These documents will also form a major part of the documentation for the forthcoming consultation on the first tranche of offshore SACs.

- 2.5 For two of the eight draft SACs recommended to Defra so far, changes have been made, but the *SAC Selection Assessment* documents are not yet finalised:
 - i. Wyville Thomson Ridge: The draft SAC boundary is being enlarged to take account of data obtained in Autumn 2006 providing evidence of extensive and diverse Annex I Reef habitat extending south-west of the former draft SAC boundary. The precise location of the new dSAC boundary will be confirmed by the end of June 2007, once we have obtained detailed information from Southampton Oceanography Centre relating to a small number of sample locations;
 - ii. Dogger Bank: No change to site details or draft SAC boundary. However, the precise location of the proposed draft SAC boundary requires better justification, which in turn requires new data. We are currently letting a contract to update our information base on the Dogger Bank (in particular for geomorphological data), to review the identification of the extent of the bank using analysis of slope, and to collect new geophysical and biological data to enable delineation of the extent of the bank and the location of its particular biological interest with greater confidence.

General changes made to Advice on Operations documents for each draft SAC

- 2.6 Changes to *Advice on Operations* documents made for all dSACs

recommended to Defra so far are summarised below:

- i. review and standardise text, including version control for the document;
- ii. provide introduction placing the information provided within the context of Habitats Directive and UK legislative requirements;
- iii. revise and update assessments of sensitivity using Marine Life Information Network (MarLIN) assessments;
- iv. revise assessments of exposure incorporating updated information;
- v. revise and update assessments of vulnerability for each habitat based on sensitivity and exposure;
- vi. incorporate assessment of risk relating to offshore activities;
- vii. incorporate assessment of effects of climate change.

2.7 An example of a completed document outlining *Advice on Operations* is provided for the North Norfolk Sandbanks and Saturn Reef dSAC on the website. We anticipate that JNCC's *Advice on Operations* for each dSAC will be provided in draft for information at the time of consulting on the first tranche of offshore dSACs, and will be subject to informal discussions with Competent Authorities prior to the formal consultation on the dSACs themselves. We also anticipate that the *Advice on Operations* will need to be updated periodically as new data, particularly on exposure to operations, becomes available for each site.

3. Survey of areas of offshore Annex I habitat

3.1 Increased funding for work to identify offshore SACs in 2007-08 and 2008-09 has enabled JNCC to commission surveys of potential offshore SAC *Areas of Search* to complement the data already obtained through a number of collaborative projects with other institutions (eg. Agri-food and Biogenetics Institute in Northern Ireland, Habitat Mappage for Conservation and Management of the Southern Irish Sea (HabMap) Project in Wales, Fisheries Research Services off Scotland, University of Plymouth, Interreg-funded Mapping European Seabed Habitats MESH project, Department of Trade and Industry Strategic Environmental Assessment). Plans for 2007-08 are to complete the collation and reporting of data from areas surveyed in 2006; to conduct new survey of the South West Canyons *Area of Search* on the edge of the Continental Shelf off SW England; and to commission a comprehensive survey of the Dogger Bank.

APPENDIX A

PAPERS CONSIDERED BY JNCC’S COMMITTEE IN RELATION TO OFFSHORE SPECIAL AREAS OF CONSERVATION FOR ANNEX I HABITATS

Meeting	Paper title	Outcome
2001 September	Offshore Natura 2000 sites - Progress update (JNCC 01 N07)	Committee noted the paper.
2002 March	Process for completing the marine Natura 2000 site series (JNCC 02 D01)	Committee agreed to adopt the suggestions outlined in the paper, subject to the points raised.
2002 June	Darwin Mounds Proposed Special Area of Conservation (JNCC 02 P10)	Committee confirmed that the Darwin Mounds should be recommended to Government as an offshore SAC.
2002 September	Marine Natura 2000 (JNCC 02 P17)	Committee commented on the draft guidance on the definition of offshore habitat SACs and defining the seaward boundaries of seabird breeding colonies.
2003 March	Marine Natura 2000 (JNCC 03 P01)	Committee agreed the guidance for defining seaward boundaries of habitat SACs away from the coast as working guidance for use prior to the production of full guidance on marine Natura issues. Committee approved the methodology described in the paper for the selection of offshore habitat SACs for the purpose of informal consultation, subject to the points raised above. Committee agreed that to select offshore habitat SACs enough biological information should be provided to justify a designation.
2003 September	The ‘Network’ concept applied to the selection of marine Natura 2000 sites (JNCC 03 D09)	Committee requested Professor Pentreath’s group to develop further the network concept in the context of marine SACs and to formulate advice on the issue of required information in the light of the risks and opportunities. Committee encouraged the outcomes of this process to be shared with European partners.
2004 March	Marine Natura 2000: Update on progress in Marine Natura (JNCC 04 P05)	Committee requested that for offshore habitat SACs the proposals be returned for consideration at a future meeting supported by the rationale, method and process for site selection and an appropriate information package justifying the site proposals and the procedure by which Committee will decide on SACs.
2004 June	Marine Natura 2000 – Process for consideration of offshore SACs and for SPAs and SACs which cross the 12 n mile boundary (JNCC04P09)	Committee approved the process and the documentation package outlined in the paper and endorsed the ‘Saturn <i>Sabellaria spinulosa</i> reef site’ for submission to Government, noting that it would be useful to include suggested management actions in future submissions. In addition, Committee delegated to Chairman authority for agreeing SAC and SPA proposals which cross the 12 nautical mile boundary, where at least 90% of the site is inshore and has been approved by the appropriate country agency Council/Board.
2004 December	Marine Natura 2000: Progress in identifying SACs for Annex I habitats, including proposals for four offshore habitat SACs (JNCC04P23)	The Joint Committee approved: i) The four areas (Wyville Thomson Ridge, Haig Fras, Dogger Bank, and Scanner pockmark) for recommendation to Defra as areas suitable for selection as offshore SACs. ii) The format of draft conservation objectives and management actions iii) The draft conservation objectives and management actions for Saturn <i>Sabellaria spinulosa</i> reef recommended area.

Meeting	Paper title	Outcome
2005 September	Marine Natura 2000 (JNCC 05 P10)	Committee endorsed: <ul style="list-style-type: none"> i) Three offshore areas suitable for selection as SACs (North Norfolk sandbanks; Stanton Banks; and Braemar pockmarks). ii) Draft conservation objectives and management actions following the format agreed by Committee in December 04 for seven draft SACs (the three approved above, plus Wyville Thomson Ridge, Haig Fras, Dogger Bank, and Scanner pockmark), subject to amendments and comments, and noting that there are problems with obtaining good fishing activity data. iii) Advice to Defra that no SACs for bottlenose dolphin will be recommended for UK offshore waters.
2006 December	Towards achieving a representative suite of marine habitat SACs for UK waters: update on progress (JNCC 06 N09)	This paper provided a summary of work undertaken to date and future plans which contribute towards JNCC's advice to Defra on achieving a representative suite of Special Areas of Conservation (SACs) for Annex I marine habitats for all UK waters.