



THE SCOTTISH MARINE PROTECTED AREAS PROJECT

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JOINT NATURE CONSERVATION COMMITTEE

THE SCOTTISH MARINE PROTECTED AREAS PROJECT

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1. Background to the Scottish MPA Project

- 1.1 Provisions under the Marine (Scotland) Act 2010 enable Scottish Ministers to designate Marine Protected Areas (MPAs) for the conservation of nationally important marine biodiversity and geodiversity features in Scottish territorial waters (within 12 nautical miles). The same responsibility has been devolved to Scottish Ministers for Scottish offshore waters (beyond 12 nautical miles) under the UK Marine and Coastal Access Act 2009. The new MPAs under both Acts will be referred to as Nature Conservation MPAs.
- 1.2 In April 2010 the Scottish MPA Project was established to help fulfil Scotland's contribution to international commitments for an ecologically coherent network of MPAs. The aim of the project is to provide advice to Scottish ministers on the selection of MPAs. The project covers all of Scotland's seas including territorial and offshore waters. JNCC is responsible for recommending MPAs in Scotland's offshore waters. Further information on the project is provided in Annex 1.
- 1.3 Nature Conservation MPAs are being selected using a science-based approach, underpinned by the presence of what have been termed MPA search features. These largely comprise the Priority Marine Features (PMFs) for which MPAs are considered the most appropriate conservation mechanism. The Scottish MPA Selection Guidelines¹, which have been jointly produced by Scottish Natural Heritage (SNH), JNCC and Marine Scotland with input from key stakeholders, set out a five-stage process for selecting Nature Conservation MPAs in Scotland's seas.
- 1.4 There are opportunities for stakeholder engagement throughout the process. To date, four national-level workshops have been undertaken with a range of stakeholders. In addition to this, regular update meetings are held with key interest groups. These are becoming more focused with stakeholders with a direct interest in specific locations.

2. Progress to date

2.1 MPA search locations

- 2.1.1 At the stakeholder workshop held in March 2012, 27 MPA search locations were recommended for further assessment against the MPA

¹ <http://www.scotland.gov.uk/Topics/marine/marine-environment/mpanetwork/mpaguidelines>

Selection Guidelines with an additional nine pending review. The search locations are shown in Annex 2. Fourteen of the MPA search locations shown on the map have been identified in the offshore waters of Scotland. A further four locations have been identified in response to the stakeholder recommendation that we consider alternatives to the seapen and burrowing megafauna burrowed mud component of the Central Fladen search location. Annex 3 provides an overview of the search features for which offshore search locations were identified.

2.2 Application of the Scottish MPA Selection Guidelines

- 2.2.1 Since the March 2012 stakeholder workshop JNCC and SNH have been prioritising the search locations on the basis of the quality of the features present, and applying the OSPAR network principles to determine the potential contribution each of the search locations could make to the network. Alongside this JNCC and SNH have been assessing the confidence in the evidence we have to undertake the feature assessments. This has involved consideration of the age of the data, data source and method of collection, and the extent to which the evidence informs the assessment of feature presence and extent.
- 2.2.2 JNCC and SNH have been developing generic guidance outlining the process for determining management measures for Nature Conservation MPAs, including the setting of conservation objectives. In addition, sector-specific management guidelines are being developed, in particular feature-specific guidelines relating to fisheries activities.

2.3 Independent expert review

- 2.3.1 Scottish MPA project stakeholders have requested that there be equivalent transparency regarding the use of evidence to support the selection of possible Nature Conservation MPAs in Scottish waters as there is when assessing the robustness and integrity of the process and use of evidence for selecting Special Areas of Conservation (SACs).
- 2.3.2 JNCC and SNH presented to the Scottish MPA Project Steering Group the position that independent review of our formal advice to Marine Scotland will be carried out by the non-executive boards that support the function of both organisations. JNCC confirmed that the MPA Sub-Group and the Joint Committee provide independent review of JNCC advice, and SNH confirmed this role is carried out by the Scientific Advisory Committee and the Protected Areas Committee. Both organisations felt that this independent review met the requirements of the review commissioned by Defra in 2011 of the evidence process for selecting marine Special Areas of Conservation. JNCC and SNH recommended that, should there be a call for additional independent expert review, the review should be led by Marine Scotland and focussed on the quality and quantity of the evidence upon which the potential Nature Conservation MPA proposals are based.

3. Finalisation of advice on Scottish MPAs

- 3.1 Joint advice on MPAs from SNH and JNCC is due to be submitted to Marine Scotland by 1 November 2012. This will be cleared by Scottish ministers during November, with the aim of laying a final report before the Scottish Parliament on 3 December.
- 3.2 On 27-28 June 2012, Marine Scotland will be hosting a fifth national stakeholder workshop focussed on looking at the shape of the MPA network in Scotland's seas and discussing the process for identifying potential management requirements through the use of case studies.
- 3.3 This will leave four months to respond to comments raised at the workshop and finalise JNCC's advice. Effort will focus on finalising assessment of the search locations against the guidelines and producing advice on options for completing the MPA network in Scotland's seas.
- 3.4 JNCC will continue to engage with non-UK stakeholders on the project progress throughout this period.
- 3.5 The sign-off process for the advice is outlined in Annex 4.
- 3.6 Following presentation of the report to Scottish Parliament, the minister will decide which options for MPAs should be developed and/or taken forward for formal consultation in 2013.
- 3.7 Although still in discussion with Marine Scotland, the advice provided to the MPA Sub-Group for sign-off in September 2012 is likely comprise:
 - i. An assessment of the contribution of existing measures to protection of the Scottish MPA search features
 - ii. An assessment of the contribution the potential Nature Conservation MPAs could make in filling the gaps in the network
 - iii. Identification of remaining gaps, and where possible, measures identified to resolve the gaps
 - iv. A short summary paper for each potential Nature Conservation MPA outlining:
 - Location
 - Features present
 - Draft conservation objectives
 - Management considerations

Annex 1. Summary of progress on the Scottish MPA Project

The Scottish MPA Project is a joint project led by Marine Scotland with SNH, JNCC, the Scottish Environment Protection Agency (SEPA), Marine Scotland Science and Historic Scotland as partners. JNCC has been asked by Marine Scotland to lead on provision of advice on Nature Conservation MPAs in Scotland's seas outside Scottish territorial waters. A brief summary of the main work areas is provided below.

Policy and guidance

- In February 2011 Marine Scotland published the Marine Nature Conservation Strategy and the Scottish MPA Selection Guidelines.
- Work is underway to produce guidance on management of MPAs. This will include guidance on responsibilities and the process for developing management, as well as more specific guidance on when management may be needed.

Data and survey

- All relevant available data have been collated into a Geodatabase for Marine Features in Scotland (GeMS).
- New survey work has been undertaken where there is little existing information and/or data quality is uncertain.

Developing advice on options for MPAs

- SNH/JNCC advice is being developed by applying the Scottish MPA Selection Guidelines. A number of MPA 'search locations' have been identified for discussion with stakeholders. If appropriate, the Guidelines will be applied in more detail to work out options for MPAs from MPA search locations. Advice on these options will be presented in a Parliamentary report by the end of 2012. Scottish Ministers will decide which options should be developed for formal consultation

Working with stakeholders

- Marine Scotland's Marine Strategy Forum discusses policy relating to the Scottish MPA Project.
- Four National MPA stakeholder workshops have discussed the data being used to identify MPAs, the identification of 'least damaged/more natural' areas, and the MPA search locations. One further workshop is planned for June 2012.
- Regular meetings are being held with various interests including marine renewables, fisheries, defence and conservation.

Further information

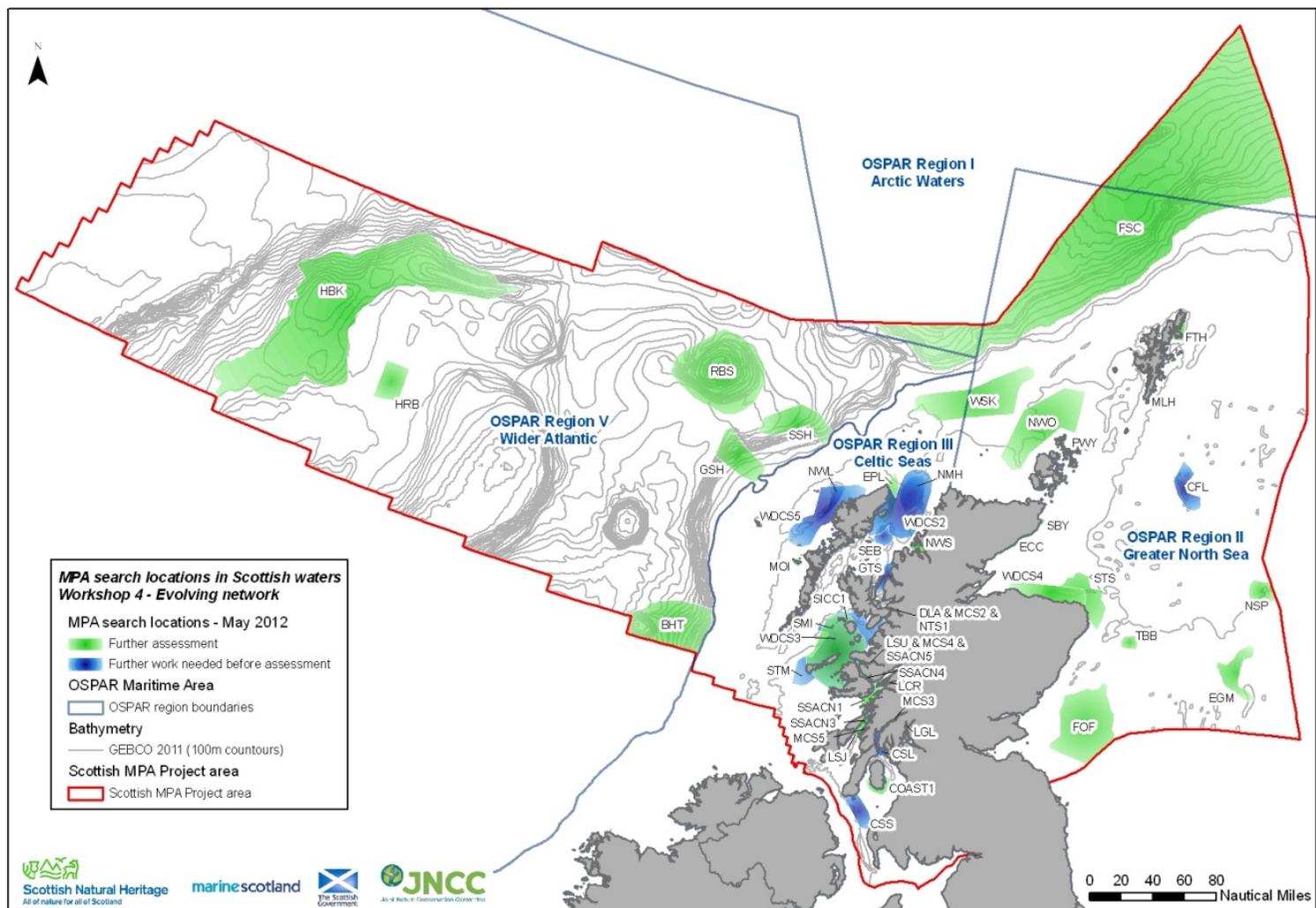
Marine Scotland: <http://www.scotland.gov.uk/Topics/marine/marine-environment/mpanetwork>

SNH: <http://www.snh.gov.uk/marine-protected-areas/>

JNCC: <http://jncc.defra.gov.uk/page-5269>

Annex 2. The full suite of MPA search locations being considered for progression following the stakeholder workshop in March 2012

Search locations are colour coded depending on whether recommended for further assessment (green) or whether additional work is needed to determine whether they should be subject to further assessment (blue). Abbreviations for search locations are given in Annex 3.



Map projected in Europe Albers Equal Area Conic (Modified Standard Parallels - Standard Parallel 1 = 50.2; Standard Parallel 2 = 58.5). The exact limits of the UK Continental Shelf are set out in orders made under section 1(7) of the Continental Shelf Act 1964. © Crown Copyright. Coastline - Ordnance Survey Licence number 100017908. © Crown copyright and database right (2012). All rights reserved. Seabed habitat derived from UKSeaMap2010 version 7. NOT TO BE USED FOR NAVIGATION. Map copyright SNH & JNCC 2012. 03.05.12

Annex 3. Offshore Scottish MPA search feature presence within the offshore search locations (following workshop on 4 March 2012)

Search locations are colour coded depending on whether recommended for further assessment (green) or whether additional work is needed to determine whether they should be subject to further assessment (blue). The search locations coded in brown are locations being assessed as alternatives to the burrowed mud features in Central Fladen.

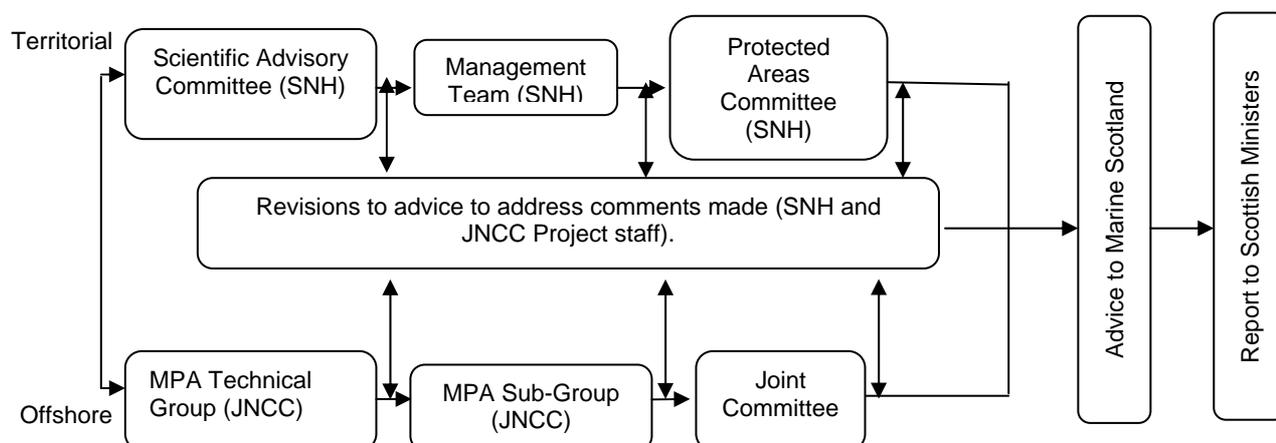
Search Locations	Offshore Scottish MPA Search Features (not already considered protected by other area-based measures ²)											
	Offshore subtidal sands and	Ocean Quahog	Burrowed mud	Offshore deep sea muds	Sandeels	Deep sea sponge aggregations	Coral gardens	Seamount communities	Shelf banks and mounds LSF	Continental slope LSF	Shelf deeps LSF	Seamount LSF
Firth of Forth (FoF)	✓	✓							✓			
East of Gannet and Montrose Fields (EGM)	✓	✓		✓								
Turbot Bank (TB)	✓				✓				✓			
Norwegian boundary sediment plain (NSP)	✓	✓										
North-west Orkney (NWO)	✓				✓							
Faroe Shetland Channel (FSC) ³	✓	✓		✓		✓				✓		
Windsock (WSK)	✓											
Hatton Bank (HBK)							✓					
Hatton Rockall Basin (HRB)				✓		✓						
Rosemary Bank Seamount (RBS)				✓				✓				✓
South-west Sula Sgeir Slide and Hebridean Slope (SSH)	✓		✓	✓						✓		

²A number of offshore Scottish MPA search features are considered protected by other types of MPA or other area-based measures. These include carbonate mound communities (protected by the Hatton Bank VME), Blue Ling (protected by the Blue Ling Closure – Edge of Rosemary Bank and the Blue Ling Closure – Edge of continental shelf), Orange Roughy (protected by Orange roughy closure CA16)

³ Following assessment of the features against stage 2 of the Selection Guidelines this search location may be split into two.

	Offshore Scottish MPA Search Features (not already considered protected by other area-based measures ²)											
Search Locations	Offshore subtidal sands and	Ocean Quahog	Burrowed mud	Offshore deep sea muds	Sandeels	Deep sea sponge aggregations	Coral gardens	Seamount communities	Shelf banks and mounds LSF	Continental slope LSF	Shelf deeps LSF	Seamount LSF
Geike Slide and Hebridean Slope (GSH)	✓		✓	✓						✓		
The Barra Fan and Hebrides Terrace Seamount (BHT)	✓		✓	✓				✓		✓		✓
Central Fladen (CFL)	✓		✓								✓	
Eastern Fladen	✓		✓								✓	
Western Fladen	✓		✓								✓	
South-east Fladen			✓									
Devils Hole	✓		✓								✓	

Annex 4a. Process for formal sign-off of advice on Scottish MPAs



Annex 4b. Provisional time-line for sign-off of JNCC’s contribution to the report to Scottish Parliament

The table shows only those tasks in which JNCC has a role or which relate to the whole project. These timescales may be subject to change as the project progresses.

Date	Task
Friday 27 July	Final draft JNCC advice
Friday 3 August	Combine SNH and JNCC advice
Monday 6 August	Draft advice to SNH and JNCC Unit/Team Managers
Monday 13 August	Draft advice to SNH and JNCC Directors
Thursday 13 September	Draft advice to Joint Committee MPA Sub-Group
Thursday 11 October	Advice to the Joint Committee
Thursday 25 October	Final sign off by SNH and JNCC
Thursday 1 November	Final advice to Marine Scotland officials
During November	Clearance by Ministers
Monday 3 December	Final report laid before Scottish Parliament.