SCREENING OF THE IMPACTS OF A CLASSIFICATION OF THE IRISH SEA FRONT DRAFT SPECIAL PROTECTION AREA ON HUMAN ACTIVITIES

October 2016

Joint Nature Conservation Committee

Contents

1 Introduction

In 2016, the Department for Environment, Food and Rural Affairs (DEFRA) and the devolved administrations wish to take forward a range of marine draft Special Protection Areas (dSPAs) for consultation and classification under the EC Directive 2009/147/EC on the conservation of wild birds (Birds Directive). One of the proposals under consideration, the Irish Sea Front dSPA, is situated in the Irish Sea to the southwest of the Isle of Man and to the northwest of Anglesey (Figure 1). It covers 180 km^2 of UK offshore waters around Wales and qualifies under Article 4.2 of the Birds Directive by regularly supporting a population of European importance of Manx shearwater *Puffinus puffinus*.

Kober et al. (2012) identified the Irish Sea Front dSPA as one of the most important marine areas in UK waters for Manx shearwater during the breeding season. The dSPA is in close proximity to the Western Irish Sea Front (Simpson and Hunter 1974). Fronts are known to aggregate marine organisms, creating a patch of high density of prey which can make feeding profitable for shearwaters even when targeting small prey items (Vlietstra et al. 2005). Manx shearwaters aggregate at the dSPA in large numbers (Kober et al. 2012) and tracking studies indicate that breeding Manx shearwaters from at least three different colonies around the Irish Sea are likely to use the Irish Sea Front dSPA to forage during the breeding season (Dean et al. 2010; Dean et al. 2012; Guilford et al. 2008). A further 15 colonies are within a typical foraging range (330km, Thaxter et al. 2012) and could forage in the dSPA as well.

The purpose of this screening document is to assess the impacts of a classification of the Irish Sea Front dSPA on human activities and resulting costs, with the aim to provide a rough estimate of whether the costs are likely to be large enough to warrant proceeding to a full Impact Assessment. Rather than providing the detailed assessment shown in full Impact Assessments, it is acceptable in the screening process to use assumptions, rules of thumb, and experience on similar sites.

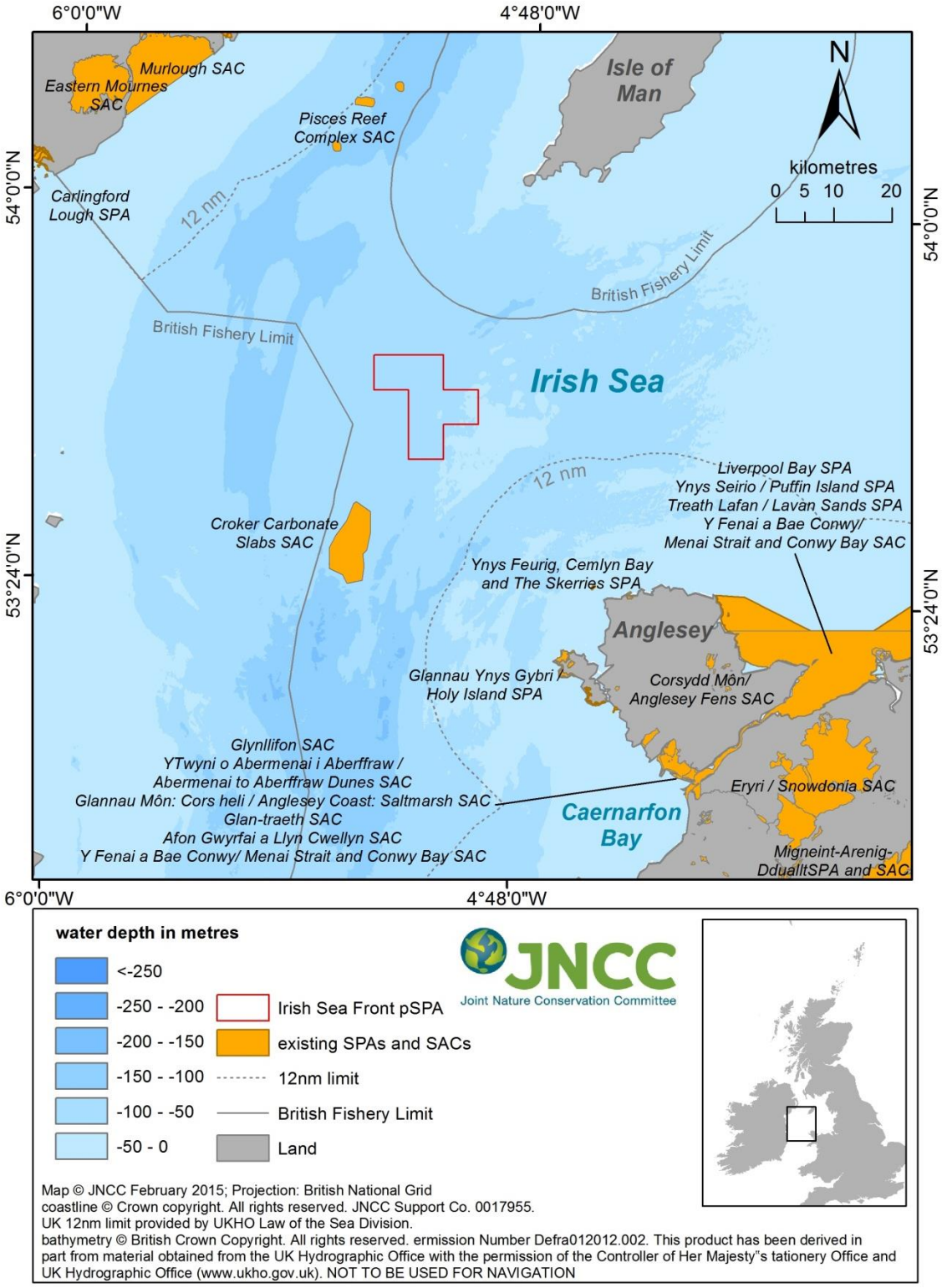

Figure 1. Irish Sea Front dSPA.

2 Features of interest at the Irish Sea Front dSPA

- Manx shearwater *Puffinus puffinus* during the breeding season (May to September).

3 Draft Conservation Objectives at the Irish Sea Front dSPA

Under Regulation 18 of The Offshore Marine Conservation (Natural Habitats & c.) Regulations 2007 (as amended), the JNCC is required to establish conservation objectives for SPA proposals in UK offshore waters, and to notify those objectives to the competent authorities.

The current draft Conservation Objectives for the Irish Sea Front dSPA formulate as the overall aim: *To avoid significant deterioration of the habitats of the qualifying species or significant disturbance to the qualifying species, subject to natural change, thus ensuring that the integrity of the site is maintained in the long term and makes an appropriate contribution to achieving the aims of the Birds Directive for each of the qualifying species.*

The aim, which highlights the contribution of the site to the aims of the Birds Directive, is broken down into the more specific Objectives:

A. *Avoid significant mortality, injury and disturbance of the qualifying features, so that the distribution of the species and ability to use the site are maintained in the long-term;*
B. *Maintain the habitats and food resources of the qualifying features in favourable condition.*
C. *Ensure access to the site from linked breeding colonies*

The precise wording of the Conservation Objectives is still being further developed with the main aim of protecting the supporting habitats, protecting the access of Manx shearwaters to these habitats, and protecting the supporting processes within the site including prey availability.

The screening process outlined in this document focuses on activities that could prevent attaining the Conservation objectives. Such activities could either take place within the site, or in such close vicinity that the pressures created have an impact within the site (e.g. noise being emitted outside the SPA but causing disturbance in the site).

4 Key activities within the Irish Sea Front dSPA

JNCC used the Feature-Activity-Prey-Database[1] commissioned by Natural England to identify human activities where current evidence suggests that they can cause a pressure to which Manx shearwater, their supporting habitats and/or their prey species are sensitive[2]. Of these potentially harmful activities those were identified known to take place in the dSPA or close by; these activities are assumed to potentially pose a risk of not achieving the conservation objectives of this dSPA.

Only pressures are included into the assessment which can be effectively regulated by management of activities on site-level. Any pressures caused by activities that would need to be managed on a much wider scale, e.g. reduced availability of highly mobile pelagic prey species which would require large scale fisheries management, are not considered at this stage since the mechanisms available to manage widespread activities to deliver site-based benefits are unclear.

Activities causing the main adverse pressures for Manx shearwater are:

1. Fishing (various gear types): Removal of non-target species (e.g. bird as bycatch through entanglement in fishing gear)
2. Submarine cable or pipeline (telecommunications cables): There are no key pressures from the cables or pipelines which are of particular concern for seabirds. However related maintenance activities may create pressures of concern, such as visual disturbance preventing access to habitat.
3. General shipping and recreational boating: Visual disturbance preventing access to habitat.

In addition to the key activities being impacted by a classification of the dSPA, monitoring and enforcement costs would incur as well.

4.1 Fishing

Fishing operations within the Irish Sea Front pSPA comprise both mobile and set (fixed) net fishing gear types. These operations include some level of dredging, demersal trawling, pelagic trawling, seines (encircling) and set nets.

Data from the Vessel Monitoring Systems (VMS) on fishing vessels provided by the Marine Management Organisastion (MMO) identified that a number of vessels were present in the dSPA during the years 2009 – 2013. Table 1 shows the hours presence within the site of vessels using the different gear classes. For static gear

[1] APEM Ltd. were commissioned by Natural England and JNCC to develop the matrix, using the previous work on activities and pressures by NE and JNCC.
[2] In this context sensitivity has been defined as a measure of tolerance (or intolerance) to changes in environmental conditions (Tillin *et al.* 2010).

fisheries, however, VMS is a poor proxy for fishing effort as it only reflects hours of vessel presence and not the quantity of gear deployed or the soak time of the gear. Also note that VMS only covers vessels over 15m length until 2012 when it became mandatory for 12-15m vessels to also report. However, different member states have brought this change online at different times and coverage is still not complete in the 2013 data set. It can only be speculated how large of an impact this might cause to the overall assessment. The best available data is provided by reports from the Scientific, Technical and Economic Committee for Fisheries (STECF) but only at the broad spatial scale of ICES statistical rectangles, hence they might be used to assess general activity levels but without high spatial resolution. These data suggest that there might be high level of activity from smaller boats likely to be missed by VMS data in the general area. However, the spatial pattern provided by the VMS data suggests that prawn trawling, beam trawling and dredging are more intensive outside the dSPA than inside.

Relative to fishing activity levels across the Irish Sea, beam trawling is the only activity occurring with relatively high level of effort in the dSPA; dredging and demersal seines are judged to be moderate, all other fishing activities were occurring at relatively low effort (all based on expert opinion).

Table 1.Fishing effort in hours, estimated based on VMS data for 2009-13 provided by the MMO in the dSPA.

Gear Type	Nationality	2009	2010	2011	2012	2013	Total Effort (hrs)	Total number unique vessels
Demersal Otter Trawls	**UK**			44		10	**54**	3
	Irl		2	4		12	**18**	4
	Bel	28	46	4	2	84	**164**	1
Beam Trawls	**Bel**	166	492	501	285	487	**1,931**	20
	Irl	4	8	12	25	12	**61**	3
	UK			2			**2**	1
Dredges	**UK**			2	84	124	**210**	8
	Irl				106	329	**435**	6
Demersal Seines	**UK**	108	56	100	25	6	**295**	1
Gillnets	**UK**	18					**18**	1
	Irl		2				**2**	1
Pelagic Trawls	**UK**	10	7	3	4	9	**33**	4
	Irl		2	4		22	**28**	4

4.2 Submarine cable or pipelines

Data provided to JNCC**Error! Bookmark not defined.** by Subsea UK shows that two submarine cables cross through the north-west corner of the Irish Sea Front dSPA. Two further subsea cables pass near the southern boundary of the area within 1km and 4km, respectively.

One pipeline passes a distance of about 6km off the western limits of the proposed site (Data provided data to JNCC by UKOilandGasData).

4.3 General shipping and recreational boating

Two Royal Yachting Association cruising routes cross the pSPA, the Rhosneger B.O.S.C Route and the RYA Northern Ireland Route. The North West Region Route passes by the Irish Sea Front dSPA within a distance of about 2km[6].

Average weekly shipping densities, obtained from Automatic Identification System (AIS) data from 2011 and 2012 show that the Irish Sea Front dSPA lies in one of the less busy shipping areas in the Irish Sea (Figures 1 and 2). AIS is compulsory on boats over 299 GT, but often it is also carried by smaller boats. Although the data shown were recorded from 2011 and 2012, maps on the Marine Traffic website from 2013 and 2014 indicate that the same general pattern of shipping activity also appears in more recent years (http://www.marinetraffic.com/). The data from the website suggests that the main shipping traffic found in the area of the Irish Sea front consists of mainly passenger vessels, cargo vessels and high speed craft. The vessel density data displayed in Figure were recorded by the AIS.

Data provided by the Ministry of Defence (MOD) indicate that the entire Irish Sea is used as a military submarine exercise area, which also overlaps with the dSPA. There is no further information on these military activities although nature conservation interests are included in the MOD's Environmental Protection Guidelines (Maritime) (EPG(M)).

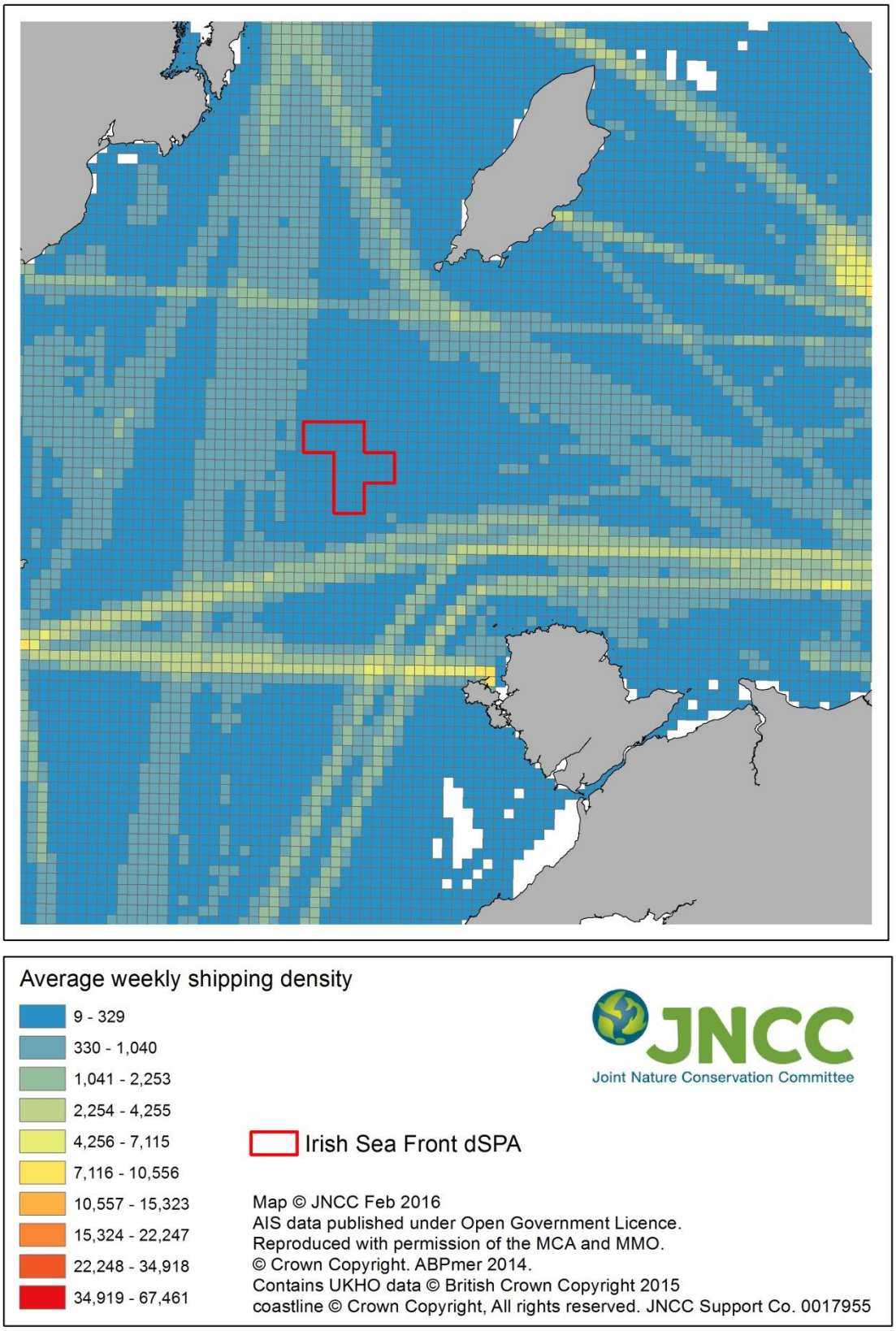

Figure 1. Average weekly shipping density in the Irish Sea in 2011.

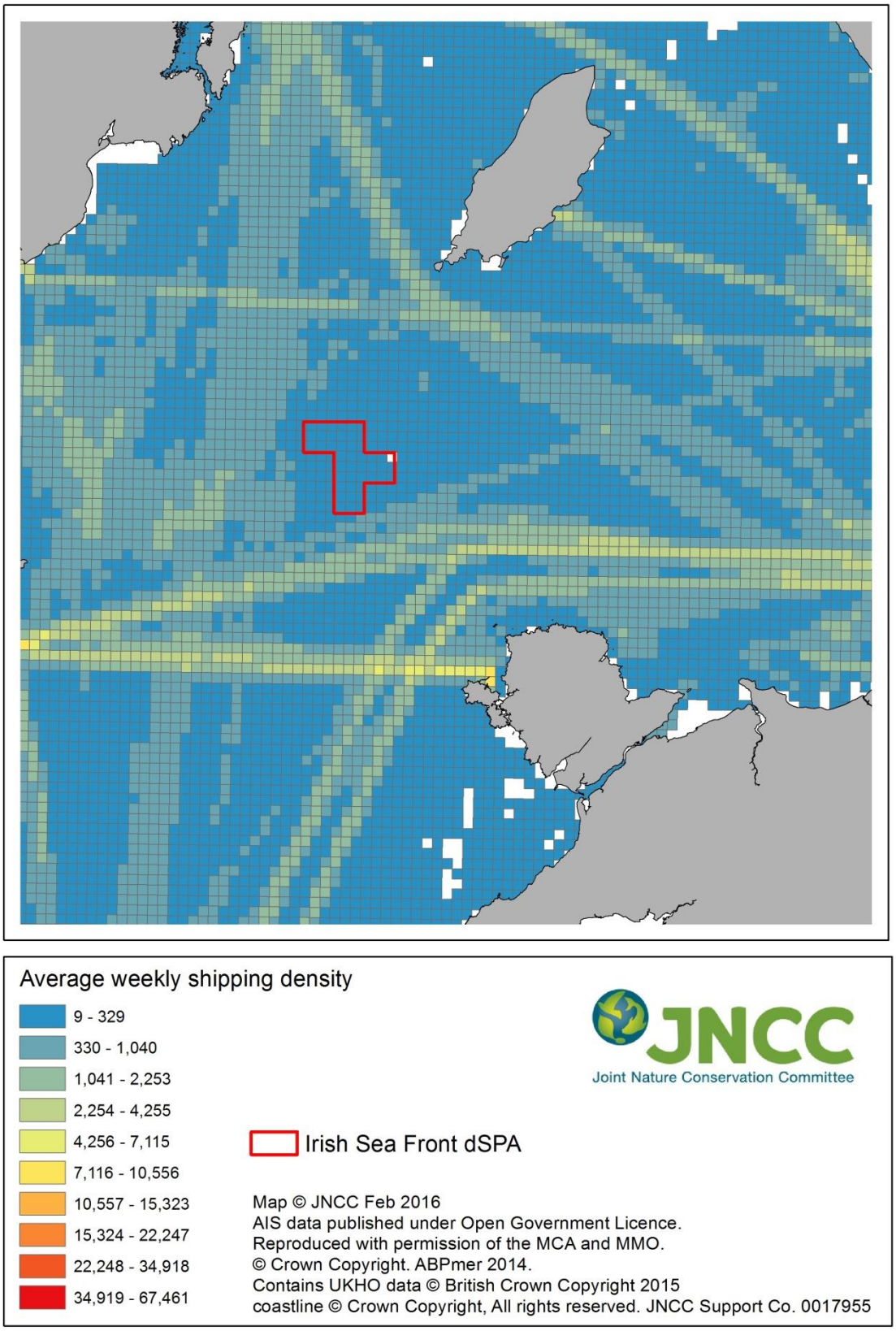

Figure 2. Average weekly shipping density in the Irish Sea in 2012.

4.4 Monitoring requirements under Article 12 of the Birds Directive

Currently there is no agreement on the monitoring requirements under Article 12 of the Birds Directive reporting on marine SPAs in the UK. In absence of an agreed monitoring scheme, monitoring costs were estimated based on the following scenario: monitoring of the area covered by the Irish Sea Front dSPA (180km^2) using digital aerial surveys, twice each breeding season, for two consecutive years, every other reporting period (every 12 years). The scenario as well as the digital aerial survey costs estimated for each km^2 of survey (£52.22/km^2) are extracted from the draft Report *Options for monitoring marine birds in UK waters* (JNCC unpublished).

The figures used indicate that every 12 years an area of 720km^2 would need to be surveyed , producing a cost of just under £37,600 every 12 years. Travel costs from Manchester Airport to the Irish Sea Front dSPA were added (ca. 180km each way from Manchester Airport, for ease we assume also £52.22/km travelled), leading to an additional £75,200 of travelling costs every 12 year years. The total monitoring costs would amount to £112,800 per 12 year monitoring cycle, a mean of £9,400 per annum.

5 Screening of impacts from key human activities on Manx shearwater within the Irish Sea Front dSPA

Active management of human activities was considered where the protected features show either (1) a medium or a high sensitivity to an activity taking place within the dSPA, or (2) a low sensitivity to an activity if it is taking place with high intensity in the dSPA. Feature sensitivities were identified based on best available evidence from the Feature-Activity-Prey-Database. The intensity of activities was assessed based on the current knowledge of these activities taking place in the area and expert judgement.

Three possible scenarios were developed to exemplify available options to manage the risk and their respective impacts:

- Lower scenario: no change to existing management action;
- Medium scenario: management action to reduce or limit pressures;
- Upper Scenario: management action to remove or avoid pressures.

Table 2. Screening of impacts from key activities within the Irish Sea Front dSPA.

Activity	Assessment of sensitivity of Manx shearwater to activities as potentially experienced at the dSPA	Management scenarios	Estimated impact under management
Fishing	The only type of fishing where there is evidence that Manx shearwaters is sensitive to it, and which could take place in the Irish Sea Front dSPA, are set nets. The sensitivity of Manx shearwater to set nets is considered to be high, as shearwaters belong to one of the most susceptible groups of seabird species to gillnet fisheries (Benjamins *et al*. 2008; Tasker *et al*. 2000; Žydelis *et al*. 2013). However, Manx shearwaters are thought to only dive to 3m depth below sea level (Brooke 1990).Set nets are usually set at or within a few meters of the seabed. Given that the water depth in the dSPA ranges between 45m and 80m , nets should only be encountered at a depth of 40m or deeper, hence it is unlikely that individuals will get entangled into gill nets above the benchmark level (>10% of natural mortality). There is no evidence available that would indicate that Manx shearwaters are sensitive to other types of fishing activities. Few empirical data are available on seabird by-catch from trawling and we are not aware of any observations of direct mortality on these species that would be likely to meet the benchmark levels (>10% of natural mortality). The combination of high sensitivity but no overlap with the activity (in water depth) means that current fishing activity is unlikely to impact on the species. Accordingly no change in management of current activity is considered under any management scenario and additional costs are unlikely to occur.	Lower scenario: No change to existing. Medium scenario: No change to existing. Upper scenario: No change to existing.	No impact under any scenario expected

Activity	Assessment of sensitivity of Manx shearwater to activities as potentially experienced at the dSPA	Management scenarios	Estimated impact under management
Submarine cable or pipelines	The pressures from submarine cables or pipelines are mostly related to their installation or maintenance, e.g. through visual disturbance from vessel activity at the surface. The sensitivity of Manx shearwaters to the pressure from shipping is considered to be low. The combination of low sensitivity and overlap with the activity means that the intensity of the activity needs to be evaluated – management would only be considered if it occurs with high intensity. However, cable maintenance is not licensed and will be managed through advice on best practice only. No further change in management needs to be considered and additional costs are unlikely to occur.	Lower scenario: No change to existing. Medium scenario: No change to existing. Upper scenario: No change to existing.	No impact under any scenario expected
General shipping and recreational boating	Compared to other species Manx shearwater have relatively low sensitivity to disturbance from shipping (Cook and Burton 2010). The sensitivity of Manx shearwater to the pressures from general shipping and recreational boating is considered to be low. Because there is only a low sensitivity of Manx shearwaters to shipping and recreational boating, and these activities occur with only low intensity, no management action is considered under any scenario and additional costs are unlikely to occur.	Lower scenario: No change to existing. Medium scenario: No change to existing. Upper scenario: No change to existing.	No impact under any scenario expected
	The entire Irish Sea is designated as an area for submarine exercises but the MOD already include nature conservation interest in their sustainability appraisals of military activity. Limited additional management action is required to update the	Lower scenario: No change to existing.	Under the medium and upper scenario impacts of the classification of the

Activity	Assessment of sensitivity of Manx shearwater to activities as potentially experienced at the dSPA	Management scenarios	Estimated impact under management
	information within the MOD systems to account for the dSPA and additional costs will be very limited and unlikely to be in access of £200,000.	Medium scenario: Update the MoD Environmental Protection Guidelines to encompass the Irish Sea Front dSPA, noting any seasonal sensitivity of the protected features. Upper scenario: due to the strategic importance of MoD activities it may not always be possible to remove or avoid these pressures. However dialogue with the MoD should seek to reduce or limit these pressures as described above.	Irish Sea Front dSPA will be limited to take the site into consideration during planning of military exercises. Considering the individual site, this will incur only negligible additional costs which are not in access of £200,000 per year*.

Activity	Assessment of sensitivity of Manx shearwater to activities as potentially experienced at the dSPA	Management scenarios	Estimated impact under management
Monitoring		The same monitoring scheme is assumed under the lower, medium and upper management scenarios: a digital aerial surveys, twice each breeding season, for two consecutive years, every other reporting period (every 12 years).	The costs incurred by monitoring would be £9,400 per year..

*Note that even though the individual site classification will incur only negligible costs to the MOD, the routine updates to the Environmental Protection Guidelines (Maritime), an interactive military layer of electronic charting, will incur costs due to the classification and designation of Marine Protected areas in general. These costs are estimated to be (cumulatively for all designations) >£100,000 per year (MOD, personal communication).

6 Result of Screening

JNCC reviewed the available information on current activities in the proposed Irish Sea Front dSPA. JNCC conclude that an impact assessment is not required for the dSPA proposal since impacts are likely to remain well below the £200,000 trigger level.

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8 Annex 1 Draft Screening and Record Document

Screening and Record Document

Pre Impact Assessment Screening and Record Document – N2K Designations	
Designation Name:	Irish Sea Front dSPA
Designation Type: (delete as appropriate)	New
Document Number:	1
Date document completed:	
Responsible JNCC Officer:	Kerstin Kober
Role:	Senior Seabird Ecologist
This document is an accurate description of JNCC's understanding of the possible economic impacts of this N2K Designation at this time.	
Signature:	
Date of screening meeting:	xxx
Stage: (delete as appropriate)	
Present at screening meeting:	xxx
Conclusion	
Conclusion: (delete as appropriate)	No Impact Assessment required
Responsible Defra Officer:	Niall Malone (Defra)
Date of decision:	
Signature:	

Justification	
Are there any changes to the management measures required for the designated area? (Including changes to spatial coverage and advice on Habitat Regulations Assessments)	Yes
Is there a significant chance of either: a) Private sector costs in excess of £100,000 in any one year, or b) Public sector costs in excess of £200,000 in any one year?	No
Are there particular sensitivities from businesses or other Government Departments that an Impact Assessment (IA) would help to clarify?	No

Brief explanation of the sensitivity and how an IA will help.	The proposal is a new SPA proposal in UK offshore waters.

Basic Screen

Step 1. Site description, features and reason for designation

Basic Screen

Step 1. Site description, features and reason for designation

The proposed Irish Sea Front dSPA is a new SPA proposal, situated in UK offshore waters in the the Welsh offshore area. JNCC reviewed the available data and concluded the dSPA should be considered under 1.4 of the UK SPA site selection guidelines for supporting the third largest marine aggregation of breeding Manx shearwaters identified in UK waters (Kober *et al*. 2012). The dSPA is located in an area where the estimated number of Manx shearwaters exceeded the 1% biogeographic population threshold. The site is likely to be used as a foraging area by shearwaters from at least three different colonies throughout the overall Irish Sea. A total of over 394,000 breeding pairs of Manx shearwaters occur within a distance equating to their foraging range from the pSPA. The location of the pSPA in the Irish Sea places it central to the breeding ranges of Manx shearwaters in the UK. A total of 18 colonies are within the shearwater foraging range of the Irish Sea Front pSPA.

Step 2. Justification for no additional management or changes in boundaries

- *If there are additional management measures or changes to boundaries go straight to step 3, at the beginning of the Detailed Screen*

NA

Detailed screen

Step 3. Description of activities which could possibly by affected by the change in management or boundaries (compared to the counterfactual)

- *Include measures which could be affected even if there is no expected additional impact, noting why.*
- *Include future assessments which may be required.*

Four human activities were identified that would create pressures that could potentially affect Manx shearwater in the Irish Sea Front dSPA:

- Fishing (various gear types): Removal of non-target species (bycatch)
- Renewable energy (Irish sea round 3 wind zone): Collision above water with moving or static objects, displacement, visual disturbance and introduction of light.

- Submarine cable or pipeline (telecommunications cables): There are no key pressures from the cables or pipelines themselves that are of particular concern for seabirds. However related maintenance activities may create pressures of concern, such as visual disturbance [affecting access to the habitat].
- General shipping and recreational boating: Visual disturbance [affecting access to the habitat].

After further investigations of these activities JNCC concluded that:

1. Fishing:
   The only fishing operations that occur at the Irish Sea Front dSPA and where there is evidence that Manx shearwater is sensitive to them are set nets. Due to the typical depth the nets are usually set, they are very unlikely to be encountered by the birds. Management actions are therefore not required.

2. Submarine cables or pipelines
   Pressures from submarine cables or pipelines are mostly related to their installation or maintenance, mostly through boat traffic. The sensitivity of Manx shearwaters to the pressure from shipping is considered to be low. Cable maintenance is not licensed and will be managed through advice on best practice only. No further change in management needs to be considered.

3. General shipping and recreational boating
   Manx shearwaters only show a low sensitivity to pressures from shipping and recreational boating, and these activities occur with only low intensity at the dSPA, no additional management action is considered necessary under any scenario for these activities.
   The entire Irish Sea is part of a submarine exercise area of the MoD.
   However, adjustments in the planning of submarine exercises as response to the introduction of the Irish Sea Front dSPA are likely to incur only negligible costs.

   Pressure: Disturbance due to military exercise activity

   Management Option: Reduce/limit pressure by discussing potential measures with the MoD. Due to the strategic importance of MoD activities it may not always be possible to remove or avoid these pressures. However dialogue with the MoD should seek to reduce or limit these pressures

   Stakeholders affected: the MoD.

In addition, monitoring of the location as required under Article 12 of the Birds Directive will incur costs.

Step 4: Estimate of maximum likely impact

- *This step should identify all stakeholders likely to be affected.*

- *Estimates of maximum impact are to be provided where possible, using calculations based on published evidence and local NE staff input*
- *Estimates are the maximum impact in any year. Where these impacts are initial costs and fall significantly after the first few years, this should be recorded under notes/assumptions*
- *Include impacts which cannot be monetised qualitatively.*
- *Total to include quantified impacts only*

Activity	**Estimated maximum impact in any year (£ per year, total of stakeholder group)**	**Notes/assumptions**
Military exercises	<£ 200 k p.a.	Exact amount is unknown, but is assumed to be well below £200,000.
Monitoring	£9,400 per year	
Total	<£ 200 k p.a.	

Step 5: Estimate likelihood of maximum impact

Activity	**Likelihood of maximum impact (high/med/low)**	**Notes/assumptions**
Military exercises	high	
Monitoring	high	

Step 5: Site sensitivities, areas of possible Other Government Department Concern

- *This section is for describing other impacts that may be of concern, for instance impacts on a key stakeholder group, or disproportionate impacts on certain businesses.*

JNCC conclude that there are no other current activities that may raise concerns about the proposed extension of the SPA into UK Offshore Waters.

Conclusion

JNCC reviewed the available information on current activities in the proposed Irish Sea Front dSPA. JNCC conclude that an impact assessment is not required for the dSPA proposal since impacts are likely to remain well below the £200,000 trigger level.

Version control

Version	
V1, 05/02/2016	First draft
V2.1, 12/04/2016	Updated draft and internal high level QA
V2.2, 18/04/2016	Updated draft and internal high level QA
V3	Updated draft with comments from DEFRA
V3.1	Updated draft with comments from DEFRA, included most up-to-date Conservation Objectives and aligned with Management Options Paper
V3.2 25/10/2016	Finalised draft with comments from DEFRA.