

Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

and

Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds

### DRAFT FORMAT FOR A PRIORITISED ACTION FRAMEWORK (PAF) FOR NATURA 2000

OFFSHORE ANNEX

C.	Legal and administrative provisions for the protection and management of the UK
	offshore Natura 2000 sites

#### C.1 Relevant legal provisions

The Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 (as amended) transpose Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and Council Directive 79/409/EEC on the conservation of wild birds (Wild Birds Directive) into national law. They came into force on 21 August 2007. These regulations apply to the UK's offshore marine area which covers waters beyond 12 nautical miles, within British Fishery Limits and the seabed within the UK Continental Shelf Designated Area. (http://www.legislation.gov.uk/uksi/2012/1928/contents/made)

The Conservation of Habitats and Species (Amendment) Regulations 2012 form the legal basis for the implementation of the Habitats and Birds Directives in terrestrial areas of the UK and territorial waters out to 12nm.

(http://www.legislation.gov.uk/uksi/2012/1927/contents/made)

Offshore Petroleum Activities (Conservation of Habitats) Regulations (as amended); and the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended).

Potential sources of information: National/regional web sites of competent authorities

# C.2 Progress and perspectives in management planning for the UK offshore Natura 2000 sites.

# Progress in establishing conservation objectives

Since January 2007 progress has been made towards the designation of 20 sites in UK offshore waters which have been submitted to the European Commission in 5 tranches (5 in 2008; 6 in 2010; 1 in 2011; and 8 in 2012).

A SAC's Site Selection Assessment Document (SAC SAD) is the starting point for the preparation of each SAC's CO and Advice Package. These documents detail the scientific justification for the sites and use the best available evidence. However, it is acknowledged that because there is currently insufficiently detailed information on the existing condition of qualifying interest features and on the preferred or target condition of interest features, the assessment of feature condition was based on the best available evidence including the use of information on sensitivity and exposure of the site interest features to physical, chemical and biological pressures associated with human activity. The 'precautionary approach' is also used when setting the CO and formulating our advice.

JNCC staff are currently working to update the draft Conservation Objectives and Advice on Operations documents for these sites, and formally notify competent authorities of the conservation objectives for the sites, and advise on operations which may affect the integrity of the sites, in line with requirements under Regulation 18 of the Offshore Marine Conservation Regulations 2007.

So far, ten sites have been updated (Braemar Pockmarks, Scanner Pockmarks, Haig Fras, Darwin Mounds, Stanton banks, North Norfolk Sandbanks and Saturn Reef, Bassurelle Sandbanks, Northwest Rockall Bank, Wyville-Thompson Ridge and Dogger Bank. A further three sites will be updated by the end of 2012 (Croker Carbonate Slabs, Pisces Reef Complex and Wight-Barfleur Reef). By March 2013, five further sites (Anton Dohrn Seamount, East Rockall Bank, Hatton Bank, Pobie Bank Reef and Solan Bank Reef) will be updated.

The conservation objectives (and SAC SADs) are available for each SAC sites in the offshore via this link: <a href="http://jncc.defra.gov.uk/page-4534">http://jncc.defra.gov.uk/page-4534</a>

Work has begun following the 2012 *Report of the Habitats and Wild Birds Directive Implementation Review* and the European Commission guidance on Conservation Objectives which concluded that all Conservation Objectives should be up-to-date, accessible, be clear and straightforward, operational in practice and specified in concrete terms, and wherever possible, be quantifiable in numbers and/or size (i.e. allow applicants to assess the impact of their proposed development against them). In addition, Action 14 of the Review Report required the publication of a new approach to the information contained in the Conservation Objectives. This was published in June 2012, and will undergo a public consultation December 2012. New fit-for-purpose conservation advice packages for existing and newly classified Marine Protected Areas are being developed, with the aim of finalising a new Regulation 18 Template by March 2013. It is the intention to improve the quality of evidence upon which our advice is based, and that the updated Conservation Advice Packages will be produced from April 2013 and by March 2015.

# Progress in management planning

For Dogger Bank, Haig Fras and Stanton Banks, processes to request CFP management measures are already underway. For Dogger Bank, building on the Dutch FIMPAS and MAPNOSE projects management options are being produced in

	co-ordination with stakeholders in several member states co-ordinated by the Dogger Bank Steering Group of which the UK is a member. EC regulation was put in place for Darwin Mounds and North West Rockall Bank on the basis of presence of vulnerable marine ecosystems under a rolling programme advice from ICES to the EC, not on the basis of UK SACs <i>per se</i> .
	In 2011 Fisheries management workshops were piloted for Stanton Banks and Haig Fras sites through the MAIA Interreg project. These projects involved discussion with stakeholders over a series of management proposals. Some further work still remaining to ensure that process for seeking management for both sites meets criteria listed in the Natura 2000 CFP fisheries management guidance.
% of sites with plans completed	No comprehensive management plans (strict <i>sensus</i> ) have been completed for UK offshore sites.
% of sites with plans in preparation	Fisheries management plans are in preparation for 6 UK offshore sites: 15% (Dogger, Haig Fras and Stanton Banks) 30% (Darwin Mounds, NW Rockall and Hatton Banks)
% of sites with no plans	70% if fisheries closures are factored.
Link to web sites with plans and any guidelines	Proposed fisheries management plans developed for the Dogger Bank and submitted to ICES for review through the Dogger Bank Steering Group <a href="http://nsrac.org/wp-content/uploads/2012/07/NSRAC-1112-7-2012-04-09-Dogger-Bank-SACs-Position-Paper-FINAL.pdf">http://nsrac.org/wp-content/uploads/2012/07/NSRAC-1112-7-2012-04-09-Dogger-Bank-SACs-Position-Paper-FINAL.pdf</a>
More background information on plans and comment on other instruments/approaches for management planning, information on and plans for particular sectors (e.g. forestry, etc.)	The Hatton Bank, North West Rockall Bank and Darwin Mounds SACs are subject to fisheries restrictions to prevent damage to vulnerable marine ecosystems. The closure to bottom trawling over most of the North West Rockall Bank site is in place since 2008. Darwin Mounds is subject to a permanent ban on bottom trawling has been permanently closed to bottom trawling since 2004. Hatton Bank closure is in place since 2006 for deep-sea gill-netting at depths over 20m and since 2007 for bottom trawling and fishing with static gear, including bottom set gill-nets and longlines. Workshops have taken place with stakeholders and regulators to discuss possible options to manage activities at Stanton Banks and Haig Fras SACs.  The Dogger Bank habitat feature extends into Dutch, German and Danish waters.
	Germany has already designated the site and Netherlands are in the process of preparing a designation. Work to develop coordinated management measures across the trans-boundary site has already commenced where ICES, on the request of Defra have provided fisheries management advice for the UK section of Dogger Bank in 2012.
	To prevent damage to these sites, competent authorities that grant authorisations for activities in the offshore area will have to ensure that any licences that are issued or reviewed do not result in an adverse effect on a site's integrity. Under the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007, JNCC is required to notify Competent Authorities of the conservation objectives for offshore Special Areas of Conservation and to advise them of operations which may adversely affect the integrity of the site. This requirement applies once a site has been advised to the European Commission.
	There are ongoing plans to set up guidance (code of conduct) towards responsible research in these sites. More detail on these site protection measures and European marine sites' management status is available through this link: http://jncc.defra.gov.uk/page-4551

#### C.3 Relevant government and non-governmental plans for UK offshore Natura 2000 sites.

It is anticipated that the twelve offshore marine sites submitted to the European Commission, together with a further eight which have been formally recommended to Government by JNCC, will complete the UK network of marine SACs for Annex I habitats. The rationale for SAC site selection in the UK was set out in the JNCC report 'The Habitats Directive: selection of Special Areas of conservation in the UK', http://jncc.defra.gov.uk/pdf/SAC-selection-background-T37.pdf, with additional guidance produced for the identification of marine SACs away from the coast, http://jncc.defra.gov.uk/pdf/MarineSAC\_SelectionCriteria\_030609.pdf.

In order to effectively advise UK Government on a suitable number and range of sites to propose to the Commission, JNCC considered the development of a coherent network in a UK context, the detail of which was published in the JNCC report 'Progress towards completing the UK network of marine Special Areas of Conservation (SACs) for Annex I habitats and site proposals for Hatton Bank and Bassurelle Bank', http://jncc.defra.gov.uk/PDF/comm 08P14a.pdf.

This assessment will now be updated in a new paper to be presented to JNCC Committee by March 2013. Once submitted to the EC, these additional marine sites should meet the principles for a coherent European ecological network of marine habitat SACs.

It is UK policy to introduce management measures for Special Areas of Conservation (SACs) as soon as possible after the site is submitted to the European Commission. Risk to site features from fisheries associated pressures has been identified through the Conservation Advice. Government and Fishery Regulators in the UK have obligations to ensure that these fishing activities (including existing fishing activities), are managed in a manner that secures compliance with the requirements of Article 6 of the EU Habitats Directive.

It is intended that all potentially damaging fishing operations will be identified and be subject to appropriate management by the end of 2016. For sites requiring measures to be implemented through the Common Fisheries Policy, appropriate fishery measures will be put forward to the European Commission for consideration. Plans for identifying appropriate management have not yet been finalised but the identification of possible measures will build on the experience gained under the Dogger Bank project and the Haig Fras and Stanton Banks pilots. Such a process should include appropriate dialogue with other Member States and relevant stakeholders. These meetings would require input from Defra, MMO, Marine Scotland and JNCC.

Although the conservation of the sites may require the implementation of appropriate management measures other than fisheries measures (, geological survey, maritime traffic, military activities, ecotourism, etc.), these other measures have not yet been addressed.

Other industries occurring on site that are already required to undergo appropriate assessments with regard to minimising impacts on the sites' features include windfarms and other energy projects, oil, mineral and aggregate prospecting and exploitation. Further work is planned to assess compliance of these activities with regulation.

Where an EMS adjoins an SAC or SPA which has been designated by a neighbouring Member State, the Secretary of State must consult that State to the co-ordinated management of the area in question. This has been the case for Dogger Bank SAC, where ICES, at the request of Defra provided advice on fisheries measures for the UK section of Dogger Bank in 2012.

D	Current experience with	use of EU financial	l instruments for UF	<b>X</b> offshore Natura	2000
sites.					

JNCC does not have experience of EU financial instruments specifically for offshore Natura 2000 sites. However, it does have experience of EU financial instruments relating to other projects. These projects include the MESH project, MAIA project (Interreg ERDF) and EUSeamap (DGMARE).

### **D.2** European Fisheries Fund (EFF)

Provide a summary of allocations under Axis 1-4 of EFF used for Natura 2000 management, (as well as other relevant national financing)

Fund	Provision	(m€) (total =240.5)	Level of Use*		
EFF	Axis 1				
	Axis 2				
	Axis 3				
	Axis 4				
Other (national) pay	ment scheme	s for Territory			
Summary of key Natura 2000 related measures being undertaken under fund:					
Key lessons learnt and obstacles encountered:					

#### D.3 Structural Funds and the Cohesion Fund

Provide a summary of allocations under Axis 1-4 of EFF used for Natura 2000 management, (as well as other relevant national financing)

Fund	Provision	(m€)	Level of Use*	
ERDF	Total			
	Category 51+55+56			
	Category 51			
European Social Fu	nd (ESF)			
Summary of key Natura 2000 related measures being undertaken under fund:				
Key lessons learnt and obstacles encountered:				

### D.4 LIFE+

Provide a summary of allocations under LIFE+ for Natura 2000 management,

Fund	Provision	(m€)	Level of Use*		
LIFE+	Nature and Biodiversity				
Summary of key Natura 2000 related measures being undertaken under fund:					
Key lessons learnt and obstacles encountered:					

## **D.5** Other funding sources

Fund	Level of Use*
7th Framework Programme for Research (FP7)	
Public Private financing schemes	
Interreg - Interreg IV B Atlantic Area - Priority 2 "Protect, secure and enhance the marine and coastal environment sustainably".	
Use of innovative financing	
Key lessons learnt and obstacles encountered:	

<sup>\*</sup> Where estimates are available they should be provided. Otherwise indicate as VS Very significant; MU Moderate Use; MI Minor use; NU No use. <u>To be completed by Member States.</u>

## E Current estimate of financial needs for management of UK offshore Natura 2000 sites.

Financing requirements for offshore SACs 2012-2015

Management Actions	Guidance note number	Key Activities	Total cost (£k Pounds Sterling)
ONE OFF COSTS			
Natura sites		Natura fisheries management measures	208
RECURRENT COST			
Marine Monitoring and Ecosystem Mapping	1	Seabed mapping and impacts	427.3
Deosystem Mapping		Natura evidence collection (baseline and condition monitoring)	6.000
Marine Ecosystem Assessment and Advice		Offshore MPA assessment	164
Marine Management		Offshore industries advice	284.7
Advice		Fisheries and species advice	420.6
Natura sites		Natura 2000 coordination	205
		Natura management	793

<sup>1.</sup> Every offshore SAC would be monitored once a reporting cycle and that equates to approximately three sites per annum.

# F STRATEGIC CONSERVATION OBJECTIVES AND PRIORITIES FOR UK offshore Natura 2000 sites FOR PERIOD 2014-2020

F.1 Summary of strategy and priorities for period (and expected outcomes), with particular focus on priority habitat types and species but also in relation to measurable progress on nature sub-target under EU 2020 biodiversity strategy (Habitats and Birds Directives) and ensuring good functioning of Natura 2000 network (SACs + SPAs).

#### Special Areas of Conservation

As of October 2012 in UK, 2 out of 20 offshore SAC features are in favourable condition (Croker Carbonate Slabs and Pisces Reef Complex), with the remaining sites having a restore objective. This equates to 85% offshore SAC features in unfavourable condition.

There are discussions to develop fisheries measures for all SACs between 2014 and 2016. There are no priority Habitats Directive habitats and species on offshore SACs in the UK.

The table below identifies the SAC habitat features to be prioritised over the next period:

SAC features	No. of SAC's
Habitat 1170 Reef	15*
Habitat 1180 Submarine structures made by leaking gases	3
Habitat 1110 Sandbanks	5*

<sup>\*</sup>Three sites with both 1170 and 1110 features

It is noted that the difficulty associated with the assessment of sites offshore can limit the availability of detailed information of site condition. A strategy for developing a comprehensive plan to monitor and assess each site, with a view to develop information on feature condition (including functioning) is a difficult task in the offshore area, and outcomes by 2020 may be limited.

F.2 Strategic objectives and priorities in relation to investments in UK offshore Natura 2000 sites linked to green tourism and jobs, to support climate change mitigation and adaptation or other ecosystem benefits, for research, education, training, awareness and promotion of co-operation (including cross-border) linked to Natura 2000 management.

This is an activity area that certainly needs more attention as there is a growth potential for research and green jobs related to offshore SAC implementation, monitoring and management.

## G Description of key measures to achieve priorities for UK offshore Natura 2000 sites.

## G.1.a General Priority Measures for Natura 2000 (UK offshore Natura 2000 sites).

Type of activity	Description of measure	Target species/habitats/sites	Potential Financing sources*
Management planning Preparation of Natura management plans	Detailed management plans including updates to conservation objectives  (e.g. Offshore FIMPAS/MASPNOSE)	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European  LIFE+  EEA  7 <sup>th</sup> Framework Directive National Public  Government funding
Management planning Consultation and liaison	Enhance the Offshore SACs North-Atlantic Network (prepare projects submissions, organizing workshops and seminars, travel) Organization of stakeholder meetings and workshops, publication of meeting outcomes, financial support of stakeholders for travel and subsistence, language resourcing.  (e.g. Offshore MAIA)	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European  INTERREG  The Framework Directive  COST  National Public  Government funding

## G.1.c Priority Measures for Natura 2000 marine and coastal habitats and species (UK offshore Natura 2000 sites).

Type of activity	Description of measure	Target species/habitats/sites	Potential Financing sources*
Management planning (a) Scientific studies for planning and implementation based on solid knowledge	Field surveillance to improve confidence on marine habitat characterisation, distribution and extent to better set area base lines.	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European  LIFE+  EEA  7 <sup>th</sup> Framework Directive National Public  Government funding
Management planning (b) Scientific studies for planning and implementation based on solid knowledge	Field/laboratory research to improve habitat sensitivity and confidence on understanding of pressure-state relationships.	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European  LIFE+  EEA  7 <sup>th</sup> Framework Directive National Public  Government funding
Management planning (c) Consultation – public meetings, liaison with landowners	Organization of meetings and workshops, publication of consultation outcomes, financial support of stakeholders. Networking activities (travel, meetings and workshops).	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European  LIFE+  EFF  7 <sup>th</sup> Framework Directive  Interreg  COST  National Public  Government funding
Management planning (d) Establishment of management bodies	Start-up funding, feasibility studies, management plans elaboration.	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by</li> </ul>	European  LIFE+ EFF

Ongoing habitat	Accessing better spatial	<ul><li>leaking gases</li><li>Habitat 1110 Sandbanks</li><li>Habitat 1170 Reef</li></ul>	<ul> <li>7<sup>th</sup> Framework Directive</li> <li>National Public</li> <li>Government funding</li> </ul> European
management and monitoring (e)	resolution human activities data.	<ul> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	<ul> <li>EFF</li> <li>National Public</li> <li>Government funding</li> </ul>
Ongoing habitat management and monitoring (f) Monitoring and surveying	Monitoring and comparisons with reference sites within and outside the UK.	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European  EFF  7th Framework Directive  Interreg  COST  National Public  Government funding
Ongoing habitat management and monitoring (g) Risk management	Preparation of pollution control plans (oil pollution, plastics). Networking with PREMIAM	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European
Ongoing habitat management and monitoring (h) Site surveillance	On-going surveillance and patrolling. Personnel costs, consumables, travel, in order to implement surveillance and guarding activities to control economic activities.	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European

Ongoing habitat management and monitoring (i) Provision of information and publicity material	Establishment communication networks, producing newsletters and awareness-raising information materials.	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European      Life +      Interreg     COST  National Public     Government funding
Ongoing habitat management and monitoring (j) Training and education	Production of handbooks, seminars, workshops and communication materials.	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	National Public  • Government funding

## **G.2** Other priority measures

# G.2.a Priority Measures for securing ecosystem benefits of Natura 2000, especially in relation to climate change mitigation and adaptation (UK offshore Natura 2000 sites).

Type of activity	Description of measure	Target species/habitats/sites	Potential Financing sources*
Ongoing habitat management and monitoring (k)Monitoring and surveying	Scientific studies on the species distribution changes (large scale) and on cumulative impacts/effects of pressures (e.g. fisheries + climate change).	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European  EFF  LIFE+ (now funding climate change projects)  7 <sup>th</sup> Framework Directive  Interreg  COST  National Public  Government funding
Ongoing habitat management and monitoring (l)Monitoring and surveying	Monitoring and surveying ecosystems components (phytoplankton, zooplankton, benthos, fish, marine mammals, turtles, marine birds and corals).	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European

# G.2.c Priority Measures to promote innovative approaches in relation to Natura 2000

Type of activity	Description of measure	Target species/habitats/sites	Potential Financing sources*
Ongoing habitat management and monitoring (m)Training and education	Stakeholder engagement innovative processes, other than meetings.	<ul> <li>Habitat 1170 Reef</li> <li>Habitat 1180 Submarine structures made by leaking gases</li> <li>Habitat 1110 Sandbanks</li> </ul>	European

# G.3 Summary table of priority measures per habitat type and species (UK offshore Natura 2000 sites).

Feature (habitat type or species)	Conservation status (code from HD Article 17 report or BD Article 12 report)	Pressures and threats (codes from HD Article 17 report or BD Article 12 report)	Priority measure (from section G of PAF, possibly by coding)
Habitat 1170 Reef	*Unfavourable	Poor knowledge on marine habitat characterisation, distribution and extent; often resolution of overlap between extent of activities occurring and extent of designated features is low:	(a) (k) (l)
		Poor knowledge on habitat sensitivity and understanding of pressure-state relationships;	(b) (e) (f) (g) (k) (l)
		Poor public-stakeholder awareness.	(i) (j) (m)
		*F02 Fishing and harvesting aquatic resources';	(c) (b) (d) (e) (f) (h)
Habitat 1180 Submarine structures made by leaking gases	*Unknown	Poor knowledge on marine habitat characterisation, distribution and extent; often resolution of overlap between extent of activities occurring and extent of designated features is low:	(a) (k) (l)
		Poor knowledge on habitat sensitivity and understanding of	(b) (e) (f) (g) (k) (l)

		T	
		pressure-state relationships;	
		Poor public-stakeholder awareness.	(c) (i) (j) (m)
		*F02 Fishing and harvesting aquatic resources';	(c) (b) (d) (e) (f) (h)
Habitat 1110 Sandbanks	*Unfavourable	Poor knowledge on marine habitat characterisation, distribution and extent; often resolution of overlap between extent of activities occurring and extent of designated features is low:	(a) (k) (l)
		Poor knowledge on habitat sensitivity and understanding of pressure-state relationships;	(b) (e) (f) (g) (k) (l)
		Poor public-stakeholder awareness.	(c) (i) (j) (m)
		*F02 Fishing and harvesting aquatic resources';	(c) (b) (d) (e) (f) (h)

### Section H: Monitoring, evaluation and updating of PAFs

The main tools for monitoring progress of UK's PAF will be the reporting rounds for Article 17 in 2013 and 2020.

The provision of management advice to Government for offshore sites and the subsequent submission of management measure proposals to the EC for adoption under the CFP will provide a clear audit trail for monitoring the UK's progress in delivering prioritised actions in the offshore.