



REPORT

Horizontal Working Group

Marine Spatial Planning

Madrid, 10th March 2010

9:30 – 13:00 h

Chair: Rory Crawford
Rapporteur: Iwan Ball

1. Welcome

- Presentation of speakers and participants

The list of members and observers attending this meeting can be found in Annex I.

- Adoption of the agenda

The agenda was adopted with the understanding that there may be need to move topics as the meeting progresses to overcome time constraints and to allow all present speakers to do their presentations. The Chair noted the absence of speakers from the RECLAIM project and ICES Study Group on Marine Sediments despite the formal invitations submitted to them in written form by the Secretariat prior to the meeting.

- Introduction and context from Chair

The Chair welcomed attendees and provided an outline of the structure of the workshop. An overview of marine spatial planning (MSP) was provided along with some thoughts on where the RAC could usefully provide input.

There are an increasing number of activities proliferating in the marine environment that are competing for space with fishing. Demands for marine space arise from renewable energy development, shipping, oil and gas as well as nature conservation designations, which include national marine protected area (MPA) designations in addition to Natura 2000 designations.

Existing planning at sea is fragmented and there are lessons to be learned from planning on land. There are numerous drivers for MSP, including clear mandates to adopt an ecosystem approach to marine management under the European Marine Strategy Framework Directive (MSFD) and the Common Fisheries Policy (CFP). MSP is a useful tool to deliver an ecosystem approach with the influential participation of stakeholders and bring about a shift from dominance of regulation to a more forward-planning approach.

The NWWRAC is well-placed to contribute substantial knowledge to the process from a fisheries perspective, particularly in relation to fisheries interactions with MPA designations (through impact assessments) and marine renewable energy developments. Such input is not unprecedented as illustrated by the LOT7 and Shetland SSMEI projects.



2. Presentation of Interreg Project CHARM 3 (A. Carpentier, IFREMER)

A presentation was provided on the CHARM 3 project, which has been running since 2003. A copy of the presentation is available on the NWWRAC website.

There have been 3 phases to the project to date. Phase 1 involved extensive data mapping which is essential to produce reliable reference maps of marine habitats and benthic resources, larvae / juvenile and adult fish distribution and landings. This information has been simplified in a downloadable online atlas.

Phase 2 used previously unused data collected since the 1970s to produce a preferable habitat model for certain key species. Spawning grounds were mapped using a continuous underwater fish egg sampler. This was complemented by maps of juvenile and adult seasonal distribution for key species which can be used to inform quota decisions.

Trophic chain analysis was also employed in an attempt to understand the evolution of certain species – bass was provided as an example. The work involved collaboration with other groups to determine the impacts of activities such as aggregate extraction and marine renewable energy development.

The project has also attempted to incorporate anthropological research by identifying which fleets operate in which areas. The project has identified 114 different pieces of legislation that impact upon fisheries, making it necessary to focus on four key areas: pollution, conservation, fisheries and urban development.

A spatial planning model was developed, incorporating the physical, biological and socio-economic information collated by the project. This tool can be shared with stakeholders and has various applications, including determining how best to protect key habitats and species and identifying important socio-economic areas.

The project is currently in its third phase and involves 17 partners and 26 laboratories. This phase covers the entire Channel and incorporates socio-economic aspects not previously considered.

There has been collaboration with Canada and Japan with the aim of sharing lessons and harmonising working methods.

The Chair thanked the speaker and opened the floor to questions and discussion.

Concern was expressed at the number of similar projects being funded by the Commission and the risk of duplication and overlap. In particular, there was concern over the amount of time expected from the RAC to service these projects and that there is a clear need for co-ordination at the EU level across the different frameworks (Interreg / LIFE etc.). There is a question over value for money if the Commission is audited.

It was acknowledged that the CHARM 3 project is differentiated by its exclusively scientific approach, which enables an in-depth understanding of ecosystem function. It was argued that this is important for the fisheries sector and that the RAC needs to have such understanding, particularly in light of the reform of the CFP.



It was noted that the scientific approach adopted by the CHARM 3 project could compliment other projects looking at developing ecosystem approach guidelines but that these projects need to be better co-ordinated.

Clarification was sought on whether the methodology or approach was transferable to other areas. There is a need to guard against focussing on a relatively small area if the methodology cannot be extended for use in a broader context.

The Chair noted that the RAC has limited time and resources and therefore needs to be careful about how these resources are applied.

The Chair introduced Dr. Tom Blasdale of the UK's JNCC who gave a presentation on the UK's MPA network.

3. Update on state of play for Marine Protected Areas in French Waters (O. Abellard)

The Secretariat conveyed the apologies from the representative of the French Agency on MPA, Olivier Abellard, as he could not attend the meeting due to professional commitments previously acquired.

The Secretariat encouraged the members to read the updated presentation provided by Mr. Abellard (available on the NWWRAC website) and to be actively engaged in the phase of management of the designated Natura sites that have already started in early 2010. Comments and feedback from members will be forwarded to the relevant national authorities / bodies entrusted with management via the Secretariat.

4. Update on the UK Marine Protected Area Network and opportunities for participation (Dr Tom Blasdale, JNCC)

The speaker announced that the purpose of the presentation was to keep the RAC informed of the MPA designation process and invite members to engage in the development of UK MPAs. Under the UK Marine and Coastal Access Act and the Marine (Scotland) Act the UK Government is developing an ecologically coherent network of MPAs by 2012 that is well understood and supported by sea users. The MPA network includes existing European sites as part of the UK Natura 2000 network, new Marine Conservation Zones (MCZs) and Scottish MPAs under the UK Marine and Coastal Access Act and the Marine (Scotland) Act. Marine components of Sites of Special Scientific Interest and Ramsar sites may also qualify.

The existing UK network comprises 81 sites, of which 76 are in inshore waters and only 5 in offshore waters. The UK has not yet completed the Natura network and has been informed by the Commission that it has not designated sufficient sites particularly in offshore waters. In addition the UK has nationally important habitats and species not listed within the EU Habitats and Birds Directive that the UK is obliged to protect (e.g. those features listed on the OSPAR threatened and declining species list and those features listed on the UK and Scottish Biodiversity Action Plans. These additional national MPAs are required to protect these features and meet international commitments and European obligations under the Marine Strategy Framework Directive.



The speaker provided an overview of the new national MPA designations under the Marine and Coastal Access Act, including the different arrangements that apply in the Devolved Administrations. In English inshore waters and offshore waters around England, Wales and Northern Ireland Marine Conservation Zones (MCZs) will be established of varying levels of protection (the MCZ Project). In Welsh inshore waters MCZs of high level protection will be established and in Scottish inshore and offshore waters Scottish MPAs will be established. The method of identification and designation between the MCZ Project, the MCZ project Wales and Scottish MPA Project are different, however in the selection process of national MPAs socioeconomic considerations may be taken into account unlike that of Natura 2000 sites.

The aim of the UK MPA Projects is to contribute to the ecologically coherent network of MPAs, engage with stakeholders at an early stage to encourage support and, where possible, minimise the impacts upon stakeholders who are already using the sea area (for instance by taking socio-economics into account in the designation process).

Through the MCZ Project, stakeholders are involved in the identification of MCZs and development of conservation objectives through stakeholder groups convened under four regional MCZ projects. There is also a recognised need for non-UK stakeholders (primarily fishers) to be able to feed into this process. The Scottish MPA designation process is different from the MCZ Project in that the selection process is predominantly science-led; however discussions with stakeholder representative groups will be held to help validate national socio-economic and natural heritage data to improve the evidence base upon which Scottish MPAs are selected. Discussions with stakeholders who have a direct interest in specific site developments will follow to help refine boundaries, identify management issues and select between sites that make an equal contribution to the network.

JNCC have now recruited posts specifically to support the engagement of national and non-UK fishers in UK MPA processes in an effort to centralise the process of interaction with non-UK fishers. It was discussed that it would be in the interests of the RAC members to contribute to the project as there is a need to know where fishing grounds are and to input this information into the process of identifying MCZs.

In particular, JNCC would like the fishing sector to validate maps of VMS data and landings data and, where possible, to add to this data by providing information on the <15m fleet and the relative value of fishing grounds.

In conclusion, the speaker presented the following questions for discussion:

- Issues surrounding Natura consultation - certain stakeholders had not received official notice regarding formal consultation of UK Natura 2000 sites. The speaker asked members their views for an adequate period of time to extend consultation to those stakeholders (it was agreed that 6 weeks would be sufficient);
- Who should the JNCC be talking to for data collection (higher than individual fishermen but lower than the RACs) Who would be appropriate individuals within the countries represented at the RAC?
- Is there a need for special arrangements for small-scale fleets?
- How should the views of non-UK fishers be communicated to regional MCZ projects?



The Chair thanked the speaker for his presentation and opened the floor to questions and discussion.

There was concern raised over the omission of the RAC and the SFF from the recent Natura consultation over Rockall, although it was acknowledged that the JNCC had clearly made an effort to be inclusive and that omission was due to a technical error. It was further noted that the timing of the consultation (Nov / Dec) was inappropriate for members of the fishing industry. The speaker gave assurance that the RAC and SFF would be allowed additional time to respond to the Rockall consultation and that consultation will be given greater prominence on the JNCC website in future. With regard to the timing of the consultation, the speaker acknowledged that this was unfortunate but that it was tied in with the timeframe for reporting to Government.

It was noted that the four regional MCZ projects are very different in character and therefore pose difficulties for the industry to engage with from a European perspective, as well as the challenges posed by different arrangements in different administrations.

The speaker gave reassurance that the JNCC will be the lead / single point of contact between non-UK fisheries stakeholders and the regional MCZ projects and the other national MPA projects in the devolved administrations.

Clarification was sought on the legislative basis for restricting the right to fish in domestic UK MCZs outside 6nm where historical rights apply. It was argued that it would be discriminatory to apply restrictions only to UK vessels. Concern was also expressed over the timeframe for designation which is arguably incompatible with the level of stakeholder involvement being sought by the JNCC.

The speaker confirmed that there was no question of restrictions applying to UK vessels only and that the intention is to put management measures in place through the CFP. There has been some slippage with the timescale and consequently the deadline of ensuring international fisheries information is in place by October 2010 is very tight. JNCC would be interested to hear ideas of how to streamline the project.

There was concern raised from an Irish perspective in relation to the extent of the Rockall designation and a question over what 'socio' data would be added to the 'economic' data. The speaker responded that the site corresponds very closely to the area already closed under the CFP regulation. It was acknowledged that the fisheries data is primarily economic but can take into account small vessel movements for the development impact assessments only within Natura 2000 sites.

The representative from the SFF offered to share with the RAC the work the Federation had undertaken which illustrates that whilst many areas are of high activity, some areas of ground are not trawled by fishermen, probably because the gear is not available to fish them. It was argued that the focus should be on designating these areas before the technology is developed to fish such sites. The speaker responded that the focus is on protecting areas with the highest conservation value. Whilst fishing interests are taken into account whenever possible, socio-economic factors are not considered in Natura 2000 designations. The MCZ approach provides a good mechanism for ensuring that this type of information is taken into account.



It was re-iterated by fishing industry representatives that consideration needs to be given to the calendar for consultations in order to ensure effective industry input and the need for extensive consultation from the outset, particularly on proposed site boundaries.

In response to the speaker's request, the Spanish fishing industry representative pledged to co-ordinate Spanish engagement with the project and to arrange site visits.

The speaker reassured the RAC that tight protocols are being developed on data handling, including ownership of data, how it is used and in what form it will be distributed.

In response to concern raised by the fishing industry, the speaker explained that site designation does not mean an automatic ban on fishing although there may be a need to restrict certain types of gears. Whilst environmental impact assessment requirements do not apply beyond 6nm, the process to apply for management measures under the CFP more or less fulfils this requirement and would involve consultation with the RAC.

It was suggested that the MCZ designation process pre-empts a more strategic approach to planning and that the focus should be on MSP. The fishing industry wishes to engage on a meaningful level with the MSP process and does not want to be bounced by unrealistic timescales.

Given the proliferation of data, it was suggested that the RAC should seek funding to appoint somebody on a full-time basis to collate and interpret data on fishing activity, to enable the RAC to better engage with MSP. It was acknowledged that this would involve taking the RAC to a new level but the NSRAC are actively considering a similar proposal and there is an opportunity for a combined project.

Whilst several members agreed with this proposal, it was cautioned that there is a need for consistency in structure between the RACs and that the proposal should be put forward to the other RACs before proceeding.

Action: *Secretariat to liaise with the NSRAC and to contact the Commission to investigate whether the proposal could be extended to the other RACs.*

The speaker from the JNCC thought this a good proposal, but warned that the realities of politics probably dictate the need to progress RAC involvement in the MCZ project before a RAC person is in place. There will be a National UK MPA Stakeholder Forum to discuss UK MPA developments with national and non-UK stakeholders, the speaker encouraged the RAC to engage with this group. However, this would not obviate the need for non-UK fishers to also engage with the regional MCZ projects – one solution could be for the new JNCC liaison officer to act as an intermediary with the industry, who could communicate fishermen's opinions to the project and disseminate information on the four regional projects.

In response the UK fishing industry representative noted that the legitimacy of such an approach would depend upon the availability of useful information and upon the assumption that the people attending the meetings have access to this information. Furthermore, there would be a need to ensure that the appropriate people are involved to speak on behalf of the industry. The MPA coalition in UK provides a single voice to represent the industry in these negotiations.



Action: JNCC will provide further information regarding the UK MPA Stakeholder Forum and methods of engaging in UK MPA Projects in due course

The Chair introduced Dr. Paul Connolly who gave a presentation on the MEFEP0 project.

5. Presentation of North Western Atlas – MEFEP0 Project (Dr Paul Connolly)

The focus of this presentation was on one output of the MEFEP0 project – the atlas for North Western Waters. This is the third volume in the series, having already produced similar publications for the North Sea and South Western Waters.

The project adopts a very pragmatic approach to making the ecosystem approach operational and builds upon experience from the North Sea. The project is predominantly concerned with fishing, although other activities are taken into account. It is built around 10 work packages (see presentation on NWWRAC website) and significant progress has been made on many of these.

The purpose of the North Western Atlas is to identify and collect information on key features to 'paint a picture' of this region – the aim is not to try to collect all data on everything. The atlas covers the following areas: Irish Sea, Channel, Celtic Sea, West of Scotland, West of Ireland and offshore deepwater areas.

A key feature of this area is the Gulf Stream, which is a major driver for ecosystem function. There are also potentially significant climate change impacts, as illustrated by the northwards shift in the distribution of copepods, which will have an indirect impact upon the distribution of key fish species.

Within this region the project focussed on case studies of the following key species: scallop, nephrops, mackerel and northern hake. North Western Waters are important spawning areas for several North East Atlantic pelagic species, Northern Hake in particular. It comprises diverse ecosystems and is important for biodiversity including cetaceans, seals, birds and deep water corals.

In addition, there are significant anthropological impacts arising from activities such as oil and gas exploration and production, shipping, gas and telecoms pipelines, recreational activities and fishing – discarding was highlighted by the speaker as an issue related to the latter.

There is a substantial amount of information available as a result of the huge number of SEA being undertaken in North Western Waters by the oil and gas industry. There is also extensive VMS data which, if married with log book data, would provide a more complete picture of the area that would be invaluable for feeding into management plans. There is therefore a need to co-ordinate VMS and log book data research.

In conclusion, the speaker emphasised the need for the NWWRAC to engage with the project. It is also important that the project engages with the NSRAC and SSWRAC.

It is hoped that an updated version of the atlas will be produced in January 2012.



The Chair thanked the speaker for his presentation and opened the floor to questions and discussion.

Several RAC members congratulated the speaker on his presentation and welcomed this fascinating research.

An issue was highlighted in relation to the distortion of data collected by different industries to serve their own purposes. Often this data is not collected in a uniform way across the continental shelf with the consequence that management measures based upon such *ad hoc* data collection can cause displacement from data rich areas to data poor areas.

The speaker agreed with the last point and admitted that this is a risk. There is no doubt over the scientific validity of the data utilised by the project as there are robust data validation guidelines in place. The speaker highlighted the huge amount of data available in the 'grey literature' and the need to collate and utilise this.

In response to a question on the impact upon marine habitats of population movements towards coastal areas, the speaker noted that this is less of a consideration in this region. Where data may be lacking in relation to such impacts, the project utilises expert scientific opinion.

It was observed that great many researchers are analysing VMS data and that this research needs to be better co-ordinated. Caution was also expressed over how this data is disseminated and used.

The point was again made over the perceived lack of co-ordination between projects funded by the Commission. It was proposed that the NWWWRAC write to the Commission to request a list of all projects relating to fisheries in North Western Waters being undertaken by various entities across the region.

Action: The Chair invited Sean O'Donoghue to draft the letter to the Commission.

Action: The Chair invited Barrie Deas to liaise with the NSRAC to explore potential funding sources and potential remit as a first step towards creating a joint-RAC research post.

6. Discussion on mapping areas of key fishing activity and 7. IA of extractive activities in the seabed

Items 6 and 7 were decided to be discussed at a later stage in a follow-up meeting once more information was compiled and made available in relation to these topics. Item 6 was covered, to a degree, by discussions on Marine Spatial Planning and potential for NWWWRAC input.

Meeting was adjourned at 13:15 h



ANNEX I. LIST OF PARTICIPANTS

<u>Name</u>	<u>Surname</u>	<u>Organisation</u>	<u>Status</u>
Bertie	Armstrong	Scottish Fishermen's Federation	Member
Iwan	Ball	World Wildlife Fund	Observer
Tom	Blasdale	Joint Nature Conservation Committee	Presenter
André	Carpentier	CHARM Project – IFREMER	Presenter
Paul	Connolly	MEFEPO Project – Marine Institute	Presenter
Luc	Corbisier	SDVO	Member
Juan Carlos	Corrás Arias	Pescagalicia-Arpega-Obarco	Member
Rory	Crawford	RSPB – Birdlife International	HWG Chairman
John	Crudden	European Anglers Association	Member
Barrie	Deas	NFFO	Member
Sophie	Elliott	JNCC	Scientific Observer
Ian	Gatt	Scottish Fishermen's Federation	Member
Charline	Gaudin	EBCD	Member
Hugo	González	ANASOL - ARVI	Member
André	Gueguen	OPOB	Member
Sam	Lambourn	NWWRAC Chairman	NWWRAC Chairman
Daniel	Lefèvre	CNPMEM Basse Normandie	Member
Jesús	Lourido	Puerto de Celeiro S.A.	Member
Joseph	Maddock	Irish Fishermen Organisation	Member
Conor	Nolan	NWWRAC Secretariat	Secretariat
Lorcan	O'Cinnéide	IFPO	Member



<u>Name</u>	<u>Surname</u>	<u>Organisation</u>	<u>Status</u>
Sean	O'Donoghue	Killybegs Fishermans Organisation	Member
José Luis	Otero	Lonja de la Coruña S.A.	Member
Kenneth	Patterson	DG MARE	European Commission
Jacques	Pichon	ANOP	Member
Jim	Portus	South West Fish Producers Organisation	Member
Alexandre	Rodríguez	NWWRAC Secretariat	Secretariat
Mercedes	Rodríguez Moreda	OPP-07-LUGO	Member
Stéphanie	Tachoures	CNPMEM	Member
Paul	Trebilcock	Cornish Fish Producers Organisation	Member
Héctor	Villa	SEGEPESCA - MARM	Member State Rep