

The North Sea Regional Advisory Council



NSRAC

Paper 5

Spatial Planning Working Group Report

Euan Dunn, Chair, Spatial Planning Working Group, Gothenburg ExCom, June 30 2009

There have not been any meetings of the SPWG since the last one in Berlin in February 2009. This update reports on the follow-up to actions from that meeting, tabled below:

1. Action Points from SPWG Meeting, Berlin, 16 February 2009

1. The NSRAC should also be inputting to the Round 3 licensing of wind-farm development on the Dogger Bank, and needs to be aware of the remaining opportunities for consultation (1.6).	Euan Dunn
2. Fishers are invited to provide information to the JNCC on the types and location of fishing activities on the Dogger Bank, in order to enable an impact assessment to be carried out and a fisheries management regime planned. A 3 month period of consultation begins soon (1.8, 2.4)	Members
3. A much better understanding of the Dogger Bank features (including the wide range of substrates) is needed for designation of the site. Fishers are invited to send in any information they have on seabed types (3.2)	Members
4. There is concern over the lack of joined up thinking within the UK with respect to the different licensing regimes, which contrasts with the position in other member states (3.3, 5.2)	UK Representatives
5. The JNCC would welcome more information on the sandeel fishery in the North Sea (3.6)	Members
6. There is concern over the complex array of data the NSRAC needs to address this and other consultations for offshore development. The Dutch FIMPAS study will create a database which embraces the UK area of the Dogger Bank (4.3)	Ton Ijlstra
7. Once they are drafted, the Lot 7 maps of fishing effort on the Dogger Bank SAC need to be validated by the NSRAC (4.3)	Euan Dunn and Members
8. Henrik Lund's paper on Danish fishing activities on the Dogger Bank will be sought and circulated as an exemplar of what is needed from other fishing fleets (4.4)	Euan Dunn
9. The question of the NSRAC's role with respect to coordination of Natura 2000 issues between member states and to the provision of data-bases for the resolution of North Sea issues requires further discussion (4.4)	Secretariat

2. Follow-up actions

2.1 UK Round 3 windfarm licensing consultation (Berlin 1.6)

It was beyond the remit of the NSRAC SPWG to coordinate a NSRAC response to the UK's Strategic Environmental Assessment (SEA) consultation on its Round 3 licensing for windfarm development in the North Sea. Therefore, after the Berlin NSRAC meeting, I reminded members with an interest in this issue to respond separately to the consultation.

2.1.1 CNPMEM response

CNPMEM copied me in to its consultation response (preliminary April 22, full June 11). Part of the delay in the final French response was caused by difficulties in learning from the UK Crown Estate the exact localization (GIS Shape Files) of the 9 Areas necessary to analyse VMS activity of French vessels. With regard to Round 3 Areas in the North Sea, CNPMEM reported for Moray Firth (Area 1), Firth of Forth (2), Dogger Bank (3), Hornsea (4), Norfolk (5) and Hastings (6).

The final CNPMEM submission was based on an IFREMER analysis of VMS data of vessels >15m, although many French vessels below this threshold length also operate in the French sector of the North Sea and Channel. IFREMER analysed VMS signals corresponding to a vessel speed <4.5 knots although it was appreciated that this did not capture all gill-netting activity. The evaluation of the economic impact was based on sales registered in French auctions per vessel per year in relation to percentage of fishing time estimated in each of the Round 3 Areas.

The analysis indicated that the precise localities of any windfarm developments would have a significant negative socio-economic impact. The study noted that this impact could be higher if the profitability dropped below the level needed to make fishing viable and which therefore obliged the vessel to cease fishing altogether. Moreover, the evaluation was focussed on the losses to the vessels themselves and did not take account of the knock-on impact on the French industry as a whole.

2.2 Update on UK consultation on Dogger Bank SAC proposal (Berlin 1.8, 2.4, 3.2)

JNCC conducted a pre-consultation with NSRAC on the Dogger Bank Special Area of Conservation (SAC) proposal in Brussels Nov 2008 (Demersal WG) and again (prior to the anticipated and imminent full consultation) in Berlin Feb 2009 (Spatial Planning WG). On the latter occasion, a significant array of data was solicited from stakeholders, in particular the fishing sector, in order to facilitate boundary setting and preparation of the impact assessment.

However, the UK has yet to launch a formal consultation, so I have sought clarification from Defra (which JNCC advises on marine nature conservation issues) and received the following reply from Defra on 18 June:

JNCC has conducted informal discussions with key stakeholders to obtain feedback on the science behind the proposals and also information on the impacts to inform any possible management measures that may be required post designation. We do appreciate the contributions key stakeholder have made and value the information provided in order we can make informed evidence based decisions. We are now carefully considering JNCC's recommendations in preparation for a formal consultation on Dogger Bank. If Government accepts the advice, we plan for the formal consultation to commence before the end of 2009 (which will be part of a package of sites) with the view of submitting the site to the European Commission by September 2010.

I understand your concerns over this site, and appreciate your work with fishery stakeholders in terms of the Natura 2000 process. However, it is for Member States to decide whether an area meets the criteria for selection as an SAC, and if so, what the SAC should cover. While the UK Government is minded to agree that the UK section of the Dogger Bank should be an SAC, this is subject to further discussion and examination of the scientific basis for selection, especially with regard to the boundaries of the site. We hope to make progress with regard to this site during this year, but it is unlikely that the Department will consult on any proposals for the Dogger Bank until after Autumn this year.

NSRAC summary of the current position:

- Assuming Defra (on behalf of UK Government) accepts JNCC's advice to proceed with a proposal for a Dogger Bank SAC, a formal consultation will begin before the end of 2009 but not until 'after Autumn'
- The UK would then submit a Dogger Bank SAC proposal, along other SAC proposals, to the European Commission by September 2010

2.3 Mapping Danish fishing activity on the Dogger Bank (Berlin 2.4, 3.6)

Henrik Lund had prepared a ppt presentation for the Berlin meeting but illness preventing him from attending. However, he has sent me the presentation (*Commercial fishing on Dogger Bank by Danish vessels, for which see NSRAC website*), of which a summary (paraphrased from HL's words, but approved by him and Danish Fishermen's Association) is as follows:

Three kinds of Danish fishery operate on the Dogger Bank – gill-netting, Danish seines and sandeel trawling, targeting mainly turbot, plaice and sandeels. For each gear type in relation to the collective area of the three Dogger Bank SACs (UK proposed, Dutch, German), there are data on the number of vessels, spatial and temporal (season) distribution of fishing activity, fishing season, catch, gear characteristics, value of catch, discards and bycatch. Danish seine data are presented for 6 years (2003-08).

Danish landings from the Dogger Bank in 2008 were (approximately) 150,000t sandeel, 1000t plaice, and 100t turbot. Collectively these have a value of EUR23m to the Danish sector, representing 6.6% of the total value from Danish landings.

The Dogger Bank is vital to the Danish fleet in general but especially so for sandeel fishing (EUR 20m approx). The spatial distribution of sandeel fishing shows a high level of congruence with the (triple) SAC area but especially around the boundary. One-third of all sandeels caught in 2008 came from 2 ICES rectangles (38F1, 39 F1). While this shows how concentrated the fish and the fishery can be, this is spatially variable from year to year, so access to the whole Dogger area is important for the fleet. The decline in sandeel catches in recent years (2003-07) is attributed to a decline in fleet capacity rather than to a shortage of fish.

Given that sandeel catch rates on the Dogger are twice as high as for other sandeel grounds in the North Sea, a closure of the Dogger Bank would mean that much more bottom would have to be fished elsewhere in the North Sea to achieve the same catches as are currently taken from the Dogger Bank.

2.4 Lot 7 study to map fishing activity on the Dogger Bank (Berlin 4.3)

The part (Task 4) of the CEFAS-led Lot 7 EC project (*Joint data collection between the fishing sector the scientific community in the North Sea*) was originally framed as *Spatial mapping of catch rates by fisheries based on the analysis of logbook and VMS data*. The project was designed to improve scientific and user understanding of the analysis process conducted when mapping the spatial distribution of fishing activities and to demonstrate how such analysis could aid the NSRAC in the provision of spatially relevant advice.

The project develops standardised methods in order to estimate fishing effort from VMS data and to undertake a case study. Consultation between the Lot 7 Project team and the Spatial Planning WG identified the Dogger Bank SAC proposal as a timely and suitable case study which fits the goals of the Lot 7 VMS analysis. This in turn will inform the feedback JNCC is seeking from the NSRAC, particularly for their Impact Assessment of the SAC proposal, notably on:

- Identification of the number and types of vessel businesses that fish on the Dogger Bank including home port and fishing days within the SAC
- Views on how fishermen will respond to any potential closure

- Where activity is displaced, difference in steam time, fuel costs, fishing levels and any other cost/profit information associated with displacement alternatives
- Potential seasonal effects of designation

The following is not an official summary of the Lot 7 report but gives a few pointers from the June 2009 report; anything lost in translation in the following is my (ED's) responsibility:

Janette Lee, Andy South, Chris Darby, Peter Robinson (all CEFAS) and Niels Hintzen (IMARES) (2009) *Spatial and temporal analysis of VMS data to provide standardised estimates of fishing effort in consultation with the fishing industry. Case study: Fishing activity within proposed UK natura 2000 area on Dogger Bank.*

CEFAS held a meeting in Lowestoft on Apr 6-7, 2009 to bring together fisheries scientists from around the North Sea (England, Scotland, Netherlands and France represented), along with JNCC, to evaluate existing methods, start developing standardised protocols for estimating fishing effort from VMS data and to discuss the analysis required for the Dogger Bank case study. Unfortunately Danish experts were not available within the team to analyse their VMS, landings and value data (but see 2.3 above) so the analysis was confined to the VMS data of the other countries involved in the project and active in UK waters.

The main focus of the report is therefore a detailed analysis of UK and Dutch vessel activity within ICES areas IVb and IVc with particular focus on activity inside the proposed SAC area. Analysis is based on logbook and VMS data for the years 2006 and 2007. At a resolution of the 4 key ICES rectangles (38F1, 38F2, 39F1, 39F2) which intersect the proposed SAC, and neighbouring ICES rectangles, the analysis addresses fish landings by value (logbook data), vessels (by length)/gear types, and spatial/temporal fishing activity/effort (logbooks, VMS).

The analysis indicates the potential scale of financial losses incurred if fishing were to be displaced from the 4 key rectangles into adjacent areas. Taking the UK fleet as an example, in 2006 and 2007, the 4 rectangles collectively made up, respectively, £1.5m sterling and £2m of landings value, principally of flatfish (plaice, lemon sole, brill and turbot). In 2007, this comprised £1.6m by beam trawls, £300k by otter trawls and £160k by Danish seines. This equates to 7% of overall beam-trawl revenue, 2% of otter trawl, and 80% of Danish seines. Being soft ground, these rectangles are critically important for seines (5-6 UK vessels), so while relatively few vessels are involved and the overall value is low in comparison with other gear types, displacement from these areas would have the greatest disruption to income of any single gear type.

Landings from the remaining 6 adjacent rectangles that the proposed SAC covers to a lesser degree, and which may be included within the Dogger Bank SAC of other nations, achieved an additional £4m in both years, again mainly from flatfish but also including species (anglers, hake and nephrops) not usually associated with sandbanks; this illustrates the diversity of habitats within the region.

A similar analysis is conducted for Dutch vessels (24 beam trawlers and 2 otter trawlers operated in the proposed SAC in 2006 and 2007). The available 2006-07 data for Danish vessels is presented although, as indicated above, the proportion of Danish effort relative to the total for areas IVb and IVc, the species landed and their value, were not available to the Lot 7 study.

Summary of next steps:

The Lot 7 team has sent its report for the attention of the chair of the Demersal Working Group. There should be a preliminary exchange of views in ExCom prior to Demersal Working Group taking up the detail of the paper for interpretation, validation, etc. That detailed response could be undertaken at a joint meeting of the Demersal and Spatial Planning WGs.

NB: The NSRAC must not to pre-empt the outcomes of that due process by any media contact on this issue at this stage, especially as the Lot 7 team also needs to be involved/consulted.

3. Other SPWG Actions

In the discussion at the end of the SPWG report in Berlin, Peter Breckling pointed out that MPAs were only part of spatial planning. Germany was embarking upon an ambitious programme of spatial planning and presumably other Member States would too. He said the NSRAC needed to consider these plans collectively.

PB subsequently sent ED a link to the draft marine spatial plan for the German EEZ (plus link to maps and other related documents):

http://www.bsh.de/en/The_BSH/Notifications/Draft_spatial_plan.pdf

The SPWG has not received plans from any other North Sea states. The Chair's current view is that, even if such plans were available for all countries, the role of the NSRAC SPWG in how to deal with such pan-North Sea complexity is not clear. My current view, having reflected on what was said in Berlin, is that a role for the 'NSRAC to consider these plans collectively' is beyond the scope or capacity of the SPWG, and in the meantime the priority should be to focus on casework (e.g. Dogger Bank) rather than on trying to formulate a comprehensive response to a mosaic of North Sea spatial plans. However, further opinions and discussion of this in Gothenburg would be welcome.

4. Other SPWG activities

4.1 Marine Natura 2000 Seminar for the Atlantic Sea region, Galway (Ireland), 24-25 March 2009

I attended this Commission meeting on behalf of the NSRAC. The meeting was organised to review progress by Member States in selecting and designating Special Areas of Conservation (SACs) for marine habitats (Annex I, Habitats Directive) and species (Annex II) in Atlantic regions and the North Sea, and to determine the degree of sufficiency by each Member State in terms of sites proposed.

The meeting considered the coherence of the Natura 2000 network for four marine habitats (sandbanks, reefs, submarine structures (pockmarks) and submerged sea caves) and 12 marine species (notably bottlenose dolphin, harbour porpoise, grey seal, common seal). Ten Member States were represented. The Commission stated they expected to complete the process of SAC designation by 2010, but following this meeting it is hard to see how Member States will meet this deadline given the significant extra research required to identify suitable SACs. In general, northern European Member States were more advanced than their southern counterparts.

For each habitat and species the Chair invited the European Topic Centre (ETC) to explain their initial observations and recommendations before asking each Member State to respond. Opinions from the ETC, invited experts and NGOs were then sought and discussed. If a Member State was deemed to have proposed insufficient sites for a particular habitat or species, it was considered 'Insufficient Moderate' (IN MOD) for that element.

The habitat/species-led approach makes it impossible to disaggregate specifics for the North Sea habitats. Across the North Atlantic Region as a whole, however, there was a general acceptance that more sites were required for all habitats (including sandbanks which dominate the central-southern North Sea), with IN MOD returned on numerous occasions and applicable to all Member States to some degree. In the case of marine species, IN MOD was less often accorded than Sci Res (Scientific Reserve). This conclusion requires extra research but does not require the Member State to designate new sites. Given the inadequate progress of Member States, it is likely that a further North Atlantic seminar will be held at a future date.

4.2 EBCD event at European Maritime Day, Rome, 19 May 2009

I gave a presentation on the NSRAC perspective at a side event organised by the European Bureau for Conservation & Development (EBCD) on the topic of *Integration of Fisheries Management into the Development of Spatial Planning and Coastal Zone Management*. The link to the final report of the seminar is:

<http://www.ebcd.org/Maritime%20Affairs/Maritime%20Day/Report.doc>