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Proposals for new marine Special Areas of Conservation and Special Protection Areas in the seas around Wales: A consultation

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Introduction

Natural Resources Wales brings together the work of the Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales, as well as some functions of the Welsh Government. Our purpose is to ensure that the natural resources of Wales are sustainably maintained, used and enhanced, now and in the future.

One of our roles is to advise the Welsh Government on the identification of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). SACs and SPAs, also known as 'Natura 2000 sites' or 'European sites' are measures required under EU law for the conservation of biodiversity. SPAs are designated to protect populations of rare, threatened or migratory species of wild birds and the habitats they depend on, while SACs are designated to protect a range of natural habitats types and species of plants and animals other than birds.

Decisions on whether to designate SACs and SPAs in Wales and Welsh inshore waters within the 12 nautical mile Territorial Sea limit are made by the Welsh Ministers. Decisions on whether to designate SACs and SPAs in English inshore waters and in offshore waters beyond the 12 mile limit are made by the UK Secretary of State, taking into account the advice of Natural England and the UK Joint Nature Conservation Committee (JNCC).

In June 2015, NRW submitted to Welsh Government proposals for:

- three new SACs for the conservation of harbour porpoise *Phocoena phocoena*
- one new SPA for the conservation of wintering red-throated diver *Gavia stellata*
- two extensions to existing SPAs designated to protect seabird colonies, so as to include additional marine areas used by the birds during the breeding season.

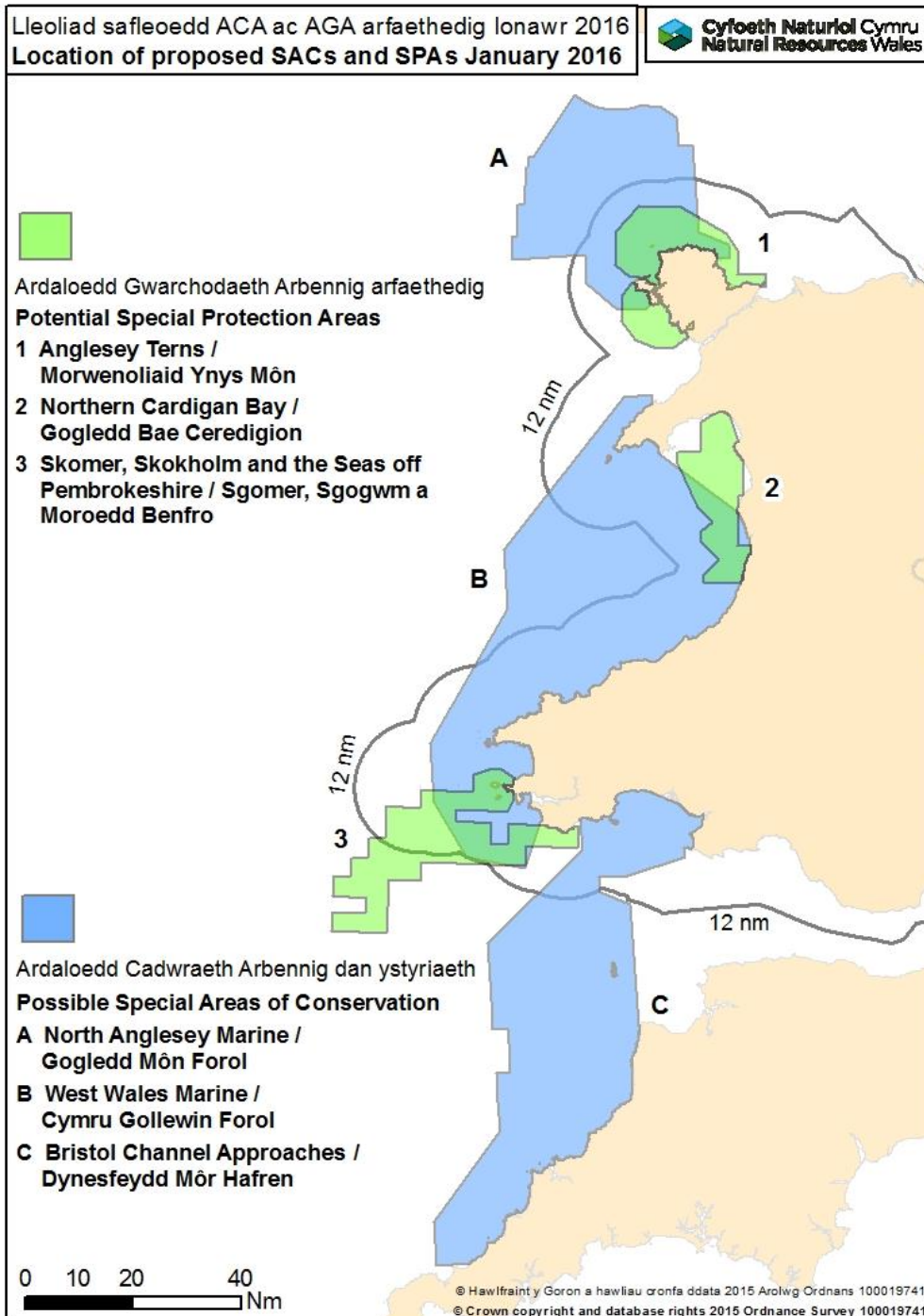
The location of these sites is shown in the map below. All three of the proposed SACs and one of the proposed SPAs include both inshore and offshore waters and hence are a joint responsibility of Welsh and UK Ministers, and are based on joint recommendations of NRW and JNCC to the Welsh Government and UK Government respectively. The three proposed SACs are also part of a series of proposed SACs for harbour porpoise which also includes other areas in English, Northern Ireland and offshore waters.

Welsh and UK Ministers have asked NRW and JNCC to carry out a public consultation on these possible SACs (pSACs) and potential SPAs (pSPAs). The JNCC consultation, which also covers other pSACs for harbour porpoise in the North Sea and Northern Ireland waters, can be accessed at <http://jncc.defra.gov.uk/SACconsultation>.

Between February and May 2015, we held a series of six informal 'drop in days' at various locations around Wales. The purpose of these events, which were open to

all, was to share information about the developing site proposals and next steps, and to enable people to discuss them informally with NRW and Welsh Government staff.

Approximately 120 people in total attended these events, including interested individuals and representatives of statutory and non-statutory organisations from a variety of sectors including commercial fisheries, recreation and tourism, local government and community representatives, energy, ports and shipping, marine research and conservation.



What is the purpose of this consultation?

Consultation over proposals to designate SPAs in inshore waters is a statutory requirement under Regulation 12B of the Conservation of Habitats & Species Regulations 2010. Consultation over proposed SACs in inshore waters is not required by law but is a policy requirement and has been standard practice in the UK for many years. In relation to offshore waters, consultation over proposed SACs and SPAs is required by Regulations 8 and 13 of the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007.

After the end of the consultation period, NRW and JNCC will be reporting to Welsh and UK Government on the representations we have received.

There are two main parts to the consultation:

1. Consultation on the possible Special Areas of Conservation and Special Protection areas

We are seeking the views of stakeholders on the **scientific basis** of each of the possible SACs and SPAs. We are particularly interested in comments on the way in which data on harbour porpoises and on the relevant bird species, has been used to develop proposed site boundaries and to evaluate the sites against the relevant legislation and guidelines for the identification of SACs and SPAs.

2. Consultation on draft assessments of the potential social and economic impact of the proposals

Contractors working on behalf of JNCC, NRW and the other UK statutory conservation agencies have drafted a report on evidence to inform assessments of the potential social and economic impact of the pSACs and pSPAs. We are publishing both the evidence report and the Impact Assessments in draft form to assist with identifying any additional information or evidence that would help improve the assessments of the potential social and economic implications of the proposed designations.

In preparing our reports to the Welsh Government and UK Government, NRW and JNCC will take into consideration all representations received. However please note that subsequent decisions by Welsh and UK Ministers on whether to designate SACs and SPAs may only take into account relevant scientific information and must be based on application of relevant guidelines and criteria. Social or economic considerations will be reported on, and can inform decisions about the way in which SACs and SPAs are managed and regulated, but may not be taken into account by Ministers in decisions on whether to designate SACs and SPAs or in the determination of their boundaries.

Who can respond to this consultation?

This is a public consultation which is open to any individual or organisation to respond to.

At the start of the consultation we wrote to a wide range of stakeholders for whom we hold contact details. We also announced the start of the consultation through the issue of a press notice.

How can I access the documents?

There are a number of documents published as part of this consultation. The following summarises what the various documents are, and how to access them.

All the documents are published on the NRW website: www.naturalresources.wales/mn2k and/or the JNCC website: <http://jncc.defra.gov.uk/SACconsultation>. Printed versions of any of the documents, are available on request by emailing us at marine.n2k@naturalresourceswales.gov.uk or by phoning the NRW Customer Care Centre on 0300 065 3000.

Documents on which we are consulting

Possible Special Area of Conservation ‘Selection Assessment Documents’.

These describe the scientific basis of each SAC proposal, and are accompanied by detailed maps of the proposed sites:

- [North Anglesey Marine / Gogledd Môn Forol pSAC](#)
Site Assessment Document and Maps
- [West Wales Marine / Gorllewin Cymru Forol pSAC](#)
Site Assessment Document and Maps
- [Bristol Channel Approaches / Dynesfeydd Môr Hafren pSAC](#)
Site Assessment Document and Maps

Proposed Special Protection Area ‘Departmental Briefs’. These describe the scientific basis of each SPA proposal, and are accompanied by detailed maps of the proposed sites

- [Anglesey Terns / Morwenoliaid Ynys Môn pSPA](#)
Departmental Brief and maps
- [Northern Cardigan Bay / Gogledd Bae Ceredigion pSPA](#)
Departmental Brief and maps

- [Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro pSPA](#)
Departmental Brief and maps

Draft Impact Assessments for the pSACs and pSPAs. These assess the potential impacts associated with the pSAC and pSPA proposals regarding their interaction with human activities in and around the sites.

- A draft Impact Assessment for the pSACs (all sites) is available [here](#).
- Draft Impact Assessments for each of the three pSPAs are available by clicking on the links for each individual pSPA above.
- A draft Impact Assessment for the **offshore** part of the Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro pSPA, prepared by JNCC, is available [here](#).

Supporting material, which is provided for information

The following documents may help inform any response you wish to make, but they are provided for information only. We are **not** consulting on them.

General information

- List of [Questions and Answers](#). We may update this document as the consultation progresses.

Draft conservation objectives and advice in relation to activities in and around the sites

- JNCC and NRW's draft conservation objectives and advice on activities:
 - [North Anglesey Marine / Gogledd Môn Forol pSAC](#)
 - [West Wales Marine / Gorllewin Cymru Forol pSAC](#)
 - [Bristol Channel Approaches / Dynesfeydd Môr Hafren pSAC](#)
- NRW's Draft conservation objectives for the three pSPAs:
 - [Anglesey Terns / Morwenoliaid Ynys Môn pSPA](#)
 - [Northern Cardigan Bay / Gogledd Bae Ceredigion pSPA](#)
 - [Skomer, Skokholm and the Seas off Pembrokeshire / Sgomer, Sgogwm a Moroedd Penfro pSPA](#)

Scientific reports relating to the proposed SACs

- *JNCC report 544: DHI Water and Environment data analyses and modelling report*
A report on the analysis of available harbour porpoise data in the Joint Cetacean Protocol (JCP) database, obtained from sea based surveys, which has provided the main evidence base for the identification of the proposed SACs. [Open JNCC report 544](#)
- *JNCC report 543: Land-based data analyses report*
A report on the analysis of data on harbour porpoise distribution obtained from land based surveys, providing additional supporting evidence for harbour porpoise usage of coastal areas. [Open JNCC report 543](#)
- *JNCC report 565: The use of harbour porpoise sightings data to inform the development of Special Areas of Conservation in UK waters*
A report on how the analysis of harbour porpoise data has been used to develop the SAC recommendations. This goes into more detail than each of the three individual Site Assessment Documents listed above. [Open JNCC report 565](#)
- *JNCC report 547: Management Units for cetaceans in UK waters*
Description of the Management Units (MUs) for the seven most common cetacean species in UK waters, including harbour porpoise. [Open JNCC report 547](#)
- *JNCC report 566: A conservation literature review for the harbour porpoise*
[Open JNCC report 566](#)

Scientific reports relating to the proposed SPAs

- The 'Departmental Briefs' for each of the proposed SPAs (see above) include references to a number of scientific reports used in the identification of the sites, including links to key reports available on the JNCC website.

Evidence supporting the impact assessments

- Contractors working on behalf of the SNCBs have prepared an evidence report to support the assessments of the potential social and economic impact of the pSACs and pSPAs. This evidence report is published in draft form to assist with identifying any additional information or evidence that would help improve it. [Open the evidence report](#)

Other

- Copies of the letters from Welsh Government asking NRW to carry out this consultation. In relation to the SPA proposals, this is considered to constitute the statutory notice from the Welsh Ministers to NRW, as required under Regulation 12B of the Conservation of Habitats and Species Regulations, 2010 (as substituted):

[Open the letter from Welsh Government asking NRW to consult on the proposed SACs](#)

[Open the letter from Welsh Government asking NRW to consult on the proposed SPAs](#)

How do I respond to this consultation, and when should I respond by?

If you would like to discuss any aspect of this consultation with NRW staff before submitting a consultation response, please get in touch by emailing your name, phone number and a brief outline of what you would like to discuss to marine.n2k@naturalresourceswales.gov.uk, and a member of staff will then get in touch. Or you can phone us on 0300 065 3000. Depending on demand during the consultation period, we may arrange some informal 'drop in' events similar to those we held during the first half of 2015.

All responses to this consultation must be received by **midnight on 19 April 2016 at the latest**. Any responses received after that date cannot be taken into account. Responses **must** be submitted using our online response form (see below) or otherwise be in writing.

The best way to respond is to complete our online response form:
<http://www.smartsurvey.co.uk/s/HVLLH/>

If you are unable to respond online, it is also possible to respond by sending an email to: marine.n2k@naturalresourceswales.gov.uk, or by writing to us at: Marine N2K Consultation, Natural Resources Wales, Maes y Ffynnon, Bangor, LL57 2DW.

If you wish to respond by letter, it would be helpful if you used our standard response form. Please contact us on 0300 065 3000 if you would like us to send you a paper version of the response form. **However, completing the online response form will help with the efficient handling of consultation responses and preparation our report on the consultation.**

The online response form requires you to indicate which proposed site or sites your response relates to. If responding by email or letter **please make sure that you tell us clearly which site or sites your response relates to**. This is essential to enable NRW and JNCC to properly consider the consultations responses. You can also let us know if you would like your response on any of the three pSACs included this consultation to also be considered as applicable to the wider UK network of harbour propoise pSACs.

In relation to the **Bristol Channel Approaches / Dynesfeydd Môr Hafren pSAC**, only a small proportion of the site lies in Welsh inshore waters. Unless your comments relate specifically to the Welsh part of this pSAC, you are invited to respond to the JNCC consultation <http://jncc.defra.gov.uk/SACconsultation> rather than to NRW. However for all the other pSACs and the pSPAs listed above, you are

invited to respond **only** to NRW, as NRW and JNCC will where relevant collate consultation responses at a UK level (see next section 'How will NRW use my response'). In fact responding to both NRW and JNCC in relation to the same site or sites may hinder the effective consideration of consultation responses.

We welcome responses in English or Welsh.

How will NRW use my response?

NRW, and JNCC where applicable, will use the responses to this consultation in order to prepare reports to the Welsh Government and UK Government. The report will be published in due course on the Natural Resources Wales website and/or the JNCC website.

Please note that in the interests of transparency and openness, all responses to this consultation, including the names of respondents, but not including contact information, will be made publicly available and may be published, including on the NRW and/or JNCC websites.

We may also share any individual responses that we receive with other statutory nature conservation bodies, UK and devolved Governments (*Joint Nature Conservation Committee, Natural England, Scottish Natural Heritage, Welsh Government, UK Department for the Environment, Food and Rural Affairs (Defra), Scottish Government and the Department of the Environment for Northern Ireland*) in order to help ensure a coordinated approach to this consultation and to prepare reports to the Welsh Government and UK Government.

Any personal information you provide to us will be used and stored in line with the requirements of the Data Protection Act 1998. We will use your information only for the purposes of this consultation, as described above. Please ensure you do not mention other individuals by name, or include personal information within the body of your response.

If you do not wish your name and your views on these SAC or SPA proposals to be made public, you are advised not to respond to this consultation.