



Department of the  
**Environment**  
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# **Draft guidance on selection and designation of Marine Conservation Zones (MCZs) in the Northern Ireland inshore region**

## **Synopsis of Consultation Responses**

**February 2014**

## Introduction

### Background

1. On 23 October 2013, the Department launched a consultation on the 'draft guidance on selection and designation of Marine Conservation Zones (MCZs) in the Northern Ireland inshore region' seeking views from stakeholders with an interest in/responsibility for our marine area. The full text of the consultation paper is available on the Department's website at:  
[http://www.doeni.gov.uk/index/protect\\_the\\_environment/natural\\_environment/marine\\_and\\_coast/marine\\_policy.htm](http://www.doeni.gov.uk/index/protect_the_environment/natural_environment/marine_and_coast/marine_policy.htm)
2. The purpose of the document was to set out the Department's proposed approach to the selection and designation of MCZs in the Northern Ireland inshore region (out to 12 nm).
3. These MCZs will deliver national priorities on biodiversity and geodiversity, including Northern Ireland's contribution to European and international commitments on biodiversity.

### Consultation Responses

4. The consultation period on the draft guidance ran from 23 October 2013 until 31st January 2014.
5. In total, 23 responses were received.
6. A summary of respondents' comments is provided in **Annex A**. A list of all respondents is attached at **Annex B**.
7. No comments were received on the preliminary screening for Equality Impact contained in the consultation paper.
8. All respondents welcomed the draft guidance and were supportive of the Department's proposed approach to the designation of MCZs in the Northern Ireland inshore region.
9. In their comments, consultees emphasised the importance of stakeholder engagement and the need for a transparent designation process.
10. The Department would like to thank all those who responded to the consultation. The consultation process will assist the Department in finalising the content of the guidance on selection and designation of MCZs.
11. The guidance document will be published following Executive approval.

## Annex A

Organisation/Comment	Department's Response
<b>Introduction</b>	
<b>Background</b>	
<p><b>The Northern Ireland Marine Task Force</b> and the <b>Council for Nature Conservation and the Countryside</b> suggested that the guidance document should explain the differences between the UK/EU/North East Atlantic approaches to networks of MPAs.</p>	<p>The Department agrees to address the differences between the UK/EU/North East Atlantic approaches in the final document.</p>
<b>New powers to designate MCZs</b>	
<p><b>The Northern Ireland Marine Task Force</b>, the <b>Irish Federation of Sea Anglers</b> and the <b>Council for Nature Conservation and the Countryside</b> commented that MCZs have the potential to protect the full range of species and habitats found in the Northern Ireland inshore region and this should be stressed.</p>	<p>MCZs are only one of the tools available to help protect our marine environment. Other measures such as Fisheries Management and Common Fisheries Policy provide protection for our habitats and species.</p>
<b>Scope</b>	
<p><b>The Northern Ireland Marine Task Force</b> and the <b>Council for Nature Conservation and the Countryside</b> felt that information on how the Department will ensure that Carlingford Lough and Lough Foyle will not be excluded as potential search areas would be useful.</p>	<p>Carlingford Lough and Lough Foyle are not excluded. The Department is working closely with colleagues in the Loughs Agency in potential site selection and has regular meetings with officials in the Republic of Ireland.</p>

***The MPA network and ecological coherence***

***The Northern Ireland Marine Task Force and the Council for Nature Conservation and the Countryside***

Sites should consider individual features if an area is a stronghold for a species or geological feature in good condition, or if an area would provide connectivity between other sites.

- Representivity – it should state: “*represent the range of species, habitats and ecological processes*”;
- Replication – should also be across / throughout NI waters as well as with other parts of the UK.
- Adequacy and Viability – these cover both size and number of sites, and under these principles, the Department need to consider how to build resilience into the MPA network and the wider marine ecosystem(s).
- Connectivity – is about more than having sites close enough together, it also needs to consider ecologically connectivity, e.g. making sure that the areas that are key life cycle stages are all included in the network.
- Management – must look wider than the feature alone and consider the needs of the whole network and functioning marine ecosystems. Management also includes monitoring and enforcement actions.
- Best Available Science – the OSPAR principles also advocate the Precautionary Principle.

We welcome the inclusion of geological features and suggest that this should explicitly include geomorphology. In many cases this may be of more interest and importance than the solid geology.

The Department will include reference to ‘and ecological processes’ in the final text.

The Department will, where possible, try to meet the replication principle within Northern Ireland waters. However, where this is not possible we will look to the wider UK network to fulfil this.

The Northern Ireland network of MPAs, including MCZs, will be an integral component of the UK and wider North East Atlantic MPA network.

The Department is fully committed to using the OSPAR principles and also adheres to the Precautionary Principle in Principle 15 under the Rio Declaration Environment and Development (1992).

Geomorphology is covered in sections 4.3 and 7.4 of the draft guidance document.

<p><b>The Irish Federation of Sea Anglers</b> commented that best available science should be used</p> <p><b>Marine Conservation Northern Ireland</b> commented on the need for best scientific information and effective management are critical.</p>	<p>The Department agrees with this comment.</p> <p>The Department agrees with this comment.</p>
<b>Timescales</b>	
<p><b>The Northern Ireland Marine Task Force</b> commented on the need for the marine spatial planning timescale and how it links to the MCZ timescale.</p> <p><b>The Council for Nature Conservation and the Countryside</b> felt there was a discrepancy between the MSFD 2016 target and the Northern Ireland target of 2020.</p>	<p>The identification and designation of MCZs is committed to a comprehensive stakeholder engagement exercise the outcomes of which will be incorporated into the Marine Plan for Northern Ireland.</p> <p>All MCZs will be formally designated by 2016 and will provide the Northern Ireland contribution to achieving Good Environmental Status (GES) in our seas under MSFD by 2020.</p>
<b>Marine Conservation Zones (MCZs)</b>	
<b>MCZs and an ecologically coherent network</b>	
<p><b>The Royal Society for the Protection of Birds</b> stressed the MPA process must provide protection for key lifecycle areas. Therefore MCZs cannot be looked at in isolation.</p> <p><b>The Council for Nature Conservation and the Countryside</b> suggests that 'marine ASSIs' should read 'coastal ASSIs'. CNCC also welcome the acknowledgement that 'wider environmental management measures' will also be a vital part of</p>	<p>MCZs will be an integral part of the overall ecological and coherent network of well managed MPAs and will not be dealt with in isolation.</p> <p>The Department agrees with this suggestion and will use the term 'coastal ASSIs' in the final text.</p>

<p>delivering GES for our seas, and look forward to discussing with the Department what form they might take.</p> <p><b>Scottish Environment Link Marine Task Force</b> suggests that Northern Ireland should seek to ensure connectivity with MPAs in adjacent waters.</p>	<p>All the devolved Administrations are working closely to ensure that there is connectivity with MPAs in our seas.</p>
<p><b><i>Taking account of economic, cultural and social factors in site selection</i></b></p>	
<p><b>Marine Conservation Northern Ireland</b> expressed some concern at potential relocation of MCZs and would like to see this element more thoroughly teased out.</p> <p><b>AquaCulture Initiative</b> expressed concerns:</p> <ul style="list-style-type: none"> <li>• about adequacy of current stakeholder engagement;</li> <li>• queried the competency of the Department in the areas of economic assessment of suitability of sites; and</li> <li>• it is unclear whether Public Bodies and other Departments will keep the power to carry out their own assessment of activities likely to impact on protected sites.</li> </ul> <p><b>Scottish Power Renewables</b> requested that the final guidance should clearly set out how socio-economic factors will be considered in the decision making purpose.</p>	<p>The Department notes this comment. Potential relocation of MCZs will be addressed as part of the MCZ designation process.</p> <p>The Department has listed a series of stakeholder workshops in the draft guidance document. At the first workshop held in November 2013, stakeholders were provided with feedback forms containing contact details so that they had the opportunity to discuss any aspect of the process through bilateral meetings.</p> <p>The Department is currently in negotiations with Departmental economists as well as external consultants who have already carried out impact assessments in the other devolved Administrations' MCZ designation process.</p> <p>Public bodies and other Departments will retain their responsibility for carrying out assessments in relation to their licensable activities which may impact on protected sites.</p> <p>This issue is covered in section 2.2 and 2.3 of the draft guidance document.</p>

<p><b>Countryside Alliance Ireland</b> requested:</p> <ul style="list-style-type: none"> <li>• assurance that country sports will be included in the term ‘leisure, recreational and cultural activities’;</li> <li>• clarification regarding the finer details of displacement and how such a system would be implemented;</li> <li>• clarification as to how the impact of a MCZ to an area will be measured and quantified when identifying potential sites; and</li> <li>• clarification on whether there will be a specific set of criteria to be met before a MCZ can be designated?</li> </ul> <p><b>DP Marine Energy</b> requested further clarification and guidance on the prohibition of certain activities and management measures outside the boundary of a MCZ.</p>	<p>Country sports are included in the term ‘leisure, recreational and cultural activities’.</p> <p>The issue of displacement is too detailed for general guidance and will be considered on a site by site basis as part of the formal consultation process with full stakeholder engagement.</p> <p>The Department will seek advice from JNCC on this issue.</p> <p>The 5 stage process detailed in Figure 7 and Annex A of the draft guidance outlines the criteria which will be used for the designation process.</p> <p>The management for individual sites will dictate what measures, if any, are required outside the immediate boundary of a MCZ. These will be determined on a site by site basis and with full stakeholder engagement.</p>
<b>Impact assessments</b>	
<p><b>The Irish Federation of Sea Anglers</b> suggested that any unavoidable displacement to Recreational Sea Anglers should be evaluated using the Agri-Food and Biosciences Institute (Afb) Recreational Sea Anglers survey data.</p> <p><b>The Council for Nature Conservation and the Countryside</b> suggested that data relating to economic and social use should be subject to a scrutiny process.</p>	<p>All available data will be used in the impact assessment process.</p> <p>CNCC will have a role in the scrutiny process of the potential site documentation similar to the ASSI designation process.</p>

<p><b>The Northern Ireland Marine Task Force</b> would welcome clarity about what is being taken as the baseline so this doesn't shift throughout the process</p>	<p>Impact assessments have not been carried out before for MPA designations, therefore all information collected (economic, environmental, cultural and social) from these assessments will be considered the baseline.</p>
<p><b>The MPA Network in seas around Northern Ireland</b></p>	
<p><b><i>The makeup of the MPA network</i></b></p>	
<p><b>The British Association for Shooting and Conservation</b> is supportive of the MPA network but will strongly oppose MCZs where restrictive and unnecessary regulation has the potential to negatively impact on wildfowling activities.</p> <p><b>The Council for Nature Conservation</b> and the <b>Countryside and The Northern Ireland Marine Task Force</b> suggested that the text should make reference to the Wildlife and Natural Environment Act 2011.</p> <p><b>The Northern Ireland Marine Task Force</b> considers that there should be clarity on either the potential relabeling or the relevance of 'other' types of area, for example fisheries management areas, military restricted zones or areas around renewable installations and how they could contribute to elements of an ecologically coherent network.</p>	<p>The Department notes this comment.</p> <p>The Department will include reference to the Wildlife (Northern Ireland) Order 1985 in the makeup of the MPA network outlined in Chapter 3. The Wildlife (Northern Ireland) Order 1985 was amended by the Wildlife and Natural Environment Act (Northern Ireland) 2011.</p> <p>The Department recognises the potential contribution these areas may indirectly make to the MPA network. This document deals with guidance on selection of MCZs. These points will be fully considered in the designation of the ecological network.</p>
<p><b>Features to be included in MCZ development</b></p>	
<p><b><i>MCZ features: what are they?</i></b></p>	
<p><b>The Irish Federation of Sea Anglers</b> strongly disagrees with the statement 'unrealistic to protect everything' and believes that</p>	<p>The Department agrees with this comment and the statement 'unrealistic to protect everything' will be removed from the final</p>



<p>if everything is not at least considered in the context of a locally balanced marine then this is an unreasonable approach.</p> <p><b>The Northern Ireland Marine Task Force</b> questioned:</p> <ul style="list-style-type: none"> <li>• why species which were previously on conservation lists have been omitted?</li> <li>• how the experts group was convened and made decisions, for example, was a gap analysis undertaken and relevant experts brought in from outside of Northern Ireland to contribute?</li> <li>• was Joint Nature Conservation Committee (JNCC) involved in the development of these lists as was the case for Scotland?</li> <li>• would like to know what quality assurance processes are being put in place for stakeholder knowledge and other forms of information / evidence?</li> </ul> <p>The guidance should set out a formal process for regular reassessment and revision of the lists.</p>	<p>document.</p> <p>Many species are already provided protection under the Habitats and Wild Birds Directives.</p> <p>These lists were published after consultation with a number of taxonomic experts from Agri-Food and Biosciences Institute; Queen’s University, Belfast; University of Ulster; National Museums NI: DARD; DCAL and NIEA. These lists are continually under review as more information becomes available.</p> <p>JNCC has been fully involved in this process and a dedicated JNCC officer has been assigned to advise on the Northern Ireland designation process.</p> <p>The Department intends to quality assure all information/evidence using JNCC protocols.</p> <p>The Department will address the revision of lists in the final document. As the Department’s knowledge increases and species change in their conservation status the lists will be amended accordingly.</p>
<p><b>Development of the Priority Marine Features list</b></p>	
<p><b>Royal Society for the Protection of Birds</b> asks if the list can be extended to ensure that Northern Ireland is meeting its</p>	<p>Table 3 details bird species selected by the NIEA ornithological team. Additional birds may be included as evidence emerges.</p>

<p>requirement under the EC Wild Birds Directive which applies to all naturally occurring species of wild bird in the UK in both the terrestrial and marine environments.</p> <p><b>AquaCulture Initiative</b> requested more detail on the processes and personnel involved in the inclusion of the blue mussel beds on the priority features.</p> <p><b>The Irish Federation of Sea Anglers and Marine Conservation Northern Ireland</b> agreed the Priority Marine Features list was a good starting point but Table 3 does not include enough Elasmobranch species.</p> <p><b>The Council for Nature Conservation and the Countryside</b></p> <ul style="list-style-type: none"> <li>• suggests that the guidance needs to set out a formal process for regular revision of the lists;</li> <li>• the process of developing lists needs to be more transparent; and</li> <li>• why has the Department not consulted JNCC about the biological features.</li> </ul> <p><b>The Northern Ireland Marine Task Force</b> and the <b>Council for Nature Conservation and the Countryside</b> queried why lists that appear in draft MCZ guidance are much shorter than those in the draft MPA Strategy.</p>	<p>Blue mussel beds are a Northern Ireland priority habitat that is not currently afforded protection. The personnel involved in the expert group include taxonomic experts from Agri-Food and Biosciences Institute; Queen’s University, Belfast; University of Ulster; National Museums NI; DARD; DCAL and NIEA. Any additional information would be welcome from stakeholders during the designation process.</p> <p>The Department is considering designating a site for common skate because it believes it can link presence of skate to specific sites where skate is captured and recaptured. However, the Department does not have any specific evidence which would enable the designation of sites for the protection of other Elasmobranch species at this time.</p> <p>The Department agrees with this statement and will address the revision of lists in the final document.</p> <p>All future lists will be forwarded to CNCC for scrutiny.</p> <p>JNCC marine advisers have been fully involved in the designation process.</p> <p>The list included in Annex A of the draft MPA Strategy (May 2013) contained all the species and habitats on the Northern Ireland priority list. The Priority Marine Feature list, developed for the MCZ process, has been derived from this and other</p>
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	conservation lists. A report detailing the justification of the Priority Marine Feature list will be provided on the Department's website (end of May 2014).
<b><i>Geological and geomorphological features</i></b>	
<p><b><i>The Council for Nature Conservation and the Countryside</i></b> recommends that the approach to the geological and geomorphological features in contrast to the biological features needs to be addressed in the final version of the document.</p> <p><b><i>The Northern Ireland Marine Task Force</i></b> asked:</p> <ul style="list-style-type: none"> <li>• was a similar experts group convened for assessing geological features as this list is short considering that Northern Ireland is one of the most geologically diverse places for its size in the world?</li> <li>• how does this link into the Earth Science Conservation Review and the UK geodiversity action plan?</li> <li>• would recommend that geological experts are brought in to support this process and that geological features are considered on their own merit and not only as a supporting feature for the marine habitats and species.</li> </ul>	<p>The marine geological and geomorphological features are not as well understood as the biological features. As the designation process for biological features continues, the inclusion of marine geological and geomorphological features will be considered as will any standalone geological/geomorphological features.</p> <p>The Department sought input from NI geological experts when drafting this list. The Department plans to convene a group to further discuss and assess the potential location of features.</p> <p>At present this is predominately a terrestrial review. However, the authors have been informed of the inclusion of marine geological/geomorphological features in the MCZ process. The Department supports this recommendation and is in the process of setting up such a group.</p>
<b>Selection guidelines</b>	
<b><i>Information requirements</i></b>	
<p><b><i>The British Association for Shooting and Conservation</i></b> seeks reassurance that the evidence used to identify a potential site will be available as part of the consultation process.</p>	<p>The evidence used to identify a potential site will be made available to stakeholders during the formal consultation process prior to designation.</p>

<p><b>The Council for Nature Conservation and the Countryside and The Northern Ireland Marine Task Force</b> consider that the first two paragraphs in this section are slightly contradictory as, paragraph 1 refers to “<i>A robust and comprehensive evidence base...</i>”, while paragraph 2, and the rest of the document refers to “<i>...using best available science</i>” – these are not quite the same thing.</p>	<p>The Department agrees to the remove the word ‘comprehensive’ from the final text.</p>
<p><b><i>The five stage selection process</i></b></p>	
<p><b>The British Association for Shooting and Conservation:</b></p> <ul style="list-style-type: none"> <li>• expressed concern that in Figure 7 the first mention of stakeholder engagement is at Stage 3 and request assurance from the Department of an inclusive and systematic engagement with stakeholders;</li> <li>• requested clarification, with regard to Stage 4 if ‘management measures’ will include ‘no take zones’, ‘no human activity’ zones or such highly protected areas described by any other name?</li> </ul> <p><b>The Council for Nature Conservation</b> and the <b>Countryside and The Northern Ireland Marine Task Force</b> expressed concerns about some of the wording and suggested that the following additions should be made:</p> <ul style="list-style-type: none"> <li>• Stage 1 – representative features.</li> <li>• Stage 2 – features that may need to / would recover if damage / disturbance was removed or stopped. Areas that would maintain / build resilience. Key ecological / ecosystem functioning processes.</li> </ul>	<p>The Department understands the need for effective stakeholder engagement and confirms that this will be an inclusive and systematic process. As part of ongoing bilateral meetings with interest groups, the Marine Division met with BASC representatives on 19 February 2014 to discuss issues about the designation process.</p> <p>Any restrictions to activities within a MCZ will vary from site-to-site, depending on factors such as feature(s) being protected, the type and level of activity being managed, and the overall conservation objectives for the feature(s) on the site.</p> <p>The Department considers that ‘representative’ reflects too broad a spectrum whereas the use of the word ‘key’ suggests a priority on the feature(s) being targeted.</p> <p>The Department will amend the final text to include an additional point (f) at Stage 2 to read ‘Historic sites which could be restored’.</p>

<ul style="list-style-type: none"> <li>• Stage 4 – The question for consideration at Stage 4 is “<i>Do management measures and ability to implement them deliver the objectives</i>” – if the Government puts in place and enforces effective management measures, then they should deliver the objectives of the MCZ / the network; and if Government doesn’t, then this will not happen</li> </ul>	<p>The Department will amend the text at Stage 4 to read ‘The management measures to deliver the objectives, ... .’</p>
<p><b>Stakeholder engagement</b></p>	
<p><b>Community Places</b> recommended that:</p> <ul style="list-style-type: none"> <li>• stakeholder workshops be publicly advertised in local papers;</li> <li>• documents should be available in alternative format; and</li> <li>• results of stakeholder workshops and fed back to the wider community and agencies involved.</li> </ul> <p><b>Scottish Power Renewables</b> recommended that any stakeholder nominations must be carefully managed and demonstrate how they contribute to the wider MPA network</p>	<p>The Department has a well established list of marine stakeholders. All proposed sites will be subject to full public consultation and inclusive stakeholder engagement and the consultation process will be advertised in the local/national press. In addition notification of the proposals will be on the Department’s website.</p> <p>Documents can be made available in alternative formats on request.</p> <p>Results and feedback from workshops will be posted on the Department’s website and it is the Department’s intention to respond directly to interested stakeholders as requested.</p> <p>All nominations will be scrutinised by the Department. Any evidence provided must be reliable and accurate so that the Department can use it to support the designation process.</p>

<p><b>The British Association for Shooting and Conservation</b> requested:</p> <ul style="list-style-type: none"> <li>• that the Department ensures any planned workshops are well publicised;</li> <li>• clarification if the same consideration is given to stakeholder evidence as is given to the Department's own research and findings?</li> <li>• the Department provide an indication as to how many sites will be designated;</li> <li>• the Department to confirm it will be a transparent process in regard to stakeholder nominations.</li> </ul> <p><b>The Council for Nature Conservation</b> and the <b>Countryside</b> suggested further clarification of the 2016 and 2020 timescales.</p> <p><b>The Northern Ireland Marine Task Force</b> highlighted that the consultation document does not clarify the exact process by which stakeholders will be involved and still have questions about who, when, how and why?</p>	<p>The Department has a well established list of marine stakeholders which will be used to notify stakeholders of any planned workshops. The Department held a bilateral meeting with BASC representatives on 19 February 2014.</p> <p>All evidence will be quality assured to confirm it is accurate and reliable to inform the designation process.</p> <p>The Department is still in the process of gathering evidence and is not yet in a position to state how many MCZs there will be.</p> <p>The Department is committed to engaging with stakeholders throughout the designation process. The March 2014 workshop will provide an opportunity to discuss any stakeholder nominations. Any stakeholder proposals will be assessed and considered for their inclusion and contribution to the network.</p> <p>All MCZs will be formally designated by 2016 and will provide the Northern Ireland contribution to achieving Good Environmental Status (GES) in our seas under MSFD by 2020.</p> <p>Stakeholders will be fully involved in the workshops and bilateral meetings. Stakeholders can also contact the Department at any stage with their specific queries/concerns about the designation process.</p>
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<b>Development of individual MCZs</b>	
<b><i>Use of best available scientific information</i></b>	
<p><b><i>The Council for Nature Conservation</i></b> and the <b><i>Countryside and The Northern Ireland Marine Task Force</i></b> considered it would be useful in this section to have specific guidance on how data needs are to be verified and clarity on what data standards need to be met.</p>	<p>All data will be assessed by the Department and JNCC marine advisers. In addition, all documentation will be forwarded to CNCC for scrutiny.</p>
<b><i>Boundary setting</i></b>	
<p><b><i>The Crown Estate</i></b> would welcome further clarity on how existing and planned/future developments and activities will be considered in the course of developing the broader network.</p> <p><b><i>The British Association for Shooting and Conservation</i></b> requested:</p> <ul style="list-style-type: none"> <li>• clarification on the term ‘adjacent’ in relation to boundary settings and strongly oppose this principle.</li> <li>• the Department clarify their intention on boundaries once designated and activities beyond any boundary should not be impinged upon.</li> </ul> <p><b><i>The Council for Nature Conservation</i></b> and the <b><i>Countryside</i></b> suggest:</p> <ul style="list-style-type: none"> <li>• more examples of essential areas for mobile species are included (bullet point 2);</li> <li>• bullet point 3 needs to highlight that activities occurring at considerable distances can impact on a site.</li> </ul>	<p>The Marine Plan and licensing process will take account of any future developments in the MCZ process.</p> <p>The term ‘adjacent’ will be determined by the conservation objectives for the feature(s) present. The boundary determines the MCZ designation itself. Any management measures that may be required to deliver the conservation objectives will be determined on a site by site basis.</p> <p>The Department will amend the examples listed in bullet point 2 to read ‘essential habitat, spawning/breeding or nursery grounds’.</p> <p>The conservation objectives highlight those activities likely to damage the feature(s) and for which management measures may be required.</p>

<p><b>The Northern Ireland Marine Task Force</b> and the <b>Council for Nature Conservation and the Countryside</b> suggested it would be good to also consider the 3D nature of the marine environment and temporal variations (which might be more appropriate for some highly mobile species) when developing the management and conservation objectives.</p>	<p>The Department will consider the 3D nature of the marine environment when developing the conservation objectives and management measures for potential sites.</p>
<p><b>Conservation objectives</b></p>	
<p><b>The British Association for Shooting and Conservation</b> requested clarification in relation to the baseline data to be used to determine whether the conservation objectives will set out maintenance or recovery of a feature.</p>	<p>The baseline data is the information that will be used to designate the site as a MCZ. Determining whether the conservation objective should be to ‘maintain’ or ‘recover’ the feature to favourable condition will depend on its baseline status and any subsequent change in this status will be identified through the monitoring programme.</p>
<p><b>Achievement of conservation objectives</b></p>	
<p><b>The British Association for Shooting and Conservation</b> requested more information on proposed timeframes in relation to monitoring.</p>	<p>The Marine Act (NI) 2013 sets out reporting requirements. The first report to the Assembly is due by 2018 and thereafter every 6 years.</p>
<p><b>Management of MCZs</b></p>	
<p><b>Scottish Power Renewables</b> considered that detailed management measures should be developed and clearly set out alongside proposals for MCZs.</p> <p><b>The Crown Estate</b> would welcome the opportunity to become involved in developing the management measures for MCZs.</p> <p><b>The British Association for Shooting and Conservation</b> asked the Department:</p> <ul style="list-style-type: none"> <li>• to provide a definition for a ‘vulnerable species’;</li> </ul>	<p>Management measures will be explored with stakeholders and will form part of the formal consultation process.</p> <p>The Crown Estate will be fully consulted with during the selection and designation process.</p> <p>A ‘vulnerable species’ is defined as vulnerable when the best available evidence indicates that, in meeting certain criteria, it is</p>



<ul style="list-style-type: none"> <li>• who will be responsible for enforcement i.e. which public authority?</li> <li>• How does the general offence of deliberate or reckless damage to a MCZ relate to legally conducted activities?</li> </ul> <p><b>The Council for Nature Conservation and the Countryside</b> expressed concerns about the use of voluntary measures in management of MCZs.</p> <p><b>The Northern Ireland Marine Task Force</b> suggested that it would be useful to have further clarity of the process of involving other Departments in the management of MCZs.</p>	<p>considered to be facing a very high risk of extinction in the wild (based on IUCN definition). This can be at an international, national or local scale.</p> <p>Under the Marine Act (Northern Ireland) 2013 the Department has the power to appoint marine enforcement officers.</p> <p>Section 33 of the Marine Act (Northern Ireland) 2013 describes the offence of damaging protected features and section 34 details a number of exceptions to this. How this will work in practise with regard to shooting, wildfowling and conservation activities will depend on the exact feature(s) to be protected in the MCZ.</p> <p>Voluntary measures are just one of the tools in a range of measures available to the Department and are subject to review.</p> <p>Management plans will be developed for each MCZ and will detail the roles and responsibilities of other Departments and stakeholders. These plans will be subject to a formal consultation process.</p>
<b>Review of MCZs</b>	
<p><b>The British Association for Shooting and Conservation</b> requested that their members will be on the list of consultees within any review process</p>	<p>BASC is on the Department's consultation list and will be consulted throughout the designation process.</p>

<b>Availability of new data and revision of the MPA network</b>	
<p><b>The Council for Nature Conservation and the Countryside</b> recommends that this should include explicit mention of the need to revise the Priority Marine Features. This is hinted at here by the use of the term 'potential Priority Marine Features', but is not clearly stated.</p>	<p>The Department agrees with this recommendation and confirms that the Priority Marine Features lists will be revised periodically.</p>
<b>Annex A</b>	
<p><b>The Council for Nature Conservation and the Countryside and The Northern Ireland Marine Task Force</b></p> <p><b>Stage 1 / Stage 2</b> – The consideration of connectivity should also include reference to the need to include connectivity between all the life-stages and ecological stages of a species. There is little point in protecting an important feeding area and excluding a critical spawning or nursery area.</p> <p><b>Stage 2</b> – The final sentence inevitably leads to a number of questions:</p> <ul style="list-style-type: none"> <li>• Who judges whether recovery is realistic or not?</li> <li>• What criteria do they use?</li> <li>• Is this not a matter of Viability (Stage 3) rather than Connectivity and Replication?</li> </ul> <p><b>Stage 4</b> – line 7 – CNCC suggest that this should read '...to ensure that sufficient and appropriate management ...'</p> <p><b>Stage 5</b> – welcome the implicit reference to the Precautionary Principle in the point on making use of the best available evidence/science. Would suggest adding mention of monitoring and enforcement under the point on sufficient Management</p>	<p>Stage 1(3) of Annex A answers this question.</p> <p>Conservation objectives will be set from an assessment of the current condition of the feature(s). The Department will monitor the sites and all data will be scrutinised by CNCC. JNCC will provide advice and support to the Department during this process.</p> <p>The Department agrees to amend the text to read '....to ensure that sufficient and appropriate management.....'</p> <p>The management measures will include monitoring and enforcement.</p>

