

## **Rathlin Island European Marine Site Management Group (EMS-MG)**

### **Minutes of meeting at Portnagree House, Ballycastle 10<sup>th</sup> November 2014**

#### **Present:**

Damian Campbell	DOE Marine Division (Director and Chairman of Rathlin Island EMS-MG)
Colin Armstrong	DOE Marine Division (Principal Scientific Officer)
Joe Breen	DOE Marine Division (Senior Scientific Officer)
Gary Burrows	DOE Marine Division (North Coast Marine Ranger)
Rory McNeary	DOE Marine Division (Senior Inspector for Marine Historic Environment)
David Quinney Mee	Rathlin Development & Community Association (RDCA)
Michael Cecil	Rathlin Development & Community Association (RDCA)
Jade Berman	Ulster Wildlife Trust (Living Seas Officer)
Ana Almeida	RSPB (Marine Conservation Officer)
Liam McFaul	North Coast Lobster Fisherman's Association
Simon Kelly	DRD Governance Policy & Resources Group
Gordon Munro	HM Coastguard (Senior Coastal Operations Officer)
Gareth Fullerton	DARD Fisheries & Environment Division (Senior Fisheries Officer)
Maxime Sizaret	Causeway Coast and Glens Heritage Trust (Chairman)
Mary O'Driscoll	Rathlin Island Ferry Ltd.

#### **Apologies:**

Hugh McCann	NIEA Regional Operations
John Morton	Harbour Master, Moyle District Council
Phil Davidson	National Trust
Bob McMullan	North Coast Lobster Fisherman's Association
David Galbraith	North Coast Lobster Fisherman's Association
Shane Mathers	DOE Planning & Local Government Group, Coleraine
Robin Cardwell	Lifeboat Operations Manager, RNLI
Frazier McConnell	Representative for Crown Estate Commissioners

## **1. Apologies**

Gary Burrows brought apologies on behalf of members unable to attend the meeting (listed above).

Damian Campbell extended his appreciation to John Morton (Moyle District Council) for providing the venue and refreshments.

## **2. Agree minutes of 1<sup>st</sup> meeting (1<sup>st</sup> November 2013)**

Damian Campbell asked the management group to agree the minutes from the first meeting. All members agreed without comment. He acknowledged the good work undertaken by Cathy Barker (DOE Marine Division) and explained that Gary Burrows would now undertake the role of secretariat for the Rathlin Island EMS-MG.

## **3. Matters arising from previous minutes**

Damian Campbell asked for an update on each of the actions from the first meeting. Some actions were addressed separately as individual agenda items.

Actions are presented in italics.

### **a. Agree Terms of Reference for Rathlin Island EMS-MG**

Damian Campbell read out the amended Terms of Reference (ToR), outlining the proposed membership, role and secretariat for the Rathlin Island EMS-MG. All members agreed to accept these as the final ToR.

*Actions 1a and 1b – achieved.*

### **b. Management of commercial fishing within Rathlin EMS-MG**

Gareth Fullerton provided an update for the management group, confirming that the draft legislation has now been written and is with DARD Fisheries Inspectorate for their comment. The Habitats Regulations Assessment (HRA) for the legislation was completed in February 2014. The draft legislation will be issued to the DSO for comments & hopefully it will then be introduced in June 2015. Once enacted, the legislation will ban all mobile fishing gear within Rathlin Island SAC.

*Action 2 – achieved.*

### **c. Establishment and notification of commercial vessel anchorages**

Joe Breen explained that both anchors and chain lying on the seabed can cause damage to Nationally Important Marine Features such as seagrass (*Zostera marina*), maerl beds and *Arachnanthus sarsi* anemones. Two approaches to the establishment of designated anchorages for commercial vessels were outlined. The first approach was to consider those areas already identified as at risk where DOE Marine Division would be concerned about the anchoring of large vessels. The

second approach was to mark out areas with a radius of 200m, where the least damage to marine habitats would occur.

Joe plotted the areas identified in GIS and consulted Gordon Munro (HM Coastguard) and John Morton (Harbour Master, MDC); both agreed that these were potential areas for designated commercial vessel anchorages. He indicated that by April 2015, DOE Marine Division will survey these areas and check that none of the priority marine species are present.

Gordon Munro explained that all ships have electronic GPS and that the MCA has plotted those locations where ships have anchored. He cited a recent case when a vessel was instructed to move to avoid seabed cables. Most cruise ships tend to anchor just north of the wreck of *HMS Drake*. Consideration has been given for two potential sites because there was an occasion in 2012 when two ships entered Church Bay back to back to anchor. Site A is to the north of the ferry route and appears to be the ideal anchorage; it is also the one typically selected by the ship captains themselves. Site B coincides with the route of the Rathlin Island ferry and may be problematic. Consultation will be required, but following that the intention would be to identify the designated anchorages on the hydrographic chart for the area. At the moment, these sites are only indicative.

*Action 3 – achieved.*

*New action – DOE Marine Division to dive the proposed sites for anchorage by April 2015.*

#### **d. Erection of signs at Mill Bay and Rue Point to manage disturbance to seals**

Gary Burrows summarised the results of the Rathlin Island seal population report, highlighting that whilst numbers were relatively stable, the local trends reflected the wider UK scenario of a decrease in harbour seal and increase in grey seal numbers. He also outlined the various DOE units involved in arranging signage, and the lengthy timeframes that may be expected. However, now that the process is understood, progress can be made to agree text and location for the signage.

Liam McFaul confirmed that the locations of most concern were Ushet Point and Mill Bay.

Maxime Sizaret indicated that CCGHT may be able to assist with the production of posters.

*Actions 4a and 4b – achieved.*

*New action – DOE to set up meeting with David Quinney Mee (RDCA), Maxime Sizaret (CCGHT) Liam McFaul to discuss the content and location for the signage.*

*New action – DOE to meet within internal units to progress production and erection of signs.*

*New action – DOE to follow up with Peter Cush (NIEA Biodiversity Unit) regarding earlier suggestions for the provision of plasma screens on the Rathlin Island ferry.*

#### **e. Establish the O'Byrne Point MCZ, where potting and diving will be by permit only**

Joe Breen explained that DARD is now considering this suggestion. DARD has undertaken a Habitats Regulations Assessment (HRA) for pot fishing within Rathlin Island SAC.

The idea is to have a small highly protected area for sponges at O'Byrne Bay, the first highly protected area in Northern Ireland. Discussion has to be had with fishermen on how this would progress. As a committee member of the North Coast Lobster Fisherman's Association, Liam McFaul

is in contact with Bob McMullan and David Galbraith; they will need to consider the detail of the proposal.

Liam McFaul requested that Joe Breen speak with locals and the wider group. If not supported locally, the designation will not work.

*Action 5 – achieved*

*New action – Joe Breen to explain the proposal and wider benefits to fishermen of a highly protected area by January 2015.*

**f. Monitor condition of marine EMS features and advise EMS-MG of required management**

Addressed under agenda item 5.

**g. Monitor condition of terrestrial EMS features and advise EMS-MG of required management**

Gary Burrows confirmed that he had circulated the Rathlin Island SPA condition report (2013) on behalf of NIEA colleagues. He summarised the key findings, that the SPA features of razorbill, guillemot, kittiwake and seabird assemblages were in 'Favourable' condition, with only peregrine being in 'Unfavourable' condition. There was some additional discussion on the marked declines of herring gull and puffin populations (as contributors to the seabird assemblage feature).

Liam McFaul asked whether there would be a rerun of the Seabird 2000 census in 2015.

*Actions 7a and 7b – achieved.*

*New action – Gary Burrows to ask Ian Enlander whether there will be a further seabird census, building on the Seabird 2000 surveys.*

**Monitor any impacts of boating on seabird populations**

Gary Burrows explained that his transfer to the post of North Coast Marine Ranger came too late in the season to monitor any impacts of boating on seabird populations but that the action would be prioritised for the 2015 summer season.

*Action 8 – DOE's North Coast Marine Ranger will monitor impacts of boating on seabird populations in 2015 and advise the EMS Management Group on management requirements.*

**h. Monitoring of EMS features and compliance with management measures**

Update provided earlier in meeting by Gareth Fullerton under 'Management of commercial fishing within Rathlin EMS-MG'.

*Action 9 – achieved.*

**i. Any other business**

DOE Marine Division appointed Rory McNeary as the department's Maritime Archaeologist in February 2014.

*Action 10a – achieved.*

RDCA updated the group on its very successful maritime festival in June 2014; DOE Marine Division provided the marquee and set up a display of diving equipment, whalebones and mobile tank with local sea creatures. The Minister for the Environment, Mark Durkan, attended the festival and commended the organisers.

Blue Flag designation – Moyle District Council is considering the designation of Rathlin and Ballycastle marinas as blue flag marinas.

*Action 10c: Moyle DC to provide update for next EMS-MG meeting.*

Education and work with schools – Gary Burrows spoke to children at St Mary's Primary school on the marine wildlife of the north coast and Rathlin Island in early November 2014. He brought whalebones to the school and left children with scuba diving exhibition material from Portrush Coastal Zone until his next visit.

Some discussion was had on extending marine wildlife outreach to schools in Ballycastle.

*Action 10d – achieved.*

*New action – Gary Burrows to arrange further marine wildlife presentations to schools in the Ballycastle area.*

Presentation on Rathlin Island's marine features – Joe Breen reported that DOE will prepare documentation on proposed MCZs in Northern Ireland and will circulate advance notification on outline boundaries of MCZs to islanders. This will culminate in a workshop in March 2015. He anticipates that islanders will be informed of DOE's intention to extend north boundary of Rathlin as MCZ in Feb-Mar 2015 to protect black guillemot as a feature. The entire new boundary will be for the MCZ, with SPA and SAC as sub boundaries.

*Action 10e – carried as new action - RDCA to set up evening meeting in February or March 2015.*

Information leaflet for Rathlin EMS features

*Action 10f – DOE's North Coast Marine Ranger will consider publication of a leaflet that explains the reason for designation of Rathlin Island EMS and the importance of the marine habitats and species that live on and around the island.*

#### **j. Date and location of next meeting**

*Action 11 – achieved.*

#### **4. Agree Terms of Reference**

Agreed during 'Matters arising from previous minutes'.

#### **5. Report on current status of SAC features (Joe Breen)**

Joe Breen reported that the last full condition assessment of marine SAC features had been circulated to Rathlin Island EMS-MG, along with the Rathlin Coast ASSI – Condition Assessment Report (2007). The actual SAC features are sandbanks, reefs and sea caves. At the time of the assessment, all features were in favourable condition. However, subsequently, as a result of the extensive dive survey programme in 2012, DOE Marine Division became aware of damage to reefs at 2 locations. Divers observed the trails left by the teeth of scallop dredgers and photographed broken shells and uprooted animals. The sites also had reduced biodiversity when directly compared with the findings of surveys from the 1980s showing that the habitat had changed and some species were no longer present. At one location within Church Bay, the reef species uniquely live within sand, among gravel and on the gravel itself. A single dredge through that can remove it all causing damage which may take many years to recover. The second location was on the east coast, where rare hydroids and sponges form a special habitat. When resurveyed, many of these species were no longer present. In 2008, a survey located a highly rare fan mussel *Atrina fragilis* close to the wreck of the Lochgarry; these used to occur all around the north coast but this was the last known specimen in Ireland. Diving several weeks later it was evident that a scallop trawler had removed it as evidenced by dredge marks.

DOE informed DARD fisheries of its findings resulting in DARD producing a Habitats Regulations Assessment (HRA) for the impact of trawling and dredging on reef features. They have now agreed to prohibit the use of mobile gear in Rathlin SAC and will soon be introducing the required Regulations. There has been a voluntary agreement in place ahead of legal restrictions. This has been with limited success as demonstrated recently when a Scottish vessel fished in the SAC oblivious to the voluntary agreement. The Marine Division will assess whether there is a need for intervention restoration. The main concern is whether the sandy reefs within Church Bay can recover; there may be a need to return some boulders to enable restoration.

The next condition assessment report in 2017 will probably report Rathlin Island SAC reefs as being in 'Unfavourable' condition.

Northern Ireland is not alone in this regard; the condition of all other reefs in the UK is in a similar position with moves toward banning dredging.

Liam McFaul asked what measures would be taken to enforce the ban. Joe Breen stated that after the ban is introduced, the use of mobile fishing gear with Rathlin SAC would result in a prosecution.

*Action 6 – Achieved.*

## **6. Review of Management Scheme**

Damian Campbell stated that DOE will take a look at the document and produce a report on the review that will be brought to the group. The Rathlin Island EMS Management Scheme was put in place almost 2 years ago. It is important that schemes such as this are reviewed on a regular basis to ensure they are current, fit for purpose and effective.

Michael Cecil asked if there were actions for others in the scheme or just for DOE. Joe Breen commented that the scheme was inclusive and needed the engagement of all members if it was to be successful.

*New action – DOE Marine Division to write out to the Rathlin Island EMS-MG and ask for its views on how the scheme is working.*

## 7. Marine Historic Environment (Rory McNeary)

Rory McNeary introduced himself to the Group as the Marine Division's new Senior Inspector for the Marine Historic Environment; in effect the Department's marine archaeologist with primary responsibility for managing underwater cultural heritage assets from LWM to 12nm. He pointed out that his appointment comes at a time of significant change in the way NI's marine environment is to be managed and across the UK Marine Area the need to conserve the historic environment has been recognised and underpinned in policy.

Rory will have 3 principal areas of responsibility:

- Ensuring key marine heritage sites are managed and protected through licensing, formal designation, strategic investigation and the implementation of appropriate policy and guidance.
- Coordinating historic environment advice to support marine planning and marine licensing.
- Enhancing the record of the marine historic environment and wide dissemination of this information to 1. Support marine planning and 2. Strengthen the DOE's Historic Environment Record (HER).

Rory highlighted that while Rathlin has no formally designated sub-tidal archaeological sites it does have a number of historically important wrecks, such as *HMS Drake*; and the Department has a future role in helping to unlock the potential social, economic and environmental benefits of these submerged heritage assets.

Michael Cecil asked whether the *Girona* was the only protected wreck in Northern Ireland; Rory confirmed that it was the only wreck site designated under the Protection of Wrecks Act (1973).

Liam McFaul asked whether a licence would be needed to dive on *HMS Drake* if it received any legal protection in the future. Rory briefly outlined that should the vessel be designated under The Protection of Wrecks Act 1973 then any diving activities at the site would be licensable. But if the wreck were to be scheduled under our own national heritage legislation: The Historic Monuments and Archaeological Objects (NI) Order 1995 there would be no licensing requirement (other than for intrusive activities, such as excavation). This latter approach would be the Department's preferred option as it is recognised that the *HMS Drake* is a popular dive site (Ranked 70 in the UK's Top 100 wrecks and one of NI's most dived wrecks) and makes a valuable contribution to NI's marine economy. However, scheduling would mean that any unauthorised alteration and/or removal of material pertaining to the wreck would be illegal thus better preserving its archaeological and scientific content for present and future generations.

## 8. AOB

Michael Cecil highlighted the potential for development of the harbour on Rathlin Island. A new larger ferry is currently being procured, and will need new facilities in time for its anticipated delivery in 2016. A working group will be set up shortly to consider the options for a harbour development. Gary Burrows explained that the main issues were likely to be in relation to the impacts of underwater noise on marine mammals during the construction phase. It was suggested that a scoping opinion should be sought from the DOE Marine Division Marine Licensing and Assessment Team, as the main contact for marine development.

*New action – DRD to seek an early scoping opinion from the DOE Marine Division Marine Licensing and Assessment Team on the requirements for making a marine license for development of the Rathlin Island harbour.*

## **9. Date of next meeting**

Next meeting scheduled for April 2015, and to be held on Rathlin Island.

*New action – Gary Burrows to arrange next meeting.*

## **Summary of actions**

- **Establishment and notification of commercial vessel anchorages**

*DOE Marine Division to dive the proposed sites for anchorage by April 2015.*

- **Erection of signs at Mill Bay and Rue Point to manage disturbance to seals**

*DOE to set up meeting with David Quinney Mee (RDCA), Maxime Sizaret (CCGHT) Liam McFaul to discuss the content and location for the signage.*

*DOE to meet within internal units to progress production and erection of signs.*

*DOE to follow up with Peter Cush (NIEA Biodiversity Unit) regarding earlier suggestions for the provision of plasma screens on the Rathlin Island ferry.*

- **Establish the O'Byrne Point MCZ, where potting and diving will be by permit only**

*Joe Breen to explain the proposal and wider benefits to fishermen of a highly protected area by January 2015.*

- **Monitor condition of terrestrial EMS features and advise EMS-MG of required management**

*Gary Burrows to ask Ian Enlander whether there will be a further seabird census, building on the Seabird 2000 surveys.*

- **Monitor any impacts of boating on seabird populations**

*DOE's North Coast Marine Ranger will monitor impacts of boating on seabird populations in 2015 and advise the EMS Management Group on management requirements.*

- **Blue Flag designation**

*Moyle DC to provide update for next EMS-MG meeting.*

- **Education and work with schools**

*Gary Burrows to arrange further marine wildlife presentations to schools in the Ballycastle area.*

- **Presentation on Rathlin Island's marine features**

*RDCA to set up evening meeting in February or March 2015.*



- **Information leaflet for Rathlin EMS features**

*Gary Burrows will consider publication of a leaflet that explains the reason for designation of Rathlin Island EMS and the importance of the marine habitats and species that live on and around the island.*

- **Review of Management Scheme**

*DOE Marine Division to write out to the Rathlin Island EMS-MG and ask for its views on how the scheme is working.*

- **Potential for development of the harbour on Rathlin Island**

*DRD to seek an early scoping opinion from the DOE Marine Division Marine Licensing and Assessment Team on the requirements for making a marine license for development of the Rathlin Island harbour.*

- **Date of next meeting**

*Gary Burrows to arrange next meeting.*