

DESIGNATION OF MARINE NATURE RESERVES GUIDANCE NOTES

The following notes outline the rationale for the Order designating the Manx Marine Nature Reserves (SD 2018/0185) and the basis for the protection measures to be implemented by the accompanying Byelaws (SD 2018/0186).

Marine nature reserves (MNRs) may be designated under the Wildlife Act 1990 (section 32(1)), for the purposes of conserving marine flora, fauna, geological or physical features of special interest, or providing opportunities to study or research such features.

Ramsey Bay Marine Nature Reserve was the Isle of Man's first MNR, designated in 2011.

Marine Conservation

These new designations (2018) (Appendix 1) are the culmination of the Manx Marine Nature Reserve Project which began in 2008 with the objective of identifying the most important habitats and species in Manx waters and their protection via inclusion within MNRs.

This process is consistent with the obligations under several international nature conservation agreements to which the Isle of Man is signatory (see Appendix 2). These agreements are legally binding on contracting parties and therefore progress towards the agreements' objectives is a responsibility of signatories.

Examples of MNR-related objectives within these agreements include the following:

- UN Convention on Biological Diversity, or CBD, (Aichi Protocol Target 11): parties must aim for at least 10% of coastal and marine areas to be conserved via protected areas¹.
- This 10% target is therefore included in the Manx Biodiversity Strategy (*'Managing our Natural Wealth'*)², which is the instrument for delivering CBD objectives, and more specifically in the DEFA Fisheries Service Delivery Plan (Programme for Government) by increasing the proportion of the territorial sea as marine nature reserves to 6% by 2020.
- Under the Bern Convention, ASCOBANS³ and OSPAR⁴, threatened and endangered species and habitats should be protected from damage or loss. Examples of these in Manx waters are included in Appendix 2.
- OSPAR also aims to reduce the release of hazardous substances into the marine environment, including priority action chemicals⁵, and other contaminants and nutrients.

¹ 'By 2020, at least 10 % of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes.'

² <https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/biodiversity-strategy-and-delivery-plan/>

³ Agreement on the Conservation of Small Cetaceans of the Baltic, North-East Atlantic, Irish and North Seas

⁴ Convention for the Protection of the Marine Environment of the North-East Atlantic

⁵ <https://www.ospar.org/work-areas/hasec/chemicals/priority-action>

A more complete list of the conservation features (habitats and species) which form the basis of each individual MNR designation is provided in Appendix 3. Please note that this list of features is indicative and should not be considered comprehensive or definitive, since future surveys and research may expand the range of these features, and new features may be discovered.

Sustainable Marine Fisheries Management

Several of the MNRs have been previously designated as closed or restricted areas for fisheries management purposes, although they also contained important conservation features.

Experience with Ramsey Bay Marine Nature Reserve since 2011 has shown that an MNR can accommodate both conservation and sustainable fisheries objectives, and can also provide opportunities for novel and innovative fisheries management.

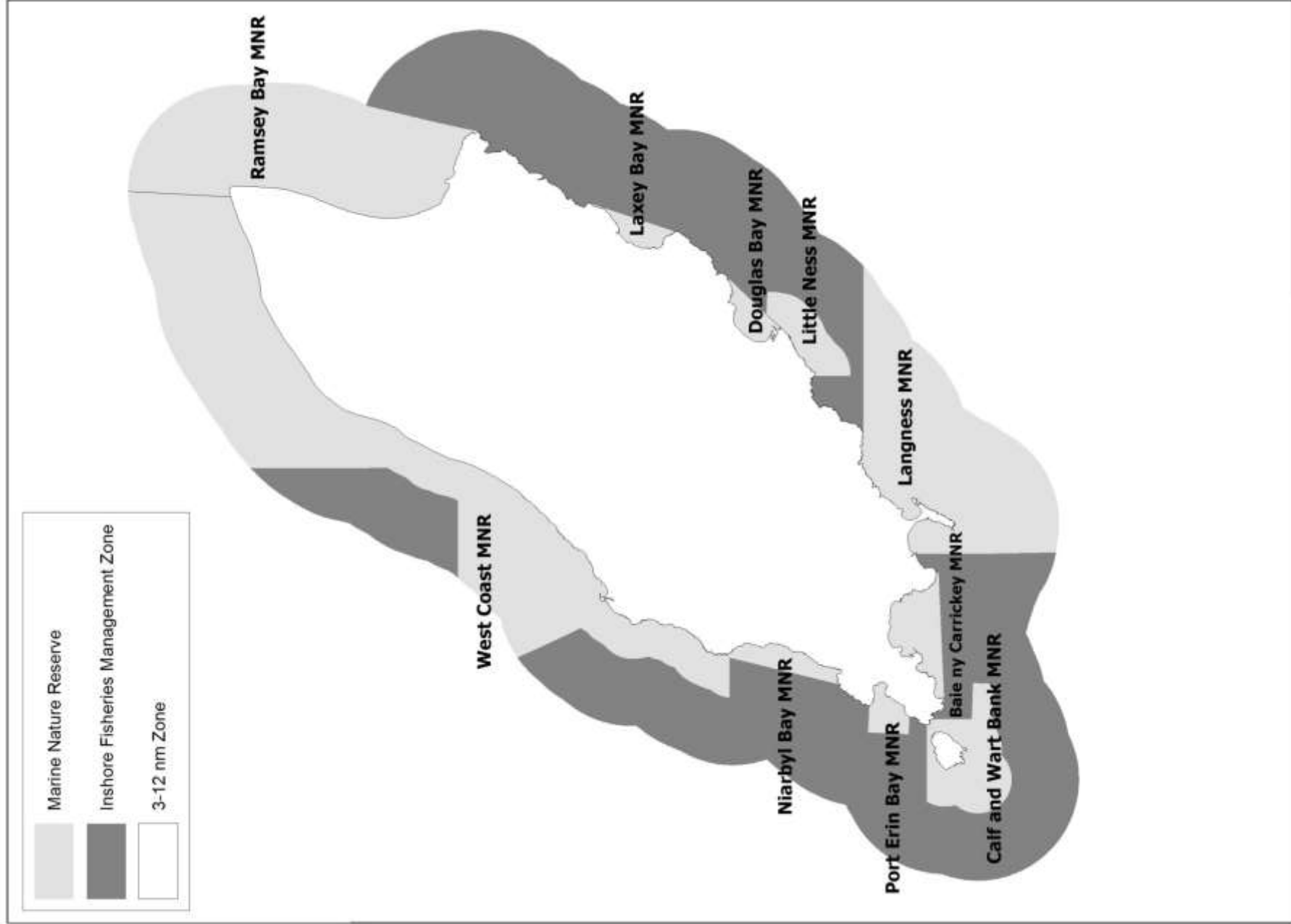
It is expected that the new MNRs will provide similar opportunities, as and where appropriate.

This balanced approach to conservation and sustainable exploitation is consistent with the Isle of Man Government's '*Future Fisheries*' strategy⁶ and the core, care and sustainable development zones of the Biosphere Isle of Man project⁷.

⁶ <https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/fisheries-directorate/future-fisheries-strategy/>

⁷ <https://www.biosphere.im/cmsAdmin/uploads/Biosphere-Isle-of-Man-nomination-papers-Part-I-and-II.pdf>

Appendix 1 Manx Marine Nature Reserves



Appendix 2 International Marine Protection and Conservation Agreements Extended to the Isle of Man

The principal agreements relating to marine environment protection and conservation to which the Isle of Man is signatory are as follows:

- **Bonn Convention** (Convention on the Conservation of Migratory Species of Wild Animals, or CMS) is an international treaty under the UN Environment Programme (UNEP) acting as a framework convention for other agreements and instruments, e.g. ASCOBANS.
- **Bern Convention** (The Convention on the Conservation of European Wildlife and Natural Habitats). The Bern Convention is implemented via the EU Birds and Habitats Directives, and the obligations it imposes are the basis of the various UK nature conservation Acts of Parliament. Bern Convention examples relevant to Manx waters and coastal areas include:

Appendix II – Strictly Protected Fauna Species⁸

- *Delphinus delphis* (common dolphin)
- *Grampus griseus* (Risso's dolphin)
- *Tursiops truncatus* (bottlenose dolphin)
- *Phocoena phocoena* (harbour porpoise)
- *Puffinus puffinus* (Manx shearwater)
- *Falco peregrinus* (peregrine falcon)
- *Pyrhacorax pyrrhacorax* (red-billed chough)

Appendix III – Protected Fauna Species⁹

- *Phoca vitulina* (common seal)
 - All cetaceans (whales and dolphins) not included in Appendix II
 - All birds not included in Appendix II (with some exceptions)
- **OSPAR** (Convention for the Protection of the Marine Environment of the North-East Atlantic). The OSPAR Convention now regulates European standards (the mechanism for implementing the EU Marine Strategy Framework Directive (MSFD)¹⁰ and achieving Good Environmental Status¹¹ by 2020). Its scope includes marine biodiversity, eutrophication, the release of hazardous and radioactive substances into the seas, the offshore oil and gas industry and baseline monitoring of environmental conditions. Priority habitats and species¹² for conservation action in our region, including incorporation into marine protected areas, are: intertidal blue mussel (*Mytilus edulis*) beds, intertidal mudflats, maerl beds, horse mussel (*Modiolus modiolus*) beds, eelgrass (*Zostera*) beds, Iceland clam (*Arctica*

⁸ <https://rm.coe.int/1680304355>

⁹ <https://rm.coe.int/1680304356>

¹⁰ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:164:0019:0040:EN:PDF>

¹¹ http://ec.europa.eu/environment/marine/good-environmental-status/index_en.htm

¹² <https://www.ospar.org/work-areas/bdc/species-habitats/list-of-threatened-declining-species-habitats>

islandica), lesser black-backed gull (*Larus fuscus*), European eel (*Anguilla anguilla*), basking shark (*Cetorhinus maximus*), salmon (*Salmo salar*), cod (*Gadus morhua*), harbour porpoise (*Phocoena phocoena*), various rays (*Raja* spp.).

In relation to the release of hazardous substances into the marine environment, parties should monitor and report on concentrations of various compounds including: cadmium, lead, polycyclic aromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs), and implement measures to reduce their release (e.g. reduce dumping of contaminated dredged materials at sea).

- **ASCOBANS** (Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas) is an agreement under the auspices of the Bonn Convention (CMS). It aims to achieve favourable conservation status for small cetaceans (whales and dolphins) via habitat conservation and management, research and data collection. At least four cetacean species commonly occur in Manx waters, as well as other occasional visitors.
- **CBD** (Convention on Biological Diversity) relates to the conservation of all ecosystems, species, and genetic resources while acknowledging the sustainable use of biological resources. Article 6 requires parties to prepare a national biodiversity strategy to enable implementation of the convention (i.e. '*Managing our Natural Wealth*'), and to ensure that the strategy is mainstreamed into the planning and activities of all sectors whose activities can have an impact (positive and negative) on biodiversity.

Appendix 3 Marine Nature Reserve and Designation Features¹³

Calf & Wart Bank	Baie ny Carrickey	Douglas	Langness	Laxey	Little Ness	Niarbyl	Port Erin	Ramsey	West Coast
maerl	maerl	maerl	maerl	maerl	maerl	maerl	kelp forest	maerl	maerl
rocky reef	rocky reef	rocky reef	rocky reef	kelp forest	horse mussel	kelp forest	rocky reef	kelp forest	horse mussel
kelp forest	kelp forest	kelp forest	eelgrass beds	rocky reef	Iceland clam	rocky reef	brittlestar bed	horse mussel	rocky reef
sea caves	eelgrass beds	European eel	horse mussel	eelgrass beds	European eel	sea caves	flame shell	rocky reef	intertidal blue mussel
sub-tidal sandbank	sea caves	<i>Cumanotus beaumonti</i> (nudibranch)	intertidal mud habitat	harbour porpoise	sea anemone	intertidal blue mussel	stalked jellyfish	brittlestar bed	European eel
sea anemone	European eel	Risso's dolphin	kelp forest	bottlenose dolphin		stalked jellyfish	Iceland clam	intertidal blue mussel	common and grey seal
spiny lobster	Risso's dolphin	bottlenose dolphin	sea anemone	minke whale		Iceland clam	basking shark	Iceland clam	basking shark
flame shell	harbour porpoise	cormorant, shag	Iceland clam	Iceland clam		European eel	harbour porpoise	European eel	harbour porpoise
common & grey seals	bottlenose dolphin		European eel	shag, fulmar, black guillemot, lesser black-backed gull		grey seal	shag, fulmar, gannet, gulls	sea anemone	plaice (spawning/nursery)
basking shark	basking shark		common and grey seal			basking shark	plaice (spawning/nursery)	common skate	puffin, kittiwake, shag, fulmar, black guillemot, gannet, lesser black-backed gull, Manx shearwater, little tern, Arctic tern, <i>Gavia</i> spp. (divers)
harbour porpoise	spiny lobster		basking shark			harbour porpoise		cod (spawning/nursery)	
Risso's dolphin	razorbill, kittiwake, fulmar, guillemot, black guillemot, eider duck, puffin		harbour porpoise			shag, fulmar, black guillemot, lesser black-backed gull		common and grey seal	
puffin, kittiwake, fulmar, lesser black-backed gull, Manx shearwater, purple sandpiper, peregrine falcon, chough			Risso's dolphin					kittiwake, fulmar, gannet, goldeneye duck, cormorant, puffin, little tern, Arctic tern, gulls	
sand eel			fulmar, lesser black-backed gull					sand eel	sand eel
			cod (spawning/nursery)					seabass nursery	

¹³ See Manx Marine Nature Reserve Byelaws (SD 2018/0186) and consultation hub (<https://consult.gov.im/environment-food-and-agriculture/designation-of-inshore-marine-nature-reserves/>) for species names and further details.