

## DESIGNATION OF MARINE NATURE RESERVES GUIDANCE NOTES

The following notes outline the rationale for Marine Nature Reserve designations (SD 2018/0185) and the basis for the protection measures detailed in the accompanying byelaws (SD 2018/0186).

Marine Nature Reserves (MNR) 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, begun in 2008, with the objective of identifying the most important habitats and species in Manx waters and their 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 1).

These agreements are legally binding on contracting parties, and therefore progress towards their objectives is a responsibility of signatories.

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

- UN Convention on Biological Diversity (Aichi Protocol Target 11): parties must aim for at least 10% of coastal and marine areas conserved via protected areas<sup>1</sup>
- This target is therefore included in the Manx Biodiversity Strategy (*'Managing our Natural Wealth'*)<sup>2</sup>, which is the instrument for delivering CBD objectives, and more specifically in the DEFA Fisheries Service Delivery Plan (for Programme for Government) by increasing the proportion of territorial sea as Marine Nature Reserves to 6% by 2020.
- Under the Bern Convention, ASCOBANS and OSPAR, 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 chemicals<sup>3</sup>, and other contaminants and nutrients.

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<sup>1</sup> '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.'

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

<sup>3</sup> <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 the individual MNR designation are provided in Appendix 3. Please note that this list is indicative and should not be considered comprehensive or prescribed, since future surveys and research may expand the range of these features, and new features may be discovered.

### **Marine Fisheries Management**

Several of the included MNRs were originally 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 MNRs 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, and particularly in the originally-designated fisheries closed areas.

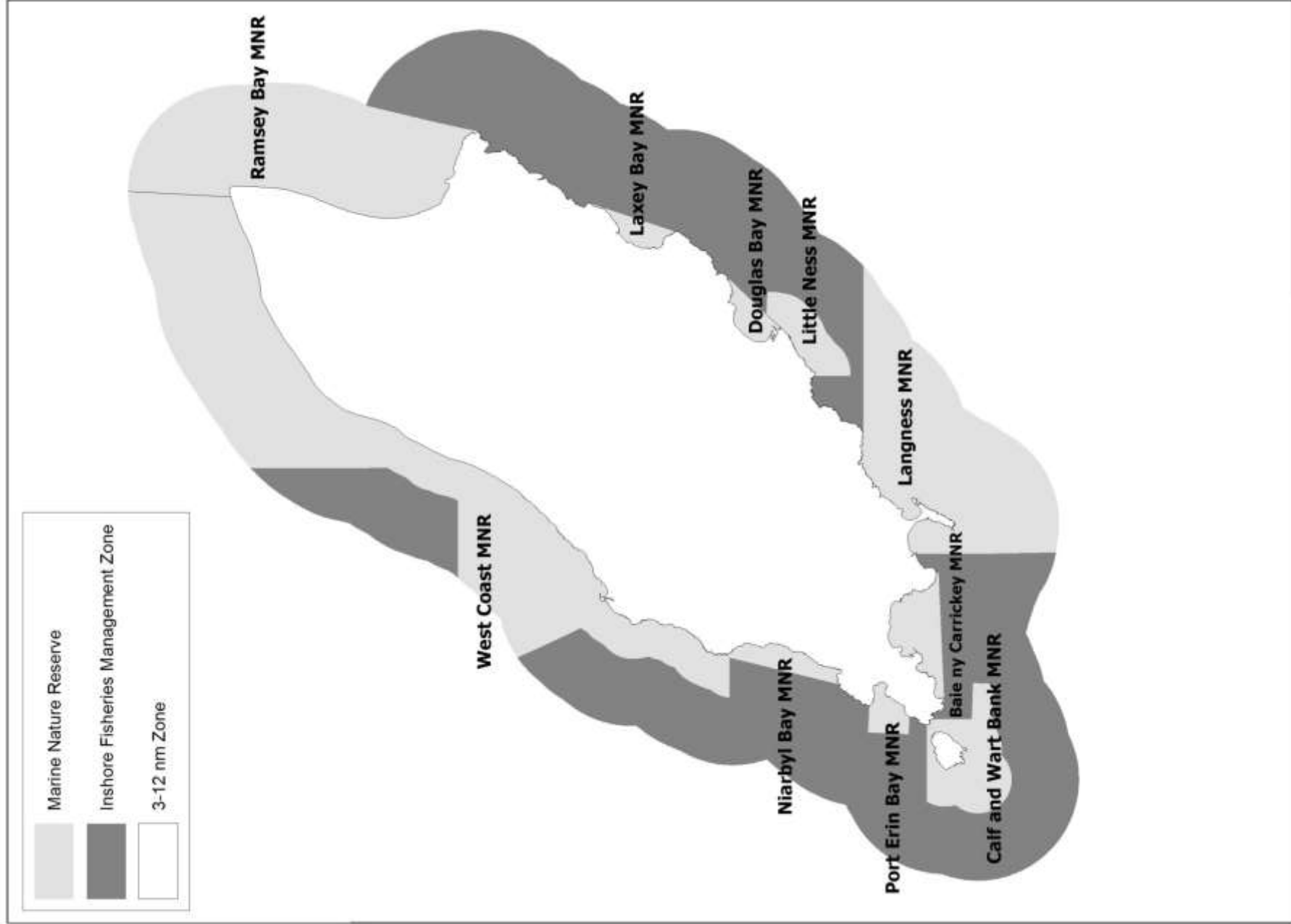
This balanced approach to conservation and sustainable exploitation is consistent with the Isle of Man Government's '*Future Fisheries*' strategy<sup>4</sup> and the core, care and sustainable development zones of the Biosphere Isle of Man project<sup>5</sup>.

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<sup>4</sup> <https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/fisheries-directorate/future-fisheries-strategy/>

<sup>5</sup> <https://www.biosphere.im/cmsAdmin/uploads/Biosphere-Isle-of-Man-nomination-papers-Part-I-and-II.pdf>

# Appendix 1 Isle of Man Marine Nature Reserves



## Appendix 2 International Marine Protection and Conservation Agreements Ratified by the Isle of Man

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

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

### Appendix II – Strictly Protected Fauna Species<sup>6</sup>

- *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)
- *Pyrhhorcorax pyrrhorcorax* (red-billed chough)

### Appendix III – Protected Fauna Species<sup>7</sup>

- *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)<sup>8</sup> and achieving Good Environmental Status<sup>9</sup> 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 species<sup>10</sup> for conservation action in our region, including incorporation into marine protected areas are: intertidal *Mytilus edulis* beds, intertidal mudflats, Maerl beds, horse mussel (*Modiolus modiolus*) beds, eel grass (*Zostera*) beds, Iceland clam (*Arctica islandica*), lesser

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<sup>6</sup> <https://rm.coe.int/1680304355>

<sup>7</sup> <https://rm.coe.int/1680304356>

<sup>8</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:164:0019:0040:EN:PDF>

<sup>9</sup> [http://ec.europa.eu/environment/marine/good-environmental-status/index\\_en.htm](http://ec.europa.eu/environment/marine/good-environmental-status/index_en.htm)

<sup>10</sup> <https://www.ospar.org/work-areas/bdc/species-habitats/list-of-threatened-declining-species-habitats>

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). OSPAR is legally binding to signatories.

- **ASCOBANS** (Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas) is a legally binding instrument 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 species commonly occur in Manx waters, with others as 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 Features<sup>11</sup>

| 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  | black 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   |   |

<sup>11</sup> See 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.