

of the Federal Republic of Germany

# The EBSA zoning and management recommendations, process to date and feedback on initial engagements on the EBSA zoning and CBAs



Dr Stephen Holness, Dr Linda Harris and Dr Steve Kirkman



## **Marine Spatial Biodiversity Priorities**





of the Federal Republic of Germany



## EBSA are an intrinsic part of the integrated portfolio of marine spatial biodiversity priorities

EBSA zoning and management recommendations



CBA Map and seause guidelines (includes MPAs)



MARINE SPATIAL BIODIVERSITY PRIORITIES

## **Marine Spatial Biodiversity Priorities**

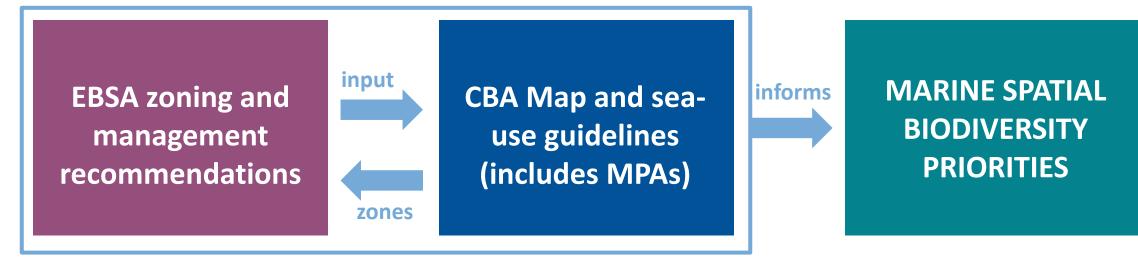




of the Federal Republic of Germany



## EBSA are an intrinsic part of the integrated portfolio of marine spatial biodiversity priorities



- ☐ EBSA are important as features
- EBSA analyses built into the overall system of marine biodiversity assessment and planning
- **□** EBSA process important venue for:
  - Engagements on zoning
  - Refining management recommendations
- ☐ EBSA are fully embedded, but become less separately visible in zoning and recommendations



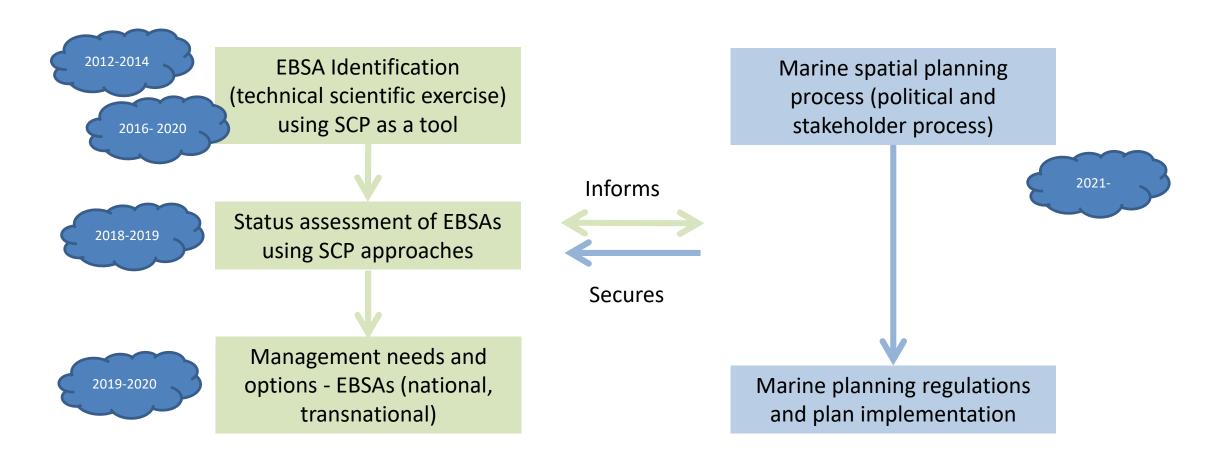
## A long road





of the Federal Republic of Germany

On behalf of:







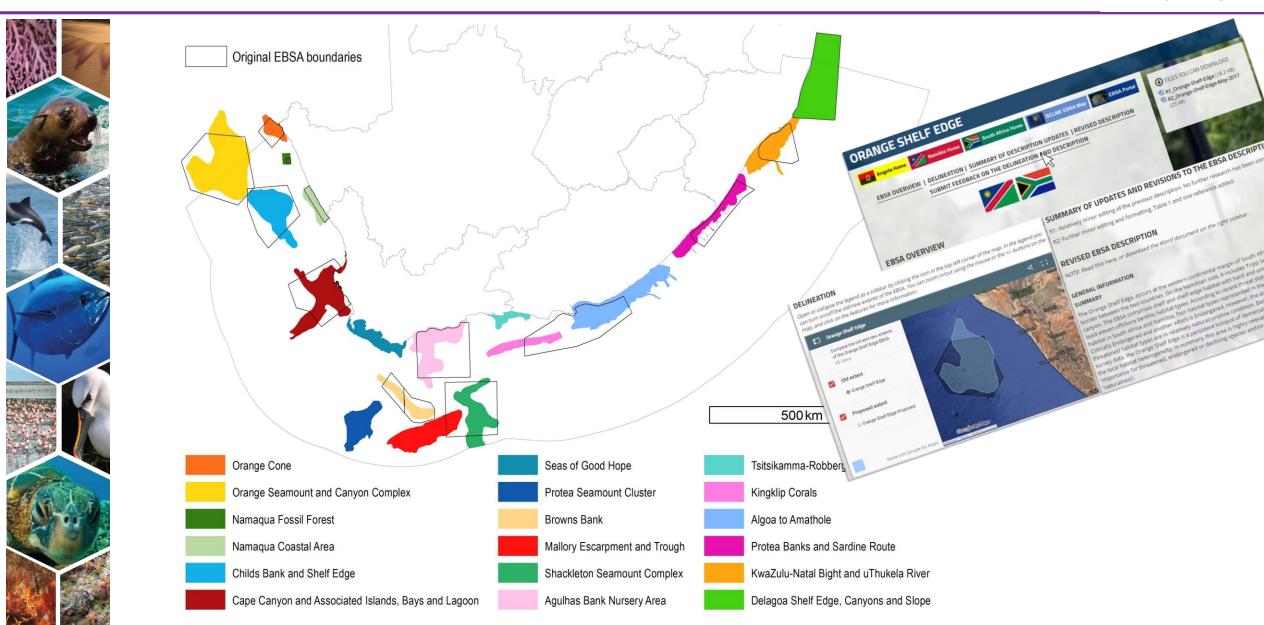
## Revised & reviewed EBSA network





of the Federal Republic of Germany

On behalf of:



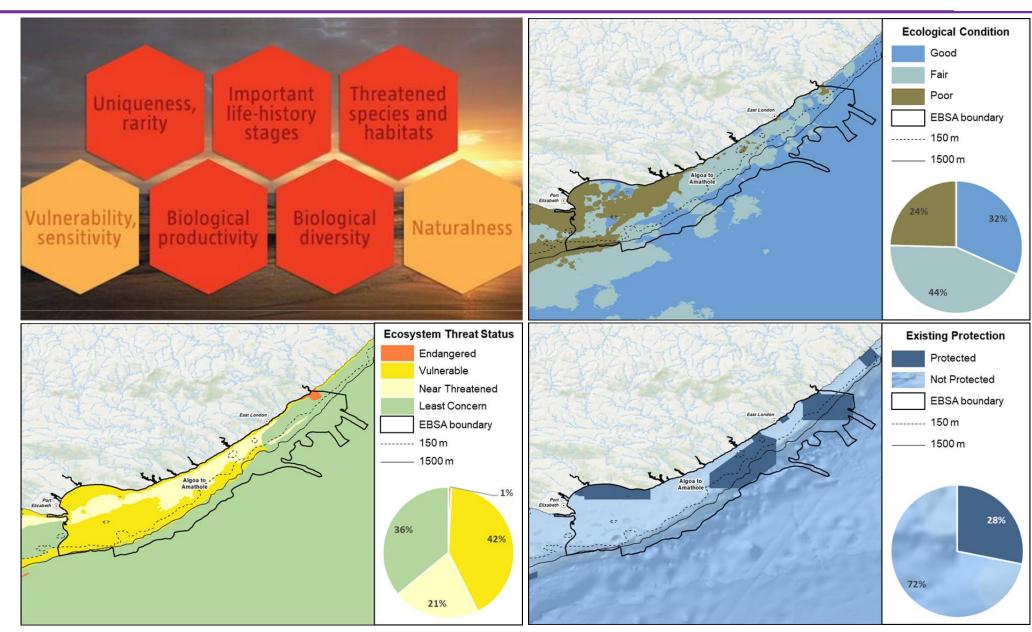
## **Clear picture of features and status**



Federal Ministry for the Environment, Nature Conservation and Nuclear Safety

of the Federal Republic of Germany





## Initial recommendations on management needs – zones, objectives & activity recommendations



Federal Ministry for the Environment, Nature Conservation and Nuclear Safety

of the Federal Republic of Germany



## In the MSP process, recommend EBSAs comprise two Biodiversity Zones:

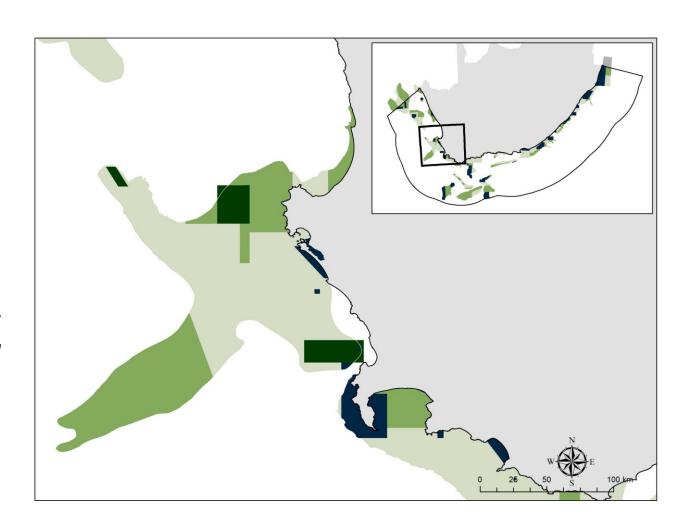
## **Biodiversity Conservation Zone**

The management objective is strict place-based biodiversity protection aimed at securing key biodiversity features in a natural or semi-natural state, or as near to this state as possible

# **Environmental Impact Management Zone**

The management objective is management of impacts on key biodiversity features in a mixed-use area to keep key biodiversity features in at least a functional state

**MPAs** are governed by their gazetted regulations



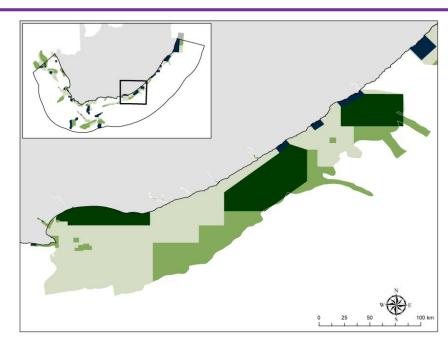


#### **Examined the effectiveness & practicality of zoning**

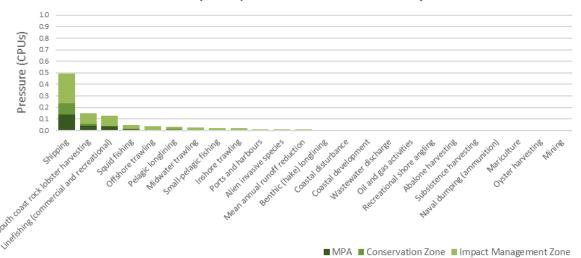




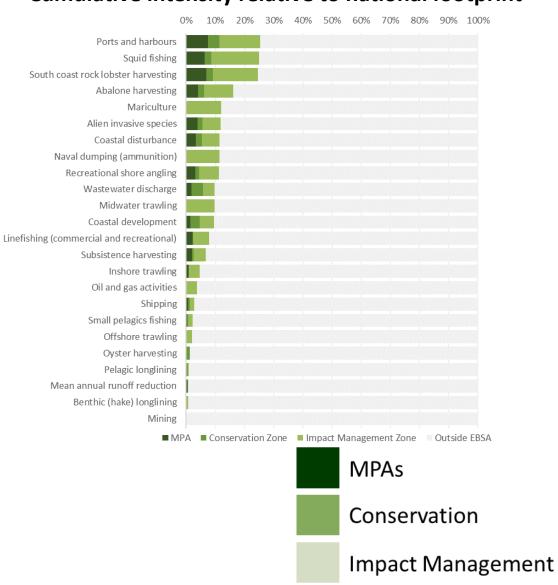
of the Federal Republic of Germany



#### Relative impact of pressures within EBSA biodiversity zones



#### **Cumulative intensity relative to national footprint**





## Developed a clear set of management recommendations **GiZ**





of the Federal Republic of Germany

Uses (including activities and pressures)	Conservation Zone: EBSA areas requiring strictest protection	Impact Management Zone: Other EBSA Areas requiring some protection or place specific management
Abalone harvesting	Consent	Consent
Benthic (hake) longlining	Prohibited*	Consent
Linefishing (commercial and recreational)	Consent	Consent
Mariculture	Prohibited*	Consent
Midwater trawling	Prohibited*	Consent
Naval dumping (Ammunition)  – no longer active	Prohibited*	Consent
Oil and gas activities	Prohibited*	Consent
Pelagic longlining	Consent	Consent
Ports and harbours	Prohibited*	Consent
Recreational shore angling	Consent	Consent
Small pelagics fishing	Consent	Consent
South Coast rock lobster harvesting	Consent	Consent
Squid fishing	Consent	Consent
Subsistence harvesting	Consent	Consent
Trawling (inshore)	Prohibited#	Consent
Trawling (offshore)	Prohibited#	Consent
Wastewater discharge	Consent	Consent

Activities that are present but not managed by EBSA zones that can continue as per current regulations

Shipping

Activities that are currently not present in the EBSA and should be Prohibited in the future

Beach seining Gillnetting Mining Tuna pole fishing Shark netting

Dredge spoil Kelp harvesting Oyster harvesting Prawn trawling

dumping

Other activities beyond the jurisdiction of MSP that directly influence the ecological condition of the EBSA that should be managed appropriately under the ICM Act and other appropriate legislation.

Coastal development (e.g., implementation of appropriate setback lines)

Coastal disturbance (e.g., formalising access points; rehabilitating degraded dunes; appropriate zoning of bathing and watercraft activities, etc)

Mean annual runoff reduction (e.g., determining and implementing freshwater flow requirements and estuarine management plans)

Algoa to Amathole EBSA:
Initial zoning and use
recommendations





of the Federal Republic of German



## Issues raised during the process

- Too difficult!
- Need a single input into MSP
- Inconsistent in its treatment of current vs potential industries
  - Very sensitive to quality/completeness of spatial data on industries
  - Missing key industry / sector data
- Not nuanced enough in terms of industry activities
- Some issues with specific meaning of terms

#### **EBSA** zoning and management recommendations



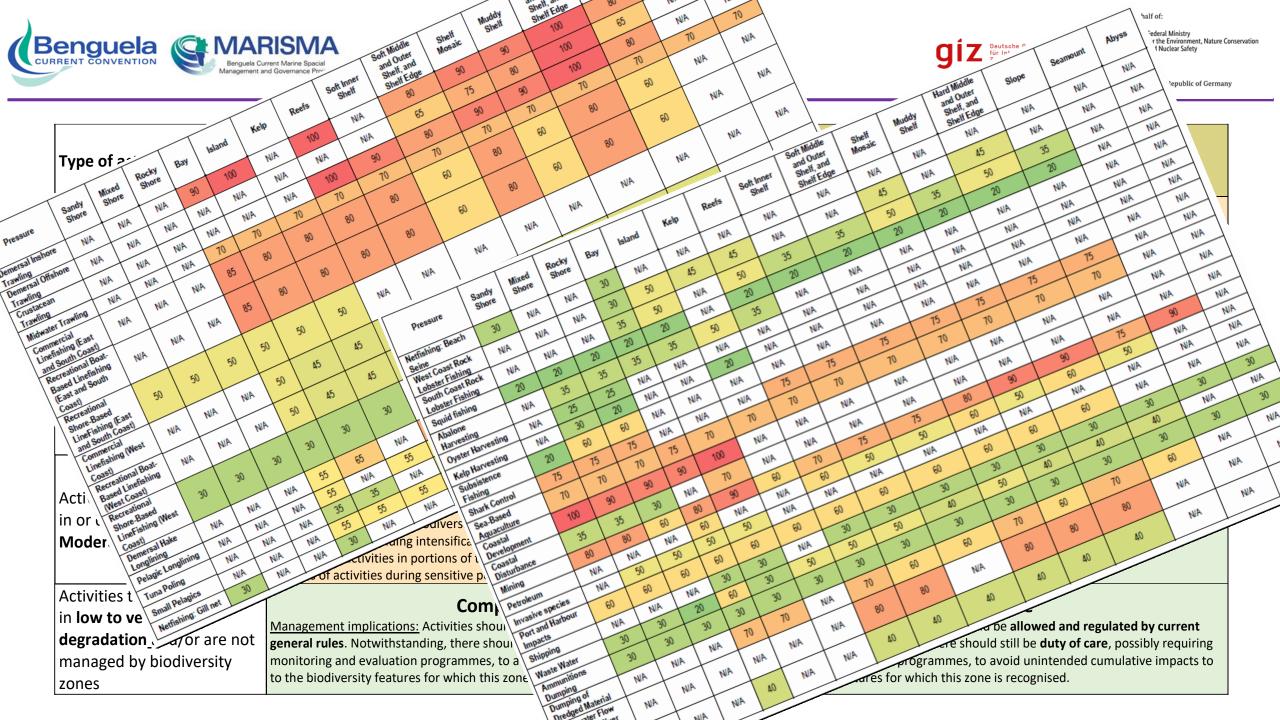


of the Federal Republic of Germany



## Management recommendations have been revised since Feb 2020 meeting

- Alignment with sea-use guidelines
- Consistent tables, more easily interpreted
- Sectors split into much more specific components
- Alignment with language of MSP framework
- Less biased against emerging and expanding industries
- Focus on compatibility to inform MSP regulations
- Stronger, more robust and defendable activity rankings
  - > compatibility matrix based on NBA 2018 ecosystem-pressure matrix
  - > framed around compatibility of the activity with the management objective of the area



## **Compatibility Matrix**

Deutsche Gesellschaft
für Internationale
Zusammenarbeit (GIZ) GmbH



of the Federal Republic of Germany

	Critical Biodiversity Areas / Conservation	Ecological Support Areas / Impact Management
Type of activity	Compatibility with the management objective to: <b>keep the site in a natural / near- natural state</b>	Compatibility with the management objective to: <b>keep the site in at least a functional state</b>
Activities that would result in Severe or Very Severe degradation over broad areas	Management implications: The activity should <b>not be permitted</b> to occur in this zone because it is not compatible with the management objective. If it is permitted as part of compromises in MSP negotiations, it would require alternative Biodiversity Conservation Zones and/or offsets to be identified. However, if this is not possible, it is recommended that the activity is prohibited within the EBSA zone.	Conditionally compatible  Management implications: Careful regulations and controls over and above the current general rules and legislation would be required to be put in place to avoid unacceptable impacts on biodiversity features. Examples of such regulations and controls include: avoiding intensification or expansion of current impact footprints; exclusions of activities in portions of the zone; additional gear restrictions; temporal closures of activities during sensitive periods for biodiversity features; etc.
Activities that would result in Severe or Very Severe degradation of localised sites	Conditionally compatible  Management implications: Careful regulations and controls over and above the current general rules and legislation would be required to be put in place to avoid unacceptable impacts on biodiversity features. Examples of such regulations and controls include: avoiding intensification or expansion of current impact footprints; exclusions of activities in portions of the zone; additional gear restrictions; temporal closures of activities during sensitive periods for biodiversity features; etc.	Management implications: Careful regulations and controls over and above the current general rules and legislation would be required to be put in place to avoid unacceptable impacts on biodiversity features. Examples of such regulations and controls include: avoiding intensification or expansion of current impact footprints; exclusions of activities in portions of the zone; additional gear restrictions; temporal closures of activities during sensitive periods for biodiversity features; etc.
Activities that would result in or contribute to Moderate degradation	Conditionally compatible  Management implications: Careful regulations and controls over and above the current general rules and legislation would be required to be put in place to avoid unacceptable impacts on biodiversity features. Examples of such regulations and controls include: avoiding intensification or expansion of current impact footprints; exclusions of activities in portions of the zone; additional gear restrictions; temporal closures of activities during sensitive periods for biodiversity features; etc.	Compatible  Management implications: Activities should be allowed and regulated by current general rules. Notwithstanding, there should still be duty of care, possibly requiring monitoring and evaluation programmes, to avoid unintended cumulative impacts to the biodiversity features for which this zone is recognised.
Activities that would result in low to very low degradation_and/or are not managed by biodiversity zones	Compatible  Management implications: Activities should be allowed and regulated by current general rules. Notwithstanding, there should still be duty of care, possibly requiring monitoring and evaluation programmes, to avoid unintended cumulative impacts to the biodiversity features for which this zone is recognised	Compatible  Management implications: Activities should be allowed and regulated by current general rules. Notwithstanding, there should still be duty of care, possibly requiring monitoring and evaluation programmes, to avoid unintended cumulative impacts to the biodiversity features for which this zone is recognised.



## Algoa to Amathole EBSA management recommendations: new version





of the Federal Republic of Germany

Conservation  Marine Protected Area: Sanctuary zor Marine Protected Area: Restricted zor Marine Protected Area: Controlled zor Marine Protected Area: Proposed Biodiversity Conservation Zone Environmental Impact Management Z  Heritage Heritage Protection Zone  Recreation and tourism Marine Tourism Zone	Sea-use activities as per gazetted MPA regulations  Sea-use activities as per existing CBA/ESA categories until MPA declaration  Critical Biodiversity Area (CBA)	N/A Y Y N/A Y Y	N/A Y N/A Y
Marine Protected Area: Proposed Biodiversity Conservation Zone Environmental Impact Management Z  Heritage Heritage Protection Zone  Recreation and Marine Tourism Zone	Critical Biodiversity Area (CBA) Cone Ecological Support Area (ESA) Shipwrecks Sites of historic importance Sites of land- or seascape value Beach visiting, recreation, non-motorised water sports	Y N/A Y Y	N/A Y
Environmental Impact Management Z  Heritage Heritage Protection Zone  Recreation and Marine Tourism Zone	Cone Ecological Support Area (ESA) Shipwrecks Sites of historic importance Sites of land- or seascape value Beach visiting, recreation, non-motorised water sports	N/A Y Y	Υ
Heritage Protection Zone  Recreation and Marine Tourism Zone	Shipwrecks Sites of historic importance Sites of land- or seascape value Beach visiting, recreation, non-motorised water sports	Y	
Recreation and Marine Tourism Zone	Sites of historic importance Sites of land- or seascape value Beach visiting, recreation, non-motorised water sports	Y	
Recreation and Marine Tourism Zone	Sites of land- or seascape value  Beach visiting, recreation, non-motorised water sports		Υ
Marine Lourism Zone	Beach visiting, recreation, non-motorised water sports		Y
Marine Lourism Zone		Y	Υ
Marine Lourism Zone	SCUBA diving	Υ	Υ
Marine Lourism Zone	<u> </u>	Υ	Y
Marine Lourism Zone	Shark cage diving	Υ	Υ
Marine Lourism Zone	Whale watching	Υ	Y
louisiii	Motorised water sports (e.g., jet skis)	С	Υ
	Recreational boat-based linefishing	С	Υ
	Recreational shore-based linefishing	С	Υ
	Spearfishing	С	Υ
	Shark control	С	Y
	Crustacean trawling	N	С
	Demersal inshore trawling	N	С
	Demersal offshore trawling	N	С
	Abalone harvesting	С	Y
	Beach seining	С	Υ
	Commercial linefishing	С	Υ
	Demersal hake longlining	С	Y
	Gillnetting	C	Y
Commercial Fishing Zone	Kelp harvesting	C	Y
Fisheries	Midwater trawling	С	Y
	Oyster harvesting	C	Y
	Pelagic longlining	C	Y
	Small pelagics fishing	С	Y
	South coast rock lobster harvesting	С	Y
	Squid fishing	C	Y
	<u> </u>	C	Y
	Tuna pole fishing  West coast rock lobster harvesting	C	Y
Small Scale/Subsistence Fishing Zen	AACOL COGOL LOCK LODGICH HOLING	С	
Small Scale/Subsistence Fishing Zon Fisheries Resource Protection Zone	e Subsistence fishing		Υ

### The recommendation to MSP is that:

Y = Yes, compatible

C = Conditional

Aquaculture	Aquaculture Development Zone	Sea-based aquaculture	С	Υ
		Mining: prospecting (non-destructive)	С	Υ
Mining	Mining Zone	Mining: prospecting (destructive, localised impact, e.g., bulk sampling)	С	С
		Mining: mining construction and operations	N	С
		Petroleum: exploration (non-destructive)	С	Υ
Petroleum	Petroleum Zone	Petroleum: exploration (destructive, localised impact, e.g., exploration wells)	С	С
		Petroleum: production	N	С
Renewable Energy	Renewable Energy Zone	Renewable energy installations	С	Υ
Military	Military Zone	Missile testing grounds	С	Υ
Military N	Willitary Zone	Training areas	Υ	Υ
Transport	Maritime Transport Zone	Shipping lanes	Υ	Υ
Transport		Ports and harbours	N	С
Transport		Anchorage areas	С	Υ
		Bunkering	С	Υ
	Underwater Infrastructure Zone	Undersea cables	С	Υ
Infrastructure		Seawater inlets	С	Υ
mirastructure		Pipelines	С	Υ
	Land-based Infrastructure Zone	Coastal development	N	С
		Ammunition dumping site (*disused)	N*	N*
Disposal	Disposal Zone	Wastewater discharge	С	Υ
		Dumping of dredged material	N	С



## **EBSA Management Recommendations**





of the Federal Republic of Germany

7	
5	

Broad sea use	Associated MSP Zones	Associated sea-use activities	CBA (EBSA Biodiversity Conservation Zone)	ESA (EBSA Environmental Impact Management Zone)
	Marine Protected Area: Sanctuary zone			
	Marine Protected Area: Restricted zone	Sea-use activities as per gazetted MPA regulations	N/A	N/A
Conservation M:	Marine Protected Area: Controlled zone			
	Marine Protected Area: Proposed	Sea-use activities as per existing CBA/ESA categories until MPA declaration	Υ	Υ
	Biodiversity Conservation Zone	Critical Biodiversity Area (CBA)	Υ	N/A
	Environmental Impact Management Zone	Ecological Support Area (ESA)	N/A	Υ
	Marine Tourism Zone	Beach visiting, recreation, non-motorised water sports	Υ	Υ
		SCUBA diving	Υ	Υ
		Shark cage diving	Υ	Υ
		Whale watching	Υ	Υ
Recreation and tourism		Motorised water sports (e.g., jet skis)	С	Υ
		Recreational boat-based linefishing	С	Υ
		Recreational shore-based linefishing	С	Υ
		Spearfishing	С	Υ
		Shark control	С	Υ
		Shipwrecks	Y	Υ
Heritage	Heritage Protection Zone	Sites of historic importance	Υ	Υ
		Sites of land- or seascape value	Υ	Υ

Y = Yes, compatible

On behalf of:

C = Conditional





## **EBSA Management Recommendations**





of the Federal Republic of Germany

Broad sea use	Associated MSP Zones	Associated sea-use activities	CBA (EBSA Biodiversity Conservation Zone)	ESA (EBSA Environmental Impact Management Zone)
		Crustacean trawling	N	С
		Demersal inshore trawling	N	С
		Demersal offshore trawling	N	С
	Commercial Fishing Zone	Abalone harvesting	С	Υ
		Commercial linefishing	С	Υ
		Demersal hake longlining	С	Υ
		Kelp harvesting	С	Υ
		Midwater trawling	С	Υ
		Beach seining	С	Υ
Fisheries		Gillnetting	С	Υ
		Oyster harvesting	С	Υ
		Pelagic longlining	С	Υ
		Small pelagics fishing	С	Υ
		South coast rock lobster harvesting	С	Υ
		Squid fishing	С	Υ
		Tuna pole fishing	С	Υ
		West coast rock lobster harvesting	С	Υ
	Small Scale/Subsistence Fishing Zone	Subsistence fishing	С	Υ
	Fisheries Resource Protection Zone	Resource protection	Υ	Υ
Aquaculture	Aquaculture Development Zone	Sea-based aquaculture	С	Υ

Y = Yes, compatible

On behalf of:

C = Conditional



## **EBSA Management Recommendations**





of the Federal Republic of Germany

7	
7	

Broad sea use	Associated MSP Zones	Associated sea-use activities	CBA (EBSA Biodiversity Conservation Zone)	ESA (EBSA Environmental Impact Management Zone)
		Mining: prospecting (non-destructive)	С	Υ
Mining	Mining Zone	Mining: prospecting (destructive, localised impact, e.g., bulk sampling)	С	С
		Mining: mining construction and operations	N	С
		Petroleum: exploration (non-destructive)	С	Υ
Petroleum	Petroleum Zone	Petroleum: exploration (destructive, localised impact, e.g., exploration wells)	С	С
		Petroleum: production	N	С
Renewable Energy	Renewable Energy Zone	Renewable energy installations	С	Υ
Militan	Military Zono	Missile testing grounds	С	Υ
Military	Military Zone	Training areas	Υ	Υ
		Shipping lanes	Υ	Υ
Transport	Maritima Transport Zona	Ports and harbours	N	С
Transport	Maritime Transport Zone	Anchorage areas	С	Υ
		Bunkering	С	Υ
		Undersea cables	С	Υ
Infractructura	Underwater Infrastructure Zone	Seawater inlets	С	Υ
Infrastructure		Pipelines	С	Υ
	Land-based Infrastructure Zone	Coastal development	N	С
		Ammunition dumping site (*disused)	N*	N*
Disposal	Disposal Zone	Waste-water	С	Υ
		Dumping of dredged material	N	С

Y = Yes, compatible

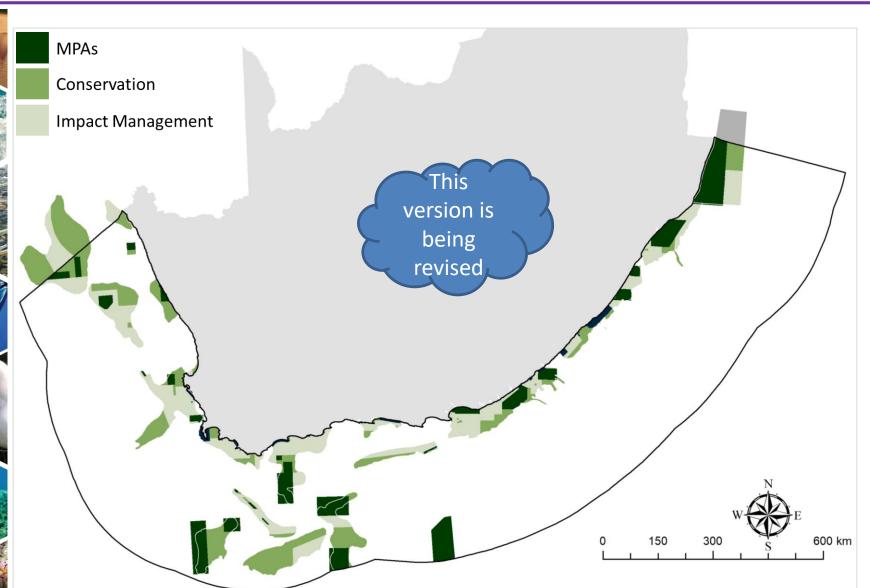
On behalf of:

C = Conditional

## **EBSA** zoning



of the Federal Republic of Germany



- Unchanged since
   Feb 2020
- Next iteration with CBA process:
- Feedback from national engagements
- Initial engagements with sectors where NBA pressure intensity data cannot be effectively used as proxy for "cost to industry"
- Under revision to keep aligned with CBA map

## **EBSA zoning and management recommendations**





of the Federal Republic of Germany



## Where we are currently

- Revised management recommendations and zoning put out for comment (online survey)
- Initial engagement with sectors that raised concerns
  - PASA and petroleum rights holders
  - Mining
- Need more effort to engage with fisheries (scientists, then industry) and other sectors
- This will be part of the overall process for the National Coastal and Marine Spatial Biodiversity Plan: Map of Critical Biodiversity Areas (CBA Map) and Sea-Use Guidelines V.1





of the Federal Republic of Germany

### **National Coastal and Marine Spatial Biodiversity Plan**

Assess

compatibility

of activities

with

management

objectives

Preliminary

stakeholder

engagements

through the

**EBSA** process

#### **CBA Map**

#### **Protected Area**

#### Critical **Biodiversity** Area

#### **Ecological** Support Area

Maintain in at least a functional

## Sea-use quidelines

#### **Gazetted regulations**

#### Not compatible

Management objective cannot be maintained if the activity is present

Management objective can be maintained only if very careful controls are in place for the activity

#### Compatible

Management objective can be maintained if the activity is present

#### MPA expansion processes

MSP stakeholder engagement, spatial and regulation negotiations



CBA Map and seause guidelines updated to match final MSP zones and regulations

### **National Marine Spatial Plan**

#### **MSP Zoning**

## **Protected** Strict Biodiversity Conservation Zone Area

#### **Other Effective** Conservation Measures

#### **Environmental Impact** Management Zone

Maintain in at least a functional

### **MSP Regulations**

#### **Gazetted regulations**

#### **Prohibited**

Activity is not permitted to take place

#### Consent

#### General

Activity may take place under normal rules and legislation

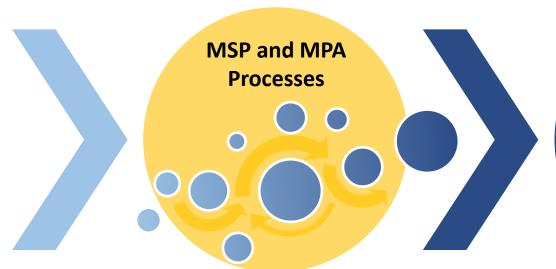
## Marine Spatial Biodiversity Priorities – EBSA in the overall picture





of the Federal Republic of Germany

Biodiversity sector's compiled input into MSP, including EBSA



Finalised ocean zoning and sea-use guidelines, including new declared MPAs

CBA Map with sea-use guidelines

Stakeholder engagement, negotiations, revisions and compromises

MSP zoned ocean space with gazetted regulations & MPAs

- 1. Biodiversity sector compiles an **integrated portfolio** of **spatial priority areas** with **recommendations** for how those are managed (**including EBSA**)
  - EBSA process has been an important venue for initial engagements on zoning & refining management recommendations
- 2. MSP and MPA processes are where the **negotiations, spatial adjustments, compromises** etc are made
- 3. Priority areas finalised as MSP zones and recommendations finalised as MSP management regulations
- 4. EBSA are fully embedded, but become less separately visible in zoning and recommendations