

THE ENVIRONMENTAL COMMITTEE

Minutes

***Of the meeting held on Thursday 23 April 2009 at 10.30am in the Liberation Room,
Secretariat***

***These minutes are draft minutes until confirmed by resolution at the next meeting of this
Committee***

Present:	Councillor J Birmingham Councillor R Stevens	Chair RS
	Antony Payne Pierre Pistorius of FC Louise Taylor of FITB Richard Davies Darren Christie Fiona Wallace-Nannig	EPO COFC LT RD DC Secretary

Members of the Public/Press Attending: 2

1. Apologies for Absence

Members noted that apologies had been received from Mrs Sally Poncet (RBA representative), Mr Hamish Wylie (FIFC representative), Mr Jake Downing (Director Falkland Tourist Board) and Councillor Mike Rendell.

2. Declarations of interest

DC declared an interest in item 5.1.

3. Confirmation of the minutes of the meeting held on 11th December 2008

The open minutes of the meeting held on 11th December 2008 were confirmed with no amendments.

4. Matters Arising

- 4.1 Stanley Common – Cape Pembroke** (Page 2, Item 4.1) – **EPO**
EPO advised that he had been able to do some work relating to the Management Plan for Cape Pembroke during December 2008 and January 2009. He has taken the approach of looking at the Common as a whole multi-functional area, with the intention of then putting further focus on specific areas.

He had identified 3 distinct areas of the Common:

- 1) the area to the North and East of the Canache (which includes Cape Pembroke). He identified that the area has a variety of uses including recreation, heritage, beaches and monuments and stated that the proposed intention would be to focus on these aspects in the Plan;
- 2) The area South of the Bypass Road. There is considerable activity in this area including the

rubbish tip, firing range and peat cutting. The range of activities could be further developed with scope for expansion following the anticipated de-mining of a substantial part of this area; and

- 3) The area to the West of Stanley, including the mountains, and their associated history. EPO suggested that the focus in the Plan for this area might be hill walking and safeguarding and interpretation of conflict battle sites.

EPO explained that his idea would be to produce an overarching management plan for the Common identifying all these uses. Within this plan would be the ability to identify specific areas of interest and thus enable the provision of area specific management plans such as one for Cape Pembroke. The overarching plan (and any subsequent area specific plans) would go out for consultation within FIG and the public for comment. He added that there would also be a need to review the boundaries of the National Nature Reserve in order to ensure that future proposals within the Reserve were compliant with that status.

Members were in agreement with the EPO's suggestions.

- 4.2** Biodiversity Strategy (Page 2, Item 4.2) – EPO advised that he had hoped to be able to present the published document to this committee but it is still at the printers. He added that only 50 copies were initially being printed as it is intended that people be encouraged to view (or download it) from the departments' website (www.epd.gov.fk). The document will be added to the website after this meeting.

Sec

- 4.3** Ocean 8 Review (Page 2, Item 4.3) – Members were informed that the Chief Executive had produced a draft report on the incident and its aftermath, which had been circulated to key players, inviting comment. Additional information and factual clarification had been received which will lead to an amended version of the report.

In the meantime, the Falkland Island Oil Spill Contingency Plan has been reviewed and rewritten by a visiting qualified company. EPO said that he expected that the two documents will become closely linked as their recommendations are likely to overlap to a great extent. RD queried whether either or both reports would be published to the public. He was advised by Councillors that they would be.

Councillor Stevens commented that he had understood that the Ocean 8 Report had been submitted to this ExCo meeting but it had been agreed that discussion would be delayed until next month's meeting of ExCo.

- 4.4** Port Harriet Missile Firing Range (Page 2, Item 4.4) – EPO reported that planning permission had been granted for this

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activity at the February meeting of Planning & Building Committee and that it had been issued with three conditions:

- 1) There was restriction of the use of the firing range to only HVM (high velocity missiles) and Rapier missiles, plus the Banshee drones used as targets;
- 2) Firing is restricted to take place only in April and October; and
- 3) A draft MOU is to be drawn up and signed between FIG and the MoD regarding management and monitoring of the range.

EPO added that members of the Planning & Building Committee had witnessed the missile firing from various locations in and around the range in November of last year. The observations indicated that the firing activities had no obvious detrimental effects on wildlife. However, the firings were conducted with a strong westerly wind - an easterly might give rise to higher levels of noise and thus possibly cause disturbance to the wildlife at Bluff Cove Lagoon. EPO is going to task the new Environmental Officer (Nick Rendell) with observing firings during an easterly wind. He added that it is possible that if a detrimental effect is identified, the MoU could be refined to include a prohibition of firing during specified wind conditions. This has been done in the UK but only in respect of the disturbance to humans, not wildlife.

- 4.5 Cobb's Wren SAP (Page 3, Item 6.1) – EPO showed members a copy of the published Species Action Plan and commented that it was put together very well and published very quickly. Hard copies are available from Falklands Conservation, although stocks are presently low. More copies are expected shortly. It is also available on the Falklands Conservation website.

5. Research Licences

- 5.1 Dietary specialisation among vulnerable tussock nesting birds in the Falkland Islands – EPO advised that he had consulted Helen Otley (HO), the previous Environmental Officer, about this application and that she had made a few comments, which he would report at this meeting.

EPO

In regards to sampling numbers, HO had noted that the proposal was to sample 15-30 birds on Kidney Island. She suggested that 30 would be a very high proportion of the Kidney population and suggested that the recommendation be to sample either a percentage of the population or only the lower number of 15. Members noted that in order to sample a percentage, further research would have to take place to ascertain the population size. It was agreed that 15 would be the preferred sample number. HO had also suggested that there be some discussion between the researcher, Dr Orea Anderson and Mrs Sally Poncet, who is due to commence carrying out an OTEP project relating to Cobb's Wren, in regard to sharing samples and information. Members agreed that this would be a good idea.

In relation to recording methods for vocalisation recording, HO suggested that it be determined what the proximity of the microphone and researcher will be to the birds. She suggested that if it is within 6m, more information is required about the reasoning and methodology. Members agreed.

HO recommended that further information be obtained regarding the catch methodology. In particular, how the researcher intended to avoid the capture of other bird species, and whether there would be anyone in attendance to release captured birds, what the estimated handling time would be, the required timescale until regurgitation and the time scale between capture and release. COFC commented that he was not concerned about these aspects as the other researchers named in the application had had considerable experience in the field.

Councillor Stevens expressed his concern that as Cobb's Wren did not do a great deal of flying (they are more inclined to hop in and around kelp, rocks and tussock bogs) there was a greater chance that the traps would capture other bird species. RD added that he had concerns about whether this small bird species could handle any length of handling or could become over-stressed. DC voiced his concern that there was no discussion of mitigation measures in the event of mortality or overstressed birds. It was agreed that this would be addressed in the terms of the licence.

It was agreed that EPO would pursue these matters and seek clarification on these various points. The issuing of the licence has been delegated to himself and DOFC. It was agreed that the licence would be issued to one of the other two named researchers as they have more experience.

6. Environmental Impact Statements for offshore drilling

EPO

Members noted the EIS' presented in the paper. EPO informed them that another EIS is expected later this year from BHP Billiton concerning exploration in the area to the South East of the Falklands.

The public consultation period for the Desire EIS has now expired, whilst the Rockhopper Petroleum EIS is still out for consultation. Comments are to be sent to the Minerals Department.

EPO corrected para 4.4 of his report - there will be only one public meeting - at which Rockhopper Petroleum will be doing a presentation. This has been scheduled for 1715 on 4th May in the Chamber of Commerce.

EPO said that he had been asked by Director of Minerals to review the Statements on behalf of FIG. To help him he had engaged the Institute of Environmental Management and Assessment to externally review the Desire Statement. He would welcome any comments from Committee Members to

help inform his report.

COFC queried whether he could forward comments received from the RSPB. EPO confirmed that this would be fine. RD commented that there had been no mention within any of the Statements of the environmental impact of the service vessels associated with such operations which would be in and out of coastal waters regularly. He regarded this as a very important matter that should be addressed. Members agreed. RD also asked whether the companies' oil response plans would tie in with that for the Falkland Islands (e.g. there could be opportunities to strengthen local provision and training). EPO agreed to consider this further when drafting his report.

It was also agreed that if Members had further comments on any of the Statements, these could be emailed to EPO.

7. OTEP Projects

EPO advised that the following applications for OTEP funding had been approved:

- Programme for the protection of native plants and habitats.
- Cobb's Wren Conservation Project
- Foraging behaviours of Rockhopper Penguins

The following had been refused:

- Research on Striated Caracara
- Cross territory tourism monitoring

8. ESB Funding applications

- 8.1 Completion of National Plan of Action – Trawling Review 2009** – EPO advised members that funding for this project had been approved in 2007/08 as part of the FC Seabirds at Sea project. It had started late and was due to end in Jan of this year. There had been 6 proposed outputs, one of which was the development of an action plan for trawling. EPO has been informed that the draft has not been completed and there are insufficient funds to complete the production of this action plan. The other outputs, however, have been achieved. The reason for the inability to produce the action plan has been put down to the incompatibility of the time at sea and the time on shore of the observer tasked with this output. According to HO it had been recognised at the time that this might be a difficulty with the project.

EPO/Sec

EPO stated that he felt that the action plan was an important document and as such, it should be finalised as per the original proposal. To this end, he has agreed to fund the project to completion. This will cost £2500 and will be taken from the ESB. It is anticipated that the action plan will be finalised by the end of July this year or earlier. Members were in agreement with this decision.

8.2 Beaver Island Group Restoration Project – DC commented that he was in support of this application in view of the time and effort that has been invested by the applicant in improving the island group. RD suggested that volunteers could be found to assist with the tussac planting but was reminded by DC that, whilst this was a good idea, the logistics of getting people to Beaver meant that it was not a viable option. Members agreed to the application. **EPO/Sec**

8.3 Saunders Island – DC commenced deliberations by stating that he took issue with the reason for this project as it was not environmentally based. Members agreed that it would appear that the application had been submitted to address a tourism issue and that the applicants had only hinted at the possibility of environmental works i.e. tussac planting in the area. There was no definite commitment to do this work. **EPO/Sec**

Members shared this view and after much deliberation, it was agreed that the applicants be contacted and advised that if they could reword the application so that there was a commitment to carry out replanting and provide more information such as a map, the Committee would be minded to consider the application again. LT suggested that, again, volunteers could be used for the replanting work so that the applicants and their labourers would not have to prioritise between farm work and replanting during the busy season.

8.4 Cobb's Wren Conservation Project – There was some confusion about this application but it was eventually determined that this was to provide match funding for the OTEP project that has now been approved. It was agreed that the application be approved. **EPO/Sec**

EPO agreed that he would circulate to Members the application that was submitted to OTEP as it provided further background information.

9. Date of Next Meeting **Sec**

It was agreed that the next meeting would be scheduled for a day in the week commencing 6th July. Sec is to advise members of finalised date and time.

PART II

10 Exclusion of Press and Public

The Committee resolved to exclude the press and public on the grounds that the items to be considered were exempt within the terms of Part 1 of Schedule 2 of the Committees (Access to Information) Ordinance 2000.

11 Confirmation of Exempt Minutes of the meeting held on 11th December 2008.

