

Update on Proposal for a Balleny Islands Specially Protected Area

New Zealand Working Paper

1. Background

New Zealand has developed a proposal for an integrated terrestrial and marine specially protected area at the Balleny Islands in the Northern Ross Sea, Antarctica. The proposed area contains representative examples of terrestrial and marine communities and ecosystem interactions at a site of outstanding biodiversity for the Ross Sea region. A preliminary draft plan outlining the basis for the proposal was provided to CEP II for the information of the Committee.

New Zealand has made considerable progress on this important initiative over the last year. This paper updates the CEP on New Zealand's progress with this proposal and comments on our experience to date with the process for designation of protected areas with a significant marine component under the Protocol on Environmental Protection to the Antarctic Treaty.

2. The Proposal

The proposal seeks to establish a specially protected area centered on the Balleny Islands. Sabrina Island, one of the islands in the Balleny Archipelago was originally designated as SPA No. 4 in Recommendation IV-4. This original designation was on the grounds that "the Balleny Islands, as the most northerly Antarctic land in the Ross Sea region, support fauna and flora which reflect many circumpolar distributions at this latitude and that Sabrina Island in particular provides a representative sample of such fauna and flora". At the time of designation it was envisaged that other islands in the group could be protected in the future as more information was gained about their fauna and flora and associated values.

The boundaries for the current proposal now include all islands in the Balleny group including Young, Row, Borradaile, Buckle, Sabrina, Chinstrap, Monolith and Sturge Islands and all outlying rock promontories as well as the surrounding marine area out to 50 nautical miles offshore from mean high water mark (refer Map A).

Through extension of the boundaries, the proposal seeks to provide protection for the entire terrestrial ecosystem of the Balleny Islands and for an adjacent marine area. The proposed area contains the only oceanic island group in the Ross Sea region and would be the only Antarctic oceanic group to be afforded special protection. SPA status would also provide the first example in the Ross Sea region of integrated protection of terrestrial and marine interactions at and around a site of outstanding biodiversity.

The breeding, moulting and resting sites for the seven bird species found on the Balleny Islands would be included within the area as well as important haul-out sites for several seal species. Protection would also be provided for substantial parts of the foraging range of these species, especially during the breeding season, and for a representative range of Ross Sea marine communities from the coast to a depth of over 2000 metres.

Overall, the area exhibits outstanding biodiversity that for birds and seals, and probably fish, exceeds that of any other site in the Ross Sea region. There are outstanding conservation, wilderness and aesthetic values associated with the site, highlighted by the Balleny Island's isolation, the predominantly undisturbed terrestrial and marine ecosystems and the distinctive island topography.

In order to protect the values noted above, management of the area would aim to prevent unnecessary human disturbance, including prohibiting the taking of marine living resources (except for scientific purposes), preventing unnecessary sampling of fauna and flora and restricting landings on the islands to scientific, monitoring and management activities. Scientific research which would add to the understanding of the Area's ecosystems would be permitted, in particular work that leads to an improved understanding of the avifauna, plants, algae, invertebrates, marine communities and geology and the interactions between the terrestrial and marine

ecosystems. A key aspect of management would also be to minimise the risk of introduction of alien plants, animals and microbes.

No where in the Antarctica has an entire archipelago and the adjacent marine ecosystem been proposed for protection in such a comprehensive manner. While several Specially Protected Areas adopted under the Antarctic Treaty System include adjacent marine areas, all are small. Cape Royds SSSI 1 (4.6km²) is the only area in the Ross Sea region with any form of marine protection.

3. Progress with the Proposal

Comments received at CEP II on the preliminary draft proposal as well as those made subsequently by some CEP members have been taken into account in the revision of the proposal. The draft plan was also provided to GOSEAC and to the CCAMLR Ecosystem Management and Monitoring Working Group (WG-EMM) in mid 1999. The working group noted that it would circulate the draft plan to its Subgroup on the Designation and Protection of CEMP sites for comment (para 8.89 WG-EMM 1999 report)

Following revision of the proposal to take into account GOSEAC's comments, New Zealand then tabled the draft plan at the CCAMLR-XVIII meeting in October 1999. At that meeting, the Scientific Committee commented that, in principle, the concept of a marine protected area and ecological preserve could have scientific merit, if properly assessed, although it did not comment directly on the Balleny proposal. The Committee also recommended that the details of the proposal be directed to the CEMP subgroup (paras 4.28 & 4.29 CCAMLR SC-XVIII report). The Commission later endorsed this recommendation and noted that the subgroup should also consider further development of a methodology for the assessment of proposals for marine protected areas forwarded in accordance with Annex V of the Protocol (Para 4.9 CCAMLR-XVIII report).

A further revised draft plan was then provided to the July 2000 meeting of the CCAMLR WG-EMM for consideration and comment. The majority of members at the meeting supported the scientific validity of creating the Balleny Islands Specially

Protected Area. Members noted the outstanding biodiversity of both the terrestrial and marine fauna and flora. The area was viewed as an excellent representation of a unique marine and terrestrial ecosystem (CCAMLR WG-EMM report paras 5.3.22-5.3.46). It was also noted that at the recent SCAR WG-Biology meeting it was recommended that SCAR approve the plan. The CCAMLR Scientific Committee is expected to consider the plan at the XIX meeting of CCAMLR later this year.

4. General Comments

The protected area provisions of the Environmental Protocol (Annex V) allow for the protection of both terrestrial and marine areas in order to protect outstanding environmental, scientific, historic, aesthetic or wilderness values (Article 3(1)). Article 6 (designation procedures) of Annex V states that proposed management plans for ASPAs and ASMAs shall be forwarded to the CEP, SCAR and as appropriate to CCAMLR. In formulating its advice, the CEP is required to take into account any comments provided by SCAR and CCAMLR. It further states that no marine area shall be designated without prior approval of CCAMLR (Article 6(2)).

New Zealand notes that it has encountered some confusion with the process by which a plan with both marine and terrestrial components is actually progressed through this system. In particular it is unclear on what basis and under which criteria CCAMLR and its various working groups considers such plans and what “approval” under Article 6(2) might constitute.

New Zealand does acknowledge that the Balleny Islands SPA proposal is a “first” for the Antarctic Treaty system in that it incorporates significant marine and terrestrial areas on a scale so far unseen in the Antarctic. The concept of integrated protection of land and marine interactions at a site of outstanding biodiversity is central to the proposal and should be recognised in the way on which the draft plan is being considered.

New Zealand would welcome comment on process issues associated with the consideration of SPA proposals under Annex V of the Protocol that incorporate a significant marine component. In particular, New Zealand would support the timely development of a clear process, timeline and methodology for the consideration of

such proposals by CCAMLR, including the relationship to the ATCM approval process.

New Zealand invites the CEP to convey specific encouragement to the CCAMLR Commission to develop appropriate methodology in order to approve proposals for integrated terrestrial marine specially protected areas which are consistent with the objectives of both the Environmental Protocol and the Convention on the Conservation of the Antarctic Marine Living Resources.

**MAP A - Balleny Islands Proposed Specially Protected Area No. 4.
Location, boundaries and bathymetry of the Balleny Islands**

