



MSP Steering Committee, with Technical Working Groups

Steering Committee #21, with Technical Working Group #15

Date: Wednesday 27th July 2022

Time: 8:30 AM – 2:30 PM

Location: Eden Bleu Hotel, Mahé

Minutes

Meeting Objectives:

1. To finalise key issues on Allowable Activities Tables for Zone 1-3
2. To review Draft #2 of Spatial Decision Matrix for Oil & Gas
3. To review Draft Management Units, where discussed from SC#20 and TWG's 13 & 14
4. Steering Committee Members SC22: Recommendations to Executive Committee

Attendance:

Alain de Comarmond- Independent consultant, Marine Ecology TWG
Annabelle Constance- SIF, Marine Ecology TWG
Ashley Dias- Acting DG MACCE – Steering Committee, Terrestrial ecology TWG
Bernice Senaratne- Dept. of Tourism, Steering Committee, Tourism TWG
Chris Mason-Parker - CEO, MCSS - Steering Committee , Marine Ecology TWG
Corianna Julie- SIF, Terrestrial Ecology TWG
Cynthia Adrienne- GIS Section, MLH, Steering Committee
Denis Matatiken- Co-Chair PS Environment, MACCE , Steering Committee Co-Chair
Gilberte Gendron- Independent Consultant- Bee Ecological Consulting, Marine Ecology TWG
Guylly Moustache- SEC – Energy & Infrastructure TWG
Jan Robinson- SWIOFISH3, Steering Committee, Fisheries TWG
Jeanne Mortimer, Independent consultant- Terrestrial Ecology TWG
Joanna Prosper, PCU (Ridge to Reef Project) – Steering Committee & Marine Ecology TWG
Mamy Razanajavoto, SEC – Energy & Infrastructure TWG
Marie-Antoinette Micock - Dept. of Tourism, Tourism TWG
Nathalie Bodin, Independent Consultant- Fisheries TWG
Patrick Samson – Petroseychelles, Steering Committee and Energy & Infrastructure TWG
Sophie Morel- MACCE, Terrestrial Ecology TWG
Stefan de Greling- SeyCCAT, Financing and Implementation TWG
Stuart Laing- UniSey, Marine Ecology TWG
Wilna Accouche- GIF, Steering Committee, Fisheries TWG
Yohan Mendez- Independent consultant- Terrestrial Ecology TWG

MSP Core Team

Joanna Smith-Science and Process lead, Seychelles MSP initiative, TNC Canada
Helena Sims- Project Manager, Seychelles MSP initiative, TNC
Rick Tingey- GIS spatial analyst, Spatial Support Systems LLC
Elke Talma- SeyCCAT Project coordinator

Minutes;

Agenda Item #	Agenda Item	Comment/Advice	Action_Response (with initials)
1.0	Welcome	The Principal Secretary for Environment welcomed all the participants to the meeting.	
1.1	Agenda Review	The agenda of the meeting was reviewed and adopted without any changes.	Annex I
		The participant packet was reviewed.	Annex II
		There was a round of introductions of meeting participants.	Ref- attendance list.
2.10	Seychelles MSP brief update	Updates were provided to SC and TWG members on the meetings that have been held in July 2022.	
2.11	Summary of stakeholder input in July and public workshops on Praslin	<p>There have been 20 meetings to date, one to one with targeted stakeholders as well as SMSP committee meetings. These include:</p> <ul style="list-style-type: none"> • BE Dept, • SeyCCAT and MACCE - interim governance option • Ministerial Briefing • SeyCCAT introductions • SWIOFish3 programme coordination • SC#20 and TWG #13 • Climate Change Risk Mapping - Technical Report discussions • SFA and MFBE • NISCC - National Information Sharing Coordination Centre • Nature Seychelles - corals restoration and risk mapping • MFBE - PS Fisheries • TWG #14 • PetroSeychelles • SMSP Public Information Session - Praslin and La Digue (on Praslin) • RCOC - Regional Coordination Operations Centre • Marine Stewardship Council • Seychelles Coast Guard • PetroSeychelles • SC#21, with TWG #15 • IDC • Executive Committee (EC26) 	
2.12		<p>Topics discussed in the meetings include:</p> <ul style="list-style-type: none"> • Territorial Sea boundary delineation • SMART Objective for Blue Economy • Allowable Activities Tables: Zone 1 and 2 • Allowable Activities Tables: Zone 3 • Management Considerations 	

Agenda Item #	Agenda Item	Comment/Advice	Action_Response (with initials)
		<ul style="list-style-type: none"> • Master List of Uses and Activities (Definitions) • Management Units, as needed for management plans • Spatial Decision Matrix for Allowable Activities 	
2.13	SMART Objectives	<p>Goal 1: Increase Marine Protected Areas by 30 percent. <i>Identify new marine protected areas for 30% of the Exclusive Economic Zone and Territorial Sea by 2020 by representation of species and habitats and by total area</i></p> <p>Goal 2: Support the Blue Economy Agenda <i>Develop Allowable Activities Tables with sustainability criteria for MSP Zones by 2022 to support the Blue Economy Agenda throughout the Seychelles' coastal and the marine environments.</i></p> <p>Goal 3: Climate Change Adaptation <i>By 2020, develop climate change risk mapping for coral reefs and coastal protection to better understand the most important climate risks in Seychelles, and better understand options for adaptation measures and feasibility of implementing them.</i></p>	
2.20	Q&A	There was a query as to the reference of the term 'marine protected area' in SMART Objective 1.	This dates back to 2014 and will be changed to Marine Protection Area. JS.
2.21		Clarity was sought with respect to the SMART Objective and the links to other documents.	
3.10	AAT: Plenary 1: Review of outstanding activities to finalise AAT for Zone 1, 2 and 3 from SC20/TWG13	<p>Definitions of Allowable Activities remain outstanding:</p> <ul style="list-style-type: none"> • Watercraft – no definition in SMSA Act • Cruiseships – no definition in Merchant Shipping Act • Bioprospecting Development vs Bioprospecting Research (Nagoya Protocol) • Recreational Fishing • Resident 	
3.11		SC members clarified that Bioprospecting refers to looking for a particular compound when found, the second stage becomes research and development.	
3.12	AAT –	<p>Zone 1:</p> <ul style="list-style-type: none"> • Research: jetski and devices uses C11 • Jetski and Marine National Park regulations 	

Agenda Item #	Agenda Item	Comment/Advice	Action_Response (with initials)
		<ul style="list-style-type: none"> FAD Management Zone 2: <ul style="list-style-type: none"> Tourism: watercraft uses Area-based management for: <ul style="list-style-type: none"> Denis Island St Joseph Atoll IDC islands? Zone 3 Conditions <ul style="list-style-type: none"> Crosswalk with existing regulations and management plans FAD management Fisheries monitoring 	
3.13		There was a proposal and agreement to change the AAT, Marine Infrastructure Marine Activity from Fisheries, Patrol and Surveillance to read Patrol & Surveillance- Ref code 15	JS.
3.20	Plenary 2: Discussion to finalise the Allowable Activities Tables.	Plenary 2: Discussion to finalise the Allowable Activities Tables.	See Annex III for summary of plenary discussion.
3.21	Zone 3 Inner islands AAT	It was discussed that the Mahe plateau Z3 inner islands area needs special consideration compared to other Z3 areas with potentially its own AAT due to different activities and shallow waters and one separate AAT table for Z3 deep water.	
3.22	Codes for research	It was proposed to add some additional codes in the AAT: Scientific geophysical survey – C1, 5,6,8 All other activities under research would be C 1,5,6	
3.23	Bunkering	Bunkering has been flagged and it is X in Zone 2, but this activity is occurring. Bunkering should be allowable in Z2 and Z3. Definition of bunkering says not allowable – this may apply to fisheries only and SMSP team need to check	JS., HS
3.24		RE Bunkering – if allowable in Z2, there needs to be additional conditions especially regarding proximity to Z1.	JS.,
3.25		A concern was raised that C1 is not adequate to cover all activities and recommend basic conditionality that would replace C1 or adding a new code as for many of the activities need to be compliant with background information e.g. For aquaculture – are there regulations for that? If there are not, what would apply for that activity?	Ref of general management consideration #10 that all activities need to be compliant with existing laws and regulations.

Agenda Item #	Agenda Item	Comment/Advice	Action_Response (with initials)
3.26		Members were reminded that there may be plans/policies for a specific activities or species vs area-based management plans.	
3.27		Are there laws associated with capabilities to deal with an oil spill, liability, costs for damages etc. Otherwise, should not be allowable	Seychelles has a national Oil spill contingency plan. JS.
3.28	References in AAT codes table	It was pointed out that in the Activity Codes table, C5 references GoS 2015 which is a typo. It was also proposed to update/add additional documents and references (recent).	HS., JS.
3.29	Tourism Accommodation	For the AAT for Zone 1 for Tourism accommodation marine – Note for Z1 is an X and for Aldabra it's a C.	
3.30		Representatives from SIF confirmed that any plans for any accommodation marine for Aldabra is no longer applicable and to change activity to an X for Z1 Aldabra.	JS.
3.31		A query was raised as to whether tourism accommodation marine has a definition and if not, if one is needed? For e.g., Would these include structures inside a lagoon? What is the difference between tourism accommodation and accommodation?	A definition should reflect anything related to tourism accommodation below the high-water mark. JS.
3.32		A proposal was made to for the definition to be changed/merged to reflect floating structures.	
3.33		AAT Z1: Dredging- add C3 and 5. Add new activity for superyachts/private vs commercial (motorised activities) as they are different sized vessels have different conditions and different activities/impacts	Size of propellor and engines may have bigger turbulence, mooring, number of people hence interactions, exceptions/sanctions, more vessels on board including jet skis/
3.34		It was agreed to add C4 to licenced hire craft and marine charters as some of these are super yachts (currently only applies to cruise ships).	
3.35		There was a proposal to change C11- jet skis and other motorised crafts are prohibited but may be used for research, search and rescue patrols and other emergencies.	HS., JS.
3.36	C15	C15- add SMSA and change to Seychelles Defence Forces (SDF)	JS
3.37	Underwater scooters	There was a query as to why underwater scooters are proposed to be prohibited as they are used by dive centres.	This is in consideration of the impact of SCUBA as opposed to scooters.

Agenda Item #	Agenda Item	Comment/Advice	Action_Response (with initials)
			Scooters have a safety mechanism and floats if not used. HS.
3.38	Codes for fisheries activities	Zone 3- Subsistence fishing – has more conditions compared to other fisheries activities in Z3. Propose to add same codes to other fisheries activities act. C 1, 5, 7, 12	SMSP to check with SFA for subsistence fishing in inner islands and how it applies to existing MPAs and check conditions for subsistence for Z3 inner islands vs deep water. HS. JS.
4.10	Draft spatial decision matrix for oil and gas	<p>Presentation of Draft #2: Pilot framework:</p> <p>The ‘Spatial Decision Matrix’ is a framework to indicate the level of engagement required for decision-making based on the category of the attribute that will be shown on a spatial reference layer and the Level of activity proposed for oil and gas in a given location.</p> <p>The concept of this framework was introduced to the MSP stakeholders during Milestone 1 and 2, and is being developed during the Zoning to Implementation phase.</p>	
4.11		<p>Legislative framework –</p> <p>With the Environment Protection Act 2016, there is an specific provision that deals with petroleum exploration and exploitation (Section 31) which reads as;</p> <p><i>“The Minister may make regulations to govern the environmental performance of petroleum and mineral exploration and exploitation activities within the territorial waters and, or the Exclusive Economic Zone of Seychelles. These shall include;</i></p> <ul style="list-style-type: none"> <i>(a) requirements for preparation of Environmental Impact Assessments</i> <i>(b) applicable discharge quality standards and atmospheric emission standards</i> <i>(c) environmental management planning requirements</i> <i>(d) contingency plans for releases of oil and other polluting substances</i> <i>(e) management measures for use and handling of polluting or hazardous substances</i> <i>(f) requirements relating to conservation of biodiversity ”</i> <p>MEECC, 2017</p> 	

Agenda Item #	Agenda Item	Comment/Advice	Action_Response (with initials)
4.12		<p>Examples that support the decision matrix:</p> <ul style="list-style-type: none"> • <i>Petroleum Mining Act 1976 (Cap 166)</i> • <i>Environmental Protection Act 2016</i> • <i>Seychelles Model Petroleum Agreement 2013</i> • <i>Seychelles Petroleum Policy 1st Draft</i> • <i>Seychelles Offshore Spill Response Plan 2013</i> • <i>Merchant Shipping (Oil Pollution) Order 1975</i> • <i>Seychelles Extractive Industries Transparency SEITI 2018</i> 	
4.13		There was a proposal to add a remediation and redress step before legal counsel and recourse.	
4.14		A concern was raised in terms of management of licences and whether the decision matrix can turn the Allowable Activities in an area into a non-allowable activity down the line? E.g., if engagement for geophysical survey is an X and hence the second step indicates prevention of the drilling?	Yes, as per an EIA process (C1), an activity can be prevented based on the outcome of the EIA. JR
4.15		This needs to be reflected clearly in the management of licences considering indemnity laws etc.	Indicates needs level 3 consultations before a licence is even granted and an agreement signed. JS.
4.16		Members from PetroSeychelles clarified that if an agreement is signed, a commitment is made by GoS for a development phase in terms of the legality of a signed agreement. A stability clause is also included in an agreement to consider potential changes in government.	
4.17		Members queried whether these considerations are not covered in legislation/Act? The law would define the process and take precedence.	It was clarified that the SMSP cannot supersede an act or an agreement. There needs to be alignment. JS.
4.20	Plenary discussion and revision of draft #2 spatial decision matrix	Draft Spatial Decision Matrix for Allowable Activities: Plenary Comments	See Annex IV
4.21		<p>It was proposed to consider having 2 options:</p> <ol style="list-style-type: none"> 1. All goes to plan -where in phases of development are species or habitats affected, 2. If there is an oil spill what happens? 	
4.22		Members from Petroseychelles queried if super tankers (shipping) should be considered? E.g., the main shipping lane past Aldabra. How does the SMSP reconcile shipping and oil exploration in Seychelles?	

Agenda Item #	Agenda Item	Comment/Advice	Action_Response (with initials)
		This is important as, if oil exploration happens and goes well, there would be minimum impacts. An event of a spill is a worst-case scenario. Which scenario should be considered?	
4.23		Members reverted that the precautionary approach is to always assume the worst and to manage activities based on that principle. Does oil exploration indicated more ships coming into port Victoria.? Incidents of ship accidents are increasing on the plateau.	
4.24		How does Seychelles evaluate the economic opportunity with environmental impacts (cost benefit analysis) and how can this be captured in the matrix?	
4.25		Members question if oil is found where would it go?	Members from Petroseychelles clarified that it would be shipped directly out of Seychelles but that there are other considerations such as supply bases. These are not yet determined. PS.
4.26		There was a discussion on the assessment of the sensitivity levels without knowing the risks - how would the SMSP consider the different scenarios and sensitivity related to an oil spill?	
4.27		Members added that the economic opportunity of exploration vs the environmental impacts (spanning grounds unknown) remains unknown and that there is also a need to consider the social impacts on society and downstream impacts and how would this be considered– distribution of economic wealth etc. Cultural identity.	Social impacts – Seychelles has robust EIA process and laws, but social impacts assessments still need to be improved. JR.
4.28		Members expressed concern on the social impacts of Petroleum and history of countries with oil and conflict/war.	
4.29		Members from PetroSeychelles re-iterated that the Seychelles is part of Extractive Industries Transparency Initiative (EITI) and that these points are being considered through this process.	
4.30		Members questioned the lack of information on the next steps Seychelles does find oil. How will Seychelles benefit? There needs to be more discussions and Education & Awareness on this component associated with the oil industry.	The oil agreement is tripartite (Min of finance, SRC, AGO, MACCE etc). and the accounting procedures of the agreements are the strongest part of the agreement. PS

Agenda Item #	Agenda Item	Comment/Advice	Action_Response (with initials)
4.31		Members asked if there a sovereign fund for oil in Seychelles.	Not yet but there are plans to have one. Seychelles wants to follow the Norwegian model. PS.
4.32		Concern of climate change were raised by members from the Seychelles Energy Commission (SEC) who clarified that the SEC is in a period of energy transition. Renewable energy is the primary focus of the SEC with a net 0 target by 2050 (1.5 temp cap), primarily to target transport and the power sector. Hence oil exploration may not be necessary. Members were informed of examples from other countries such as in South America where they found oil (Bolivia) but decided not to extract because of the net 0 target.	
5.0	MSP management units	No further changes based on discussions in SC20 as summarised in Annex III.C.	See annex III
6.0	Wrap up and next steps	The wrap up included a reminder that there will be: <ul style="list-style-type: none"> • EC #27 on Friday • Territorial Sea boundary to be finalized • MSP Atlas to be completed • Decision Matrix re-looked at in next round • Marine Spatial Plan to be drafted • Monthly update meetings with EC ongoing • Stakeholder consultations to be scheduled in Q4 	
		Meeting adjourned at 1556hrs.	

Minutes prepared by Helena Sims, with assistance from Elke Talma, and submitted on 11 November 2022.

Annex I: Meeting Agenda

SEYCHELLES MARINE SPATIAL PLAN (MSP) INITIATIVE

MSP Steering Committee, with Technical Working Group

SC Meeting #21, with TWG #15
Date: Wednesday 27th July 2022
Time: 8:30 AM – 4:00 PM
Location: Eden Bleu Hotel, Mahé

DRAFT Agenda

Meeting Objectives:

5. To finalise key issues on Allowable Activities Tables for Zone 1-3
6. To review Draft #2 of Spatial Decision Matrix for Oil & Gas
7. To review Draft Management Units, where discussed from SC#20 and TWG's 13 & 14
8. Steering Committee Members SC22: Recommendations to Executive Committee

#	Time	Topic
	8:30	<i>Arrival and Registration</i>
1	9:00	Meeting Opening – Steering Committee co-Chair MACCE <ul style="list-style-type: none"> • Welcome and Agenda review
2	9:15	Seychelles MSP brief update – Dr. Joanna Smith and Ms. Helena Sims <ol style="list-style-type: none"> i. Summary of stakeholder inputs in July and public workshop on Praslin ii. Q&A
3	9:30	Allowable Activities Tables (AAT) <ol style="list-style-type: none"> i. Plenary 1: Review of outstanding activities to finalise AAT for Zone 1, 2 and 3
	10:00	COFFEE BREAK
3	10:15	Allowable Activities Tables, cont'd <ol style="list-style-type: none"> ii. Break out groups, as needed iii. Plenary 2: Discussion to finalise the Allowable Activities Tables.
	12:00	LUNCH PROVIDED
4	1:00	Draft Spatial Decision Matrix for Oil & Gas – Dr. Joanna Smith and Mr. Rick Tingey <ol style="list-style-type: none"> i. Presentation of Draft #2 ii. Plenary discussion and revision of draft #2 spatial decision matrix
5	1:45	MSP Zone Management Units – Dr. Joanna Smith and Mr. Rick Tingey <ol style="list-style-type: none"> i. Draft Management Unit boundaries based on stakeholder discussions in July ii. Plenary discussion of revisions and/or outstanding items
6	2:25	Wrap Up and Next Steps. Adjourn joint meeting with SC and TWG
	2:30	COFFEE/TEA BREAK
7	3:00	Steering Committee Member Meeting SC#22 – Co-Chair, with Dr. Joanna Smith and Ms. Helena Sims <ol style="list-style-type: none"> i. Agenda review ii. SC Member recommendations to the Executive Committee <ul style="list-style-type: none"> ○ Allowable Activities Tables Zone 1, Zone 2 and Zone 3 ○ Spatial decision matrix for oil & gas ○ Management Unit boundaries



		iii. Any other business
	4:00	Steering Committee Adjourn

Annex II: List of documents provided for the meeting provided in dropbox folder:
<https://www.dropbox.com/sh/cez70mydgwak4ib/AAD6Po5HrMvtfpRIF0B4vleGa?dl=0>

- SEYMSP_SC21_TWG15_Agenda_27Jul2022_DRAFT2
- SEYMSP_ActivitiesTable_Completion_Zone1_20220722
- SEYMSP_ActivitiesTable_Completion_Zone2_20220722
- SEYMSP_ActivitiesTable_Completion_Zone3_20220722
- SEYMSP_Decision_Matrix_Draft_SC21_v2_20220727
- SEYMSP_ActivitiesTable_Completion_Codes_20220722
- SEYMSP_ActivitiesTable_Completion_GenMgmt_20220715
- SEYMSP_Decision_Matrix_Draft_SC21_v2_worksheet_20220727
- SEYMSP_MasterList_AllowableActivities_Map545_20220721

Annex III: Plenary Discussion after Break Out Groups

A. Subsistence Fishing Group

Areas of Agreement

- SFA fisheries term decided was OK; reviewed the definitions
- No commercial aspect or element to subsistence including fishing vessels, marine charters
- Aldabra and D’Arros not commercial uses (research) so not an issue with the definition
- No subsistence for Bird, catch fish outside Zone 1 - is a resort so would be considered commercial. Not very far to source fish, or buy from fishing boats.
- Target species for subsistence captured in the management plans
- If there is a private residence AND commercial use then subsistence would not occur. Too difficult to distinguish the uses.
- If there was a research use on Bird, then would still be “X” if there is a commercial enterprise.

More Discussion needed

- Need definition of “Commercial”
- Conditions in the management plan, compliance with existing regulations or proposed amendments.
- Definition of a “resident”, benefits of a residence and ownership longevity
- Monitoring and enforcement of subsistence fishing in remote atolls can be difficult.

B. Tourism and Sustainable Criteria

Areas of agreement

- Cruise ship definition needs to be reviewed. Look at Merchant Shipping Act.
- Zone 1 - Floating Structures. Change from X19 to: C1,19
- Zone 1 - Marine Tourism Accommodation from C to X.

More discussion needed

- Motorised Activities and Non-motorized Activities. Focus on the vessels ☐ motorised crafts and non-motorized crafts. Check SMSA definitions: Personal Water Craft, Commercial water craft. There are two categories of “water craft”.
- Definition of motorized craft and the motorized devices. Check the SMSA Act for “water craft” definitions
- Zone 1 - Jet Skis code #11 and other craft
- Zone 1 - Definitions for Code #11. Jet skis ... ADD and other motorized devices.
- Zone 2 - ADD a new code # 20 with explicit remarks about jet ski and other motorized device management. Remove Code #11 from Zone 2

C. Area-Based Management - Zone 2

Areas of agreement

- Management boundary for site-specific ecological sensitivities
- Consistent changes for St Joseph and Denis
- Coordination with the national project SWIOFish3 for management plans for Zone 2 including Amirantes to Fortune Bank. Other complications - the Harvest Strategy and those management unit boundaries
- Change of Allowable Activities for St Joseph and Denis

More discussion needed

- Bioprospecting Research vs Bioprospecting Development definitions
- Develop a Management Boundary within the Zone 2 for St Joseph and Denis.
- Changes to Allowable Activities Denis and St Joseph:
- X - aquaculture and commercial fishing
- C - fly fishing and recreational. Add: #3,7, 16
- X - renewable energy
- X - non-renewable energy,
- X - commercial bioprospecting
- X - Tourism accommodation, Terrestrial (St Joseph)

Annex IV: Plenary comments as summarised on shared the power point presentation to members on 27 July 2022.

- If all goes to plan - where in the phases of development that species or habitats might be affected.
- Assessing the sensitivity levels without knowing the risks
- Spill - what happens in this situation
- Show data for the transportation of oil past Aldabra (low risk)
- How to reconcile worst case scenario of oil exploration with shipping tankers in Seychelles?
- Precautionary approach - assumes the worse. Example to manage for overfishing
- Will more oil development translate to more shipping across the Plateau in to Port Victoria? Accidents? Shipping of oil will not come in to port of Victoria. Other transportation might increase to support exploration
- How does Seychelles evaluate economic opportunity of exploration with environmental impacts? We don't know enough about the environmental impacts. What might be the social and cultural impacts if oil is discovered and how would these be considered?

-
- Social impact assessment in the regulations for the sector. Need for social impact assessments in the frameworks
 - EITI = Seychelles is a member of Extractive Industries Transparency Initiative
 - What to expect if do find oil? Increasing public awareness.
 - Concerns of climate change. In a period of energy transition and moving to renewable energy. Reference to NetZero 2050 (1.5°C temp cap).