

## **Wildlife and Countryside Link response to Defra's consultation on the Second Tranche of Marine Conservation Zones**

**April 2015**

Wildlife and Countryside Link (Link) brings together 45 voluntary organisations concerned with the conservation and protection of wildlife and the countryside. Our members practise and advocate environmentally sensitive land management, and encourage respect for and enjoyment of natural landscapes and features, the historic and marine environment and biodiversity. Taken together our members have the support of over 8 million people in the UK and manage over 750,000 hectares of land.

This response is supported by the following 17 members of Link:

- Buglife – The Invertebrate Conservation Trust
- Environmental Investigation Agency
- Friends of the Earth England
- Humane Society International/UK
- Institute of Fisheries Management
- Marine Conservation Society
- MARINELife
- National Trust
- ORCA
- Royal Society for the Prevention of Cruelty to Animals
- Royal Society for the Protection of Birds
- Salmon and Trout Association
- Shark Trust
- Wildfowl & Wetlands Trust
- The Wildlife Trusts
- Whale and Dolphin Conservation
- WWF-UK

### **General comments**

#### **Summary:**

Link welcomes the second tranche consultation as another step in a process to deliver an effective and ecologically coherent network of MPAs in the seas around the UK. However we are disappointed by the continued lack of acknowledgement as to the important role these protected areas play in the sustainable management of our seas and the multiple benefits arising from them. In summary:

- While Link was disappointed that the second tranche only proposes 23 Marine Conservation Zones (MCZs) we support each of these sites and call for all 23 of them to be designated in 2015.
- We believe that all 23 MCZs are essential to help fill gaps in the ecologically coherent network (ECN) of Marine Protected Areas (MPAs).

- An ECN is essential to achieving various international commitments including Good Environmental Status (GES) under the Marine Strategy Framework Directive (MSFD).
- We are pleased that Defra aims to designate the second tranche within the next 12 months.
- We welcome the commitment to a third tranche in 2016. However, given how small the second tranche is and the absence of any sites in the Welsh offshore area, we believe either the third tranche will need to be much bigger, or a fourth tranche may now be needed if we are to achieve an ECN.
- We call for the 14 recommended MCZs for which a decision has been postponed to be included in Tranche 3. This must be in addition to, not at the expense of other sites that are needed to complete the ECN.
- We believe there is sufficient evidence and local support for all the postponed sites to be included in the 3<sup>rd</sup> tranche. We are disappointed that Defra did not provide the opportunity for the public to comment on these sites within the current consultation.
- We support Highly Protected Marine Areas that are better sited and larger as recommended by Natural England. We look forward to the long awaited Cefas review and discussing the findings with you.
- We believe that a unique opportunity exists now to start identifying and protecting important sites with high productivity and high biodiversity in UK waters and to include information on pelagic habitats and species in the designation of MCZs. Only with the inclusion of such sites can ecological coherence and effective management of an MPA network be achieved.

### **Conservation Objectives and General Management Approach**

- Link believes that the current approach to the setting of the General Management Approach (GMA) will not provide the protection that is required to promote recovery of damaged and depleted marine ecosystems. 2.3.1 Clause 117 (6) of the Marine and Coastal Access Act (2009) makes clear that all MCZs must have an objective of both conservation *and* recovery. As such we question whether Government should be proposing one of the GMAs to be “maintain” when the Act suggests all must be “recovery”. GMAs of “recovery” will also help the UK meet its MSFD and Biodiversity commitments, and the vision of “clean, healthy, safe, productive and biologically diverse oceans and seas”. This is because the productivity, abundance and diversity of marine ecosystems often recovers only once the most damaging activity is prohibited. It is also the case that this recovery is not necessarily easily predictable in terms of timeframe and the specific habitats or species that recruit to the seabed. However, allowing areas to completely recover from unnatural heavy abrasion and disturbance is necessary to see the integrity of marine ecosystems recover. MPAs have to (at a minimum) provide this potential.
- Link believes that Government, managers and regulators need to acknowledge that while sites have been selected for individual features, the GMAs, and management of sites need to recognise that the maintenance and restoration of those features requires that the integrity of the site as a whole be maintained or restored. This will of course have added value for other habitats and species (both within and beyond the boundaries of MPAs). In ecological terms, it is worth remembering that while MPAs might be designated for specific species or habitats (e.g. reefs or coarse sediment), it is not only those habitats that are important, but the seabed and mobile communities that they support. In most, if not all cases the ecological links between communities on adjacent habitats are not understood. Where there is a lack of certainty regarding

the exact extent or distribution of features within a site, it is especially important that a precautionary approach be adopted and that the whole site is managed in ways compatible with the conservation and restoration of that feature.

### **Consideration of social and economic factors**

- Link believes that the level of public support MCZs have received (including over 350,000 signatures delivered to Downing Street in 2013) reflects a high positive social value placed upon marine protection, and MCZs in particular. This needs to be taken into account, and set against costs, when taking decisions around MCZ designation. Decisions should not be based solely on present Cost Benefit Analysis criteria. Social, legal, ecological and ethical factors are important considerations as well.

### **The Impact Assessment**

- Link recognises the evolving nature of methodologies estimating monetary values for the benefits of MCZ designation. However, we believe that if economic factors are to play a part in decisions around designation, they should consider non-monetary benefits, not just private sector costs and “indicative” benefits. In the absence of monetary values for benefits, judgments on designation priority should be based on ecological factors alone, with priority given to sites under most threat of damage.
- We support the inclusion of quantitative benefit studies but believe they should be more than “indicative”.
- We would like to see “costs” on natural capital assets taken into account as per Natural Capital Committee work which estimates that fish stock restoration would bring £1.4bn per annum. This includes protection of MPAs from damaging activities, or over-exploitation of fish resources within MPAs (including shellfish). The latter approach isn’t appropriate for assessing the potential of mixed-management approaches for MPAs in places such as estuaries and in areas where relatively sedentary species (such as scallops) can be considered as ‘natural’ brood stock in MPAs. This is the case in the Isle of Man.
- Overall Link is concerned that the IA methodology used in the MCZ process fails to understand the timescales involved in recovery of marine ecosystems. The IA is based on false assumptions about the trajectory of the marine environment in the absence of management and fails to adequately capture the social benefits of MCZ designation.

### **Management**

- We believe that a more holistic approach to the management of MCZs is required. In addition to introducing management measures to protect individual features, management to protect the whole site is necessary because they are ecologically linked. This could have practical as well as ecological benefits. Furthermore, this would not only assist towards a more coherent marine network but would also mean that management could assist other national and international targets such as Biodiversity 2020.
- Link believes that management of MPAs in the face of uncertainty should follow the precautionary principle, with activities being excluded if their impacts are not well

understood. It is also important that it is recognised that adaptive management is not an easy option and that costs of implementation will be higher than if the precautionary approach is used.

- There are also questions on who pays: in the case of adaptive management of fishing activities it is the fishing industry that benefits from being allowed to continue its activity within an area that might otherwise be closed. It is not unreasonable to suggest that the fishing industry supports, or at the very least contributes to, the cost of survey and monitoring that allows that activity to continue. This is especially the case in offshore areas where international fleets are making significant profits. We might want to consider a 'sliding scale' of contributions depending on the scale and value of the fishery. Potentially damaging activities, in particular bottom trawling and scallop dredging, should be managed to fulfil the conservation objectives.
- In addition invasive non-native species (INNS) are a huge and increasing problem not only for biodiversity but for the economy and society. It is vital that MPAs play their part in UK action against INNS through an adequate surveillance, monitoring and management regime for INNS.

### MCZs for Mobile Species

- Government commitments and advice indicate that an ecologically coherent network of MPAs should include areas of high productivity, such as fronts and upwellings, and which support wide-ranging species and congregations of species, along with sites which are important at various stages of species life-cycles, e.g. breeding areas, spawning and nursery areas and feeding areas. A unique opportunity exists now to start identifying and protecting important sites with high productivity and high biodiversity in UK waters and include information on pelagic habitats and species in the designation of MCZs.
- Link is disappointed that no cetaceans or seabirds have been included in any of the proposed sites, even though the consultation document states in Section 5.5 that *'The Marine and Coastal Access Act 2009 (the Act) requires government to establish a network of MPAs that protects habitats **and species** which are representative of the range of habitats and species in our seas'* (emphasis added).
- Thirty species of cetaceans are known to occur in UK waters, twelve of which are seen regularly in English waters. This means that by not including any cetacean species in any of the MCZs, the representativeness of the MCZ network is questionable.
- The designation of offshore Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) for mobile features is behind schedule and will not provide protection for nationally important populations of cetaceans and seabirds. MCZs are needed as additional and complementary measure to protect seabird populations such as through the designation of maintenance extensions to protect the waters adjacent to nationally important (SSSI) seabird colonies used by large numbers of feeding, breeding and moulting birds.

### Wildlife and Countryside Link April 2015



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