

**WWF Cymru**

Tŷ Baltig, Sgwâr Mount Stuart
Caerdydd CF10 5FH

Baltic House, Mount Stuart Square
Cardiff CF10 5FH

Ffôn/phone: 029 2045 4970
Ffacs/fax: 029 2045 1306
wwf.org.uk/cymru

CONSULTATION ON MARINE CONSERVATION ZONES: POTENTIAL SITE OPTIONS FOR WELSH WATERS

Consultation Response by WWF Cymru

30th July 2012

Introduction

WWF Cymru is the Welsh office of WWF-UK, which in turn forms part of the world's largest environmental network. We welcome the publication of the consultation on Marine Conservation Zones. As a global organisation, WWF has been involved in the design and/or assessment of efforts to develop networks of Marine Protection Areas in many regions. Lessons derived from this experience have informed our response to this consultation.

We have focused our response largely on the policy proposals contained within the consultation and aspects of the process associated with Welsh Government's Marine Conservation Zone (MCZ) Project Wales. To gain a full understanding of our position, this response should be read in conjunction with the response from Wales Environment Link, which we also contributed to. WWF has encouraged its supporters to individually respond to the consultation. We believe the considerable volume of these public responses demonstrates the strong level of interest and support, both within Wales and further field, for greater protection for Welsh seas to ensure a better, more sustainable future, and broad support for highly protected MPAs in Wales.

Welsh Policy Context

Research commissioned by WWF Cymru¹ has shown that over the last 200 years there has been considerable human activity around the Welsh coast that has fundamentally altered the way of life on the Welsh coastline. Today, significant pressures are being exerted upon marine resources, and there is competition for finite space, particularly near the Welsh coast. The significant benefits we derive from the marine environment depend upon healthy ecosystems. Welsh seas are vulnerable to overexploitation and unsustainable use. Ecosystem-based

¹ Gubbay, S. (2009) A selective review of historical information about the marine environment around Wales. A report to WWF Cymru.



**BUDDSODDWYR
MEWN POBL** | **INVESTORS
IN PEOPLE**

Mae WWF-UK yn elusen gofrestredig yng Nghymru a Lloegr rhif 1081247 ac yn yr Alban rhif SC039593, ac yn gwmni cyfyngedig trwy warant cofrestredig yn Lloegr rhif 4016725. Rhif TAW 733 761821. 100% papur wedi'i ailgylchu. Swyddfa cofrestredig: Panda House, Weyside Park, Godalming, Surrey GU7 1XR

Llywydd: HRH Princess Alexandra, The Hon Lady Ogilvy KG, GCVO
Cadeirydd: Ed Smith, Prif Weithredwr: David Nussbaum

WWF-UK a charity registered in England and Wales number 1081247 and in Scotland number SC039593, a company limited by guarantee registered in England number 4016725. VAT number 733 761821. 100% recycled paper. Registered office: Panda House, Weyside Park, Godalming, Surrey GU7 1XR

President: HRH Princess Alexandra, The Hon Lady Ogilvy KG, GCVO
Chairman: Ed Smith, Chief Executive: David Nussbaum

management is essential to ensuring healthy functioning ecosystems that can continue to support and deliver valuable goods and services. We, therefore, support WG in their intention to frame all aspects of their marine programme, including marine nature conservation, within an ecosystem-based approach.

Whilst we support the statement in the consultation as to the need for Welsh Government's (WG) marine programme to "complement" the 'Sustaining a Living Wales' agenda, we feel that this should be strengthened to "integrated within". WWF considers 'Sustaining a Living Wales' to present a number of positive opportunities for sustainable resource management, including embedding the Ecosystem Approach at the heart of government decision-making with respect to the use and management of Wales' natural resources on land and in the marine environment. As such, the new Single Body will play an important role in marine management in Wales, and delivering aspects of MCZ Project Wales. Furthermore, we feel it will be important for all emerging Welsh legislation and policy, including the Sustainable Development Bill and the anticipated Environment Bill, to ensure the sustainable development of Welsh natural resources, and in particular facilitate the restoration, protection and enhancement of the marine environment.

Existing commitments with respect to marine and coastal management are noted in the consultation, including, the UK and WG's High Level Marine Objectives and shared vision of clean, healthy, safe, productive and biologically diverse seas. WWF would like to draw attention to another strong UK political commitment under the Convention for the Protection of the Marine Environment of the North-East Atlantic (the 'OSPAR Convention') to designate an ecologically coherent network by 2012 and that it should be well managed by 2016.

Marine Protected Areas (MPAs) in Wales

WWF believes that MPAs, one of the primary tools for managing and safeguarding the marine environment, are vital in protecting marine biodiversity. They form a critical component of current wider marine management and future marine spatial plans. It has been demonstrated that both individual and networks of MPAs have lasting benefits². As well as providing protection for marine biodiversity, well managed MPAs assist with the recovery and maintenance of vital ecosystem goods and services, underpinning the many economic and social uses of the coast and sea.

A range of protection and management interventions are possible within MPAs, from highly protected sites where very little activity is allowed to take place (known as marine reserves), through to multi-use areas which are managed with nature conservation at the forefront, but where a range of activities are compatible with the nature conservation interest that is being protected.

² Salm, R.V., Clark, J.R. and Siirila, E. (2000) Marine and Coastal Protected Areas. IUCN, Gland, Switzerland.

WWF is aware that a large proportion of the Welsh marine area is designated as multi-use MPAs, with no highly protected areas. We feel it is important to note that current measures to protect Welsh seas have not been successful in halting biodiversity loss. A report by the Countryside Council for Wales³ (CCW) highlighted that 60% of features in marine sites were in an unfavourable conservation status. This was further reinforced by research undertaken in 2008 for Wales Environment Link⁴ by the Marine Biological Association. We believe that action must be taken to address the condition of Welsh European Marine Sites (EMS), and that new ways of working to better manage Welsh MPAs are urgently required. As such, we are pleased that CCW in May 2012 reported high level recommendations from their review of the current management arrangements and outcomes of MPAs in Welsh waters. We support CCW's recommendations to WG regarding the need to look strategically at all Welsh sites, and consider them as suite of sites, to ensure Welsh MPAs can in their entirety, deliver greater conservation benefits better than the individual component sites can on their own.

We strongly welcome commitment within Annex 1 to finalising and publishing a MPA Strategy. We responded to the previous administration's 2009 consultation on a draft MPA strategy for Welsh seas and have since been awaiting an outcome. It is vital that a finalised Welsh MPA strategy sets out the wider marine nature conservation programme of WG, giving a strong national leadership for all aspects of MPA policy including management, along with a proportionate strategy for delivering the ambition of the strategy. This strategy must reflect that over the next few years, marine conservation will become an ever-more important issue for Wales, and there needs to be an increase in available resources to support the work that will be necessary to deliver the strategy, for example, for research, monitoring and enforcement.

Ecologically Coherent Network (ECN) of MPAs

WWF believes that a well designed and well managed network of MPAs can help increase the resilience of the marine environment to cope with natural and anthropogenic changes. A comprehensive and ecologically representative network should encompass rare, threatened species and habitats, in addition to those which are representative of common and widespread habitats or species. In the absence of full scientific certainty, a precautionary approach should be adopted. It should be recognised that where scientific information or data is lacking, larger rather than smaller MPAs are most likely to meet biodiversity conservation objectives and deliver the most effective network. An Ecologically Coherent Network (ECN) should include areas with a range of protection levels. WWF considers highly protected areas that exclude activities known or suspected to be damaging or result in disturbance to sites with sensitive features or a high degree of naturalness, to be essential to underpin the conservation or recovery

³ Dornie, K.M., Ramsay, K., Jones, R.E., Hill, A.S., Wyn, G.C. and Hamer, J.P. (2006) Implementing the ecosystem approach in Wales: current status of the marine environment and recommendations for management. May 2006, 06/9.

⁴ Jackson, E., Langmead, O., Evans, J., Ellis, R. and Walters, H.T. (2008) Protecting nationally important marine biodiversity in Wales. The Marine Life Information Network for Britain and Ireland (MarLIN). Report to Wales Environment Link, November 2008.

of biodiversity and ecosystem processes, and to contribute collectively to the viability and function of an ECN.

WWF continues to be strongly of the view that developing a UK ECN of MPAs is a critical step towards achieving a sustainable marine environment, Good Environmental Status and protecting the full range of marine biodiversity in our waters. We believe that Wales' contribution will be significant in spatial terms. However, given the current condition of several Welsh EMS and the absence of any fully protected sites, the contribution could not at present be considered resilient or well managed. As such, the focus for the WG should be in ensuring that all Welsh MPAs are well managed, there is designation of highly protected sites, and that all are supported with effective monitoring, surveillance and enforcement.

Marine Conservation Zones (MCZs)

WWF are keen to see Marine Conservation Zones (MCZs), a key component of the Marine and Coastal Access Act, 2009, coming to fruition in Wales. The identification and designation of MCZs, together with existing Welsh MPAs, will be important to the protection and recovery of Wales' and the UK's marine biodiversity.

Scientific evidence shows that human activity is causing declines in the marine environment, including damage to valuable coastal and marine habitats⁵. As such action is needed to limit impacts, halt the decline in biodiversity and facilitate the recovery of marine ecosystems to ensure they are resilient to cope with increasing pressures and threats such as climate change. As previously stated, in Wales there are current no fully protected MPAs where habitats are afforded full protection from all damaging activities. As such WWF considers it appropriate for WG to look at restricting damaging and impacting activities in a small number of areas. We, therefore, support proposals by the WG to use the provisions in the Marine and Coastal Access Act to designate some highly protected MCZs (hpMCZs), as part of a wider programme of measures.

The strong commitment to the role of highly protected sites is supported by WWF due to their fundamental role in the success of achieving a truly ECN, as discussed previously. We therefore consider proposals to establish hpMCZs a important marine conservation initiative, and demonstrates ambition in ensuring Welsh seas can become more resilient and that marine biodiversity is safeguarded for the future.

⁵ Defra (2011) Charting Progress 2 The State of UK seas.

MCZ Project Wales

The following comments relate to aspects associated with the WG's MCZ Project Wales and the current phase of consultation.

Site Selection

It is essential that hpMCZs are established in the best locations possible to protect and conserve Wales' nationally important marine and coastal habitats. Ensuring the right sites are designated is, therefore, critical and should stand as the primary criteria for selection. Maximum benefits will only be realised if appropriate sites such as biodiversity hotspots and ecologically important sites are selected. In section 1.5 (b) of the consultation document the suite of sites are highlighted to work as a set of case studies on gaining a better understanding how hpMCZs can contribute to the network, as such site location is critical. WWF believes that with a significant proportion of the Welsh marine area under designation, Wales is in a unique position of leading work on hpMCZs/MPAs, with the potential to inform on selection and designation of similar hpMCZs/MPAs elsewhere in the UK. Whilst we recognise that secondary considerations such as socio-economic factors are part of the site selection process under the Marine Act, for reasons given above, we do not feel this form of screening should undermine the selection of sites and the ecological integrity of the network.

The inclusion of the TAG's Focus Site discussions (Table 13) is considered a valuable inclusion in the consultation in allowing greater transparency of decision making, particularly regarding renewable energy policy ambitions for Welsh waters. We are concerned, however, as to how effective the first screening of social, economic and practical considerations has been at considering all sectors. The public consultation has a strong emphasis on ascertaining local knowledge of how sites are being used, we are concerned that this could be perceived as acting as a further socio-economic screening of sites that will influence final site selection decision making. We seek reassurance that this will not place socio-economic considerations on higher footing than ecological considerations.

Impact Assessment & Socio-Economics

It is clear that the first public consultation will generate a large volume of public responses on potential socio-economic impacts and consequences of the ten proposed potential site options. Whilst these responses represent important local site specific information, WWF strongly advocate that all submissions are quality assured and adequately scrutinised. A sound and appropriate evidence base should underpin the development of the second iteration of potential sites. The need for a level playing field for scrutiny of all data and information, i.e. ecological and economic, is, in our view essential. A detailed, quantitative Impact Assessment of the proposed ten potential sites would be welcomed.

The move towards valuing ecosystem goods and services, as part of the 'Sustaining a Living Wales' agenda, and the growing need to justify MPAs economically, highlights the difficulties in putting monetary values on the intrinsic value of biodiversity and natural and cultural heritage benefits of MPAs. It is questionable if all benefits can, and should be measured in conventional monetary terms. Nevertheless, it is clear that there does need to be greater communication and awareness raising amongst stakeholders of the need for marine conservation and the value / benefits of MPAs in Welsh waters. In our engagement with supporters, WWF has found this vital when attempting to communicate our support of MPAs, and the role of MPAs as solutions for change as part of our vision for Welsh seas and addressing declining marine biodiversity.

Stakeholder Engagement

Whilst efforts to engage the public have been undertaken during this first phase of consultation, it has become increasingly evident that the MCZ Project Wales does not have widespread sectoral support. The public debate that has ensued is considered a valuable part of the process to allow WG to listen and understand stakeholder concerns and issues. We are, however, concerned that there has been a considerable amount of mis-information about proposals for highly protected MCZs in Welsh waters that has underpinned and in some cases, unnecessarily inflamed, stakeholder concerns.

Going forward, greater collaborative MPA management discussions will require forging links with local stakeholders. Given the complexities within the Welsh inshore area, for example, the considerable number of stakeholder and interest groups, WWF believes integration and cooperation of all marine and coastal sectors and users to be vital. We support the Wales' ICZM Strategy 'Making the Most of the Coast' (2007) and feel there is much merit in ensuring that this strategy is taken forward with the necessary resources, particularly at the local level in Wales, to ensure success in a joined-up approach and coordinated management in this complex area. Welsh coastal fora, such as the Pembrokeshire Coastal Forum, are proving to be valuable mechanisms for facilitating stakeholder engagement during the WG MCZ Project Wales. CCW and others have for a number of years been keen to support the establishment of a North Wales coastal forum and have previously invested resources via the Straight to the Head project. Whilst this project identified notable stakeholder appetite in the management of inshore waters in the area, a number of barriers, including political and organisational, were preventing stakeholders from working together to deliver more effective management in the area. It is clear the WG MCZ Project Wales has been a catalyst in generating stakeholder interest in establishing a form of partnership within North Wales. Accordingly, we would encourage WG to support forthcoming proposals for the establishment of such a forum.

We also believe that it would be beneficial to better utilise existing Welsh partnership groups and structures, particularly the MCZ Project Wales' Stakeholder and Citizen Engagement Group (SCEG), which we are represented on via Wales Environment Link. The SCEG, prior to the

public consultation, made a number of recommendations concerning stakeholder engagement, that sadly do not appear to have been fully acted upon by WG. We feel there would be value in the group being reconvened and its future role in MCZ Project Wales being clarified. Furthermore, the three Welsh Inshore Fisheries Groups and the Wales Marine Fisheries Advisory Group should be harnessed to help facilitate greater participation.

Monitoring and evaluation

WWF believes that monitoring and research are critical to understanding our seas. The commitment in the document to establishing and commencing a monitoring programme ahead of designation of the MCZs is, therefore, fully supported. However, we would have liked to have seen further detail on this, for example, the scale and frequency of monitoring and clarity as to who will be undertaking this.

Enforcement

An enforcement programme is considered to be especially important in the early stages of establishing newly designated MPAs. The surveillance and enforcement requirements for hpMCZs do not appear to have been fully examined and presented in the consultation document. WWF, like other marine stakeholders in Wales, including the fishing industry, are concerned that the current level of enforcement of capacity in WG's Fisheries Unit is insufficient to deliver existing obligations. As such we consider there to be a need for an urgent analysis of enforcement capacity in WG for its marine programme, including fisheries management, to identify if sufficient resources will be made available to support the effective delivery of MCZ Project Wales. We would like to see contained within the next public consultation, proposals outlining the anticipated surveillance and enforcement approach for hpMCZs in Welsh waters.

Next Steps

WWF would welcome WG publishing, as soon as possible, a Summary of Responses to the first public consultation, and a Statement from the Environment and Sustainable Development Minister showing strong leadership, outlining the direction and next steps in process, and if there are to be any changes in policy. Furthermore, WWF would encourage a greater collaborative effort between Ministerial departments in WG to ensure that Ministers and their officials are fully engaged and aligned in support of MCZ Project Wales.

Cross Border Coordination & Consultation

WWF urges WG to work closely with Defra MCZ projects in English inshore and UK offshore waters adjacent to England and Wales, especially the Irish Sea Conservation Zone Project that has recommended a number of MCZs in the Welsh offshore region. This is imperative in seeking to create and deliver a truly UK ECN that transcends political and administrative boundaries. Furthermore, as a public consultation by Defra on these sites is expected later this

year, we strongly encourage WG to advise Defra to ensure those potentially impacted Welsh stakeholders are effectively engaged.

Wider Management Measures

MPAs and marine nature conservation need to be seen within the wider planning provisions of the Marine and Coastal Access Act, 2009. As such, WWF considers the implementation of a marine spatial planning system in Wales as a key priority to deliver benefits for biodiversity. The contribution that other measures for example, marine licensing, Fishery Orders, Nature Conservation Orders, will make to achieving appropriate management must also be acknowledged. It is currently unclear as to how WG's MPA work will be reflected within the newly emerging Natural Resource Management as part of 'Sustaining a Living Wales'. Whilst the consultation does acknowledge the inter-related nature of marine planning, licensing, marine nature conservation and the implementation of MSFD, WWF are concerned at the considerable current resourcing and capacity constraints both within WG and CCW, to deliver these key areas of policy and operational work.

WWF would be happy to discuss this response and provide additional information both in relation to the response and our future contribution to WG's MCZ Project Wales and WG's wider marine programme.

Contact	Dr Wendy Dodds, Senior Marine Policy Officer
Email/Tel	wdodds@wwf.org.uk / 02920454971
Date	30th July 2012