

Cynulliad Cenedlaethol Cymru | National Assembly for Wales
Y Pwyllgor Newid Hinsawdd, Amgylchedd a Materion Gwledig |
Climate Change, Environment and Rural Affairs Committee
Gwaith dilynol ar reoli Ardaloedd Morol Gwarchoddedig yng Nghymru |
Follow up work on Marine Protected Area management in Wales
MPA 05
Ymateb gan : Cyswllt Amgylchedd Cymru
Evidence from : Wales Environment Link

Summary

Wales Environment Link (WEL) welcome the CCERA Committee's return to the pressing issue of Welsh Marine Protected Area (MPA) management. This is a crucial time for biodiversity in Wales, and the protection and conservation of the marine environment must not be left behind; a very real risk in the face of increasing demands on policy makers, resulting from Brexit and 'day one readiness'. Only when Wales has "*clean, healthy, safe, productive and biologicals diverse seas*"¹ will Wales be able to realise the substantial economic, societal and wellbeing benefits of our MPAs and the wider marine environment.

The Committee's Marine Protected Area inquiry – 'Turning the Tide' – in 2017, was a klaxon signally the need for a change in the modus operandi of the Welsh Government towards MPA management. We do not consider that the Welsh Government embraced the central tenets within the report relating to the culture of MPA management in Wales. Despite eleven out of the twelve inquiry report recommendations either accepted or accepted in principle, in many areas there has not been demonstrable change in MPA management activity locally or nationally. Indeed, the 2017 inquiry built on the 2013 Marine Policy Inquiry by the Fourth Assembly's Environment and Sustainability Committee. Sadly, marine management and conservation is still given limited priority amongst other areas of Welsh Government policy, coupled with difficulty in sufficient resourcing to drive improvements in protecting marine biodiversity in Wales.

Q1. What progress has been made by the Welsh Government against the recommendations in the Committee's report?

We have chosen to focus on those recommendations where we consider there has been either the least progress by the Welsh Government, or where the recommendation, if implemented comprehensively, would catalyse the greatest change for MPA management in Wales. These are recommendations are 1, 2 and 5.

Recommendation 1.

The Committee recommends that for Wales to realise the benefits of its MPAs, sites must be managed effectively. The Welsh Government must provide leadership on this matter by developing, as a matter of urgency, an MPA strategy and ensuring that all management authorities, including the Welsh Government, are actively engaged in MPA management and fulfilling their duties and responsibilities.

Welsh Government response: accepted.

¹ HM Government, Welsh Assembly Government, Scottish Government & Northern Ireland Executive, 2009. [Our Seas – a shared resource high level marine objectives](#); Welsh Government, 2013. [Strategic action plan for marine and fisheries](#).

Recommendation 1 was an important recommendation and we do not feel it has been fully taken on board nor put into practice. There has been a tendency in the rhetoric coming from the Welsh Government to focus on the nature of MPA management involving multiple management authorities and there being shared responsibilities.

However, Welsh Government do have overall responsibility for MPA management in Welsh waters, which includes duties and obligations under the UK Marine Policy Statement; Part 5 of the Marine & Coastal Access Act 2009; The Conservation of Habitats & Species Regulations 2017 and The Conservation of Offshore Marine Habitats & Species Regulations 2017². As stated by the then Cabinet Secretary for Environment and Rural Affairs, in her written submission to the Turning the Tide inquiry³,

“Welsh Ministers have overall responsibility for securing effective management of our MPAs, however, no one organisation is responsible for managing our MPAs”.

Wales Environment Link (WEL) does not dispute that there are many stakeholders and management authorities⁴ involved, however, effective management with successful outputs stems from strong leadership. Welsh MPAs need ownership and leadership to drive shared efforts nationally and locally and this task clearly lies with the Welsh Government in order to secure effective management of Welsh MPAs.

WEL supports the principle of co-management and the collective vision for the management of the MPA network in Wales. We are not advocating a move towards top-down management from the Welsh Government. The Wellbeing of Future Generations Act’s five ways of working⁵ represents good governance, which we fully endorse and seek to demonstrate in our own working practices. However, WEL would advocate for a role whereby the Welsh Government better enables and empowers other management authorities, particularly through resource, to ensure the co-operation of all in the delivery of MPA management. We wish to see the Welsh Government lead from the front and ensure all management authorities are more actively engaged; only then will sites have the best chance of meeting their conservation objectives.

When examples of good MPA management are provided, these examples are often dominated by a few MPAs in particular⁶. As a result, there appears to be an inconsistency in the level of priority, approach and investment of resource afforded to MPA management by different MPA management authorities in Wales. Furthermore, it is noticeable that the number of management authorities that participate⁷ in the MPA Steering Group directly is minimal compared with the list of authorities provided in the Welsh MPA Management framework document⁸. Whilst presumably many of those organisations that are members of the group are also

² These are detailed in Table 1 of the Welsh Government’s report: [Marine & Coastal Access Act 2009: Report to the Assembly on MPAs in Wales.](#)

³ Welsh Government, 2017. [Paper to CCERA.](#)

⁴ The term ‘management authorities’ is used to refer collectively to all organisations with statutory responsibilities in relation to any type of MPA, or who are significant seabed or coastal land owners. This includes relevant and competent authorities under the Habitats and Species Regulations 2017 and public authorities under the Marine and Coastal Access Act 2009 and the Natural Environment and Rural Communities Act 2006.

⁵ Five Ways of Working, 2015. [The Wellbeing of Future Generations \(Wales\) Act 2015: The Essentials](#), p7.

⁶ Natural Resources Wales, 2017. [Letter to CCERA Committee and Briefing Note: Management of Marine Protected Areas in Wales.](#)

⁷ MPA Management Steering Group, 2018. [Terms of Reference.](#)

⁸ MPA Network Management Framework for Wales 2018-2023, 2018. [Annex 3.](#)

representing other management authorities and disseminating information, we would question whether that is as effective as having more authorities directly involved.

In addition, it is notable that of the management authority representatives participating, a significant proportion of those outside of NRW and Welsh Government are based in Pembrokeshire⁹, so there does not appear to be a breadth of coverage geographically across Wales which could present some challenges to achieving network-wide objectives e.g. around engagement. **WEL would like to understand what Welsh Ministers and their officials are doing to ensure that all management authorities are actively, and continuously, engaged in the work of the Steering Group and acting upon their own responsibilities for MPA management.** We must stress that, ultimately, engagement from other management authorities is likely to be affected by the level of proactive support, guidance and, crucially, funding provided to them by Welsh Government.

We are fully aware that the Minister wrote to management authorities¹⁰ in May 2017 to remind them of the importance of fulfilling their statutory responsibilities. But capacity building, to deliver MPA improvements, requires more than one letter. **We suggest there might be a need for training staff in management authorities on MPA management, including Welsh Government civil servants, highlighting their legal duties and responsibilities.** This needs to be followed up with regular reporting of actions linked to improvements in site features and could be done through the annual review of the MPA Management Framework Action Plan.

The development of MPA Network Management Framework for Wales 2018-2023¹¹ and annual Action Plan¹² has not, in our view, generated a gear shift in engagement by Management Authorities in site-level MPA management. This is demonstrated by the majority of the 2018-19 Action Plan being assigned to the Welsh Government and Natural Resources Wales, with many of these being strategic oversight activities, and not 'on the ground' actions.

During the CCERA Committee's original 'Turning the Tide' inquiry, NRW stated in their follow-up letter¹³: *"NRW has also confirmed that our priority in terms of resource allocation is improving the condition of the network of MPAs through effective management. Overall, we are clear that the key mechanism for effective management of the MPA network is via the planning, assessment and regulatory regime, and it is here that resource needs to be focused."*

Whilst there is great value in these network-level actions, it is vital that other important mechanisms for conservation are not dismissed and that the ambition for MPAs is not lowered because of tightly-constrained resource. **We believe that network-level actions alone are insufficient if Welsh Government and NRW are to meet their duties in the Environment Act¹⁴ and if biodiversity is to be enhanced.** Network-level actions must be coupled with local action to ensure site conservation objectives are met. Linked to this, we are also interested in understanding **whether an assessment has been undertaken to determine which features are only found in individual sites within the network, as these features would seem less likely to qualify for**

⁹ Welsh Government, 2019. [Minutes of the MPA Management Steering Group](#), 14th February 2019.

¹⁰ Welsh Government, 2017. [Letter from the Cabinet Secretary about managing our MPAs.](#)

¹¹ Welsh Government, 2018. [MPA Network Management Framework for Wales 2018-2023.](#)

¹² Welsh Government, 2018. [MPA Action Plan for Wales 2018-2019.](#)

¹³ Natural Resources Wales, 2017. [Letter to CCERA Committee and Briefing Note: Management of MPAs in Wales.](#)

¹⁴ [Environment \(Wales\) Act](#), 2016.

specific management actions under the current MPA Framework criteria. In summary, we believe that additional funding is needed for both network and local level actions. Given these considerations, we also recommend that the Committee **revisit the recommendation in relation to independent site-level officers and funding of MPA management (recommendation 2)**, as discussed below.

Lastly, on the point of leadership, we would like to draw attention to the international leadership that Marine Scotland demonstrated by hosting Scotland's International Marine Conference 2019 (20th-21st February 2019). Perhaps this could have been an activity undertaken in Wales under last year's 'Year of the Sea' initiative. We are unclear whether the 'Year of the Sea' translated into any direct benefits or actions for MPA management or raised public awareness of Wales' sensational seas and MPAs, other than raising the profile of issues around plastic and other forms of pollution. We recommend that **Welsh Government considers how, going forward, it can better achieve the desired changes in terms of awareness both externally and within Welsh Government, to ensure greater recognition is given to this important area.**

Recommendation 2.

The Committee recommends that MPAs cannot be managed effectively without the appropriate level of resources, including funding and staffing. The Welsh Government must:

- *ensure it has sufficient staffing to deliver its marine conservation responsibilities;*
- *bring forward proposals for funding an area-based approach, with each management area having a dedicated officer; and*
- *ensure that Natural Resources Wales has sufficient resources to undertake its responsibilities for MPA management and improvements to the condition of the Wales Natura 2000 Network.*

Welsh Government response: accepted.

Please see our comments further on, under question 2 regarding resourcing within the three areas covered by Recommendation 2.

Recommendation 5. The availability of data, evidence and research is central to MPA policy development and management. The Welsh Government should establish a Wales marine science partnership to bring together industry, academia and stakeholders. The Welsh Government must also ensure it has in place effective data and research for MPA management, including monitoring and surveillance.

Welsh Government response: accept in principle.

Information is critical to effective adaptive management and evidence-based decision making. The evidence base for MPA management in Wales must be integrated with the wider marine management evidence base.

We are aware that the Welsh Government is working towards the development of a Marine Evidence Strategy, and we look forward to feeding into its development. The strategy represents a positive opportunity for the Welsh Government's Marine and Fisheries Division to shift to having a central focus for its evidence base, with a clear and shared strategy supporting its wide marine management portfolio from marine planning, to MPA management. We have held some discussions with officials regarding the development of this strategy but there has not been an update in some time with regards to this, or whether it will be consulted upon. **We would seek for this strategy to be consulted on with stakeholders, industry and academia.**

The following bullet points are examples of notable evidence gaps relating to marine biodiversity in Wales and are not exhaustive:

- Extent and distribution of Welsh marine habitats and species (Section 7 list under the Environment Act and those listed in the Habitats and Birds Directives). For example, identification of seabird foraging areas for the marine SPA sufficiency review.
- Condition of protected site features (species and habitats), including data gaps and unknown condition assessments identified in NRW's indicative site condition reports.
- Ecological interactions and requirements between many species, their habitats and habitat management, for example, to inform development of conservation objectives for the new harbour porpoise SAC sites and to enhance understanding of wider marine food webs (such as the requirements of predators, for example, cetaceans and birds, of different fish stocks).
- Extent of human activities that occur within the Welsh Marine Protected Area network, how they impact the features of interest and management measures to stop/mitigate/enhance features.
- An understanding of the impacts, vulnerability and resilience of the Welsh marine environment to climate change and from more severe and frequent storm events, for example, changes in plankton affecting marine food webs. As well as an understanding of the extent of blue carbon stores in Wales and the impact of their protection for climate change mitigation.
- Ecosystem service assessments on the value of Welsh marine ecosystem goods and services, how these can be improved and how they can support decision making.

Please see further comments on site condition information under question 3.

However, we would highlight that inaction because of the lack of full evidence or baseline data is unacceptable and counter to the Precautionary Principle. Where pressure and threats are known, immediate management action should be undertaken to cease those activities until the appropriate assessments can be undertaken. Welsh Ministers should be doing so under Article 6 of the EU Habitats Directive for marine Special Areas of Conservation (SACs). Related to this, there remains no management in place under the Assessing Welsh Fisheries Activities Project, which is focused on fishing impacts on Marine Protected Areas.

It is our understanding that the Marine Area statement – with its development being led by NRW – may seek to cover some of these points in relation to a theme on Ecosystem Resilience. However, the breadth of evidence required should not be underestimated. We question whether there is sufficient scope and resource for this process.

Q2. Has the management of Welsh seas received sufficient resource and strategic direction?

Concerning strategic direction, the publication by the Welsh Government of the MPA Network Management Framework and the Action Plan, along with the forthcoming Wales National Marine Plan, do collectively set strategic direction for the management of Welsh seas. However, the forthcoming Nature Recovery Action Plan as drafted – which will be Welsh Government's biodiversity strategy – does not currently have enough ambition to recover the Welsh marine environment and we are very concerned that UK will fail to meet its 2020 target for Good Environmental Status, particularly for the biodiversity-related descriptors.

On the matter of resources, we have reflected on our submission to this same question in the 2017 inquiry, and whilst there has been positive investment in resources within the Marine and Fisheries Division of the

Welsh Government (i.e. vessels and staff), we do not consider this to be case for either independent local site officers or NRW. We would like to highlight that whilst we welcome additional resource within the Marine and Fisheries Division, there continues to be a lack of transparency regarding the distribution of these resources within the Division. This was something that Committee noted in its inquiry, and is still the case.

We have raised this with the Committee before, for example, last October during scrutiny of Draft Budget 2019-20. WEL continuously seeks to understand the true breakdown for the expenditure for marine biodiversity and conservation (for instance, the designation and overall management costs of MPAs). Grouping budgets together across the Division is confusing for stakeholders trying to tease out exactly what is being spent on certain areas of environmental policy and programmes. **We would value the Committee obtaining a budget breakdown for the different teams within the Welsh Government's Marine and Fisheries Division.**

Transparency would also allow for scrutiny of allocation on budget against the Wellbeing Goals (i.e. the 'Prosperous Wales' Goal is often given undue weight compared to the 'Globally Responsible Wales' or 'Resilient Wales' goals). It would be beneficial to see whether budgets are being provided to secure all goals equally. This could include consideration of return on investment, employment, GDP, as well as non-monetary factors such as benefits to local communities and the environment.

We must have greater transparency of the breakdown of spending into different areas in the Welsh Government's marine management portfolio including, where necessary, evidence of need. Otherwise, it may be impossible to understand whether there is a sufficient amount of resource being allocated to each branch and whether expenditure has increased or decreased. **Such information is vital to understand if there is sufficient resource to enable the Welsh Government to carry out their legal obligations and agreed priorities for marine conservation and management, particularly given the increase in powers under the Wales Act 2017**, relating to marine nature conservation functions for the offshore area (the sea beyond 12 nautical miles to the median line).

The identification, designation and management (including monitoring, surveillance and enforcement) of Marine Conservation Zones (MCZs) under Part 5 of the 2009 Marine and Coastal Access Act, in both the inshore and offshore areas, will undoubtedly be a large area of work and we would hope that the additional resource required for this workload is recognised and reflected in the resources being made available to the Marine Biodiversity Branch in the Marine and Fisheries Division, as well as the relevant teams in NRW. Linked to this, Welsh Government do not currently intend to consider mobile species in the first stage of this work. It is our understanding that this is due to resource constraints, despite the ecological need being apparent.

An area-based approach with dedicated officers is key to effective management of MPAs; such officers are an integral mechanism for MPA management. An additional concern of WEL's is the insufficient capacity for MPA management at a local level by independent site officers. As such, we continue to advocate for the important and necessary need for an Area-Based Approach, as supported by the Committee's report, for the following reasons and benefits:

- Sites with dedicated officers are vital to the delivery and coordination of site management actions¹⁵;

¹⁵ A notable number of the examples cited by NRW to the Committee of MPA management actions such as citizen science, marine codes, and codes of conduct are done by local European Marine Site Officers.

- Local independent site officers are essential to ensure that stakeholders are consulted, kept informed and engaged through local liaison;
- Dedicated officers can help to meet MPA monitoring needs;
- Dedicated officers often provide support for the development habitats and species recovery projects;
- Dedicated officers often support the control of activities that are not regulated (e.g. those which do not require a marine licence).

Sites therefore require staff, skills and money with national support. This includes cross-border sites; sites without such capacity may struggle with the long-term delivery of MPA management schemes and associated actions.

We have heard conflicting reports of the decision-making process that resulted in a proposal for seven areas and site officers being deemed unaffordable by the MPA Management Steering Group. We are disappointed that alternative funding options have not been explored, given there was support for the concept within the group. **We would ask that the Committee investigates this issue further as a matter of urgency.**

We note the ongoing work of CCERA Committee and the Public Accounts Committee in scrutinising the work of NRW. As iterated above, from a marine perspective, we continue to be concerned that resourcing (including budgets, staffing expertise and capacity) for marine monitoring and other statutory marine nature conservation duties are insufficient, with expectations from Welsh Government not being matched by sufficient grant in aid. The Minister's recent answer to a written question by Andrew RT Davies AM¹⁶ did not generate clarity on whether there is sufficient resource. We also note NRW's letter to the Committee Chair, following an oral evidence session of the Turning the Tide inquiry¹⁷, which highlighted how challenging this situation was:

*"NRW has a variety of duties in relation to MPAs including statutory advice, certain monitoring, regulation etc. As part of our role, NRW undertakes a variety of marine monitoring on the extent and condition of MPA features. This focusses on supporting statutory requirements for monitoring and reporting under the EU Habitats and Birds Directives. **NRW's marine monitoring programme is, however, currently a minimum service and resources are challenging.** We are, however, working with JNCC to support the development of a UK marine biodiversity monitoring programme prioritised on the basis of risk. We will assess the funding requirements of this new programme with Welsh Government once work concludes later this year."*

In addition, since NRW commenced work on its MPA Condition Improvement Project (CIP) in 2016, for the majority of the actions identified there is yet to be funding found to complete delivery. To provide some examples as listed in their supplementary written evidence¹⁸; less than half the actions were underway for invasive species, pollution, waste and water management, and many were yet to be progressed with regards to actions needed to manage coastal access and recreation. **WEL therefore suggest that funding for the MPA Condition Improvement Project (CIP) is also prioritised.**

¹⁶ National Assembly for Wales, 2019. [WAQ77900 – Letter from the Minister.](#)

¹⁷ Natural Resources Wales, 2017. [Letter from NRW to Committee Chair.](#)

¹⁸ Ibid.

We would value the Committee exploring the current situation regarding NRW’s resourcing for marine monitoring, management and reporting.

Q3. How has the condition of Wales’ MPAs changed?

This question is difficult to answer as regular updates on site features or condition are not often available, however, we can bring to the attention of the Committee the results of the 2018 indicative site condition assessments prepared by NRW¹⁹, which they did not provide to the Committee during the 2017 inquiry. This form of information is critical to knowing the effectiveness of MPA management; without it, managers are working blind. The last time such information was published in the public domain was 2012 by the then Countryside Council for Wales in their review of MPA management²⁰. Whilst we understand NRW are looking at how they can deliver these reports again in the future, we are concerned that given site condition reports are not a statutory requirement, they will cease or be de-prioritised and the status of features, the impacts of pressures and threats and changes in management, will be unknown. Indeed, NRW have stated: *“Site Condition Reports are the tool that most partners, management authorities, and WG, request from NRW to support effective MPA management decisions. This is a challenge for NRW to resource as there is no statutory requirement to produce such reports or collect the relevant monitoring information”*.²¹ **Regular production of these reports is an area we hope the Committee will explore and continue to support in line with Recommendation 10 of the Turning the Tide report.**

The condition of MPA features is the litmus test to determine if management is effective. As reported by the Welsh Government in their report to the National Assembly for Wales in January 2019²²: **in Wales’ inshore Special Areas of Conservation (SACs) and Special Protected Areas (SPAs), 45% of features are in unfavourable condition and 9% of features are in unknown condition, due to insufficient information.** Specifically in relation to SPAs, 33% of marine SPA features in Wales are in unfavourable condition and 42% of marine SPA features in Wales are in either unfavourable or unknown condition²³.

MPA management authorities must be enabled to do more to reverse such findings and improve the condition of protected features. A number of these large European Marine Sites were designated over a decade ago. For example, the majority of marine SACs in the UK were formally designated in 2004, and we would expect to be seeing positive results for marine biodiversity which has not been the case. Management tools to improve the status of features include management schemes. However, as these are administered by the local site officers – who are underfunded – they are unable to undertake regular reviews of the effectiveness of the schemes. WEL would also welcome confirmation from Welsh Government as to what percentage of MPAs in the network have management schemes in place²⁴.

¹⁹ Natural Resources Wales, 2018. [Indicative feature condition assessments for European marine sites \(EMS\)](#).

²⁰ Countryside Council for Wales, 2012. [MPA Management in Wales 1: Overview of current MPA management in Wales and a summary of new MPA management tools](#).

²¹ Natural Resources Wales, 2017. [Letter from NRW to Committee Chair](#).

²² Welsh Government, 2019. [Marine & Coastal Access Act 2009: Report to the Assembly on MPAs in Wales](#).

²³ NRW, 2018. [Special Protection Areas in Welsh waters: Indicative site level feature condition assessments 2018](#).

²⁴ The Conservation of Habitats and Species Regulations 2017 states that *“the relevant authorities, or any of them, may establish for a European marine site a management scheme under which their functions (including any power to make byelaws) are to be exercised so as to secure compliance with the requirements of the Directives in relation to that site.”*

Q4. Last year the Welsh Government's approach to the MPA Network Management was published. This included the 2018-2023 Framework and 2018-2019 Action Plan. Do these:

- a. Address the key issues of effective management of multi-use MPAs?
- b. Support the management of Welsh MPAs to conserve Welsh marine biodiversity?
- c. Take account of lessons learned from current MPA management activity in Wales (including designation, implementation and enforcement)?
- d. Take account of the implications of the UK's decision to leave the European Union?

Wales Environment Link were not able feed into the development of either the MPA Framework for Wales or the 2018-2019 Action Plan, and have since struggled to adequately feed into the current drafting of 2019-2020 Action Plan. This has reduced our sense of ownership or understanding of the prioritisation that occurred to develop (for example, we are unclear why there is a focus on strategic oversight type actions but not 'on the ground' actions). As WEL are not a member of the MPA Management Steering Group, we are in discussion with the Welsh Government as to what the best mechanism might be to enable our input given the importance of this area of work and our expertise.

It is our view that, the Welsh Government should be judged not by their ability to produce strategies and convene stakeholder meetings, but by their impact on the ground (or at sea in this case). As we have stated, there still remains much work to be done, to drive effective change at the site level, beyond merely the monitoring of sites and research-type projects stemming from the Action Plan.

4a. We have reflected on our answers to these four same questions under the last inquiry, and consider that the key issues we raised then still remain. We have summarised them here:

- Ensuring site features and conservation status are monitored and assessed, leading to management actions;
- Marine biodiversity restoration and enhancement of degraded MPA sites;
- Inclusive and transparent decision-making approach to counter those instances where stakeholder engagement in MPA management in Wales has been patchy, frustrating and ineffective;
- Activities in MPAs that must be managed and regulated to address pressures on MPA sites; and
- Understanding of environmental limits must inform management and for marine planning to seek sustainable management of natural resources, rather than solely economic development.

Whilst we recognise that the MPA Framework and Action Plan have gone some way to seek to address some of these points, we would suggest that they all need further action and prioritisation within Welsh Government. Furthermore, the points on restoration, stakeholder engagement and understanding environmental limits in particular could be given much more weight within the Action Plan going forward. The latest minutes from the MPA Steering Group suggest that the actions for the 2019-2020 Action Plan have already been defined but one remains as a 'potential action' only²⁵. We hope that if resource has constrained these actions, this can be addressed and re-visited.

²⁵ Welsh Government, 2019. [Minutes of the MPA Management Steering Group](#), 14th February 2019.

4b. As is recognised by the Welsh Government²⁶, there is a need to complete the Welsh contribution towards the MPA network in UK waters. Wales Environment Link has been waiting two years since the 2016 network assessment for the Welsh Government to convene a MCZ Task and Finish Group. We welcomed the recent report to the National Assembly on MPAs in Wales²⁷, which stated that the Welsh Government will consider whether there is a need for MCZs for highly mobile species within the MPA network during the next reporting period. Nonetheless, we remain concerned that this is not being done through the process of MCZ designation commencing this year and that this timescale (six years) is far too long.

During discussions on this topic, a question has been raised as to whether MCZs are needed to protect marine birds in addition to SPAs designated under the Birds Directive. It is essential that both mechanisms are used to protect marine birds. For example, without MCZs for seabird colonies, those areas that do not meet population thresholds for SPA designation remain unprotected, yet they remain very important for both the UK and Welsh population levels. In the same way as we have Sites of Scientific Interest (SSSIs) on land protecting seabirds of national importance, we need to afford the same level of protection to these birds when they are sea. Information on SSSIs for seabirds which do not have corresponding marine protection is readily available to aid Welsh Government and Natural Resources Wales (NRW) in identification of areas needed for near-shore MCZ protection.

In addition, because of an absence of nationally-important protected seabird areas at sea, foraging areas for most cliff-nesting birds have not been protected by either Special Protection Areas (SPAs) or MCZs in Wales. Advances in tracking technology are rapidly enhancing our understanding of important feeding grounds for seabirds, which can enable identification of protected sites offshore. **Given a review on marine SPAs has been significantly delayed, the MCZ process is a key opportunity to address this.**

4c. The 2012 MPA management review by the Countryside Council for Wales²⁸ does not appear to have been taken on board by either NRW or the Welsh Government. We would advocate for the findings to be considered again by the Committee. WEL are optimistic about the forthcoming MCZ Task and Finish Group process. Whilst we applaud the work to create an Ecologically Coherent Network, further designation of MPAs in Wales must be well-managed to protect marine biodiversity and to enhance the resilience of Welsh seas.

4d. We would like to draw attention to the Ministers' answer dated 8th March 2019 to a written question from Andrew R.T. Davies²⁹. It states that EU funding provided for projects related to marine biodiversity conservation and MPA management over the last 10 years equates to approximately £5.72 million, which has been accompanied by £2.22 million funding from the Welsh Government. **Wales Environment Link are therefore concerned about how any potential shortfall from European funding to support Welsh MPA will be addressed.** This includes NRW's MPA Condition Improvement Project that is funded under LIFE N2K, given its importance on supporting actions to support the condition of the MPA network sites.

The Minister for Environment, Energy and Rural Affairs continues to assure stakeholders that there will be no loss or reduction in environmental standards in Wales and in the marine context, and has placed great

²⁶ Welsh Government, 2017. [Written Statement: Completing the Welsh contribution towards an ecologically coherent, well-managed network of Marine Protected Areas in the UK.](#)

²⁷ Welsh Government, 2019. [Marine & Coastal Access Act 2009: Report to the Assembly on MPAs in Wales.](#)

²⁸ Ibid.

²⁹ [WAQ77920](#)

emphasis upon the investment in new marine enforcement vessels as testament to this. WEL, however, remains cautious given the potential for rogue illegal fishing activity post-Brexit, which could damage protected MPA species and habitat features. WEL is responding the Welsh Government's consultation on environmental governance and principles and may wish to come back to the Committee on this matter.

Do you have any other comments or issues you wish to raise that have not been covered by the specific questions?

WEL would like to see marine conservation be given higher priority in overall Brexit resourcing and forward planning. Although we understand that examining and preparing for the potential effects of Brexit on our fishing industry has been necessary, there has been a lack of debate around how to create a sustainable industry through any measures. There is also a lack of debate or any kind of proposals on how to examine other economic or environmental measures.

The Brexit Ministerial Roundtable 'Seas & Coast' Group was set up to enable this process, but it did not progress wider considerations and it was a missed opportunity. The lack of debate is limiting and WEL members have become increasingly frustrated. We are concerned about the lack of direction and the inability to set out a path to achieve the sustainable management of natural resource in our seas.

As an area that includes both UK and Welsh Government policy structures, it's vital that it does not get forgotten or made the lowest priority in Brexit preparations. WEL are happy to assist Welsh Government, the Assembly and the CCERA Committee in any further information that is required to create truly clean, healthy, safe, productive and biologically diverse seas.

Wales Environment Link (WEL) is a network of environmental, countryside and heritage Non-Governmental Organisations in Wales, most of whom have an all-Wales remit. WEL is a respected intermediary body connecting the government and the environmental NGO sector in Wales. Our vision is a healthy, sustainably managed environment and countryside with safeguarded heritage in which the people of Wales and future generations can prosper.

This paper represents the consensus view of a group of WEL members working in this specialist area. Members may also produce information individually in order to raise more detailed issues that are important to their particular organisation.