Ulster Wildlife is Northern Ireland's largest local nature conservation charity with over 14,000 members. Our vision is for a healthy, well-cared for natural environment which contributes to enjoyment, quality of life, prosperity, health and well-being.

Ulster Wildlife's response to:
Marine Strategy Part Three: UK Programme of Measures
Submitted 29/11/21 by email

General comments

Ulster Wildlife (UW) welcomes the opportunity to respond to the UK government's consultation on the Marine Strategy Part Three: Programme of Measures. UW have contributed to and support the Northern Ireland Marine Task Force and Environment Links UK responses to this consultation. The purpose of this response is to comment on the measures from a Northern Ireland (NI) perspective.

UW is encouraged by the inclusion of measures such as the Review of the NI Fisheries Act 1966 and a NI Seabird Restoration Strategy. We also note the near conclusion of the MarPAMM project, which will soon deliver two regional and two site-specific management plans for NI Marine Protected Areas (MPAs). Overall, however, UW does not believe the proposed new measures are sufficient to achieve Good Environmental Status (GES) across all descriptors by the next reporting round, or to sufficiently drive the recovery of the marine environment.

Biodiversity is at the heart of a healthy and resilient ocean. We are in twin biodiversity and climate crises which severely impact the marine environment. Protecting our seas and restoring key habitats and species, from elasmobranchs to saltmarshes, is critical in helping tackle climate change and respond to its impacts. The Marine Strategy should provide a coherent plan of action to tackle threats to marine life. The present programme of measures (PoM) largely catalogues existing legislation and strategies without reflecting the urgency of the ecological and climatic emergencies. Therefore, UK Government and devolved nations, including Northern Ireland, must act swiftly and intentionally to prevent further deterioration of nature at sea.

The Programme of Measures are poor.

The current Marine Strategy consultation, itself a framework for delivering positive environmental outcomes, lists other environmental frameworks and strategies as the proposed new measures to bring about GES (e.g., Fisheries Act 2020, Joint Fisheries Statement, UK Dolphin and Porpoise Strategy, National Biodiversity and Environment Strategies). While needed and welcome, these types of measures are not sufficient in detail regarding how, when or who will deliver the policy, programmes or new initiatives needed to rectify the reasons for which GES is failing. Only proper resourcing and implementation of policy and legislation delivers positive environmental outcomes, not the publishing of (high-level) policy and legislation itself, therefore this strategy is not sufficient to deliver GES. The timelines for the implementation of many of the proposed measures are not adequately aligned to the goal of meeting GES by 2024 and implementation of policy and legislation

included in the proposed new measures will take a long time, substantially increasing the risk of many descriptors failing to achieve GES by the next reporting round.

MPAs are relied on as a measure, yet we know these are not entirely protected.

The current programme of measures places too much responsibility on the UK MPA network. It is unclear how the network will deliver GES for cetaceans, seals, birds, and fish given that:

- The majority of our marine environment is not designated for protection.
- Much of our seas has been fundamentally changed by fishing practices in terms of seabed integrity and trophic relationships.
- Only 4.8% of the area of marine protected sites in NI is under favourable management.

In Northern Ireland, we welcome progress towards the UK achieving an ecologically coherent network of MPAs, specifically the development of fisheries management options for nine Northern Ireland MPAs. The drafting of management plans for all inshore NI MPAs is also well underway through the MarPAMM Project. However, in NI, the condition status of our MPAs and features is not readily available or accessible; MPA management plans may be compromised by the lack of adequate data on the status of many MPAs. The MarPAMM Project is undertaking some ecological data collection but not a comprehensive condition assessment for all MPAs. The project aims to produce two site-specific and two regional MPA management plans. A regional MPA management plan for NI is yet another high-level strategic document that will not result in action on the ground, and there is no clear timetable for the implementation of these plans. Finalising management plans is an important step towards a healthy, ecologically coherent network. Adequate resourcing (including staffing, training, facilities and equipment, budget and business plan), plan implementation, site monitoring, site management (including surveillance and enforcement) and evaluation of plan effectiveness thereafter are crucial to achieve the desired outcome.

Furthermore, as yet there are no management plans or measures introduced for offshore MPAs within NI's waters (e.g. Queenie Corner, South Rigg, Pisces Reef), all of which are in or very close to fishing grounds used by NI industry.

There are outstanding gaps in the inshore NI MPA network which need addressing with new designations including:

- Outer Ards Area of Search (AoS) for *Modiolus modiolus.*
- North Coast AoS for *Sabellaria spinulosa* reef.
- North Channel/East Antrim coast AoS for *Dipturus batis.*

An increased focus on strategic and specific measures that will benefit wider seas and not just the MPA network is needed.

There is no proper evaluation or impact assessment of the measures.

Within the Marine Strategy Part One assessment, the extent to which insufficient data led to failing or meeting GES remains unknown. We reiterate the 2020 ELUK response to the Marine Strategy Part Two consultation, which called for increased monitoring and baseline surveys to be carried out across many descriptors[1]. Without adequate monitoring and data, we fail to achieve GES, and we risk species and habitat decline, leading to shifting environmental baselines. Then when sufficient

[1] Marine Strategy Part Two: UK Updated Monitoring Programmes. ELUK response 2020

monitoring data is available, our reference point for what represents healthy abundances, distributions and ecological functioning in the marine environment is untenably skewed[2].

A strategic focus on addressing knowledge and data gaps is needed to inform appropriate management and interventions regarding specific descriptors. This aspect of the Marine Strategy should be officially coordinated between the four nations at a Governmental level to:

- Ensure proper resources are allocated to reach the spatial coverage, scale of work and cost-effectiveness needed to deliver GES.
- Reflect the great mobility of some fish species, marine mammals and seabirds.
- Account for pan-UK/EU issues like distribution shifts related to climate change.

Overall, the UK Government and devolved nations, including Northern Ireland, need to carefully reconsider the ambition and urgency demonstrated in the currently proposed measures for reaching GES. A successful programme of measures must detail how remedial measures will change current environmental status towards Good Environmental Status and how they will be resourced.

There is a severe lack of consideration of how to mitigate and adapt to climate change in order to achieve GES.

We are concerned at the very limited reference to the particular challenges raised by climate change on achieving GES. In particular, there is no consideration of tackling the impact of acidification[3] and warming seas[4], with the added risk of rising sea levels[5] and the increased possibility of non-indigenous species gaining a foothold. Measures identifying opportunities for adaptation and mitigation must be considered for this unprecedented threat if GES is to be delivered.

The strategy would be strengthened by having greater regard for blue carbon. While this is currently viewed as being outside the scope of the strategy, many descriptors could incorporate blue carbon elements. Measures for blue carbon habitat creation and restoration would deliver climate mitigation and adaptation benefits that could help contribute to meeting GES across multiple descriptors. For example, measures to create and restore saltmarsh and seagrass for carbon storage would also tackle water quality issues and provide valuable habitat for fish nurseries with the potential to contribute to GES for benthic habitats, eutrophication and fish/commercial fish descriptors. As such, blue carbon could be integrated as part of the existing mechanisms.

Proposed measures for achieving GES

Cetaceans

UW believe the proposed measures are not sufficient to achieve GES for this descriptor. A significantly more robust and strategic suite of measures is needed to address the underlying causes why cetaceans' is failing to meet GES. Improved cetacean monitoring at a UK wide scale is required

[2] Pauly, D., 1995. Anecdotes and the shifting baseline syndrome of fisheries. Trends in ecology & evolution, 10(10), p.430.
[3] MCCIP 2020, CO_2 Exchange and Ocean Acidification
[4] MCCIP 2020, The impacts of climate change on temperature (air and sea), relevant to the coastal and marine environment around the UK
[5] MCCIP 2020 Impacts of climate change on sea-level rise relevant to the coastal and marine environment around the UK

to ensure insufficient data is not a cause for failing to meet criteria targets in the next reporting round.

UW support the implementation of the UK Dolphin and Porpoise Strategy. However, this is a high-level action plan that relies on research rather than management options. More details on potential outputs, deliverables, and policy options over the immediate, medium and long term for each of the nine action points of the strategy is critical to ensure it is effective.

In Northern Ireland, a fully resourced and implemented bycatch monitoring programme should be prioritised so that the extent and scale of cetacean bycatch in NI waters can be assessed and help to shape NI specific mitigation measures. As far as the UW is aware, NI is not represented on the Clean Catch UK working group. Suitable organisations from NI, including e-NGOs, should be invited to join those discussions to ensure the NI perspective is included when dealing with cetacean bycatch issues at a UK level.

In NI, we welcome the designation of the North Channel SAC for harbour porpoise since the 2015 PoMs. However, this MPA along with the majority of existing MPAs in NI are currently 'paper parks'. Management plans are required to protect cetaceans from individual and cumulative impacts associated with human activities that may cause harm. Lack of management coupled with the lack of a fully implemented Marine Plan for Northern Ireland, it remains difficult to make important decisions in relation to sea usage or future planning applications. UW believes that recent development decisions (e.g., Islandmagee Gas Storage), pose a significant threat to marine features, including harbour porpoise, and therefore represent a significant hurdle to achieving GES for this descriptor. As we move towards a more sustainable energy future, which may include future developments in the sea area, it is vital that all management plans and conservation objectives for protected sites and an effective Marine Plan for Northern Ireland are in place and are actively working to protect and restore the marine environment.

Seals

UW believe the proposed measures are not sufficient to achieve GES for this descriptor. New measures must address why GES has not been achieved, as identified by the Marine Strategy itself. There is also no indication that steps to address knowledge gaps outlined in the Marine Strategy Part Two have been progressed or used to inform the development of the proposed new measures.

A better understanding of widespread seal movements and implications for coordinated measures between UK regions is needed. Comprehensive Northern Ireland abundance, distribution and bycatch monitoring, including the rollout of Remote Electronic Monitoring on fishing vessels would inform the development of further effective conservation measures for this descriptor, including how to address seal bycatch.

Birds

UW believe the proposed measures are not sufficient to achieve GES for this descriptor. The inclusion of a Northern Ireland Seabird Conservation Strategy as a proposed measure for this descriptor must lead to tangible action as soon as possible if GES is to be achieved before the next reporting round. If the strategy is not in place until 2023 as stated, there is a high risk of this not being the case.

We welcome the seabird monitoring work package of the MarPAMM project that will develop a seabird model that explores how populations would be impacted by changes in different pressures such as fisheries management scenarios. However, in the PoM there is little information on how climate change impacts on the marine environment are being investigated. Research on the complex relationships between climate change, marine currents and nutrients, plankton, fish and seabird feeding are needed to ensure Northern Ireland's, and other UK countries Seabird Conservation Strategies are sound. This requires collaborative research at a UK (and European / North Atlantic) level.

Fish & Commercial Fish

UW believe the proposed new measures are not sufficient to achieve GES for these descriptors.

The inclusion of the Sustainability, Ecosystem and Climate objectives in the Fisheries Act (2020) is encouraging in terms of the future sustainability and productivity of the fishing industry in Northern Ireland and across the UK. However, it remains unclear how such high-level legislation will translate into specific and beneficial action for UK inshore and offshore seabed habitats within the timeframes needed to achieve GES by the next assessment cycle. The Joint Fisheries Statement (JFS) is yet to be published, (including associated Fisheries Management Plans) and it is the responsibility of the devolved public authorities to implement policies that will achieve the objectives of the Fisheries Act 2020 in its entirety, rather than for the achievement of GES specifically. Therefore, specific fisheries management measures directed by the Fisheries Act (2020) principles are urgently needed to address the already overexploited and depleted status of many fish stocks in the UK.

UW welcome the intention to review the Fisheries Act Northern Ireland (1966). However, if it is to help contribute to the condition and health of fish and commercial fish descriptors (and others) before the next reporting round, the review needs to progress within the Department of Agriculture, Environment and Rural Affairs (DAERA) as a matter of urgency.

Importantly, the review also needs to culminate in new NI legislation that enshrines the positive elements of the Fisheries Act (2020) but also goes further by including legal obligation to limit catch quotas to sustainable levels.

For species where the knowledge base is insufficient to enable recovery, such as elasmobranchs, action must be taken to improve regional coordination for collection and sharing of data, information and knowledge; this will also address objective 5.6 of the OSPAR Strategy for the Protection of the Marine Environment[6]. In Northern Ireland, the Sea Deep Project[7] is working with recreational anglers to collect abundance and distribution data on elasmobranchs, and the Sea Monitor Project[8] is tagging a small number of flapper skate to investigate population connectivity between Scotland and Northern Ireland's populations. Significantly more research and management are required to:

- Identify and protect critical habitats.

[6] Strategy of the OSPAR Commission for the Protection of the Marine Environment of the North-East Atlantic 2030

[7] Sea Deep Project www.seadeepni.org

[8] Sea Monitor Project https://www.loughs-agency.org/managing-our-loughs/funded-programmes/current-programmes/sea-monitor/

- Identify how climate change, habitat loss, pollution, disturbance from ecotourism, and field produced by sub-sea electric cables are likely to affect elasmobranchs, and address these.
- Identify critical knowledge gaps that compromise extinction risk status assessment, and recommend specific actions to address these.
- Support and improve established programmes for and coordinating effective consultation involving all stakeholders in research, management and educational initiatives.
- Reduce elasmobranch bycatch and roll-out excluder devices.
- Designate the North Channel/East Antrim coast AoS for *Dipturus batis* in NI.
- Develop a UK Shark Action Plan to ensure the conservation and management of sharks, skates, rays and chimaeras occurring in UK waters and taken in target and incidental fisheries by the UK fleet.
- Identify those species most urgently requiring conservation and management attention and develop species-specific recovery plans

Benthic habitats

The proposed measures are not sufficient to achieve GES for this descriptor.

UW does not agree with the assessment that the situation is uncertain (page 49). We know benthic habitats have been drastically changed both through physical disruption and removal of key predators.

The focus of proposed measures in the current consultation is on seabed benthic habitats, failing to adequately consider new measures for intertidal habitats. River Basin Management Plans (RBMPs) will not automatically deliver GES for intertidal habitats under the MSUK. Strategic and coordinated action which links and strengthens RBMP measures need to be identified where pressures originating in the freshwater environment are impacting negatively on marine benthic habitats. Habitats suitable for restoration need to be identified and restored based on the most appropriate and effective methods for restoration (see handbooks[9][10][11][12] for example). Each UK country must develop a regional approach including relevant qualitative and quantitative targets for restoration of degraded habitats suitable for restoration and then implement actions to achieve targets as appropriate.

Neither the UK wide nor NI specific MPA network can help deliver GES for the Marine Strategy descriptors until it is ecologically coherent, well-managed and enforced, and shown to be effective through appropriate monitoring. While UW welcome recent steps to introduce fishery management options in Northern Ireland MPAs, and management plans for all NI MPAs which are due in the next 12 months. However, the condition status of our MPAs and features is not readily available or accessible; MPA management plans may be compromised by the lack of adequate data on the status of many MPAs.

[9] Saltmarsh Restoration Handbook https://catchmentbasedapproach.org/wp-content/uploads/2021/10/Saltmarsh_Restoration_Handbook_FINAL_20210311.pdf
[10] Seagrass Restoration Handbook https://catchmentbasedapproach.org/wp-content/uploads/2021/10/ZSL00168-Seagrass-Restoration-Handbook_20211108.pdf
[11] Restoring Estuarine and Coastal Habitats with Dredged Sediment Handbook https://catchmentbasedapproach.org/wp-content/uploads/2021/10/Restoring-Coastal-Habitats_V8.pdf
[12] European Native Oyster Habitat Restoration Handbook https://nativeoysternetwork.org/wp-content/uploads/sites/27/2020/11/ZSL00150%20Oyster%20Handbook_WEB.pdf

Finalising management plans is an important step towards a healthy, ecologically coherent network. Adequate resourcing (including staffing, training, facilities and equipment, budget and business plan), plan implementation, site monitoring, site management (including surveillance and enforcement) and evaluation of plan effectiveness thereafter are crucial to achieve the desired outcome.

Furthermore, gaps in the NI MPA network need addressing with new designations including:

- Outer Ards Area of Search (AoS) for *Modiolus modiolus.*
- North Coast AoS for *Sabellaria spinulosa* reef.

The intention to designate Highly Protected Marine Areas (HPMAs) as indicated by the UK Government for English waters, and the Scottish Government for Scottish waters, must be extended so that HPMA designation is coordinated and progressed across all UK waters including Northern Ireland.

ICES recently offered a report that suggested seafloor integrity could be improved by removing 10% effort from the 'least trawled' grounds which would eliminate any trawling footprint from 40% of the seas[13]. Further detail highlighting the need for new measures to achieve GES for Seafloor Integrity can be found in a report commissioned by Scottish Environment LINK[14]. Such ambitious actions at a regional or whole-seas level are needed in conjunction with local scale MPA measures if GES for this descriptor will be achieved and the health of our seafloor habitats recovered from decades of intense and often destructive activities.

Offshore muds are significant carbon stores which need to be managed to ensure the current stock of carbon is not released, and that the carbon burial processes are not damaged. Measures for blue carbon should be integrated in to the MSUK. Key components to manage organic carbon stocks are:

- Carbon information on stocks and burial.
- Carbon characteristics (e.g., source, vulnerability (lability vs recalcitrance)).
- Understanding of mechanisms and changes of carbon stock and burial processes under pressures from human activities, i.e., response and recovery of organic carbon and biodiversity across types of carbon settings and the associated timescales.
- A framework and criteria to integrate these considerations in to predictive tools that will enable management scenarios at appropriate scales, including displacement and trade-offs in carbon and other services to be investigated.

Process questions

i. What, if any, improvements do you think could be made to the process and structure of the existing delivery programme in order to enhance and streamline it?

- The Marine Strategy must recognise the urgency and scale of action required to address the climate and ecological emergencies impacting the marine environment.
- The Marine Strategy must detail the resources required for each measure to be effective.

[13] ICES trade- offs report https://www.ices.dk/news-and-events/news-archive/news/Pages/seaflooradvice.aspx

[14] SEL_SeafloorIntegrity_Report_A4_March19-1.pdf (scotlink.org)

- The Marine Strategy needs to be empowered to be quicker in responding to pressures, threats, causes of decline, with powers fitting to the scale of the challenge, e.g., recent UK Government level response to the Covid-19 pandemic.
- More aspects of the Marine Strategy process need to be coordinated at a four nations UK level to improve effectiveness, e.g., UK wide monitoring and programmes.
- The Marine Strategy needs to be held accountable, with repercussions on administrations if GES targets continue to be missed.
- The Marine Strategy targets need to be fully considered in all other relevant policy and legislation, e.g., marine planning, including the draft NI marine plan, NI Energy Strategy, NI environment strategy and NI biodiversity strategy among others.

Please contact the Ulster Wildlife Living Seas Manager for any further information required in relation to this response.

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