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Mike Hedges AM
Chair of the Climate Change, Environment and Rural Affairs Committee
National Assembly for Wales

Dear Mr Hedges,

I am writing in response to the recent session of the Climate Change, Environment and Rural Affairs Committee with the Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths, to inform the Committee's inquiry in the management of MPAs in Wales. Several references were made that relate to the work of NRW which it would be helpful to clarify.

1. Wales MPA Management Steering Group and NRW's support for MPA management in Wales. Questions were asked about the outcome of a consultation on an area management approach for MPAs and NRW's funding of local Relevant Authority Groups.

The Wales MPA Management Steering Group (MPAMSG), of which NRW is a member, did favour a 7 management-area approach in response to a consultation on an area-based approach to MPA management. It is suggested, for clarity, that this information needs to be caveated with the further conclusions and intentions of the Steering Group, as stated in the Cabinet's Secretary's recent letter to NRW and all MPA management authorities (8th May 2017) which is that the 7 areas approach was concluded to be unaffordable, and also that the new agreed focus and priority of the Steering Group has moved on to "providing strategic support and guidance to management authorities to facilitate activity which has greatest impact on the condition of MPAs, their features and network as a whole."

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. NRW has already provided a note to your Committee on this subject to improve understanding of what constitutes MPA management activity.

NRW is also supportive of working collaboratively with partners to improve the management of MPAs and actively does so via staff support and recent NRW grant-aided projects, and partnership delivery. This is the final year of the NRW 3-year partnership funding targeted at projects that were assessed through a competitive process. This was a step change from the legacy bodies' approach of core funding organisations to funding

specific outcomes on a project basis that align with NRW's priorities. We are currently setting up a new commissioning approach for future funding of partnership projects.

Relevant Authority Groups and site officers are an additional mechanism for MPA management that, in particular, can provide a liaison and awareness-raising role, rather than the primary mechanisms for condition improvement, and there are clear examples of good practice in this regard. The key issues in relation to MPA management is recognising where the greatest impact on condition across the network is delivered, as set out above, and targeting our resources appropriately.

2. The evidence base and monitoring the MPA network. Questions were also asked as to whether NRW was adequately resourced for its MPA management and monitoring roles, fulfilment of our statutory duties, and in relation to gaps in the evidence base.

Overall the marine environment is a technically challenging and resource intensive environment to monitor and survey. As a result, our evidence base does have gaps, but we also use modelling effectively to understand the distribution of habitats and species etc.

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.

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. Your Committee also took an interest in Site Condition Reports and asked NRW about availability. To address the demand, NRW is in the process of producing *indicative* condition assessments of all features on all European marine sites, and results will be available later this year. We are also looking at options to develop a sustainable ongoing process for site condition report production.

As referred to above, I re-enclose a note describing what constitutes management of MPAs, which I hope will be informative.



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If you have any queries in relation to the clarifications provided above, please do not hesitate to contact me.

Yours sincerely,

Ceri Davies
Executive Director for Evidence, Policy and Permitting

Management of marine protected areas in Wales

Briefing note: June 2017

Introduction

Effective management of marine protected areas (MPAs) is essential to achieve the conservation objectives set for individual sites and to meet Government's obligations to secure an ecologically coherent and well managed network of MPAs. Effective management of MPAs also helps to maximise the contribution the MPA network makes to the health and resilience of, and the societal benefits from, the marine environment as a whole.

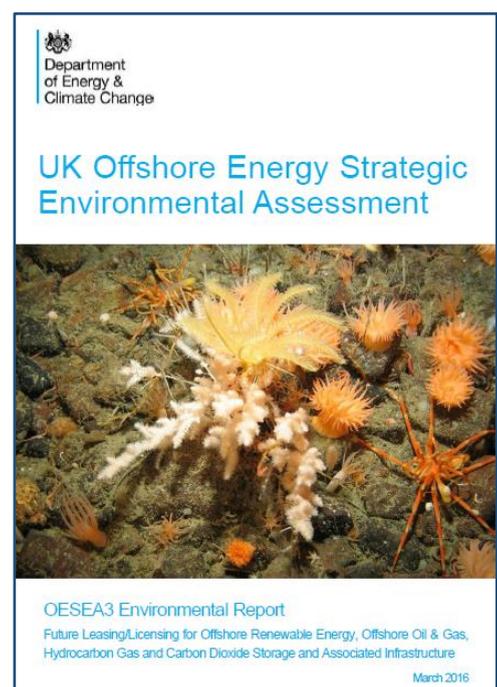
Management of MPAs takes numerous forms, with some management activity applying to individual sites, and other management to activities or uses across the network. Effective application of planning and regulation is the primary mechanism for MPA management to secure the conservation objectives of sites and wider benefits of the network, and prevent negative impacts. Other forms of MPA management focus on unregulated activities, and delivery of local site-specific management actions such as a code of conduct handed out to marine users in Cardigan Bay Special Area of Conservation (SAC) or specified visitor moorings in Skomer Marine Conservation Zone (MCZ).

This briefing note provides some more details on MPA management activity in Wales.

Strategic planning

Strategic planning ultimately aims to guide development to locations which maximise the use of available resources, whilst minimising adverse socio-economic and environmental impacts, including those on MPAs. Examples of strategic plans that take account of Welsh MPAs are the Welsh National Marine Plan, currently being developed by Welsh Government, and plans published by The Crown Estate in support of their strategic seabed leasing programmes for renewable energy and aggregate extraction.

Formal development plans and programmes are typically subject to Strategic Environmental Assessment (SEA), which is the process of appraisal through which environmental protection and sustainable development are considered, and are factored into national and local decisions regarding Government (and other) plans and programmes.



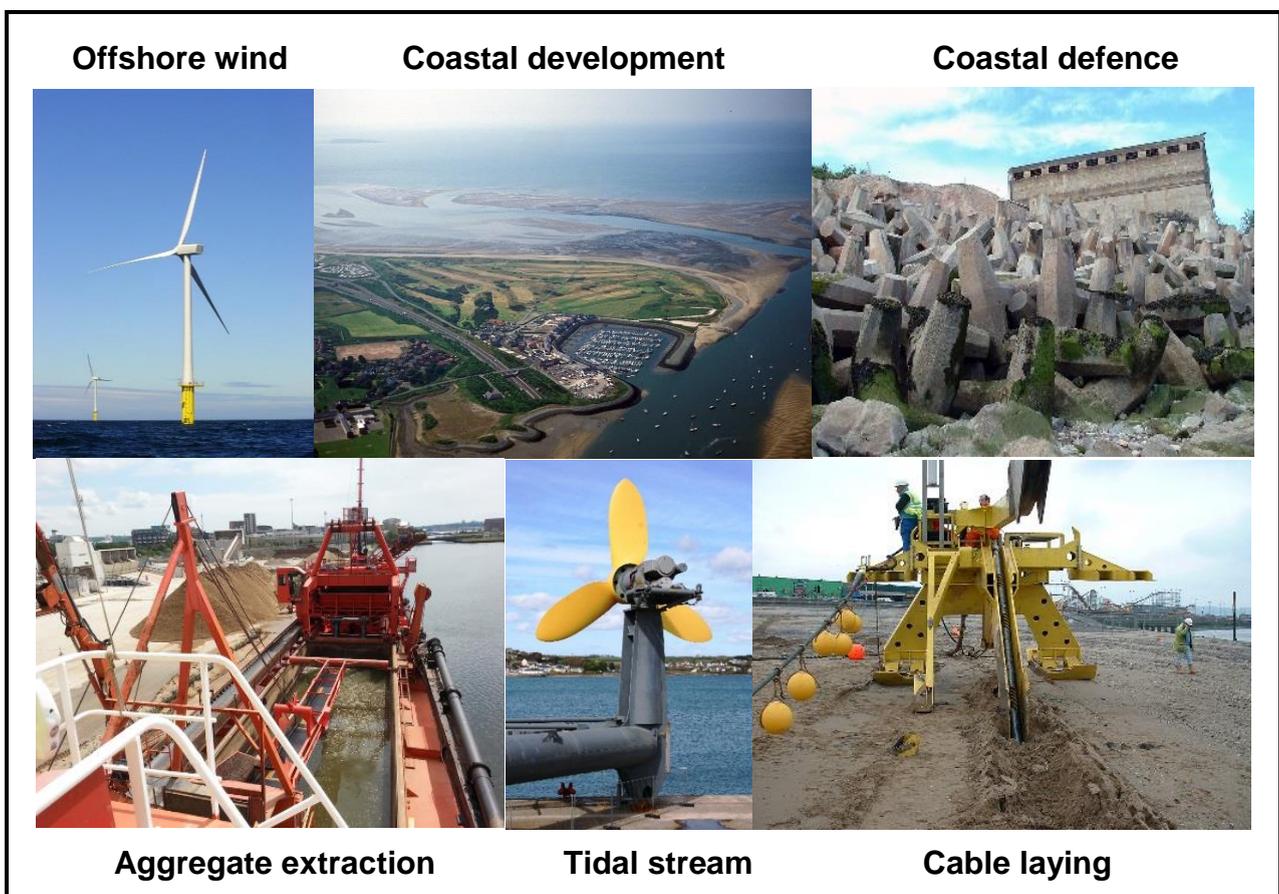
The potential for a plan or programme to adversely affect MPAs designated under the EU Habitats and Species and / or Bird's Directives will also be assessed through a plan level Habitats Regulations Appraisal (HRA).

Regulation

Development projects in Welsh waters are subject to a range of regulatory regimes including 'marine licensing' under the Marine & Coastal Access Act (2009). Marine licences apply to certain activities proposed within Welsh waters that typically involve the deposit of substances or objects into the sea or onto the sea bed, construction, improvement or alteration works, and any form of dredging. Marine licensing is delivered by Natural Resources Wales (NRW) on behalf of Welsh Ministers, and 65 licences were granted for activities occurring within MPAs in Wales last year.

Advice is given to developers before activities occur and, depending on the location and nature of a project, the potential impacts of proposed developments are assessed through an Environmental Impact Assessment and / or a Habitats Regulation Assessment (HRA) before any development occurs. Many of these developments are innovative, novel ways of using the sea and careful consideration of the effects they may have on our protected habitats and species is needed. Depending on the outcome of these assessments, mitigation and compensatory measures may be required before a development can be approved.

A large range of activities are assessed this way including:



Case study: Adaptive Management - DeltaStream Tidal Energy project

Significant lessons were learnt through the consenting process for Tidal Energy Limited's (TEL) DeltaStream project in Ramsey Sound in managing risk and uncertainty within acceptable limits and the role of a 'deploy and monitor' based approach, implementing adaptive management as a way of dealing with uncertainty about impacts.

Ramsey Sound, in which the device was to be installed, lies within Pembrokeshire Marine Special Area of Conservation (SAC) which was designated to protect grey seal and reef habitat among other features. Habitats Regulations and Environmental Impact Assessments concluded that, provided certain conditions were adhered to, the device would not adversely affect marine wildlife. These conditions were detailed within the various licences and permits issued for the project.

A collaborative approach was taken between TEL, NRW and other relevant bodies in the form of an Environmental Management Committee, which oversaw the development of a Collision Risk and Adaptive Management Plan. This crucial document detailed the measures to be taken to protect marine wildlife from adverse effects and how these conditions of the various licences and permits would be met.

This project was ground breaking in this respect, and the important steps TEL and DeltaStream made will inform the development of future proposals for commercial scale tidal energy projects.



Other management action

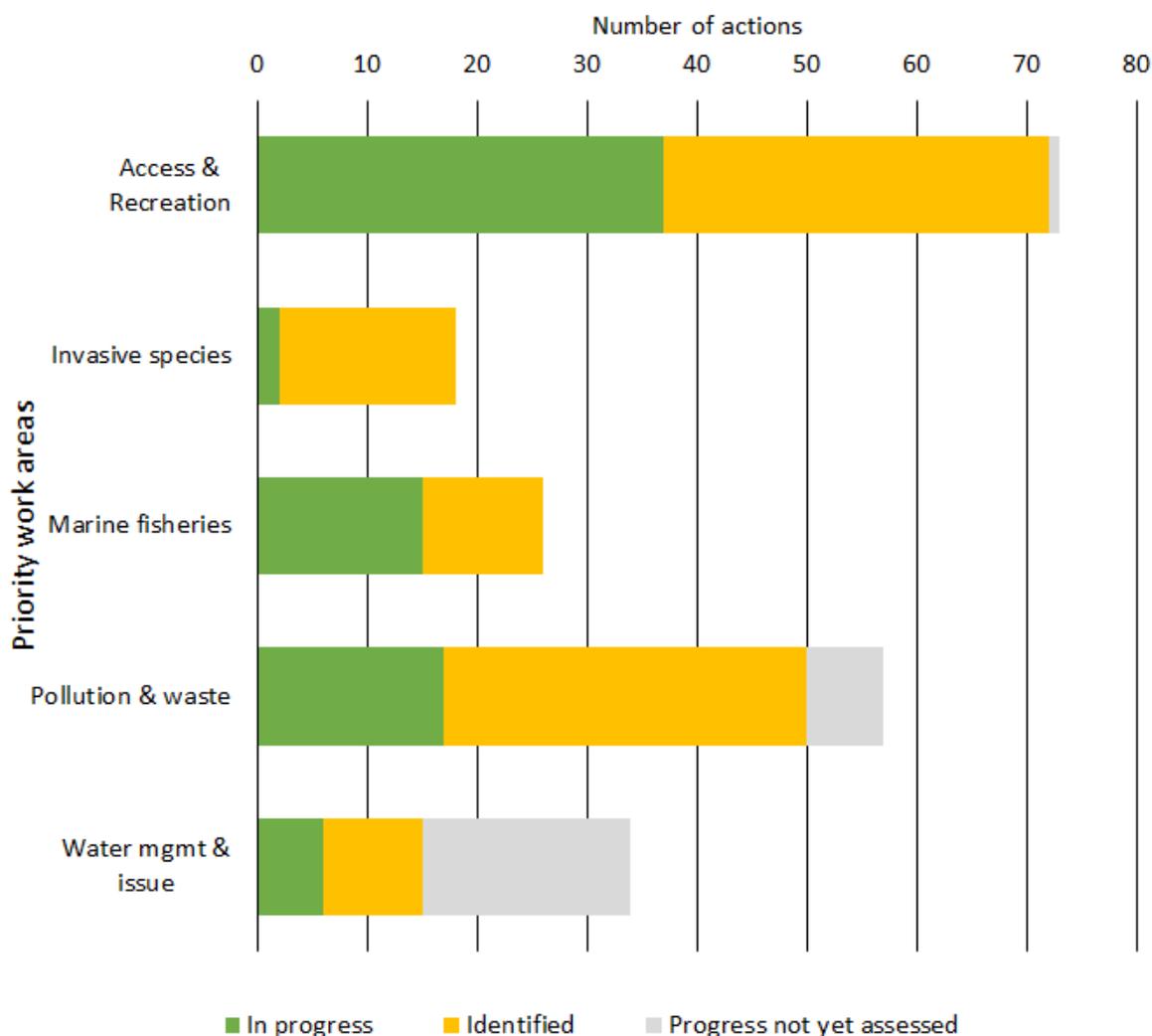
Some other areas of MPA management focus on activities that are not regulated via the routes described above; for example, recreational activities tend to be unregulated. There are many examples of how unregulated activities are being actively managed in Wales to avoid impacts on MPA features, whilst allowing for access to and enjoyment of our seas and wildlife. Further details of the variety of MPA management work undertaken in Wales, in addition to core management via planning and regulation, are provided here.

In 2016, NRW commenced work on its Marine Protected Area (MPA) Condition Improvement Project (CIP) based on the outputs of the LIFE Natura 2000 Programme for Wales (2012-2015). The overarching aim of the MPA CIP is to develop and deliver a prioritised work programme focussing on actions that deliver maximum impact on the condition (or maintenance of condition) of marine features across Wales' Natura 2000 network.

The MPA CIP has identified five priority work areas and the list below provides examples of the pressures and threats for which actions have been identified:

1. Access and recreation (e.g. damage to habitat features or disturbance of species features);
2. Invasive species (e.g. marine non-natives)
3. Marine fisheries (e.g. potting and netting activities)
4. Pollution and waste (e.g. marine litter and diffuse water pollution)
5. Water management and issues (e.g. coastal squeeze)

The chart below shows the number of actions identified under each priority work area and delivery progress to date. Many of the “in progress” actions are being taken forward through existing partnerships and some are being funded through NRW’s competitive grant fund or directly by Welsh Government. However, some of these actions further funding is still required to complete delivery, and NRW and external partners are working to develop proposals for external funding to enable this and the delivery of other prioritised actions.



Examples of the projects being delivered under the MPA CIP and a flavour of other management activities being delivered for MPAs across Wales are provided overleaf.

Example of priority projects contributing to the MPA Condition Improvement Project

Cross-Wales case study: Assessing Welsh Fishing Activities project



Welsh Government and NRW are undertaking a comprehensive project to assess the impacts of all marine fisheries activities from licensed and registered fishing vessels on protected features of European Marine Sites in Wales. There are 525 assessments to undertake which **have been** prioritised **based on** risk. Welsh Government will use the assessments to consider any management which may be required to address potential impacts on a site-by-site or all-Wales basis. The project's outputs **will** be used to support the aims of The EU Habitats Directives, The Environment Act and The Wellbeing of Future Generations Act.

Multi-site case study: Litter projects in Pen Llyn a'r Sarnau & Cardigan Bay SACs

Two litter projects on two European Marine Sites are working collaboratively to deliver results. The projects are working with businesses in two villages (Criccieth & Llangrannog) to investigate the source of litter and try innovative ways to reduce litter including:

- Reducing packaging
- Using biodegradable packaging
- Not using straws
- Providing a water fountain instead of selling plastic bottles
- Running a return your bottle scheme
- Providing information to customers



They are also working with other organisations to deliver more traditional marine litter activities including beach cleans and awareness raising. The projects are funded under the NRW competitive grant scheme and will be completed in March 2018.

Single site case study: Porthdinllaen Sea Grass project



The aim of this project is to develop and implement management options that will improve the condition of the seagrass whilst allowing the existing use of the bay to continue. The aim is to develop and implement these management options in full partnership with stakeholders. This project has several strands:

- Adaptation of existing moorings
- Preparation of a mooring replacement plan for the inner harbour
- Investigate the impact of vehicles on the intertidal seagrass and possible solutions
- Determining the responsibility for the outer harbour
- Review and disseminate information about the project
- Stakeholder engagement and raising awareness

Examples of other MPA management work being taken forward in Wales



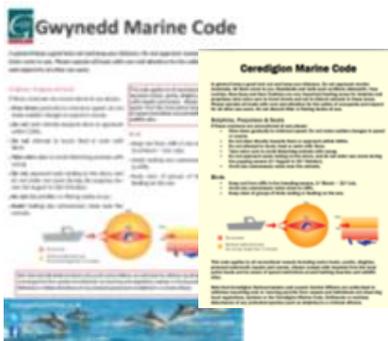
Visitor moorings to protect seagrass beds at Skomer MCZ



Morfa Gwyllt lagoon project: working to improve the condition of the lagoon in Pen Llŷn a'r Sarnau SAC



Citizen science at Skomer MCZ: showing how the site's scallop population is increasing



Gwynedd and Ceredigion Marine Codes to protect dolphins in Pen Llyn a'r Sarnau SAC, Cardigan Bay SAC and surrounding areas



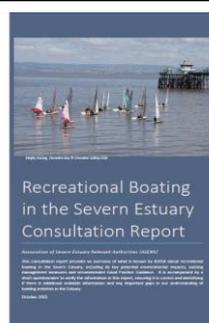
Bait digging code of conduct to protect features in Pembrokeshire Marine SAC



Llŷn Marine Ecosystems Project: working with stakeholders to improve the marine environment of the Llŷn Peninsula



Skomer MCZ team raising awareness of the sites boating zone.



Assessment of recreational boating at the Severn Estuary EMS.



Dolphin watch: assessing impacts of recreational boating on dolphin behaviour in Pen Llŷn a'r Sarnau SA