

The Seafish guide to Marine Protected Areas

WHAT ARE MARINE PROTECTED AREAS (MPAs)?

There is no one single internationally accepted definition of Marine Protected Area. Most commonly the term Marine Protected Area is used to describe an area of the sea which may be identified as being important for marine wildlife, habitats, cultural heritage or for fisheries purposes. The definition currently used by Defra is; 'A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.'

Beyond that, MPAs are designated areas of our oceans, seas and coasts where species and habitats are protected through legal or other effective means from activities that are damaging or cause disturbance. Fishing activities which do not have a significant impact on wildlife will be unaffected, some fishing activities might need to be restricted in certain areas, but if so, it may be possible to find wildlife-friendly ways to keep working.

MPAs can be established for different reasons. Marine nature conservation MPAs are areas identified for biodiversity protection. They are used for nature conservation where their primary objectives relate to the conservation and recovery of marine wildlife and habitats. However they may also benefit fish populations. More generally, the term 'Fisheries MPA' is used to describe a tool for fish stock management and recovery. The reality is that marine fisheries and the marine environment are so closely and inextricably linked that protecting one often means protecting the other, and many sites will be protected by a number of designations.

Introduction

In a series of guides covering topical issues affecting the UK fishing industry, Seafish takes a practical look at Marine Protected Areas (MPAs): what they are, the different types of MPA, the legislative framework, and what is being proposed under the UK and Scottish Marine Bills.

There are other Seafish guides on related topics including sustainability, responsible sourcing, the Responsible Fishing Scheme, bottom trawling and discarding.

The new MPA network in the UK

With the UK Government's commitment to put in place an ecologically coherent network of MPAs by 2012, it is crucial to understand the designations that make up this network and how to engage with the processes which will influence future marine management.

In the UK, the MPA network is being developed specifically for the conservation and recovery of marine biodiversity and ecosystems. The overall network will comprise: existing and new Natura 2000 sites, both inshore and offshore, nationally important Sites of Special Scientific Interest (SSSI) and new nature MPAs.

In England and Wales

The Marine and Coastal Access Bill for England and Wales proposes new site designations and protection measures with a duty to designate a new type of MPA - Marine Conservation Zone

(MCZs). In England, MCZs will cover English waters and those offshore waters adjacent to Welsh territorial waters in the Irish Sea. In Wales, the MCZs will cover Welsh territorial waters inside 12nm.

The combination of MCZs and European Marine Sites (SAC and SPA) is intended to protect the marine environment and its wildlife. Within this there will be varying levels of protection, from specific restrictions on certain activities, to areas where no development or exploitation will be permitted.

In Scotland

In Scotland the 'Sustainable Seas for All' consultation on Scotland's first Marine Bill (published July 2008) calls for the creation of Marine Protected Areas in Scotland identified on the basis of objective scientific assessment.

This guide will be followed up by a series of updates on the progress of the Marine Bills, and on the designations of national MPAs and European Marine Sites.

MPA sites currently designated in the UK

The category of Marine Protected Area designated depends on the legislative measures in place to provide protection to the marine species and habitats within them. The most important wildlife conservation designations are explained briefly below:

Designation	Description	Size and scope
European Marine Sites (Natura 2000)		
MPAs designated as part of the European Natura 2000 network and referred to as European Marine Sites are Special Areas of Conservation (SAC) and Special Protection Areas (SPA):		
Special Areas of Conservation (SAC) Inshore	These are areas that have international wildlife importance. They are protected by EC/national laws established under the EC Habitats Directive.	There are presently 76 of these sites in marine areas, protecting 5,370 square miles of coastline and inshore waters (up to 12nm offshore). The SAC series is not yet complete and there is an ongoing process of SAC identification in UK waters away from the coast. Further information at: http://www.jncc.gov.uk/page-1445
Special Areas of Conservation (SAC) Offshore	Under the EC Habitats Directive the Offshore Marine Conservation Regulations requires the selection of SACs and SPAs in waters beyond 12 nm of the UK coast (and up to 200nm offshore as well as beyond to the shelf extension) to protect species and habitats.	There are presently five candidate offshore sites (outside 12nm and covering 1,040 square miles). The Joint Nature Conservation Committee (JNCC) has proposed a further two sites; Wyville Thomson Ridge, and North Norfolk Sandbanks and Saturn Reef. These cover a further 2,060 square miles. Other EC Member States are proposing Offshore SACs within their EEZs. Further information at: http://www.jncc.gov.uk/page-1445
Special Protection Areas (SPA)	These are areas where birds and their habitats are given additional protection under the EC Wild Birds and Habitats Directive.	There are more than 73 Marine SPAs, covering a large area of coast as well as the open sea. The majority of these are coastal. Only one (Carmarthen Bay in Wales) is fully marine. Further information at: http://www.jncc.gov.uk/page-1414
Sites of Special Scientific Interest (SSSI) (known as Areas of Special Scientific Interest in Northern Ireland)	The most common protected site. These are all inshore (extending out to mean low water mark) and covered by UK laws to protect nationally important wildlife. These sites are designated under the Wildlife and Countryside Act.	These cover much of the UK's coastline down to the mean low water mark of ordinary tides. In Scotland alone, 430 of these are in coastal areas, covering 1,270 square miles.
Marine Nature Reserves (MNR)	MNRs are created to conserve marine flora, fauna and geological or physiographical features of special interest, while providing opportunities for study of the systems involved. Designated under the Wildlife and Countryside Act.	There are only three MNRs in the whole UK - Lundy Island in England, Skomer Island in Wales and Strangford Lough in Northern Ireland. Lundy will automatically be transposed to a MCZ when the Marine and Coastal Access Bill gains Royal assent. Elsewhere, a number of voluntary Marine Nature Reserves (vMNRs) have been established by agreement between non-governmental organisations, stakeholders and user groups. These have no statutory basis.

Designation	Description	Size and scope
Fisheries MPA (fisheries management tools)		
Closed areas	Relates to a sea area which is closed (either permanently or seasonally) to a certain fishing gear or vessel size, or for a certain target species to aid fish stock management or recovery.	Several 'fisheries boxes' are already in use in Europe, such as the Norway pout, mackerel and plaice boxes, or those that protect spawning herring. MPAs can be introduced specifically for fisheries, but can also afford wider biodiversity protection such as the mobile gear ban along the North East coast of England.
No Take Zones (NTZ)	Areas permanently set aside from all direct human disturbance.	The NTZs at Lundy Island and Lamlash Bay are the only areas in the UK where fishing has been completely banned to protect wildlife.

The Government's vision is for clean, healthy, safe, productive and biologically diverse oceans and seas. A vision shared by the seafood industry.

Turning the tide

One of the most important wetland sites in the UK has seen a huge recovery in condition following SAC designation.

The Wash and North Norfolk Coast is one of the most diverse coastal systems in Britain including shallow sandbanks, intertidal and sandflats, coastal lagoons, large shallow inlets and bays, and reefs.

The intertidal zone was being threatened from coastal squeeze as a result of land-claim and coastal defence

works, as well as sealevel rises and storm-surges. Shellfish beds have undergone serious decline and dependent shorebird populations were suffering. The area was designated a European Marine Site in 2002 to safeguard conservation interests and encourage sustainable use of the site.

Over the last six years the relevant authorities, local community advisory groups, organisations - including fishing industry groups - and individuals have worked together to turn the tide. A recent assessment showed a very positive picture of the saltmarsh,

intertidal and tidal areas, including reefs and sandbanks, as well as birds, seals, plants and other key wildlife. Particular success stories are the populations of wintering birds, breeding seals and work with the shellfisheries.



The Wash - Cockle Handworking vessel

The legal framework

In the UK sites may be protected under International, European or national legislation. Key legislation is listed as well as the policy drivers behind the ongoing and future commitment to a network of national MPAs in the UK:

International commitments:

Convention on Biological Diversity. 1992. Requirement to establish representative networks of MPAs globally by 2012.
www.cbd.int

OSPAR Convention. 1998. Requirement to establish an ecologically coherent network of well-managed MPAs in the North East Atlantic by 2010.
www.ospar.org

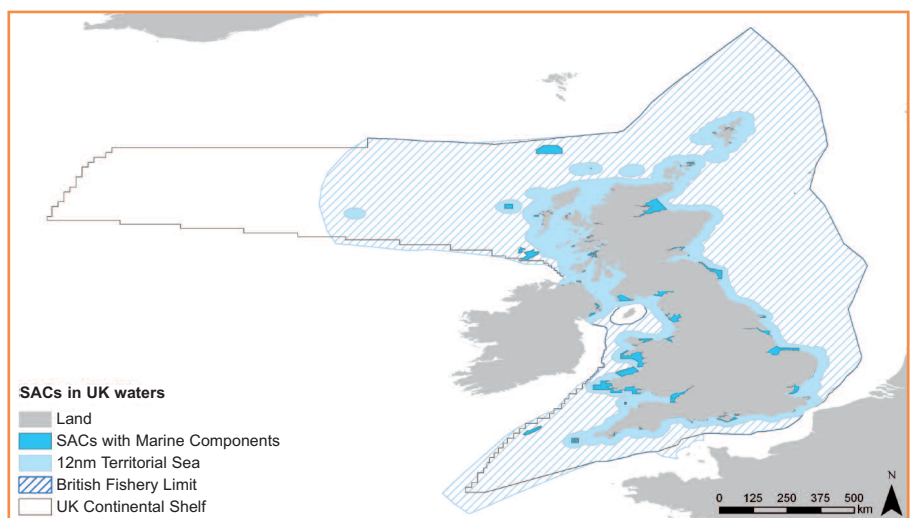
World Summit for Sustainable Development. 2002. Requirement to establish representative networks of MPAs by 2012.
www.worldsummit2002.org

Marine Strategy Framework Directive – Council Directive 2008/56/EC. June 2008. Requirement to establish a coherent and representative networks of MPAs contributing to good environmental status of Europe's seas by 2020.
<http://eur-lex.europa.eu/>

EC Wild Birds Directive – Council Directive 79/409/EEC. 1994.
www.jncc.gov.uk/page-1373

EC Habitats Directive – Council Directive 92/443/EEC. 1994.
www.jncc.gov.uk/page-1379

Water Framework Directive.
www.euwfd.com/



SACs in UK waters November 2008. Map supplied by JNCC.

Common Fisheries Policy.
http://ec.europa.eu/fisheries/cfp/review_en.htm

National commitments:

Wildlife and Countryside Act. 1981.
www.jncc.gov.uk/page-1377

Nature Conservation and Amenity Lands (Northern Ireland) Order. 1985.
www.jncc.gov.uk/page-3175

Future direction:

Marine and Coastal Access Bill for England and Wales. 2008. Under this Bill there are now two processes currently underway to develop national MPAs: new SAC and

SPA designated areas and the development of the new MCZs.
www.defra.gov.uk/marine/legislation/index.htm

See also: 'Protecting our marine environment through the Marine Bill'
www.defra.gov.uk/marine/pdf/legislation/protect-marine-env-leaflet.pdf

Sustainable Seas for All. 2008. Under the consultation for Scotland's first Marine Bill there is the proposal for the application of site protection mechanisms including powers to designate a new type MPA identified on the basis of objective scientific assessment.
www.scotland.gov.uk/Publications/2008/07/11100221/4

By 2012, the UK Government has committed to putting in place an 'ecologically coherent network' of well-managed MPAs.

Who protects wildlife in the UK?

Marine wildlife protection in the UK is carried out on behalf of Government by the statutory nature conservation agencies, and through statutory duties that have been placed on fisheries regulators.

For inshore waters the local fishery regulator has a statutory duty to work with the nature conservation agencies to protect wildlife. This means that

fishing activities may be restricted if they are thought to cause harm to the conservation status in protected areas.

The Joint Nature Conservation Committee (JNCC) is a statutory adviser to Government on UK and international nature conservation. JNCC delivers the UK and international responsibilities of the conservation agencies for each of the UK's devolved administrations:

Scottish Natural Heritage; the Countryside Council for Wales; the Council for Nature Conservation and the Countryside in Northern Ireland, and Natural England. Their role for fulfilling the UK Natura 2000 obligations includes: nominating sites for protection; providing site conservation objectives; and advising regulators and marine users of potentially damaging activities.

The next steps and key dates

Two processes for designating new MPAs are currently underway:

European Marine Sites

The European deadline for expanding the network of Natura 2000 marine sites is 2010 and progress is being made in England, Wales and Scotland to comply with this. The selection of marine sites under the European Natura 2000 network must be based solely on scientific criteria. Natural England will begin an informal consultation process with stakeholders in early March 2009 on up to 11 new sites (SACs and SPAs). Formal consultation will then be held between November and February, with sites being recommended to Defra by August 2010. New SACs, for example, are being considered in several inshore areas in England (off SW & E coast) and new offshore SACs have been recommended to Defra at Dogger Bank, Bassurelle Bank, NW Rockall Bank and Hatton Bank. New sites are also being proposed in Scotland, as well as seaward extensions to around 30 existing SPAs.

New MPAs

These are being referred to as Marine Conservation Zones (in England and Wales) and Marine

Protected Areas in Scotland. There will be different processes used to designate them and different dates to comply with.

Recommendations for MCZ sites, to include integrated consideration of socio-economic costs and benefits, have to be made to Government by October 2011, with sites then designated by 2012. In England and Wales this process will place stakeholders, such as fishermen, at the centre of the decision making process. Four regional MCZ projects for the North Sea, the Irish Sea, the English Channel and the South West are being established and regional stakeholders will recommend where MCZs should be, based on criteria agreed by an independent panel of scientific advisers. The project in the South West, Finding Sanctuary, is already well underway, and a great deal of work has been undertaken to speak to fishermen (through the Fisherman project www.finding-sanctuary.org/page/news/5) to gather information about areas that they consider important and what they would like to see protected.

In Scotland, Scottish ministers have now been given the responsibility to recommend MPAs in Scottish offshore waters which will need agreement from the Secretary of State.

ORGANISATIONS

Joint Nature Conservation Committee (JNCC)

www.jncc.gov.uk

Scottish Natural Heritage

www.snh.org.uk

The Countryside Council for Wales

www.ccw.gov.uk

The Council for Nature Conservation and the Countryside

www.cncni.gov.uk

Natural England

www.naturalengland.org.uk

UK Marine Protected Areas Centre

www.mpas.org

Marine Protected Areas of the United States

www.mpa.gov/

Marine Conservation Society (MCS)

www.mcsuk.org

WWF UK

www.org.uk

Seafish: who we are

Seafish, the authority on seafood, was founded in 1981 by an act of parliament and supports the seafood industry for a sustainable, profitable future.

Our services range from research and development, economic consulting, market research and training and accreditation through to account management and legislative advice for the seafood industry.

Contact Seafish at:

www.seafish.org

<http://sin.seafish.org>

Seafish has produced an 'Environmental Toolkit' to help the fishing industry prevent, or reduce damage or disturbance to wildlife to an acceptable level, and thereby allow the industry to continue and develop in marine protected areas. See: www.seafish.org/b2b/subject.asp?p=326