

Dr Peter Ryder
Chair, Science Advisory Panel
Marine Conservation Zone Project

13 May 2011

Dear Dr Ryder,

Wildlife and Countryside Link (Link) brings together the UK's leading voluntary organisations united by their common interest in the conservation and enjoyment of wildlife, the countryside and the marine environment. Taken together our members have the support of over 8 million people in the UK.

During a recent meeting of Link members and wider NGOs, we considered in some detail the recent developments of the UK Marine Protected Area (MPA) network. Many of those attending acknowledged the commendable work by the Science Advisory Panel (SAP) on the recommended use and guidelines of Areas of Additional Ecological Importance (AAEI) in the Marine Conservation Zone (MCZ) site selection process (in accordance with Section 5.2 of the Ecological Network Guidance, ENG).

However, we write to express our concern at the way in which cetaceans appear to be increasingly excluded from the process. Recently there has been much confusion within the MCZ Regional Projects (RPs) regarding AAEI (which include those areas of importance to UK cetaceans) in the selection of sites, especially as these projects are nearing the completion of their final MCZ proposals.

We welcomed the statement in the recent *SAP advice on the use of AAEI*¹, that species and habitats which can be used in identifying and designating MCZs are not limited entirely to the Broad Scale Habitats (BSH) and Features of Conservation Importance (FOCI) named in the ENG. We especially welcomed the SAP's encouragement to the RPs to protect additional habitats and species of local or regional interest, and to select areas suitable for key lifecycle stages of all species, not just those listed as FOCI in the ENG.

However, we were gravely disappointed at the statement that although these AAEI may be indicative of areas of high prey density and ecological productivity, thereby being critical cetacean habitat, they "*do not justify protection of the predator species there*" (Section 5.4). We suggest this may be a misleading message to send to the RPs as it implies these species do not require the protection afforded by MCZs. In addition, we ask what would justify the protection of these species in AAEI and the overall MPA network.

In its efforts to ensure that the network is ecologically coherent, the SAP has consistently encouraged RPs to think beyond the ENG lists of BSH and FOCI for opportunities to protect habitats and species of local or regional interest. In our opinion, where evidence exists, this could be reasonably extended to mobile species, including cetaceans. In addressing AAEI, the

¹ *SAP advice on the use of Areas of Additional Ecological Importance (AAEI) in the design of an ecologically coherent network of Marine Protected Areas*. Enclosed for information.



ENG further states that “*many mobile animals return to discrete foraging areas where prey is abundant. Identifying MCZs in such areas will offer additional protection to these species through targeted management measures aimed at, for example ensuring food supply or maintaining key habitat features*” (Section 5.2.4).


The ENG and further clarifying guidance documents recently circulated state that “*ecosystem processes will not be the basis for designation*”, due to the inability to assign conservation objects for said processes (Section 5.2.4). However, this guidance does not suggest that sites could not be designated for the said species that are functionally linked to and indicate the presence of those highly productive areas. Further supporting information has been made available to the RPs, both directly and through the recently produced Areas of Pelagic Ecological Importance (APEI) layer by The Wildlife Trusts. Our members will continue to engage in this work to assist in the identification of important habitats for cetaceans.

Before any species can receive the full protection promised by MCZ designation, it must first be designated as a feature of that site. This will then allow for specific conservation objectives to be determined and management measures to be set. Any species not receiving a site feature designation will not benefit from specific management measures.

We call on you to make it clear to the RPs, through your formal feedback and advice, that the SAP would be in support of the designation of sites wherein the effects would be beneficial for cetaceans. We would of course be more than happy to support and champion any attempts to achieve this.

Furthermore, any additional clarity from the SAP regarding AAEI and non-ENG species as protected features of MCZs would be most helpful and appreciated.

Yours sincerely,



Mark Simmonds, Chair, Wildlife and Countryside Link Whales Working Group

This letter is supported by the following Link members:

- Campaign Whale
- Mammal Society
- The Wildlife Trusts
- Whale and Dolphin Conservation Society
- WWF-UK

And additional organisations:

- British Divers Marine Life Rescue
- Environmental Investigation Agency
- ORCA
- World Society for the Protection of Animals

Cc. Joan Edwards, Chair, Wildlife and Countryside Link Marine Working Group