

Science Advisory Panel feedback on Balanced Seas 3rd Progress Report

Balanced Seas Regional Stakeholder Group (RSG) submitted its 3rd Progress Report to the Science Advisory Panel (SAP) on February 28th 2011. The SAP provided detailed feedback on how it felt the content of the report met the Ecological Network Guidance (ENG) and the suitability of draft MCZs and draft Reference Areas to protect their listed features.

The SAP feedback is structured in the following way:

- **Section 1** Overview
- **Section 2** Detailed comments on Balanced Seas recommendations in relation to the ENG
- **Section 3** Recommendations for Actions by the RSG and project
- **Section 4** Actions sought of DEFRA, Natural England and the Joint Nature Conservation Committee

The major points contained within the feedback are as follows:

- The SAP expects all of the guidelines of the ENG to be fulfilled completely by the draft final recommendations.
- The SAP notes that the identified network of dMCZs goes some way to meeting the design principles for Representativity, Replication, Adequacy, Viability and Connectivity, but notes that there is more to do (1.5):
 - incorporating habitat FOCI into the network (2.2)
 - meeting the adequacy targets for broad-scale habitats (2.3)
 - increasing the size of sites that do not meet the viability criteria (2.4)
 - consideration of geology and geomorphological guidelines (3.7)
- The SAP expresses their concern that the emerging network appears to be being constructed to avoid socio-economic costs whilst meeting the minimum ENG targets, and warns that minimum protection of unproductive areas of the seabed will not preserve important ecological health (1.6)
- The SAP are pleased to see the efforts that have been made to accommodate regional biogeography in incorporating broad-scale habitats into the network (2.1)
- The SAP provides additional advice on using Areas of Additional Ecological Importance (AAEI), such as bird foraging areas, benthic and pelagic biodiversity layers, fish spawning and nursery grounds, in the design of an ecologically coherent network of MPAs (annex 1)
- The SAP provides additional advice on progress on identifying Reference Areas (annex 2)

At the following RSG meeting (RSG 8, 19/20 April, 2011), RSG members expressed concern regarding the nature of the SAP's comment in section 1.6 (bullet point 3 above) and wrote to the SAP to express that it was not their intention to select 'unproductive areas of seabed' but had worked hard amongst their sectors to meet the ENG principles, often at potentially significant socio-economic cost. The SAP responded directly to the RSG's letter on 9th May, the text of which is replicated below:

To the Regional Stakeholder Group of the Balanced Seas MCZ Project:

Thank you for drawing attention to the unease expressed by some of you about paragraph 1.6 in our response to your 3rd iteration submission.

We are grateful that you took the time to set out those concerns and have given us the opportunity to reply to them. It is clearly better to air such matters than to leave them as a source of discontent and misunderstanding.

We do refute the allegation that we underestimate the difficulty of the task being undertaken by your stakeholders or the pressures you face. It is precisely because of those pressures and the relatively short period available to deal with them that we are motivated to offer critical but constructive advice as required by our Terms of Reference. Balanced Seas has not been singled out in this respect.

Given our responsibility to provide advice on the extent to which the ENG guidelines are being met, we felt it necessary, at this particular stage of a difficult process, to remind you of the fundamental nature of the task - to deliver maximum ecological benefit in line with the guidelines at minimum socio-economic cost. We acknowledge that the task has not been made easier by the way essential information has been provided and continuing uncertainties. But from the narrative which accompanied the 3rd iteration report we have been concerned by the presumption that a network of MPAs can be designed which avoids any significant disruption to the interests of groups and individuals. We do not believe that is possible, and this is borne out by the acute difficulties being faced and reported by stakeholders to reconcile competing objectives. As implied by paragraph 1.6 of our response, the impact assessment is the appropriate vehicle to capture the residual socio-economic costs of your MCZ recommendations.

It is true that our ability to provide advice on how to make progress is limited, because we are not engaged in the detailed negotiations. It is certainly not our intent to make those more problematic and are sorry if that is a consequence of our response, but rightly or wrongly, we did and do believe that we have a duty to reiterate the fundamental goals, give credit to the achievements made, draw attention to shortfalls and proffer relevant scientific advice where we are able to do so - all with the intent of helping stakeholders to prepare their draft final recommendations. It is not an accident that we have also indicated where action by Defra and the SNCBs is required. As indicated in paragraph 1.1 of our response, we share the view that all the projects are still highly dependent on the actions of others.

Please be reassured that the intent of our response is as expressed above. Our intent was not to criticise the performance, attitude or willingness of stakeholders to make progress. The first 5 paragraphs of section 1 of our response recognise the substantial advances you have made, your bravery in incorporating the REC data into your analysis and our take on the main uncertainties that remain to be resolved. However, we would not be fulfilling our responsibilities, if we shied away from expressing the concerns expressed in paragraph 1.6 and what we believe you need to do to bring this difficult process to a satisfactory conclusion.

Yours sincerely, on behalf of the MPA Science Advisory Panel

Dr Peter Ryder CB FRMetS
Chairman

9th May 2011