

Marine Spatial Plan Review

Kevin McIlwee MSc Chairman of Jersey Marine Conservation – 13 August 2024

The following responses based on my own academic studies research and analysis in relation to the Islands Marine Biodiversity and Conservation

How Government intends to embed the actions so that the plan remains actionable by future Governments.

Firstly, I believe it is important that the government is clearly briefed, so that it understands as much as is reasonably possible, the consequences of the Marine Spatial Plans (MSP) environmental findings, drawing the seriousness of Biodiversity decline and the impacts of climate change into imminent and all subsequent planning decisions.

Politicians need to be accurately guided on the revisions of International Reports and recommendations. In decisions over consequences, our leaders need to understand the limitations and uncertainties scientific research strives to overcome. Predictions are based on fitting past events into an algorithm that digitally represents the present situation. It must be appreciated that any predictive climate model is likely to be drastically altered by numerous non-factorable actions impacting on what already is an approximation with a wide margin of existing limits.

Sadly, there are no signs that the situation is better than we thought, whether we individually identify the causes as anthropogenic or not. As an example, the leading global research institutes show a continuing acceleration in global temperature increase. Even with our most advanced computer processing, digital models are still challenged in the prediction of the outcomes, due to an endless array of variables. The IPCC reports include a number of emission scenarios based on simulations. Even with the most advanced processing power available, we cannot put precise time scales on when or how much impact rising emissions and changing weather patterns will have.

Our government must accept that these possible outcomes challenge projected management actions that will be needed to reduce damage or implement environmental restoration interventions. A repeat of the tornado earlier this year in Jersey would have disastrous consequences that would affect us all economically if it reoccurred in the next 5 years, accelerating insurance rates, potentially placing repair bills beyond the resources of our island population.

Disaster management has to plan for the worst-case outcomes for the Shared Socio-economic pathways (SSP's). The moderate predictions show little significant divergence before 2030 and even these projections illustrate a slow reduction in the rate of emission and temperature acceleration that reaches into the future well-being of the youngest of our community.

The island correctly declared a climate crisis and that situation has not changed. In reality, the lack of effective action has placed us in a position of mitigation not eradication. The MSP is exactly what the title states, a plan! The government needs to act as quickly and as effectively as is economically possible.

What mechanisms the Government will establish to ensure that the actions become part of departmental business as usual.

Using the phrase 'business as usual' implies that government departments will operate in a revised but non-adaptable framework. A far more rapid and effective response is needed that can only come from a robust toolkit of resources. The marine environment requires an outcome-based management structure, ensuring environmental and long-term economic benefit.

How Government intends to ensure that the actions continue to be understood and prioritised by senior officers and Ministers.

That task is challenging, since any planned actions assume that the proposals are based on accurate and balanced advice. The situation as outlined in the first question response is complex. Jersey is a small but affluent island. At times the decision making in its longevity results in spiralling costs (perhaps the hospital as an example) while on the other hand there is an overzealous acceptance of development projects. This may be the result of the level of understanding. The story goes that a debate over upgrading paving slabs goes on for hours because everyone on the committee knows something about that. In contrast a decision to build a wind farm goes through on the nod since non of the committee has the level of expertise that a decision requires. The accuracy of decision making must not be limited by localized knowledge. The government needs to work more closely with advanced research organisations and act on scientific advice not opinion or small community pressures.

How the consultation and engagement was conducted and, in particular, how stakeholder feedback was weighted to inform the MSP.

Commenting on the use of data and information provided by Jersey Marine Conservation, I think our data and outcomes were given serious, fair and balanced recognition. This was very much down to the skills and knowledge of those within government who lead the structuring and content of the report. We were fortunate to have a team with current and advanced knowledge of the marine environment.

Whether the Marine Protected Areas allow Jersey to meet its international obligations to protect specific habitats and species and the current and future requirements of the fishing industry.

Limitations on the effectiveness of the MPA's, if they are adopted in the future, will be the result of community and stakeholder support. International access to our waters creates an unfair and unacceptable situation. As resources decline which they will, what ever the scenario, it may be necessary to reduce the amount of fishing effort. However, if our commercial fleet is to be expected to support these measures, then the territorial waters need to be exclusively defined. If we improve our resources under the current framework, we will see a comparative stabilisation of fishing stocks but foreign vessels will target our waters by any means possible. Licences that reduce our island's ability to be self-sustaining must be carefully government controlled. Climate change, mass migration and rising world populations will make it harder to manage and protect our marine environment. From a practical perspective, while seabed regions are 'rested' or protected as breeding sites, our established local fleet needs to be supported and encouraged to help with the process.

Whether the proposals for a three-tier fishing zone framework are fit for purpose.

A response to this really needs to consider the factors outlined in the previous response.

What political and international pressure was exerted during the development of the MSP.

As an island that despite its size, is globally recognized and respected, we continue to be drawn into international agreements that require resources beyond our capability. The island's location makes us vulnerable, creating a reliance on UK government support.

In some cases, local political ambitions lead to proposals that generate huge media interest and subsequent resource investment. These personal goals overlook the basic fact that progress and future proofing requires an understanding of the islands unique legal system coupled with an ability to successfully promote private sector support. The large levels of investment that the necessary MSP changes require, will need leadership and full political cooperation at all levels. The island will need to have a skilled team of negotiators, who ensure that our relationship with the UK Government works in the islands best interest. UK legislation must safeguard all Channel Island's marine resources, if our future is to be secured.

Whether the Government has the necessary statutory powers to enforce the Marine Protected Areas and sufficient staffing and technical expertise to do so.

Once again, the ability to achieve that goal requires a position of negotiation that serves the needs of our island. The results of Biodiversity decline will need a much more up to date and fluid management structure. We need to invest in technology that provides 24-hour surveillance, analytics and the necessary information for rapid intervention response, that links to a legal and incentivised framework, enabling the government to deal effectively with infringements.

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