

## A guide to the consultation on the draft Jersey Marine Spatial Plan

### Jersey's marine environment and existing protection

Over 95 per cent of Jersey's territory is ocean. The unique character and ecology of Jersey's marine estate supports an astoundingly diverse range of wildlife, with over 3,000 known animal and plant species. Jersey's waters are also rich with sites of cultural, archaeological and historical significance. Jersey's Marine Protected Areas (MPAs) currently cover 6.5 per cent of Jersey's territorial waters. These areas prohibit only trawling and dredging. In addition, one small area, Portelet Bay, was designated as a fully No-Take Zone (NTZ) in 2022. Research clearly [demonstrates](#) that the existing small network of MPAs are having a positive influence on diversity with a greater number of species compared to open areas.

### Marine spatial plan opportunity

[The draft Jersey Marine Spatial Plan \(JMSP\)](#), published for consultation by the Government of Jersey on Thursday 26<sup>th</sup> October, brings together all the current scientific evidence and knowledge about Jersey's marine environment and identifies how Jersey's marine space should be managed. It takes into account all marine uses, from large-scale commercial activities to everyday recreational use. The outcome of the JMSP process is "to make sure our marine environment is better protected and enjoyed for generations to come". The JMSP is arguably the most important opportunity in recent decades to set a roadmap for the sustainable future of Jersey's seas.

### Call to action

Jersey is at a crossroads in determining the future health and productivity of its seas. Real, large-scale and meaningful marine protection can be achieved through the JMSP, creating benefits for everyone. The JMSP is a once-in-a-generation opportunity to protect our seas while supporting sustainable livelihoods and local economies.

The public consultation on the draft JMSP is a key opportunity to have your say and show your support, and is open until the 28<sup>th</sup> January 2024.

We are calling on you to show support and give the JMSP the best possible chance to be agreed by the States Assembly.

The JMSP website hosts all information about the plan, key dates and a portal to respond. This can be found [here](#).

The draft plan (256 pages) itself can be found [here](#).

You can submit your consultation response [here](#).

Within the consultation response, there is an option to submit responses specific to each chapter. However, for user ease, a response referencing multiple chapters can be submitted under the 'General comments' option of the dropdown menu.

## Aim of this document

This guide aims to inform stakeholders of the recommendations and priority actions set out within the draft JMSP which Blue Marine believes are the most relevant to conserving Jersey's marine environment for the benefit of people, nature and climate.

The consultation response invites all interested parties to submit a response to each of the chapters in the draft JMSP that are of interest to you:

- Policy
- Natural Environment and Biodiversity
- Commercial Fishing and Aquaculture
- Recreation and Tourism
- Energy and Infrastructure and Transport

**The chapters below provide an outline of the JMSP priorities as set out by Government and our response (*in italics*) which could be used to help with your own consultation response.**

The more stakeholders that submit a supporting response to the JMSP consultation, the greater the opportunity to deliver the full benefits offered through the measures and actions set out in this pioneering JMSP.

We hope the below wording will be helpful in forming your consultation response. Please do feel free to adapt and use any text within this document.

If you have any questions, please do contact [freddie@bluemarinefoundation.com](mailto:freddie@bluemarinefoundation.com).

## Policy

Throughout the JMSP, the relevant legislative and policy context is outlined. This includes a number of international treaties such as the Carbon Neutral Roadmap, Bridging Island Plan, Global Biodiversity Framework (GBF), OSPAR and many more, all of which outline Jersey's responsibilities to tackle the global biodiversity and climate crisis, as well as the sustainable management of both the terrestrial and marine environment.

*As a whole, Blue Marine believes that the JMSP's recommendations accurately reflect relevant domestic and international responsibilities, particularly with regard to the GBF and its aim to see 30 per cent MPA coverage by 2030 (30x30). The JMSP proposes to designate 27 per cent of Jersey's waters as MPAs, while also identifying areas where further research should be targeted in order to achieve the full 30 per cent of protection. The delivery of this would result in a significant step in Jersey's journey to fulfilling its international obligation to the GBF, and therefore priorities NB5 and FA1 should remain a strongpoint within the final JMSP.*

## Chapter 8: Natural Environment and Biodiversity

### Chapter 8.6: Marine habitats and Marine Protected Areas

This chapter provides an overview of why certain areas need protection, where these areas are located and the level of protection they should be afforded.

The key proposed actions set out in the JMSP in this chapter are:

**Priority NB5:** Marine Protected Areas (MPAs). To protect marine habitats through the expansion of the network of Marine Protected Areas, to cover at least 30% of Jersey's waters by 2030.

- **Action NB5a:** The existing Marine Protected Areas (MPAs) will be extended and linked to cover the inshore area; the offshore reefs (Les Écréhous, Les Minquiers, the Paternosters and Les Anquettes), and parts of the sedimentary basins which contain a high coverage of OSPAR listed habitats. No mobile fishing gear will be permitted to be used within the MPAs.
- **Action NB5b:** Legislation will be revised to give the MPAs a statutory basis.
- **Action NB5c:** Further research will be undertaken in order to inform the future expansion of the Marine Protected Area network. This will include gaining greater understanding of the distribution of ross worm habitats, and the potential consequences of the changed MPA boundaries on habitats and species.

The JMSP proposes designation of 660 km<sup>2</sup> as MPAs, which would increase the area of Jersey's waters with protection to 27 per cent. The proposed MPAs would **only prohibit trawling and dredging activities, while lower impact fishing methods such as potting, netting, diving and hook would all be permitted to continue**. The areas proposed for protection cover sensitive, productive habitats such as kelp forests, maerl beds and rocky reefs, all of which are known to be significantly damaged by bottom trawling and dredging. One area, the Les Sauvages reef, a highly biodiverse area at the south-eastern extent of Jersey's waters, is proposed for a complete closure to all forms of fishing.

Approximately 85 per cent of Jersey's commercial fishing boats use lower impact fishing gear such as pots, nets, hook and line and hand-diving. Crab and lobster alone made up approximately 70 per cent of Jersey's fishery value in 2021. Both species depend on healthy habitats to reproduce, breed, feed and grow. The proposed MPAs would allow static fishing methods and recreational fishing to

continue and reap the benefits of increasing fish and shellfish populations due to habitat regeneration. Several boats using dredges and trawls will no longer be able to fish in these MPAs. However, these vessels will be able to continue using their gear in the remaining 70 per cent of Jersey's waters.

Healthy seas are linked to better mental and physical health, improved economies through ecotourism, research opportunities and fisheries catches. In addition, healthy resilient marine environments add significant value through the provision of 'ecosystem services' – services provided by nature that are crucial for everyday life, including climate regulation, nutrient cycling and food provision. A recent study, which is acknowledged in the JMSP, found that protection of 30 per cent of Jersey's waters could increase the value of these services by more than £42 million in just 20 years, reflecting the economic values associated with marine protection.

*Blue Marine believes that the JMSP has applied an evidence-based, methodical approach to determining the location, extent and level of protection to be afforded by the proposed MPAs. Protection of the proposed areas are expected to result in recovery and growth of nationally important habitats that also serve as important nursery, spawning and feeding grounds, leading to an increase in biodiversity and increased resilience to storms and climate change. The increase in biodiversity as a result of MPA implementation is also expected to benefit the local fishing industry through increased abundance of commercially important stocks. Overall, the JMSP showcases how the climate, biodiversity, fishery, economic and social benefits associated with the proposed MPAs outweigh the cost of lost fishing from local dredging and trawling activities. We strongly support the proposed network of MPAs and urge the JMSP to maintain Priority NB5 and its associated actions. However, we believe that consideration of compensatory measures to fishermen who may be displaced by any MPA designations should be included as an additional action. As a whole, delivery of actions NB5a and NB5b must be delivered in order to represent a large step towards Jersey's 30x30 responsibilities. Action NB5c will play a key role in ultimately achieving 30x30 and the inclusion of compensatory measures will likely aid in the delivery of these goals.*

## Chapter 8.7: Seagrass

This chapter highlights the important of seagrass, and how it should be better managed. The key proposed actions set out in the JMSP in this chapter are:

**Priority NB6:** Seagrass Habitat Management Areas. To designate Seagrass Habitat Management Areas to promote the protection and regeneration of seagrass.

- **Action NB6a:** Seagrass Habitat Management Areas should be established in St Catherine's Bay, Archirondel and Anne Port, the Royal Bay of Grouville, South-East Reefs and St Aubin's Bay, where damaging activities will be restricted. It will be necessary to explore options regarding their legal framework.
- **Action NB6b:** Subject to the findings of research into seagrass-friendly moorings proving to be positive, such moorings should become required within Seagrass Habitat Management Areas.

Seagrass is a highly important habitat, supporting high biodiversity, spawning and nursery grounds for commercial fish and drawing down and storing carbon. Nearly 97 per cent of Jersey's existing seagrass beds already lie within the existing MPAs, and are therefore protected from trawling and dredging. However, a large number of boat moorings are known to cause damage, resulting in an estimated 6000m<sup>2</sup> of seagrass being lost to date. The JMSP aims to address this issue and safeguard

this key habitat and promote its expansion through implementing seagrass friendly moorings as well as addressing management options of wider human activities such as driving vehicles, digging, horse riding and dumping of seaweed across at-risk locations.

*Blue Marine fully supports Priority NB6 and believe the actions set out are appropriate measures to further safeguard seagrass habitats around Jersey, allowing for their natural growth and potential expansion. This would help to boost local biodiversity as well as mitigate the impacts of climate change, contributing to Jersey's Carbon Neutral Roadmap ambition to double the extent of seagrass habitats.*

## Chapter 9: Commercial Fishing and Aquaculture

### Chapter 9.4: Proposed fishing zones

This section proposes to split fishing activity in Jersey into three different zones.

The key proposed actions set out in the JMSP in this chapter are:

**Priority FA1:** Fishing zones. To introduce an area-based, three-zone system comprising:

- **Fishing Zone A** (Lightly Regulated Fishing Area)
- **Fishing Zone B** (Seabed Protection Area)
- **Fishing Zone C** (No Take Zones)
- **Action FA1a:** Fisheries regulations will be updated to reflect the new area-based system, following the standard process with regard to consultation.
- **Action FA1b:** A programme of public engagement will be undertaken with the Jersey and French fishing fleets to make sure that all are aware of the new system.

Fishing Zone A accounts for 72.7 per cent of Jersey's territorial waters and permits all types of fishing with only light regulation in the form of existing management.

Fishing Zone B accounts for 27.22 per cent of Jersey's waters. This area integrates the proposed MPAs with exclusion corridors around electricity cables, only prohibiting the use of mobile fishing gear (dredging and trawling). The MPAs cover habitats which are internationally recognised as threatened, provide the greatest benefits from nature (including acting as fish nurseries and spawning grounds), and/or have a high blue carbon potential.

Fishing Zone C covers 0.08 per cent of Jersey's waters. Known as No-Take Zones, these areas prohibit the use of any extractive activities, meaning no fishing can take place here. This already exists at Portelet Bay, and the JMSP proposes for another at Les Sauvages due to its extremely high levels of biodiversity.

*Blue Marine believes that the three-tier system of the proposed fishing zones will help to provide clarity and resolve conflicts between different fishing activities and other marine uses/values such as development, recreation, biodiversity and blue carbon. Our support for priority NB5 is articulated above. We therefore support the MPA proposals along with the integration of exclusion zones around undersea cables, resulting in 27.22 per cent of territorial waters being closed to mobile fishing gear (trawling and dredging), as outlined in Fishing Zone B. We believe this will provide clarity on spatial management of mobile gear, while also protecting key sensitive marine habitats which support fisheries, biodiversity and blue carbon. We are in full support of the fishing zones outlined in Priority FA1, along with the included actions around updating fisheries regulation and engagement with the fishing industry. In particular, we feel that that the extent (27.22 per cent) of Fishing Zone B should remain integral within Priority FA1.*

## Chapter 9.7: Encouragement and promotion of sustainable fishing

This section of the JMSP outlines the Government's proposals to encourage and promote sustainable fishing.

The key proposed actions set out in the JMSP in this chapter are:

**Priority FA5:** Sustainable fishing. To support and promote facilities and actions which support sustainable fishing.

- **Action FA5a:** The marketing of sustainably-caught fish should be promoted by the creation of a sustainability mark or similar mechanism to indicate high quality and sustainability in Jersey's fisheries.
- **Action FA5b:** The provision of appropriate marine and onshore facilities for sustainable fishing will be encouraged.

It has been made clear that the Government of Jersey have an ambition to make Jersey's fishing fleet as sustainable as possible. However, existing barriers such as cost, infrastructure and marketing have impeded the achievement of a thriving economically and environmentally sustainable fishing industry.

*Priority FA5 proposes the development of marketing strategies, creating sustainability stamps and providing relevant infrastructure to increase catch quality and efficiency in processing. Blue Marine is fully supportive in this priority and believe that these actions are necessary to secure the future of a sustainable fishery. However, we believe that further actions are needed to reduce the overall environmental impact of the commercial fishing fleet. This could be in the form of exploring transition options away from damaging fishing gears such as trawling and dredging, providing economic support to fishermen undertaking lower impact forms of fishing (such as scallop diving), identifying ways of diversification and trialling methods to reduce carbon emissions. Blue Marine proposes an additional action along the lines of: 'The development of initiatives and incentives to support a just transition to fishing practices that have least impact on the seabed, non-target species and emissions.'*

## Chapter 11: Recreation and Tourism

### Chapter 11.4: Enhancing access to the marine environment

The JMSP outlines the important role which the marine environment plays in supporting people's health and wellbeing.

The key proposed actions set out in the JMSP in this chapter are:

**Priority RT3:** Access to the marine environment. To promote and manage access to the marine environment for the benefit of all.

- **Action RT3a:** All existing public access to the coast and foreshore should be maintained. Opportunities should be sought to improve access for those with diverse needs.
- **Action RT3b:** Community/health/sports/education organisations will be encouraged to use the coast for physical activity, education and for the enhancement of well-being.

- **Action RT3c:** The safe storage of recreational equipment at the coast should be promoted in order to minimise transportation needs and reduce the need to store equipment on beaches. Guidance should be produced on suitable locations and designs for such facilities.

The plan identifies opportunities to improve the accessibility of coastal and marine recreation and encourage people to try different watersports. This accessibility is not just physical – it also relates to improving the availability of equipment and making watersports more affordable and socially diverse. Through the plan’s initial consultation phase, the lack of accessibility of watersports for young people, either due to difficulties in physically accessing the coast, or because of the cost of specialist equipment was highlighted. The JMSP also identified issues of slipways being blocked during peak time, parking, anti-social behaviour, gear storage and transport. The plan looks to address this, by identifying opportunities to build on the existing provision and to make it more accessible, more affordable, more diverse, and safer.

*Access to the marine environment is incredibly important for the wellbeing of Jersey’s residents. Blue Marine therefore supports Priority RT3 to promote and better manage access to the marine environment for the benefit of all. However, we recommend that some form of monitoring programme is included in the action plan to assess the impact of changes in accessibility and any added infrastructure.*

#### Chapter 11.5 and 11.6: Respecting wildlife and habitats. Recreation at the offshore reefs

These sections address some of the conflicts that exist between various public uses of the coastal and marine space with wildlife. These conflicts include dog walking and wading birds, anti-social behaviour and wildlife disturbance, other recreational activities and damage to marine habitats.

The key proposed actions set out in the JMSP in this chapter are:

**Priority RT6:** Increasing public education and awareness. To promote responsible use and enjoyment of the coastal and marine environment through increasing public education and awareness.

- **Action RT6a:** A Seaside Code should be produced to encourage understanding of and respect for the coastal and marine environments through behaviours and actions including:
  - Not touching protected species.
  - Replacing turned stones.
  - Not dropping litter.
  - Making sure fishing gear is correctly labelled.
  - Not leaving belongings on slipways.

Consider producing supplements to the Seaside Code for specific activities such as recreational and low water fishing.

- **Action RT6b:** The “Enjoying the Coast Safely” booklet should be revised and updated to include more references to good practice with regard to avoiding disturbance of wildlife and habitats.

**Priority RT7:** Management Plans for offshore reefs. To produce Management Plans for the offshore reefs which integrate the management of recreation, Marine Protected Areas and Ramsar Sites.

- **Action RT7a:** Holistic Management Plans for the reefs should be produced through collaboration with users and Residents’ Associations. These will address local issues



including recreation management, cultural heritage and the natural environment. Issues for consideration include the feasibility of limiting visitor numbers, introducing a permit system, employing reef wardens and identifying particularly sensitive wildlife areas where additional restrictions may be required.

Recreation is a significant and popular activity that takes place across Jersey's coastlines, seas and offshore reefs. Inherently, these activities can also have an effect on sensitive marine habitats. The JMSP acknowledges this, proposing actions to mitigate wildlife disturbance from boats, drones and general levels of noise and activity. The JMSP also acknowledges the lack of public awareness around responsible interactions with the marine environment, whether it be recreational or everyday activities.

*Priorities RT6 and RT7 address these issues by proposing actions which increase public education and awareness as well as integrating recreational management within management plans for MPAs and Ramsar sites. Organisations such as Blue Marine, Societe Jersiaise, Jersey Marine Conservation, National Trust for Jersey, Bouley Bay Dive Centre, Jersey Heritage, Healing Waves, Jersey Kayak Adventures, Seafaris and many others are all undertaking effective ways of connecting people to the sea, resulting in enhanced education, awareness and appreciation of the marine environment. Blue Marine therefore recommends that the Government of Jersey assesses existing programmes and identifies how support could be given to deliver these in partnership with the relevant organisations. In addition, relating to Priority RT7, the Ramsar Management Authority already balance the opinions and needs from multiple users across the offshore reefs, and should therefore be regarded as a key contributor to the Holistic Management Plans for the reefs.*

## Chapter 12: Energy Infrastructure and Transport

### Chapter 12.3: Submarine cables

The JMSP identifies all undersea cables which provide power and telecommunications to Jersey and other Channel Islands. It identifies an area of conflict with mobile fishing gear and anchors. The plan proposes to prohibit the use of mobile fishing gear (trawling and dredging) or anchors within 500m either side of all undersea cables.

The key proposed actions set out in the JMSP in this chapter are:

**Priority IT1:** Protection of submarine cables. To protect submarine cables which form critical national infrastructure from damage by anchors and mobile fishing gear.

- **Action IT1a:** The existing mandatory protection corridors covering the Normandie 1 and 2 cables will be retained.
- **Action IT1b:** A new mandatory protection corridor covering the Guernsey – Jersey 1 overlay power cable, and the adjacent Ingrid Fibre Optic Outrigger telecommunications cable, should be created. The relevant legislation should be updated accordingly.
- **Action IT1c:** Advisory protection corridors along other telecommunications cables will be retained.
- **Action IT1d:** Access to cable landfalls through intertidal areas for maintenance, repair and overlay will be retained.
- **Action IT1e:** Provision will be made for cable maintenance, repair and overlay along all existing cable routes.



*Blue Marine is in full support of protecting all existing submarine cables from anchorage and mobile fishing gear, as outlined in Priority IT1. It should be noted in the section that if implemented, these areas could be classed as 'other effective area-based conservation measures' (OECMs), therefore contributing to Jersey's proposed network of MPAs and ultimately the Island's 30x30 responsibilities.*

### Chapter 12.5: FEPA offshore deposition site

FEPA offshore deposition sites are areas where substances such as construction materials, dredged materials, fish waste and burials at sea are permitted. The JMSP flags that the FEPA regulations are outdated and in need of review to ensure that they are effective in managing the requirements of large-scale projects such as coastal redevelopment, reclamation and windfarms.

The key proposed actions set out in the JMSP in this chapter are:

**Priority IT3:** FEPA offshore deposition area. To retain the existing FEPA offshore deposition site.

- **Action IT3a:** The size and location of the existing FEPA offshore deposition area will be reviewed in relation to potential future needs and environmental requirements, and steps will be taken to formalise its use.
- **Action IT3b:** A review of current legislation should be undertaken to ensure it is fit for purpose for large-scale projects.

*The JMSP proposes to review the location and size of the existing offshore deposition site. Blue Marine recommends that it should be more explicitly noted in the Priority IT3 statement that any changes in location of the FEPA offshore deposition site should not impinge on any designated MPAs.*

### Chapter 12.6: Renewable energy: wind power

This chapter identifies the most suitable location for an offshore windfarm along with listing recommended requirements in the consenting framework for the entire development.

The key proposed actions set out in the JMSP in this chapter are:

**Priority IT4:** Utility scale offshore wind generation. To support the principle of utility scale offshore wind generation in the south-western part of the Bailiwick.

- **Action IT4a:** The following requirements should be considered in the consenting framework, covering the windfarm itself, associated submarine cables and onshore facilities:
  - best practice in marine conservation;
  - additional economic benefits, for example commercial seaweed production;
  - implications for search and rescue operations; and
  - minimisation of adverse impacts on visual and cultural heritage.

The development of offshore wind has the opportunity to create energy security for the Island, while also creating over 900 jobs during the manufacturing stage and over 120 jobs for ongoing maintenance. With Jersey committed to carbon neutrality by 2030 and net zero by 2050 and limitations of space for terrestrial renewable energy, the Government of Jersey consider offshore wind to be the most viable option in securing renewable energy. However, there are a number of environmental impacts associated with offshore wind farm developments, including bird strikes and

direct impacts on benthic habitats and pelagic species (e.g. disturbance to migration routes). There are also socio-economic impacts such as displacement of fishing.

*Blue Marine supports Priority IT4. However, more detail is needed on the actions that will be implemented to minimise environmental impact. Blue Marine recommends additional actions to: require any offshore wind developments to consider Nature Inclusive Designs (NIDs); establish a working group of conservation specialists to ensure best practice; and for offshore wind development companies to actively engage with the fishing sector and be open to discussions around compensation where fishing vessels are severely impacted by displacement.*

## Chapter 12.7: Renewable energy: tidal power

Scoping work has previously been undertaken to assess the feasibility of tidal power. The JMSP briefly outlines this and recommends in Priority IT5 to further investigate the potential of this renewable energy option.

The key proposed actions set out in the JMSP in this chapter are:

**Priority IT5:** Tidal Power. To investigate the potential of using tidal power to generate electricity within Jersey's waters.

- **Action IT5a:** work should continue into investigating the potential for renewable energy generation using tidal power, especially where this can be combined with sea defence.

*Blue Marine supports Priority IT5. However, we recommend that there should be explicit mention in the actions for investigations and scoping studies to consider environmental impacts and mitigation to minimise these.*

## Chapter 12.11: Research and logistics

The JMSP identifies an opportunity for the Island to better accommodate local marine related research and logistics.

The key proposed actions set out in the JMSP in this chapter are:

**Priority IT9:** Maritime hub. To explore the potential for a Jersey-based maritime hub supporting research and development and logistics.

- **Action IT9a:** Initial conversations with potential partners should be undertaken.
- **Action IT9b:** Integrating development of the hub with the design and logistics of the offshore wind farm should be considered.
- **Action IT9c:** Potential sites (within St Helier and potentially elsewhere) should be explored.

With our unique marine biodiversity, there are a number of opportunities to promote Jersey as a maritime hub, which could provide logistical support for marine activities, undertake research to better inform management, accommodate suitable infrastructure such as a hyperbaric chamber, as well as catering for a number of other activities.

*Blue Marine fully supports Priority IT9. Blue Marine and the National Trust for Jersey have discussed similar proposals and on request, discuss the possibility of providing the Government of Jersey with information that may be helpful in exploring the development of a maritime hub.*