



Date: 11 June 2021

Consultation Response to: UK Dolphin and Porpoise Conservation Strategy

To whom it may concern,

The Divers Action Group Northern Ireland (DAGNI) has prepared a response to the UK Dolphin and Porpoise Conservation Strategy, drawn from its various members' expertise in marine mammalogy (i.e., JNCC-certified marine mammal observers, British Divers Marine Life Rescue medics, marine biologists, etc.). The response is detailed below, following the questionnaire format put forward in the consultation document.

1. Do you support the implementation of the UK Dolphin and Porpoise Conservation Strategy?

DAGNI supports the implementation of the UK Dolphin and Porpoise Conservation Strategy, as we understand the ecological and cultural importance of these cetaceans and wish to see them protected when they frequent UK waters. However, we believe the proposed strategy is lacking in both evidence and concrete action points.

2. Do you agree that the evidence presented supports the case for the strategy?

The evidence presented in the technical document is drawn from outdated data (in some cases, over 10 years old) and the fact that all evidence pre-dates 2017 suggests that the data was recycled from previous reports without seeking to be updated. An example of such oversight in the evidence presented is the lack of reference to the two-part Parsons *et al.* (2010) study on *The Conservation of British Cetaceans: A Review of the Threats and Protection Afforded to Whales, Dolphins, and Porpoises in UK Waters*.¹ While over a decade old, these two papers set the stage for cetacean conservation in the UK and should have been cited and built upon in a thorough literature review. Supporting our assumption that past content was simply copied and pasted into the new report is the lack of mention of the Fisheries Act of 2020, instead referring to EU-managed catches. What are the implications of the new Fisheries Act on cetacean conservation, particularly as it relates to the reduction in prey availability? In addition, more consideration must be paid to the impacts of climate change on cetaceans, such as the northward migration of prey species, and how cetacean conservation can be incorporated in UK climate policy. Climate is only mentioned once in the entire report (in the same sentence copy/pasted almost a dozen times) and is never elaborated upon.

¹ See References for both papers.

3. Do you have any comments on the vulnerability assessments and the conclusions reached?

A key issue with the vulnerability assessments is the amount of number 2 ratings, indicating that additional research is necessary. How is this lack of research being addressed? Which teams/organisations will be undertaking the research? How will they be funded? It is not enough to simply state that more research is necessary; such a report should outline exactly how, when, and by whom such research will be undertaken. There is also no mention of which institutions/partners will be contributing to this research and their qualifications.

The vulnerability assessments also only consider fecundity, survival of species, or pressure and never mention the behavioural impacts of human exposure. Numerous studies have explored the negative changes in cetacean behaviour linked to human activity, particularly noise pollution (Evans, 1996; Schaffar *et al.*, 2013; Gomez *et al.*, 2016). Changes in behaviour include interrupted feeding habits and habitat desertion. This should have been considered in the vulnerability assessment. The impact of noise on cetaceans at the anatomical level is well-studied and has also been overlooked in the vulnerability assessment. Even more troubling, the technical document goes so far as to claim that there is 'very little evidence' on the impacts of loud noises on cetaceans (p. 12). This is simply erroneous: loud noise exposure can absolutely have detrimental effects on marine mammals' health. Anyone working in marine mammalogy should be familiar with temporary and permanent threshold shifts (TTS, PTS). Depending on the frequency and decibels, animals can suffer temporary or permanent hearing loss due to damage of the hair cells in the inner ear. This affects orientation in their habitat and communication for social purposes, which can then result in altered behaviour and potentially affect reproduction (e.g., struggling to find a mate due to hearing loss). This is without mentioning the stress these noises can cause. Loud noise like sonar can also damage other parts of the body, including gas and fat emboli, haemorrhage (bleeding) in brain and ears and tissue damage. In 2000, there was a mass stranding of beaked whales associated with mid-frequency sonar. The gas and fat emboli likely result from rapid surfacing and decompression due to disorientation and stress. Particularly loud sounds can be so strong that fractures of small bones and bursting of ear membranes occur, which is direct mechanical damage due to sound waves. Further information on the impacts of sound on marine mammals can be found in Gulland *et al.* (2018), *CRC Handbook of Marine Mammal Medicine*, 3rd edition, pp. 278, 279, 284-296.

4. Do you have any comments on the actions that have been identified in the strategy?

As mentioned above, the actions identified – while encouraging – must be expanded upon. Actions include 'help improve our understanding of the species, the issues that affect them and awareness raising (research, monitoring and communication actions)' but completely omit mention of any of the number of marine mammal NGOs and research groups (e.g., Irish Whale and Dolphin Group, ORCA, Sea Watch Foundation, etc.) that currently work to protect cetaceans in UK waters. There is no detailed framework explaining how any actions listed will be achieved. For example, training interested members of the public to ID cetaceans and report sightings through government-funded grants to local NGOs with such citizen science programmes. How will threats be monitored? What measures are in place to prevent ghost gear and other sources of pollution, such as agricultural runoff from catchment areas surrounding marine protected areas (MPAs)? A particularly puzzling fact is that vessels are not required to report strikes occurring at sea. Why isn't this a legal requirement? How can the UK protect species without have a detailed understanding of collisions and resulting mortality? Recording vessel strikes would provide data to justify the designation of an offshore MPA in a zone where strikes occur more frequently than other areas in UK waters.

5. Do you have any comments on the accessibility of the information in the documents?

In order for us to provide constructive advice and appropriate suggestions, we need clarity on much of the action points. The technical report was not readily available online in the link provided to us by the Northern Ireland Department of Agriculture, Environment and Rural Affairs, nor was it posted to the Marine Scotland webpage for the consultation. We had to request this document directly from Marine Scotland, which means there is a barrier to ensuring that all stakeholders have ready access to all information pertaining to this consultation.

Kind regards,



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References

Evans, P.G.H. (1996) Human disturbance of cetaceans. In: Taylor V.J., Dunstone N. (eds) *The Exploitation of Mammal Populations*. Springer, Dordrecht. doi: 10.1007/978-94-009-1525-1_22.

Gomez, C., Lawson, J.W., Wright, A.J., Buren, A.D., Tollit, D., Lesage, V. (2016) A systematic review on the behavioural responses of wild marine mammals to noise: the disparity between science and policy. *Can. J. Zool.*, 94, pp. 801-819. doi: 10.1139/cjz-2016-0098.

Gulland, F.M.D., Dierauf, L.A., Whitan, K.L. (2018). *CRC Handbook of Marine Mammal Medicine* (3rd ed). CRC Press, Boca Raton.

Parsons, E.C.M., Warham, J.C.J., Simmonds, M.P. (2010a). The Conservation of British Cetaceans: A Review of the Threats and Protection Afforded to Whales, Dolphins, and Porpoises in UK Waters, Part 1, *J. Int. Wildl. Law Policy*, 13(1), pp. 1-62. doi: 10.1080/13880291003705145.

Parsons, E.C.M., Clark, J., Simmonds, M.P. (2010b). The Conservation of British Cetaceans: A Review of the Threats and Protection Afforded to Whales, Dolphins, and Porpoises in UK Waters, Part 2, *J. Int. Wildl. Law Policy*, 13(2), pp. 99-175, doi: 10.1080/13880292.2010.482489.

Schaffar, A., Madon, B., Garrigue, C., Constantine, R. (2013) Behavioural effects of whale-watching activities on an Endangered population of humpback whales wintering in New Caledonia. *Endang Species Res.*, 19, pp. 245-254. doi: 10.3354/esr00466.