Scottish Environment LINK

Scotland's National Marine Plan: response to pre-consultation draft

Scottish Environment LINK is the forum for Scotland's voluntary environment organisations, with over 30 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Scottish Environment LINK's Marine Taskforce (MTF) welcomes this opportunity to comment on the pre-consultation draft of the National Marine Plan. **MTF believe the purpose of the marine planning system should be the achievement of Good Environmental Status and the protection, and where appropriate, enhancement (or regeneration[1]) of marine ecosystems**. Such an approach is consistent with s3 and s5(3)(b) of the Marine (Scotland) Act 2010 (herein referred to as 'the Act'). We continue to believe the 12 principles of the ecosystem approach and operational guidance as developed under the Convention of Biological Diversity should be adopted.

We understand the Plan is at a very early stage of development and appreciate the intention to publish this pre-consultation draft in order to start the process. It is clear the Plan will require substantial redrafting before the statutory consultation expected in the Summer, and we hope the following comments will be useful in that context.

Sustainable development

- We are extremely concerned that this pre-consultation draft contains a '*presumption in favour of development*' and believe this presumption must be removed. All development in the marine environment must be consistent with the principles of **sustainable** development as set out below.

- As currently drafted we do not believe the presumption is consistent with the principles of sustainable development, therefore it does not meet the requirements of s3 of 5(3) of the Act. Further, we do not believe such a presumption is consistent with the Scottish Governments Marine Conservation Strategy which includes the planning system as a central component of the third pillar of marine nature conservation (wider seas measures) or the ecosystem approach[2].

- Sustainable development should be defined and understood in terms of the five principles as set out in the UK Sustainable Development Strategy and Scottish Planning Policy (SPP). As set out in the Policy the overarching goals of sustainable development are living within environmental limits and a strong, healthy and just society. The vital steps for achieving these goals are a sustainable economy, promotion of good

[1] Please see SNP Manifesto 2011 p35 available at - http://votesnp.com/campaigns/SNP_Manifesto_2011_lowRes.pdf

[2] Please see SNP Manifesto 2011 p35 available at - http://votesnp.com/campaigns/SNP_Manifesto_2011_lowRes.pdf

governance and using sound science responsibly. This should be set out in an introduction to the Plan.

- Any reference to 'economic growth' should similarly be understood in terms of the principles of sustainable development as set out above. A sustainable economy is just one step toward achieving sustainable development and therefore living within environmental limits.

Guidance

- MTF believes the Plan must contain more guidance for regional plan makers. Guidance similar to that contained in the SPP should be considered. Much of the current content of the sector plans simply sets out current conditions, and industry 'wish lists' rather than guiding future development of the sector or addressing potential conflicts. This is a major flaw in the current Plan which must be addressed.

Integration

- We are concerned about the lack of integration, or explanation of the relationship between the Plan and other sectoral plans that currently exist or are forthcoming, including the Offshore Wind Energy Plan. We are also concerned with the lack of detail in regard to integration with terrestrial planning systems and the National Planning Framework 2.

- We welcome the cross cutting nature of the 'Environmental Impact' sub-sections. However, the findings of the 'Environmental Impact' subsections should have a clear bearing on the future development of each sector. We understand Scotland's Marine Atlas (herein referred to as 'the Atlas') was under development at the same time as this Plan, but strongly believe the next iteration must contain better, more consistent, references to the Atlas and reflect the concerns highlighted about Scotland's habitats and species.

- An assessment of cumulative and in-combination impacts must be carried out. A summary of the findings should be included in the Plan.

Marine Objectives

- We strongly believe each sector plan should be linked to the marine objectives in order to illustrate how the Plan will deliver them. In keeping with the overarching goals of sustainable development, including living within environmental limits, we believe the marine ecosystem objectives should underpin the social and economic objectives. We are therefore disappointed that no reference has been made to SNH Commissioned Report 341 'Scottish Marine Ecosystem Objectives: Scoping Study'.

- LINK strongly believes that Marine Protected Areas must be managed according to the needs of the designated features. Activities compatible with conservation objectives need not be restricted. However, those with an adverse impact must be appropriately managed to ensure they do not adversely impact on the features under protection. The marine planning system has an important role to play in this regard.

- We do not believe objectives on the mitigation of and adaption to climate change are addressed adequately throughout the Plan. Recognition is required on the vital role of marine carbon sinks in mitigating climate change, and the Plan must help protect and enhance these habitats.

Environmental goods and services

- While we recognise improving the evidence base for valuation of ecosystem goods and services is highlighted as a key challenge in the Plan, and that the Scottish Marine Science Strategy identifies science priorities that will contribute to this area, we are concerned about the lack of consideration given to them, particularly of the indirect and non-use value of our seas, throughout the Plan. As a minimum the Plan should recognise their existence.

In addition,

- We seek clarification on the progress of the cross-border planning concordats.

- We welcome the increased consistency within the sector chapter structures, but note many sections miss a climate change impacts assessment.

Detailed Comments

Chapter 3

This section should set out more clearly how the Marine Plan interacts with the terrestrial planning system, i.e. activities carried out by the Town and Country Planning Acts, or other relevant 'planning' systems such as River Basin planning under the Water Framework Directive (WFD). More guidance is required for developments authorised under other regimes, for example, oil and gas, transport and energy.

This section should also make clear how conflicts between the plans will be resolved.

The Plan should make clear that planning operates in the long term public interest – not in the interest of one person, business or sector. For example the SPP states:

'Planning guides the future development and use of land. Planning is about where development should happen, where it should not and how it interacts with its surroundings. This involves promoting and facilitating development, while protecting and enhancing the natural and built environment in which we live, work and spend our leisure time. Careful attention to layout, design and construction should result in places where people want to be.'

We believe that similar wording in relation to protecting and enhancing the marine environment should be adopted here.

Chapter 4

It is unclear where these 'challenges' and 'priorities' come from. These targets should not feature in the Plan unless they have been subject to environmental assessment.

It is unclear where the renewable targets in Figure 4.1 come from.

Marine Nature Conservation should include international requirements to meet Good Environmental Status (GES) under the EU Marine Strategy Framework Directive (MSFD) and the EU Biodiversity Strategy to halt the loss of biodiversity and the degradation of ecosystem services in the EU by 2020[3].

Chapter 5

5.3 In addition to action under the MSFD the Plan should also highlight the Scottish Government's marine litter strategy.

Whilst the effects of noise remain largely unquantified, there is enough evidence to demonstrate that intense sources of noise, including seismic surveys, pile driving and military sonar can be wide ranging and have long term impacts[4] (for example, Weilgart, 2007). Disturbance Guidance is required without delay to ensure compliance with 'strict protection' requirements under the EU Habitats Directive.

5.4 We do not believe the extent of impacts on marine habitats is properly represented. The Atlas states that shelf and subtidal habitats are facing many concerns (or 'problems' to use the terminology of Charting Progress 2) and deep sea habitats are all in decline. As the map on page 71 of the Atlas shows, shelf and subtidal sediments and deep sea habitats constitute the vast majority of Scotland's seabed. Intertidal sediments, which make up 50% of the Scottish coastline, are noted as having some concerns with their health declining from the Moray Firth down and round to the Clyde. This deterioration is a worrying trend identified across many habitats. We are extremely concerned that not one broadscale habitat type was identified as improving in condition. We would like to see these findings better reflected in this chapter, and recognised throughout the Plan. These findings must also be integrated with future action set out in the Plan, in order to address these issues and reverse the declining trends.

5.8 We are disappointed there has been no assessment of cumulative or in-combination impacts either in the Plan or in the Atlas. The SEA must address this. From the pressures trend assessment in the Atlas it appears there has been a significant increase in pressure across many sectors and areas of the marine environment. The 'wish lists' of industry development currently contained in the sector plans are set to further increase these pressures. The ability to address potential cumulative and in-combination impacts is identified as a key ecological/environmental benefit of marine planning in the UNESCO guide to Marine Spatial Planning, yet as currently drafted it is difficult to see how the Plan will develop to ensure that development is within the carrying capacity of the environment.

5.13 The Plan should itself be a key part of the response to mitigate the effects of pressures on the marine environment. The planning system is a central part of the Scottish Government's Nature Conservation Strategy third pillar - 'wider seas measures'.

5.14 The Marine Science Strategy should be referenced here.

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[3] Available at: http://ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/2020/1_EN_ACT_part1_v7%5b1%5d.pdf

[4] Weilgart, L.S. 2007. The impacts of anthropogenic ocean noise on cetaceans and implications for management. Canadian Journal of Zoology 85(11): 1091-1116

We seek clarification on what impacts are considered 'global' in nature? Whilst addressing 'global' impacts may present particular challenges, many mitigation actions can occur at a local level. Therefore, they should not be left unaddressed by the Plan simply because of the global nature of their origin. For example, whilst climate change is a global phenomenon, adaptation and mitigation actions happen at a local level and must be considered in this Plan. The Plan should seek to reduce human induced pressures to species and habitats vulnerable to the impacts of climate change in order to build their resilience and aid adaptation.

Chapter 6

This chapter omits any reference to the Birds and Habitats Directives. The Plan must set out the responsibilities Scotland and the UK have to these key pieces of environmental legislation, making clear the *only circumstances* in which a development that could affect a designated site would be allowed, and that development must aim to *avoid harm* to features.

6.6 – This section must set out clearly that Scotland has to ensure that estuaries and coastal waters are in Good Ecological Status by 2027 in order to comply with WFD. We suggest it is re-worded as follows:

'There are plans set out in RBMPs for further improvements of estuarine and coastal water quality in Scotland by 2027. The Scotland River Basin Management Plan stipulates that, by 2027, 98% and 99% of estuaries and coastal waters, respectively, must be in good or higher ecological status.'

6.7 – The Plan should be set out how WFD, MSFD and the relevant plans will be integrated to ensure coastal waters are properly managed and that priority issues are not left unaddressed.

Chapter 7

We are very disappointed no reference has been made to the SNH commissioned report on marine ecosystem objectives. As the report states, marine ecosystem objectives are *'a mechanism for setting out what the management of Scotland's coasts and seas is aiming to achieve; outlining strategic goals for the marine environment, and translating the principles of an ecosystem-based approach into practice'.*

MTF strongly supports the process outlined in the scoping study for setting marine ecosystem objectives. The report recommend a two tier approach: National Marine Objectives aimed at improving the management of Scotland's seas; and 'Bottom-line' marine ecosystem standards to ensure that human activities are not damaging ecosystems and the environmental goods and services they provide.

In line with the adoption of the SNH report conclusions, we also believe the sectoral chapters should be clearly linked to marine ecosystem objectives in order to identify how the Plan, and each individual sector, will contribute to meeting them. At present, it is not possible to see how the Plan will deliver the High Level Marine Objectives or GES indicators.

Chapter 8

As currently drafted we do not believe this chapter meets the requirements of s5(4)(a)(ii) of the Act.

Climate change is identified in the Atlas and in chapter 5 of the Plan as one of the two widespread, significant pressures on the marine environment. We are therefore very disappointed that the work on establishing climate change objectives is not further progressed. We look forward to seeing more detailed climate change objectives in the near future.

There are a number of marine species and habitats already struggling to adapt to the warming climate, and many more will face similar problems in the near future. The Plan should therefore help to remove additional human induced pressures on these sensitive features, enabling them to build resilience and better adapt to the impacts of climate change. In addition, there is a particular need to properly protect and manage habitats that act as critical natural carbon sinks. The objectives relating to the mitigation of, and adaptation to, climate change should reflect these issues.

We note that Scotland's adaptation response to climate impact is to be developed with guidance from the Scottish Government's Climate Change Adaptation Framework. However, we do not believe that this Framework and its associated Marine and Fisheries Sector Action Plan strategically guides adaption in this sector or contains enough detail to guide the development of the Plan's climate change objectives. Furthermore, the Adaption Framework refers to the Plan for objective setting stating:

'The Scottish Government is developing a national marine plan that will include climate change objectives. This will provide an opportunity to make clear the priority which is attached to climate change mitigation and adaptation. As a statutory document, once adopted, this will influence all decision making by government affecting the marine environment.'

We trust that this will be resolved before the next draft of the Plan, which should include detailed objectives on climate change. In addition, the agreed objectives must be reflected in the actions of the statutory Adaptation Programme, scheduled for 2013.

Further, the Marine and Fisheries Sector Action Plan is only one of the action plans which are relevant to the marine environment and the Plan. The others should be referenced here. LINK had various concerns with the Framework, and we refer you to our consultation response[5].

We are also disappointed with the lack of detail included in the climate change chapter of the Marine Atlas, although we do recognise climate change research is identified as a priority in the Scottish Marine Science Strategy.

Chapter 9

9.1 As stated in our overarching comments, we are extremely concerned with the inclusion of a 'presumption in favour of development'. We do not believe it to be consistent with an ecosystem approach, or the principles of sustainable development and therefore s5(3)(a) of the Act. This presumption must be removed.

[5] Available at http://www.scotlink.org/files/policy/ConsultationResponses/LINKRespAdaptCCFeb11.pdf

We seek clarification as to what the 'national priorities' mentioned in this section are and whether they have been subject to previous environmental assessment.

The landscape/seascape section under Chapter 9 also implies a presumption in favour of development. To provide more realistic guidance, a more appropriate statement would be; *'Developments in the marine environment should **have no adverse** impacts on the special qualities for which a National Scenic Area is designated'.*

The approach taken in this section should also apply to development which affects coastal World Heritage Sites, National Parks (Loch Lomond and Trossachs National Park already has a coastal boundary and others may well be designated in the future), Areas of Great Landscape Value and Local Landscape Areas. A clear map showing the location and extent of all these sites would be a useful addition.

9.6 Likewise, in order to be consistent with the SPP this section should read:

*'Development in the marine environment that significantly affects a NSA should **only** be permitted where: (1) it will not adversely affect the integrity of the area or qualities for which it has been designated; or (2) any such adverse effects are clearly outweighed by social, environmental, climate change or economic benefits of national importance.'*

9.7 There is existing guidance in the SPP which the Plan must be consistent with.

9.9 – Full consideration must be given to SEPA's national flood risk assessment and to the Flood Risk Management Plans, which will be published by December 2015. Regional marine plans and flood risk management plans will need to be fully integrated.

9.14 While we welcome the general wording of this approach, we believe it should be re-worded to state '*development **must** aim to avoid harm to marine ecology **and seek, if appropriate, to help enhance marine ecology in damaged areas…'***

We believe 'where appropriate' should be removed from the end of bullet 3.

Again, equivalent wording from the SPP should be used here. The final Plan must have a clear statement of policy setting out the only circumstances in which development that could affect a designated nature conservation site would be allowed. This must be consistent with the requirements of the Habitats Regulations.

In addition to species and habitats with statutory protection this section should also reference Priority Marine Features and Good Environmental Status.

We believe this section should state developments must not have an adverse impact on the conservation objectives of designated sites.

Chapter 10

Our understanding is that there is no scientific basis for the assessment of degrees of interaction. We therefore believe the matrix should be removed. If a matrix can be developed

with a more solid evidence base then we would be very happy to see it included and would welcome fuller discussion of areas of sectoral interaction, potential conflict and synergy.

In addition, the interactions matrix contains several mistakes. The degree of interaction between sectors should be the same if you check horizontally along the grid or vertically down the grid. Where they are different we accept this may be because of their 'new' or 'existing' status, but this is unclear.

Further, we are concerned that landscape/seascape issues are absent from the matrix.

Section 1: Food

It should be noted that fish are only a 'sustainable and renewable food source' when stocks are correctly and carefully managed and the habitat is properly managed and, where appropriate, enhanced. We would like to see this wording amended accordingly.

While we recognise issues surrounding global food security, the aquaculture industry in Scotland must develop sustainably, which means within the environmental limits and within the carrying capacity of the marine environment including local systems such as sea lochs. We would like to see this clarified in the document.

Footnote 18 - '*The State of Food Insecurity in the World, Addressing food insecurity in protected crises 2010'* appears to be the wrong reference for this section. We do not recognise the statements in the Plan as relating to this report. A better reference would be FAO report '*The State of World Fisheries and Aquaculture 2010*'[6]

Footnote 19 – This reference is also wrong. There is a link to an FAO report to reference the EU Strategy[7].

Fisheries - 1.1

The integration of fisheries management with the marine planning system is essential to achieving our shared vision for the marine environment. Planning for fisheries must be considered in the context of Scotland and the UK's commitments to the ecosystems approach to fisheries management, minimising the impacts of fishing on the marine environment, and our legal obligations under the Marine Strategy Framework Directive, the Birds and Habitats Directives and other relevant provisions in the Marine (Scotland) Act 2010 and Marine and Coastal Access Act 2009.

We welcome the identified key challenges and objectives, specifically safeguarding the health of commercial fish stocks, long-term management plans, reduced bycatch and regionalisation.

However, objectives should also include an ecosystem approach to fisheries management, significantly reduced impact on sensitive marine habitats and non-target species, effective governance with decisions based on sound science and monitoring, a fit-for purpose enforcement regime is established and novel management techniques are explored through

[6] available at - http://www.fao.org/docrep/013/i1820e/i1820e.pdf

[7] available at - http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52009DC0162:EN:NOT

demonstration and research MPAs. Objectives should again refer to the need to meet commitments under MSFD and Natura legislation.

We believe the text of the MSY objective should read: *'…to ensure levels of exploitation that restore and maintain populations above levels that can produce MSY, not later than the 2015 WSSD deadline'.*

The Atlas states that: *'improved knowledge of fishing activity and its impact on the marine environment would be beneficial'* (p002). This should be included as an objective for the sector. We must use this improved knowledge to put in place measures necessary to minimise the environmental impact of the sector. For example improved knowledge will help the sector to: *'move rapidly to embrace the same procedures used to measure environmental, social and economic valuation of its activities, such as Strategic Environmental Assessment, Environmental Impact Assessment and unbiased data collection procedures, used for the relative assessment of the value of various activities within an integrated management system*.' (p66) as recommended by the Independent Panel in its 2010 'The Future of Fisheries Management in Scotland' report[8]. Using these tools can help identify those activities compatible with Scotland's conservation objectives, and those of MPAs. Priority access to resources should be given to fisheries which can prove that their activities are sustainable.

Furthermore, the Four Pillar Plan for Scotland's Commercial Sea Fisheries Sector refers to this recommendation in its section on improving governance recalling that the fishing industry and stakeholders (should) develop structures and policies to proactively and positively engage in the integrated management of our seas and the conservation of the marine environment.

Impacts of fishing activity on habitats – We warmly welcome the recognition of the impacts that fishing can have on habitats, and the recognition that it will be increasingly important to protect the seabed in order to meet Good Environmental Status. However, it would be useful for the habitats assessment in the Atlas to be referenced here. The Atlas identifies many concerns with shallow and shelf subtidal sediments and a trend of declining health across the majority of the broad scale habitats assessed, including deep sea habitats, and that fishing is a significant pressure. The future development of the sector must acknowledge this and adapt accordingly to stop and reverse these trends, in keeping with an ecosystem approach.

We strongly believe additional management measures may be required in areas that are already used for fishing activity, not only 'pristine' or 'unfished' areas, in order to achieve the aim of enhancement, or regeneration, where appropriate. We would also welcome the recognition that these measures can be beneficial to local fishers.

Climate change – the carbon footprint of fisheries should be noted here[9].

Spatial constraints – As stated in our overarching comments, LINK strongly believes that MPAs must be managed according to the needs of the designated features. Activities compatible with conservation objectives need not be restricted. However, those with an adverse impact must

[8] Available at http://www.scotland.gov.uk/Resource/Doc/329048/0106408.pdf

[9] Please see Tyedmers P, R. Watson and D. Pauly (2005) Fueling Global Fishing Fleets, Ambio Vol. 34, No. 8, December 2005 and this short briefing from Seas At Risk - http://www.seas-at-risk.org/1mages/Carbon%20footprint%20brochure%20final%20final.pdf

be appropriately managed to ensure they do not adversely impact on the features under protection. Marine Planning has a role to play in managing MPAs, for example by steering potentially damaging activities away from them.

Displacement of fishing impacts should be carefully monitored to ensure impacts are not simply shifted out of MPAs into wider seas. If closures are merited on conservation grounds a strategic approach to applying statutory instruments is needed to avoid unwanted domino effects.

Future – we request clarification on what is meant by the description of fish as a 'safe' food. We would welcome further aspiration to investigate the potential to help regenerate or enhance productivity. As with the noted potential impact on stocks, the potential effects of displacement on habitats should also be considered.

The Atlas also states*: '...the establishment of new fisheries should only be undertaken following careful assessment of the viability and future sustainability of the fishery...'* (p002) and *'currently, Scottish Ministers will not license any expansion in Scotland's existing fishing capacity'* (p149). This should be highlighted in the Plan.

We believe that strong stakeholder involvement is essential at all stages of the planning process. Once Marine Planning Partnerships are in place, it will be crucial to ensure effective cooperation with groups constituted for the purpose of managing inshore fisheries. The Plan should give direction as to how fisheries management groups will interact with Marine Planning Partnerships. We believe Marine Planning and fisheries management should be integrated.

In the section on 'Impacts of fishing activity on species' (p. 38), the reference seems focused on "the monetary value" of the resource overlooking the biological impact on the stocks themselves which should be mentioned.

Wild Salmon and Freshwater Fisheries - 1.2

We welcome the identification of salmon marine mortality and migratory routes as a key challenge. We believe investigation into the effect of electromagnetic fields is also a key area where research is needed. This is also highlighted in SNH Commissioned Report 401[10]. We note establishing the factors that influence migratory routes were highlighted as a 'key research priority' in an earlier draft of the Plan.

An earlier draft also recognised managing interactions with aquaculture as an objective for the industry. While we acknowledge managing interactions with development in general is seen as a key objective, we believe the issues with interaction with aquaculture are so specific and acute, this should be seen as an objective in its own right.

Environmental Impact – Reference to marine mortality and impact of 'mixed stock' fisheries should be included in this section. We suggest re-including the statement '*limit impact of coastal mixed stock fisheries and encourage reduction in annual catches to help preserve stocks'*.

[10] available at http://bit.ly/j40eA7

The pressures listed should be contained in a discreet 'pressures' section, rather than the 'environmental impacts' section. An earlier draft contained them in the 'future' section. This may also be appropriate.

There is no climate change section. This was contained in a previous draft and should be reinstated.

A previous draft also stated*: 'it is unlikely that there will be new entrants to the coastal salmon netting industry'.*

The Marine Atlas states that the future of the salmon and sea trout *sector 'very much depends on the status of stocks...'* It remains unclear how this chapter addresses this issue.

Aquaculture 1.3

The need for this sector to develop sustainably, within environmental limits, is highlighted in several policy documents, including '*Recipe for Success: Scotland's National Food and Drink Policy'* [11] and the *'EU Aquaculture Strategy'* [12]. MTF believe many of the concerns associated with fish farming in open sea cages can be minimised by selecting appropriate sites for farms. The National Plan must help achieve this. Delivering Planning Reform for Aquaculture[13] states SNH will produce nature conservation sensitivity maps for aquaculture by April 2011, and communicate to planning authorities areas that should be kept clear of finfish development.

We would expect this information to be included in the Plan once published. Where farms are already inappropriately sited they should be required to move to more suitable areas.
Further, we believe the Plan should stipulate that new fisheries or fish farms should not be sited adjacent to seal haul-out sites if they wish to receive a seal licence under s110 of the Act.

We note that an objective to: '*Reduce the environmental impact of aquaculture through good husbandry practice and bioremediation'* which was contained in an earlier draft has been removed. We believe this is a key objective of the industry and must be included in the Plan.
We reiterate the aim of sustainable development is living within environmental limits; this is achieved through a sustainable economy.

We welcome the objective of a strategic approach to sea lice research and control of this problem. We believe this is required in order to deliver the aim of *A Fresh Start – Renewed Strategic Framework for Scottish Aquaculture'*[14]

'A secure long-term future for the industry by protecting the asset through adoption of disease and parasite-control strategies which also contribute to minimising impacts on the environment' (p15)

However, we would suggest that *any* growth in the salmon sector *only* takes place after the issue of sea lice has been addressed. We are concerned that expansion of the industry before

[11] Available at http://www.scotland.gov.uk/Publications/2009/06/25133322/0

[12] Available at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52009DC0162:EN:NOT

[13] available at http://www.scotland.gov.uk/Publications/2010/02/26144110/0

[14] Available at http://www.scotland.gov.uk/Resource/Doc/272866/0081461.pdf

effective measures are established could risk further outbreaks of Infectious Salmon Anaemia (ISA).

The issue of feed remains a major barrier to this sector's ability to develop in a sustainable way. However, the environmental impacts section fails to mention any issues surrounding feed. Again, reference to this was included in a previous draft and we are extremely concerned it has been removed. We note the sustainability of fish feed is recognised as a pressure in the Marine Atlas, and that Scotland has the highest rate of marine proteins and oils in feed, than any other Salmon farming country.

Given the degree of concern surrounding the sustainability of feed, we suggest the following additional objective:

'To ensure any growth on finfish aquaculture does not add and additional burden on to wild fish stocks to supply marine proteins and oils for feed requirements.'

We support the objective of developing multi tropic aquaculture. The Plan should clearly set out how this will be developed and incentivised.

Better links to the findings of the Atlas would be welcome throughout.

No reference is made to *'A Fresh Start – Renewed Strategic Framework for Scottish Aquaculture'* or the wider policy framework that guides the aquaculture sector, including the introduction of the Scottish technical standard for fish farm equipment.

There is no 'climate change' impacts review. Reference should be made to the Marine and Fisheries Sector Action Plan in Scotland's Climate Change Adaptation Framework which highlights risks and opportunities for the sector. For example the Framework states –

'…changeable weather patterns and increased risk of flooding may increase the risk of damage to fish farming equipment due to storms which could lead to increased risk of fish farm escapes and possible impact on wild fish…'

Temperature is a key environmental factor that influences disease in aquatic animals and yet the specific effects are difficult to predict. Ocean acidification could also affect aquaculture production and the potential impacts need to be kept under review. The carbon footprint of the sector should also be noted.

The Plan should also explain the planning and licensing system for aquaculture as laid out in s63 of the Act.

The Plan makes no mention of freshwater smolt production, even though it is directly linked to marine production. We would like to see a statement to ensure that any expansion of salmon production must also involve the sustainable production of smolts in freshwater.

Section 2: Energy

LINK believes that climate change is perhaps the most severe threat to the future stability of marine ecosystems, and the various cultural and biological assets of the coast. The Marine

Atlas also identifies climate change as one of two significant, widespread pressures on the Scottish marine area. As such, we support an environmentally sustainable transition to a low carbon future. Such a transition must develop in a manner that ensures Scotland's marine environment is protected for future generations. As well as having a wealth of natural energy resource, Scotland's seas are home to almost half of Scotland's biodiversity. It is therefore critical that developments are sited and designed to avoid significant or irreversible impacts on the natural environment and to minimise environmental impacts as a whole.

Such a transition should be coupled with energy efficiency and demand reduction.

Oil and Gas - 2.1

The transition to a low carbon economy involves a rapid transition away from oil and gas. Given Scotland's world leading Climate Change (Scotland) Act 2009, Scotland should be seeking to reduce exploitation of oil and gas reserves. Further, continued exploitation or maximisation of oil and gas reserves in Scottish waters, will necessarily involve exploration in deeper waters. The risks to the marine environment associated with such deep water drilling are unacceptably high. Therefore, we do not support moves to maximise exploitation of oil and gas reserves, as such a strategy is incompatible with a transition to a low carbon energy future, and presents an unacceptable risk to the health of the marine environment.

While we recognise action in this area is limited due to the reserved nature of many of the issues, the findings and recommendations of the recent Energy and Climate Change Committee Report '*UK Deepwater Drilling - Implications of the Gulf of Mexico Oil Spill*'[15] must be acknowledged in the Plan as it has implications for the development of the sector in the Scottish Marine Area.

In particular we note the Report states *'...we are concerned about the ability of oil spill response equipment to function in the challenging environment found in the seas West of Shetland.'*

Links to the Atlas should be included. In particular page 52 Oil and Chemical Spills and page 69 Underwater Noise.

We do not agree that no direct evidence exists for a causal link between airgun sound source and physical injury to cetaceans and avoidance of the area. Whilst direct evidence is difficult to come by, lack of evidence of impacts is not evidence of no impact. Recent publications clearly document the damage that even relatively low levels of seismic surveys have on harbour porpoise hearing [16]. Avoidance of seismic surveys is widely documented, including from data collected in the UK as part of seismic survey mitigation [17] and other behavioural impacts are also documented[18]. The Atlas notes that the effects of greatest concern from air guns include masking, physical trauma, hearing loss, behavioural change, habitat displacement and behaviourally-mediated effects. In addition, an earlier draft of this Plan noted that there is evidence of short-term behavioural responses of marine mammals to seismic surveys, such as

[15] The report can be accessed at - http://www.publications.parliament.uk/pa/cm201011/cmselect/cmenergy/450/45002.htm

[16] Lucke et al, '*Threshold Shift in a Harbour Porpoise*' J. Acoust. Soc. Am., Vol. 125, No. 6, June 2009

[17] Stone and Tasker, '*The Effects of Seismic Airguns on Cetaceans in UK Waters*' *J. CETACEAN RES. MANAGE.* 8(3):255–263, 2006

[18] Weilgart '*The Impacts of Anthropogenic Ocean Noise on Cetaceans and Implications for Management*' Can. J. Zool. Vol.85 2007

sustained avoidance of the area. We therefore believe this environmental impact should be recognised and noted in this chapter.

Decommissioning – There are environmental impacts associated with decommissioning oil and gas equipment which must be recognised in this Plan. Structures may have acted as artificial reefs, creating habitat for various species. The removal of this habitat may have an adverse impact on the local ecosystem. The Plan should consider the work of the Living North Sea Initiative (LiNSI), a collaboration between industry, academics and NGOs looking at the role these structures could play in ecosystem management with the added benefit of decommissioning cost savings.

Reference should be included to the Disturbance Guidance prepared by JNCC and Marine Scotland.

No Climate change section.

Carbon Capture and Storage - 2.2

As stated previously LINK supports a transition to a low carbon economy. Carbon Capture and Storage (CCS) may have a role to play in supporting that transition as a retro-fit technology for existing plants. LINK strongly opposes the development of any new unabated coal fired power station. Further, CCS should not be used as a way of delivering enhanced oil recovery as this would negate any carbon benefits of carrying out CCS.

This section contains no references to the Atlas. Pages 166-7 of the Atlas cover CCS and should be referenced. It highlights pressures as salinity increase, CO_2 leakage into subsurface microbial systems, introduction of non-synthetic compounds and substances, and smothering and siltation rate changes. It also states that an immediate challenge for the sector is to ensure that the storage of CO_2, in geological formations is, in effect, permanent and stresses that the concept will not work if CO_2 leaks back to the surface even after many hundreds of years. These findings should be referenced in the Plan.

Differences in risk and environmental impact of storage in depleted oil and gas fields compared to saline aquifers should be noted.

Again, this section does not consider climate change impacts.

Renewables - 2.3

Background – the estimate of 206 GW of wind, wave and tidal resources does not fully take into account environmental constraints. This must be acknowledged.

National Renewables Infrastructure Plan – it must be made clear that NRIP is not, and will not be, an adopted development plan, and its relationship with this Plan must be made clear.

Grid – what relationship does the Electricity Networks Steering Group 2020 report have to this Plan? Are the projects identified within it now part of this Plan?

The Plan should note that reinforcement of the sub-sea cable link between Orkney and the Scottish mainland, and new sub-sea cable links for the Outer Hebrides and the Shetland Islands are identified as 'National Developments' in the National Planning Framework 2.

Environmental Impacts – does paragraph 7 of this section, on page 75, set out the Scottish Government's full Survey, Deploy and Monitor policy? We require more detail as to the definition of 'significant issue' before we can support the suggested approach.

We do not agree the impacts listed are the most significant for offshore wind. For example, displacement is likely to be of greater concern than collision for most seabirds. Reference should instead be made to the findings of the Marine Atlas, the Strategic Environmental Assessment (SEA) and Habitats Regulations Appraisal (HRA) for offshore wind energy. All of these documents contain a more comprehensive assessment of impacts and required mitigation measures.

No assessment of the impacts of the grid developments is made. Again pages 162 – 165 of the Atlas consider power cables and grid infrastructure. Further, no assessment is made of the environmental impacts of port and harbour development.

Spatial issues – this section should recognise the potential for spatial conflict with sensitive parts of the natural environment.

Future – we are concerned that the inclusion of this section as drafted could influence project consenting. It assumes all currently proposed projects will be consented. We do not believe this will be possible, and therefore believe the inclusion of this assumption to be highly inappropriate.

Future Offshore Wind – The relationship between the Offshore Wind Energy (OWE) Plan for Scottish Territorial Waters and the National Marine Plan must be made clear. The Offshore Wind Plan is not mentioned anywhere in the document, bar in relation to the SEA and medium term options on page 76. In addition to the identification of short and medium term options, the Plan and the post adoption statement set out several mitigation measures that will enable the offshore wind industry to develop in a way which is sustainable and in line with domestic and European environmental legislation.

10 gigawatts exceed what has been identified in the Draft Electricity Generation Statement or anywhere else we are aware of. It is not clear where this figure has been derived from or whether it has been subject to SEA. We do not believe a specific figure should be identified in the Plan, instead reference should be made to the Offshore Wind Plan as stated above.

1.2.3 Action 4 of the Offshore Wind Energy Plan states that it will be: '*interfaced with the developing marine renewable plan and incorporated into the national planning system...the key recommendations from these sectoral plans will be integrated into the National Marine Planning System'*. The Offshore Wind Energy plan will be reviewed on a two yearly basis through the Iterative Plan Review process. This should continue to 2017 where its review process should be incorporated into the 5 year review of the National Plan to allow cumulative and in-combination impacts to be properly assessed.

BATNEEC is no longer relevant as a standard.

Future Wave and Tidal – no reference is made to the emerging spatial regime for wind and tidal energy. We anticipate the Sustainability Appraisal (SA) process to begin imminently. An HRA is also to be carried out, and the SA and HRA will help to form a spatial plan for marine renewable energy in Scottish territorial waters similar to that for offshore wind. The Plan should acknowledge this future activity.

No climate change section.

Please also see Scottish Environment LINK Report '*Avoiding Conflicts in the Marine Environment: Effective Planning for Marine Renewable Energy in Scotland'*. http://www.scotlink.org/files/publication/LINKReports/LINK_ACME_Report0610web.pdf

Section 3: Tourism and Recreation

LINK MTF recognises that marine recreation and tourism is an important sector in Scotland. This sector can have a significant positive local and national economic impact[19]. In addition, increased participation in marine recreation and tourism can be of benefit to physical and mental health, whilst fostering a greater understanding and appreciation of our exceptional natural and historic environment among participants[20].

There is a lack of data in many important areas relating to the marine environment, and in particular as to the potentially negative impacts of recreational and tourism activities. Whilst this lack of data should not prevent conservation measures from taking place in line with the precautionary principle, appropriate resources for research, monitoring and compliance will be essential to inform the marine planning system and ensure Ministers fulfil their duties under the Marine (Scotland) Act, Marine Strategy Framework Directive (MSFD) and the Water Framework Directive (WFD). Ongoing resources for awareness raising of existing laws and guidance (for example, the Scottish Marine Wildlife Watching Code) are also essential.

Expansion of infrastructure such as marinas, pontoons and moorings for leisure boating may potentially exert significant cumulative impacts on intertidal and subtidal habitats and associated species, and on landscapes/seascapes. Given that many developments for this sector will occur above mean high water spring tide, it is essential that terrestrial plans are closely aligned to marine plans, and a joined up approach between levels of Government and consenting authorities is adopted in order to achieve integrated coastal zone management. The management needs of sensitive sites (both within and outwith Marine Protected Areas) must be taken into account prior to development by ensuring that such developments are subject to environmental impact assessment/ appropriate assessment[21]. For features sensitive

[19] See Scottish Enterprise, Sailing Tourism in Scotland, February 2010, http://www.researchonline.org.uk/sds/search/download.do;jsessionid=0BEF7EF1E3B178F4C7006078929DAA6A?ref=B15606 and the Economic Impact of Wildlife Tourism in Scotland http://www.scotland.gov.uk/Publications/2010/05/12164456/0

[20] See http://www.naturalengland.org.uk/ourwork/enjoying/health/default.aspx

[21] For example there has been widespread concern about decisions that have been taken to allow marina developments in the Moray Firth bottlenose dolphin Special Area of Conservation (SAC) without the relevant environmental assessments. A recent independent report by the Sea Mammal Research Unit suggested that the inner Moray Firth may already be at carrying capacity for recreational vessels. When you add commercial craft (including fishing vessels, dive boats, power boat schools and dolphin watching operations) it is likely that this capacity is being exceeded.

to sedimentation or physical disturbance, it may be appropriate to designate buffer zones within which certain developments may not proceed.

Disturbance of sensitive species and habitats **-** Marine tourism risks increased disturbance of sensitive species both at sea and along the shore. Such disturbance can include long-term impacts and may result from particularly noisy activities such as water skiing / jetskiing or from other activities in an effort to get close to wildlife. The latter category may include 'incidental' disturbance, for example from a sea kayaker attempting to approach marine species, or 'intentional' disturbance as sometimes seen in commercial wildlife watching activities which regularly return to the same site or individuals of a particular species[22]**.**

We welcome the development of disturbance guidance for marine European protected species and expect the information contained in this guidance, when produced, be reflected in marine plans to ensure that marine leisure activities are conducted in areas (or in a manner) appropriate to the sensitivities of such species. Where there are known aggregations of sensitive species such as cetaceans or basking sharks, the planning system should be used to zone activities such as powerboating or jetskiing away from these areas[23]. In meeting the demand for eco-tourism, no harm should be caused to marine wildlife and marine tour operators should abide by and advocate the use of '*The Scottish Marine Wildlife Watching Code'*, '*A Guide to Best Practice for Watching Marine Wildlife'* and '*Guidance Notes for Divers and Archaeologists on the Protection of Wrecks Act 1973'*. However, in some areas, such as the vicinity of SACs, more formal regulation may be appropriate which may restrict recreational users and wildlife tourism operator's numbers and access to areas, in order to ensure that disturbance of sensitive species is minimised[24]. We would expect such issues to be dealt with by regional marine plans making it imperative that recreation and tourism interests are fully represented in any marine planning partnerships that may be constituted. However, a directive statement in the National Marine Plan would be appropriate to drive this approach.

The Plan must also give direction to ensure seabed habitats are not adversely affected by insensitive anchoring or inappropriate mooring locations. As well as having a potential ecological impact, activities that damage the seabed can also have a recreational impact, for example by significantly reducing the value of an area for diving.

A number of species of potential interest to recreational sea anglers (such as common skate and spiny dogfish) are included on the list of Priority Marine Features. Whilst 'catch and release' might be considered to be appropriate for some species, the potential impacts of recreational sea angling should be addressed by the Plan in consultation with SNH.

Again, reference to the Leisure and Recreation sections of the Atlas should be included.

[22] For example Marine Conservation Society have received recent reports of people approaching basking sharks in an inappropriate manner in Lewis and near Dunure on the Southern Clyde.

[23] For example, in 2008 sections of the 2008 Round Britain Powerboat Race were re-routed to avoid areas known for high concentrations of basking shark.

[24] Such a system works well in Sweden, where for example, access to a number of islands and skerries and the surrounding waters in the St Anna Archipelago is prohibited either all year or during the breeding season for seals and seabirds.

Section 4: Maritime Transport

Key Challenge – the statement that maritime transport has a lower 'environmental cost per tonne' than road transport must be referenced.

Objectives – We suggest changing the first objective to: '*to avoid development within areas of high shipping density and ensure safety of navigation*' to be consistent with the presumption set out in the medium – long term plans on page 97.

Further, we are concerned about a purely market driven approach to port development. We question how such an approach is compatible with NRIP and NRIF, and believe this objective must contain a reference to 'sustainable development' of ports.

Environmental Impact – Links to the information contained in the Atlas must be included (see page 172). The environmental impacts of port development beyond navigational dredging should be recognised, for example land reclamation, noise and smothering. The Habitats Regulations Appraisal that accompanies NRIP has a relatively comprehensive analysis of the impacts of port development as well.

While we acknowledge Marine Conservation Society Beach Watch findings show this to be a small point source, the impacts of marine litter from shipping should also be noted.

Spatial constraints – how does this section enable shipping or port development to be spatially planned, or any other marine activity to be spatially planned around it?

We do not believe paragraph 4 on page 95 is appropriate and requests its removal. The Hunterston development is a live planning application and as such its inclusion in the Plan at this stage prejudges the outcome of that application and is entirely inappropriate. As stated previously LINK believes CCS is only appropriate as a transition technology, enabling the transition to a low carbon future by reducing emissions from existing power stations. LINK is strongly opposed to the development of any new unabated coal fired power stations.

Section 5: Telecommunications and Cables

Environmental impacts – concerns and uncertainties surrounding electromagnetic fields should be noted. This is listed as a pressure in the Marine Atlas (p184), discussed in SNH Commissioned Report 401[25] and the HRA for offshore wind.

Section 6: Military Activities

We welcome the inclusion of this section in the Plan. Whilst reserved developments and military exercises will be managed at a UK level, they cannot be ignored in Scottish Marine Spatial Planning.

Currently the Plan contains Figure 12.17 which lists the environmental impacts of MOD activity, but the Plan goes no further. The MOD is making considerable efforts to understand and mitigate its environmental impacts, including under the MOD Sustainable Development and Environmental Manual JSP418, and these should be made explicit in the Plan.

[25] Available at http://www.snh.org.uk/pdfs/publications/commissioned_reports/401.pdf

Cumulative impacts - Various reserved activities, including military exercises, oil and gas exploration, development and decommissioning, as well as shipping may have the potential to compromise the achievement of marine ecosystem objectives and the conservation objectives for MPAs.

In particular the Plan must consider the cumulative and in-combination impact of military activities in the Scottish marine area. For example, the UK government opened up almost all UK waters in the latest 24th licensing round for oil and gas, including blocks in Scottish Territorial Waters (STW). The UK also has two major offshore naval exercise areas, one of which extends from the Clyde up to Cape Wrath and out to the west of Scotland beyond STW. The search and development of oil and gas reserves, and regular military exercises utilising naval sonar, have considerable potential for the significant disturbance of marine species in Scottish waters, particularly over the long term. The possibility of acoustic disturbance from reserved activities, alongside acoustic disturbance from devolved activities, such as pile-driving, requires careful co-ordination in decision making between Scottish and UK governments. It also requires ongoing information sharing regarding baseline and impact research, particularly towards understanding cumulative impacts.

Disturbance of sensitive species and habitats

We expect the information contained in the guidance on disturbance of marine European protected species to be reflected in this Plan. Communications must be maintained with the UK government at a sufficient level to ensure the JNCC disturbance guidance and the Scottish guidance are aligned, but the significant differences in legislation reflected, and considered together for reserved and devolved issues when these occur in Scottish waters. Measures in the guidance should be conducted in areas and/or in a manner appropriate to the sensitivities of such species.

A link to the Marine Atlas is needed

Section 7: Marine Environment

Marine Nature Conservation – 7.1

We are very supportive of the 'key challenges' identified in this chapter.

We are also very supportive of the Conservation Objectives. We suggest changing the first overarching objective to:

'To use a 3 pillar approach to marine nature conservation (species protection measures, site protection measures and wider seas measures) and to ensure linkages and coordination between them in order to ***follow an ecosystem approach,*** *to achieve Good Environmental Status and sustainable management****, and to protect and enhance of the health of Scotland's marine environment'***

We suggest the wording of the third bullet stating how marine planning can contribute to site measures should be changed to:

'*...contributing to achievement of site conservation objectives and protection by complying with duties in the Marine Acts, site management plans, and Guidance on Natura.'.*

However, it is unclear how the other sectoral chapters in the Plan relate to these objectives, how the objectives will be met or how they relate to the marine ecosystem objectives. This is a major concern.

We challenge the statement that we are '*making good progress in delivering conservation…especially in relation to EC coordinated action*'. The Birds Directive required the designation of Special Protected Areas (SPAs) for seabirds by 1981. We are now 30 years beyond that deadline. To date we only have 3 marine SPAs in the UK – none of which are in Scotland. Most of the current initiatives relating to seabirds are concerned with monitoring their continued decline, rather than implementing conservation measures to arrest it.

Marine Protected Areas – we believe the principles of ecological coherence as set out in the MPA Selection Guidelines, should be referenced in this section.

Marine Planning and marine nature conservation – while we support the planning system taking account of 'least damaged/more natural' areas, we strongly believe the Plan should contribute to the enhancement or regeneration of impacted habitats where enhancement, or regeneration are appropriate.

Economic impacts – we strongly agree the cost of taking no action will be substantially higher than the cost of remedial action. This is supported by the recent EU Biodiversity Strategy[26] and the 2009 Natural England report[27] that estimates that the potential benefits of a UK network of MPAs could outweigh costs by a factor of between 7 and 40.

Marine Historic Environment – 7.2

We are very supportive of the 'key challenges' and 'objectives' identified in this chapter. The only suggestion would be to add '***To protect the marine historic environment and*** *realise its full potential as a resource….'* to the beginning of the key challenge. And suggest reorganising to put the second objective first.

Suggested additional section: 7.3 Landscape/seascape

To give this the same status as marine nature conservation and marine historic environment we suggest adding a complete additional section on landscape/seascape. This should be set out under the same headings as the previous two sections, i.e. key challenge, background, current situation, environmental impacts, economic impacts, spatial constraints and future.

Section 8: Coastal/Water

This section must refer to the Flood Risk Management Act and the requirements under the Act in relation to sustainable flood protection along coastlines. We believe the Plan should support,

[26] Available at http://ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/2020/1_EN_ACT_part1_v7%5b1%5d.pdf

[27] No charge? Valuing the environment. Natural England 2009. Available at: http://naturalengland.etraderstores.com/NaturalEnglandShop/NE220

and encourage, managed realignment enabling intertidal habitat, such as mudflat and saltmarsh, to be created to compensate for areas lost to erosion. This management facilitates adaptation to climate change, improving resilience that can deliver benefits for biodiversity as well as flood defence.

The importance of intertidal and coastal habitats as carbon sinks should also be recognised, and the Plan should set out specific actions to conserve them. Such action is advocated in the recent World Bank report[28].

Key challenge – *'to provide affordable protection against coastal change and flooding'*. Affordable should be changes to sustainable in line with the Flood Risk Management Act requirement for sustainable flood management.

Objectives – we believe that '*protect coastal land and habitats against erosion and flooding'* should be changed to '*protect coastal land and habitats against erosion and flooding* ***in the most sustainable way'*** in order to be consistent with the Flood Risk Management Act.

Background – the Plan notes coastal erosion can pose a threat to people and their property, but it can also pose a threat to internationally and nationally important intertidal habitats. The Plan must acknowledge the threat to these habitats, and note the concerns for intertidal habitats that are highlighted in the Atlas.

More detail is required on managed realignment and regulated tidal exchange. The subsequent benefits for mitigating habitat loss arising from coastal squeeze, climate change adaptation and carbon sequestration should be acknowledged.

Future – much more detail is required in this section. There is no mention of the Flood Risk Management Act and this is a serious omission as it will be a major part of coastal flood management.

It should also be noted Section 3(8) of Water Environment and Water Services Act defines coastal waters as out to 3nm.

Links to Atlas required.

Section 8.2 – Water Abstraction

Key challenges – this section must mention sustainable water use as this is central to ensuring that water resources are safeguarded in a changing climate.

Objectives – *'to develop more sustainable urban drainage systems to reduce river pollution – ongoing work with farmers to reduce pollution from the use of nitrate containing fertilisers'.* This objective should also refer to phosphates and pesticides used in agriculture and amenity use in urban areas.

[28] Crooks, S., D. Herr, J. Tamelander, D. Laffoley, and J. Vandever. 2011. Mitigating Climate Change through Restoration and Management of Coastal Wetlands and Near-shore Marine Ecosystems: Challenges and Opportunities. Environment Department Paper 121, World Bank, Washington, DC.

Background – The Water Framework Directive extends to three nautical miles in Scotland.

Future – this section requires a more thorough assessment of the Flood Risk Management Plans and the Water Resource Management Plans as proposed under the Climate Change Adaptation Framework.

Section 8.3 – Waste Water

Objectives – *'improve quality of wastewater and treatment works discharges to ensure compliance with the environmental standards set out in the Freshwater Fish Directive'.* Why is this Directive mentioned and not the Urban Wastewater Treatment Directive?

We welcome the recognition that sustainable water supplies can reduce carbon emissions. However, more detail is required and the Plan should highlight statutory requirements for the water industry under the public bodies duty in the Climate Change Act.

Section 9: Aggregates and Disposal

Links to Atlas required.

Annex A: Food Webs

We do not see what relevance this section has to the Plan and believe it should be removed.

SEA

At this stage the SEA doesn't assess the environmental impacts of the content of the Plan, though we do acknowledge this is due to the very early stage of the Plan's development. The assessment of cross-sector relationships may be useful, but we would be concerned if it detracted from the environmental assessments. The SA must recognise that a healthy marine environment underpins all the goods and services we extract from our seas and it should not be treated as a separate 'sector'.

The environmental report needs to be clearly distinguished from the social and economic assessments in order to verify the legal requirements have been met.

3 – What relationship does this baseline assessment have with the Marine Atlas?

3.2.7 - This section should set out the health/status of the protected sites. Of the 605 priority species and 60 priority habitats listed, 74 and 72 respectively are marine.

3.2.8 – onshore SPAs may also be affected by marine activities, for example offshore renewables.

3.2.10 - A key issue has to be protecting, and enhancing the health of marine species and habitats. Plus meeting conservation objectives.

4.1.20 – It would be helpful to set out a wider range of effects than fishing and landscape/visual. There is no mention of biodiversity impacts, or the potential for renewables to support marine conservation.

5.2.1 – The Plan is currently not detailed enough to know whether spatial or scenario-based alternatives will be appropriate.

6.1 – it is unclear how the proposed SA objectives were developed. Objectives must include meeting Good Environmental Status under MSFD, no net loss of biodiversity, delivering the High Level Marine Objectives, the marine ecosystem objectives identified in the Plan, and the climate change adaptation and mitigation objectives as identified in the Plan. Meeting commitments under OSPAR and the Birds and Habitats Directives should also be included as objectives.

6.2 – as with the Plan the SA does not adequately explain the protection afforded to European protected sites.

7th June 2011

This Scottish Environment LINK Marine Task Force response is supported by:

The Association for the Protection of Rural Scotland	
Hebridean Whale and Dolphin Trust	RSPB Scotland
Marine Conservation Society	Scottish Wildlife Trust
National Trust for Scotland	WWF Scotland
River and Fisheries Trust of Scotland	Whale and Dolphin Conservation Society

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