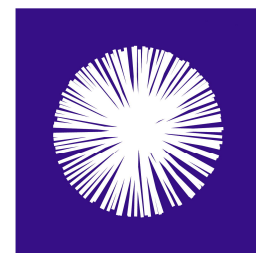


## Additional comments on the draft Sustainability Appraisal for 4 proposed nature conservation marine protected areas by the Scottish Environment LINK Marine Group March 2019



Scottish  
Environment

LINK

### Introduction

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 35 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organizations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for the environment.

Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits.

LINK members welcome the opportunity to comment on this consultation.

### Comments on draft Sustainability Appraisal for 4 proposed ncMPAs

Members of the SELINK Marine Group are delighted that these four proposed nature conservation MPAs are being progressed to public consultation, but note it is over four years since SNH gave their advice to do so. We welcomed the opportunity to participate in the stakeholder workshop on 13<sup>th</sup> March and, on consideration of the process and draft Sustainability Appraisal that has been produced to inform the public consultation, would like to offer the following comments:

#### Designation of the sites

LINK members fully support the MPA site proposals being taken forward to consultation and designation. However, we would like to raise a serious question about the proposed conservation objectives for some of the features in these sites. Where the evidence shows that the protected features using the MPA presently are not in a favourable condition and would require the population (or underlying habitat) to be recovered, the conservation objective should be recovery. We contend that the conservation objective for basking sharks (Sea of the Hebrides pMPA) should be to recover their population in these special areas. The Northeast Atlantic sub-population of Basking sharks are assessed as 'endangered' by the IUCN Red List regional assessment (population trend decreasing), primarily as a result of the historic commercial target fishery which only closed 20 years ago (Sims 2008). Due to the relatively low number of offspring basking shark produce (k-selected life history), any population increase is likely to be slow, and information about basking

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shark ecology and sensitivity to pressures is still lacking, despite extensive research efforts in recent years. Furthermore, recent tagging studies show that basking sharks using the MPA move within the Northeast Atlantic region.

At a UK level, the status of Risso's dolphin is 'unknown', and limited scientific data and anecdotal evidence from fishermen suggest that numbers are reduced in the proposed MPA. The dearth of information available on current status of Risso's dolphin is a concern and brings into question whether the conservation objective should be to 'conserve' or 'recover'. LINK members believe that where a conserve objective is based on an insufficient data set, additional research should be planned and prioritised to ascertain if the assumed favourable condition is a true reflection of the current status within the MPA and wider population.

We would also like to see it made clear at consultation what a 'conserve' objective means for the features proposed for these sites and that some change is needed in order to preserve these features in their respective areas. We are concerned that there is a misconception amongst stakeholders that the objective 'conserve' means that no change is required because the 'status quo' is not causing a problem.

### Management measures

While we acknowledge that the scenarios in the SEA and the SEIA are drafts for the purpose of the assessments, there is a low ambition for management. We are concerned that the Cost Benefit Analysis and these Impact Assessments give no quantification of the benefits of increased or protected biodiversity from the 19 protected high risk inshore MPAs since 2015. These sites may be accruing biodiversity in terms of species richness, increased biomass, increased water filtration, increased coastal protection. All these may be contributing to the returns/benefits in ecosystem services and actual assets to the Scottish economy.

We suggest there needs to be annual net and gross accounting for accumulated goods and services of ecosystem assets from MPAs where management is in place and considerable research has accrued, South Arran MPA perhaps being the best example of this, and to extrapolate where appropriate to other MPAs that receive management. This will allow some measure of accounting as to the proposed designation and management of these MPAs as a conservation intervention.

In the case of the Sea of the Hebrides, there are some clear opportunities for holistic thinking in relation to management measures. For instance, the use of creel ropes poses a threat to both Minke Whales and Basking Sharks and so separation of mobile and static gears within the MPA might provide dual benefits in terms of protecting the PMFs and management of the fishery: in some regions, creeling could be prohibited but trawling allowed while, in others, trawling could be prohibited and creel fleets could be restricted to a single buoy rope.

We also note that cumulative impacts have not been assessed for these proposed MPAs – this will be necessary to ensure an ecosystem-based approach to effectively managing the sites.

### Detail of the Sustainability Appraisal

We welcome the extensive effort that has been put into producing the draft Sustainability Appraisal, and its associated documents. As mentioned we feel that benefits are not sufficiently considered, including managing fishing impacts (see section 4.1.6). This is a marked benefit in most cases for nearshore MPA site management in terms of 'sustaining food supply, livelihoods, and coastal communities' (NEF report 'value slipping through the net'<sup>1</sup>). Section 3.3.14 also suggests that fishing closures can result in crime and poor health. This doesn't appear to be supported by data or case studies, but as per the previous point appropriate fisheries management

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<sup>1</sup> [https://neweconomics.org/uploads/files/ca653c8f1c06e3d579\\_5jm6bohab.pdf](https://neweconomics.org/uploads/files/ca653c8f1c06e3d579_5jm6bohab.pdf)

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measures may provide long-term benefits. Conversely a lack of appropriate protection for the environment may lead to poor health, lower water quality, reduced jobs and livelihoods in other industries such as marine wildlife tourism and sea angling.

Furthermore section 4.2.5. hasn't taken into account the carbon storage capacity for natural seabed habitats that have been removed by long-term seabed damage that could be repaired and recovered by establishing MPAs with sufficient areas closed to bottom-towed fishing gears.

LINK members are surprised that licensing of tourism activities targeting some of the Priority Marine Features within these proposed MPAs (e.g. wildlife-watching tours) has not been considered in any of the management scenarios. This is particularly pertinent where swim-with programmes are being conducted with basking sharks. As licensing is a global best practice management tool and used in many of the worlds whale tourism hotspots, we would expect it to be included in the 'upper management scenario'. In the Alternative Management Scenarios in Table 4 we suggest there should be statutory requirements to limit vessel speeds as a minimum in the Sea of the Hebrides MPA, particularly for wildlife-watching vessels, and during the spring/summer seasons. This would be supportive of the principle of these sites 'adding value' to existing measures, in this case the Scottish Marine Wildlife Watching Code.

We also suggest quantifying what is a 'noisy activity' - this needs to be explained in terms of decibels, over what duration by activity and during which month, ideally. And in both single sectors, and in a cumulative sense for any given MPA.

Finally under 'fishing and bottom contact gear' in Table 4, it is our view that there should be a single target for % protection, not a range. The 'high' range is low at 40% - this should be assessed with an upper scenario of full protection across the entire site.

### References

Sims, D. W. (2008). Sieving a living: a review of the biology, ecology and conservation status of the plankton-feeding basking shark *Cetorhinus maximus*. *Advances in marine biology*, 54, 171-220.

This response was compiled on behalf of Scottish Environment LINK's Marine Group

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