APPENDIX B: Priority Marine Features

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Scottish Environment LINK

Title **Mr** ☒ **Ms** ☐ **Mrs** ☐ **Miss** ☐ **Dr** ☐ ***Please tick as appropriate***

Surname

Duncan

Forename

Calum

2. Postal Address

Scottish Environment LINK		
2 Grosvenor House		
Shore Road		
Perth		
Postcode PH2 8BD	**Phone** 01738630804	**Email** Calum.Duncan@mcsuk.org

3. Permissions - I am responding as…

Individual ☐ / **Group/Organisation** ☑

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate ☐ **Yes** ☐ **No**

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

(c) The name and address of your organisation ***will be*** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your ***response*** to be made available?

Please tick as appropriate ☑ **Yes** ☐ **No**

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate ☑ **Yes**

Response to the Planning Scotland's Seas Consultation on Priority Marine Features.

by the Scottish Environment LINK Marine Taskforce

Date: 13 November 2013

Summary

- As it stands, the list of Priority Marine Features cannot form the basis for targeting future marine conservation action in Scotland's seas as it is incomplete.
- Seabirds should be included as PMFs.
- Blue and humpback whales should be added to the PMF list
- Additional kelp habitats should be added to the PMF list

Introduction

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 30 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 this community in communications with decision-makers in Government and its agencies, Parliaments, the civic sector, the media and with the public.

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

LINK Marine Taskforce comprises a number of LINK members committed to working on marine issues. The LINK Marine taskforce vision is of healthy, well-managed seas, where wildlife is flourishing, ecosystems are protected, connected and thriving, and coastal communities are sustained.

LINK members welcome the opportunity to comment on the Planning Scotland's Seas: 2013 – Priority Marine Features consultation.

General Comments

Scottish Environment LINK welcomes the opportunity to comment on the contents of this list of Priority Marine Features. We have also welcomed involvement in the stakeholder process which led to the compilation of the list. However, **our major concern, is that seabirds have been excluded from the list.** This remains the same as when we responded to the consultation on SNH Commissioned Report No. 388 'Identification of Priority Marine Features in Scottish Territorial Waters'. If this list is to be used *'to focus work in the sea around Scotland'* and to *'support advice on marine biodiversity, guide future research priorities and help deliver marine planning and licensing systems'* it should be complete.

This response was compiled on behalf of LINK Marine Taskforce and is supported by:

Hebridean Whale and Dolphin Trust
Marine Conservation Society
National Trust for Scotland
RSPB Scotland
Scottish Ornithologists' Club
Scottish Wildlife Trust
Whale and Dolphin Conservation
WWF Scotland

For more information contact:

Calum Duncan, Convener of the LINK Marine Taskforce,
Scotland Programme Manager, Marine Conservation Society
email: Calum.Duncan@mcsuk.org

or the LINK Parliamentary Officer, Andy Myles
on 0131 225 4345 or via email on andy@scotlink.org
www.scotlink.org

CONSULTATION QUESTIONS

Q1. Do you agree with the recommended list of Priority Marine Features as the basis for targeting future marine conservation action in Scotland's seas?

If your response includes a suggestion to amend the list, please indicate the specific species and habitats that your comments apply to and, where possible, provide or reference any evidence or data sources which have influenced your comments.

Yes ☐ No ☑

No, LINK does not agree with the recommended list of Priority Marine Features as the basis for targeting future marine conservation action in Scotland's seas.

LINK supports the idea of a list of Scottish PMFs, consolidating the many national and international lists for those species and habitats which are important in Scotland and for which it is thought that conservation measures could be successful. However, we believe that the current PMF list, and by extension the subset used as MPA search features, could potentially harm seabird conservation efforts through their omission.

Seabirds

Seabird species must be added to this list if it is to be effective in targeting future conservation action to where it is most needed in Scotland's seas.

The SNH report No. 388: Identification of PMFs in territorial waters[1], states, regarding the motivation for a list of Scottish PMFs and the profusion of lists of species and habitats with conservation concern that:

> *For practical conservation purposes, it became necessary for Scottish Natural Heritage (SNH) to rationalise the various lists by establishing which of the features are present in Scottish waters within the 12 nautical mile limit (the area over which SNH is the statutory nature conservation adviser) and subsequently assigning levels of priority to these features.*

JNCC work on offshore PMFs[2] has similar motivation. Further, they say

> *The purpose of this list will be to guide policy decisions regarding the conservation of Scotland's seas.*

[1] Howson, C. M., Steel. L., Carruthers, M. & Gillham, K. (2012). Identification of Priority Marine Features in Scottish territorial waters. Scottish Natural Heritage Commissioned Report No. 388.
[2] Joint Nature Conservation Committee. 2012. Identification of Priority Marine Features in Scotland's seas. JNCC Report No. 462

Within Scotland's Marine Atlas[3] there is a section on seabirds, it begins with the statement:

> *Scotland holds internationally important numbers of 24 species of breeding seabirds that are an important indicator for assessing the state of the marine environment*

And goes on to detail the severe declines in populations of many of these species. It is puzzling that black guillemot, the only seabird species listed in the Atlas as a 'Priority Marine Feature' (also included in the subset supporting MPA selection), does not even appear in the list published here.

We remain concerned that seabirds were excluded from the very beginning of the process and were never considered against the criteria, principally due to the range of protection initiatives already underway, including SPAs[4]. This reasoning is inconsistent as there are other EU protected species that have European Marine Sites that are on the PMF list—bottlenose dolphins and both seal species, for example. If seabirds had been considered in the process the details of the Scottish PMF selection criteria make it clear that:

> *If there is an international commitment i.e. the feature is listed by OSPAR, the EU Habitats and Birds Directives, Ramsar, Bern Convention, Bonn Convention, CITES or IUCN. This information should be collected and considered alongside the other information.* ***It should not be used as a criterion on which features can pass or fail.[5]***

In other words, features being considered for PMF status would not fail because they were protected under an international commitment. The aim of the PMF list is to consolidate the many national and international lists, not be a further, partial list.

While there have been assurances that not being listed as PMFs will not harm seabird conservation efforts, we would argue that it potentially already has with the associated exclusion of seabirds from the MPA search features list.

Cetaceans

LINK is very pleased to see the range of marine mammals on the PMF list, including both grey and harbour seals. We are again concerned about the distinction between features suitable for protection within nature conservation MPAs and those on the wider PMF list.

The PMF list should be expanded to include a wider range of cetacean

[3] Baxter, J.M., Boyd, I.L., Cox, M., Donald, A.E., Malcolm, S.J., Miles, H., Miller, B., Moffat, C.F., (Editors), 2011. Scotland's Marine Atlas: Information for the national marine plan. Marine Scotland, Edinburgh. pp 191.
[4] SNH. Priority Marine Features in Scottish territorial waters External peer review feedback http://www.snh.gov.uk/docs/B1150960.pdf
[5] Howson, C. M., Steel. L., Carruthers, M. & Gillham, K. (2012). Identification of Priority Marine Features in Scottish territorial waters. Scottish Natural Heritage Commissioned Report No. 388.

species offshore. Blue and humpback whales should be included in the list. Although the typically offshore distribution of these species makes them difficult to study, they are populations that could benefit from conservation efforts.

Other Additional PMFs

Kelp habitats are recognised as an important habitat to support wider biodiversity, for coastal protection and to sequester carbon. We are therefore concerned that only very particular kelp biotopes on sediment or low or variable salinity habitat have been listed. Kelp communities on rock are also of nature conservation importance, therefore the following kelp habitats should also be listed as PMFs:

- Kelp with cushion fauna and/or foliose red seaweeds
- Sediment-affected or disturbed kelp and seaweed communities
- Kelp and red seaweeds

According to The Seahorse Trust, both the Spiny Seahorse (*Hippocampus Guttulatus*) and the Short Snouted Seahorse (*Hippocampus Hippocampus*) can be found in Scotland. Whilst corroborated records are difficult to come by, MCS Seasearch divers are looking out for these species when diving seagrass beds and seaweed communities. Should quality assured data confirming presence of either of these species come to light, then we would like to see the confirmed species immediately added to the PMF list.

Scottish marine area

The list of PMFs categorises each PMF by Scottish Marine Area—territorial waters, offshore waters or both. Clarification is needed over whether the species only occurs in the listed area, generally occurs in the listed area or is only a PMF in the listed area (even though it may occur throughout).

General

Q2. Are there other issues that have not been highlighted in this consultation that you would like to mention?

Yes ☑ No ☐

LINK are concerned that the PMF list is not also used to focus research and monitoring in the marine environment as well as conservation action. The selection criteria relied on the idea that this was a list of species and habitats that could respond positively to conservation efforts. Nationally important species that were threatened or declining due to climate change or environmental decline did not necessarily make it on to the final list. It is important such species are not excluded from research and monitoring

effort. Clarity around the purpose/intention of the list is required.

In the absence of more evidence that the developing MPA network will be coherent for representative marine biodiversity features (in addition to those that are rare, threatened and declining), we remain to be convinced that the existing network of marine Special Areas of Conservation will provide sufficient area-based protection measures to represent the full range of rock reef habitats in Scottish waters. The earlier point about kelp forest habitats is an example of this concern. It may be that, as understanding develops, further additional examples of representative habitat-types will be identified that should be added to the PMF list to drive conservation action both inside and outside MPAs. The outputs from the developing consideration of the ecological coherence of the Scottish MPA network therefore need to feed back into the PMF process.