

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.

Strategic Environmental Assessment Screening and Scoping Report

Sectoral Marine Plan for Wave and Tidal Energy in Scotland's Renewable Energy Zone

Scottish Environment LINK's Marine Taskforce warmly welcomes the opportunity to comment on this Strategic Environmental Assessment (SEA) Screening and Scoping Report for the Sectoral Marine Plan for Wave and Tidal Energy in Scotland's Renewable Energy Zone (herein referred to as 'the Plan'). We hope to remain closely involved in the development and implementation of the Plan as it progresses.

As identified in Scotland's Marine Atlas, LINK recognises that along with fishing, climate change is one of the most widespread pressures on our marine environment. We therefore support the deployment of renewable energy technology as a vital part of the transition to a low carbon Scotland.

However, given the novelty of many of these technologies, and the limited understanding of impacts and baseline conditions, we believe a precautionary approach must be adopted in order to ensure the development of the sector is sustainable¹, and avoids sensitive sites for wildlife.

There will be many 'unknowns', including development scale and device type, which may make assessment of the Plan particularly challenging. We will therefore be seeking robust mitigation measures, including thorough monitoring programmes, to address these uncertainties. In particular, the assessment must include consideration of the ability to monitor, understand and mitigate cumulative impacts over the wider region.

We understand the 'Survey, Deploy and Monitor' approach, proposed by Marine Scotland, is intended to address some of these issues. However, we have some concerns with the draft approach recently published by Marine Scotland, and request the opportunity to participate in the proposed workshop to discuss the policy.

We support the approach to avoid adverse environmental effects through locational guidance (section 4.12). Such guidance should be clear, detailed and precautionary; it should acknowledge data gaps and require adequate scientific data collection to fill them.

We have concerns surrounding the current disturbance licensing process for European Protected Species. We believe disturbance guidance must be urgently developed, and request to be involved in its preparation.

Further, we seek clarity on the status of the Marine Energy Spatial Planning Group (MESPG), and the development of the Energy Advisory Group structure as outlined in the 2020 Routemap for Renewable Energy in Scotland. It should be noted MESPG is an industry and statutory consultee group, with limited wider stakeholder involvement. We are aware Marine Scotland has published details of MESPG research projects, however, further information on their progress would be welcome.

¹ According to the UK Sustainable Development Principles as set out in the UK Sustainable Development Strategy and Scottish Planning Policy.

Q1 is the role of the SEA within the plan preparation process clear and understandable?

Yes, however, it should be noted the SEA is an ongoing process and further maintenance will be required.

Q2 the environmental protection objectives are based on the objectives of international, European, UK and Scottish legislation and/or policy. Are there any recent changes to this that we should incorporate into the environmental protection objectives framework provided in Appendix 3?

The Scottish MPA Selection Guidelines and the Strategy for Marine Nature Conservation in Scotland's Seas should be noted under the Scottish biodiversity, flora and fauna plans, programmes and strategies.

The emerging system of marine planning, implemented under the requirements of the Marine (Scotland) Act, is clearly of major significance in relation to the Plan and its assessment. As with the plan for offshore wind energy, it is essential the Plan is incorporated into the National Marine Plan. We are therefore supportive of the proposed two-year review process, and intention to align the review process with the other sectoral plans such as the Offshore Wind Energy Plan, and the National Marine Plan.

We note, however, that some of the plans identified throughout section 2 have not been subject to SEA. These include the 2020 Routemap for Renewable Energy in Scotland and the Regional Locational Guidance for the Saltire Prize Projects.

Furthermore, we believe it is very difficult to assess overall environmental impact of the Plan, without an indication of the share of Scotland's renewable energy target that is to be delivered through marine renewable energy. We strongly believe the Plan must therefore give an indication of intended overall energy production from marine renewables.

Q3 are you content with the level of detail proposed for the environmental baseline?

Scotland's Marine Atlas clearly shows that our seas have been heavily impacted. In particular it highlights that shelf and subtidal sediments, the habitat type comprising the majority of Scottish inshore waters, are facing 'many concerns'. We believe that this highlights the need for urgent action to protect and enhance our marine environment.

3.5 - The emerging results of Marine Scotland's survey work should also be included. This work is designed to inform the Marine Protected Area selection process, but also to inform plans for renewables and other developments. The survey areas for 2011 were recently announced².

3.6 - We are pleased the baseline information will consider Priority Marine Features and Scottish MPAs where they become available. The baseline information should also take account of the least damaged/more natural areas work which has been undertaken by SNH and JNCC as the first stage of the MPA identification process³. In addition it should be noted the network of marine Natura 2000 sites is incomplete. This gap should be highlighted and information on candidate sites included as it becomes available.

3.12 - Any Scottish MPAs designated for features of geological and/or geomorphological interest under s68(b)(ii) of the Marine (Scotland) Act 2010 should also be included as this information emerges.

3.13 Any Scottish Historic MPAs designated under s73 of the Marine (Scotland) Act 2010 should also be included as this information emerges.

² Available at <http://www.scotland.gov.uk/News/Releases/2011/08/12121316>

³ Please see <http://www.scotland.gov.uk/Topics/marine/marine-environment/mpanetwork/engagement/workshop2/ldmn>



Q4 are you content with the scope of the assessment in terms of the environmental topics scoped in and out, and the scope of the plan to be assessed ie out to 200nm?

We support all environmental topics apart from air quality being scoped into the assessment.

We support assessing the Plan out to 200nm.

We also believe the cumulative effects assessment should include all renewable energy developments around the coastline of Northern Ireland.

Indirect effects on species, such as the creation of artificial reef and the impacts on prey species, should also be scoped into the assessment.

We support assessing the potential effects of onshore and offshore grid connections where this information is available. Where this information is not available, potential corridors of development should be considered.

While we note the wave and tidal demonstration sites will be included in the cumulative effects assessment, we question the rationale for not including them in the Plan and therefore not subjecting them to the SEA. We would be very interested in further information on the environmental impacts work pursued through the demonstration strategy and how it will inform future developments.

Q5 we welcome your views on the proposed assessment methodology, including the proposed SEA objectives

4.11 We would welcome consultation on the weights to be assigned to the MaRS criteria identifying suitable areas for development. We remain concerned about the ability of the MaRS system to take account of sensitivities out-with protected areas.

Table 3 – as with the cultural heritage objective, we strongly believe the SEA objective for biodiversity should be to ‘protect and where appropriate enhance the health of marine and coastal ecosystems, and their interactions’. This is consistent with the general duty under s3 of the Marine (Scotland) Act 2010.

In addition we suggest two further objectives:

‘To maintain the site integrity of Natura sites’ should be added as a biodiversity, flora and fauna SEA objective.

‘To maintain or work towards Good Environmental Status’ should be included as an objective for biodiversity, flora and fauna water, marine geology, sediment and coastal processes and landscape.

Q6 We welcome information on the plans/projects that you consider should be included in the cumulative effects assessment

2.13 – We strongly support the potential for cumulative/in-combination effects between the Plan and the National Marine Plan being explored in the SEA. However, we have several concerns with many development proposals that were contained in the pre-consultation draft National Marine Plan, and note that this version is currently being amended to take account of stakeholders’ consultation responses⁴. We expect to see the statutory consultation draft of the National Plan towards the end of 2011. Therefore, we seek clarification as to how the potential

⁴ Our consultation response is available at <http://www.scotlink.org/files/policy/ConsultationResponses/LINKmtfNatMarPlnPreCons.pdf>

for cumulative effects between the Plan and the National Marine Plan will be explored and assessed by the SEA.

Any plan or project giving rise to effects of a similar nature should be included in the cumulative effects assessment. This includes the Offshore Wind Energy Sectoral Plan and potential offshore wind developments arising from MaRS mapping from 12-200nm as well as plans or projects associated with aquaculture, carbon capture and storage, oil and gas (including decommissioning, grid development and high voltage cabling, telecoms, fisheries, ports and harbours, shipping and military activity).

Q7 We welcome your views on the reasonable alternatives which we propose to assess

The assessment must consider reasonable alternative scenarios of overall energy production from marine renewables if this assessment is not carried out under the SEA of the Draft Electricity Generation Statement.

Q8 Are you content with the proposed consultation process, including the sectoral and community engagement elements?

Yes, however, we seek confirmation of the status of MESGP and how the various groups in the Energy Advisory Structure as set out in the 2020 Routemap for Renewable Energy in Scotland will be engaged in this process⁵.

We also repeat our request to participate in the proposed workshop to discuss Marine Scotland's draft 'survey, deploy and monitor' policy.

Scottish Environment LINK's Marine Task Force is supported by:

Hebridean Whale and Dolphin Trust
Marine Conservation Society
National Trust for Scotland
RSPB Scotland

Scottish Wildlife Trust
WWF Scotland
Whale and Dolphin Conservation Society

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⁵ Available at <http://www.scotland.gov.uk/Resource/Doc/917/0118802.pdf>

Consultation Response

