Response ID ANON-4M7G-MDNB-Z

Submitted to National Marine Plan 2 Strategic Environmental Assessment (SEA) Scoping Report
Submitted on 2023-10-27 15:04:22

Questions

1 Do you have any comments on either the environmental topic areas or assessment methodology proposed?

Please provide your comments :

- We agree that all environmental topic areas should be scoped into the assessment.

- We consider that Ecosystem Function should be identified as an additional environmental topic area for the SEA. The environmental topics identified in the scoping report are very sector focussed and it is this approach that continually results in the failure to properly address the overall function of the ecosystem. Although it is proposed that the SEA will consider the inter-relationships between the topic areas, this still maintains a sector-focussed approach; we do not consider that this is sufficient to ensure that ecosystem function will be given the necessary consideration that is required for NMP2. If NMP2 is to fulfil it's stated intent, it is essential that marine ecosystem function is highlighted as an environmental topic area and given specific attention.

- Section 2.62: The information in this section is misleading. None of Scotland's MPAs are well managed and many lack management measures to remove or limit the most damaging activities. The 37% coverage statement is also misleading – while this may be the area encompassed within MPA boundaries, in addition to the point about about lack of protection, MPAs are not currently managed on a whole site basis so the area of MPA features covered by the MPA network is considerably less than 37%. We consider that additional information and clarification needs to be provided to more accurately explain the current context of the MPA network.

- Population and human health (sections 2.65-2.68).
Relevant issues are missing from this section and issues that are not relevant to this section are included.

Information about human health and wellbeing and social inclusion is entirely missing. This needs to be added.

It is not clear why marine recreation and tourism is included here and not under the 'Material assets' topic area.

Information about designated bathing waters would be better placed under the 'Water' topic section.

- Section 2.69: Water. The water body classification operates at a very broad level and fails to recognise that there can be significant localised water quality issues from land and sea-based activities. Local inshore water quality monitoring is very limited around Scotland's coasts. It is important to recognise that the overall water body monitoring may not be sufficient to identify what can be significant water quality issues affecting biodiversity and ecosystem health. A key issue here is the lack of water quality sampling and monitoring at a finer spatial scale.

Underwater noise needs to be mentioned in this topic area. The influence of underwater noise is widespread, not just on marine mammals but also on other smaller marine life.

- Section 2.79: Use of the word 'predicted' in this section is misleading. Sufficient evidence exists that disturbance of seafloor habitats from towed, bottom-contacting fishing activity IS widespread and IS occurring to some degree in all regions. The Scottish Marine Assessment 2020 identifies that "Fishing, especially methods that involve towed, bottom-contacting gear, is regarded as the most geographically widespread direct pressure-causing human activity across all SMRs/OMRs."

This section also needs to highlight seabed condition and integrity as these are two elements of critical importance to biodiversity and ecosystem function.

- Landscapes and seascapes (sections 2.84-2.85): This needs to include recognition of the underwater landscape aspect as well.

- Material assets (sections 2.86 – 2.95):
Information referencing mariculture industries should be included.

- Section 2.95: We disagree with the statement that "Strict guidelines exist to ensure that the environmental effects of aquaculture are assessed and managed safely ……". We consider that this is very misleading in relation to open cage salmon farming in Scotland and consider that there needs to be recognition of the significant and ongoing impacts and issues associated with open cage marine fish farming. The current regulatory and assessment processes for open cage salmon farms are severely flawed; for example, there is no systematic and sustained programme in place for assessment and monitoring of wider environmental impacts of open cage salmon farms that considers impacts beyond the limited bounding area around the cages used in the CAR licencing process, and there is no cumulative assessment of impacts of farms.
Issues identified in the Rural Economy and Connectivity parliamentary committee report of 2018 have still not been addressed and new farms are being licenced despite the recommendation of that in inquiry that urgent and meaningful action needed to be taken to address regulatory, fish health and environmental issues before the industry can expand.
Failure to recognise these shortcoming is a significant misrepresentation of the current situation with open cage fish farming.

- Section 3.5 refers back to the elements of the plan (sections 3.1 and 3.2) that will be assessed using the SEA objectives. We consider that there should be a text amendment to bullet point 2, section 3.1 to change "….OPSAR's North East Atlantic Environment Strategy OR the criteria for good environmental

status ……" to "….. Environment Strategy AND the criteria for good……".

- We support the proposal for region specific objectives and policies (bullet 3, section 3.1). We consider that there is a good case for specific objectives and policies to be included in NMP2 for the Clyde Marine Region. This is due to the well documented historic and continuing impacts of overfishing and widespread use of mobile bottom trawl and dredge fisheries in the Clyde on the ecosystem health and biodiversity including commercial fish stocks. This is a notable example of, and contribution to, Scotland's continuing failure to halt and reverse biodiversity loss and failure optimise the contribution of marine habitats to climate mitigation. The Clyde Marine Region has Ministerial commitment to a vision for recovery of the Clyde marine ecosystem - the Clyde 2020 initiative and Action plan (https://www.clydemarineplan.scot/wp-content/uploads/2019/08/Action-plan-Clyde-2020-Final-April-2015.pdf). We consider that this should be more formally recognised within marine planning objectives and policies.

Although there is a regional marine planning partnership for the Clyde Marine Region, we consider that inclusion of region specific objectives and policies within NMP2 are required to provide a much stronger framework for recovery and future sustainable management of this marine region.

2 What are your views on the broad policy framework and is there any further information that you feel should be considered?

Please provide your comments :

It is clear that the broad policy framework is complex with a wide range of often overlapping or complimentary environmental protection objectives. Figure 2 of the scoping report illustrates how central NMP2 is to delivering legislative and policy objectives. It would be helpful, therefore, for there to be SEA objectives that relate directly to the delivery of environmental protection objectives arising from legislative and policy obligations.

3 Is there any further information or data that you feel should be considered as part of the environmental evidence base for the assessment?

Please provide your comments :

Yes. Specifically in relation to the Clyde Marine Region there are results from research in this area that are not included in SMA2020 or not properly reflected in the SMA overall assessment.

Study carried out by Strathclyde University in association with Marine Scotland Science, looking at the status of white fish stocks in the Clyde:
Ana Adao, Robin Cook, Tanja Meithe, Liz Clarke and Michael Heath - Current Status of whitefish stocks in the Firth of Clyde (West coast of Scotland) See the abstract: https://masts.ac.uk/wp-content/uploads/2022/11/General-Science-4-Session-abstracts-FINAL.pdf
Its key finding: high levels of bycatch mortality in the Nephrops trawl fishery and these being a significant factor in the lack of recovery of whitefish stock in the Firth of Clyde.

Clyde Ecosystem Review, provides Clyde-specific information of direct relevance to setting region-specific objectives and policies:
Example reference: McIntyre F, Fernandes, P.G. and W.R. Turrell Clyde Ecosystem Review (2012) Scottish Marine and Freshwater Science Report Volume 3 Number 3.

as does the Clyde 2020 Action Plan (2015) https://www.clydemarineplan.scot/wp-content/uploads/2019/08/Action-plan-Clyde-2020-Final-April-2015.pdf

Findings from research surveys into the effects of spatial protection provided by Arran's marine protected areas (Lamlash Bay No Take Zone and South Arran MPA) provide evidence to inform understanding about the response of benthic marine life (including some commercially important species) to spatial management measures:
Stewart et al. 2020. Marine Conservation Begins at Home: How a Local Community and Protection of a Small Bay Sent Waves of Change Around the UK and Beyond. Frontiers in Marine Science, Vol 7. https://www.frontiersin.org/articles/10.3389/fmars.2020.00076

4 What are your views on the early work set out in the report to identify key environmental issues that will be used to inform the development of SEA Objectives for assessment (SEA Objectives - Section 3, Table 1)?

Please give us your views:

We consider that this requires more work to look at the issues being identified and the wording being used to describe them. Our comments on the issues in the consultation scoping report and key environmental issues we think are missing are provided in response to the supplementary question below.

Are there any additional environmental issues that should be considered in the assessment?:

- Ecosystem function should be identified as an SEA topic. Key environmental issues associated with this are restoring and protecting ecosystem function, and improving resilience of the marine ecosystem. Integral to this is the need for a spatial management approach in the NMP2, and assessment on an area basis.

- Biodiversity, fauna and flora:
Halting and reversing biodiversity loss is about more than just PMFs. This should be explicitly identified in the issues. Effective protection of PMFs will contribute to halting and reversing biodiversity loss, but is not sufficient to address the overall breadth of marine biodiversity that is at present being adversely affected by human activities.

Effective protection of PMFs is, though, a key environmental issue. The current approach to assessment of impact of PMFs (against impact on national status of a PMF) should be highlighted as a key environmental issue because as it stands this approach just continues to allow loss and degradation of what are meant to be protected, priority habitats and species.

Focussing on meeting the conservation objectives for protected sites is misleading:
(a) A key environmental issue is the lack of whole site, ecosystem based management for marine protected areas. This needs to be identified in the SEA scoping. Far greater ecosystem, biodiversity and socio-economic benefits could be realised by applying an ecosystem-based whole site approach to MPA management as has been highlighted in academic papers and literature.
(b) Conservation objectives for many protected site features do not recognise the past impacts of human activities on those features at the time of designation; a conserve objective implies condition at the time of designation is favourable which for many MPA features is not the case due to past and ongoing impacts. Use of conserve objectives in these instances fails to recognise the need to recover the condition of many MPA features. Where evidence is limited, a precautionary approach would be to apply a recover objective until such time that further in formation is available to improve the assessment of feature condition, but this is not the approach that has been taken. The key environmental issue is the appropriateness of the conservation objectives that have been applied to protected sites. This needs to be clarified in the SEA scoping.

A key environmental issue that is missing is applying an ecosystem-based whole site approach to MPA management in order to maximise the environmental, economic and social benefits that can be realised through MPAs.

Lack of effective site-based management of MPAs is a key environment issue that needs to be identified.

Protection and recovery of essential fish and shellfish habitats should be identified as a key environmental issue. This is not just a fisheries consideration but is a much broader biodiversity/ecosystem function issue.

- Population and human health:
In relation to the physical and mental health and wellbeing benefits from the marine environment, we would like to see the wording modified to encompass more formal recognition and valuing of these benefits.

- Soil (Marine geology, sediments, and coastal processes):
In relation to the impact of bottom-contact activities, the key environmental issue is not just about limiting this, but should be about reducing the severity and spatial impact of bottom-contact activities. Just focussing on limiting the impact (e.g. to its current extent) could still lead to widespread detrimental effects. This issue should also highlight the implications for impact on blue carbon habitats and climate change mitigation.

The word 'enhance' needs to be defined. Does this include recovery/restoration and protection?

- Water: A key environmental issue is that localised inshore water quality monitoring is very limited and that there may be significant water quality issues affecting biodiversity and ecosystem health that are failing to be identified.

- Climatic factors: We consider that blue carbon habitats and carbon stores generally should be specifically identified as a key environmental issue given the current and potential future pressures and threats to these.

- Material assets: A key environmental issue that is missing from this section is the need to protect and recover marine biological resources. This should be explicitly identified as a key issue in recognition of the current degraded state of many of the biological resources in Scotland's seas. This is the precursor to conserving, enhancing and sustainably exploiting these resources.

- Landscape/seascape: underwater landscapes should be specifically identified as part of the overall landscape interest within this topic.

- Inter-relationships/interactions between the SEA topics:
A key environmental issue that is missing is identifying the cumulative effects of past, current and emerging human activities. We suggest this is reworded to be: "Recognise, identify, address and minimise cumulative effects of....."

It is not clear what the following sentence actually means: "Ensuring consideration of a natural capital lens to understanding plan impacts on ecosystem services." This needs to be reworded to be clearer and more specific.

Marine litter including microplastcis needs to be identified as a key environmental issue.

Underwater noise needs to be identified as a key environmental issue. This would best sit within the 'water' topic area.

5 What are your views on the SEA Objectives used to assess National Marine Plan (2015), (SEA Objectives – Section 3, Table 2)?

Please provide your comments :

The SEA objectives used to assess the National Marine Plan 2015 are not sufficiently inclusive, robust, or forward looking to be appropriate for the SEA for NMP2.

A healthy marine environment is essential to help support Scotland and its people. We do not currently have a healthy marine environment and are far from realising the Scottish Government's vision of clean, healthy, safe, productive and biologically diverse oceans and seas.

In recognition of the continuing failure to address biodiversity loss and the increasingly urgent need to address this issue and the climate emergency, it is crucial that the SEA objectives have a far greater emphasis on halting loss and proactively recovering biodiversity and ecosystem function, reducing climate change emissions and enabling effective climate mitigation. And that they also address cumulative impacts. All of this is essential to deliver a resilient marine environment that can support and benefit the people of Scotland.

Just as an example of the inadequacy of the previous SEA objectives: those for Biodiversity, flora and fauna (4. Avoid disturbance of key species as a result

of marine activities; and, 5. Safeguard marine and coastal ecosystems and their interactions), do not in any way address the requirement to reverse past damage and loss and to recover marine biodiversity and ecosystem health.

We consider that there should be particular emphasis on protecting and restoring marine habitats and ecosystem function in Scotland's inshore waters due to the key role of the inshore marine areas providing nursery and spawning grounds.

As commented in response to Qu 2, we consider that it would be helpful for there to be inclusion of SEA objectives that relate directly to the delivery of environmental protection objectives arising from legislative and policy obligations. For example, to achieve Good Environmental Status which, amongst other things, requires having only 15% of the seabed classed as highly disturbed.

As we comment on in response to Qu 6. Sustainability needs to be one of the areas addressed in the SEA objectives along with clarification of the definition and criteria being applied to assess this.

It would be helpful to have information about the indicators that will be used for each of the objectives in assessing NMP2.

We would appreciate the opportunity to be able to comment on the revised SEA objectives once they have been drafted.

6 Do you have any further comments on the SEA scoping report?

Please provide your comments :

The word 'sustainable' is used many times in the scoping report. However it is not defined and it is unclear exactly how sustainability is being assessed. For clarity and transparency, sustainability needs to be clearly defined within the SEA (and overall NMP2) process, along with an explanation of the criteria being applied to assess sustainability.

We support the use of the UN Brundtland Commission definition of sustainability as "meeting the needs of the present without compromising the ability of future generations to meet their own needs." With the three main pillars of sustainable development: environmental protection, economic growth and social equality.
Sustainability should be one of the areas addressed in the SEA objectives along with clarification of the definition being applied.

About you

What is your name?

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Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:
Community of Arran Seabed Trust (COAST)

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

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?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:
Very dissatisfied

Please enter comments here.:

This was a complex consultation to access in terms of how the draft scoping report that is at the heart of the consultation is set out. The overview of policy is useful but it is very off putting to have the full text of this at the start of the report and it would have been better if this had been provided as an annex to the report. The consultation questions are multi-faceted making it more complicated to respond to them and find the relevant information in the scoping report.

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:
Very satisfied

Please enter comments here.: