

1. Do you have any comments on the economic assessment methodology?

An assessment period of 20 years may be sufficient time to see the impact on costs and income but may not be adequate to see the potential long-term recovery of long-lived and slow-growing species and habitats. What kind of monitoring is in place to look at the costs vs. benefits over the 20 year period, and how are these differing factors weighted in value? FFI, and the communities we work with through the Coastal Communities Network, place strong value on factors that may be more difficult to quantify – the local and cultural significance of the environment – and together we call for a robust methodology that takes into account the diverse benefits of the marine ecosystem.

FFI support the use of strong baseline data, from sources with a high confidence level, and utilising all available mechanisms. We call for coastal communities to be considered as valued stakeholders in this review process and for communities to be further enabled to feed in data by providing adequate opportunity to do so. The communities linked into the [Coastal Communities Network](#) can be an integral part of the monitoring process and a number are currently gathering relevant data to submit to Marine Scotland, for the benefit of this initiative.

2. Do you have any comments on the Screening / Scoping Report for the Strategic Environmental Assessment?

FFI fully supports these steps towards implementing stronger marine management and increased protection of Scotland's Priority Marine Features, and call for the involvement of Scottish coastal communities in all aspects of this process.

While we understand that the focus on the 11 most vulnerable habitat types/species is due to restrictions on available time and capacity, the remainder of the 81 PMFs will therefore not be included in this process. When will a review of the status and vulnerability of the remaining PMFs take place? They are potentially left unprotected and could perhaps suffer from increased impacts due to displacement of fishing activity from the management measures implemented under this project. Choosing to focus on a small group of 11 PMFs for this review narrows the focus of the initiative and FFI would support the widening of this process to include all of Scotland's priority marine features and other valuable and vulnerable habitats and species.

It's positive to see that the proposed methodology will take into account both direct impacts and spillover effects for the focal habitats and species, as well as displacement and intensification impacts of fishing activity. A robust and multi-faceted approach on a cumulative level is necessary for this scale of project. However, FFI are concerned to read that marine cultural heritage has been kept as a topic 'under review' for the SEA and is considered not to be a significant threat as "it is assumed that known wrecks would be avoided". As cultural heritage is of huge value to local communities and the wider population, as well as having historical, ethical and economic value, we feel that the exclusion of these features from the review is short-sighted and based on inadequate assumptions. With knowledge gaps apparent within the majority of data sources utilised for this review, there are potentially many unknown cultural heritage sites within Scottish seas, and the assumption cannot be made that vessels are 1. Known by all, and 2. Are going to be specifically avoided. To ensure that cultural assets, both within and outside of the designated Historic MPAs, are valued to a similar degree to Scotland's biodiversity features, the SEA criteria should be updated to include the topic of cultural heritage.

Monitoring processes must be thorough and well designed to produce data that can show change to PMFs at both site and national level, from current state to regular intervals after management is implemented. This will be necessary to attempt to link management closures to subsequent habitat

and species changes and for long-term monitoring of the status of each site, and each feature on a national level. Will further resources be made available for the statutory bodies to do this ongoing work? Coastal communities are well-placed to play an integral part in ongoing surveying and monitoring of their local waters, thereby providing extra capacity to the relevant statutory bodies, and FFI call for the inclusion of coastal communities in all aspects of this process. A number of the communities linked into the Coastal Communities Network are currently gathering relevant data to submit to Marine Scotland, for the benefit of this initiative.

3. Do you have any comments on the approach taken by SNH to develop the advice?

An approach can only be seen to be sound where there is a high level of confidence that the data is accurate, representative and complete. FFI do not agree that there is currently enough data on the presence of PMFs, the locations of all bottom-trawling fisheries and the ecology of each species. We also feel that Scottish Natural Heritage (SNH) are lacking capacity in their ability to carry out necessary surveys and that there are likely to be locations of valuable PMFs that are not represented in the data utilised for this project. The example of Loch Carron can be used as an illustration – this site was discovered to be among the largest and most valuable flame shell reefs in the UK only after it was significantly damaged, with surveys only taking place as a result of this incident.

It seems clear that more resources must be made available to counter the lack of capacity within SNH and other statutory bodies to carry out the necessary long-term surveying and monitoring. FFI strongly supports the will of Marine Scotland and SNH to accept data from other sources, including that collected by coastal communities and other local stakeholders around Scotland. We call for coastal communities to be considered as valued stakeholders in Scotland's marine management and for communities to be further enabled to be part of this process by providing adequate opportunities to do so – including the ability to feed in data, access to equipment and training and the availability of funding.

FFI feel that the chosen approach is weak and the impression given is of attempting not to 'rock the boat'. Our opinion is that it would be better to spend the resources gathering a full set of data on the locations of all PMFs and all scales of bottom-contact fisheries to get a full picture of the management that needs to be put in place – rather than using this indication of overlap method to suggest areas that may be vulnerable. FFI call for the following of a precautionary approach to setting stronger management for all Scottish coastal waters, or any location where there may be vulnerable PMFs present.

There are clearly extensive knowledge gaps within the data sources utilised for this initiative – how are these going to be addressed now, as well as going forward? We encourage strong monitoring and fully support the enabling of local community groups and other local stakeholders to take part in the monitoring and management of their local waters. This would act to close the data gaps by adding additional capacity to gather data at more locations, and would meet the Scottish Government's commitment to empowering communities.

4. Do you have any comments on the specific advice for any of the PMFs?

FFI do not have specific comments to make on the SNH advice documents for the individual PMFs, however we call for strong protection for all of Scotland's 81 PMFs and the wider marine and coastal environment. This would be achieved through the cumulative effect of a range of mechanisms: a well-managed and connected MPA Network, strong individual site protections, sound national fisheries management mechanisms and an adequate marine planning framework. We call for ambitious and world-leading action to protect Scotland's marine environment for the benefit of the nation as a whole.

Specific advice documents should be prepared for the remainder of the PMFs not encompassed by this review process, which focuses on 11 of a total of 81 features, as soon as possible and a review of the status of these features should also take place.

5. Do you have any comments in the identification of areas for management consideration?

Again, we feel that this approach is weak and focused on small scale changes, rather than ambitious and sweeping measures. The consultation paper states:

“Areas for management consideration represent advice from SNH that indicates where attention should be focused to ensure that a significant impact on the national status of these PMFs is avoided, as a result of the use of bottom contacting mobile fishing gear. However, SNH is not recommending that the entirety of these areas be closed to bottom contacting mobile fishing gear. These areas will be used as a basis for discussion on management.”

If these areas require input to ensure the PMFs present are protected, then why start from a point of recommending that areas not be closed, rather than from the point of putting in place the management that is required to fully protect these features? FFI would fully support a commitment to strong management methods to effectively ensure that there is no significant impact on the national status of each of these habitats and species.

The chosen method of grouping sites which are in the same location to produce overlapping sets of boxes for management consideration, means that records that don't line up well with others will fall through the cracks and are therefore not encompassed by this process. A stronger idea would be either, 1. Put management in place for each individual PMF location, regardless of size and proximity to other sites, or. 2. Put blanket management in place for all possible PMF sites, for example by setting a nautical mile limit around the coast within which bottom-contacting mobile gears is not permitted.

In reference to the three categories under consideration:

*“**No possible overlap with bottom-contacting fishing gear** - intertidal records and records in subtidal areas where it would not be possible to use bottom contacting fishing gear (e.g. due to shallow water depth, narrow channel access etc.). These PMF records are shown in the advice documents. These records comprise seagrass beds, blue mussel beds, native oysters and a small number of maerl bed records. Risk to these features from other activities will continue to be managed through existing licensing processes.*

***Managed** - subtidal PMF records within the MPA network and/or fisheries management areas where bottom contacting mobile fishing gears currently are, or are proposed to be, prohibited year round.*

***Unmanaged** - subtidal PMF records not within the MPA network and/or fisheries management areas where bottom contacting mobile fishing gears currently are, or are not proposed to be, prohibited year round.”*

We consider there to be a gap here, with no item between managed and unmanaged sites for PMFs that are within the MPA network but where bottom-contacting mobile fishing gear is not prohibited year round. Fisheries management measures vary on a site-by-site basis, with some management orders prohibiting bottom-contacting gear entirely and others on a temporal or location basis. These sites have not been included in this review and we call for stronger management to be implemented at all designated sites.

What is going to be done to address the identified knowledge gaps? There is no plan laid down in the consultation paper, but presumably this lack of knowledge for these sites means that they can't have

management measures implemented under this initiative and therefore remain vulnerable. We would appreciate the circulation of a plan for these sites.

We would also like to take this opportunity to notify Marine Scotland of forthcoming data on the presence, location and status of Priority Marine Features gathered by members of the Coastal Communities Network, from communities at South Skye, Gairloch and the Sound of Mull.

6. Do you agree that 12 hours per year is a suitable level to define the fishing footprint?

Yes No Don't know

While 12 hours per year is a low starting measurement, it therefore assumes that there are no impacts to bottom-contact fishing when carried out at a level up to 12 hours per year. There is evidence to suggest that fragile habitats will be damaged by any disturbance from trawling or dredging – and this was the case with the flame shell reefs of Loch Carron, which were substantially damaged by a single incident. Surely then using a measurement of 12 hours per year, rather than zero, will not capture all areas of relevant fishing effort and will potentially leave PMFs exposed. Would using a measurement upwards of zero lead to vastly more data?

As referenced within this consultation paper, there are multiple limitations to VMS data - how confident can we therefore be when basing this initiative on such data? Perhaps this data must be approached cautiously and the precautionary principle called in.

7. Do you have any evidence of fishing activity outwith the footprint, in particular for vessels under 12m in length?

Yes No

8. Do you have any views on the management approach identified for the appraisal?

The proposed management approach involves “... *looking within the areas for management consideration identified in the SNH advice. Zones are then drawn around the records of habitats and species using activity data, environmental factors, and where necessary geographic points of interest. The precautionary principle is applied by zoning off PMFs even where they are not subject to current fishing pressure.*”

FFI supports the application of the precautionary principle, a legal requirement under EU regulations, and we call for all vulnerable PMFs to be included in the management measures under this review.

Also, “*a reasonable alternative in which all demersal mobile fishing activity at locations of the 11 PMFs is prohibited and displaced*” will be assessed.

FFI supports the assessment of this measure as a reasonable alternative and asks that strong management measures for the protection of all PMFs are implemented as a priority. We would also call for a thorough investigation of the nature of the fisheries displacement and a full understanding of the wider impacts this may have.

9. Are there any other reasonable alternative approaches to management that could be tested in the Sustainability Appraisal?

Yes **No** **Don't know**

1. Implement additional management for each individual PMF location, regardless of size and proximity to other sites. This would ensure that each individual feature is protected, although the process would be more labour intensive than the approach currently identified in this review.

2. Ensure blanket protection for all possible PMF sites, for example by setting a nautical mile limit around the coast within which bottom-contacting mobile gears is not permitted. Around 90% of all PMFs are thought to occur within 0.5nm of the coast, and restrictions covering this area would therefore encompass a large proportion of the relevant features. This process would potentially be less labour-intensive to research, implement and police.