



**Big mouth,
no voice!**

Be their voice. Support a **strong** Scottish Marine Bill with the environment at its heart.

Time For Action

TAKE ACTION - HELP SAVE SCOTTISH SEAS

HELP US convince the Scottish Government to deliver effective protection for our seas and wildlife through the new Scottish Marine Bill. The Scottish Government is now consulting on its plans for a Scottish Marine Bill and this is your opportunity to make your voice heard and ask for a Bill that provides the essential protection that Scotland's seas need. To join our campaign for an effective Scottish Marine Bill that will really make a difference for marine wildlife and the communities that depend on it please visit our website www.savescottishseas.org and take action by e-mailing Scotland's First Minister, Alex Salmond today.

For more information or to read the Government consultation document, go to www.scotland.gov.uk/marinebill.

For the continued programme of seasearch diving this summer, please see www.seasearch.org.uk or call Calum Duncan on 0131 226 6360 for further details.

Calum Duncan (MCS Scottish Conservation Manager) and Alan Wells (Research and Policy Officer, Scottish Environment LINK).



Calum Duncan
MCS Scottish Conservation Manager
w: www.seasearch.org.uk
e: scotland@mcsuk.org
t: 0131 226 6360

AT LAST, a Scottish Marine Bill is on the horizon. Regular **SCOTTISH DIVER** readers will know that the Marine Conservation Society, as part of Scottish Environment LINK - the umbrella body for Scotland's voluntary environmental organisations, has been calling for a marine bill, with the environment at its heart, for many years. This is a golden opportunity to help make sure our seas get the protection they deserve.

Scotland's coasts and seas are amongst the most diverse in the world, supporting around half of our biodiversity, much of which is of national and international importance. For example, Scotland boasts over 5 million breeding seabirds, amounting to nearly half of all the seabirds in the EU; 77% of the EU and 36% of the world population of grey seals; the world's most northerly resident population of bottlenose dolphins in the Moray Firth, along with 28 other species of whale and dolphin; most of the UK's reported sightings of the basking shark; and most of the UK's maerl beds, horse mussel reefs, flameshell reefs, northern sea fan communities and coldwater coral communities.

We all rely on this biodiversity – as well as being worth protecting in its own right, it forms the irreplaceable bedrock of human economic activities. There is considerable scientific evidence that human activities are altering the web of life that the sea supports and consequently the sea is becoming less and less able to provide us with the fish and other natural resources our economy and well-being depend on. It doesn't have to be like this – if we improve the overall management of the sea now it will be better able to recover its health and productivity, and we can help to ensure that we can fish, dive and watch dolphins and other marine wildlife in future.

A draft UK Marine Bill was published in April 2008. However, while marine wildlife straddles political boundaries, Westminster jurisdiction over most marine activities stops outside Scotland's 12 nautical mile (nm) territorial limit, and Scotland retains some important responsibilities to 200nm (e.g. fishing). In order to avoid the inevitable gaps of coverage in the UK Marine Bill, particularly within 12nm of the Scottish coast, tailor-made Scottish marine legislation is also required.

In June 2007, Richard Lochhead, Cabinet Secretary for Rural Affairs and the Environment, promised a Scottish Marine Bill that would deliver a simpler regulatory system for the marine environment, more action on marine nature conservation, a strategic national approach and greater local control over marine and coastal areas. A consultation paper entitled 'Sustainable Seas for all: a consultation on Scotland's first marine bill' was released on July 14, 2008 and this consultation will run until October 6. Scottish Environment LINK's Marine Task Force, is campaigning to ensure that the Bill contains the above promises, whilst placing protection, restoration and enhancement of our marine environment at the heart of the Bill.



Tangled gannet - image courtesy of Steve Trehwella

Time For Action

We believe a Scottish Marine Bill should deliver four core asks:

1 BETTER PROTECTION FOR SCOTLAND'S WILDLIFE INCLUDING NATIONALLY IMPORTANT MARINE AREAS

Human induced changes to the marine ecosystem result not only in the permanent loss of wildlife, but also in damage to the economy, as fishing, wildlife tourism and other industries suffer the consequences. To ensure proper protection of Scotland's seas, statutory measures should be in place both to protect species and sites. In addition, wider policies which could affect the environment should be underpinned by the need to protect wildlife.

Protection for Scotland's wildlife should be delivered as part of a three-pillar approach:

Pillar 1

Species protection - to ensure protection of vulnerable marine wildlife from reckless or intentional damage or harassment throughout Scottish waters. This may include amending the Wildlife and Countryside Act and addition of new species following an assessment by SNH and JNCC based upon objective criteria.

Pillar 2

Site protection - a comprehensive network of marine protected areas including urgently needed Nationally Important Marine Areas (NIMAs) for sites of particular importance to Scotland and a full suite of European marine sites for birds, species and habitats. Such a network would contribute to the target of halting biodiversity loss by 2010 and help ensure that Scotland meets its international commitment of an 'ecologically coherent network of well managed marine protected areas' by 2010. Sites, including NIMAs, should be selected by agreed scientific criteria alone and managed according to ecological need.

Pillar 3

Public Policy - Wider policy measures and plans, including marine planning, should be underpinned by the importance of, and potential impact on, marine biodiversity.

2 AN EFFECTIVE NEW PLANNING SYSTEM FOR SCOTLAND'S SEAS

In contrast to the well-developed terrestrial planning system in the UK, no overall framework exists for planning the use of our seas. Instead, more than 80 different acts of parliament and regulations regulate the many different activities in Scotland's seas. This has left

our marine wildlife poorly protected, as it struggles to cope with the pressures from the increasing demands on our seas. It also often leads to planning disputes that are a waste of time and money and undermine the potential economic and social benefits of new developments. Marine spatial planning could help protect important wildlife, by providing greater certainty about where and how developments should take place.

Most regulatory controls at sea are operated by the Scottish government or UK government departments, rather than local stakeholders. Away from the coast, there is no 'local authority', so there is no common body with powers to decide on local issues. Coordination between central government and local authorities is also weak, and there is no system for coordinated decision-making. Some local initiatives have been successful in bringing different stakeholders together, but these are often voluntary in nature or only apply to specific issues. Effective marine spatial planning will need a hierarchy of national, regional and local plans to deliver fit-for-purpose guidance. One size does not fit all! A Scottish marine bill should establish a statutory system of marine spatial planning that integrates fully with other marine spatial plans throughout the UK.

3 CLEAR TARGETS TO MEASURE THE RECOVERY OF OUR SEAS - MARINE ECOSYSTEM OBJECTIVES

After decades of focusing on the study and management of single species, marine management is moving toward an approach that regards the ecosystem as the most relevant unit. Such 'ecosystem approaches' emphasise that ecosystem resilience is crucial in maintaining the sustainability of marine goods and services. Effective marine ecosystem objectives (MEOs) are designed to ensure that management decisions do not adversely affect ecosystem function and productivity, ensuring that marine activities (and resulting economic benefits) are sustainable in the long term. MEOs should include an aspiration to enhance rather than merely maintain Scotland's marine biodiversity. We believe that:

- ▼ A marine bill should establish a duty for Scottish ministers to implement and monitor marine ecosystem objectives
- ▼ High level marine ecosystem objectives should underpin the Scottish government's policy on the marine environment
- ▼ In addition, more detailed marine ecosystem objectives should be used to monitor the health of Scotland's seas and ensure that high-level objectives are delivered



Red Blenny - courtesy of Paul Kay



Reef with brittlestars - courtesy of Paul Kay



Chesil Cove - courtesy of Steve Trehwella

4 SCOTTISH MARINE MANAGEMENT ORGANISATION - MARINE SCOTLAND

There is a clear requirement for a new body to better coordinate public policy at sea. Such a body would be responsible for:

- ▼ Overseeing planning of devolved activities in Scottish waters;
- ▼ Leading in the production of marine spatial plans;
- ▼ Ensuring the proper implementation and enforcement of these plans;
- ▼ Providing marine expertise to Scottish ministers;
- ▼ Licensing marine activities;
- ▼ Co-ordinate closely with the UK MMO.