

Hebridean Whale and Dolphin Trust
Response to the Scottish Government consultation on
Scottish Highly Protected Marine Areas (HPMAs)

PART 1: POLICY FRAMEWORK

Question 1. What is your view of the aims and purpose of Highly Protected Marine Areas as set out in sections 2 and 3 of the draft Policy Framework?

Support

Please explain your answer:

The Hebridean Whale and Dolphin Trust (HWDT) supports the Scottish Government proposal to designate at least 10% of Scotland's inshore and offshore waters as Highly Protected Marine Areas (HPMAs).

HWDT welcomes initiatives to restore and protect the marine environment, mitigate the effects of climate change and enhance biodiversity, particularly those which improve the conservation status of marine mammals. We believe that the high levels of protection HPMAs would afford to the marine environment can contribute towards these goals, increasing the resilience and recovery of the marine environment in the face of the global biodiversity crisis and climate emergency. These measures must be carefully designed as part of an ecosystem-based approach with marine stakeholders and local communities at the heart of the decision-making process, if they are to achieve the desired conservation objectives and avoid impacting fragile coastal communities, who rely on the marine environment to sustain local industries and economy.

The health of Scotland's seas is currently in an unfavourable state, Good Environmental Status is not being achieved for seabirds, marine mammals, and seabed habitats (Department of Environment Food and Rural Affairs, 2019), and the impacts of the global climate emergency and biodiversity crisis are already being documented (Moffat et al., 2021). Transformative action is required to enable ocean recovery and increase resilience to climate change, and HPMAs could play an important role in achieving this as part of a wider package of conservation measures. The scale of species and environmental decline, and the need for transformative change are evidenced in the following reports:

- The Scottish Marine Assessment 2020 identified marine species are in decline and highlighted climate change as the 'most critical factor affecting Scotland's marine environment', with impacts 'already being seen across the Scottish marine ecosystem' (Moffat et al., 2021). It also states that 'bottom-contacting and pelagic fishing continue to be the most geographically widespread, direct pressures across the majority of Scottish marine regions and offshore marine regions'.
- Climate change and direct exploitation of organisms have also been highlighted as direct drivers of biodiversity loss globally (IPBES, 2019).
- The latest scientific recommendations from the International Panel on Climate Change (IPCC, 2023), the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem

Services (IPBES, 2019), and the European Commission (2021) via the EU Biodiversity Strategy all clearly state that 'transformative change' is required to overcome climate change and biodiversity loss, and that time is running out for action to have an impact.

The approach to afford strict levels of protection to at least 10% of the marine environment is in line with internationally agreed standards and conservation strategies (i.e. EU Biodiversity Strategy for 2030) and underpinned by scientific evidence, which shows that it can lead to larger scale ecosystem recovery with benefits for the environment, economy, and quality and quantity of fish stocks.

HPMAs in Scottish seas would form a crucial part of the Government's three pillar approach to nature conservation as outlined in '[A Strategy for Marine Nature Conservation in Scotland's Seas](#)' (Marine Scotland and the Scottish Government, 2016). It is essential that site protection, such as HPMAs, work with targeted species protection and wider seas policies measures as part of an ecosystem-based approach. There needs to be more clarity in the policy framework on how these different pieces of legislation will work together to deliver conservation objectives and support the sustainable use of the marine environment, and how it will account for impacts occurring outside the designated sites and the displacement of activities. HPMAs must be part of a wider ecosystem-based approach to spatial management of our seas.

A 'just transition' was also a key part of the Bute House agreement and must be included in the fundamental principles of HPMAs. A framework for a 'just transition' must be made available. The impact on all sectors needs to be considered before sites are proposed and there needs to be clarity on the expected impacts and subsidies/compensation that will be made available to those affected. Non-damaging levels of activities also need to be clearly defined as well as how these activities will be managed and monitored in line with the conservation objectives of HPMAs, and what implications this may have on the marine environment and sea users.

Lamlash Bay on the Isle of Arran, Scotland's first no-take zone (NTZ) designated in 2008, prohibits the removal of marine life by any method. This is similar levels of protection to the current Scottish Government proposals for HPMAs. Importantly, the NTZ is part of a broader management scheme limiting damaging activities over a wider area. Studies of this area demonstrate the positive impact that protected marine areas can have on biodiversity when implemented with the support of local communities (Stewart et al., 2020).

Scientific evidence shows high protection zones that are surrounded by low-impact buffer zones as part of wider spatial management measures provide the greatest benefits to the marine environment and the local economies (Di Franco et al., 2016; Ohayon et al., 2021). In Lamlash Bay, this approach has improved marine life, provided opportunities for low-impact and sustainable fisheries and encouraged sustainable ecotourism in the area. This could also be the case for Scottish HPMAs.

The Lamlash Bay NTZ, also demonstrates that community involvement is key for conservation success. Communities should be at the heart of ecosystem-based decision-making. The marine environment is an essential resource for coastal communities, underpinning the local economy and

is part of a rich history in the Hebrides. The Scottish Government need to develop HPMAs with input from all stakeholders and local communities, and they must be implemented with a just transition.

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Question 2. What is your view of the effectiveness of the approaches to manage the activities listed below, as set out in section 6 of the draft Policy Framework, in order to achieve the aims and purpose of HPMAs?

Please explain your answer in the text box and if you think we have missed any activities, please suggest them here.

HWDT is supportive, in principle, for HPMA in Scotland to exclude all extractive, depositional and damaging activities. The scientific evidence clearly shows that such high levels of protection are required for ocean recovery and regeneration, and to tackle climate change and biodiversity loss. But the implementation of the prohibitions needs careful consideration to ensure the areas are appropriate for the protection of all marine life, including mobile species, and that their designation does not have any unintended negative impacts on mobile species and coastal communities.

HPMA and the introduction of any restrictions need to work with targeted species protection and wider seas measures as part of an ecosystem-based management approach, and needs to be supported by a just transition. It is essential for this to be developed in partnership with stakeholders.

HWDT agree that 'engaging with these different sectors to fully consider socio-economic factors will be critical' but we would encourage the Scottish government to begin this process immediately, rather than wait until they 'refine site proposals during the selection and assessment process'. It is very difficult for many marine users and coastal communities to support these proposals as they stand because they are unable to assess how they will impact their livelihoods. We are hearing this from many concerned stakeholders and the Scottish Government need to take steps to address these concerns by providing a framework to show how HPMA will contribute to a just transition for sustainable marine industries in collaboration with stakeholders and communities, and outline what support will be available to allow for the diversification to lower impact or more sustainable activities.

'Non-damaging' and 'carefully managed' levels for permitted activities need to be clearly defined and there needs to be clarity on how these activities will be managed and monitored, and what implications this may have on the marine environment and sea users. These levels should be determined based on scientifically robust evidence and additional regulations should be required to control and monitor such activities. Clear guidance will also need to be provided to marine users to help them adhere to the new regulations.

The introduction of any restrictions needs to be implemented in a way that ensures damaging activities are not displaced into other areas where there are high densities of animals/PMFs or around the HPMA boundary. If the HPMA has the highest densities of mobile species, then this is the area where restrictions will be most effective. If it does not, then this could have unintended damaging impacts for mobile species, and is a particular concern for the entanglement of marine mammals and basking sharks in creel gear where displacing creel fishing effort around the HPMA boundary could further compound this issue and increase the likelihood of entanglement in these areas. This needs to be linked to the HPMA monitoring programmes.

The impact of activities taking place outside the HPMA that are capable of affecting the ecosystem within the HPMA also needs consideration, particularly for pollution and underwater noise which can propagate over substantial distances from the source. Activities outside the geographical extent of an HPMA may also need regulation.

HWDT also would like to raise the following concerns about the approach for the following activities as set out in section 6 of the draft Policy Framework.

Other recreational activities including recreational boating and marine tourism: HWDT actively encourages access to nature. Enjoying blue spaces has positive impacts on our health and well-being, and the marine environment is also of cultural and historical significance to many island communities in Scotland. Creating connections between people and the marine environment is also essential for conservation as it helps foster a sense of stewardship inspiring more people to care for the marine environment. Enhanced ecotourism could also be a beneficial consequence for local communities of HPMA. HWDT support access to HPMA for these reasons but recreational use must be sustainable and must not undermine the conservation objectives of the sites. The impact of recreational activities needs further consideration as these activities can have damaging effects on the marine environment. For marine mammals for example, there is a risk of collision and disturbance (i.e. Bejder et al., 2006), which may have cumulative effects. Management and regulation advice must be implemented for tourism and recreational water activities. To minimise disturbance to marine wildlife, HWDT supports the Scottish Marine Wildlife Watching Code being given statutory status and for WiSe accreditation to be mandatory for commercial wildlife-watching professionals operating within or adjacent to a HPMA. Options for the development of local wildlife management schemes should also be considered along with monitoring and licensing to effectively manage the cumulative impact of animals experiencing repeated encounters by a growing commercial sector. The Scottish Government should consider opportunities for co-management of these schemes with local communities and organisations, wherever possible to foster local stewardship and community buy-in.

Military and defence: HWDT recognise that in situations where human life is directly at-risk military activity may be required within HPMA. However, some military activities are not compatible with the conservation objectives of HPMA. Cetaceans are reliant on using sound underwater and are sensitive to underwater noise. In particular, the scientific literature clearly links both disturbance (Sivle et al., 2015; Tyack et al., 2011), at-sea injury and mass strandings (Dolman et al., 2010; Parsons et al., 2008; Parsons 2017) of cetaceans to the use of military sonar. Unusual Mortality Events (UMEs) linked to the use of military sonar also appear to be on the rise, with the largest ever beaked whale stranding occurring in 2018 off the west coast of Scotland (Dolman et al., 2021). Such activities should be restricted to areas where densities of cetaceans have been shown to be low. HWDT has long-standing concerns about the impact that military sonar has on cetaceans, and we question how military exercises, including Joint Warrior, Europe's largest military exercise – will be allowed to take place within and near to protected areas in Scotland, and how such activities are compatible with the conservation objectives of HPMA and indeed any protected area (MPA or SAC) for cetaceans in Scotland.

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Question 3. What is your view of the proposed additional powers set out in section 8.3.2 of the draft Policy Framework: “Allow for activities to be prohibited from the point of designation to afford high levels of protection.”

Support

Please explain your answer.

We support additional powers to ‘allow for activities to be prohibited from the point of designation to afford high levels of protection’ and achieve the conservation objectives for HPMAs.

Clear guidance will need to be provided to marine users to help them stay within the law once the designations come into force.

The policy framework states that ‘where HPMA designations require the relocation of human activities, there may in some instances be a need for a transitional ‘phasing out’ period following the point of designation of a HPMA.’ A framework for a just transition must be made available in consultation with all stakeholders.

Suitable assessments and criteria need to be developed for public authorities to follow when they ‘consider whether a proposed new activity taking place outside of a HPMA is capable of affecting the ecosystem within the HPMA’. For marine mammals, pollution and underwater noise which can propagate substantial distances from the source, should be considered, along with cumulative effects. This consideration must apply to all activities, not just new ones.

Question 4. What is your view of the proposed additional powers set out in section 8.3.3 of the draft Policy Framework: “Establish processes to permit certain limited activities within a HPMA on a case-by-case basis for specified reasons.”

Support

Please explain your answer in the text box.

We support processes to ‘permit certain limited activities within a HPMA’. However, we believe strong evidence should be required to permit any potentially damaging activity in an HPMA and a precautionary approach should be applied. Any damaging, extractive or depositional activities undermine the conservation objectives of HPMA, and must be carefully managed and monitored.

Robust scientific monitoring at an appropriate scale must be an integral part of HPMA. Sites must be regularly reviewed to ensure they are achieving, or moving towards, their conservation objectives. If they are not, additional management measures must be considered.

Question 5. What is your view of the proposed additional powers set out in section 8.3.4 of the draft Policy Framework: “Activities which are not permitted in a HPMA but are justified in specified cases of emergency or force majeure.”

Support

Please explain your answer.

We agree that the prohibited activities outlined in the draft policy framework may need to take place within HPMA when human life is directly at risk. But as outlined in our response to question 4, any damaging activity would undermine the conservation objectives of HPMA, and therefore must be carefully managed and monitored.

Question 6. What is your view of the proposed additional powers set out in section 8.3.5 of the draft Policy Framework: “Measures for activities allowed and carefully managed in HPMA.”

Support

Please explain your answer.

As explained in our response to question 2, HWDT believe access to nature is important for health and well-being, historical and cultural significance and also for conservation, but access must be sustainable and in line with the conservation objectives of the site. Non-damaging levels need to be

clearly defined and based on robust scientific evidence. All activities must be carefully managed and regularly reviewed through robust scientific monitoring to ensure they are not impacting the conservation objectives of the site.

Question 7. Do you have any further comments on the draft Policy Framework, which have not been covered by your answers to the previous questions?

Please add your response.

Scientific evidence shows that areas of high protection surrounded by low-impact buffer zones as part of wider spatial management measures provide the greatest benefits to the marine environment and the local economies. HWDT believe that there is a need for this type of zoning of activities if marine protected areas are to be effective, and this should include some areas being highly protected. In an era of rapid climate change, this approach will need to recognise that in some cases zoning will need to be dynamic to adapt to changing conditions. HPMA's present an opportunity for Scotland to develop future-proof marine protection that is able to adapt to changing environmental conditions and distribution of species.

We believe HPMA's should be designated and managed based on robust evidence. All available sources of data should be considered. HWDT agree that sites must be regularly reviewed to ensure they are achieving, or moving towards, their conservation objectives, and that robust scientific monitoring must be an integral part of HPMA's. If they are not, additional management measures must be considered.

It will be important for monitoring to cover a wider area than the designated sites to ensure that the HPMA is still in the most important area and that restricting activities within the area is still the most beneficial. Monitoring will also be able to identify where measures to mitigate threats can be most effectively implemented. For mobile species for example, tackling individual threats such as entanglements over larger areas (outwith HPMA's) will be far more beneficial to a species than certain other measures confined to a HPMA.

HPMA monitoring programmes should be adequately funded. If data generated by existing or new long-term monitoring programmes are required to provide baseline and future information for monitoring HPMA's, then these programmes should be supported appropriately to ensure long-term species and habitat monitoring programmes can continue. Funds will also need to be available to support the preparation and analysis of existing data.

PART 2: DRAFT SITE SELECTION GUIDELINES

Question 8. What is your view of the proposal that HPMA site identification should be based upon the “functions and resources of significance to Scotland’s seas,” as set out in Annex B of the draft Site Selection Guidelines?

Please explain your answer, including any suggested changes to the list:

HWDT broadly support the approach outlined in Annex B of the draft site selection guidelines. We recognise that the functions and resources identified support climate mitigation and increase resilience to climate change, supporting the overriding conservation objectives for HPMA. We would like to add some comments here about the importance of cetaceans in relation to the ‘functions and resources of significance to Scotland’s seas’.

Blue Carbon

Cetaceans are key indicators of healthy seas - in protecting them, we safeguard the marine environment. Restoring cetacean populations to pre-whaling levels is also crucial in our fight against climate change.

Whales are marine ecosystem engineers and play a significant role in carbon sequestration (Roman et al., 2014). They contribute to enhanced primary productivity by feeding at depth and breathing and defecating at the surface, contributing to ocean mixing and releasing nutrients, like iron and nitrogen, at the surface waters, which stimulate photosynthesis. This helps regulate climate and mitigate climate change by absorbing carbon dioxide and producing oxygen. Migrating whales also help transport nutrients from highly productive, nutrient rich areas at high latitude where they feed to less productive, nutrient poor areas at lower latitudes where they go to calve (Roman et al., 2014).

Whales live a long time and act as living carbon stores, taking in and locking away carbon for the duration of their lives. When they die, whales sink to the ocean floor where they provide food and habitat for hundreds of marine species. But crucially they also take all the carbon they have stored during their lives down to the seafloor with them, where it can remain for thousands of years. This can also help to combat climate change.

A report published by the International Monetary Fund in 2019 estimates that if whale populations were returned to pre-whaling numbers they could capture 1.7 billion tons of CO₂ annually. Carbon stocks in cetacean living biomass around the UK were recently estimated to total 19,809 tonnes of carbon with minke whales contributing 82% of the living biomass and the west of Scotland highlighted as an important area for cetacean carbon stocks (Sheehy et al., 2022).

Another recent study also highlighted the historical significance of the waters around Scotland for some of the great whales and shows there may be potential for recovery in the future (Ryan et al., 2022). Studies from the Southern Ocean demonstrate that with sufficient time, whale populations can recover (i.e. Calderan et al., 2020; Herr et al., 2022). Restoring habitat to recover whale and basking shark populations, which have been heavily exploited historically in Scottish seas, is important for healthy marine ecosystems and to help combat climate change. In order to achieve this, management procedures and conservation goals need to explicitly recognise that current major

threats such as entanglement, ship-strikes and displacement due to climate change may be suppressing post-whaling recovery (Tulloch et al., 2018; Ryan et al., 2022).

Strengthening the Scottish MPA network

HPMAs would add value to the Scottish MPA network, and must contribute to an ecologically coherent network of protected areas which are fully supported by wider measures to protect the marine environment, as well as being part of the wider spatial management of Scotland's seas.

The west coast of Scotland is of international importance for whales, dolphins, porpoises, and basking sharks, and many areas of critical habitat are in need of protection and recovery. Spatial conservation measures are vital to protect the habitat and healthy ecosystems on which these mobile species rely on for essential life stages such as feeding, breeding and calving. Site-based protection of important habitats alongside wider seas and sectoral management throughout Scottish waters are integral to maintaining favourable conservation and good environmental status.

In addition to HPMAs, management measures should be implemented for all existing sites as a priority. For mobile species, this would apply to the Inner Hebrides and Minches SAC for harbour porpoise, Sea of Hebrides ncMPA for minke whale and basking shark and North East Lewis ncMPA for Risso's dolphin. Wider conservation measures implemented as part of the UK Dolphin and Porpoise Conservation strategy, which also includes minke whales, must also be progressed to improve the environmental status for these protected species.

Essential fish habitats

Cetaceans rely on a wide range of prey species (i.e. sand eel, herring and sprat). Restoring essential fish habitats, is necessary for a healthy marine ecosystem and could support the recovery of whale populations. Consideration of the wide range of prey known to be important to cetaceans in Scotland should be fully assessed and included here. For mobile species, a much clearer understanding of the prey base and prey densities required to provide suitable foraging habitat is needed. Dietary information for many species is decades old, for example most knowledge on minke whale diet in the Sea of the Hebrides MPA is based on data generated 20-30 years ago (MacLeod et al., 2004; Pierce et al., 2004). Structural alterations of the ecosystem due to changes in fishing practices and climate change may have induced changes in foraging strategies during that time. HPMA monitoring plans must prioritise updating knowledge on cetacean feeding ecology, so that management plans can be tailored accordingly. Ongoing monitoring programmes could be extended to generate this critical ecological knowledge that we are lacking.

Research and education

HWDT believe research and education are important to create connections between people and Scottish seas and inspire more people to care for the marine environment. The HPMA monitoring could also provide opportunities for local communities to be involved in the research and help foster a sense of stewardship. Any activities taking place in HPMAs must however be managed at sustainable levels.

Enjoyment and appreciation

As previously mentioned, HWDT support access to nature, and opportunities for coastal communities to benefit from HPMA's but any activities taking place within HPMA's must be at sustainable levels and not impact the conservation objectives of the sites. HWDT would support the implementation of the SMWWC and development of other groups to ensure access to nature is sustainable, that cumulative impacts on marine wildlife can be managed and the public know how to behave responsibly around wildlife.

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Question 9. What is your view of the general principles that are intended to inform the approach to HPMA selection, as listed below and set out in section 4.1 of the draft Site Selection Guidelines?
Support

Please explain your answer, including any suggested changes to the list

HWDT broadly support the general principles of the HPMA selection set out in section 4.1. of the draft site selection guidelines. In particular, we strongly believe that a scientifically robust evidence base is essential to underpin the site selection process. This is an opportunity for Scotland to think about dynamic marine protection with flexible boundaries able to respond to environmental changes in an era of rapid climate change and changing distributions.

Question 10. What is your view of the proposed five-stage site selection process, found in sections 4.2 and 4.3 as well as Figure 2 and Annex A of the draft Site Selection Guidelines?
Support

Please explain your answer.

HWDT broadly support the five stage site selection process. HPMA site selection must work with targeted species protection and wider seas measures as part of an ecosystem-based approach, as part of a just transition. Meaningful engagement and collaboration with coastal communities and marine stakeholders will be essential for the success of HPMA's, before sites have been proposed.

Question 11. Do you have any further comments on the draft Site Selection Guidelines, which have not been covered by your answers to the previous questions?

Please add your response below.

Not answered

PART 3: INITIAL SUSTAINABILITY APPRAISAL

Question 12. What is your view of the Strategic Environmental Report, summarised within sections 3 and 4 of the Sustainability Appraisal, as an accurate representation of the potential impacts, issues and considerations raised by the introduction of the draft Policy Framework and Site Selection Guidelines?

Neutral

Please explain your answer.

The data used for cetaceans in the environmental baseline (section 4.2.36) is not based on best available evidence. It cites the Marine Scotland (2011) Scotland's Marine Atlas: Information for The National Marine Plan which uses population estimates from 2007. Surveys have been conducted since then which provide a more up to date view of the status of cetacean populations in Scottish waters, such as the results of SCANS-III surveys from 2016 published in Lacey et al. (2022).

Long-term, fine-scale data from dedicated visual and acoustic surveys conducted off the west coast over the past 20 years using a standard line transect methodology for cetaceans are also available and should be considered in future assessments (Hebridean Whale and Dolphin Trust, 2018). Comparable long-term data of this type are essential to monitor the integrity of the sites, the effectiveness of management measures, and the suitability of the boundaries for highly mobile

species. As outlined in question 7, an important part of the HPMA monitoring programme will be to fund the analysis of existing data sets like this to ensure the best available evidence is used in all assessments.

References:

Hebridean Whale and Dolphin Trust (2018). *Hebridean Marine Mammal Atlas. Part 1: Silurian, 15 years of marine mammal monitoring in the Hebrides*. A Hebridean Whale and Dolphin Trust Report (HWDT), Scotland, UK. 60 pp. <https://tinyurl.com/2pw2es76>

Lacey, C., Gilles, A., Herr, H., MacLeod, K., Ridoux, V., Begona Santos, M., Sheidat, M., Teilmann, J., Sveegaard, S., Vingada, J., Viqerat, S., Øien, N., and Hammond, P. S. (2022). *Modelled density surfaces of cetaceans in European Atlantic waters in summer 2016 from the SCANS-III aerial and shipboard surveys*. University of St Andrews. <https://scans3.wp.st-andrews.ac.uk/resources/>

Question 13. What is your view of the Socio-Economic Impact Assessment, summarised within sections 3 and 4 of the Sustainability Appraisal, as an accurate representation of the potential impacts, issues and considerations raised by the introduction of the draft Policy Framework and Site Selection Guidelines?

Neutral

Please explain your answer.

HWDT agree that 'engaging with different sectors to fully consider socio-economic factors will be critical' but we would encourage the Scottish Government to begin this process immediately, rather than waiting until they 'refine site proposals during the selection and assessment process'. It is very difficult for many marine users and coastal communities to support these proposals as they stand because they are unable to assess how they will impact their livelihoods. We are hearing this from many concerned stakeholders. The Scottish Government need to take steps to address these concerns by providing a framework to show how HPMA's will contribute to a just transition for sustainable marine industries in collaboration with stakeholders and communities, and outline what support will be available to allow for the diversification to lower impact and more sustainable activities.

To provide clarity to concerned stakeholders, HWDT support Scottish Environment LINK's suggestion that the principles of HPMA implementation should be assessed on real areas of Scotland's seas as hypothetical case studies before the sites are proposed. This will allow for the legally required assessments to be completed and provide clarity on the potential impacts and benefits to stakeholders and coastal communities. Inclusive and meaningful engagement with stakeholders to inform these test scenarios will be essential to ensure all views have been captured, as many have found it difficult to respond to this consultation. These test scenarios should also explore the use of buffer and low-impact zones in conjunction with HPMA's to examine how a more integrated spatial approach could work to deliver marine ecosystem recovery and social and economic benefits.

PART 4: PARTIAL ISLAND COMMUNITIES IMPACT ASSESSMENT (ICIA)

SCREENING REPORT

Question 14. What is your view of the partial ICIA screening report as an accurate representation of potential impacts, raised by implementation of the draft Policy Framework and Site Selection Guidelines?

Neutral

Please explain your answer.

The marine environment is an essential resource for coastal communities, underpinning the local economy and is part of a rich history in the Hebrides. HPMAs need to be developed with input from all stakeholders and implemented with an appropriate and just transition period. HWDT believe coastal communities should be at the heart of ecosystem-based decision making, and as demonstrated by the Lamlash NTZ, community involvement will be key for HPMAs to realise their full potential for conservation and the local economy.

There needs to be a greater local community representation to inform the island communities impact assessment (ICIA). The stakeholder mapping exercise must consider community level stakeholders (both geographic communities and communities of interest i.e. local island community development trusts and groups), to represent those who best understand the fragile island communities and impacts.

Question 15. Do you think that the implementation of the draft Policy Framework and Site Selection Guidelines will have any significantly differential impacts - positive and/or negative - on island communities?

Not answered

Please explain your answer, including any additional impacts that have not been identified in the partial ICIA screening report.

HPMAs have the potential to become ocean recovery zones, providing crucial sanctuaries for marine life, helping support a sustainable future for activities including some forms of fishing and tourism, benefiting nature and people for generations to come. Developed with stakeholder involvement and the subsequent backing of communities, HPMAs could have significant long-term benefits through increased resilience to climate change, and large scale-scale ecosystem recovery bringing benefits for the environment, economy, and society. However, in order for HPMAs to achieve this, they must be developed as part of an ecosystem-based approach in collaboration with local communities with support available for those affected as part of a just transition.

PART 5: PARTIAL BUSINESS AND REGULATORY IMPACT ASSESSMENT (BRIA)

Question 16. What is your view of the partial BRIA as an accurate representation of the potential impacts, issues and considerations raised by the implementation of the draft Policy Framework and Site Selection Guidelines?

Neutral

Please explain your answer.

As explained in our responses to questions 13, 14 and 15, HWDT believe a framework for a just transition and a case study of a hypothetical HPMA must be developed in collaboration with marine stakeholders and coastal communities to ensure all potential impacts, issues and considerations have been taken into account prior to sites being developed.

We note that the list of stakeholders that have been engaged with directly is limited. We believe there needs to be a greater local community business representation i.e. through local island community trusts, to inform the business and regulatory impact assessment (BRIA) so that those who best understand the fragile island communities are part of the process to ensure the impacts across all sectors have been identified and considered.

Question 17. Do you think that the implementation of the draft Policy Framework and Site Selection Guidelines will have any financial, regulatory or resource implications - positive and/or negative - for you and/or your business?

Not answered

Question 18. If you answered “yes” to the previous question, please specify in the text box below, which of the proposals/actions you refer to and why you believe this would result in financial, regulatory or resource implications for your business.

Answer:

Not answered

PART 6: OUR COMMITMENT

Question 19. Do you have any further thoughts on the Scottish Government’s commitment to introduce HPMA’s to at least 10% of Scottish waters?

Please add your response below.

Our marine environment needs protection, we must improve the resilience of our seas in the face of the global biodiversity crisis and climate emergency. There is strong evidence to support that when areas are highly protected, there is a positive impact on ecosystem recovery with benefits for the environment, local economy, and quality and quantity of fish stocks. Lamlash Bay, on the Isle of Arran, was designated a no-take zone in 2008, prohibiting the removal of marine life by any method – similar levels of protection to the current Scottish Government proposal for HPMA’s. Studies of this area demonstrate the positive impact that highly protected marine areas can have on biodiversity when implemented as part of wider protective measures and with the support of local communities.

Community buy-in is essential if conservation objectives are to be successful. The marine environment is an essential resource for coastal communities, underpinning the local economy and an intrinsic part of the rich heritage found in the Hebrides. Input from all stakeholders is essential in the development of HPMA’s. HWDT recognise the serious concerns and fear that local communities have raised in response to the current proposals. The draft policy framework needs to be considered holistically across all aspects (environmental, social and economic), with more involvement with stakeholders and local communities before site proposals are developed. Communities need to be at the centre of ecosystem-based decision making.

HPMAs must be considered alongside wider spatial management and conservation measures. There needs to be more clarity on how these different pieces of legislation work together to deliver conservation objectives and support the sustainable use of the marine environment (such as well-managed low impact activities like creel and hand dive fishing, and shellfish and seaweed aquaculture). If done properly, with stakeholder involvement and the backing of communities, HPMAs could have significant benefits and could become ocean recovery zones, providing crucial sanctuaries for marine life, helping support a sustainable future for activities, benefiting nature and people for generations to come.