APPENDIX F

RESPONSE FORM

DRAFT SEAWEED POLICY STATEMENT 2013

1. Do you agree with policies 1-6? YES

State any you agree or disagree with, and your reasons.

Shetland Islands Council is in general agreement with policies 1 – 6 but comments made in response to Q5 should be taken into consideration with regard to policy 1.

As set out the policies accord with those that require consideration when determining applications for other forms of aquaculture.

2. Should policy 2 require local provenance, i.e., stock must originate from the water body the seaweed is to be grown in? YES/ ~~NO~~

State your reasons:
The requirement for local provenance, i.e. ongrowing of species native to Scottish waters, as set out in Policy 2 is welcome for the reasons set out in paragraph 7.2.13 of the SEA particularly with regard to minimising the risk of disease, preserving genetic integrity and minimising the introduction of invasive non-native species.

3. Do you agree with policy 7? YES/~~NO~~

State your reasons:
Agree in principle with policy 7 but please refer to comments in response to Q5. Given the size of so called 'medium scale' developments the opportunity to assess such applications from an environmental perspective (including mitigation) is welcome particularly as shellfish developments are exempt from the EIA Regulations.

4. Do you agree with policies 8 and 9? YES

State any you agree or disagree with, and your reasons:
Whilst supporting the concept and principle behind IMTA it is considered that much more scientific research is required before applications for this type development can be determined as the environmental and economic aspects need to be fully understood. At this stage it is unclear as to what tonnage of shellfish and/or macro-algae production would be required to mitigate the environmental effects from, say, a 1500 tonne salmon farm. As such the spatial implications for this type of development are unknown and it would be difficult to factor them in to both National and Regional Marine Plans. The IMTA applications to-date have not been made with a view to mitigating environmental impact.

Another factor requiring consideration is the development of IMTA in areas or water bodies that already support some shellfish developments. The introduction of shellfish at a salmon farm to mitigate environmental impact could result in the biological carrying capacity for the area being exceeded resulting in reduced growth and production (and an economic impact) on the existing commercial sites. Alternatively the waste products from the salmon farm may have been helping to maintain the growth and production at nearby shellfish sites so that the introduction of shellfish at the salmon site cause this to be reduced even though the overall biological carrying capacity for the water body is not exceeded.

Policy 9 could perhaps be reworded to cover IMTA in association with salmon farms. The case for a presumption against farming all marine fin fish species on the north and east coasts of Scotland is not supported and that for salmon is inconclusive. IMTA may well be effective for other marine fish species in ameliorating environmental inputs.

5. Do you think that the size scales (shellfish (small), medium, and extensive), are appropriate? NO

Give your reasons
The terminology is acceptable but the size limits are considered to be inappropriate. A shellfish site of 40 x 200m double headrope longlines is not 'small' or 'shellfish' scale and would produce in the region of 800 – 1000 tonnes of shells. Shellfish sites are typically 8 – 12 x 200m lines, a large site might have 20 lines. Accordingly more appropriate size limits would be: small (shellfish) 1 – 20 x 200m lines, medium 21 – 40 lines and extensive more than 40 lines. Even at these lower size limits policies 1 – 9 are still valid and appropriate.

Whilst acknowledging that marine origin biofuels would not impact on limited land and freshwater food production resources they could, at sizes in excess of tens of thousands of hectares, impact on food production areas in the marine environment by coming into conflict with fishing and aquaculture activities for example.

6. Which consenting option would be most appropriate for seaweed cultivation? OPTION 2

Give your reasons
Shetland Islands Council consider that Option 2 is the only way forward.

The other three options continue the potential for confusion amongst developers and public alike as highlighted under the 'current regulatory regime' as two consenting regimes would continue to operate. It also seems incongruous that a modification that results in a move from one size category to another should result in a change to the consenting regime. There is no logic for this approach (Option 3).

Similarly it seems illogical to have two consenting regimes based on whether the development is part of some integrated set-up or a standalone one (Option 4).

As seaweed cultivation is recognised worldwide as a form of aquaculture (and is implied in paragraph 1 of Option 1 both in principle and in terms of the infrastructure used) it makes sense for it to be considered alongside all other forms of marine farming. This option allows for IMTA developments to be considered holistically, involves amendment of only one piece of legislation (the Planning Act) and removes issues from a developers' perspective if they modify a site so that it moves from one consenting regime to another.

Transfer to the planning system also promotes closer integration between the marine and land planning processes as promoted by the National Marine Plan. This will be facilitated by the fact that the Local/Planning Authority will be involved in the Marine Planning Partnership, whatever form they take within each Scottish Marine Region.

The points raised against transfer to the planning regime have little or no validity. Why is it a problem to have some marine developments out with a marine licensing regime? Aquaculture developments do so without any difficulty and including seaweed cultivation, which is a form of aquaculture, should not be a problem. Planning Authorities have been dealing with complex and detailed Environmental Statements for decades whether associated with terrestrial or marine developments such as the marine aspects of s36 oil and gas developments and marine fish farms. They are therefore well placed to consider and interpret the environmental significance of seaweed farms. To maintain that Marine Scotland are best placed to do this is based on misconception and belittles the expertise that resides within Scottish Planning Authorities.

7. Should guidance be developed for the harvesting of wild seaweed? If not, what (if any) alternative arrangements would you suggest?

As there is as yet no indication that the current level of wild seaweed harvesting is having an environmental impact a regulatory regime would appear to be superfluous at this time. Recognising that the potential for growth exists there may be benefit in developing some guidance that promotes good practice.

8. Should the 1997 Act should be amended to provide the flexibility to farm other species or specifically named species? YES/~~NO~~

State what named species should be included, and provide your reasons.

Based on current indications it is recommended that the 1997 Act be amended by the substitution of 'sea urchins' with 'echinoderms' and the addition of 'macroalgae/seaweed species'. The former allows for current and potential future species (sea cucumbers and starfish) to be included. All other fin fish and shellfish species that have potential are covered by the existing wording.

9. Do you have any comments to make on the BRIA content?

No comments