

## CONSULTATION QUESTIONS

### General questions

Question 1: Do you consider that the overall number of seal haul out sites proposed at national/regional/local level represent a reasonable balance between seal conservation and other sustainable activities around the Scottish coastline?

Based on the desire to include 50% or thereabouts of the two seal species across the various seal management areas, the number of proposed haul out sites seems appropriate.

Question 2: Do you consider that additional sites should be included at national/regional/local level and, if so, why, how many additional sites and which sites?

Question 3: Do you consider that fewer sites should be included at national/regional/local level and, if so, why, how many fewer sites and which sites?

Question 4: Do you agree that existing Special Areas of Conservation for seals should be added to the list of seal haul out sites being considered for possible designation?

It is considered appropriate that existing SACs designated for their seal interest be included in the list. There would be no conflict between the conservation objectives under the SAC designation and the designation under these proposals.

Question 5: Do you consider that particular national or regional level activities might represent a potential risk of harassment to seals on haul out sites in general?

See response to Qu 6.

Question 6: Do you consider that particular local activities might represent a potential risk of harassment to seals on particular haul out sites included on the list?

It is considered that any activity in the marine environment has the potential to increase the risk of harassment to seals hauled out. The activities range from inshore fishing and other commercial vessel movements, recreational pursuits, aquaculture, laying of cables and pipelines, installation of developments (e.e. marine renewable), etc.

From a Shetland perspective a number of sites identified are in close proximity to the activities described above (098, 088, 080, 089, 082, 092, 084, 081, 100, 083, 086, 144). However, the fact that seals continue to haul out at these sites suggests that the animals have habituated to the activity. It is interesting to note that some of the largest declines at haul outs around Shetland are at those well removed from any marine activity. This perhaps suggests that the decline in population is down to a combination of current and food source shifts to the extent that the population could not be sustained at previous levels rather than direct interactions with 'industrial' marine activities. Steps to ensure that the situation is not exacerbated by marine activities are appropriate.

Are there any proposals to define what constitutes 'harassment'? Without this it will be difficult to assess whether a particular activity has resulted in harassment and whether this was accidental or deliberate. Additionally a definition would enable regulatory authorities to develop appropriate mitigation measures when consenting marine developments – this could include spatial or temporal exclusion zones or a combination of the two with the zones varying in accordance with the more sensitive periods of the animal's life cycle.

Question 7: Do you have any views on whether the boundaries of particular haul out sites included on the list might be revised ?

### Equality assessment

The Scottish Government must ensure that any policies that it implements do not unduly discriminate against persons defined by age, gender, disability, sexual orientation, race and religion and belief. We would welcome your views on whether you believe that any of the propositions set out in this consultation paper will unduly impact on any of these groups mentioned.