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Dear Clerk to the Petitions Committee,

PETITION PE1431

Thank you for your letter of 28 June 2012. RSPB Scotland welcomes the opportunity to respond to questions from the Public Petitions Committee on the petition from the Fair Isle community.

Seen in isolation, this is one petition from one community; but in fact this petition boldly identifies concerns with the way the Marine (Scotland) Act 2010 is being implemented throughout our waters. Like the Fair Isle community, RSPB Scotland is concerned that the spirit and ambition of the Act, which received cross-party and industry support, is not being fulfilled, and we believe that the Fair Isle community's petition embodies this. Their petition is timely and crucial because:

- Many of Scotland's internationally important seabird populations, particularly in the Northern Isles, are in a parlous state. Fair Isle is no exception – marine protected areas (MPAs) are vital to build resilience into the Fair Isle's seabird populations.
- Despite the EU Birds Directive coming in to force over 30 years ago, there is still not a single protected area for foraging seabirds at sea, and seabirds are being almost completely ignored in the Marine Protected Area selection process under the Marine (Scotland) Act.
- More broadly, the Marine Protected Area selection process lacks ambition and does not adequately recognise that much of Scotland's seas are in a heavily degraded state, as the Scottish Government's own Marine Atlas illustrates.

The Cabinet Secretary will report to the Scottish Parliament at the end of this year on proposals for the Marine Protected Area network, before public consultation on these proposals in early 2013. Scotland's marine environment is facing increasing stress. It is more important than ever that these proposals are ambitious and comprehensive, protecting the best areas for marine species and habitats, and recognising that Scotland's seas are an invaluable natural asset for Scotland's people and in particular for coastal and island communities such as Fair Isle.

What are your views on what the petition seeks?

We believe that what the petition seeks is positive, and we support the designation of a Marine Protected Area in the waters around Fair Isle¹. Work done by the community, academics and government advisors indicate that the waters around Fair Isle are significantly biologically important, including several 'priority marine features'² in addition to seabird colonies of international importance. Humanity's reliance on the health of the natural environment is becoming ever clearer (through work like The Economics of Ecosystems and Biodiversity³) and remote communities like Fair Isle provide some of the most obvious examples of this. As the islanders have noted extensively, their local economy is heavily reliant on tourism, and the rich biodiversity of the island is a significant draw for visitors. Without a healthy marine environment, the livelihood of many people is likely to suffer – a clear example of why we should protect biodiversity not only for its own sake, but for our sake too. The Tourism Minister recognised the importance and potential of wildlife tourism recently with the launch of 'The Wildlife Tourism in Scotland' guide⁴.

The island is also a hub of world-leading research. In recent years RSPB Scotland staff have undertaken innovative seabird tracking from the island using specially engineered GPS devices. This work has already given us new insights into the foraging behaviour of seabirds, and will be critical in informing at-sea protection for these species, as well as sustainable marine planning and development. The research undertaken on Fair Isle is integral to the visitor experience, and it goes without saying that this could not exist without birds to study – so adequate protection, including that of the marine environment, is essential.

The Committee is interested to hear what your assessment is of the impact and benefits of a proposed MPA designation for Fair Isle, in terms of protecting birds and the environment

Given the current state of one of the island's greatest assets – the incredible seabird colonies – it should be no surprise that the people of Fair Isle feel a sense of urgency in improving protection for the waters around their island. The unanimous support from the islanders for this proposal emphasises this. According to figures submitted in the community's MPA proposal⁵, razorbill numbers declined by 60% between 2005 and 2010; puffins by 46% between 2001 and 2009; Arctic terns completely failed to breed in 2010 and in the same year kittiwake numbers at monitoring plots were a dismal 12% of what they were 20 years previous. Scottish Natural Heritage have assessed that the conservation status of puffins, Arctic tern, kittiwake and shag are all 'unfavourable

¹ The RSPB have previously supported some of the community's work in developing improved conservation measures for Fair Isle's marine environment:

http://www.fairisle.org.uk/FIMETI/Reports/Managing_the_Sea/frontis.html

² <http://www.snh.gov.uk/protecting-scotlands-nature/safeguarding-biodiversity/priority-marine-features/>

³ <http://www.teebweb.org>

⁴ <http://www.bbc.co.uk/news/uk-scotland-scotland-business-18781406>

⁵ http://www.fairisle.org.uk/FIMETI/Reports/MPA/FAIR_ISLE_MPA_Proposal_Parts%20I&2_smaller.pdf

declining'. This is in spite of the fact that birds are currently protected on land through a Special Protection Area (SPA) that includes a 2km extension into the marine environment to protect seabird 'maintenance' activities (e.g. preening, courtship etc).

Unfortunately, this is where marine protection for the seabirds stops - a problem that goes well beyond Fair Isle waters. In the entirety of Scotland's seas, there is not a single area designated to protect the important places where seabirds feed. This is a glaring oversight in the conservation of several declining species that are completely dependent on the marine environment for survival. Furthermore, seabirds have been almost entirely left out of consideration in the MPA selection process, an issue RSPB Scotland has raised continuously since 2010. It would appear that some of Scotland's most iconic species are likely to be left out of the protected area network. A significant amount of the current resource invested in seabirds is concerned with monitoring their continued demise, with little invested in implementing conservation measures to arrest it. Indeed, even this existing monitoring resource is set to decline, as Scottish Natural Heritage will soon cut a six-yearly monitoring cycle for Site Condition Monitoring of seabird SPAs to a fifteen-yearly monitoring cycle.

On top of this troubling picture for seabirds, the Scottish Government's own 'Marine Atlas'⁶ shows that in the broader north Scotland area, shallow subtidal sediments, harbour seals and shark & ray species are all in a degraded and declining condition.

With this as a backdrop, RSPB Scotland believes that an MPA around Fair Isle would make an excellent contribution to the overall network of protected sites. Depending on the extent of the site and how it is managed, an MPA could significantly benefit seabird species that forage relatively close to their nesting sites on Fair Isle (shag and black guillemot in particular). In addition, an MPA would offer the potential for expansion of other species/habitats, some of which are presently restricted in their distribution around the island, including blue mussel and maerl beds, coral and sponge communities. This is the concept of 'recovery', for which there appears to be limited scope in the current list of MPA proposals. Scottish Government recognises that Scotland's seas are in a degraded state, and that MPAs represent an opportunity to demonstrate that recovery is possible, with potentially significant spin-off benefits for local communities. Since the economic future of Fair Isle is inextricably linked with the future of the marine wildlife associated with the island, the major 'human' benefit of an MPA would appear simple and fundamental – the continued existence of a community on the island.

As this broad-reaching response indicates, there are issues with the current marine protection provisions that go beyond Fair Isle – but the island provides an excellent case-in-point of the potentially perverse outcome of what is hugely promising legislation. The Marine (Scotland) Act 2010 needs to fulfil the promise and ambition that Scotland's incredible marine life and coastal communities deserve.

⁶ <http://www.scotland.gov.uk/Topics/marine/education/atlas>

Recommendations

It is the view of RSPB Scotland that the Petitions committee should:

- Recommend to Marine Scotland that the Fair Isle MPA proposal goes forward on the list of sites for public consultation in 2013;
- Recommend to the Rural Affairs, Climate Change and Environment Committee that it be mindful of the concerns and considerations of the Fair Isle community, ensuring that the MPA network is fit-for-purpose, ambitious and reflects the importance of Scotland's marine wildlife.