

## **CONSULTATION QUESTIONS**

**1. Do you support the development of an MPA network in Scotland's Seas?**

Yes  No

We support the development of an MPA network that is based upon sound science and data, that takes existing and future operations into account and that is appropriately managed. The latter point is pertinent to oil and gas operations in that the boundaries of the proposed MPAs surround 36 fields which produced approximately 14% of UKCS hydrocarbons in 2012. Inappropriate management measures could affect the viability of these resources, to the detriment of the UK as a whole. It is also important that all pressures are effectively managed within an MPA – there is little point in one sector putting in place costly mitigation measures if there are uncontrolled sectors operating in the same area.

### **Individual possible Nature Conservation MPAs**

**2. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Clyde Sea Sill* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**3. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East Caithness Cliffs* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**4. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East of Gannet and Montrose Fields* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments The boundaries of this pMPA have been drawn to encompass both ocean quahog and deep sea mud features. Our primary problem with

this designation is that boundary encloses fifteen existing fields which produced approximately 29,000 barrels of oil equivalent per day (boepd) during 2012 and two of the most significant pipelines on the UKCS pass through the proposed area. In addition, the entire area is under licence for hydrocarbon production and 21 of the licences were awarded in the last two licencing rounds – indicating significant future prospectivity in the area.

The most likely management measure – minimising or avoiding the introduction of materials that alter the habitat type - might not be possible to comply with if maintenance is required on these pipelines.

The distribution of ocean quahog within the pMPA appears to be clustered. This is, however, an artefact of the sampling undertaken by the industry. Given the homogenous nature of the seabed throughout the pMPA it is likely that the quahog is also well distributed and as a result the boundary could be much smaller, avoiding the existing operations but still encompassing the least damaged, more natural areas.

Overall we would question the validity of this designation, over such a productive hydrocarbon area, where disturbance will have already occurred to some degree and management measures might be difficult to implement.

**5. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Faroe-Shetland sponge belt* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes X No

Comments Whilst we appreciate the importance of the habitats and features for which this pMPA is to be designated we would question the size of the proposal. This is one of the most productive and prospective areas of the UKCS, producing 90,000 boepd during 2012. 52 of the 69 licences within the pMPA boundary were awarded in the last two licencing rounds – an indication of the importance of the area in future production.

The two proposed management measures – micro-siting and minimising or avoiding the introduction of materials – might not be possible to comply with. The placement of sub-sea infrastructure is dependent on both surface and subsurface geology and it might not be possible to change the location and still develop the reservoir. Given the hydrodynamic regime in this area it is also possible that infrastructure might need to be protected with rock dumping or mattresses.

It should also be noted that the BRIA fails to recognise the significant costs of surveying in this area that would be required to micro-site subsea wellheads or to locate alternative pipeline routes.

As the features to be protected are thought to be coherent across the area, we would suggest that the pMPA boundary is revised to avoid the existing infrastructure and the more prospective areas.

**6. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Fetlar to Haroldswick* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**7. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Hatton-Rockall Basin* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**8. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Creran* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**9. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**10. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart to the Sound of Jura* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**11. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sween* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options:

Yes  No

Comments

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**12. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Lochs Duich, Long and Aish* possible Nature Conservation MPA?**

Designation:

Yes  No

Comments

Management Options:

Yes  No

Comments

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

**13. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Monach Isles* possible Nature Conservation MPA?**

Designation:

Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**14. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Mousa to Boddam* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**15. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-east Faroe Shetland Channel* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes X No

Comments As with the Faroe-Shetland Channel proposal, we consider this pMPA to be larger than required to deliver the nature conservation objectives. Whilst this area has no current hydrocarbon production there 58 licences within the boundary, 50 of which were awarded in the last two licensing rounds. This is indicative of significant prospectivity in the areas.

The proposed management measures, additional survey costs and uncertainties around management of the pMPA, could affect the viability of some projects.

**16. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west Orkney* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No X

Comments

**17. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west sea lochs and Summer Isles* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**18. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Noss Head* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**19. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Papa Westray* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**20. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Rosemary Bank Seamount* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**21. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Small Isles* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**22. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *South Arran* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**23. Do you have any comments on the case for designation, management options and socioeconomic assessment for *The Barra Fan and Hebrides Terrace Seamount* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**24. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Turbot Bank* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**25. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Upper Loch Fyne and Loch Goil* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**26. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *West Shetland Shelf (formerly Windsock)* possible Nature Conservation MPA?**

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

**27. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Wyre and Rousay Sounds* possible Nature Conservation MPA?**

Designation:

Yes  No

Comments

Management Options:

Yes  No

Comments

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

## Choices to represent features in the MPA Network

**28. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea, do you have a preference or comments on the following combinations to represent these features, bearing in mind Turbot Bank will need to be designated to represent sandeel in this region:**

- Firth of Forth Banks Complex
- Turbot bank and Norwegian Boundary Sedimentary Plain
- Or Firth of Forth Banks Complex, Turbot bank and Norwegian Boundary Sedimentary Plain

Comments Our preference would be for the Firth of Forth Banks Complex.

**29. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea?**

Yes  No

Comments The Norwegian Boundary Sediment Plain area surrounds two current fields which produced approximately 11,000 boepd during 2012. The area is covered by six licences. Given that it is likely that ocean quahog distribution is wider than existing data shows, we believe it unnecessary to designate this pMPA.

It should be noted that the Turbot Bank pMPA is covered by a licence, although there is no current production.

**30. Recognising the scientific advice from JNCC included alternatives for representing the burrowed mud feature in the Fladens, do you have a preference or comments on the following combinations to represent these features, bearing in mind the part of Central Fladen (known as Central Fladen (Core)) containing tall seapen (Funiculina quadrangularis) will need to be designated to represent tall seapen in this region:**

- Central Fladen pMPA only
- The tall sea-pen component of Central Fladen, plus Western Fladen
- Or the tall sea-pen component of Central Fladen, plus South-East Fladen.

Comments Our preference would be for the Central Fladen pMPA only

**31. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing the burrowed mud feature in the Fladens?**

Yes X No

Comments

The Western Fladen and SE Fladen boundaries surround several fields which produced 18,000 and 66,000 boepd respectively during 2012. The Central Fladen and Core areas have four licences but no current production. If the Central Fladen area is sufficient to deliver the network requirements then potentially affecting highly productive areas cannot be justified.

**32. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V, do you have a preference or comments on the following combinations to represent these features:**

South-West Sula Sgeir and Hebridean slope

Or Geikie slide and Hebridean slope

Comments

**33. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V?**

Yes  No X

Comments

## **Sustainability Appraisal**

**34. Do you have any comments on the Sustainability Appraisal of the MPA network as a whole?**

Yes X No

Comments In section 4.2.5 the SA correctly identifies that the potential costs for the upper scenario are significant. The costs provided, however, do not reflect the costs of additional surveys required to underpin mitigation to deliver the management measures. In deep water areas these costs will themselves be significant. In this section the SA also makes an incorrect assumption that should be challenged. It states – “while the scale of the potential impacts is large, the overall scale of investment in oil and gas projects is also large”. This implies that ‘environmental costs’ are not material when project costs are high. This is not necessarily the case. Potential projects on the UKCS being considered by multinational companies have to compete for funding with other basins in the company portfolio where return on investment might be better. Any potential additional costs or uncertainties can affect the viability of a project. Similar issues are faced by companies that rely on the financial markets to raise capital for projects.

The SA reflects that – “such impacts are unlikely because JNCC’s current advice is that the intermediate scenario represents their best view of on potential management requirements”. This level of uncertainty exacerbates the financial issues.

## **Final Thoughts**

**35. On the basis of your preferences on which pMPAs should be designated, do you view this to form a complete or ecologically coherent network, subject to the completion and recommendations of SNH’s further work on the 4 remaining search locations?**

Yes  No

Comments

**36. Do you have any other comments on the case for designation, management options, environmental or socioeconomic assessments of the pMPAs, or the network as a whole?**

Yes  No X

Comments

The primary uncertainties are:

- Quality and availability of data on the distribution of protected features within the MPA
- Criteria to be applied by regulators in determining 'no significant risk'
- Application of management measures

The pMPA boundaries surround 36 fields which produced some 14% of UKCS hydrocarbons in 2012. Whilst it should be business as usual for existing operations, there is some uncertainty around how management measures might be applied. For example, will there be a greater requirement for surveys prior to pipeline rock dumping to identify the presence or absence of protected features?

The implications for new developments are more significant. If micro-siting is a management measure that could be relevant, the operator might be required to undertake detailed baseline surveys to confirm the distribution of protected features, particularly along pipeline routes. Despite the fact that the site designations will be made on currently available data, this will be insufficient for impact assessment and the onus will be on the developer to provide sufficiently detailed survey data.

The concept of micro-siting raises the issue of whether the size of the pMPA should be questioned. It is likely that the MPA network will be managed in a similar way to SACs. Previously, a large protected area was an advantage in that an individual project or even a combination of projects would be unlikely to have a significant impact on the conservation objectives or integrity of the site. Recently, however, regulators and stakeholders seem to be focussing on the potential impact at the site of operation rather than the protected area as a whole.