

CONFIRMED MINUTES

**Minute of the Moray Firth SAC Management Group Meeting
Great Glen House, Inverness, Wednesday 3 December 2009.**

Present (Group Members):

James McKie (JMCK) (Chairman)	Marine Scotland (MS)
Ben Leyshon (BL)	Scottish Natural Heritage (SNH)
Captain Ken Maclean (KM)	Inverness Harbour Trust (IHT)
Jim Dickson (JD)	Maritime & Coastguard Agency (MCA)
Inger Soderstrom (IS)	Dept of Energy & Climate Change (DECC)
Shona Turnbull (ST)	The Highland Council (THC)
David West (DW)	Ministry of Defence (MoD)
Colin Craig (CC)	Scottish Environment Protection Agency (SEPA)

In Attendance (Secretariat / Other Invitees):

Nicholas Lake (NL)	Moray Firth Inshore Fisheries Group (MFIFG)
Kathryn Logan (KL)	Moray Firth Partnership (MFP / Secretariat)
Dominic Shann	Moray Firth Partnership (MFP / Minute taker)

Apologies:

Doreen Bell (DB)	Scottish Water (SW)
Sonia Mendes (SM)	Joint Nature Conservation Committee (JNCC)
Captain Ken Gray (KG)	Cromarty Firth Port Authority (CFPA)
Paul Bancks (PB)	The Crown Estate (TCE)
Martin Latimer (ML)	Whiteness Harbour Authority (WHA)
Michael Middlehurst (MM)	Grampian Police (GP)
Keith Beaton (KB)	Scottish Environment Protection Agency (SEPA)

1. Welcome and apologies

The Chairman welcomed everyone, and particularly the new representatives present - David West for the Ministry of Defence, and Dr Nicholas Lake for the Moray Firth Inshore Fisheries group.

Apologies were noted.

2. Matters arising from minutes of the last MG meeting 09 June 2009

(1) Update on Actions from previous meeting:

Members reviewed progress on the list of actions arising from the last meeting and were pleased to note that so many of the actions were complete. The Chair thanked the group for its hard work during the consultation process, and gave special thanks to Rachel Duncan of Marine Scotland whose help in incorporating amendments to the Revision 2 document was invaluable.

(2) Corrections to Minute 09/06/09

Some minor corrections /additions were made to the minute which was then approved as a correct record, to be uploaded to the MFP website as the public record of the meeting. **(031209-AP01)**

(3) IS mentioned that Phase 1 of the Noise Report for the Moray Firth would be completed in January 2010 and would be circulated to members. Whether Phase 2 goes ahead is dependent on the results of Phase 1. **(031209-AP02)**

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3. SAC Management Scheme, Revision 2 – Review of responses following launch

The group discussed the significant local and national media coverage of the Revision 2 launch. It was **agreed** that members should make greater efforts to highlight and record the added value and positive effects of the Management Group, and to gain recognition for the achievements and projects that would not have been pursued were it not for the group and the Management Scheme. **(031209-AP03)**

The Group also considered correspondence received following the launch:-

(1) Moray Council

With reference to Activities D8 & S8, relating to dredging, Moray Council had requested:

- a) An addition to the “Existing control of activity” section relating to Marine Scotland’s licensing procedures; and
- b) Reference to repeated observations of dolphins swimming alongside dredgers which it claimed is “at odds with the report’s claim that engine noise from such vessels is harmful to them”.

During discussion, it was noted that:-

- a) The document would have become too large if all ongoing measures, such as licensing under the Food and Environment Protection Act (FEPA) were mentioned for each activity, but there should be sufficient and clear general reference within the document to the measures in place and current good practice; and
- b) Although this was not a scientifically robust observation, it was recognised that dolphins do approach boats and that this should be reflected in the document to provide a balanced picture.

It was **agreed** that the Chair would acknowledge correspondence from Moray Council and liaise with members of the group to consider any additional text to be incorporated during the first annual review of the Rev.2 document. **(031209-AP04)**

(2) Whale & Dolphin Conservation Society

The group considered the letter from the Whale & Dolphin Conservation Society (WDCS), which reaffirmed their interest in joining the SAC Management Group. After a considered discussion the group stood by the position agreed at the SAC MG Meeting 030309; that in order to work efficiently, membership of the SAC MG would remain restricted to relevant authorities but the MG would welcome engagement with WDCS on the same basis as other current advisors and observers. The WDCS will be invited to give a presentation at the June 2010 meeting.

The Moray Firth Inshore Fisheries Group, which had no statutory powers and was not a relevant authority, was likewise not a member of the MF SAC Management Group and had been invited to that meeting as an advisor to the group on fisheries issues.

The MG recognised the contribution the WDCS could make on dolphin related issues, although noting that the WDCS wished to see actions extended beyond the SAC which was beyond the remit of the group. The MG was about to embark on a review of its future role and this would include looking at ways to engage more closely with other organisations.

The group also considered two other points raised in the WDCS letter:

1. The effectiveness of voluntary monitoring overseen by the Dolphin Space Programme (DSP).
2. The proposed extension of the Ministry of Defence (MoD) exercise “Joint Warrior” into the Moray Firth in October 2009, and the SAC MG’s role in giving appropriate consideration of this, and other activities outside the SAC but within range of the dolphins.

With respect to the first point, the group considered that the DSP steering group was the appropriate body to deal with this issue, and this had been reflected during the recent DSP

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meeting where a sub group had been set up to deal with a number of incidents / contraventions of the code reported over the summer.

With respect to the second point it was noted that the MoD had consulted at a high level with both JNCC and SNH. It was agreed that it was not the role of the SAC MG to get involved in individual cases where the issue was a matter for the relevant bodies, who in this case had been consulted and responded as appropriate.

It was agreed that the Chair would reply to WDCS, reiterating the group's original stance on MG membership, issuing the invitation to the next meeting, and outlining the group's position on the other issues as above. **(031209-AP05)**

4. SAC Management Scheme, Revision 1 Scheme - Closure Report

The Group welcomed the report prepared by the MFP which summarised why the Rev.1 Scheme had to be updated, lessons learned and the changes incorporated into Revision 2. (This included splitting actions into a "SMART" action plan for works to be completed within a three year period, and an "ongoing" action plan noting longer term provisions.) The Rev.1 scheme had 130 dolphin related actions and 33 sandbank actions, and the report detailed which actions had been completed/discharged, which were being achieved by other means, and which were included in the Revision 2 scheme either as new actions, or as ongoing actions. Members recognised the value of having this permanent and concise record which charted the progression of the scheme. The Revision 2 process started in 2007 and ended with the publication of the scheme in September 2009. Minor changes and updates to the live Rev.2 document and to the action plan would be incorporated on an annual basis, which would avoid the need for a full scale review for some considerable time.

Some minor background information was still required to complete the audit trail re completed/discontinued actions from the Rev.1 scheme, and it was **agreed** that the MFP would email the lead partners concerned to obtain this. **(031209-AP06)** A version of the report was to be included on the website as a permanent public record. The group was asked to feed back any further comments to the paper within a week. **(031209-AP07)**

It was confirmed that the reporting and monitoring process for the Revision 2 actions should differentiate between actions which member organisations were carrying out as part of their statutory duties, and those actions which were additional, to help highlight the added value and achievements of the SAC group. The example of D03.1.1 (New Action D01) was given, which SEPA are doing anyway. **(031209-AP08)**

NL offered the following comments on the Rev.2 actions:-

- Action D02 (ballast water discharge/ introduction of non native species). There were recorded instances in Southampton and elsewhere, where cruise ships had discarded surplus, live food stock, such as Canadian Lobsters, by throwing them overboard. There were also records of discarded Chinese crabs surviving in the Clyde. Given the significant number of cruise ships visiting the Cromarty Firth, there was therefore a need to highlight concerns, and to promote good waste management/ disposal procedures on such vessels.

During brief discussion of this issue, the group noted that there were already strict controls in place and severe penalties if vessels were caught discarding things overboard. Issues relating to ballast water normally relate to trade vessels as passenger vessels carry relatively little ballast. There are guidelines in place for the discharge of ballast water but the difficulty comes with monitoring water quality as there is no international standard as yet, and there is reliance on vessels adopting good practice. Protocols are being developed and an IMO international agreement is in the offing, which should help in future, but all governments need to adopt these and there is a long lead in time to enable trade ships to make the necessary

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structural changes. It was noted, as an example of good practice, that many of the new Royal Navy vessels use ultra violet treatment on ballast water.

It was **agreed** the Chair should discuss this issue of cruise-ship waste management with Cromarty Firth Port Authority. **(031209-AP09)**

- Actions D08 and S03 (fishing): Marine Scotland should be the lead body because the MF Inshore Fisheries Group does not have statutory powers.
- Action D10 (or a possible new Action D12 re Renewable Energy): The Beatrice Field, although outside the SAC area, is well within the dolphin range. Outline plans for the Beatrice offshore wind farm development included more than 200 turbines, capable of producing 920 MW (equivalent to a medium sized nuclear power station). This would likely require over 200km of cables being laid in trenches on the sea bed, to link the turbines to one DC power line coming ashore. Unlike land-based power lines which can be oil cooled, these cables would suffer significant heat loss, causing thermal and electro-magnetic field pollution. The potential effects such sub-sea cabling might have on the dolphins, sandbanks and other wildlife should be seriously looked at. A mere 10MW sub sea cable elsewhere was cited, and how this had resulted in a warmed trench packed with starfish.
- Ongoing action D05: The lead body should be Marine Scotland and reference to FOOCG should be removed.

NL added that the concept of Inshore Fisheries Groups had been developed pre-Marine bill and that there should be a full review of the functions of all bodies once the bill was enacted.

Changes to the Lead Bodies noted for Actions D05, D08 and S03 were to be made to the plan as soon as possible to reflect the correct situation. **(031209-AP010)**

The group discussed the process required to maintain and update the 'live' Rev.2 document. It was **agreed** that the MFP would request a preliminary update on actions in April/May 2010, flagging-up any issues in time for the next meeting. **(031209-AP11)** The first full annual review and monitoring of progress on actions would be undertaken in September 2010. **(031209-AP12)**

It was also **agreed** that Marine Scotland would provide administrative back up for the full review in autumn 2010 and update the live document in line with Marine Scotland's earlier commitment to maintain the document on behalf of the SAC group. **(031209-AP13)**

5. Moray Firth Inshore Fisheries Group (IFG) update, Dr. Nick Lake, MFIFG Coordinator.

NL outlined the background to the set up of Inshore Fisheries Groups. These were first proposed in 2005, with the first pilot areas being set up in 2009. There are now 6 IFGs in operation out of 12 originally planned. The formation of the missing 6 IFGs would probably be put on hold, and the whole remit and planned geographic boundaries of IFGs will be reviewed within the next three years. Once the Scottish Marine Bill was enacted in 2010, there would be a need to consider the role (and boundaries) of IFGs and other groups within the planned Marine Regions and Marine Planning Partnerships.

He outlined the structure of the IFG, which comprises an Executive Committee drawn from Fisheries Organisations, supported by a wider stakeholder Advisory Group. The co-ordinator was the only salaried employee. IFG Chairs are independents, appointed by Scottish Government and the Deputy Chairs are elected by the Executive Committee representing working fishermen, who participate on a voluntary basis.

The IFGs all operate under a standard constitution, developed through the Scottish Inshore Fisheries Advisory Group (SIFAG). This sets out the objects of the IFGs and the remit of the

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Executive Committee and Advisory Group in developing a fisheries management plan for each area. The IFGs do not have any statutory powers.

A 3 year funding package for the set up of IFGs was in place covering the Co-ordinator's salary and Chairman's expenses. This was a standard period for public expenditure commitment.

CLr John Cox from Aberdeenshire was chair of the Moray Firth IFG and NL the MF Coordinator.

The Executive Committee of the MFIFG comprised the following fishermen's organisations, together with one elected representative for independent fishermen.

Anglo-Scottish Fishermen's Association
Scottish Pelagic Fishermen's Association
Scottish White Fish Producer's Association
Scallop Association
Fishermen's Association Ltd.
Mallaig and North West Fishermen's Association
Caithness Static Gear Fishermen's Association
Independent's Representative Jim Mitchell

The Executive Committee was asked to identify local issues that they considered important for inshore fisheries management within the areas. These issues would then be considered in the context of the high level objectives developed by SIFAG to guide the development of inshore fisheries (Biological, Economic, Environmental, Governance, and Social objectives).

The main remit of the Advisory Group was to provide technical advice to the Executive Committee on its Fisheries Management Plan for the Moray Firth area (Duncansby Head to Rattray Head out to 6nm). As well as key technical advisers identified within the constitution, such as Scottish Natural Heritage (SNH), Scottish Environment Protection Agency (SEPA), local authorities etc., the MF IFG had invited representation from wider stakeholder interests including the Moray Firth Partnership in relation to socio economic and community issues.

NL explained that the first meeting of the full Advisory Group had taken place the previous week, to consider the process and procedures associated with the development of the MFIFG Fisheries Management Plan. The full Advisory Group would be re-convened once the draft Fisheries Management Plan was ready for consultation. In the interim, individual members or groups of members drawn from the Advisory Group would be called upon to input specific scientific, technical or socio-economic expertise to assist in drafting the Plan.

He outlined the process for the formulation of a Fisheries Management Plan (FMP) by the Executive Committee and the role of the Advisory Group within this. The IFG has no statutory powers, so the FMP has to be taken forward through Marine Scotland, to obtain ministerial approval. (Fishing vessel licensing is excluded from the Scottish Marine Bill, whereas it is included in the UK Marine Act.)

- The IFG Co-ordinator should establish, through the Group, the fishery characteristics and key local issues.
- MS Science and SNH should input available scientific and environmental data.
- The Executive Committee develops local objectives and measures for management.
- MS Compliance advice on the feasibility of identified measures.
- Advisory Group members consulted on proposals
- The IFG Co-ordinator develops the draft plan
- Advisory Group consulted on proposals
- MS Science identifies a research plan
- The Executive Committee signs off the draft plan and submits to SIFAG for approval
- Once SIFAG approves, submit for Ministerial Approval

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- Implementation Plan developed by IFG and relevant bodies, identifying funding sources

It was noted that the IFG has no administrative budget, and that once the FMP plan has been agreed, an implementation plan would be required which identified sources of funding, including match funding that would enable drawdown of European Fisheries Funds.

The Scottish Marine Bill proposes that Scottish Marine Regions will have statutory boundaries and a remit out to 12 nautical miles (nm), with IFGs being part of the marine planning and management process. IFGs have a remit out to 6nm; therefore it was unclear who would be responsible for fisheries management options for the 6-12nm area and beyond. Also, the fact that species controlled are migratory suggests that it is not feasible to control fish just within the 6nm limit.

The issue of whether the MF Inshore Fisheries Management Plan would need to undergo a Strategic Environmental Assessment (SEA) was raised. As the IFG was not part of government, an SEA was not required; however, once the Minister had signed off the plan, there would be a requirement for an SEA. Whether or not an SEA was required, SNH indicated that an Appropriate Assessment would be required under the Habitats regulations.

Other fisheries issues that might impact on the SAC area included the licensing by the Crown Estate of areas around the Orkney Islands and Pentland Firth for wave / renewable energy development, which might have the effect of displacing fishing activity to the Moray Firth.

The Chair thanked NL for a very interesting presentation and the useful points raised in relation to the SAC management scheme.

6. Oil Spill Contingency Planning - presentation by Maritime & Coastguard Agency (MCA)

The MCA was formed in 1998 following the merger of HM Coastguard and the Marine Safety Agency. The MCA has four theatres of activity:

- Search & Rescue
- Salvage – control and containment of the cause of threat
- Counter pollution activities at sea
- Counter pollution activities on the shoreline

The MCA has a variety of resources at its disposal (e.g. observation planes, Emergency Towing Vessels (ETVs), dispersal spray planes, and other specialist salvage equipment, such as booms). The National Contingency Plan (NCP) is one of the measures the UK has taken to meet its obligation to protect and preserve the marine environment, as a party to the UN Convention on the Law of the Sea (UNCLOS).

The UK response system consists of 24 hour support from Maritime Rescue Coordination Centres (MRCCs); the Secretary of State's Representative (SOSREP), the MCA Counter Pollution Branch and DECC Environmental Inspectors. When an incident occurs the NCP comes into action and independent technical and environmental experts will be called.

Responsibility for counter pollution in the UK lies with:

- MCA – lead in pollution at sea from ships. Monitor all pollution clean-up operations. Assume lead role if other authorities become overwhelmed or fail in their statutory obligations.
- Ports & Harbours – statutory responsibility for clean-up operations within their harbour limits.
- Offshore installations – operators have statutory responsibility for clean-up operations.

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- Local Authorities – Accepted non-statutory responsibility for shoreline clean-up operations outside harbour limits

All these plans are linked together under the National Contingency Plan.

Certain obligations, such as having an Oil Spill Contingency Plan, are implemented under the Merchant Shipping Oil Pollution Preparedness, Response and Cooperation (OPRC) Convention Regulations. All offshore installations in UK waters, ports, harbours and oil handling facilities are required to have a plan. There are four categories of plans:

- A - >£1m turnover
- B – 150 GT tanker or 400 GT vessel
- C – Significant risk of pollution more than 10 tonnes
- D – Environmentally Sensitivity Area

The MCA operates a three tiered response:

- Tier 1 – small operational spill within capabilities of on scene resources - response time under 30 minutes
- Tier 2 – Medium sized spill outside capabilities of on scene resources and requiring regional assistance – response time within 6 hours
- Tier 3 – major sized spill requiring national resources and activation of the NCP

The MCA has a Counter Pollution & Salvage Officer (CPSO) on duty 24 hours a day 365 days a year. The CPSO's role includes:

- Make assessment & establish category of incident
- Assume responsibility for CPS implications of incident
- Arrange to deploy resources, e.g. ETVs, air surveillance
- Liaise with SOSREP, DECC etc.
- Inform relevant authorities and organisations

During an incident the CPSO will need to communicate with and coordinate numerous people / organisations, including: SOSREP, ship owners, DEFRA, DECC, environment agencies, ports & harbours, tug companies, oil & gas operators and so on. An important element of the response is remote sensing and aerial surveillance, which can determine size, location and type of spill, at night as well as day, using infra-red and satellite imagery. There are often instances of international cooperation here, e.g. a Norwegian surveillance craft might spot a spill in UK waters whilst investigating an incident.

The role of the SOSREP is to represent the Secretaries of State for the Department for Transport (DfT) (in relation to ships) and for the Department of Energy and Climate Change (DECC) (in relation to offshore installations) by removing or reducing the risk to safety, property and the UK environment arising from accidents involving ships, fixed or floating platforms or sub-sea infrastructure. SOSREP's powers extend to UK territorial waters (12 nautical miles from the coast/baseline) for safety issues and to the UK Pollution Control Zone (200 miles or the median line with neighbouring states) for pollution. SOSREP is empowered to make crucial and often time-critical decisions, without delay and without recourse to higher authority, where such decisions are in the overriding UK public interest.

Working closely with the MCA, its parent organisation DfT and DECC, SOSREP's key responsibilities include:

- acting at the earliest point during a shipping or offshore incident to assess the risk to safety, to prompt the end of any such incident and to ensure that increasing risk is evaluated and appropriate measures taken to prevent or respond to escalation
- monitoring all response measures to significant incidents involving shipping and the offshore industry

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- if necessary, exercising ultimate control by implementing the powers of intervention, acting in the overriding interests of the UK and its environment
- participating in major national and international exercises
- reviewing all activities after significant incidents and exercises

The Secretary of State will back SOSREP's decisions during an incident, or sack him. The current Acting Deputy to SOSREP is Colin Mulvana.

Providing a safe haven or place of refuge is an obligation under SOLAS. Risk to safety of life is paramount in any consideration for selection of a place of refuge (PofR). Anywhere might be designated as a PofR including areas of high environmental sensitivity e.g. the MF SAC.

Types of MCA Response Cells include:

- Operational Control Unit – OCU – established for offshore incidents under the control of SOSREP.
- Salvage Control Unit – SCU – support SOSREP by considering information on salvage progress, interacting with salvage team.
- Marine Response Centre – MRC – considers and implement most appropriate means of containing, dispersing and removing pollutants at sea.
- Shoreline Response Centre – SRC – Local Authority can discharge their responsibility for preventing and mitigating pollution on the shoreline.
- Standing Environment Group – EG – Provide advice to minimise the impact of the incident on the environment in the widest sense.

SOSREP also has the power to set up exclusion zones. A temporary exclusion zone applies to any ship, structure or other thing, which must be wrecked, damaged or in distress. The zone may be described geographically or in relation to a casualty. This cannot include areas outside the UK Pollution Control Zone and must be reviewed regularly. A temporary restriction of flying regulations can also be enforced, acting as a bubble which cannot be entered without express permission of SOSREP, by either civilian or military craft.

Environment Group arrangements in Scotland – Presentation by Marine Scotland

JM gave a broad overview of the standing Environment Group and the concept behind this. The Scottish Environment Group (EG) emerged out of the post-Braer Donaldson Report with Stop notice 1/2001, to provide public health and environmental guidance, and to advise responses, minimise impacts, enable monitoring and facilitate welfare. Scotland has a graduated EG mechanism and operates a graduated response. The Standing EG consists of members from Scotland's statutory environmental bodies, Marine Scotland, SEPA, SNH and/or JNCC, with additional membership from Health Protection Scotland, MCA and the Food Standards Agency. Where required, Local Authorities and experts with local knowledge, and further up the scale other public health experts and 'any necessary other' will be called in. The EG Chair coordinates communications, liaison, accommodation and draws in wider representation, which for more serious incidents could include public health, animal welfare, food contamination, monitoring and media issues.

The EG has a vital role in response to any maritime incident, aiming to minimise the environmental impact of the incident in the widest sense. The group provides advice to all response units on all aspects of the environment and makes an assessment of the environmental risk and impact. Operational Response Cells advised include SOSREP and the Salvage Control Unit, the Marine Response Centre and the Shoreline Response Centre. The EG advises on key tasks including: environmental implications of salvage and oil spill response; potential and real impact on human health; and resolution of conflicting and environmental issues and priorities. When establishing the EG during an incident the first priority is to provide immediate environmental advice, then agree the group formation and Chair. Having a Standing EG saves

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time. The role of chair is designated depending on the type of incident and who is best placed to focus on that particular role.

As well as being able to provide immediate advice, the benefits of having a Standing EG include:

- Contact and working protocols established
- Group expertise identified
- Members understand each other
- Chairs and ELOs agreed
- Practised group understanding of local issues and sensitivities

In an emergency the first point of contact is the MCA and the CPSO, who will contact the MS duty officer (who is always contactable by mobile and pager and has sensitivities data on a laptop and other duty staff available). MS will deal with a minor incident pretty much on its own and for a larger incident will work with internal advisors and external contacts such as SNH. In a major incident MS will be part of a wider team drawn into the centre by MCA. Most calls result in initial discussions and advice only and a small percentage require internal deliberation and discussions with SNH and others, e.g. aquaculture representatives. A very small percentage requires more than this and fortunately, a more major incident occurs only every 3-5 years.

The EG set up makes efficient use of existing competence, is flexible, responsive, fit for purpose, and is tried and tested, e.g. in dealing with Lysfoss and Jambo incidents. It is further tested and refined through major exercises, and through weekly communications via the emergency response system.

Lessons learned to date include:

- Rehearse, rehearse, rehearse
- Communicate, communicate, communicate
- Resources, space, time
- There is often conflict over the use of dispersant spraying
- Agree a start position in terms of responsibilities with other core members
- Agree who will assume the lead
- Ensure response staff know who is in the frame
- Ensure primary contributors know what is expected of them and by what method and timescale

7. Discussions of matters arising from presentations

JD and JM were thanked for their interesting presentations. The group discussed the many oil spill contingency plans already in existence, e.g. the ports and harbours plans, the Moray Firth Shoreline Protection Strategy Plan, Local Authority plans and the Guidelines for Dealing with Cetaceans in the Event of an Oil Spill. They then looked at the merits of creating a combined Moray Firth Oil Spill Contingency Master Plan, as exists in other firths, e.g. Clearwater Forth. One major potential area of conflict in an incident could be choosing priorities. E.g. should a popular stretch of beach be sacrificed for the protection of the dolphins? Or should one fishing ground be saved over another? Although many of these decisions would be dependent on factors such as tides, the time of year, the weather and the type and size of incident, it was felt that many decisions and plans could still be made in advance, taking the various permutations into account.

It was **agreed** that JM and JD would look into this further and come back to the group after consultation about taking the proposal forward. **(031209-AP14)**

The group discussed the need to update the *Guidelines for Dealing with Cetaceans in the Event of an Oil Spill* and whether these guidelines should be extended to include other marine wildlife. It

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was agreed that SNH would discuss this further internally before responding to the group. (031209-AP15)

8. Future of Management Group and Chair

Paper 4 relating to future of the Management Group and the position of chair was tabled at the meeting. In order to allow sufficient time for reflection, it was **agreed** that members would comment on the paper via email by the end of the first week in January. (031209-AP16) The responses would then be incorporated into a further document for discussion at the next meeting. JM confirmed that the next meeting would be his last as Chair. It was thought the time was right for a review of the MG and this would provide an opportunity to address issues such as funding, future Chair arrangements, and the added value of the group. (031209-AP17)

It was suggested that the group should be more aware of the wider landscape in which they are working. As an example, the subject of marine traffic in the firth and probable developments was briefly discussed. The question of whether the SAC MG should take on a model to understand marine traffic growth, as part of its added value, was put to the group. It was agreed that BL would consult on this and come back to the group with more detail. (031209-AP18)

9. Management Group Member Updates

With very little time remaining, it was **agreed** that members would email any key updates, again by the end of the first week in January 2010. (031209-AP19)

10. Discharges into the Moray Firth – Correspondence from Lord Burton

The Chair summarised the correspondence and the group agreed that individual members had already provided responses to the points raised; in particular SEPA, SNH, Scottish water and Marine Scotland. No further action was recommended at this time.

11. Next meeting – Agree outline Agenda and presentations

A number of items/presentations had already been planned for the next meeting, and it was **agreed** that MFP would send round an outline agenda to the group for comment in due course. The date of the next meeting would be agreed with members, the preference being for early June. (031209-AP20)

12. Any Other Competent Business and Date of Next Meeting

SEPA reported that Scottish Water had appealed the discharge standards set by them for the sewerage treatment works at Fortrose. The standard was based on a recreational water quality standard which is akin to a bathing water standard but applied year round. This standard was based on advice that SNH gave to SEPA in relation to the dolphin interest of the SAC. The appeal had been under consideration by the Scottish Government for over 12 months but within the last few weeks the Scottish Government confirmed that the appeal had been dismissed i.e. the Fortrose sewage works must meet the recreational water quality standard.

MFP project “...towards sustainable marine leisure, recreation and tourism”. There was no time to discuss the paper presented, so the MFP was invited to send further information to members, who would respond via email asap. (031209-AP21)

There was no other business and the meeting closed at 16.20.