

Dolphin Management actions	Delete - complete	Delete - ABOM	Original Lead bodies	Validation
D01.1.1 List and review toxicity to dolphins, and elements of their food chain, of commonly used chemicals and make recommendations as to their use and disposal.	✓		SEPA	The Moray Firth EU Life Environment project commissioned a review entitled "The impact of environmental contaminants on bottlenose dolphins ( <i>Tursiops truncatus</i> ) and other proxy species: A summary of information". This is a reference document and first point of information to aid the relevant authorities in decision-making processes relating the use or discharge of potential contaminants. SEPA has been involved with the production of this report.  Series of SEPA leaflets on best practice and legislation on the use and disposal of pesticides, insecticides.  Disposal of waste pesticides/insecticides on the ground is regulated by SEPA. SEPA takes into consideration the dolphins when issuing licenses adopting the precautionary principle. SEPA is consulted on any application for spread of pesticides/ insecticides by airplane only.
D01.1.2 Encourage adoption and application of Good Practice Guidelines and ensure that they adequately address the marine issues.	✓		SEPA	Series of SEPA leaflets on best practice and legislation on the use and disposal of pesticides, insecticides and fertilisers. The NE Rivers Project is joint initiative involving AC, SEPA, SNH. Supports/advises landowners on enhancing riparian strips and creating buffer zones to improve water quality, reducing erosion. Should benefit dolphins by reducing diffuse pollution to sea.
D01.2.1 Review existing data on nutrient levels and if necessary encourage organisations to gather more data. If problem areas exist, introduce measures to reduce enrichment, through the NVZ initiative.	✓		SEERAD (Scot Gov)	For more information see the Scottish Government web site and the Net Regs web sites <a href="http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/Environment/NVZintro">http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/Environment/NVZintro</a> <a href="http://www.netregs.gov.uk/netregs/businesses/agriculture/61887.aspx">http://www.netregs.gov.uk/netregs/businesses/agriculture/61887.aspx</a>
D03.1.2 Analyse existing and future dolphin tissue samples, and key prey species, for anti-fouling compound contamination.	✓			This was put forward as a possible project before Rev 1 but due to lack of funding it never went ahead and is no longer seen as a priority. There was an intention that this could be done by a student (PhD/MSc) but no such opportunity arose - there may still be scope to do this work as part of a post graduate study but the benefits of doing it in terms of SAC MS outcomes are questionable having limited meaningful practical application.
D04.1.1 Encourage the aquaculture industry to minimise chemical treatment and medicine use, which are known to impact on dolphins or their prey. Take into consideration the dolphin interest when considering discharge consents.	✓		SEPA, SQS	SEPA monitors bottom of main rivers (Conon, Beauly) on a monthly basis for pollutants including pesticides. also monitors boreholes for pesticides. Mussels in the MF are monitored for the presence of PCBs. Designated shellfish waters are monitored for the presence of pesticides (Dornoch Firth, Cromarty Firth).
D04.2.1 Hold discussions with fish farm operators/employees to raise awareness of current legislation and the impact of feeding discarded fish to dolphins.	✓		Port Authorities	Crown Estate discussions with the fish farm operators are ongoing as part of regular contact but have not been specifically in relation to the SAC (and any practical operational restrictions) due to the fact that the site is fallow.  SEPA in the past advised the fish farm at Avoch not to feed the dolphins. It is understood that SEPA's advice was followed.
D04.3.1 Review research on the effect of seal scarers on cetaceans and other marine species.	✓		SNH	Work commissioned by SNH on the use of acoustic deterrents on non-target species. SNH commissioned recognised specialists in the field of Acoustic Deterrent Devices to undertake the work. This was then the subject of a consultation exercise. The final report recommends a precautionary approach in their use. It is likely that on the back of the report SNH will advise a presumption against ADDs in cetacean and seal SACs.
D06.2.3 Establish voluntary registration of all motorised boats within the cSAC.	✓		MCA	Harbours have a list of recreation berth holders. It was felt that the time and effort involved in establishing such a set up may not justify the benefits. It would help to identify cases where vessels are causing a problem or involved with possible disturbance issues. However these events are thankfully few and far between and the new work underway in terms of raising awareness about good behaviour through the Scottish Marine Wildlife Watching Code and the DSP further help to promote best practice. The MFPs boat traffic studies and the modelling work that SNH have done in relation to Whiteness Head, Inverness and Avoch have helped to further understand the number, distribution and behaviour of vessels in the SAC and surveillance and monitoring will continue through 2010.
D06.3.3 Encourage researchers to publish information collected under the licensing scheme.	✓		SNH	This action is now occurring as standard practise. The main recipients of licences are the Uni of Aberdeen and the work they carry out under licence underpins the mark-recapture study which in turn is used as part of the papers and publications that come out of the University. These papers are readily available through the UoA Lighthouse Field Station website. The Cetacean Research and Rescue Unit have also received a licence in the past and similarly their work is accessible through their website. Some of the mark-recapture data is used to compile the Site Condition Monitoring reports that are held by SNH and these are available to the public by contacting SNH or through SNH's website.
D08.1.3 Investigate the possibility of using non-contaminated dredged material beneficially (e.g. beach nourishment).	✓		FRS ML (Marine Scotland Science)	FRS ML have role as licensing authority under FEPA and national and international obligations. Contaminants data gathered and updated. Each application must assess the potential for reuse. Documents can be provided to substantiate as required. CFPA - During the procedure in obtaining a maintenance dredging licence the Port Authority was required to provide samples of proposed dredge material to be chemically analysed and their details submitted to the Licensing Authority (FRS) as part of the application process.
D08.1.4 Review the range of contaminants currently being monitored; consider if it is adequate, particularly in areas known to be important for dolphins.	✓		FRS ML (Marine Scotland Science)	FRS ML role as licensing authority under FEPA and national and international obligations. This action has ensured that the number of parameters measured have been increased.
D09.1.2 Engage actively in the triennial review of the 'Inshore Fishing (Scotland) Act 1984' in light of the dolphin interests.	✓		Fish Orgs	All relevant elements from all D9.1 actions not adequately covered by current legislation are being carried forward in the new action plan.
D09.1.3 Lobby the EC and the Scottish Executive to ensure that North Sea fish stocks are managed sustainably.	✓		SEERAD (Scot Gov)	Letter sent to SE and EC, stating the SAC MG's concerns with regard to the impact of fishery management on the MF SAC and the dolphins. It also stressed the importance of the involvement of the fishing communities in the development of policies. It is also noted that the individual organisations which are represented on the SAC MG are keen to look at sustainability of the Moray Firth in its wider sense.
D09.1.4 Maintain a watching brief on commercial salmon netting activity.	✓		DSFBS	Core function of DSFB in collaboration with SWFPA.
D09.1.5 Model the energy requirements and total diet of dolphins to better inform understanding of potential interactions/impacts on salmon stocks.	✓		AU	This was put in as a possible PhD project however suitable candidates opportunities did not come forward.
D09.1.6 Improve management of fish stocks by producing a fishery management plan for each river system which runs into the Moray Firth.	✓		DSFBs	Fishery management planning is at an advanced stage. Plan was completed for the Cromarty Firth several years previous, however a DSFB wide draft plan will be delivered to FRS in March 2008 for the Cromarty Firth, Kyle of Sutherland, Ness, Beauly and Spey regions. Copy of plan available from DSFBs/FRS in due course.
D09.2.2 Maintain a watching brief on legal salmon netting activity (links to 10.1.5).	✓		DSFB'S	Core function of DSFB in collaboration with SWFPA. Strategy in place.
D10.1.2 Investigate whether boats are using port waste disposal facilities and ensure that correct disposal facilities are provided.	✓		MCA, PA'S	D10.1.1 Discussed at the workshop and agreed formed major ongoing actions - this is now much more detailed in port and harbour plans and awareness through the GreenBlue Initiative. It was suggested to discontinue this as a separate action and add to one on best practise guidance. D10.1.2 and D10.1.3 link. CFPA and IHT port environment management plans in place and monitored.
D10.1.3 Ensure that those using ports/harbours are aware of waste disposal facilities.	✓		LA'S, PA'S, NOYSA	See D10.1.2

D11.2.2 Ensure controls on choice of chemicals selected, type of applicators and time and areas of use. Extend the use of environmentally friendly and effective drainage/ treatment systems to all airfields (e.g. reed beds, or run-off treatments as appropriate).	✓		SEPA	SAC allowed pressure to be put on the MoD to install reed beds at RAF Kinloss.
D12.1.1 Ensure that port waste disposal strategies are regularly reviewed. Request that harbour authorities consider the cSAC interests in their strategies where appropriate.	✓		MCA, PA'S	MCA core function. <a href="http://www.mcga.gov.uk/c4mca/guidetgp_final_version.pdf">http://www.mcga.gov.uk/c4mca/guidetgp_final_version.pdf</a>
D12.3.1 Raise awareness of the consequences of discharging bilge water and flushing of storage tanks with all vessel operators to stress the importance of compliance.	✓		LA's, MCA, PA'S	MCA raises awareness of SAC oil pollution from bilges to local vessels and fishing boats during PSC, FV inspections etc. IHT have a mobile tank for use by local vessels to pump bilges.
D12.4.1 Raise public awareness of the potentially damaging environmental effects of chronic and small scale oil pollution through involvement with the SOCC and Yellow Fish initiative.	✓		SEPA	Neither of these campaigns are being actively promoted although information still available. Scottish OilCare and Yellow-fish are two campaigns which SEPA runs with Scottish Water to reduce the number of water pollution incidents. OilCare promotes the responsible delivery, storage, use and disposal of oil and oil-related products in Scotland, while Yellow fish targets the pouring of unwanted oil, paint, solvents or other chemicals down drains. This can cause pollution and kill fish, birds and other wildlife. <a href="http://www.sepa.org.uk/yellowfish/index.htm">http://www.sepa.org.uk/yellowfish/index.htm</a>
D12.5.2 Encourage the construction of oil storage facilities.	✓		HC; MC, PA'S	Both Port Authorities have oil storage facilities.
D12.5.3 Raise awareness of oil recycling facilities.	✓		THC/MC/AC	LA's are actively doing this as part of their waste awareness programme. All 3 LA's have good presence re facilities on-line and in local press re adverts for local recycling centres
D12.5.4 Endeavour to provide oil recycling facilities.	✓		LA'S	Civic recycling points and centres have been well promoted through national waste reduction incentives that feed down through local initiatives. There is much information available from local council service points and on-line through a plethora of waste awareness and reduction sites. All recycling centres in Highland and Moray are listed with a breakdown of the sort of items they can receive for recycling, including those capable of handling oil. There is information available for both domestic and commercial users. Commercial marine operators have oil disposal facilities at Port and Harbour Authorities.
D12.5.5 Collate information on sources of chronic oil pollution.	✓		SEPA	SEPA records complaints/oil spill incidents, investigates and mitigates. Only land based pollution.  CFPA - Port Authorities that are subject to OPRC regulations are required to record all reported oil pollution incidents, forwarding same to MCA. UK Coastguard do same for waters outwith Port Authority jurisdiction. (See comments re ACOPS national database in D13.3.3.)
D13.3.2 Co-ordinate the scheduling of all oil spill exercises and plans.	✓		RIG OPERATOR S, LA'S, MCA	All OSCP are reviewed on a regular basis. Regular exercises take place which the relevant authorities take part in and during these the special interests of the SAC are considered. Also this ties in with the cetaceans and oil spill guidelines action which SNH are still hoping to lead on this financial year.
D13.3.3 Heighten awareness of the potential impact of oil spills with regard to the cSAC and the conservation features	✓		LA'S, PA'S, MCA	MCA – raise awareness of cSAC and impact of oil spills in DMSC meetings. Examine link/reference to cSAC during 5 year review process of OPRC plans. MCA will vigorously enforce - where appropriate through prosecution action - the stricter controls for the discharge of oil or oily mixtures, to ensure the new measures are effective (MARPOL Annex 1). High fines are available to the courts to punish illegal discharges. MCA will continue to make use of aerial surveillance to detect or investigate pollution incidents. Checks will also be made, during General or Port State Control Inspections, to ensure pollution prevention equipment is in proper working order and that appropriate records are maintained. In "Marine Information Note 52"  MCA collects data regarding ship/installation defects and pollution incidents, which is recorded on a national database for the Advisory Committee on Protection of the Sea (ACOPS).  A further comment to add is that the CFPA Oil Spill Contingency Plan includes the SNH document "Guidelines for Dealing with Cetaceans in the event of an Oil spill in the Moray Firth".  Port Marine Safety Codes available from main ports, include reference to MF SAC.
D13.3.4 Ensure that the dolphins are taken into account in the development and implementation of the Port Marine Safety Code.	✓		PA's	
D13.3.5 Clarify with the ports and harbours how they will work to add extra scrutiny of passage plans, in the interests of the cSAC.	✓		PA'S, LA'S MCA	IHT, from web: The inner Moray Firth is home to a colony of Bottlenose dolphins, and you are likely to encounter these beautiful creatures whilst transiting through our waters. A Code of Conduct exists for craft which find themselves in close proximity to the dolphins, and information can be found at <a href="http://www.dolphinspace.org">www.dolphinspace.org</a> . For other wildlife within the Firth, please give consideration to the "Scottish Marine Wildlife Watching Code". Information can be found at <a href="http://www.marinecode.org">www.marinecode.org</a> .  CFPA's Environment Policy Statement "The Cromarty Firth Port Authority shall contribute to the long-term sustainable environmental development by minimising the emissions to air, land and water in all our operations and those under our control. The Port will work to protect designated conservation areas through monitoring and review of activities in the Port area."  CFPA is totally committed to maintaining the environmental integrity of the Cromarty Firth including the safe disposal of waste, environmental management and education. The CFPA has within its jurisdiction various designated nature conservation sites including: the Moray Firth of Conservation (SAC), SSSI's, NNRs, Ramsar Sites, and Special Protection Areas (SPA).
D13.4.1 Draw up awareness raising guidelines for inclusion in pilotage almanacs and for standby boat operators.	✓		MCA	Admiralty Chart(s) for the Moray Firth contains a footnote offering an advisory notice on the SAC. Sailing Directions also has information relating to the SAC. It was confirmed by the Harbour Authorities that advisory guidelines appear on the relevant charts for the Moray Firth SAC area.
D13.5.1 Clarify regulatory controls in place covering de-fouling and shot-blasting operations; explore development of additional regulatory controls and ensure that any such operations are properly considered in the context of the cSAC.	✓			Although this action was never fully addressed as no lead body was identified, the action stems from a couple of isolated incidents in the early 2000's and has not re-occurred since then as far as we are aware. De-fouling and shot-blasting operations are exempt from regulatory control except by-laws. The Maritime Coastguard Agency publishes best practice guidance for use within the Harbour and Port Authorities and oil companies. Modern anti-fouling paints and legislation have moved on considerably since the original action was raised, but there is still an issue regarding the disposal of old paint. There are no TBT's or biocides in paint sold in the UK, they are now illegal. Copper is still used in some anti-fouling paints. Anti-fouling systems info on the International Maritime Organisation website. Web portal to TBT free anti-fouling paint and related information can be found at : <a href="http://www.antifoulingpaint.com/">http://www.antifoulingpaint.com/</a> .
D13.5.2 Develop good practice guidelines for de-fouling and shot-blasting operations, including guidelines to minimise the discharge of old paint into the Firth.	✓			De-fouling and shot-blasting operations are exempt from regulatory control except by-laws. The Maritime Coastguard Agency publishes best practice guidance for use within the Harbour and Port Authorities and oil companies. See Rev 2 New Action D01.
D13.5.4 Investigate feasibility of using dry dock facilities to carry out shot blasting and painting where all residues can be disposed of on-shore.	✓		PA's	There are no dry dock facilities in the Moray Firth with the exception of Nigg but this currently being mothballed and is under private ownership. This means that this "issue" will be addressed through D13.5.2 unless as some point in the future the dry dock facilities become available again for operations such as this.

D04.3.2 Based on the findings of 3.1.1, manage the use of seal scarers in the cSAC and advise on their use. In the future consider regulating their use as a condition of fish farm leases, reviewing and amending existing leases as appropriate. Where possible, encourage the use of alternative methods for deterring seals - e.g. cage tensioning.	✓	CE, LA	The use of anti-predator devices is not a specified condition within CE finfish or shellfish farming leases, however any comments that SNH or other bodies offer with regard to these are normally incorporated as "advice to applicants". CE will not be keen to impose such a retrospective condition in a lease as it is not easily monitored by the CE.  The site within the SAC area has lain fallow for some time and there are no immediate plans to re-activate it. CE will seek to have any necessary controls in place by agreement in advance of re-stocking.
D04.3.3 Consider the deployment of methods of recapture of escaped salmon, encourage best practice among fish farm owners/operators and promote their use.	✓	SEERAD	SEERAD issued "What to do in the event of an escape of fish from a fish farm – Guidance on The Registration of Fish farming and Shellfish farming Business (Amendment) (Scotland) Order 2002" in May 2002. Methods used for recapture of escaped fish will necessarily vary, depending on the location of the farm site and the local topography, the size of the fish involved, and implications for other wildlife (such as wild salmon and other fish species, birds and marine mammals). In many instances the appropriate recapture method would involve rapid deployment of gill nets of appropriate mesh size. It should be noted that a fish farmer or other person seeking to recapture or catch escaped fish might need temporary local exemption from conservation regulations. There are two provisions that allow for this. Advice about this will be provided following notification of an escape. In almost all cases, continuing action will require permission from Scottish Ministers.
D06.3.5 Review and consolidate the Dolphin Space Programme including: review of the composition, roles and working arrangements of the Dolphin Space Programme steering group, renewal of partners' commitments to the steering group; encouragement of greater operator involvement in the management of the Dolphin Space Programme; identification of incentives and benefits to accredited operators; investigation of appropriate regulatory powers; review and development of the Dolphin Space Programme Guidelines; raising the profile of the land-based infrastructure for dolphin watching; and, assisting continued improvements in the visitor experience provided in the area. Guidelines should be applied to all wildlife-watching boats, including those who do not go "to sea".	✓	SNH	All these areas are currently being pursued by the DSP group.
D06.3.6 Encourage the development of research methods which have a minimum impact on the dolphins.	✓	SNH	SNH assesses the suitability of research methods at the time of licensing. Licenses will not be issued if they adversely affect the dolphins without good justification. This is not currently thought to be a major issue, however, if new methods come online (eg the desire to take biopsies) then this will need to be re-assessed.
D06.3.9 Enforce law relative to deliberate harassment of wildlife.	✓	NC, GP	Wildlife Liaison Officers sit on the SAC MG and the DSP MG. Protocol is in place for all incidents to be assessed by Police to ascertain any criminality. The police act promptly where wildlife crimes are reported and this is increasingly the case as people are becoming more aware of what constitutes irresponsible behaviour and how to report possible breaches of the law.
D08.2.2 Develop a draft dredging and sea disposal management strategy in light of risk assessments (see D08.2.1): a) incorporate specific aspects of the Dolphin Space Programme b) advise applicants and licensees of the dolphin sensitive areas and seasons so that they can plan sea disposal operations in advance whilst taking account of the most sensitive periods c) establish the best method for identifying dolphin presence in the vicinity of dredging and sea disposal sites immediately prior to and during the operations d) explore the possibility and legality of using acoustic scarers to keep dolphins away from an area during disposal operations e) explore the possibility of installing hydrophones in key areas to monitor dolphin presence/absence. f) consult with key stakeholders to consider the effect this will have on the operations of existing facilities and industry. Ongoing	✓	FRS ML	FRS, ML - role as licensing authority under FEPA and national and international obligations  SNH - A draft dumping and dredging matrix has already been prepared. This needs to be re-visited and finalised. SNH see the FRS as taking the lead on this although we will assist to see the work completed. Work is ongoing to consider acoustic methods (i.e. hydrophones) to identify presence/absence of dolphins in the Sutors area. SNH can explore the legality of using acoustic scarers to deter dolphins during dumping operations although preliminary investigation indicates that this would be against the Habitats Regs. SNH to confirm the position by Q2 2002/2003  CFPA - For the CFPA maintenance dredging programme 2007/08, restrictions were incorporated into the approved dredging licence in respect of dolphins for a)+b)+c) as follows: a) Timing of works delayed to avoid breeding season. b) Disposal restricted to the authorised licenced spoil ground site only. All unauthorised materials such as tyres, timber, etc to be removed from silt for land disposal. c) Disposal at the spoil ground by the dredging vessel, only to be undertaken when confirmed (b
D08.3.1 Review existing data on the effects of turbidity on dolphin prey species; consider the viability of undertaking collaborative research.	✓	FRS ML	Data gathered from other sea disposal operations confirm that it is not possible to detect and increase in turbidity as a general rule more than 50m away from the disposal point. Smothering, the sea disposal sites are all dispersive and therefore the potential for smothering is negligible. There is no scope for any collaborative research.
D09.2.3 Assess the significance of lost fishing gear in the Moray Firth. If problems exist, identify ways to reduce lost gear and highlight the issue with the industry.	✓	SNH	Ghosts nets, by catch and entanglement not assessed as a significant problem now with low fishing activity.
D11.2.1 Enforce strict code of controls for oil/fuel storage and use. Ensure oil spill response plans are developed and practised. Maintain fuel interceptors on storm water out-falls.	✓	CAA/MOD	New oil storage regulations (industrial) in place through C.A.R.
D11.3.1 Seek experience and information from other areas to determine potential impact and level of risk.	✓	CAA	This has been addressed through the development of the Scottish Marine Wildlife Watching Code. Prof. Paul Thomson of Aberdeen University confirmed it would be very difficult to progress this action further and noted that several academics have died in the course of researching this.
D11.3.2 Review guidelines in other parts of the world for minimising noise disturbance from helicopters and aircraft, and if they are applicable, adopt similar guidelines in the Moray Firth. Implement training and awareness-raising material for civil and military pilots to avoid hovering over marine mammals.	✓	SNH	This action will now be addressed through the Sound Report and it's associated actions.
D11.3.3 Maintain a watching brief on the use of aircraft and helicopters for observing/filming dolphins and draw up guidelines if necessary.	✓	SNH	SNH are keeping a watching brief on air borne dolphin watching and it's not happening - therefore there is no need to develop guidelines to cover this activity. The SMWWC does not include guidance on watching from planes/helicopters because this isn't considered to be an issue in a Scottish context. Guidelines will be developed if the need arises and so the action should be kept but does not require any action at this time.
D12.5.1 Promote implementation of SUDS for coastal infrastructure developments	✓	THC, MC,SEPA	SUDS (Sustainable Urban Drainage Systems are a sequence of water management practices(1) and facilities(2) designed to drain surface water in a manner that will provide a more sustainable approach than what has been the conventional practice of routing run-off through a pipe to a watercourse.) SEPA requires the use of effective, appropriate Sustainable Urban Drainage Systems (SUDS) features in new developments. Two exceptions exist to this requirement: 1. Where the development is only a single dwelling; 2. Where the discharge is directly to coastal waters (this does not include transitional waters). The Controlled Activities Regulations (CAR) provide regulation under General Binding Rules (GBRs) 10 and 11 for SUDS. Please refer to the SEPA website for more information.  Developers, SEPA and Scottish Water are encouraged to discuss proposed developments at an early stage, even before approaching the planning authority. Government planning advice is available in Planning Advice Notes (PANs) and Scottish Planning Policy (SPP) releases. A national stakeholder group was established in 1997 - the Sustainable Urban Drainage Scottish Working Party (SUDSWP). The SUDSWP website provides more information on SUDS.  The findings of a major survey into the use of sustainable urban drainage are summarised in the SNIFFER report (SR (02) 09), 'SUDS in Scotland - the Scottish SUDS database'. The survey highlighted that the use of SUDS has become standard practice in Scotland, with over 700 sites being listed and nearly 4000 systems having been implemented.

D13.3.6 Push ahead the development and implementation of regulations referring to ship to ship transfer of oil.		✓	MCA	This is not happening at sea and is restricted to port activity. This activity is regulated, ship to ship transfer guidelines are within port management plans. Further information can be provided by the MCA on request.
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