Response to the consultation on
Scotland's Strategic Framework for Biodiversity
12 December 2023

Scotland's Strategic Framework for Biodiversity is of great importance to Scottish Land and Estates' members. The objectives and actions set out within the strategy will influence land management practice and policy throughout Scotland for years to come. We were pleased to be able to host an online roundtable event on Thursday 9 November for professional members to discuss the Strategic Framework for Biodiversity, which will feed into the Natural Environment Bill next year. The meeting was well-attended and there were presentations from both NatureScot and the Scottish Government, followed by productive discussions and a Q&A session. Key talking points included lessons from previous frameworks, natural capital and biodiversity net gain, agriculture and planning, resolving technical and administrative processes (particularly for woodland and peatland), ensuring members access to future schemes, spatial strategies and balancing competing priorities.

On the whole, we feel that the proposed strategy is progressive, ensuring that Scotland's economy continues to grow and nature continues to thrive. Our members are committed to ensuring the biodiversity on the land they manage is protected and enhanced. It is hugely important that they are supported to do so by policies and regulations that are stable and consistent, well-designed, well-funded and well-implemented, and also well-governed, with a clear link between action and result. Decisions should always be evidence-led with appropriate consultation and wide-spread community support, and the focus should be on planning policies which are enabling and empowering (rather than prescriptive) to support the achievement of outcomes, specifically halting biodiversity loss by 2030 and reversing it with large-scale restoration by 2045.

Striking a positive balance, and integrating management practices that meet all of these outcomes is vital to future success. While the focus of the strategy is rightly on nature and landscape, there should also be a recognition that productive agriculture and forestry has a place and is indeed essential to those working and living in rural Scotland. We recognise the important role nature restoration and nature networks can play in tackling biodiversity loss and climate change, as well as delivering carbon sequestration. Indeed, SLE members are taking an increasingly pro-active approach to restoring degraded ecosystems – whether that be tree-planting, peatland restoration or restoring natural processes – and we would like to see the strategy do more to encourage this landscape-scale ecosystems-based approach. As NatureScot clearly and regularly state, landscape-scale is needed for nature restoration to be effective, so the strategy must acknowledge the need to work at scale and balance this with commitments to empowering community use/ownership of land and assets. Working with existing groups and clusters, such as deer management groups, is a shortcut to many of these benefits and SLE is a willing and able partner to help facilitate these conversations. This approach will help foster stronger working relationships between authorities and landowners and communities.

Our members are key delivery partners across the majority of actions and objectives contained in the strategy and support a shared vision which delivers for nature, people and place. Our detailed response highlights areas of both agreement, and concern (for example, where key objectives, targets or indicators of the Strategic Framework may adversely affect the ability of land managers to deliver positive outcomes); and, where appropriate, suggests alternative approaches to achieving desired outcomes. As always, positive engagement with land managers is key to success.

2a: Have we captured the key actions needed to deliver the objective: accelerate restoration and regeneration?

No. It is well reported that biodiversity, ecosystem functions and services are deteriorating across the world and a range of evidence has been presented in support of this decline. However, we would like to see more overt reference being made to the importance of accelerating woodland, peatland and river restoration and regeneration.

While some pressures on Scotland's biodiversity have improved and we have seen a small increase in some species – when averaged out the stark picture is that the loss and decline of nature in Scotland is very real and without actions that go beyond previous efforts, nature and ecosystem functions will continue to deteriorate.

While the evidence is right to focus on the severity and urgency of the issue, it is important to recognise the considerable action that is being undertaken by land managers to actively carry out management actions that enhance and restore species and habitats including providing important refuges for some of our most threatened wildlife.

There is a growing will to restore biodiversity exemplified by the area of land accredited through the internationally recognised accreditation scheme Wildlife Estates Scotland (WES) (see appendix 2). Land managers continue to be at the forefront in implementing nature-based solutions undertaking peatland restoration and woodland creation schemes all of which are contributing to restoring and enhancing biodiversity. The wealth and historic knowledge they have of their land and how the landscape is utilised should be recognised and used as an opportunity to link local know-how with delivering national priorities. We should not forget that the current situation is partially due historic policy which prioritised food and fibre production over biodiversity. There is an argument that currently policy does likewise with regards carbon sequestration. This is not to say that the policies were/are wrong at the time, they're there for good reason, but it's just how it is.

The new Strategy is correct to recognise that invasive non-native species (INNS) are a major driver in biodiversity loss and it is to be hoped that the key actions detailed will go some way to tackling the problem and result in genuine progress on this matter. SLE supports the principle of raising public awareness of the impacts of INNS, and actively engages with our members and partners on this matter (for instance, collaboration with the Alliance for Scotland's Rainforest to tackle the spread of invasive rhododendron in Scotland's rainforest zone).

It should be noted that action to address invasive non-native species is co-ordinated across Britain and Ireland, and it is important that Scotland continues to work with our partners and neighbours across these islands to minimise the risk posed and the negative impacts caused by INNS in Scotland.

The work being done by the Scottish Invasive Species Initiative, winners of the Enhancing Our Environment Through Land Management Award at SLE's 2023 Helping it Happen Awards, highlights the benefits of working in partnership to deliver an innovative community-based strategic approach to the management of invasive non-native species on a landscape scale along rivers in northern Scotland.

The way in which some of the actions in respect of grouse moor management have been framed is misleading. For example, introducing the proposed licensing regime under the Wildlife Management and Muirburn Bill is more likely to disincentivise investment in grouse moor management than ensure it sustains healthy biodiversity. Where moorland management is discontinued as a result of this Bill, it is likely that the biodiversity will be compromised – not sustained. It is also inaccurate to characterise the

development of a code of practice as the mechanism through which biodiversity will be supported. Notwithstanding the fact that said code of practice is yet to be developed (making it impossible to determine the implication of the action), the salient determinant over whether grouse moor management supports biodiversity is the extent to which land managers are enabled to manage predators and vegetation. There is a litany of scientific studies which demonstrate how moorland management for grouse shooting is already supporting biodiversity in a more meaningful way than other land management approaches – particularly among red-listed ground nesting bird species. It is therefore inaccurate to state that the arrival of a new code of practice will be the mechanism through which support for biodiversity is guaranteed. The reference to "allow[ing] burning on peatland by exception for limited purposes" is also deeply concerning. The Wildlife Management and Muirburn Bill does not dictate that muirburn will only be used "by exception" on peatland habitats – rather, there are four clear licensable purposes that permit the making of muirburn on peatland. The provision which prioritises other methods of vegetation control over muirburn on peatland is likely to be amended to reflect that muirburn is often the most practical land management tool available. The inclusion of the phrase "by exception" constitutes a deviation from what will be prescribed in primary legislation and should be removed from the biodiversity strategy. It is also important to note that restoration and regeneration is likely to be compromised if muirburn is regulated on peatland "by exception", as it will result in less habitat diversity and a greater fuel load (thereby increasing the risk of wildfire).

2b: Are the key actions, to support the objective: accelerate restoration and regeneration, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

No. As noted in the response to Q2A, it is probable that the action points set out will have the opposite effect to what Scottish Ministers intend. Licensing grouse shooting will not ensure healthy biodiversity – it is more likely to see a reduction in biodiversity caused by the disincentivising of moorland management. The code of practice is under development, making it impossible to say with certainty that it will have the effect of ensuring biodiversity is supported. If it results in greater bureaucracy, biodiversity could again become compromised. The limiting of muirburn "by exception" on peatland would result in reduced habitat diversity and a greater fuel load. As noted above, the Wildlife Management and Muirburn Bill is unlikely to limit muirburn by exception. The language here mischaracterises the reality.

If we are to achieve nature recovery within the timeframe of this strategy, we need specific, measurable and realistic targets. It is important that restoration practices such as peatland have monitoring, and evaluation mechanisms built in, so that land managers know that what has been restored is functioning properly, ensuring that the integrity of restoration works can be safeguarded over the long term.

It is going to take all parts of government, the economy and society to protect and restore nature, everyone has a joint responsibility. We feel the vision could be strengthened to better reflect this wider societal responsibility. The ambition to "identify and facilitate" partnership projects across large scale landscape restoration areas with "significant woodland components" is to be commended, however more detail is required on what this means in practice: what constitutes large? Are these projects brand new? Is this purely native woodland? How will the projects be incentivised to land managers?

SLE members have and continue to play a vital role in helping Scottish Government achieve its ambitious tree planting targets and we welcome key actions that enhance the quantity and quality of tree cover. Trees, forests and woodlands have a key role to play in mitigating climate change and restoring biodiversity, both locally and globally. We fully support opportunities for native woodland expansion and where practical for this to be delivered by natural regeneration. The process of natural regeneration and tree establishment requires there to be enough seed source, conditions need to be right to support germination and initial growth, and where feasible there needs to be protection from browsing pressure to allow this process to take place.

While natural regeneration brings many benefits, it can mean that establishment takes longer and not in the desired areas, so there will need to be balance and a realisation of these issues (and that it's not the answer in all areas, nor can it be the only answer). Tree planting can also provide multiple benefits, such as enhancing habitat networks, improving water quality by providing a buffer area, or maintaining water temperatures, providing a diversity of habitats for biodiversity and contributing to carbon sequestration – amongst other benefits. Land managers recognise the benefits of integrating trees with other land uses without the need to take large areas out of production. Getting the right tree in the right place is crucial – including riparian corridors, next to rivers. A balanced approach should be taken to new planting, integrating tree planting with other land-based businesses ensuring we get the best from the land.

Funding (both public and private) is sufficient to make an impact, in forestry and elsewhere, but it must not be silo'd – for example, grey squirrel control grants are only available in specific regions. By contrast, the Saving Scotland's Red Squirrels (SSRS) project – winner of the 2019 Helping It Happen Conservation Award – is having a national impact, with the help of land managers and local volunteers across Scotland, to protect red squirrels from the spread of the invasive non-native grey squirrel. Every autumn during National Red Squirrel Week, SSRS orchestrates the Great Scottish Squirrel Survey, encouraging people from all over Scotland to explore outdoors and record their sightings to help save the native red squirrel.

2c: Which actions do you think will have most impact?

Land managers across Scotland are increasingly taking an ecosystems-based approach, working together to deliver integrated land use at a landscape scale to tackle the biodiversity and climate emergencies. We recognise and support that herbivore management is a crucial component of addressing the climate and nature crises in upland Scotland. Changing management practice to restore habitats at scale is a key part of Scotland's contribution to mitigating climate change and reversing biodiversity loss. It is important to acknowledge that deer are just one factor within this. SLE support the overall objective of reducing deer densities where they are a problem for wider biodiversity, but recognising that deer (and grazing animals) themselves are an important part of biodiversity (and can bring many benefits to wildlife and biodiversity), and that deer numbers are already decreasing in the uplands, and other herbivores, farmed and wild, as well as the impact of access in certain areas, are also having an effect.

There is concern about blanket/central targets for a complicated issue like deer management which differs significantly between regions and land holdings. Deer Management Groups (DMGs) are examples of flexible mechanisms for locally targeted management of deer in the uplands. This system works and is supported by Government and NatureScot. It is not perfect but there is now a new mechanism (Common Ground) to help resolve differences where they occur. Informal groups are also developing in the lowlands. SLE see lowland and woodland deer as being relatively neglected by policy makers but arguably where the main problem lies due to difficulty of culling, access, venison markets etc. Yet the focus is still on hill deer where there is an effective control mechanism in place. We are looking for a more balanced approach particularly in the uplands, giving equal weight to deer welfare and employment, skills retention and estate economics. Herbivore management decision making must be evidence-based and it should be grazing impacts rather than numbers which are used in setting and meeting management objectives. Wild deer are a valued asset and iconic species increasingly managed on a sustainable basis to produce a wide range of economic, social and environmental benefits, both locally and nationally – and the contribution they make to biodiversity and tourism could be more widely acknowledged, so to a collaborative approach, as opposed to statutory targets. Legal back-stop mechanisms for ensuring deer culls already exist (Section 7, 8 and 10) but are little used. This needs to be looked at more carefully before any new legislation.

SLE appreciate that there is a focus in the Consultation on <u>all herbivores</u> (sheep, cattle, goats, hares and rabbits). It is the environmental <u>impact</u> of all types of grazing at a local level which is important, because different land can sustainably support different grazing pressures – something deer managers have long called for and we support that focus alongside deer densities. The targets proposed are not unreasonable in broad terms and the higher ones are often achieved already. However, the lack of detail in how they would be calculated makes them effectively meaningless and there would be a real concern if they were translated into the basis of statutory targets. The target of 2 deer per sq km is practically unrealistic in most woodlands in the absence of fencing. There's also a lack of clarity over what constitutes "priority woodland". Some woodlands have densities of over 25 deer per sq km, but it's very difficult to measure numbers and reduce them due to practical difficulties. Deer sex ratios are equally important in limiting deer population growth. Much work has been put into development and training for Habitat Impact Assessments, used to judge sustainable grazing levels, but they have been ignored in the consultation.

Statutory deer density targets are the wrong approach for achieving the objective, where the long term cooperation of many land/wildlife managers is required. They would be almost impossible for Government to measure and enforce, and for deer/land managers to implement, and open to legal challenge. There are real difficulties in translating long term strategy into practically enforceable legislation. It is support rather than punitive legislation which is required here – for example, Government supported initiative to help the venison market could enable cull targets more effectively.

Chapter 3: Protect Nature on Land & at Sea Across & Beyond Protected Areas

2d: ***Have we captured the key actions needed to deliver the objective: protect nature on land and at sea across and beyond protected areas?***

No. Delivering transformational change on biodiversity is as much about hearts and minds as it is about processes and mechanisms. The previous Scottish Biodiversity Strategy failed to galvanise the required efforts needed to protect and restore biodiversity. To ensure this strategy doesn't go down the same route a whole of society approach is needed, this will require people to understand the value of biodiversity and the considerable benefits humankind derives from the products of it, including from the services of ecological systems (e.g., water purification, erosion control and pollination).

It is important to recognise the efforts of those who are already contributing to biodiversity if we are to inspire others to engage and deliver; without this, we are setting ourselves up to fail. It is disappointing to see this missing from the strategy, particularly in respect to the integral role land managers play in protecting and enhancing Scotland's biodiversity and in delivering Scottish Government priorities for biodiversity.

The way we use the land is going to be critical to how Scotland responds to the climate and biodiversity crises. The delivery of targets relies heavily on the appropriate management of Scotland's natural capital assets. This presents an opportunity for those who own and manage land to both contribute and to benefit, particularly as funding mechanisms are likely to reflect these priorities. It is paramount that we see Scottish Government set the right policies and funding mechanisms to support the delivery of biodiversity targets.

Previous experience has highlighted a mixed legacy in response to schemes with barriers ranging from perceptual and motivational (possibly resulting from historic experience) to practical, administrative, and bureaucratic constraints of some schemes themselves. In the past, schemes that would benefit biodiversity have often been deemed too small and not seen as "value for money", along with some schemes under Agri Environment which were deemed too large for the budget available.

Barriers to schemes which would have been beneficial to biodiversity need to be considered and addressed if we are to make progress. It is also going to be important to recognise the variations which occur across landscapes. There is not a one size fits all approach; tackling the biodiversity crisis is going to require multiple approaches depending on the target outcome and circumstances on the ground.

We generally support the key principles and objectives as stated, and recognise the important role protected areas can play in securing a nature-rich future and in addressing the biodiversity and climate emergencies.

Land managers continue to play a crucial role in delivering the ambition for nature networks, 30x30 and expanding the role of National Parks and NNRs and designated sites, and it is important they are viewed as key delivery partners throughout.

We would like to see future work encourage land managers to continue to work together at a landscape scale level as it is unlikely that biodiversity conservation goals will be met by solely protecting habitats or species or designating certain areas for management. Similarly, there needs to be a recognition of all the asks of land, including carbon sequestration, food production and amenity, how these are all delivered will be crucial.

2e: ***Are the key actions, to support the objective: protect nature on land and at sea across and beyond protected areas, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?***

No. The previous Scottish Biodiversity Strategy focused on mainstreaming and embedding biodiversity values, unfortunately we have not seen this translate into action and subsequently the strategy failed to galvanise the level of support and action needed to deliver for biodiversity. Going forward we must see the mainstreaming of biodiversity into all areas of policy, including the effective integration of the Strategy with Climate, Agriculture, Forestry, economic, planning and development policy making.

The imperative to deliver 'nature-based solutions' to biodiversity and climate change has never been stronger and the expectations being placed on the land management sector are considerable. Effective, innovative funding mechanisms that incorporate public and private investment in a blended finance approach will be important in ensuring there are increasing financial flows invested in nature-based solutions, but there are complexities which need to be addressed.

While the desire and capital are there, there is significant work to be done in inspiring a continuity of confidence and in making nature-based solutions a consistently attractive green investment. Alongside joined up policy and well-designed delivery mechanisms, we need to be able to evidence the value and benefits nature-based solutions bring, and be able to demonstrate the contribution they are making towards achieving national targets, if we are to give confidence and attract private investment.

Collaborative and integrated land management is key. The scale of the challenge to reverse biodiversity decline can only be achieved by working together and addressing biodiversity loss at an appropriate and ecologically meaningful scale. Landscape scale conservation is a scale at which natural systems tend to work best and where there is often most opportunity to deliver real and lasting benefits, it will be an essential part of the solution to the climate and biodiversity crisis. This is where protected areas such as Nature Networks, National Parks and National Nature Reserves can play a significant role.

As highlighted by the Tarras Valley Nature Reserve (Langholm) acting at scale is best for allowing wildlife to thrive in a large interconnect mosaic of habitats – supporting a wide range of wildlife and maximizing biodiversity. Land managers are well placed and central to achieving this, with demonstrable experience and success of working together at scale and over time, e.g. East Cairngorms Moorland Partnership, Deer Management Groups.

Utilising and developing the skills of land managers is going to be an essential element in delivering actions necessary to tackle the biodiversity (and climate) crises. Training game keepers and estate workers must be part of the solution and funding will be needed to support rural skills development, facilitate knowledge transfer, and support ongoing maintenance and monitoring requirements which will be important in ensuring policy and practice are aiding biodiversity. Scotland's net zero statutory targets have been pivotal to driving action and we need to see the same level of ambition for biodiversity. Specific, quantifiable, and measurable targets are going to be crucial to galvanising, enabling, and facilitating action across all stakeholders.

2f*: Which actions do you think will have most impact?*

The aim to *"designate at least one new National Park, and strengthen the powers and governance of our National Parks, by 2026",* will be impactful if realised, although there are inherent risks with regards resource and governance which will need to be addressed as part of the process. More detail on this is provided in section 7.

It is important to highlight the scale of resource which will be required from both the public and private sector if we are to achieve these aims. Similarly, questions must be asked of aspirations to both grow the NNR portfolio (and fulfil their potential for nature recovery) and whether local authorities have the capacity to resource the developing Nature Networks programme. The aim to support local authorities through developing toolkits, including a nature networks mapping tool and the development of specialised training by 2025 is to be commended.

With regards the marine environment, why is Lamlash Bay in Arran the only No Take Zone in Scotland, why did it take 14 years to secure a paltry 2.67km2? And why are the Scottish salmon farming regulations more lax than in Norway?

There is no mention in the strategy of the hydrological cycle and water percolation rates except on peat. There is a significant variance in percolation rates between set stocked pasture, regenerative pasture, and woodland.

The critical importance of soil health in the fight against climate change and biodiversity loss is now better understood, and it is right that information on soil health and the sustainable use of soil is considered by planning authorities and land managers in development and planning processes.

The Scottish Government is targeting restoring at least 250,000ha of degraded peatland by 2030. This would require 20,833ha of peatland to be restored each year. At the current rate of delivery, targets for peatland restoration will not be met – in fact, the rate of delivery of peatland restoration would need to increase by 300% to meet targets.

The strategy aims *"to establish a programme to enable protected sites (including protected woodland) to be brought into favourable condition",* but questions must be asked as to why these sites are not currently in good condition, and why they haven't been assessed in a long time.

Broadly speaking, there is a tendency here – as throughout – for the strategy to fail to inspire. Alongside a step change in management frameworks, hearts and minds need to be won if change is going to take place, the vision needs to be relatable and clear in what it is trying to deliver and why. Perhaps some of this is down to the broad range of the strategy, it will only be once the detail is known and a proper action plan is in place that individuals and organisations will be able to fully buy into the strategy.

The strategy should seek to work with homeowners of all types and in all locations (both rural and urban) to promote and share good practice for residential gardens to better support biodiversity by 2030.

There is a need to reflect the urgency in tackling the crisis and a move away from 'business as usual'.

Chapter 4: Objective 3: Embed Nature Positive Farming, Fishing and Forestry

2g: Have we captured the key actions need to deliver the objective: embed nature positive faming, fishing and forestry?

Unsure. We are pleased to see that the importance of improving the quality of existing woodland is recognised alongside ambitions for woodland expansion, which are combined with aspirations to improve species diversity, age and mixes, and to incorporate with a greater diversity of habitats and structure that benefit biodiversity.

Forestry of all forms has a crucial role to play in delivering benefits for the environment, society and economy. There is a danger that we focus solely on planting to address the climate change crisis and lose sight of the other multiple benefits trees, woodlands and forests deliver. In pursuit of net-zero it would be easy to assume that planting as many trees as quickly possible is the solution but that is not the case. We must make sure to balance enhancing biodiversity with the goal of achieving net-zero.

Fast growing commercial timber with its rapid sequestration will be appropriate in many parts of Scotland, in the same way that other parts of Scotland will be more appropriate for riparian planting, montane planting, rainforest restoration and native broadleaves. It is also important to ensure current and future forested areas are supported to become more resilient and adapted to future climactic conditions, through research and management. In order to work with land managers to ensure the right choices are made, there must be fully integrated thinking across all land use types and outcomes.

There is already a series of requirements linked to grant support related to species diversity. We support the use of improved advice for land managers on the sort of activity that would improve the resilience of their trees to climate change, pests and disease, and are happy to be actively involved in discussions regarding the establishment of Scottish Forestry's new Adaptation & Resilience Steering Group. A balanced approach should be taken to new planting, integrating tree planting with other land-based businesses ensuring we get the best from land – allowing for both timber (and food) production, carbon sequestration and biodiversity and habitat gain.

We are generally supportive of the farming outcomes, but it could be strengthened to provide clarity. Farming has a key role in delivering an integrated land use approach, so that the right balance is struck between economy, environment and society. Farm businesses must become more resilient, market-led and profitable, and the sector must become more attractive to new entrants. It is vital that Scotland's productive capacity is maintained and where possible increased as we enter a time of potentially major change and uncertainty in our food, drink and energy crops markets. Scotland has issues with critical mass of its land-based industries, including food and drink and timber. Any further loss in capacity put the whole industry in jeopardy. It is important therefore that Scotland still maintains primary production and ensures that the value, jobs and benefits are maintained. There is no mention of grass in the strategy – and grass (like soil) health is critical going forward. Silvopasture to date is considered best for carbon, biodiversity and food production, provided there is a variety of grass sword. Indeed, the few scientific papers available show this to sequester more carbon than trees over 30 plus years.

Balbirnie Home Farms, and Arbikie Highland Estate, winners of the Combatting Climate Change award and Innovation in Farming award respectively at SLE's 2023 Helping it Happen Awards, together demonstrate the innovate, sustainable solutions that are being pioneered by Scotland's farming community to tackle the biodiversity and climate crises. Bridging the gaps between the biodiversity strategy and new Agriculture Bill and connecting these areas of policy is vital for a coherent and successful future plan.

2h: Are the key actions, to support the objective: embed nature positive farming, fishing and forestry, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

SLE members, who are predominantly in the private sector, have and continue to play a vital role in helping Scottish Government achieve its ambitious tree planting targets and we welcome the ambitious target of increasing the quantity and quality of tree cover through planting and promoting natural regeneration.

SLE supports opportunities for native woodland expansion and where practical for this to be delivered by natural regeneration. Where this is feasible it is important for browsing pressure to be kept at an appropriate level to allow this process to take place. The process of natural regeneration and tree establishment requires there to be enough seed source, conditions need to be right to support germination and initial growth and there needs to be protection from browsing pressure.

Trees, forests and woodlands have a key role to play in mitigating climate change and restoring biodiversity, both locally and globally. Tree planting can provide multiple benefits, such as enhancing habitat networks, improving water quality by providing a buffer area, or maintaining water temperatures, providing a diversity of habitats for biodiversity and contributing to carbon sequestration – amongst other benefits.

However, without careful planning, there is the danger that the wrong species of trees will be planted in the wrong places, compromising the biodiversity of woodlands, rivers and open habitats such as bogs, heathland, and species-rich grassland, contrary to the aims of the strategy.

The right tree in the right place is crucial and we would like to see a balanced approach taken integrating tree planting with other land-based businesses ensuring we get the best from land. For example, riparian planting and agroforestry schemes offer greater value for nature, but can also have higher costs of establishment and management, while commercial return can be less clear-cut. More thought and support is needed to encourage regenerative practices within Agriculture and agroforestry. Both require a major change in management systems and can lead to a loss of production, so support will be needed to encourage widespread uptake. Likewise, a sizeable percentage of potential new woodland is currently covered in bracken on steep boulder strewn slopes with no cost effective solution available.

SLE members have some concerns around the viability of increasing woodland extent, and delivering timber and carbon outcomes, with the means outlined and without specific reference to the role that productive forestry can play. The method of establishment may not be fully compatible with the policy context to deliver the speed and consistency of woodland expansion required to meet the biodiversity and climate challenge. The Scottish Government aims to create enough woodland to cover 21% of Scotland's total area by 2032. At the current rate of delivery, it would take almost 48 years to reach this target through only small-scale projects (-100ha). New woodland creation needs to at least double to meet targets, and there is a pressing need to work at scale, as we have highlighted in detail elsewhere in our response.

Gresham House forecasts global timber consumption to rise by 270% over the next 30 years driven by urbanisation, decarbonisation and housing demand. At the same time, there is supply deficit forecast for 2050 of 1,130mn m3 annually. In theory, Scotland could be self-sufficient in timber. In practice, we import and export both wood and wood products. The UK as a whole is the second biggest net importer of wood globally after China, importing about £7.5 billion annually. This is because the UK currently grows only about 20 per cent of its wood requirement, leaving it exposed to a very significant balance (80 per cent) that must be imported. Neither do we have enough UK seeds for trees – and there are high risks associated with importing trees. The growth opportunity for sustainable forestry is therefore significant.

2i: Which actions do you think will have most impact?

It is essential to have woods that balance the need to generate income through commercial forestry with biodiversity, landscape, and amenity. Commercial, productive forestry plays a significant role across rural Scotland in sequestering carbon, providing jobs, and creating places for people and nature. It is also important that we keep planting forests to meet demand and avoid the need to import more timber. Scotland is the only part of the UK to have set wood use targets, a vital step to decarbonise construction by substituting 'carbon-heavy' building materials like concrete and steel with low energy wood, a material that locks away carbon and which can be easily reused and recycled. All of the above combined has a significant role to play in ensuring the benefits of a Just Transition are felt by the local community as a whole, and not just a select few.

Community employers such as SLE members and winners of the 2021 Rural Business category at the Helping It Happen Awards, Jas P Wilson, have a key role to play, and are therefore most likely to be impacted. Jas P Wilson has developed into the UK's leading national supplier of forestry equipment and machinery. They employ 85 staff and provide invaluable apprenticeship opportunities in engineering and administration for young people through their dedicated training centre. Their strong team of skilled designers, engineers, service and sales staff operate from an ever-expanding 20,000 square metre base in Dalbeattie, home to their workshops, design studios, offices and dedicated training centre. Working with Scottish Enterprise, they have broken new ground in exports including in Scandinavian markets.

Likewise, the Riverwoods partnership, of which SLE is pleased to be a participating partner, is delivering positive transformational change across Scotland's rivers and streams, which cover 125,000 km of the country. Many of our members are actively engaged in catchments-scale river restoration and riparian planting projects with partners, delivering significant benefits for wildlife and people, as detailed in a recent briefing to the Scottish Parliament for a members debate to mark World Rivers Day 2023.[1]

Riverbank woodland creation has not been favoured until now by FGS – the system lacked the flexibility and riverbank woodland creation scored low on "value for money" because of its necessarily linear nature, requiring a relatively high capital input in relation to the area planted. However, the new measures announced by Scottish Forestry in 2023 (increasing the target area for new planting to 175,000 hectares of riparian land across Scotland, and enhancing eligibility to a higher grant rate) should have a positive impact. SLE agree that the benefits of reduced flooding downstream and improved biodiversity for nature should be valued higher than they currently are.

With regards Fisheries, our members work to conserve Scotland's valuable wild freshwater fish and fisheries, and the wider aquatic environment on which they depend. Wild fisheries are a key component of the rural economy, bringing many benefits to communities through the provision of tourist facilities and accommodation. Good wild fisheries management can have numerous benefits to biodiversity, water quality and flood mitigation. It is important that Scotland's rivers (and seas) are managed in a holistic manner for the benefit of a range of species. Catchment-scale river restoration projects are helping to reverse the dramatic decline in Atlantic salmon stocks and ensure a sustainable future for this iconic species, and we provide more detail on the role that SLE and our members have been playing – and our policy views on this matter – in our answer to 'Chapter 5: Objective 4: Protect and Support the Recover of Vulnerable and Important Species and Habitats'.

[1] Appendix – 'World Rivers Day', SLE Parliamentary Briefing – S6M-10364 (Jackie Dunbar MSP) 21/09/2023

Chapter 5: Objective 4: 2j: *Have we captured the key actions needed to deliver the objective: protect and support the recovery of vulnerable and important species and habitats?*

Land managers across Scotland play an important role in delivering for the environment and are uniquely placed to deliver positive environmental benefits, including enhancing the natural capital for which they are responsible. Many are taking an increasingly proactive approach to restoring natural processes and ecosystems, including non-native invasive species removal, tree planting and species translocations.

While we are fully supportive of the ambition to increase ecosystem restoration, and protect vulnerable species and habitats, it is important that a balanced approach is taken, and socio-economic sustainability is considered alongside ecological objectives – otherwise environmental gains will be at risk.

Biodiversity loss will not be halted unless a holistic approach is taken. It is also important to recognise that every area is different, outcomes can be unpredictable and unique to each site and different approaches will be appropriate in different places. A 'one size fits all' approach will not enable land managers to maximise localised variations in biodiversity. Many of Scotland's land managers have been addressing the biodiversity and climate challenges for years and are already operating at a high standard. The historic knowledge they have of their land and how the landscape is utilised should be treasured and local know-how combined with local policies to deliver action on the ground. Future legislation needs to recognise this good practice and should not only reward those who have the greatest improvements to make.

Some of the previous drivers of biodiversity loss have been inappropriate support schemes. Land managers have often acted on government incentives only to be told that these incentives are now contributing to biodiversity loss; for example, planting of commercial forestry on sites of native woodland, draining moorland and over-intensive farming policy are just a few of the government supported land management practices that have been encouraged through support schemes in the past but for which land managers are now being criticised.

We feel a Better Biodiversity Data project and Species at Risk database (combined with mapping genetic diversity across Scotland) should be an asset and allow for evidence-led decisions to be taken and targeted conservation action where it is most needed. Working with land managers as they attain Wildlife Estates Scotland accreditation will also help to monitor and enhance this work.

Fragmented land management approaches have to date failed to protect biodiversity and if the management of land use remains fragmented, we will continue to fail and miss both our net zero and biodiversity targets. To safeguard delivery of environmental benefits we must see an integrated and holistic approach taken to conserving biodiversity, and single species management programmes sit within a wider ecosystem approach.

We must also recognise the important role that large-scale nature restoration projects can play in delivering a nature-rich future. Species on the Edge, Nature Networks and the 6 proposed large scale landscape restoration areas (which the Strategy will identify and facilitate, as detailed in Objective 1) are good examples of what can be achieved through more integrated partnership working and connectivity across Scotland. Other examples involving SLE members highlight the benefits of this approach.

The South of Scotland Golden Eagle Project (winners of the Conservation category at the Helping It Happen Awards 2022) has overseen the release of around 50 golden eagles since 2018. As a result there are now more golden eagles in south Scotland than at any time recorded in the last two hundred years. Effective partnership working between land managers and communities has been the cornerstone of success, with more than 10,000 volunteers and project participants of all ages. This is a great example of a collaborative partnership project with fantastic community engagement.

2k: Are the key actions, to support the objective: protect and support the recover of vulnerable and important species and habitats, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

Unsure. Many landowners are already delivering actions on their land which benefit biodiversity, but we recognise that action needs to be scaled up if we are to successfully address the biodiversity crisis. Going forward land managers need long-term support, advice and guidance and assurance that policies will be clear and enabling. Biodiversity targets can be met but it will require that those currently working on the land are listened to, encouraged and incentivised. There is a need for flexible, targeted funding to support the practical delivery of land management actions required to address the biodiversity and climate crises.

It is important that new projects which either look to reinforce existing species and/or reintroduce lost species are considered in a balanced way and local views are fully considered with land managers, public bodies and communities working together to address the biodiversity crisis, in tandem with understanding the needs of others. Plans to raise awareness of science and practice around conservation translocations through public engagement are to be welcomed. Decisions should always be evidence-led with appropriate consultation and wide-spread community support. Species reintroduction or removal must come with clear policies on how decisions are made and what measures are in place to mitigate any negative associated impacts, prior to further reintroductions/removals. There can be an imbalance between those who experience benefits of a species /habitat change (e.g. tourism industry, wider public) and those who bear the costs (e.g. land-based businesses – aquaculture, agriculture, forestry). In the overall evaluation it is therefore important to consider both the ecological and socio-economic impacts.

With regards specific species, there are references in the Strategy to the ongoing recovery of sea eagles, but little in the way of detail with regards management plans – due to developments in Argyll and the West Coast with lamb predation, this needs to be monitored over the next five years and liaison maintained with other parts of the country. We need more effective local feedback mechanisms when things are not working – local evidence should be sufficient when a national evidence-base is lacking. The same might apply to feral pigs which are quietly spreading, like beavers, and to address the damage to property that these new species can cause. There also needs to be a clear plan to control species which are illegally released,as this continues to be a source of tension and stress for land managers who are left to deal with the negative consequences – with no control over where species are being illegally released, often in entirely the wrong catchment areas.

While SLE is not directly engaged in marine matters, we are happy at this stage to support the Scottish Seabird Conservation Strategy, and many of our members (whose land borders the coastline) are affected by issues relating to the pressures on seabird populations, including those related to climate change and Avian Flu. However, it is important that conservation efforts to protect and support the recovery of other vulnerable and important bird species are not overlooked at the expense of seabirds.

The Corn Bunting is one of the rarest birds in Scotland and one of its last strongholds is East Neuk, where there is a remnant population of about 200. An award-winning collaboration of farmers and other landowners has reversed the decline of Corn Bunting. The latest estimate puts Fife's population of Corn Bunting at 372 territories – three times what it was at the lowest point in 2001. Numbers are up by 29% since 2020, following a 70% increase between 2014 and 2019. The entire eastern Scottish population had previously crashed by 83% between 1989 and 2007. Corn Bunting's preference for nesting in growing crops later than most other birds and their reliance on large insects to feed their young, and cereal seeds to get through the winter, puts them at particular risk in a modern agricultural setting. The Corn Bunting Recovery Project has worked to provide safe nesting and foraging areas, as well as supplying winter food – the RSPB has for many years run a project encouraging farmers in the East Neuk to sow 5 acre patches of cereal plots as winter food for the corn bunting and this has enabled the population to cling on.

2l: Which actions do you think will have most impact?

Freshwater and marine bodies need to be resilient to climate change, so it is right that this is a key objective of the plan. Water is also crucial for the delivery of a nature-rich environment. We note that there can be conservation benefits to the reintroduction of beavers, including the creation of wetlands, improved habitat structure and diversity as well enhanced biodiversity. Where beavers return to suitable parts of the landscape a wealth of benefits can be seen. However, when beavers are found in unsuitable locations a suitable mitigation plan must be available to farmers, land and fisheries managers who suffer damage to their businesses. These businesses should not be left to bear the cost of resolving the tension between conservation and land management.

The focus the Strategy gives to the freshwater environment, and the level of ambition within the outcomes seems weak when assessed against the ambition and outcomes for uplands, lowlands and marine, which is surprising given the important link the freshwater environment provides to ecosystems. Rivers are the route by which impacts arising from farmland, woodlands, forestry, soils and uplands are transported to the lower catchment, and indeed into the coastal and marine environment. 40% of Scotland's rivers and lochs are not in good condition and a range of pressures continue to have an impact on the condition of the water environment (water scarcity and abstraction, increasing flood risk, increasing water temperatures, rural diffuse pollution, wastewater, mam-made barriers to fish migration, physical modifications to rivers, and the spread of non-native invasive species and resulting predation and competitive exclusion). We would like to see the outcomes refer to Scotland's River Basin Management Plan, a key mechanism for delivering change to our freshwater environment, and address a wider range of aquatic species which inhabit our rivers and are in need of protection and restoration. The ambition needs to be broader, and the focus needs to be on restoring natural processes, ensuring free flowing rivers, and restoring and protecting invertebrate and plant life.

It is important that the actions set out in the Wild Salmon Strategy Implementation Plan are delivered, as specified. Atlantic Salmon has moved from *Least Concern* to *Near Threatened* on IUCN's Red List, with new evidence showing the global population decreased by 23% between 2006 and 2020. The conservation of wild Atlantic salmon is a critical priority for SLE and our members and we recognise the need to take action to protect these vulnerable stocks. SLE have supported the efforts of Fisheries Management Scotland in highlighting the wild salmon crisis, and the need for coordinated action to address this. We welcome the recognition given to the crisis wild salmon face and we and our members remain committed to working with the Scottish Government and its Agencies to improve the situation. Action is required across a wide range of pressures if we are to address this crises. Mechanisms to conserve these vulnerable stocks and encourage sustainable economic growth must be encouraged and our membership is committed to ensuring that fisheries for wild Atlantic salmon are sustainable and are striving to improve the rates of catch and release (steadily increasing since 1994 and now practised at a very high voluntary level).

Significant efforts should now be directed towards tackling the wide range of specific pressures (climate change affecting food availability; weirs and other obstructions in rivers; predation by seal populations; sea lice; bycatch by trawlers at sea and poor river quality) facing Scotland's wild salmon populations. The last few years have seen some exciting progress in the development and implementation of integrated catchment management approaches – with land managers, Fishery Boards and Trusts and other key stakeholders (public bodies, local communities, businesses, and land and water managers) coming together to create unique partnerships that deliver multiple benefits through river catchment and landscape scale restoration projects (e.g the Atlantic Salmon Trust and Grosvenor's Reay Forest Estate salmon restoration project in the Scottish Highlands).

Chapter 6: Objective 5 – Invest in Nature

2m: ***Have we captured the key actions needed to deliver the objective: invest in nature?***

Land managers continue to make significant contributions to tackling climate change and biodiversity loss, but it's critical they're supported by policies and regulations that are stable and consistent, well-designed, well-funded and well-implemented, and also well-governed, with a clear link between action and result. Previous well-intentioned initiatives have left a mixed legacy with barriers ranging from perceptual and motivational (possibly resulting from historic experience) to practical, administrative, and bureaucratic. There is now an opportunity to reflect and identify lessons for the future.

Contractor capacity, skills and funding are key factors, with the partnership element being vital to their success. There is a need for significant investment being made to ensure we have the available skills to deliver on targets. For example, our members have a positive willingness to pursue peatland restoration (many are already actively engaged with the Peatland ACTION programme) and SLE fully supports plans to significantly reduce areas of degraded peat, but there are some frustrations at the difficulties of delivery.

Administrators have been overwhelmed with the level of interest, and by the time an application has been approved, the delivery window is incredibly tight. Suitably qualified contractor availability is key, and while some are willing and able to do the work, it requires payments to be made on time and for things to run smoothly – this does not always happen. The short-term nature of funding and a lack of flexibility over timescales for implementation has meant that, for many land managers, peatland restoration has either been extremely challenging to deliver or work has been unable to progress. Bad weather (generally January until April but sometimes from December), the bird breeding season (February to late autumn), herbivore management and deer stalking and the time taken to process funding applications have combined to constrain the restoration window to around 6 months per year. Other concerns include: obtaining approval for smaller patches of peat; areas of peat being deemed 'not degraded enough', despite requiring restoration work which would deliver biodiversity and climate benefits; uncertainties in the carbon credit market, in particular the long-term liability they put in place. Care is needed to ensure that all actors in the market are clear as to their roles and responsibilities. We should not lose sight of the importance of longer-term monitoring of peatland condition following restoration, as well.

The peatland restoration challenge in Scotland is huge. The Scottish Government has a target to restore 250,000 ha of peatland by 2030, equating to 25,000 ha per year. It has become apparent that there is a mismatch between these aspirations and the collective ability to deliver at scale. For 2020-21, the total volume of peatland restored in Scotland was 5,658ha. For 2021-22, the total number restored was 5,370ha. (We await data for the 2022-23 financial year.) Much of this restoration is done by private landowners, who invest their time and money into projects which is seldom recognised.

SLE are pleased to be able to support this engagement work with members, working in partnership with Peatland ACTION, and others, in the promotion of ongoing peatland restoration work across Scotland; and during winter 2023/24 we will be running a series of collaborative 'Walk & Talk' events for members across our regions, highlighting the excellent work being undertaken by our land management community.

Caledonian Climate Partners, who have been heavily involved in the project management and delivery of many of these peatland restoration projects involving SLE members, and are at the forefront of efforts to revitalise Scotland's peatlands through nature based solutions, were worthy winners of the Combatting Climate Change category at the 2022 Helping It Happen Awards.

2n: ***Are the key actions, to support the objective: invest in nature, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?***

The imperative to deliver 'nature-based solutions' to biodiversity and climate change has never been stronger and the expectations being placed on the land management sector are considerable. Effective, innovative funding mechanisms that incorporate public and private investment in a blended finance approach will be important in ensuring there are increasing financial flows invested in nature-based solutions but there are complexities which need to be addressed. The Green Finance Institute estimates that between £15 billion and £30 billion, in addition to current public funding, is needed over the next 10 years to restore nature across Scotland. While there have been some concerns raised around the accuracy of these figures, the reality is that even if it's an estimate which is slightly high, the fundamental issue of how to fund this work with limited public funds remains. The Scottish Government have acknowledged that much of this will have to come from the private sector. Therefore, it is important not to put at risk current work when looking at future work to meet these challenges. The market is new and dynamic – investment is already happening, and this presents both risk and opportunity. The Scottish Government's National Strategy for Economic Transformation (NSET) included a commitment to establishing a values-led, high-integrity market for responsible private investment in natural capital, supported by a national project pipeline for nature-based solutions, and it is right that this is included as a key action within the Strategy, however the time-frame for success is tight.

The Scottish Government Climate Change Plan acknowledges that landowners and private investors are an important part of the solution to climate change and wants to see a collaboration between "carbon buyers, landowners and intermediaries". If we are to achieve ambitious climate change and biodiversity targets, the public purse alone cannot support the investment that is required, and this presents an opportunity for private finance. However, it is landowners of all types and sizes that are being asked to take the risks over the long-term. SLE has recently responded to an HMRC Consultation on the taxation of environmental land management and ecosystems service markets. How income generated by the emerging carbon markets is treated from a taxation perspective (capital or trading) could act as a disincentive if it can't be set off against scheme costs upfront. In addition, it's important that land formerly in agricultural use but moving into environmental land management isn't disincentivised by the loss of Agricultural Property Relief (APR) from inheritance tax. It's important policy doesn't contradict itself.

SLE and WES are currently supporting the CivTech CreditNature partnership with NatureScot to expand its nature fintech platform, to develop and pilot 'a progressive biodiversity credit market in Scotland'. They estimate that the biodiversity credit alone could reach £12-£35 billion by 2050, and are keen to position Scotland as a global leader, with a system that works locally and will scale internationally. CreditNature's biodiversity credit solution includes two significant innovations: Nature Impact Tokens (digital environmental assets that evidence an investment in a nature recovery project and that 'yield' a set of benefits); and NARIAs (Natural Asset Recovery Investment Analytics), a metric framework that quantifies 'uplift' in ecosystem integrity produced by regenerative land practices in defined areas, and converts this into reportable nature impact units (a type of biodiversity credit). It is important to note that private finance schemes do not need to solely link to carbon credits or biodiversity tokens. It is also possible to design a specific scheme linked to a nature-based solution and approach key targeted corporate bodies and negotiate their buy in. Examples already exist with water companies and insurance companies working directly with land managers in projects that improve water quality and reduce flooding within a catch area. These projects have a positive effect of capturing carbon in the soil or through riparian planting but that is not the sole measure of value. For the water companies it is reduced treatment costs and for the insurance companies a reduction in payouts for flood damage along with reduced insurance premiums for the individuals in the communities.

2o: ***Which actions do you think will have most impact?***

As a member of the Alliance for Scotland's Rainforest, SLE supports landscape-scale rainforest restoration, and where necessary active management of invasive non-native species such as rhododendron. Terrain is often challenging so the support of contractors and volunteers can be needed to access difficult sites. We need to upskill the rural sector to address things like contractor availability, machinery, and skilled labour shortages, these obstacles are a significant hindrance to the delivery of restoration activities.

These challenges also present an opportunity, however, to build capacity through funding support for training in woodland, peatland and other species and habitat recovery work, so that qualifying work can be carried out by employed estate staff at landholding level. The Mountains and The People (TMTP) was the largest, most complex upland path project ever undertaken in the UK. The £5.6m scheme created and rebuilt footpaths on some of the Highlands' most iconic hills, across Scotland's two national parks, repairing environmental damage caused by walkers and preventing further damage. Seeding the budget with its own resources, the Outdoor Access Trust for Scotland (OATS) brought together agencies, and, crucially, won support from multiple landowners at 43 diverse sites. The project completed 120km of paths over six years. It created 36 path-builders of the future, and attracted help from volunteers across Scotland. TMTP went on to win the Enhancing Our Environment Through Land Management category at the 2022 Helping It Happen Awards.

We support any efforts to enhance rural skills, and get more people, especially young people, into rural jobs - multi-year projects and landscape scale projects will inherently provide that confidence for both employers and those looking to work in rural areas. Many of our members are reporting a shortage in the skills they need to run a successful rural business and offer opportunities to people in these areas.

The greatest enabling factor for biodiversity change will be a motivated rural sector. The sector has shown that it is responsive to changing circumstances and that it is aware of its societal responsibilities, with land managers stepping up more than ever to demonstrate their green credentials. We fully accept there is more to be done but it is imperative that this strategy does not lose sight of the work achieved to date by rural Scotland. As previously stated, it is important that those who are already contributing to biodiversity are recognised for their contributions. We look to Scottish Government and its agencies to acknowledge the progress made and take steps to continue to encourage a spirit of recognition.

The establishment of the £65m Nature Restoration Fund, which includes support for large scale initiatives is particularly welcome, likewise FIRNS and SMEEF, but we need to see other funding streams being developed which support the delivery of large scale projects. General public awareness on how and why land is managed in Scotland is not always well understood. If we are to make the significant changes needed to secure Scotland's biodiversity, we need to see a whole of society approach taken and this needs to be led by Scottish Government. Biodiversity must be mainstreamed across all government departments, national and local, if we are to see successful delivery of environmental benefits. Policies and messaging from government and its agencies must foster a climate of cooperation within communities (of which landowners are part) so we can solve problems and achieve shared ambitions. Future legislation must enable this to continue and more to be done by public, private and community landowners, with the focus on delivery rather than the ownership model.

There is a need for funding mechanisms to better reflect Scotland's priorities for environmental improvement and restoration. Investment in natural capital for carbon management should be both measurable and verifiable, such as through the government-backed Woodland Carbon Code, recent changes to which mean there is a new way to leverage investment finance and restore ancient woodlands. Previously, only woodland creation projects were eligible for the WCC, but now remnant sites that have less than 20% woodland cover remaining, along with browsed regeneration, are eligible for carbon credits.

Chapter 7: Objective 6: Take Action on the Indirect Drivers of Biodiversity Loss: 2p: Have we captured the key actions needed to deliver the objective: take action on the indirect drivers of biodiversity loss?

Unsure. It is imperative that we address unsustainable supply and demand to reduce biodiversity impacts, and engage and strengthen the connection between people and nature. We must also mainstream and integrate biodiversity policy across government, and embed biodiversity and nature in curriculum development in Scotland. Steps have been taken to deliver these objectives, but more can be done.

As a member of the Alliance for Scotland's Rainforest, SLE supports landscape-scale rainforest restoration, and where necessary active management of invasive non-native species such as rhododendron. Temperate rainforest is a globally rare habitat, and Scotland's west coast is home to a substantial proportion of the surviving European fragments – indeed, only 30,000ha are left. This dwindling habitat is being choked by *Rhododendron ponticum*. The shrub colonises woodland quickly, out-competes native trees for light and is not palatable to any grazing animals. It quickly forms a dense thicket within which nothing else can grow, shading out rare flora, and resulting in loss of insect habitat. This in turn has a knock-on effect on birds and bats.

A DEFRA consultation in 2009 included Rhododendron ponticum on a list of 15 alien species that were being considered for a ban on sale. The Horticultural Trade Association expressed concern that a ban would be difficult to implement, and growers and retailers would be disproportionately affected. The continued sale and planting of invasive rhododendron in the UK, especially in the rainforest, clearly increases the risk of further spread to new locations.

SLE are pleased to have been at the forefront of recent efforts to save Scotland's rainforest from rhododendron. This has included hosting several ongoing events and webinars focused on rainforest management and rhododendron control, and campaigning in partnership with Woodland Trust Scotland for the establishment of a Rainforest Restoration Fund (along the lines of the Peatland ACTION Fund).

Land managers across Scotland are committed to eradicating rhododendron, but this is not a cheap problem to solve. Many have already gone to great lengths to tackle the problem head on, and some have come up with innovative solutions. The NTS-managed Inverewe Garden, near Ullapool, has developed a specialised form of charcoal making, called biochar, which ensures an environmentally friendly outcome to their eradication mission, and contributes to circular economy efforts.

Biochar is a specialised form of charcoal, made under precise burn conditions that mean the pore structure of the original wood-cells remains intact. It is produced via an Exeter Retort, which uses a very low pollution technique to make biochar – burning off environmentally harmful gases, whilst retaining the wood's carbon. This means that at least 50% of the carbon locked up in the rhododendron can be returned to the woodland. As biochar is slow to degrade, this carbon can be locked up for thousands of years. Biochar has the potential to help restore and enrich the fungi and soil biodiversity of the cleared woodland. Acidic, highly leached soil responds better to biochar than other types of soil, because it retains the pore structure of the original wood.

Establishing a species-rich, mixed-age canopy woodland, with high biodiversity, will provide shelter for the rare creatures that live in this part of Scotland – from red squirrels, pine martens and sea eagles down to the rare lichens, ferns, and mosses. It will also shelter Inverewe Garden, providing it with the protection it needs to withstand the climatic pressures of the 21st century.

2q: Are the key actions, to support the objective: take action on the indirect drivers of biodiversity loss, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

No. SLE acknowledges the importance of responsible access the outdoors and the human right to a healthy environment to ensure health ecosystems and biodiversity in Scotland. Research conducted by BiGGAR Economics on the wellbeing economy work has highlighted the range of ways in which land managers contribute to Scotland as whole – and specifically how the land-based business sector already delivers a myriad of benefits to rural Scotland. Relationships between communities and land managers are important, and while many already undertake extensive community engagement activities (some have full strategies), it would be helpful if the strategy played a role in bringing them together to foster more trusting, constructive relationships and working, and allowed communities to understand how different aspects of land management are carried out. Community training and learning programmes should include education about how Government policy priorities can influence land use decision making, as well as managing expectations about what land use decisions communities can realistically expect to influence. SLE can also help by playing a role in sharing best practice. We should remember that there is a risk that the 'wellbeing economy' quickly becomes the opposite when too many people descend on an area that isn't set up for it, to mention nothing of the biodiversity loss from disturbance.

There is also a need to ensure a Just Transition and not to demonise current practices and people working within land management currently. The community empowerment rhetoric emerging from Scottish Government and its agencies – while important – may also be contributing to unrealistic expectations about what communities expect to see happen when they object or want to influence a project. Forestry particularly in the South of Scotland, is a very live example. There is a fine balance between enhancing communities and meeting their wants and needs, and potentially stifling projects and investment. The definition of "public interest" must be clear to meet both local and national needs.

The Scottish Land Commission's *Rural Land Market Insights Report* (2023) notes that ambitious Scottish Government tree planting targets are a major contributor to the booming forestry industry and the increase in land values for plantable land, which is often resisted by rural communities. Equally, in their community engagement efforts, many of our landowning and professional forestry members who are trying to deliver against these targets are having efforts frustrated by a handful of community members who object to location or species of planting. These people do not necessarily represent the silent majority who are either in support of or indifferent to the creation of new woodland in their area.

We have therefore highlighted a disconnect between clear government support for the forestry industry (or indeed any other forms of land use that contribute to various goals such as nature restoration), and community understanding and acceptance of this. We are making calls on Government agencies to be part of the solution in managing communities' expectations in instances such as this and believe this should be embedded into the Strategic Framework, with clear reference to both local and national priorities. As with any emerging markets there are unknowns, however with contracts which can be up to 100yrs in length, there are real issues of understanding the costs and liabilities which come with these agreements. Currently there are very few of these agreements in place, meaning there is little liquidity for monetary payments to be shared. Similarly as the costs are not fully known, how much surplus there will be is at best a rough estimate.

Equally, as a sector we are working with other bodies and sectors to identify how community benefits can successfully be embedded into natural capital projects and markets, without jeopardizing the projects themself. The work is very much in the early stages and limitations have already been identified, but many investors and landowners are already exploring how they can deliver this through their own activities too.

2r: Which actions do you think will have most impact?

Research by the University of Edinburgh and other bodies has shown the benefit of outdoor education across all age ranges. Such studies have consistently highlighted the value of such activities for younger audiences. One of the key findings states that: *'For both primary and secondary schools the Environmental Studies section of the current 5-14 Guidelines provide the greatest curricular opportunity for outdoor education to study the natural heritage, both in terms of content and thematic and project based opportunities. Geography and biology continue to provide opportunity into middle and upper secondary. Health related initiatives are also sources of opportunity for outdoor education in general'.*

These findings, together with the knowledge that outdoor learning also has significant health benefits throughout our lifetime, should be the drivers to progress delivery of the outdoor learning elements of the Learning for Sustainability Action Plan and the associated new portal by 2027, and to explore opportunities to futher develop Curriculum for Excellence nature-based resources and material.

Scotland's National Parks boast some of the best opportunities to champion education and learning, particularly to younger audiences. The Cairngorms National Park Junior Ranger Project is a fun and exciting way for young people aged 11-18 to learn about the outdoors. Accompanied by rangers and other services within the National Park, young people can take part in educational activities in protected areas, giving them the opportunity to become ambassadors for the Cairngorms. The Junior Ranger Programme operates throughout Europe and won the SRUC Education Award at the 2023 Helping It Happen Awards.

The Working With Communities Award was won by Countryside Learning Scotland (CLS), a countryside education charity based in Perthshire. Their work has been vital in opening the eyes of Scotland's young people to what the countryside has to offer them and what they have to offer the countryside. CLS recently partnered with Perth & Kinross ADHD support group, and launched a new initiative called 'ADHD Rural Connect'. It's the first of its kind to be offering educational support to young people with ADHD into rural work across Scotland, and is focused to ensure these individuals have the opportunity to reach their full potential by nurturing their skills for employability and adult life.

Volunteer Ranger opportunities across Scotland not only deliver their support for practical activities, but participants can also be ambassadors both within their role and externally. Such programmes have worked successfully in the past and should be expanded where practical. The 'Make Your Mark' volunteering scheme aims to increase the number and diversity of conservation and heritage volunteers in Scotland, not only at a practical level, but also by utilising their knowledge and skills for behind-the-scenes roles such as administration, accountancy, planning and education. Horizon scanning research undertaken by Visit Scotland highlights the projected increase in 'Workcations' and 'Voluntourism' as a way for people to step away from their everyday lives, improve their own wellbeing and contribute to worthwhile projects.

At times it can appear as though outdoor education and experiences have been removed from Scotland's educational curriculum. There are various reasons for this, financial, logistical, complexity, personal risk etc but regardless, we need to get far more children into the countryside to support their education and wellbeing. The Scottish Government's learning curriculum does not prescribe the context (e.g. outdoors) for learning, even for specific subject areas, and research evidence from the University of Edinburgh suggests that the presumption and consequence is that teaching will take place indoors. The 'Nature Network' project should be seen as one important element of overcoming this stance, although it should be recognised that for some educational establishments, financial constraints may make the outdoor option impossible to deliver without further support.

Section 3: 3a: Do you have any comments on the Nature Networks Framework?

We support this policy and recognise the important role nature networks can play in delivering carbon sequestration and nature restoration. We're seeing land managers across Scotland taking an increasingly pro-active approach to restoring degraded ecosystems – including tree-planting, river re-meandering and restoring natural processes.

We would like to see future work encourage land managers to continue to take an ecosystems-based approach, working together and delivering objectives most effectively at a landscape-scale level to tackle the biodiversity and climate emergencies, as it is unlikely that biodiversity conservation goals will be met by solely protecting habitats or species or designating certain areas for management.

While supportive of the concept of Nature Networks, given discussions on 30 x 30 and Nature Networks are still in their early stages it is difficult to envisage how Nature Networks will fit into and interact with the existing and expanding land use policy landscape. On that note, it is surprising that nowhere in the strategy is there mention of the Regional Land Use Partnerships and their role in helping to meet biodiversity targets. Also, surprisingly light in the strategy is the role of the Protected Areas network, these have been a cornerstone of biodiversity conservation in Scotland and is disappointing to see little reference being made to them.

Nature Networks offer an opportunity for targeted action and could be a useful mechanism to align government support and funding. Bottom-up, democratic and transparent governance is to be welcomed. The Framework will also need to integrate with existing policies and have sufficient flexible delivery mechanisms in place to be successful. Mainstreaming (as with the Strategic Framework in its totality) is critical, and we hope that the proposed 'toolbox' resource has impact and resonates at local and regional levels. Incentive arrangements will need to be stable and consistent so that forward planning can be exercised. We refer to our earlier point made with regards poorly thought-out grant schemes which can be overly bureaucratic and work against biodiversity schemes.

Nature Networks offer a strategic approach to managing, restoring and enhancing Scotland's habitats and landscapes and they have the potential to complement existing initiatives already underway such as Wildlife Estates Scotland. NatureScot has an ambition to transform its approach to Protected Areas, so they become catalysts for wider landscape scale restoration and public engagement. Wildlife Estates Scotland (WES) clearly demonstrates how a National Ecological Network can work on the ground, with the Pentland Hills cluster a good example; it recognises the greater impact contiguous land areas managed to similar principles and values can have.

Landowners and land managers are custodians of the natural assets required to help Scotland meet its ambitious net-zero targets, and many have taken and continue to take positive steps to address the climate and biodiversity crises. Landscape scale projects have and continue to be a major factor in the ability to deliver objectives in key areas such as forestry, farming, renewables, and rural housing.

To be successful it will be important that land managers are given long-term support, advice and guidance, while ensuring that policies are both clear and enabling, and can empower land managers to fulfil the important roles they can play in mitigating biodiversity loss and climate change.

Section 4: 4a: Do you have any comments on the 30 by 30 Framework?

We cannot stress enough the importance of taking an integrated approach to land use policy, rather than looking at activities such as forestry, food production, carbon sequestration and natural capital in silos. The principle of land sharing is crucial to the overall success of land management in Scotland.

We're supportive of a move towards outcome-based approaches, while also recognising that in certain situations where positive activity does not lead to a positive outcome, there may be a need to be flexible. Engagement is going to be key to success, supporting land managers in identifying conservation goals and the reasons behind any prescribed activity for a site. Clearer result measures that indicate how a land manager knows when the target outcome(s) has been achieved for a site will encourage greater stewardship and help ensure effective delivery of this objective.

A collaborative approach involving land managers, local communities and wider stakeholders is needed which highlights the importance of designated sites. Currently very few communities and individuals in Scotland know where designated sites are or why they are important. For areas which receive high visitor footfall/pressure this is an important consideration especially for those sites which have features that are vulnerable to high levels of visitor disturbance. This presents an opportunity to both enhance the visitor experience and assist in conservation of designated features.

With regards protected areas, there needs to be a clear link between action and result which will help focus land managers on owning and understanding the results and management actions, rather than simply following a set of prescriptions. The designations 'landscape' is becoming increasingly complex in Scotland, and there is a danger of designations 'fatigue', or worse a backlash amongst land managers and the wider public. In the years and decades ahead, efforts should be made to streamline and simplify terminology to continue to improve public understanding and stewardship of our protected areas.

Future work must seek to encourage land managers to work together at a landscape scale to enhance the benefits provided. Facilitation of catchment and landscape scale projects is essential to the successful delivery of biodiversity objectives at the scale required. Wildlife management can play an important role in conserving threatened species and habitats, especially in the wider context of both the climate and nature emergencies.

Section 5: Impact Assessments

5a: What are your views on the accuracay and scope of the environmental baseline set out in the environmental report?

It is appropriate given the strategic and national level focus of the Strategic Framework that all environmental topics have been scoped in to the SEA. Before we know what evidence and information to use, we first need to have clear targets which will be key in being able to measure progress towards the milestones and vision set out in the strategy.

Robust data should be collated from multiple ecosystems and at a variety of temporal and spatial scales. A range of sources should be used and the importance of data from the private sector should not be forgotten nor ignored. Improving data quality will continue to be an area which needs attention and funding, and support will be required to ensure ongoing collation. Where appropriate evidence should be collated from a wide range of stakeholders.

As an organisation we would be happy to share our data from Wildlife Estates Scotland – which has an established data system in place – with Scottish Government officials. To ensure that policy and practice are aiding biodiversity, regular monitoring and publication of data will be necessary so that we can make interventions where mistakes are made, or actions aren't having the desired impact and support and upscale good practice where successful results are being observed.

5b: What are your views on the predicted environmental effects as set out in the environmental report?

Biodiversity is crucial for the functioning of healthy ecosystems and supports life by providing resources such as clean air, water and food.

Scotland's biodiversity is complex and includes varied habitats (ranging from raised bog to native and ancient woodland) across land, freshwater and marine environments, with approximately 90,000 animal, plant and microbe species found in Scotland. It has been depleted due to human activity over centuries, and global declines in biodiversity are mirrored locally.

Scotland has seen a 25% decline in abundance of wildlife since 1990, while globally around 1 million species are already facing extinction. Climate change, pollution and the loss of natural habitats are now acknowledged as causal factors, and it is argued that if we don't take urgent action, nature in Scotland will most likely continue to decline, and important species may be lost forever.

Our landscapes may become drier and overtaken with invasive species. Flooding will be more extreme, affecting communities across the country. Traditional industries such as farming and fishing, and the communities that depend on them, will suffer, becoming less productive and less profitable.

All of this will come at a financial cost – we will have to spend more and more resources managing an increasingly degraded landscape, as well as losing some of our most useful assets in tackling the climate crisis. The sooner we start to restore and regenerate biodiversity (and more complexity and connectivity in land cover across all settings), the greater the resilience to climate risks, including biological carbon stocks.

Globally, when they are functioning well, ocean and land ecosystems remove around 50% of human-made carbon dioxide emissions each year. Indeed, half of the world's GDP (US$44 trillion) is dependent on nature in some way. In Scotland, the nature sector is estimated to employ 200,000 people (similar to those employed in oil and gas) and is growing at five times the rate of all jobs in Scotland (between 2015-19).

The adoption of the Kunming-Montreal Global Biodiversity Framework (GBF), negotiated at COP15 in 2022 – which aims to address biodiversity loss, restore ecosystems and protect indigenous rights – includes targets to:

- Restore 30% degraded ecosystems globally (on land and sea) by 2030;
- Conserve and manage 30% areas (terrestrial, inland water and coastal and marine) by 2030; and
- Stop the extinction of known species, and by 2050 reduce tenfold the extinction risk and rate of all species

In light of these commitments and ambitions, and given the urgent nature of the ongoing twin crises of biodiversity loss and climate change, it was recognised that Scotland must develop a new Biodiversity Strategy which safeguards and enhances ecological functions. The new Strategic Framework for Biodiversity is the culmination of this work.

5c: What are your views on the reasonable alternatives as set out in the environmental report?

Having not been directly involved in the workshops for key stakeholders (March 2022 and March 2023), it is difficult to comment fully on this aspect of the SEA consultation. However, with specific reference to the appraisal of options regarding flagship species vs an ecosystem approach, we would refer back to previous responses highlighting the importance of taking an ecosystems and landscape-scale approach to integrated land management.

We agree with the key finding of the SEA section on reasonable alternatives, which concludes:

"the use of a single species approach which utilises charismatic megafauna (or alternatively well-known habitats) has the potential to undermine a focus on the key interdependencies which support healthy ecosystems. In this respect a landscape-scale ecosystem approach is an approach which more closely recognises the building blocks and interdependencies which are inherent in healthy ecosystems."

5d: What are your views on the proposals for mitigation and monitoring of the environmental effects set out in the environmental report?

SLE agree that an ongoing programme of monitoring will be necessary as a means of evaluating the environmental performance of the strategy, monitoring compliance throught its implementation, and whether the strategy is fulfilling its core objective of delivering sustainable development and providing for a high level of protection for the environment.

5e: Do you think that any of the provisions in the SBS or Delivery Plan will have any adverse effects on business?

It is highly unlikely that any of the provisions in the SBS or Delivery Plan will not impact business, given the significant nature of many of the key actions (e.g. statutory nature restoration targets), however it is to be hoped that any potential adverse effects on business will be mitigated through targeted support, and challenges will be balanced out by opportunities for land managers to harness natural capital ventures (e.g. the burgeoning biodiversity credit market) and land value potential.

5f: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit business?

n/a

5g: Do you think that any of the provisions in the SBS or Delivery Plan will have any adverse effects on socio-economic equality?

n/a

5h: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit socio-economic equality?

n/a

5i: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on people with protected characteristics?

n/a

5j: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit people with protected characteristics?

n/a

5k: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on island communities?

n/a

5l: Are there any additional actions, or changes to existing actions, which can be taken through the Delivery Plan to ensure that there are no adverse effects for Island communities?

n/a

5m: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on child rights and wellbeing?

n/a

5n: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit child rights and wellbeing?

n/a

STATUTORY TARGETS: 6a: Do you agree with this approach to placing targets on a statutory footing?

Unsure. The Strategic Framework for Biodiversity is of great importance to Scottish Land and Estates' members. The objectives and actions set out within the approach will influence land management practice and policy in Scotland for years to come.

On the whole, Scottish Land and Estates feels the framework is predominantly progressive, with many objectives ensuring that Scotland's economy continues to grow, whilst recognising the important role nature restoration can play in tackling climate change and biodiversity loss.

Our response to the first draft of the Strategy acknowledged the scale and extent of the nature crisis both locally and globally – with the State of Nature Scotland Report highlighting similar drivers for biodiversity loss to the IPBES Global Assessment for Biodiversity and Ecosystem Services and reporting an overall decline in the number and geographical spread of species.

Scotland has a 'biodiversity intactness' rating of only 56% which means it has retained just over half of its biodiversity, compared with 65% for France, 67% for Germany, and 89% for Canada. Indeed, out of 240 ranked countries and territories, Scotland ranks 28th from the bottom.

However, it's important to recognise the considerable action being undertaken by land managers to enhance and restore habitats and species (including important refuges for some of our most threatened wildlife) – and the growing will to restore biodiversity, exemplified by the area of land now accredited through the internationally recognised accreditation scheme Wildlife Estates Scotland.

Land managers are at the forefront in implementing nature-based solutions, undertaking peatland restoration and woodland creation schemes, and the wealth and historic knowledge they have of their land and how the landscape is utilised should be recognised and used as an opportunity to link local know-how with delivering national priorities.

The previous Scottish Biodiversity Strategy failed to galvanise the required efforts needed to protect and restore biodiversity. To ensure this strategy doesn't go down the same route, a whole society approach is needed, this will require people to understand the value of biodiversity and the considerable benefits humankind derives from the products of it, including from the services of ecological systems (e.g. water purification, erosion control and pollination).

An analysis of responses to the first draft of the new Strategy highlights an agreement that mainstreaming will be vital – building commitment and buy-in across all stakeholders, including the general public – and felt that the strategy should better reflect the urgency of the biodiversity crisis, and be clearly aligned with relevant international and domestic strategy, policy and legislation, and it has been amended to reflect the targets agreed at COP15. Some respondents felt that the Strategy should be reframed to focus on key ecosystems and species outcomes, with a targeted vision for each habitat. The Scottish Government's commitment to peatland conservation and restoration was cited as a good model that should be rolled out across other ecosystems. There should be greater reference to outcomes which address species loss and a national programme of species recovery targeted at threatened species, together with a clear focus on tackling the key drivers of biodiversity loss (habitat destruction and degradation, habitat fragmentation, invasive non-native species and disease and pollution). Above all, addressing harmful practices, and promoting positive, nature-based solutions needs to be a priority.

6b: Do you agree with the criteria set out for the selection of targets?

Predominantly, yes. As noted in our response to the draft, the 2045 outcomes were broad and lacked detail making it difficult to understand what is trying to be delivered – they would be better constructed as SMART outcomes so that progress towards the milestones and vision set out in the strategy can be adequately measured. As drafted, progress towards the outcomes would have been difficult to determine, so we are pleased to see that the criteria for selection includes SMART targets in line with CBD guidance.

We welcome the recognition given in the strategy that the climate and biodiversity crises are intrinsically linked but we feel the strategy needs to go a step further and be more explicit in its recognition of the biodiversity crises and the importance of protecting biodiversity. We need to see high level outcomes that bring biodiversity up to the same level as climate change focussing people to act. The strategy needs to outline what the consequences are if we fail to act, the impacts this has not just on nature but on humans. It needs to empower individuals to make choices and take action, as drafted there is little incentive or compulsion to act, other than it is a good thing to do.

The way we use the land is going to be critical to how Scotland responds to the climate and biodiversity crises. The delivery of targets relies heavily on the appropriate management of Scotland's natural capital assets. This presents an opportunity for those who own and manage land to both contribute and to benefit, particularly as funding mechanisms are likely to reflect these priorities. It is paramount that we see Scottish Government set the right policies and funding mechanisms to support the delivery of biodiversity targets.

Barriers to schemes which would have been beneficial to biodiversity need to be considered and addressed if we are to make progress. It is also going to be important to recognise the variations which occur across landscapes. There is not a one size fits all approach; tackling the biodiversity crisis is going to require multiple approaches depending on the target outcome and circumstances on the ground. To oversimplify it is likely to result in failed targets. If we are serious about tackling the crisis biodiversity now faces, it is important that we have well thought out delivery mechanisms which facilitate action on the ground and which are pragmatic, adaptable, and flexible in approach.

The previous Scottish Biodiversity Strategy introduced the concept of mainstreaming and embedding biodiversity values, unfortunately we have not seen this translate into action, and subsequently the Strategy failed to galvanise the level of support and action needed to deliver for biodiversity. Going forward we must see the mainstreaming of biodiversity into all areas of policy, including the effective integration of the Strategy with Climate, Agriculture, Forestry, economic, planning and development policy making.

Alongside joined-up policy and well-designed delivery mechanisms, we need to be able to evidence the value and benefits 'nature-based solutions' bring and be able to demonstrate the contribution they are making towards achieving national targets if we are to give confidence and attract private investment. More evidence is needed on the investment potential of nature-based solution projects. There are current uncertainties around the potential returns and risks, making private investors reluctant to get involved. While the desire and capital are there, there is significant work to be done in inspiring confidence and in making nature-based solutions an attractive green investment.

The vision needs to inspire. Alongside a step change in management frameworks, hearts and minds need to be won if change is going to take place, the vision needs to be relatable and clear in what it is trying to deliver and why. There is a need to reflect the urgency in tackling the crisis and a move away from 'business as usual'.

6c: Do you agree statutory targets should include a combination of outcome targets and output targets?

Yes. Decisions should always be evidence-led with appropriate consultation and wide-spread community support, and the focus should be on planning policies which are enabling and empowering (rather than prescriptive) to support the achievement of outcomes.

This approach will help foster stronger working relationships between authorities, land managers and communities, as well as contributing to sustainable development and helping Scotland reach its full potential. Our members are well placed to deliver on tackling the climate emergency and nature restoration and most if not all are already undertaking a variety of land management activities to support this. They are the experts on land management in the area.

For statutory targets to be effective it is necessary that they are able to adapt and change as our knowledge and understanding increases.

The Strategy acknowledges that targets which focus on achieving high-level outcomes are less prescriptive about how to reach the desired goals and have been show to produce the best results – they are also likely to be more workable amongst the land management community. However, it can sometimes be difficult to demonstrate that an outcome has been delivered – particularly in complex systems such as the natural environment – and whether actions will deliver the desired outcome.

Outputs can be more straightforward to measure than outcomes. However, they are less responsive to changing evidence about the best way to achieve an outcome.

Therefore, the proposal that Scotland's statutory targets should include a combination of both outcome targets *and* output targets is a sensible one, at least in the short to medium term.

Given the increasing complexity and unpredictability of nature, it is – as the Strategy highlights – difficult to accurately and with every confidence predict the impact of our actions on biodiversity into the future.

6d: Is the list of potential target topics sufficiently comprehensive in terms of the focus of proposed target areas and overall scope?

No. The list of potential target topics is not sufficiently comprehensive in terms of the focus of proposed target areas and overall scope – for instance, there is no specific mention of tree species diversity, adaptation and resilience, which is surprising in the current climate. However, as the Strategy confirms, the list is not exhaustive or definitive, and is included for indicative purposes only, and will be open for external experts or for Scottish Ministers to suggest alternative topics not presently included.

6e: Do you have any other comments on the list of potential target topics?

See above

6f: Do you agree with the proposal to have the smallest feasible number of targets which reflects the complexity of nature restoration?

Yes. As noted, it is not possible to identify a single quantifiable apex target for biodiversity (the equivalent of NetZero in the climate world). The challenge is therefore to find a suite of targets that enable us to track the overall status of biodiversity, whilst at the same time avoiding the risk of setting statutory targets for 'everything', which would be disproportionately bureaucratic and burdensome. SLE therefore agree with the proposal to have the smallest possible number of targets.

6g: Do you agree statutory targets should align with the 2030 and 2045 timescales set out in the Strategy?

Yes. As above, we feel that the alternatives options outlined in the Strategy (three yearly, or alinged with 5 year delivery plans) would be disproportionately bureaucratic and burdensome, and therefore support the proposal that targets align with the 2030 and 2045 timescales, which present a clear and obvious target (and hopefully a realistic one) in the short to medium term for land managers to work towards.

6h: Do you agree the Bill should allow for the review of statutory targets?

It may be appropriate to build in review capacity at the target stage (i.e. 2030 and 2045) to evaluate progress and assess the efficacy of the statutory targets programme, however it is important that these targets are not reneged on.

6i: Do you agree that reporting on targets should align with existing Biodiversity reporting requirements?

Agree, although how the current 3-year cycle would align with the proposed 2030 and 2045 timescales may need closer consideration.

6j: Do you agree that an Independent Review Body is needed to report on Government's progress in meeting the statutory targets?

Agree, it is important that the Scottish Government designated an Independent Review Body (IRB) who will have the function of reporting on the Government's progress in meeting the statutory targets.

National Parks

7a: Do you agree that the purpose of National Park authorities should be amended in order to emphasise the important leadership role that National Park authorities need to play in restoring nature and in mitigating and adapting to climate change?

Partially agree. SLE acknowledge recent public opinion polls in Scotland which indicate that 89% of people support the creation of new National Parks and that 74% of people want to see more nature restoration within National Parks. In 2022 the Scottish Government consultated on the future of National Parks in Scotland, and these consultations also demonstrated a public appetite for new National Parks in Scotland. The consultations also highlighted the important role of National Parks in tackling the interlinked crises of climate change and biodiversity loss, whilst also welcoming visitors and supporting local communities and businesses.

SLE was pleased to be able to contribute to the recent consultation on Loch Lomond and the Trossachs National Park Park Authority's National Park Partnership Plan 2024-29. The LLTNP Partnership Plan is of great importance to Scottish Land and Estates' members who reside and work within the Park's boundary. The objectives and actions set out within the Plan will influence land management practice and policy for years to come, in the Park and throughout Scotland.

On the whole, SLE feels the proposed plan is a progressive document, with many objectives ensuring that the economy of the Park continues to grow, whilst retaining its status as a key visitor destination within Scotland. We also believe that some of the policies will help nature continue to thrive in the Park, with land managers at the heart of wildlife and habitat conservation and restoration.

We recognise the important role nature restoration and nature networks can play in tackling climate change and biodiversity loss, as well as delivering carbon sequestration: indeed, SLE members are taking an increasingly pro-active approach to restoring degraded ecosystems – whether that be tree-planting, peatland restoration or restoring natural processes – and we would like to see park authorities do more to encourage this landscape-scale ecosystems-based approach.

While the focus of the national park is rightly on nature and landscape, there should also be a recognition that productive agriculture and forestry has a place and is indeed essential to those working and living within the park. While nature restoration is rightly a priority, national parks cannot simply be seen as areas to be protected and visited with no thought for those who already live and work in the area. There needs to be a focus on sustainable development and an enabling approach to allow individuals and businesses to thrive.

Improved, sustainable housing and transport services are equally important and we encourage the National Park Authority to work with landowners to seek local solutions. Finding the balance, and integrating management practices that meet all of these outcomes, is vital to future success.

7b: Do you agree with these suggested changes to the first National Park aim?

Partially agree. Land managers in Scotland's National Parks are committed to ensuring the natural and cultural heritage on the land they manage is protected, conserved, and enhanced. It is hugely important that they are supported to do so by policies and regulations that are stable and consistent, well-designed, well-funded and well-implemented, and also well-governed, with a clear link between action and result. Decisions should always be evidence-led with appropriate consultation and wide-spread community support, and the focus should be on planning policies which are enabling and empowering (rather than prescriptive) to support the achievement of outcomes, specifically the Just Transition to Net Zero, and the drive to protect, restore and enhance the natural assets, biodiversity and ecosystems within the National Park.

As the National Planning Framework 4 highlights, planning carries great responsibility – decisions about development will impact on generations to come. Putting the twin global climate and nature crises at the heart of our vision for a future Scotland will ensure the decisions we make today will be in the long-term interest of our country. Planning policies which are enabling for business development will greatly enhance the desired outcomes. Particularly with renewable energy, clear signals on how this is envisaged and how this can tie in with the wider policies will enable businesses to plan and develop further and faster.

This approach will help foster stronger working relationships between authorities and landowners and communities, as well as contributing to the sustainable development of our National Parks and helping them to reach their full potential. Our members are well placed to deliver on tackling the climate emergency and nature restoration and most if not all are already undertaking a variety of land management activities to support this. They are the experts on land management in the area.

As NatureScot clearly and regularly state, landscape-scale is needed for nature restoration to be effective, so the authorities must acknowledge the need to work at scale and balance this with its commitment to empowering community use/ownership of land and assets.

Managing nature restoration projects at scale helps realise environmental benefits by:

- improving functional links between habitats, enabling movement of wildlife and the flow of genetic diversity;
- creating space for biodiversity, helping species to be more resilient to environmental change;
- enhancing other ecosystem characteristics, such as predator-prey interactions, fire and flood regulation

Working with existing groups and clusters, such as deer management groups, is a shortcut to many of these benefits and SLE is a willing and able partner to help facilitate these conversations.

Our members are key delivery partners across the majority of actions and objectives contained in the Strategy and support the shared vision of National Parks which deliver for nature, people and place. Positive engagement with land managers is key to success.

7c: Do you agree with the suggested change to the second National Park aim?

Partially agree. Supporting local communities to influence how land and sites are used should be based on realistic outcomes of land management practices. Communities should also be made aware of national policy objectives and how these are a major driver of land use and should be supported to understand that trade-offs often have to occur between local/regional/national interest in order to deliver. Too often we see communities given unrealistic expectations about how they can influence land use or change the way something is done in a way that is contrary to delivering local, regional or national priorities. This must be delivered pragmatically, and a culture of positive relationship and trust building must be fostered within communities so that they can approach landowners with an understanding of their point of view as well as the practicalities of changing land use.

Regarding community benefit, we are working extensively with Government agencies, investors and other forums to develop a community benefit aspect of certain markets and other types of land use. Unfortunately, the nature of some types of land use (carbon sequestration for example) is not conducive to delivering monetary community benefits in the same way that renewables are, and communities should be supported in understanding this, so they are not given unrealistic expectations.

It is therefore important that community benefit is recognised as not only being monetary, and alternative benefits accepted, such as climate change resilience and mitigation, provisions for easier responsible access routes or training schemes, and that this is communicated appropriately to communities through a neutral third party authority. Community benefit discussions should be accompanied by an understanding of the risk involved in projects and benefits should be relative to this risk (e.g. in a strictly community benefit model, communities do not take on any of the risk involved with potential wind damage to tree planting, and this should be factored in to any potential returns).

Land managers are at the forefront of a nature-based economy, delivering public benefits and profitable outcomes. They are eager to contribute to environmental improvements and achieve the environmental and business opportunities associated with a range of sustainable land management approaches whether it is active management at a holding level, passive management at landscape scale or anything in between.

Last year, it was good to see NatureScot bring forward a select development of case studies highlighting both the challenges and opportunities that rewilding projects have brought land managers across Scotland, UK and Norway in recent years. However, there remain gaps in the evidence base on the consequences of rewilding. A better understanding of the potential socio-economic impacts is needed.

Land managers are faced with the pressing challenge of developing conservation actions that promote biodiversity retention and recovery to previously observed levels while supporting economic and societal development. There needs to be an understanding that if we want to produce things then there will be a carbon impact, but this should not all just be offset and therefore ‘exported or offshored’. Sequestration is only one part of the equation; emissions reduction is the other. Businesses must strive through technological improvements to reduce their own emissions.

Finally, there are many case studies emerging that are exploring partnership working between communities and public and private sectors through alternative governance/tenure models, and we support this approach where it is mutually beneficial for the landowner (of any kind) and community, providing communities have adequate support and expertise to engage in this effectively.

7d: Do you agree with the suggested change to the third National Park aim?

Agree. Scotland's existing National Parks attract millions of visitors each year. The value of responsible access to the outdoors and the natural environment to our physical and mental health and wellbeing is acknowledged more widely now than ever before, and it is right that this is properly reflected in the key aims of Scotland's National Parks.

For example, the Walk in the Park programme should certainly continue as part of the National Park strategy. The value of walking extends beyond the well-known health benefits, and for many organisations it offers a valuable insight for participants into a natural environment they have seldom, if ever visited. Such schemes have also been shown to subsequently encourage volunteering activities across a range of disciplines and would therefore be beneficial for supporting the National Park.

At a time when the popularity of such offerings is continuing to grow, Visit Scotland's research confirms that tourism and hospitality sectors are increasingly sensitive to consumer trends and economic conditions. Visit Scotland's 'Trends for Tomorrow' research and horizon scanning has identified how consumer trends are expected to shape tourism requirements in the near future. These include: localism and authentic experiences, adaptable adventure, workcations, artisan retail food and drink, voluntourism and wellness.

National Parks in Scotland have the scale and opportunity to both demonstrate and influence the creation and further development of existing and new nature-based tourism streams, potentially putting them at the forefront of such transitions, to the benefit of their communities, visitors and the natural environment.

Further, National Parks in Scotland have some of the greatest opportunities to both demonstrate and champion education and learning, particularly to younger audiences. The National Park Youth Committee is a valuable resource for the LLTNP, and wider society. The scheme should be further developed in ways that will encourage young people to feel an affinity with the National Park, and thereby share in its values and objective with others.

Outreach programmes have been proven to benefit both individuals and organisations across many sectors. As Scotland increasingly becomes a diverse multi-cultural place to live, our National Parks should seek ways to engage with, and where possible support such individuals and groups for mutual benefit. Activities such as 'Behind the Scenes' days have been held successfully within other organisations as part of their engagement programmes to encourage greater understanding and appreciation of the work involved.

Volunteer Ranger opportunities across Scotland not only deliver their support for practical activities, but participants can also be ambassadors both within their role and externally. Such a programmes within the LLTNP have worked successfully in the past and should be expanded where practical. The 'Make Your Mark' volunteering scheme aims to increase the number and diversity of conservation and heritage volunteers in Scotland, not only at a practical level, but also by utilising their knowledge and skills for behind-the-scenes roles such as administration, accountancy, education, planning and more.

7e: Do you agree with the suggested change to the fourth National Park aim?

Agree. Community benefit can be delivered in many ways, and commercially viable businesses, which create jobs, housing and wider amenity value, help deliver much of what we all want to see in a thriving rural economy.

Collaboration and utilisation of all resources and expertise will help deliver the best outcomes that we all seek. There are also other elements to consider as to the wider benefits. If judged through the single lens of net-zero, then private investment is to be welcomed.

However, the wider social impacts also need to be understood. For example, purchasers of land for environmental reasons have the same responsibilities as any other landowner, to involve and inform communities in what they are doing.

Many of our members are ready and willing to increase their contributions to the Wellbeing Economy by offering work opportunities, but many are reporting skills shortages that prevent this from happening. Housing does have an important role to play here so we support this approach.

At the same time, the impact on local jobs, and crucially housing need to be considered, as they are vital to ensure we have thriving rural communities. Data collection and the creation of an evidence base will be very important for the transition to a greener economy.

Members have identified specific areas of the local economy where a skills and labour shortage are apparent – for example, trades such as electricians and plumbers, which can be considered 'green jobs' as they are vital for the installation of renewable energy devices such as solar panels, air source heating etc. It is important not to lose sight of existing or traditional skills and associated labour shortages, whilst focusing on opportunities and demand for new green skills and jobs growth.

SLE is aware of the Scottish Government developing various initiatives with education providers the local colleges. However, at a local level many of the service providing businesses are already too busy with work associated with existing technologies. Greater emphasis should be put on incentivising businesses to expand into new technologies. There is a severe scarcity of renewable energy specialists in rural locations and the existing businesses struggle to recruit new employees.

Run by Scotland's Regional Moorland Group, Estates that Educate is also an invaluable programme that allows school age children to learn first-hand about life, careers and skills in rural Scotland. It has a positive impact on local communities and businesses and also benefits the conservation of rare species and heather moorlands. The programme also works in tandem with the Pathways to Rural Workforce alongside Countryside Learning Scotland.

These programmes have huge potential to bolster this approach from the National Parks and we would strongly encourage that they be included in any frameworks or approaches to skills development in the National Parks.

7f: Do you agree that the National Park 'principle' set out in section 9(6) of the 2000 Act should be retained? This would mean that, if there is a conflict between the National Park aims, greater weight should be given to the first aim which would seek to protect, restore and enhance the natural assets, biodiversity and ecosystems within the National Park.

Partially agree. The new strategy is clear that this is an emergency that requires an emergency response: that tackling both the climate and biodiversity crises at the same time is vital, but also that the urgency and intent for biodiversity is not over-ridden by an emphasis on sequestering carbon. Moreover, it aims to deliver the transformational changes needed to protect and restore terrestrial, freshwater and marine biodiversity in Scotland.

In this context, it seems right and proper that the principle, as set out in section 9 (6) of the 2000 Act, which specifies that, if there were to be a conflict between the National Park aims, greater weight should be given to the first aim which would seek to protect, restore and enhance the natural assets, biodiversity and ecosystems within the National Park, should be retained.

However, it should be noted that SLE would like to see a balanced approach to securing biodiversity net gain (BNG) through development. While on site, BNG would be the best-case scenario, we would not want to see this pursued exclusively at the expensive of much needed rural development that could bolster local economies or deliver infrastructure to businesses and communities. We would suggest a more flexible approach that would not lock out development altogether in the event that 'on site' BNG is not possible, by accepting BNG on other sites or the best alternative option. This would help deliver national and local aims of sustainable rural development.

There should also be a recognition that rarely are problems solved through a single solution, for example nature restoration cannot happen without the people, resources and skills to deliver it. Therefore while there can be a hierarchy, there will need to be a pragmatic approach at times, which wll lead to greater long term benefits.

7g: Do you agree that public bodies operating within the National Park should have regard to the proposed National Park aims?

Agree

7h: Do you agree that public bodies operating within the National Park should have regard to the National Park principle?

Agree

7i: Do you agree that the duty on public bodies operating within National Parks should be strengthened so they have an obligation to support and contribute to the implementation of National Park Plans rather than having regard to these plans?

Partially agree, however public bodies operating within National Parks should not lose sight of local priorities at the expense of national targets.

7j: Do you agree with the proposal that National Park Authorities should be able to enforce byelaw breaches within National Parks by issuing fixed penalty notices rather than referring them to local Procurators Fiscal?

Partially agree. The ability and capacity of National Park Authorities to be able to enforce byelaw breaches within National Parks is an important issue, and one that SLE have played an active role in at a regional level in recent years.

For example, we have considered and fed back to the 2022/3 Loch Lomond Byelaws consultation with regard to reviewing and updating LLTNP operational process that will more robustly ensure safe recreational experiences at busy locations and reduce conflicts between power and non-powered activities.

There are also some seasonal situations where bylaws could be used to minimise risk, such as the use of fires for cooking at times of high wildfire risk.

We have also considered and fed back to the 2022/3 Loch Lomond Camping Management Byelaws consultation with recommendations that will continue to provide a high-quality camping experience in the Camping Management Zones. Within this, we have included proposals to severely restrict the use of open fires, fire bowls and disposable barbecues at all locations, with the exception of sites that are designed for their use.

As the popularity of camping, motorhomes and rooftop camping continues to increase, the provision of additional designated sites is likely to be required. Assessments and permissions for suitable locations should be considered at the earliest opportunity in order that any necessary measures can be enacted with both consideration and efficacy.

7k: Do you think that any other changes should be made to the general powers of National Park authorities?

SLE was supportive in principle of Regional Land Use Partnerships, engaging during the initial pilot stages in both the Cairngorms and Loch Lomond & the Trossachs National Parks, and generally supports the concept of RLUPs as a delivery mechanism of outcome-driven landscape scale change. Thought has to be given though to ensuring that the role of a National Park and that of an RLUP are not counter productive as many of the powers of the RLUP will already be held by a Park.

Promising results have been seen in the various pilot programmes and we would be keen to engage on developing plans for a wider framework - the objective to deliver joined-up planning for larger land holdings (or multiple neighbouring holdings), incorporating the business and investment opportunities coming from climate and nature restoration land use changes is important. However, this should not replace dedicated partnership working between the Park Authorities and land managers.

Engagement with landowners and rural businesses during the development of any framework or RLUP will be critical to its success. Ongoing engagement once any framework is established is also crucial to ensure expectations between the landowners, rural business and wider community are managed.

We need well governed regional land use partnerships to incentivise and encourage cooperation and an integrated approach to land management. We would like to see a clear role for RLUPs throughout Scotland to encourage and support land management to meet specific goals and targets. Particularly in the National Park context, there needs to be a clear vision of how regional land use partnerships can deliver better outcomes than at present, as many can arguably already be fulfilled by the National Park Authority.

It is important that any framework focuses on encouraging desired management approaches whilst still accepting that other management approaches are well within the legal parameters and the landowner has the right to have final decision-making powers on their land management, even if that particular approach is not given an uplift within the framework.

SLE strongly supports an integrated approach to land and water management, as detailed in our Route 2050 report. We generally support the preparation of Local Place Plans and have called on the Scottish Government to consider how these can be used to further their land reform ambitions without the need for further cumbersome legislation. This should only be promised if every community has equal resource and support to undertake this, and we would strongly encourage landowners to be involved in the process at an early stage.

This will highlight areas of contention or opportunity very early on and may also be an opportunity to directly strengthen some relationships between landowners and communities. There is a huge opportunity here to get landowners and communities to work together to deliver for our National Parks and better understand each other's ambitions, capabilities and limitations.

7l: Do you agree with the proposed changes to the governance of National Parks?

Any strategy that is targeted at "popular" factors is not likely to be future proofed. What is popular today may be less popular in 5 years' time. Similarly we would challenge any change that results in the governance of National Parks becoming less democratic.

Any governance model must also consider the local residents' needs and should be developed in collaboration with strategic partners, including land managers, and not limited to agencies and transport authorities who may themselves have agendas which might not align with those whose business and homes are within the National Park boundaries. Such wider collaboration will also help to build and strengthen ownership of such an approach.

There is a need to apply a whole system approach to incorporate less popular destinations within our National Parks so that visitors can be dispersed more easily and also service the local residents that are less likely to live in the hot-spots because they have been outpriced by second home owners and holiday lets.

Rural areas have all suffered from a degradation of transport infrastructure, and particularly public transport options. It is important that local residents, who have to adapt to accommodate the influx of visitors at popular times, are supported on a year-round basis. Infrastructure should be adaptable to cope in busy times, but it is important that residents who must travel outside the park to work out of season, are able to do so without reliance on the car.

For example, the demographic data supplied by the National Records of Scotland shows that Argyll and Bute is suffering a massive decline in the key working population (25-44), with Stirlingshire also showing a decline although less severe (albeit this statistic is likely to be distorted favourably by the City of Stirling). This has an impact on schools which have declining school rolls. This demographic is important to the National Park as it will impact associated employment and volunteering opportunities. It must be easier for this demographic to live in and around the national park and providing transport solutions for locals is key to that so that working and school journeys can be easier and also be low carbon.

Carbon neutral transport needs to be adaptable and agile. Timetables and routes should also serve the local residents and those employed in the National Park as a primary objective, hand in hand with facilitating the objective of incentivising visitors to use carbon neutral options through ease of use. It is notable that the National Park Journey Planner does not give a bike option for travel to the LLTNP, especially when there are options to take buses on both the West Highland Line and CityLink, albeit the bus option is very restricted. For the bus to be a viable add on for cyclists, buses need to be able to carry more bikes on more routes, which will invariably involve amending legislative restrictions. Currently Citylink allow only 2 bikes per bus on those buses that are bike friendly routes – this is no good for a family or group activity, leaving car travel as the only option. Now that it is up and running the Highland Explorer train needs to become a standard feature so that booking can be made at shorter notice. Part of the barriers to use the Highland Explorer services is that cycle reservations must be made at least two hours before travel.

7m: Do you have any other comments that you would like to make about the aims, powers and governance of National Parks?

Our members are well placed to deliver on tackling the biodiversity and climate crises and most if not all are already undertaking a variety of land management activities to support this. As NatureScot has said, landscape-scale is needed to for nature restoration to be effective so our National Parks must acknowledge the need to work at scale and balance this with any commitment to empowering community use/ownership of land and assets.

A major issue we have identified when land managers (of all ownership models and sizes) intend to carry out significant land use change for nature restoration, afforestation or other environmental measures, is objection from a small number within the local community. These objections, simply because they do not like the idea of whatever project is taking place, can frustrate the course or viability of a project. These people often do not represent the silent majority of the rest of the community and their objection often comes from a lack of understanding of the importance or process of a project and what it may mean in the national interest or how it may be driven by Scottish Government land use policy and targets. This is all despite extensive and open community engagement from landowners or developers.

We are calling on National Park Authorities and other bodies (such as the Scottish Land Commission) to find a way to educate and support community members in understanding the importance and practicalities of these projects so that they can be delivered in the local, regional and national interest, while of course being balanced with the needs of communities.

We are pleased to hear that there will be support for business in the just transition, and some of our members may be well placed to share good practice and inspire others in the park to take similar steps or find innovative new ways of working. Landowners, who are already delivering business opportunities and climate and nature restoration on the ground, should be consulted at early stages of any policy development so that authorities can understand how they will affect sustainable development in practice.

The explicit need for **sustainable development** must not be forgotten about and would like to see this referenced more explicitly in the policy. The focus should be to support the achievement of outcomes, rather than prescribing exactly how to go about achieving them. Farmers, foresters and land managers should be empowered to make decisions to best deliver the outcome expected, with support and advice.

Rural businesses are expected to make significant changes over the next few years, and to support them in this, we should ensure that enhancing productivity, business resilience, and environmental benefit are top priorities.

If we are to achieve ambitious climate change and biodiversity targets, the public purse alone cannot support the investment that is required, and this presents an opportunity for private finance.

The Scottish Government Climate Change Plan acknowledges that landowners and private investors are an important part of the solution to climate change and wants to see a collaboration between “carbon buyers, landowners and intermediaries”.

We live in challenging times, but better places will be an important part of our response to our strategic priorities of net zero and the wellbeing economy – which research demonstrates land managers across Scotland are making a hugely positive contribution to.

IMPACTS:

8a: Do you think that any of the proposals in Part B, will have any adverse impacts on human rights?

n/a

8b: Are there any additional actions, or changes to existing actions, which can be taken through the proposals in Part B to ensure that there are no adverse effects for people's human rights?

n/a

8c: Do you think that any of the proposals in Part B, will have any adverse impacts on people with protected characteristics?

n/a

8d: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit people with protected characteristics?

n/a

8e: Do you think that any of the proposals in Part B will have any adverse effects on socio-economic equality?

n/a

8f: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit socio-economic equality?

n/a

8g: Do you think that any of the proposals in Part B, will have any adverse impacts on island communities?

n/a

8h: Are there any additional actions, or changes to existing actions, which can be taken through the proposals in Part B to ensure that there are no adverse effects for Island communities?

n/a

8i: Do you think that any of the proposals in Part B, will have any adverse impacts on child rights and wellbeing?

n/a

8j: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit child rights and wellbeing?

n/a

8k: Do you think that any of the proposals in Part B will have any adverse effects on business?

n/a

8l: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit business?

n/a

8m: What are your views on the accuracy and scope of the environmental baseline set out in the environmental report?

8n: What are your views on the predicted environmental effects as set out in the environmental report?

8o: What are your views on the reasonable alternatives as set out in the environmental report?

8p: What are your views on the proposals for mitigation and monitoring of the environmental effects set out in the environmental report?

Appendix 1:

World Rivers Day

Briefing – S6M-10364 (Jackie Dunbar MSP)

21 September 2023

About Scottish Land & Estates

At Scottish Land & Estates (SLE) our work helps to ensure that rural Scotland thrives. We are a membership organisation for landowners, rural businesses, and rural professionals. We promote the wide range of benefits land-based businesses provide: tourist attractions, leisure facilities and landscapes enjoyed by the public, as well as housing, employment, tourism & enterprise and farming opportunities. We represent the interests of our members and wider rural Scotland to the UK and Scottish Governments to help ensure that policy and legislation reflects the unique requirements of rural Scotland and its communities.

Key messages

- SLE supports the motion to commend the organisations, communities and land managers implementing landscape scale initiatives that improve stewardship of Scotland's rivers.

- It is important to highlight the value of catchment and landscape scale initiatives and networks, in connecting projects and communities together to maximise the benefits of river conservation work.

- SLE members are at the forefront of implementing successful nature-based solutions, leading to healthy, dynamic, resilient river systems and delivering multiple benefits to interconnected species such as Atlantic salmon, sea trout and freshwater pearl mussels.

- River woodlands are essential for healthy rivers and provide multiple benefits which help to tackle the twin biodiversity and climate crises (e.g. reducing river water temperatures)

- Improved evidence at a catchment level and over longer timescales will improve confidence in river woodlands as a nature-based solution. Estimations on the time it takes for benefits to be realised will be valuable for catchment planning, for example in identifying future needs of drinking water supplies or flood risk changes.

Introduction

The membership of Scottish Land & Estates includes many estates, farms and woodlands with rivers or waterways.

Our members across Scotland are actively involved in implementing landscape-scale initiatives that improve the stewardship of rivers and waterways under their care.

In recent years, there have been many excellent partnership projects aimed at restoring Scotland's rivers, and our members have been at the heart of these, working together with government, communities and other partner organisations to help realise positive change. Many of these projects have won prestigious awards, and examples of best practice are shared in this paper.

As the Riverwoods for Scotland Report on Scientific Evidence (2022) has highlighted, a SEPA project, including field surveys from 2015-16, found that over 50% of riparian vegetation on Scotland's baseline river network is in poor condition without any trees or shrubs. Restoring Scotland's river woodlands is a priority and a key candidate for funding

under conservation finance initiatives as a nature based solution.[2] River woodlands help safeguard our environment, whilst providing climate change resilience and diversification on farms. They also provide an income and support agricultural production via carbon, pollination, biomass and agroforestry.

Examples of best practice

River Laxford, Sutherland

Atlantic salmon are under threat, with stocks in Scotland estimated to have declined by 75% in the last 25 years. To tackle the threat of extinction to one of our most important keystone species, action is needed quickly and on a large scale. The Atlantic Salmon Trust is working in partnership with Grosvenor's Reay Forest Estate across the River Laxford catchment in the far northwest of Scotland to deliver management actions to support the restoration of salmon and sea trout populations. This dynamic 10-year project aims to better understand the River Laxford catchment and then restore its wild Atlantic salmon and sea trout by improving the quality and habitat of the river and surrounding landscape. This is salmon restoration at a landscape level and represents our commitment to put evidence-based science into action.[3]

River Carron, Ross & Cromarty

The River Carron Conservation Association (RCCA), and partners have collaborated to re-establish a viable Atlantic salmon population in the River Carron. Results showed that a monitored programme of releasing captive-bred river broodstock, together with catchment habitat management, dramatically increases the number of returning adults. From 2004/5 University of the Highlands & Islands' worked in partnership with RCCA to develop a programme of research to inform the conservation of Atlantic salmon in the river. The most recent results demonstrate that stocking can positively contribute to the river's population, yet remain sympathetic to the natural ecosystem without risking the genetic integrity of the wild salmon population.[4]

Peffery River, Ross & Cromarty

The Peffery Restoration Project has re-meandered a straightened and deepened section of the Peffery River near the small settlement of Fodderty. Initial feasibility studies were undertaken in 2020. This feasibility study set out how the restoration works could reconnect the main channel of the Peffery to its natural northern floodplain by removing two short sections of the current embankment structure and creating a new river channel. Following a succesful Biodiversity Challenge Fund application, the river restoration took place in September 2022. The river was successfully meandered, increasing its length by 33%, and new floodplain habitat was created, comprising a mosaic of wetlands, swales, backwaters, marshy grassland, enhanced grassland (that will return to a species-rich composition over time), and a combination of planted/regenerating trees and scrub. This

[2] Riverwoods for Scotland Report on Scientific Evidence, 2022

[3] PROJECT LAXFORD - The Atlantic Salmon Trust; Reay Forest Estate (grosvenor.com)

[4] River Carron Conservation Association | Scottish Land & Estates (scottishlandandestates.co.uk); River Carron Conservation

provides a range of ecological and geomorphological benefits that lend themselves to a stable and sustainable riparian ecosystem.

River Calder, Invernesshire
Pitmain and Glenbanchor Estates, near Kingussie, have been instrumental in delivering collaborative, nature-based solutions on the River Calder to secure the future of Atlantic salmon through a flagship project involving private and public sector partnerships. Working closely with the Spey Catchment Initiative and with funding from Nature Scot's Biodiversity Challenge Fund, the project has pioneered innovative approaches to creating a sustainable, climate resilient and thriving natural environment, attracting support and interest from a wide range of stakeholders including CNPA, the University of Edinburgh, private individuals and the North Atlantic Salmon Conservation Organisation.[5]

River Nairn, Invernesshire
Following concerns about flooding and sediment build-up from one of their tenant farmers, Aberarder Estate worked with SEPA, who established that the steep upper catchment of the River Nairn produced a lot of sand and gravel, and because of historic modifications the deposition and flood risk had been made worse, while reducing the biodiversity on the river. The team opened up the river by re-meandering parts and removing the embankments, creating more space for gravel deposition, and some riparian planting to stabilise the banks, whilst also creating new improved habitats and wetlands for the riverside wildlife and biodiversity.[6]

River Spey, Invernesshire
Jahama Highland Estates has been collaborating with its sister organization, Alvance, on an ongoing maintenance and improvement program aimed at addressing various issues in the headwaters of the River Spey. These projects encompass a diverse range of initiatives, such as the planting of 124 hectares of new woodland, over 200 hectares of peatland restoration, a study tracking smolt migration, installation of fish pass lighting at Spey Dam, repairs to fish pass notches to enhance flow conditions, and the installation of a wooded structure. The habitat enhancements undertaken in the headwaters of the River Spey and the Upper Spey possess far-reaching implications for the entire river's expanse and the fisheries it supports. Numerous jobs are reliant on this industry, and the biological effects of these improvements will extend throughout the river's course.[7]

River Dee/River Muick, Aberdeenshire
The team at the River Dee have been shortlisted in the categories of "Coast and Waters Award" and "Nature and Climate Action Award" in the prestigious RSPB Nature of Scotland Awards. Over the last 4 years this ambitious, landscape-scale partnership project has been restoring an entire sub-catchment, the River Muick, an important tributary of the River Dee Special Area of Conservation designated for Atlantic salmon, freshwater

[5] Pitmain and Glenbanchor Estate - River Calder Restoration Project | Scottish Land & Estates (scottishlandandestates.co.uk)
[6] Aberarder Estate - River Nairn Restoration | Scottish Land & Estates (scottishlandandestates.co.uk)
[7] JAHAMA - River Spey Improvement Works | Scottish Land & Estates (scottishlandandestates.co.uk)

pearl mussel and otter. Successful partnership working between the Dee District Salmon Fishery Board, Balmoral Estate and Glenmuick Estate, as well as the River Dee Trust and Woodland Trust Scotland, has brought together restoration measures on an unprecedented scale: habitat for spawning and juvenile fish has been created by the installation of 70 large wood structures, each comprising several logs with root plates; a 350m section of blocked channel was reconnected by removing a 150 year old man-made embankment; wetlands have been created and enhanced by installing 78 leaky dams and 112 debris dams on minor burns, blocking drains, and creating 16 new wader scrapes; 7000 metres of banks have been protected by new fencing to exclude livestock and remove instream waterings to mitigate diffuse pollution; and, nearly 140,000 native trees have been planted along the banks of the Muick to provide cooling shade and nutrients to the water. Members have also been involved in removing croys (old artificial structures to aid funnelling and netting of fish) from the River Dee.[8]

Rottal Burn/River South Esk, Angus

Angus Council's work with the River South Esk Catchment Partnership on environmental projects to protect native habitats and wildlife has won them the UK River Prize 2023. The Rottal Burn Restoration Project has been a dedicated local partnership working for over a decade to restore the tributary of the River South Esk at Glen Clova to its natural state and increase its biodiversity potential. As well as improving water quality, river biodiversity and fish populations, the restoration of the Rottal Burn is an excellent example of what can be achieved when local partners, experts, scientists and landowners come together for the benefit of our local environment, community and biodiversity.[9]

Quharity Burn, Angus

Also in Angus, Kinnordy Estate have secured Scottish Government funding from Nature Scot's Nature Restoration Fund to begin works on ecological restoration of the Quharity Burn at Balintore. The project is to restore the first of four sites on the Quharity Burn, identified in a study in 2021 as stretches of the burn that would benefit from restorative and re-meandering works. These measures will encourage the evolution of a natural, sinuous channel form and associated wetland environment over time.[10]

Wildlife Estates Scotland (WES)/Riverwoods, Perthshire

The Wildlife Estates Scotland (WES) initiative aims to promote the best habitat and wildlife management practices, build recognition and raise standards through the introduction of an objective accreditation system. In Perthshire, WES members are collaborating with Perth and Kinross Countryside Trust on riparian restoration projects through Riverwoods. This project focuses on a degraded riparian zone around the Upper Almond, which is negatively impacting on ecosystem integrity and habitat quality for people and wildlife.

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[8] A Million Trees To Save the River Dee's Salmon | Scottish Land & Estates (scottishlandandestates.co.uk); River Dee project makes Nature of Scot Awards shortlist | River Dee

[9] The Rottal Burn river-restoration project | Natural Flood Management Network Scotland (nfm.scot); River South Esk Catchment Partnership | Scottish Land & Estates (scottishlandandestates.co.uk)

[10] Scottish Government Nature Restoration Fund (NRF) | NatureScot no. 29; Home - Kinnordy Estate

Historic and ongoing grazing pressure by wild deer and livestock has led to the loss of riparian woodland along much of the upper Almond, with little or no natural regeneration presently occurring in this zone. This project seeks to rectify that by creating an investable project that implements multiple interventions aimed at restoring the quality of the upper Almond's riparian habitat. Riparian woodland establishment could catalyse important new links to the ecology of the wider catchment, and also a link north-east over the watershed to the main Tay catchment at Ardtalnaig. The sheer extent of the three estates, beyond the riparian zone, is an opportunity to sustain and nurture an important new nature-positive relationship between land-managers and local communities. [11]

WES members are also collaborating with Scottish Wildlife Trust on the Riverwoods Blueprint project, which aims to create a practical blueprint for river woodland creation and restoration at scale across Scotland, including the Riverwoods Community Engagement element of the project and their digital centre of excellence project – the latter will serve as a space for knowledge and data sharing, best practice guidance, and centralised resources, including financial and advisory opportunities.[12][13]

Conclusion

All these examples and more (including Highlands Rewilding Research — Highlands Rewilding), are also monitoring and surveying biodiversity to increase understanding of riverine ecosystems and how quickly various elements respond to restoration.

River woodland measures need to be established with appropriate design and management to be effective and should be placed strategically within the catchment, in the right location(s) and at the right scale, as this is critical for the delivery of benefits. A landscape scale approach will improve delivery of many of the benefits and especially for clean water and flood alleviation. Improved evidence at a catchment level and over longer timescales will improve confidence in river woodlands as a nature-based solution.

Establishing a network of riparian and floodplain woodlands enables nature to adapt to climate change by supporting reproduction and genetic diversity of species and species migrations. River woodlands will also contribute to biodiversity on a landscape scale as an important component of a heterogeneous landscape.[14]

Nature-based solutions not only deliver environmental benefits, but a host of social and economic ones as well. The symbiotic relationship between nature and people means that restoring habitats and helping protect vulnerable species can have significant impacts on local communities.

[11] Riverwoods - Almond Headwaters | Perth and Kinross Countryside Trust (pkct.org)
[12] The Blueprint Project | Riverwoods
[13] Riverwoods for Scotland Report on Scientific Evidence, SWT, 2022
[14] Riverwoods for Scotland Report on Scientific Evidence, SWT, 2022

Appendix 2:

Additional Wildlife Estates Scotland (WES) – specific content

2a: Have we captured the key actions needed to deliver the objective: accelerate restoration and regeneration?

No

In principle, the key actions introduced could be effective in achieving the acceleration of restoration and regeneration, however, there are gaps and as always, the effectiveness of the actions will be in how they are facilitated.

The immediately obvious gap is that the freshwater environment is not referenced under the code system. Freshwater habitat is referenced in the Introduction and Evidence but specific reference within actions is negligible. The freshwater environment is perhaps the single most important element in every ecosystem and ties all terrestrial and marine environments together.

WES believes there is a need to introduce statutory nature restoration targets but cognisance needs to be taken of the fact we are all victims of shifting baseline syndrome so detailed consideration needs to be given to how targets relate to habitat coverage at various points in history. This needs to be countered with realism. In short, targets need to be ambitious without be completely unachievable. Landscape-scale partnerships will be crucial in meeting such targets and emerging WES clusters could be a crucial tool for accelerating large scale restoration. WES Clusters are already collaborating on land-scape scale habitat restoration and connectivity including large swathes of riparian habitat restoration and inter-connected wetland projects.

INNS control, coastal and marine resilience, deer management are all important in their own right but integrated management needs to be the direction of travel. There is no one size fits all approach to nature restoration and this is something which WES recognises within their assessment. By working with land managers to constantly improve their biodiversity offering and put in place habitat management plans there is a track record of the improvement landholdings are achieving over time. WES members are genuinely excited by the prospect of making a difference and, from a Scottish Government perspective, supporting this behaviour will only serve to produce greater and greater results. Our current membership covers well over 1 million hectares. The opportunity to work with willing land managers, over substantial scales, to affect tangible and significant positive change has never been more possible than it is today and WES members already contribute to every single proposed key actions in relation to Objective 1.

2b: Are the key actions, to support the objective: accelerate restoration and regeneration, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

The proposed key actions, in theory could be sufficient to put Scotland on track to ending the loss of biodiversity by 2030, with one glaring omission: there is no proposed key action to address disturbance of nature by humans. It is simply impossible to have nature restoration alongside uncontrolled, unmanaged public access, especially during the breeding season. Of course some nature recovery will be possible to some extent but to accelerate it, alongside current levels of disturbance, would be an insurmountable challenge in certain parts of the country.

2c: Which actions do you think will have most impact?

The Programme of Ecosystem Restoration has the greatest potential as a key action but it's disappointing that there is only one reference to landowners given that the majority of the actions will require land manager collaboration to deliver. As noted in response to 2a, WES land managers are already delivering on key actions and have the capability to accelerate restoration and regeneration. Acceleration will come from building on the foundations of work already being undertaken.

In relation to the direct reference to grouse moors, who would be defining what a healthy moorland looks like, for example, will evidence such as the longest-term scientific study, from Newcastle and York Universities be considered? The report indicates that, in terms of biodiversity enhancement and carbon sequestration, muirburn is beneficial but, as with deer, the habitat impacts (positive or negative) will vary and will need site-to-site monitoring. WES operators, who have been independently assessed as having a responsible, sustainable approach to management should be trusted by Scottish Government and its agencies to deliver for biodiversity and habitat on moorland, as they do across other management areas. This proposed key action is the least likely to have significant impact on the acceleration of restoration and regeneration and actually has the potential to reduce the resource requirement, on responsibly managed land, to undertake conservation work on the ground.

Recognition and support of WES accreditation through a Trusted Operator Status and subsidy support could drive integrated, responsible and biodiverse land management.

2d: Have we captured the key actions needed to deliver the objective: protect nature on land and at sea across and beyond protected areas?

No,

Freshwater is not referenced and again human disturbance is not addressed and there is a feeling this significant issue is being ignored. Both these considerations are integral if nature is to be protected beyond designations.

Arguably, the first action has the potential to deliver all the subsequent ones (with the exception of planning and development measures) if implemented responsibly. Key to this will be the definition of protection. Without understanding how 'protection' will be defined, this is a challenging question to answer. The figure '18.2% of land protected' is not fit for purpose. Many national designations lack the qualifying features they were once designated for or have not been assessed for condition in 2 decades in some cases.

With regard to National Parks action, many of the submitted bids lack a needs case and its possible money would be better spent to implement tangible change on the ground through engaging with land managers and other communities to achieve desired outcomes from the ground up. WES members are assessed on things such as community engagement, scientific outreach, carbon reduction, socio-economic provision, as well as the conservation, restoration and biodiversity credentials. They have the ability to deliver on many objectives of a national park without top-down prescription. The variety of approaches offered by WES members adds dynamism and opportunity to rural landscapes and communities and working collaboratively can achieve these objectives without spending public money setting up an authority which utilises most of its funding for human resource as opposed to nature.

There seems to be no consideration of shifting hydrology, in part because freshwater is not specifically referenced in the actions. Part of protecting nature involves recognising its dynamism. Rivers shift and their movement affects land availability and use. This crucial element needs consideration in terms of what is protected and how it is protected.

2e: Are the key actions, to support the objective: protect nature on land and at sea across and beyond protected areas, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

Access pressure needs addressing, you can't have effective conservation and restoration as well as rampant disturbance. It will depend on the definition of 'protection' or what it means to be a protected site and whether a bottom-up collaborative approach is taken.

2f: Which actions do you think will have most impact?

I think the protection of land has the potential to be most impactful but as always will depend on the detail including how protection is defined and how the designated areas will be identified. If we build on what's already there, work with land managers from the outset and protect habitat connectivity from disturbance, there is real potential for this to work.

The first action could potentially envelope most of the other actions if executed collaboratively and responsibly and therefore has the potential to be the most effective but it will hinge on the definition of protection.

WES members integrate biodiversity and habitat corridors as part of their land management and therefore offer opportunities to be part of a network and mosaic of nature corridors. Protection beyond designated sites can come in many forms and does not need to necessarily be a top-down approach. There is responsible collaborative action already taking place which can be built on including members who are working together on Riverwoods projects or river re-meandering projects. Projects which restore peatland already have a form of protection applied, as does new native, non-commercial species planting but crucially none of these environments is protected in any way from human disturbance, the negative impacts from which will be variable but real and therefore risk overall success of all actions.

2g: Have we captured the key actions needed to deliver the objective: embed nature positive farming, fishing and forestry?

For agriculture, yes

For forestry, no

For fishing, no

Sufficiently incentivising nature positive farming is probably one of the single most significant things the Scottish Government can do to improve biodiversity. Inserting nature positive delivery mechanisms such as WES accreditation into the enhanced subsidy tranches will undoubtedly motivate farmers to shift practices. Soil biodiversity and health is absolutely crucial for farming nutritious food, for water infiltration

which, in turn, avoids erosion, run off and downstream flooding. It's also crucial for optimum carbon sequestration as well as methanophiles which are necessary for reducing methane emissions. WES would like to see more than half of all funding shifted to incentivise biodiverse farming with a key focus on soil health.

There is huge opportunity to improve commercial forestry. Vast swathes of monoculture are unacceptable in farming and should be viewed the same way in forestry. Given the nature of forestry, it will take a long time to restructure the activity but it is possible to embed the positive changes going forwards but they need to be ambitious.

In terms of fishing, WES was disappointed to see the dissolution of HMPAs. This is the level of protection that both the land and sea require. Human disturbance is a key factor in biodiversity decline and continues to be the elephant in the room which the Scottish Government has a responsibility to confront and address.

2h: **Are the key actions, to support the objective: embed nature positive farming, fishing and forestry, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?**

The key actions have the potential to deliver the objective. Getting the balance of subsidy for nature-positive agricultural outcomes will be crucial and a tough approach to transform forestry and fishing practices will be necessary but it is possible. WES operators deliver nature positive outcomes and are capable of going further. Incentivising this management and mindset can deliver drastic change before 2030.

2i: Which actions do you think will have most impact?

It's about an integrated approach. Ag actions have the greatest potential because of the land coverage but outcomes will depend on getting the support balance in a place which dis-incentivises current practice.

Changes to agricultural policy can transform terrestrial and freshwater biodiversity and to a certain extent, estuarine and inshore habitats. However a restored marine system cannot be compared to a terrestrial one and therefore the greatest impact is not possible to identify.

Objective 4: 2j: ***Have we captured the key actions needed to deliver the objective: protect and support the recovery of vulnerable and important species and habitats?***

Unsure

The actions are welcome but in a changing climate, it's going to become increasingly difficult to understand which species will no longer be able to survive and which of those which 'creep' north are necessary for evolving ecosystems. In the short-term understanding which species are vulnerable or rare in Scotland as

opposed to relying on lists which cover Europe is useful. WES operators collate extensive species lists and build on them annually. If they are seeing a species for the first time, it is notable as it is equally notable if a previously present species is not observed over 5 consecutive years. These records are invaluable in tracking the presence or absence of species and to understand their national status will be extremely useful.

Effective species recovery, reintroduction and reinforcement is also welcome but to be effective, a bottom-up approach will be required. The support of Atlantic Salmon specifically is particularly welcome. Their keystone status in the wider ecosystem is absolutely essential as demonstrated by the restoration of the River Carron. A dead river was brought back simply by replacing the salmon in the system and it wasn't just the river. The riparian area benefited which had positive knock-on effects for wider biodiversity. Their survival is imperative.

2k: Are the key actions, to support the objective: protect and support the recover of vulnerable and important species and habitats, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

The short answer is we don't know. We understand so little about biodiversity and ecosystems, it's impossible to say now, or probably even in the future but what we can do is understand increases in biodiversity, including number of species either on individual land parcels or in a landscape. Increases in biodiversity are a good sign and it starts with habitat connectivity. We do know that human disturbance will be a key factor in success. Some projects, including Saving Wildcats, who work with some WES members, are already finding it hard to find release sites because of human disturbance. If recovery of species is to be effective, disturbance must be addressed.

Objective 6: Take Action on the Indirect Drivers of Biodiversity Loss: 2p: Have we captured the key actions needed to deliver the objective: take action on the indirect drivers of biodiversity loss?

It's welcome to see an educational element introduced. Biodiversity and nature has been absent from the school curriculum for far too long but the material needs to have cross-sector input to ensure it is balanced and thorough. Part of the WES accreditation assessment requires applicants to demonstrate how they engage, through outreach, with different demographics to promote how and why land is managed and the nature which results from responsible, nature focused management. It would be welcome to see their efforts supported through in-school learning and wider public engagement. As referred to throughout this document, human disturbance is a significant obstacle to achieving nature-positive objectives. Education can play a role here but it is only one tool in what needs to be an entire toolbox if biodiversity decline is to be halted by 2030. Greater ambition is needed with a particular focus required around preventing disturbance during the breeding season. One member reported a Plover brood which was thriving through a period of poor weather during the 2023 breeding season but unfortunately before the chicks could fly, the sunshine came out and an influx of visitors to a watersports hotspot forced the parents to abandon their brood. That was just one example of a far greater problem.

2q: Are the key actions, to support the objective: take action on the indirect drivers of biodiversity loss, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

No, not bold enough when addressing the issue of human disturbance.