

## **CONSULTATION QUESTIONS**

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

Yes  No

Comments See attached document for our response to the consultation.

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

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments



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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation: Yes  No

Comments

Management Options: Yes  No

Comments

Socioeconomic Assessment: Yes  No

Comments

All of the above: Yes  No

Comments

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

Designation:

Yes  No

Comments

Management Options:

Yes  No

Comments

Socioeconomic Assessment:

Yes  No

Comments

All of the above:

Yes  No

Comments

## Choices to represent features in the MPA Network

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

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

Comments

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

Yes  No

Comments

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

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

Comments

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

Yes  No

Comments

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

South-West Sula Sgeir and Hebridean slope  
Or Geikie slide and Hebridean slope

Comments

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

Yes  No

Comments



## **Sustainability Appraisal**

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

Yes  No

Comments

## **Final Thoughts**

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

Yes  No

Comments

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

Yes  No

Comments

Sea Fish Industry Authority  
18 Logie Mill  
Logie Green Road  
Edinburgh  
EH7 4HS

Marine Scotland  
Victoria Quay  
Edinburgh  
EH6 6QQ

13 November 2013

Dear Sirs

### **Marine Protected Areas consultation**

The Sea Fish Industry Authority is a non-departmental public body established by Parliament. Its remit is to assist all sectors of the UK seafood industry to achieve a sustainable and profitable future.

We recognise and support the requirement to establish a cohesive ecological network of Marine Protected Areas (MPA) in the seas around Scotland. As a UK-wide organisation we shall not comment upon the individual proposed areas and the associated management plans, that is for those with a more local interest to take forward; rather we shall confine our comments to more general observations. We would however stress the need for meaningful dialogues with all interested parties in the areas that are taken forward.

Notwithstanding the existence of the devolved administrations and powers in this respect, the MPA network is a UK requirement and as such the designations should be considered on a UK-wide basis. Where better, 'more natural', 'less perturbed' examples of the species, habitat or feature exist elsewhere in the UK consideration should be given as to whether it is necessary or desirable to designate an identical, lesser example in the seas around Scotland. Any area designated should have demonstrable strategic ecological value to the network as a whole, and this should be backed by sound science. We would encourage a dialogue between the devolved administrations and the conservation agencies to ensure that such a joined up approach is implemented.

The existence of MPA-worthy features in the seas around Scotland can be taken to demonstrate that the existing fishery and aquaculture practices at current levels of effort or production have not degraded the marine environment beyond a point that might be considered an acceptable level of impact for any anthropogenic activity consistent with responsible economic usage of a national resource. As such, these

industries have a legitimate right to continue in existence as sustainable users of the marine environment. Both are highly regulated and monitored sectors and any attempt to impose additional restrictive regulations upon them as a result of MPA designation could render these industries uneconomic in the challenging economic climate. This would be detrimental to wider national interests as set out in the Marine (Scotland) Act which has the aim of achieving sustainable development within the marine environment.

Many of the proposed MPAs are in locations that will impact upon economically fragile, remote rural areas. As such, due consideration must be given to protecting the economic viability of those businesses that operate within the proposed MPAs. Any restrictions that arise as the result of designation must not jeopardise these vital income streams for areas with a low population density and restricted alternative employment opportunities.

It remains unclear as to how the 'desired state' of the designated features will be described and arrived at, as there is a deficiency of data relating to the natural fluctuations in their 'state' arising from entirely natural events. This will make it problematic to identify the proportion of what might be considered unacceptable impacts arising from entirely anthropogenic activities from those generated by nature. This is a critical issue in meeting the conservation objectives of the sites and emphasises the requirement that management measures have to be evidence based and adaptive to local needs. In addition there has to be a mechanism identified to enable greater knowledge gathering to assist future management decisions.

Any area designated as a MPA will require a management plan to safeguard and protect the species, habitats or other features that are key to the designation. We appreciate that within the consultation narrative there is an acknowledgement that the management plans have to take account of the interests of existing uses and users within the proposed MPAs. However, we advocate that any management plans should be as permissive and adaptive to local needs as possible. Pre-existing, traditional or artisanal fisheries or aquaculture practices should not be disadvantaged and they should be permitted to carry on at the existing level of effort in the locations where they have always taken place. They can be considered compatible with conserving the features as they have not degraded them prior to designation. Vessels that have fished the area should be required to demonstrate their track record and the locations fished to ensure access to important areas within the MPAs without compromising conservation requirements. An increase in effort or an expansion in to a 'new' area of the MPA is likely to require individual science-backed assessment before it takes place. Those seeking to enter the area for the first time are likely to require some form of additional assessment before they are permitted access.

Where exclusion zones or tight restrictions on a particular activity are considered necessary to protect high conservation value species, habitats or features, the zone should be kept as small as possible and any 'guard zone' surrounding the exclusion should similarly be restricted in its extent. An extensive exclusion zone should not be set-up where an existing fishery or aquaculture site might be required to close or relocate; the zone(s) should be closely focused around the individual features to be protected with the co-operation of the existing users so as to permit continued operation. Within the 'guard zones', established fisheries or aquaculture sites should

be permitted to continue at existing levels unless it can be scientifically proven that they are likely to degrade the feature within the exclusion zone. In that event, a mutually beneficial management plan should be drawn up to ensure all interests are protected equally. An assessment of impact would be necessary before any other changes in existing fishery or aquaculture practices within the 'guard zones' took place. Should a species or habitat expand its range beyond the exclusion zone due to the success of protection measures, the zone should not be extended to the disadvantage of the other users of the MPA unless it is of overwhelming national or international importance.

The management plans should be tailored for the particular area and features of interest. They should be kept under constant review and should be adapted rapidly to take account of any changes to the features of interest, the fishery, aquaculture or local community interests. Should any stakeholder become disadvantaged, measures should be instituted to redress the balance. To ensure a high level of local participation and trust in the process, fishery and aquaculture interests should be encouraged to propose management measures. Preference should be given to mutually agreed voluntary measures whenever possible. This form of adaptive co-management has been successful in other areas of the UK.

When an MPA is designated it is vital that any fishing vessels, and other user groups that may cause harm, are actively alerted to its existence as soon as possible, particularly if there are exclusion zones or 'guard zones' within it. One mechanism to achieve this might be to fund the Kingfisher Information Service, run by Seafish, to produce an adjunct to its existing outputs issued on behalf of the oil, gas, telecommunications and renewable energy sectors. Flyers and bulletins highlighting hazards or restricted areas are issued regularly, and the MPA co-ordinates and the exclusion and guard zones locations could be added to the electronic chart plotter outputs in order to issue real-time alerts to skippers as they approach these areas. Initial contact between SNH and Kingfisher should be encouraged.

The MPA network itself will require regular review. Where climate change, a natural or other event eliminates or damages a key MPA designation feature and there is no prospect of natural recovery, then the MPA designation should be removed from an area. Conversely, should the reverse take place then new MPAs might be created after the completion of due process.

In all instances, where disagreements arise about management plans or impacts an independent review process should be set up to resolve such conflicts.

At this point in the designation process, it would also be appropriate to seek to identify and promote any positive aspects and advantages that fisheries and aquaculture businesses might accrue as the result of operating responsibly within an MPA. Very little effort has been focused upon this aspect to date and the issue should be addressed. For instance, fishers could be used extensively to gather data, monitor sites and promote active management, they may also, if fully engaged, ensure compliance with any regulations.

Once the areas to be designated are identified, we trust that there will be further local discussions with all affected parties within the locations to ensure that equitable agreements for management are forthcoming.

We hope this is of assistance within the consultation framework and we would welcome further dialogue in order to take the process forward.

Yours faithfully

C A Burton

Inshore Manager