

CONSULTATION QUESTIONS

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

Yes No

Comments

The CFA supports the establishment of a network of MPAs. The network must be established in accordance with OSPAR guidelines and implemented at a UK level.

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

See accompanying paper.

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 Windssock) 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

The SA is incomplete as displacement effects must be considered, both economic and environmental.

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

The establishment of the UK network must be informed by the MCZ process and choices. It is premature to make comment on whether the network is coherent.

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

The CFA reserves the right to comment more fully on individual MPA evidence, data confidence and management for all areas when consultation on management measures commences. We consider the standard of evidence presented so far to be so poor that an informed judgement cannot be made. Until such time as credible, scientific, peer reviewed evidence is available it will be impossible to make such judgements.

Thank You.

Clyde Fishermen's Association

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Planning Scotland's Seas

Nature Conservation Marine Protected Areas

Response of the Clyde Fishermen's Association

1. The Clyde Fishermen's Association (CFA) supports and agrees with the response to this consultation submitted by the Scottish Fishermen's Federation (SFF). This CFA response should be considered additional to the SFF response.
2. The CFA is supportive of the establishment of a network of Marine Protected Areas. (MPA) The CFA recognizes the importance of maintaining a healthy and productive Marine Environment.
3. The network must be established in accordance with OSPAR guidelines and implemented at a UK level. UK legislation requires the network to be established at a UK level. The Marine (Scotland) Act 2010 (Act) does not provide for the establishment of a network at the level of Scottish waters, in fact the Act has no competence in waters adjacent to Scotland but outside territorial limits. The Joint Administrations Statement declares that the UK Network will be a contribution to the OSPAR Ecologically Coherent Network (ECN).

Evidence

4. The network must be established on the basis of sound scientific evidence and must be demonstrated as such. A proposal for an MPA, as part of the UK Network, should not be considered unless underpinned by verifiable scientific evidence. Great

concern had been voiced regarding the quality of evidence presented for the establishment of Marine Conservation Zones (MCZ) in English waters. Due to that concern the initial wish list was reduced from 127 areas to just 27. Scottish Ministers must recognize the importance of being able to present that robust science based evidence which may consequently lead to the restriction of current economic activity. That activity being prosecuted in accordance with Government policy of protecting food security and also the protection of fragile communities.

5. All valued scientific research is presented for peer review. This is a very important process in that it opens the research findings to criticisms of procedures and methods. Without such opportunity of review and criticism by peers the scientific community does not recognize any value in its findings. It is believed the evidence presented as justification for the establishment of MPAs in Scottish waters has not been peer reviewed. As such that evidence would be worthless and insufficient for the establishment of any MPAs in Scottish waters.
6. The Scottish Government has followed a process of proper research and peer review of evidence which will allow the re-opening of the Firth of Lorne SAC to commercial fishing. The government have been at pains to ensure that evidence could stand up to scrutiny and criticism, stating the process of re-opening could be halted if such proper procedures were not followed. The fishing industry would seek to ensure the evidence for the establishment of MPAs met the same standard.
7. Early in the consultation process government asserted that the evidence presented for the establishment of MPAs would be science led. The CFA has great concern that science has not been applied but instead we are presented with supposition and hearsay. "Best available evidence" could be no evidence at all and as such must be rejected by the Scottish government.
8. Given that the MCZ process in English waters met with concerns of evidence quality therefore 100 proposals were withdrawn, the CFA believes that the same standard of evidence requirement will be guided by the Marine & Coastal Access Act 2009 in Scottish waters outside of territorial limits. The Marine (Scotland) Act 2010 does not have competence in those areas but will enable establishment of MPAs inside territorial waters. There is the possibility of differing standards of evidence in "Scottish" waters both inside and outside territorial limits. This anomaly must be addressed and a common standard of evidence produced across the UK Network. Where the UK Government has sought to ensure quality of evidence the Scottish Government must do no less.
9. The CFA does not at this stage wish to enter a critique of the evidence for each MPA in detail. The CFA believes as stated earlier that the standard of evidence falls short of the requirements and reserves the right to challenge that evidence in detail at a later date when consulted on the Management Measures proposed for any MPAs that may be established for inclusion in the UK network. We would however, draw attention to an example of the standard of evidence presented so far.
10. With reference to the SNH Commissioned Report No. 620: The report attempts to "validate" records of seabed features as presented by the third-party proposer for the South Arran MPA. The third-party proposer is the Community of Arran Seabed Trust (COAST). The COAST organization has previously publicly stated its aim to

banish all mobile fishing from inshore waters. It is an organization which we believe to have stated that one of its objectives is to gain financial advantage from the cessation of mobile fishing and the subsequent promotion of sea-angling tourism. Considering this background the acceptance of information as presented by COAST should have come under detailed scrutiny and validation. We find however that it appears the scrutiny of such information has been the viewing of photographs and dive logs recorded by untrained members of the public. The information does not appear to be accompanied by evidence of accurate and corrected position fixing nor of accurate depth recording. The few depth recordings that were presented were not corrected to chart datum and are therefore worthless.

11. Report 620, Section 3. Results, the report states “The seabed habitat records provided by COAST for detailed analysis did not fully align with the records included within the original third-party MPA proposal submission. It is clear that a number of records within the third-party proposal were illustrative only, depicting the broad, indicative distribution of some seabed habitats”. The report goes on to highlight that there was no evidence for a number of COAST’s claims. SNH seem willing to accept that the COAST evidence should be used to justify the establishment of the MPA despite the report confirming many cases of no or erroneous evidence. It would appear that SNH have not validated the evidence claims but merely confirmed that photographs exist. SNH have been questioned on the process of supposed validation of this report, we are yet to receive a reply. The Scottish government cannot accept that the quality of evidence for the South Arran MPA proposal is of a sufficiently high standard to establish this MPA. In fact the quality of evidence is so poor the fishing industry would be obliged to mount a challenge should the area be designated.

MPA Selection

12. At the outset it should be recognized that all species and features present in the seas around the UK are there despite fishing activity for hundreds of years. It should also be recognized that fishing activity has changed in recent years in that gears have been designed by fishermen to be more selective, exert less pressure and avoid unwanted by-catch where possible.
13. Improvements in position fixing, enabled by the introduction of GPS, has allowed vessels to position their gears with increased accuracy on the seabed. The GPS use in conjunction with video track plotters and seabed discrimination software, has enabled skippers to avoid the areas of seabed where damage to their gear previously occurred. This development in turn has afforded greater protection to areas of the seabed from fishing pressures.
14. Fisheries Regulation at European, UK and Scottish levels have reduced fishing pressures in all mobile gear sectors over recent decades. It should be recognized that pressures on the marine environment are reducing year on year before the establishment of MPAs.

15. The UK and Scottish Governments hold policies designed to ensure continuance of food security. This includes agriculture on land and fishing at sea. It is accepted practice for farmers to produce food from the cultivation and alteration of the land. The fishing industry has come under criticism from environmental pressure groups that hold extreme views regarding the production of food from the sea. Those pressure groups do not seem to recognize the importance of food and protein production from the sea but hold the belief that fishermen are unnecessary as they are able to purchase their fish from the supermarket. There is a complete disconnect in some minds of the supply chain leading to that supermarket. The fishing industry must be allowed to continue to supply the nation's seafood.
16. The establishment of an MPA network and fishing activity can be complementary. One does not have to cease to allow the other to flourish, co-operative buy-in to the MPA process by fishermen will achieve much more than blunt imposition of protected areas.
17. Deviation from the guidelines and legislation for implementation would cause great harm to the success of the process. Continued co-operation in the process through the establishment of workable management measures will be essential to the success of the MPA initiative. The utopia as seen by many of a sea devoid of fishing activity will not allow government policies to be achieved.
18. The CFA has been alarmed at the stance taken by government advisory bodies in that they wish to deviate from the guidelines and legislation which will enable the establishment of MPAs. Those advisory bodies risk losing the co-operation of the fishing industry which is essential to the process.
19. The selection of Scottish MPAs has to date taken no account of those proposed under the English MCZ process. Nor has there been any attempt to identify gaps in the OSPAR network in Region III. To establish an Ecologically Coherent Network (ECN) those gaps, and those MCZs now designated, must be considered and compared. The attempt to establish the ECN without consideration of connectivity between Scottish proposals and the remainder of the network must by definition risk failure. Any connectivity and contribution to the ECN would be by happy accident.
20. It is apparent to the fishing industry when the list of proposed MPAs is examined that all proposals within Scottish territorial waters contain Burrowed Mud. The CFA would question why the existence of Burrowed Mud is not indicated in many areas contained on the list. There is a suspicion that this may be a deliberate attempt to maintain the belief that Burrowed Mud is rare and is more deserving of protection. The OSPAR list of threatened or declining features describes "Sea-pen and burrowing megafauna communities". We are not informed if this habitat exists in any or all of the proposed areas on the list but not identified as containing Burrowed Mud.
21. Neither are we informed clearly that the proposal for the South Arran MPA does not contain an example of this feature as described on the OSPAR threatened/declining list. We are led to believe the South Arran MPA should be designated specifically to protect Burrowed Mud, yet the feature, as defined by OSPAR, does not exist. Burrowed Mud is also described in the Marine Scotland

paper “A summary of the ‘Burrowed Mud’ MPA search feature” as “groves of sea-pens,” this description of the feature is not present in the proposed South Arran MPA either. SNH would have us believe in the Selection Guidelines that the component of sea-pens is present but have repeatedly claimed previously that it is not. In the Data Confidence Assessment there is passing mention of Burrowed Mud but no confirmation that the essential component of sea-pens is present.

22. Representation of the best example of habitats and species for inclusion within the network would require an assessment by advisory bodies, using acceptable evidence, of which Scottish proposals best fit. We have no such assessment, we do however have proposals that are suggested, without evidence, to be representative of the best example. It would appear that some of those proposals for representation do not in fact have the representative feature or species contained within them. It is believed the definition of Burrowed Mud is not met in the South Arran proposal. Neither is it, we believe, met in many other proposed MPAs. The definition may be met in MPAs where there is Burrowed Mud present but not presented for protection. Representation cannot be achieved in the true meaning of the word until proper assessment of the quality of the feature is made against other areas. The process followed so far in Scotland risks not protecting the best representative examples.
23. The selection of an MPA for the protection of Black Guillemot cannot be accepted by CFA. There may have been an argument that Black Guillemot was a marine species if it spent the majority of its life under the sea and was not able to remove itself from the sea by flight. A true marine creature is incapable of flight. A creature having feathers and the capability of flight is an avian species.
24. The CFA has little to add to the argument regarding Replication as contained within the Scottish Fishermen’s Federation response to this MPA consultation and supports the SFF assertions entirely. It is not copied here in its entirety for the convenience of the reader.

Management

25. It is difficult for CFA to consider the management options proposed when consideration is also given to the quality of evidence presented for designation. The basis for protection lays with advice to remove/avoid and reduce/limit pressures on the features and species. Where there is insufficient evidence of a features existence or location it is impossible to properly manage pressures without introducing the risk of harming economic activity for no protection gain.
26. The Marine Policy Statement requires that displacement is considered before designation. It is clear therefore that displacement research must be completed before Ministers designate MPAs. Marine Scotland have suggested that displacement effects research may be available for Ministers to consider before designation. The MPS guidelines must be followed.

27. Until the displacement effects are properly known it is impossible to assess the suitability of management measures. The environmental impacts of displacement of pressures into an ever decreasing area must be understood if we are to avoid the possibility of causing greater environmental pressures than MPA protection would gain. There is a very real possibility of MPA designation being counter productive unless all consequences and effects are known.
28. Where for instance a feature such as a Maerl bed is to be protected, the exact location of that Maerl bed must be known. To introduce management measures designed to avoid any contact of fishing gears with the Maerl bed without knowing the location and boundary of that bed risks great harm to the economic activity of fishing while possibly displacing that activity from areas where Maerl does not exist. This example could cause environmental pressures elsewhere, allied to economic loss, for no protection gain. For this reason, management cannot be adequately considered until consequential effects are known. The true impact of displacement also cannot be accurately assessed until management principles are firmed up. The two issues of management and displacement are interlinked therefore it is not possible to plan or evaluate one without information on the other. Common sense would suggest that the two issue of management and displacement be developed and evaluated in tandem. Until this information is available Ministers cannot make an informed judgement regarding the benefits of designation.
29. Marine Scotland, despite numerous pleas and demands from the fishing industry, are only now starting to consider the displacement effects when the consultation is drawing to a close. The work involved in a proper assessment will take many months but is essential to the process. The fact that the displacement effects, both environmental and economic, are unknown, and have not been available to inform those that would make a response to this consultation must call into question the validity of the consultation. The author of this CFA response is better placed than many to understand the displacement effects but is very aware of the shortcomings of that understanding. The CFA therefore calls for a withdrawal of this consultation until the information is available. The government have been made aware that any responses to the consultation must be skewed due to the lack of this information therefore rendering the consultation worthless.
30. Recommended Management Options. SNH have made recommendations that the fishing industry cannot accept. To accept all recommendations would cause great economic damage to certain sectors of the industry. The Scallop sector, which contributes a great amount to the gross financial returns of the industry, would be hardest hit. The CFA agrees that living Maerl should be protected from mobile and static gears. Mobile gears especially can cause damage to the living Maerl bed but it does not cause damage to the Maerl gravel. The author of this CFA response has spent 16 years diving for scallops in areas of Maerl gravel. It has become clear over that period that scallop dredges do not damage the Maerl gravel. All areas of Maerl gravel fished by both diver and dredges remain productive and will provide a regular catch year upon year. As divers return frequently to productive areas it is possible to monitor any changes in the seabed and the creatures it contains.
31. While the CFA agrees that living maerl should be protected it must be remembered that most damage to living maerl is caused by severe weather events. Often the living maerl is destroyed completely and removed entirely from an area by severe

weather. The fishing industry has at times been blamed for this destruction but it can be demonstrated that silt and gravel disturbed by scallop dredges returns to the seabed almost immediately. Sedimentation studies carried out by Marine Scotland Science will confirm. (O'Neil et al 2008) Damage to living maerl caused by dredges is not removed and the evidence of the dredge passing through the living maerl is obvious. MPAs cannot protect against severe weather events.

32. The maerl gravel, which is dead maerl, is valuable to the scallop sector in that it provides a habitat for mature scallops. The living maerl does not. It is vitally important to recognize the distinction between living maerl and maerl gravel. Scallop fishing has taken place in maerl gravel for the past 60 years in South West Scottish waters, and for a longer period in Manx waters. For SNH to recommend exclusion of fishing from the maerl gravel demonstrates a poor understanding of the habitat.
33. As living maerl is damaged by mobile fishing gears it is obvious that if there are living maerl beds present in any area then fishing gear has not come into contact with the bed. As living maerl beds are not economically productive in terms of scallop catches the vessels will avoid wasting time in those areas. Any protection provided must define the extent of the living maerl bed only. To extend protection beyond the extent of the living maerl will cause great economic damage while providing no protection to the feature.
34. Recommendations to consider to reduce/limit pressures on Burrowed Mud. SNH and Marine Scotland agree that pressures have been reducing constantly over the previous 20 years and continue to do so. Vessels have by necessity reduced the weight and size of towed gears in an attempt to reduce fuel costs and maximize catching efficiency. Gears have become more selective, driven mainly by EU Regulation to reduce cod catches but having the side effect of reducing all catches. While pressures are constantly reducing it would be unreasonable and perverse to add restrictions purely to allow the claim that protection by MPA has been achieved.
35. A system of monitoring time at sea while also monitoring location is already in place on Scottish vessels. Data and monitoring is already available to ensure there is no future increase in fishing activity, and therefore pressure. Time at sea is restricted for Nephrops vessels which fish in the Burrowed Mud. The weekend ban on mobile fishing in the Clyde has been a very successful measure in reducing activity and pressure. The weekend ban will also ensure that activity and pressure cannot increase again. Time at sea is further restricted in all Scottish waters for Nephrops vessels under EU Regulation. (cod recovery plan)
36. Governments and environmentalists alike accept that agriculture on land necessarily alters the appearance of the land during the cycles of cultivation and livestock grazing. That alteration of the land is often dramatic and gives the appearance of being destructive. The act of ploughing appears at first sight to be entirely destructive but that act is accepted as being a temporary effect and necessary to produce food. The CFA believes that fishing should be recognized as having a much lesser altering effect on the seabed as compared to ploughing on land. The same principles apply where food is produced by harvesting the seabed, that harvesting may leave evidence, for a short time, of that activity. It must also be

remembered that the seabed will revert back to its original state within a very short time. Often in a much shorter time than in a ploughed field.

37. The Act states that “Scottish Ministers may have regard to any social or economic consequences of designation.” In the case where it should be considered to reduce/limit pressures on Burrowed Mud, the Minister should be mindful of those social and economic consequences which could cause great harm. It is believed the priority is to protect “rare and threatened” features. Burrowed Mud is neither rare nor threatened, it is present in all proposed MPAs, but not as defined by OSPAR. The conservation gain in reducing/limiting an activity that is already reduced and limited would be minimal whereas the social and economic losses could be devastating to the small fragile coastal communities that rely so heavily on the fishing industry.
38. There is a balance to be struck where there are conservation gains whilst minimizing the social and economic impacts. The CFA will continue to engage in the process for designation of MPAs but would remind government again of the importance of carrying the fishing industry along in that process.