

## 2014 Consultation on the management of inshore Special Areas of Conservation and Marine Protected Areas

### Consultation Questions

#### East Mingulay SAC

1. Do you support the preferred approach (number 1) for managing this protected area?

Yes  No

Approach 1 is insufficiently precautionary to give us confidence that favourable conservation status for the site can be achieved and maintained. The continued presence of bottom trawling within the site boundaries albeit between the known reefs introduces a risk that negative interactions will occur. The potential secondary effects of trawling around the reef and the potential accidental damage by gear snagging should not be discounted. These reef features are unique in UK territorial waters, being the only known areas of extensive *Lophelia pertusa* reef in the inshore region.

2. If you answered no to question 1, do you support the other approach?

Yes  No

As acknowledged in the approaches document this site wide prohibition of mobile demersal gear minimises the risk of not achieving the conservation objectives of the site and ensures overall site integrity is maintained with respect to fisheries activity. We note that no static gear assessment is presented in the approaches document but we welcome proposals to prohibit the use of creels and other methods in the known reef areas.

3. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?

Yes  No

NB As a general point we note that the assessment of the site options has failed to consider the full range of benefits that the proposed measures would bring, which inevitably results in significance being added to the potential loss of earnings from those methods of fishing affected. As a result we are unable to agree with any of the site specific economic or social assessments of the impacts of the management approaches.

#### Loch Creran SAC / MPA

4. Do you support the preferred approach (number 1) for managing this protected area?

Yes  No

Approach 1 is insufficiently precautionary to give us confidence that favourable conservation status for the site can be achieved and maintained. While we welcome the proposed closed area for the flame shell feature, by maintaining the existing trawling effort in the loch there is still a risk that impacts between protected features and trawling gear could occur. This is particularly concerning with regard to the protection of the internationally important biogenic reef features within the site. The potential secondary effects of trawling in the vicinity of these features and the potential accidental damage by gear snagging should not be discounted.

5. Under the preferred approach should there be a permit scheme to maintain trawl effort at current levels?

Yes  No

We find it difficult to agree with the conclusion reached on the environmental effect of the existing trawling activity in the Loch. Without further detail on the assessment of likely significant effect in the site we urge a precautionary site-wide closure to minimise the risk of not meeting the conservation objectives of the site.

6. If you answered no to question 4, do you support the other approach?

Yes  No

We support site-wide closure to trawling on the basis that this would minimise risk to protected features and ensure beyond doubt that the conservation objectives for the site are met with respect to fisheries.

7. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?

Yes  No

#### Loch Laxford SAC

8. Do you support the management approach for this protected area?

Yes  No

We fully support the preferred approach. Although considered to be currently "low" level we would encourage further investigation into the use of static gear and potential interactions with sensitive features within the Loch with a view to establishing safeguards against any future - potentially damaging - increase in effort or scale of static gear use in the site.

9. Do you agree with the economic, social, and environmental assessments of the impact of the management approach?

Yes  No

**Loch Sunart to Sound of Jura MPA  
(Incorporating Loch Sunart MPA and Loch Sunart SAC)**

10. Do you support the preferred approach (number 2) for managing this protected area?

Yes  No

We can fully support the prohibition of mobile demersal gear from, the benthic features of Loch Sunart SAC/MPA, but suggest that Loch Sunart should have a site-wide prohibition on mobile demersal gear, particularly given the presence of common skate sightings in the proposed area at the mouth in which demersal fishing would be permitted under both proposed approaches.

However, we do not consider the approaches for common skate to be adequate. In general we are greatly concerned at the lack of ambition shown to protect the habitats known to be important to the common skate from potentially damaging fishing methods and a more precautionary approach is merited. The "no mobile demersal gear" zones in the Sound of Mull and the Sound of Jura should be enlarged to encompass more suitable habitat beyond the deep trenches where skate have been recorded. It would also be appropriate to consider at the time the contribution of the Firth of Lorn SAC to the conservation of the skate and consideration should be given to extending the prohibition on scallop dredging in this site to include demersal trawling.

11. If you answered no to question 10, do you support the other approach?

Yes  No

See 10

12. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?

Yes  No

## Loch Sween MPA

13. Do you support the preferred approach (number 2) for managing this protected area?

Yes  No

We support the prohibition of mobile demersal fishing gear throughout the entire site rather than the zoned approach proposed. We note that the management advice for mobile gear on burrowed mud and sublittoral mud and mixed sediment communities in this site is remove/avoid pressure, which gives support to a site-wide prohibition on trawling on these habitats.

14. If you answered no to question 13, do you support the other approach?

Yes  No

Approach 1 does not offer sufficient safeguards to ensure the conservation objectives can be met.

15. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?

Yes  No

We note the assessment that static gear use is "relatively low" and is "unlikely" to be practised on maerl beds or oyster beds. No proposal is made to introduce a limit to the static fishery to ensure this situation is maintained and negative interaction with the features is minimised. We would welcome an assessment of static gear use in the site and consideration of precautionary safeguards against any future - potentially damaging - increase in effort or scale of static gear use in the site.

## Lochs Duich Long & Alsh SAC / MPA

16. Do you support the management approach for this protected area?

Yes  No

We cannot support this option on the basis that the approach would not adequately prohibit bottom trawling from taking place on reef habitat within the MPA. We believe that a site wide prohibition on the use of mobile demersal gear is necessary to achieve the conservation objectives for the site and offers the opportunity to develop a better understanding of the effects of creeling on reef and burrowed mud habitats. It is clear from VMS records that areas of protected reef habitat have been subject to trawling in recent years

causing potential damage to the reef structure. Furthermore, we are concerned about the indirect effects of trawling and dredging, such as smothering of features due to increased suspended sediment, especially given the proximity of the western boundary of the fishing zone to the flame shell beds.

**17. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?**

Yes  No

**Luce Bay SAC**

**18. Do you support the preferred approach (number 2) for managing this protected area?**

Yes  No

**19. If you answered no to Question 18, do you support one of the other approaches?**

Approach 1  Approach 3  No

We consider that anything other than approach 1 will adversely affect the ability of the site to achieve and maintain favourable conservation status. We are concerned that allowing mobile demersal fishing to continue in this site will continue to mean that the overall integrity of the site is compromised. We support the exclusion of mobile demersal fishing gear from all areas of the SAC until site specific assessments are carried out. Fishing with mobile gear should only be permitted within areas of the SAC where it can be demonstrated the site is achieving favourable conservation status and there is no adverse impact on designated features from permitted activity

**20. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?**

Yes  No

**Noss Head MPA**

21. Do you support the management approach for this protected area?  
Yes  No

We fully support the preferred option.

22. Do you agree with the economic, social, and environmental assessments of the impact of the management approach?  
Yes  No

We note the assessment that the static gear fishery currently constitutes a "low number" of creel vessels and that this is "unlikely" to be affected by the proposals. No proposal is made to introduce a limit to the static fishery to ensure this situation is maintained and negative interaction with the features is minimised. We would welcome an assessment of static gear use in the site and consideration of precautionary safeguards against any future - potentially damaging - increase in effort or scale of static gear use in the site.

### Sanday SAC

23. Do you support the management approach for this protected area?  
Yes  No

We fully support the preferred approach.

24. Do you agree with the economic, social, and environmental assessments of the impact of the management approach?  
Yes  No

We note that no static gear assessment is presented in the approaches document and no management is proposed. We would welcome an assessment of static gear use on the site and the introduction of precautionary safeguards against any future - potentially damaging - increase in effort or scale of static gear use in the site.

### Small Isles MPA

25. Do you support the preferred approach (number 2) for managing this protected area?  
Yes  No

We do not agree that this approach is sufficient to achieve the conservation objectives of the benthic features in this area of the MPA.

We believe that greater ambition should be shown in this site to extend the management zone of approach 2 to capture a greater proportion of the site beyond the natural protection afforded by the topography of the seabed in the Sound of Canna. Although no measures are proposed in this consultation for northern seafan and sponge communities, the management advice of remove/avoid pressure from mobile demersal gear would suggest there is a need to introduce measures in this first batch. Zones should be created taking into account the modelled distribution of this feature and the burrowed mud with aggregations of tall seapens - noting that advice for this feature in Wester Ross is remove/avoid.

Set nets should be prohibited in the site now to protect the black guillemot.

**26. If you answered no to Question 25, do you support the other approach?**

Yes  No

See 25

**27. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?**

Yes  No

We note the assessment that the static gear activity is currently "moderate" and no additional management is proposed. No proposal is made to introduce a limit to the static fishery to ensure this situation is maintained and negative interaction with the protected features or associated fauna is minimised. We would welcome further consideration of precautionary safeguards against any future - potentially damaging - increase in effort or scale of static gear use in the site.

### South Arran MPA

**28. Do you support the proposed high level of protection for recovery of the maerl beds, and conservation of the seagrass beds?**

Yes  No

**29. Should there be a permit scheme for creel vessels to work within these recovery areas for maerl beds, and moorings adjacent to the seagrass beds?**

Yes  No

The risk of damage from static gear deployment must be reflected in the management response. Allowing even a limited permit for static gear would increase the risk of the recover conservation objective not being met and we would not therefore support this. The best chance for the long-term recovery of maerl beds in South Arran is for no potentially abrasive activity to be permitted in the recovery areas.

With no clear proposal presented to permit moorings "adjacent" to seagrass beds we are unable to support it. On principle we do not support fixed moorings within seagrass beds due to the risk of scarring, scouring, fragmentation, and a reduction in the marine life supported. The risk of this occurring from adjacent moorings would depend on the nature of the mooring, the distance from the bed and the site conditions and any such proposal should therefore be subject to specific assessment.

**30. Do you support the preferred approach (number 3) for managing the protected area?**

Yes  No

None of the management approaches allow us to state with any confidence that the objectives for the site will be achieved and a contribution made to the wider ecological health of the Clyde. A site wide prohibition on mobile demersal gear with additional safeguards in place for static gear on the maerl bed recovery areas is our preferred approach.

**31. If you answered no to Question 30, do you support one of the other approaches?**

Approach 1  Approach 2  No

See 30

**32. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?**

Yes  No



**St Kilda SAC**

**33. Do you support the management approach for this protected area?**

Yes  No

We fully support the preferred option.

**34. Do you agree with the economic, social, and environmental assessments of the impact of the management approach?**

Yes  No

**Treshnish Isles SAC**

**35. Do you support the preferred approach (number 1) for managing this protected area?**

Yes  No

We fully support the preferred approach.

**36. If you answered no to Question 35, do you support the other approach?**

Yes  No

A zoned approach to allow mobile demersal fishing gear within the site adjacent to the protected features will increase the risk of the conservation objectives not being met.

**37. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?**

Yes  No

We note the assessment that the static gear activity is currently "moderate" and no additional management is proposed. No proposal is made to introduce a limit to the static fishery to ensure this situation is maintained and negative interaction with the protected features or associated fauna is minimised. We would welcome further consideration of precautionary safeguards against any future - potentially damaging - increase in effort or scale of static gear use in the site.

## Upper Loch Fyne & Loch Goil MPA

38. Do you support the proposed high level of protection for the recovery of the flame shell bed?

Yes  No

We support the highest level of protection possible to facilitate recovery of the condition and extent of the flame shell bed.

39. If you support a high level of protection for the flame shell bed should provision be made to permit certain activities under specific circumstances?

Yes  No

The risk of damage from static gear deployment must be reflected in the management response. Allowing even a limited permit for static gear would increase the risk of the conservation objective not being met and we would not therefore support this. The best chance for the long-term recovery of this feature is for no potentially abrasive activity to be permitted in the recovery zone in approach 1a (this principle should extend to non fishing related activity not included in this consultation).

40. Do you support the preferred spatial approach (number 1a) for managing recovery of the flame shell bed?

Yes  No

The spatial extent of this approach reflects the recommendation of independent scientific advice for the long-term recovery of the condition and extent of the flame shell bed.

41. If you answered no to Question 40, do you support the other approach for managing recovery of the flame shell bed?

Yes  No

This option does not reflect the scientific advice to allow recovery of extent of the flame shell bed.

42. Do you support the preferred approach (number 2a) for managing the rest of the protected area?

Yes  No

We do not agree that a zonal approach that allows mobile demersal fishing within this site is appropriate and believe that a site wide closure allows the best opportunity for the MPA to meet its conservation objectives and to contribute to the wider ecological recovery of the Clyde.

**43. If you answered no to Question 42, do you support the other approach for managing the rest of the protected area?**

Yes  No

See 42

**44. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?**

Yes  No

**Wester Ross MPA**

**45. Do you support the preferred approach (number 2) for managing the protected area?**

Yes  No

Approach 2 has been superseded by the provisional results of the survey carried out by us in November 2014 in partnership with Fauna & Flora International and generously supported with SNH equipment, staff time and analysis. An online map of the provisional results alongside the previously known beds has been made available on the Scottish Wildlife Trust website and the survey has been widely publicised - <http://scottishwildlifetrust.org.uk/what-we-do/living-seas/>

A revision of the preferred approach is required to capture those new records not captured in the proposed no mobile demersal gear zones - specifically at the mouth of Loch Broom, west of Isle Martin and off Achduart on the coigach coast.

The survey was carried out in order to provide evidence to confirm both the expert scientific judgement presented in SNH Commissioned Report 764 and the anecdotal evidence received by local fishermen on the presence of maerl beds. The survey benefited greatly from the experience of the crew of the chartered vessel and we would recommended that future site surveys utilise local knowledge where possible. There are still several areas within the MPA where maerl might be expected that we were unable to cover in the November survey that require investigation (as stated in Report 764: off the mouth of Loch Ewe between Rubha Reidh and Rubha Beag, to the north of Little Loch Broom from Creag Mhòr Sgorraig to Leac Dhonn, and north of the Summer Isles to Rubha Còigeach). The Trust would be very happy to

facilitate future surveys in the site to gather knowledge of the extent and condition of these and other important seabed habitats.

We note that the management advice for burrowed mud with aggregations of tall seapens is remove/avoid and therefore we do not agree that the conservation objective for this feature can be met by the preferred approach. Although approach 2 captures some of the tall seapen records west of Priest Island, others appear to be excluded from the management zone towards the western boundary of the site.

**46. If you answered no to Question 43, do you support the other approach?**

Yes  No

Approach 1 is inadequate to protect the features of the site from potentially damaging activity and is again superseded by the findings of the November 2014 SWT/FFI survey.

**47. Should static gear fisheries be restricted in the areas essential to the recovery of maerl beds and flame shell beds?**

Yes  No

The risk of damage from static gear deployment must be reflected in the management response. Allowing even a limited permit for static gear on fragile maerl and flame shell beds would increase the risk of the recover conservation objective not being met and we would not therefore support this. The best chance for the long-term recovery of these features in the Wester Ross MPA is for no potentially abrasive activity to be permitted within the areas identified in SNH Report 764 + any as yet undefined areas resulting from the SWT/FFI survey (this principle should extend to non fishing related activity not included in this consultation).

**48. Under either approach should the Summer Isles area be zoned by depth to enable scallop dredging to continue?**

Yes  No

We believe the proposal for the summer isles outlined in approach 2 (amended to take account of new records) is adequate, proportionate and importantly is the simplest approach from a compliance perspective.

49. Do you agree with the economic, social, and environmental assessments of the impact of the management approaches?  
Yes  No

**Wyre & Rousay Sounds MPA**

50. Do you support the management approach for this protected area?  
Yes  No

We fully support the preferred option.

51. Do you agree with the economic, social, and environmental assessments of the impact of the management approach?  
Yes  No

We note the conclusion that the static gear fishery in the site appears to be compatible with maintaining current site condition, although no information on the current level of static gear use is provided. No proposal is made to introduce a limit to the static fishery to ensure this situation is maintained and negative interaction with the features is minimised. We would welcome further consideration of safeguards against any future - potentially damaging - increase in effort or scale of static gear use in the site.