



Planning Scotland's Seas
Possible Nature Conservation Marine Protected Areas
November 2013

The Scottish Wildlife Trust's central aim is to advance the conservation of Scotland's biodiversity for the benefit of present and future generations. Our 25-year vision for Scotland's wildlife calls for a network of healthy, resilient ecosystems supporting expanding communities of native species across large areas of Scotland's land, water and seas.

The Scottish Wildlife Trust is a member of Scottish Environment LINK's Marine Task Force and through this forum has been engaged in the Scottish MPA project from the outset. We welcome the opportunity to comment on the possible Nature Conservation Marine Protected Areas and acknowledge the significant amount of work and stakeholder engagement conducted by SNH, JNCC and Marine Scotland to bring the Scottish MPA project to this consultation stage.

This response should be considered in conjunction with the [comprehensive submission from SE LINK](#), to which we have contributed and fully endorse.

CONSULTATION QUESTIONS

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

Yes No

The Scottish Wildlife Trust strongly supports the development of an ecologically coherent MPA network in Scotland's seas. We also endorse the Scottish Government's guidelines for MPA selection and commitment to a science-based approach to designation and management.

In accordance with JNCC and Scottish Natural Heritage advice, we support the designation of at least 29 of the 33 possible Nature Conservation MPAs (pMPAs) included in this consultation. We consider it essential that the Firth of Forth Banks Complex is designated as a Nature Conservation MPA. We support the view that the designation of the Firth of Forth Banks Complex possible Nature Conservation MPA is fundamental to the future coherence of the network due its unique features that are of '*functional significance to the overall health and diversity of Scotland's seas more widely*'. We note in particular that JNCC concluded in its advice to Government that the '*science based alternatives*' proposed do not make equivalent contributions to the network to those made by the Firth of Forth Banks Complex. We firmly believe that failure to designate the Firth of Forth Banks Complex would be contrary to the Government's own advice and guidelines.

Individual possible Nature Conservation MPAs

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

The Scottish Wildlife Trust supports the designation of the North-west sea lochs and Summer Isles pMPA for the protection of the biodiversity and geodiversity features listed. The boundary is fully supported - as is the inclusion of the circalittoral muddy sand communities to ensure representation of broad-scale habitats in the network. This possible MPA contains an extraordinarily wide range of species and habitats at diverse scales, including the most northerly records of flame shell bed in UK waters and all three types of sea pen.

Seagrass beds should be added as a protected feature in the possible MPA. Although the distribution of *Zostera marina* in south-east Gruinard Bay is patchy, together with the beds in Loch Gairloch these are described as '*possibly the richest examples on the mainland coastline of northern Scotland from at least Loch Alsh to the Moray Firth*'¹. Additionally the seagrass records in Gruinard Bay were identified as having the potential to be protected through enhancing the existing Little Loch Broom and Gruinard Bay Fisheries restriction Area (CA59) with MPA designation.²

We are concerned that in the wider Wester Ross area only a part of the seagrass bed in Loch Gairloch is protected by Loch Gairloch Fisheries Restriction Area (CA58). As stated in the SNH seagrass beds paper³, ecological guidance for sea grass beds suggests that '*for viable protection of these habitats, the whole bed should be protected, as well as the sedimentary habitats on which it depends*'. Consideration should therefore be given to ensuring that either the existing measure is altered or an MPA is added to provide protection for the feature in its entirety.

We also consider that sea trout could benefit from area-based protection within this pMPA and should be added as a protected feature.

Management Options: Yes No

¹ Moore, C. G., Harries, D. B., Trigg, C., Porter, J. S. and Lyndon, A. R. (2011). The distribution of Priority Marine Features and MPA search features within the Ullapool Approaches: a broadscale validation survey. Scottish Natural Heritage Commissioned Report No. 422. http://www.snh.org.uk/pdfs/publications/commissioned_reports/422.pdf

² <http://www.snh.gov.uk/docs/B1000612.pdf>

³ as above

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We support the exclusion mobile /active gear types and diver hydraulic methods from flame shell beds, maerl beds and maerl or coarse gravel with burrowing sea cucumbers. Management to reduce the pressure on maerl and burrowed mud by static gear is also supported. We support proposals to relocate the disposal site to an area of less sensitivity and further assessments to determine impact of the Loggie Bay anchorage and moorings in Loch Broom on flame shells beds.

Research is required to investigate the Interactions between active/mobile gear and northern featherstar aggregations, kelp and seaweed on sublittoral sediments and circalittoral muddy sand communities.

Socioeconomic Assessment:

Yes No

We fully acknowledge the contribution of the third-party proposal by Gairloch and Wester Loch Ewe Community to this pMPA. The involvement of the local community in this MPA proposal is an excellent example of the existence of the non-use value of MPAs that has been largely omitted from the economic assessments. This contribution is an outstanding demonstration of the high value that the local community place on the health of their marine environment.

It is possible that existing shell fisheries (hand-dived/creeling) and wildlife related tourism, sea and river angling will benefit from MPA designation. Inclusion of seagrass beds as a protected feature in this MPA could have additional socioeconomic benefits, as they are important spawning grounds for herring and nursery habitat for small scallops, lobsters and crabs and small cod. The seagrass beds and other shallow water habitats are also important feeding areas for sea trout.

The wider economic potential of the region could benefit from improved marine nature conservation alongside terrestrial initiatives. The northern boundary of the pMPA borders the 'Coigach Assynt Living Landscape' a unique community partnership project and one of the largest landscape restoration projects in Europe, which aims to bring environmental and economic benefits to the Coigach and Assynt region of north west Scotland (see section below).

All of the above:

Yes No

The Scottish Wildlife Trust reserves Ben Mor Coigach and Isle Ristol sit on Loch Broom and we are a partner in the Coigach – Assynt Living Landscape (CALL) project, encompassing an area bounded on three sides by the waters of Loch Broom and the Minch. Six out of the seven partners manage land with a coastline, including Tanera Mor one of the Summer Isles. As such, the partnership is well aware of the marine and intertidal environment and its management.

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CALL will be investigating the possibilities, particularly in relation to the promotion and management of the pMPA, as part of the Heritage Lottery Fund Landscape Partnership project due to commence in 2015.

For example CALL intends to develop an intertidal audit, the volunteers who have received training under the current Highland Seashore Survey project will be supported to carry out survey of the coastline of Coigach, and to fill gaps in coverage of an earlier survey in Assynt. This work will pull together useful data, which can be used as a baseline in monitoring the health of the intertidal areas. It will also bring to attention any causes for concern, e.g. invasive non-native species or pollution sources. Importantly, the information gathered will be used to inform local people and visitors about the wildlife to be found in the marine intertidal, and the associated conservation issues.

CALL partners are particularly concerned about the effect of bottom trawled fishing gear on the seabed. In the area around the Summer Isles and the coastal waters, creel fishing for high-value langoustines, crab and lobster by supports several local livelihoods. The designation of a MPA should prohibit trawling in sensitive areas, allow for recovery and ensure the local, sustainable fishing industry can continue. CALL will be investigating ways to support the local fishing industry, potentially through a Product of Local Origin designation to aid marketing.

The MPA would ensure the recovery and long-term viability of a range of habitats and the huge variety of wildlife found in the area. Wildlife tourism is as yet little developed in the Coigach–Assynt area. Sensitive enterprises and interpretation of marine wildlife could well attract more visitors to the area, helping to sustain a thriving tourist industry.

The views of businessmen and women local to this pMPA that rely on a healthy marine environment have been captured in a series of photo studies commissioned by SWT –

<http://scottishwildlifetrust.org.uk/what-we-do/living-seas/#go-pgtab-2>

Consideration should be given to renaming this MPA to aid in its identification and connection with locals and visitors alike. “North-west sea lochs” fails to easily bring to mind the location in the way that “Wester Ross” would for example.

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,

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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

The Scottish Wildlife Trust supports the designation of the Firth of Forth Banks Complex. Our position is in line with the advice from JNCC that makes clear that the alternatives are not ecologically equivalent and that the Firth of Forth Banks Complex is the preferred proposal to go forward for designation.

This pMPA represents a more diverse habitat mosaic and wider range of constituent marine species compared to the alternatives. The geographic location, and local physico-chemical drivers of the Firth of Forth Banks Complex have also led to the evolution of an ecosystem that is not replicated by the alternative possible MPA options.

The pMPA contains significant ocean quahog aggregations and offshore subtidal sands and gravels search features. The resident sandeel population is a central component to the ecosystem function and food chain of the area and requires high levels of protection and must also be added to the list of protected species.

We believe that to favour the alternatives proposed and fail to designate the Firth of Forth Banks Complex would be contrary to the government's own advice and guidelines.

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

Although we recognise the considerable progress that designation of at least 29 of the possible Nature Conservation MPAs will make to the creation of an ecologically coherent network, more work is needed if the network is to meet obligations under OSPAR and the EU Birds and Habitats Directives. Principally:

- MPAs derived from the four remaining search locations must be designated at the earliest opportunity for protection of minke whale,

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Risso's dolphin, white-beaked dolphin, basking shark, northern sea fan and sponge communities, circalittoral sands and mixed sediment communities and shelf banks and mounds.

- Designation of offshore SPAs for seabirds and the creation of MPAs for nationally important at-sea feeding areas.
- Identification of further sites to provide replication of basking shark, common skate and white-beaked dolphin.
- SACs for Harbour porpoise and bottlenose dolphin
- The inclusion within the network of the full representative range of Scottish marine species and habitats (e.g. addition of non-MPA search features)

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

Management

We firmly believe that sustainable activities compatible with the conservation objectives (set by an evidence-based approach and applying precaution) can continue and indeed thrive within MPAs.

However, we are concerned that the conservation objectives and management options presented will not allow recovery of sites and fully protect features and ecological functions from damage and degradation. Considering that Scotland's Marine Atlas highlighted many areas of concern and deterioration in Scotland's seas, it is surprising that the conservation objectives of only a few individual features are set to recover. It would be more appropriate for a more precautionary approach to be taken, in particular where the condition of the feature is unknown. The population status of the species as a whole should also be considered when setting conservation objectives as opposed to consideration of the status of the feature solely within the proposed site.

While we recognise the role of zonal management within MPAs we would emphasise that zonal management should not be used to allow an activity to operate up to the absolute limit of a protected feature's geographic extent, since the network's ability to meet the enhancement duty set out in the Act may be inhibited by such an approach. In particular, utilising zonal management in this way may fail to reduce pressures on the feature, will prevent its geographical recovery, and will make management difficult to establish and costly to enforce.

For the future network of Marine Protected Areas to be truly effective, and meet the objectives of the Marine (Scotland) Act and international

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commitments under OSPAR and MSFD, appropriate management measures should be established for the entire network. This must include the management of existing European Marine Sites (EMS), many of which still lack appropriate management measures, in particular the management of damaging fishing activities. The UK Government, through Defra, the MMO and Inshore Fisheries and Conservation Authorities and in consultation with a wide range of stakeholders are currently implementing an ambitious programme of reform to management of fishing activities within EMS to protect them from damaging activities and to ensure compliance with Article 6 of the Habitats Directive. We urge the Scottish Government to take similar action to ensure proper management of EMS within Scotland's seas.

The management options must also account for each site's ecological function so that its protection and possible enhancement may contribute to the overall health of Scotland's seas.

Additionally we are concerned that 'area based measures' have been assessed as contributing to the network. It is our view that under s.79(4) of the Marine (Scotland) Act 2010, unless designated as nature conservation MPAs, other area-based measures, including fishery management areas, cannot legally be considered part of the network.

For these areas to be considered as part of the network they are required to be designated as ncMPAs, have appropriate management applied, and be subject to monitoring and reporting requirements that come with designation.