

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

### Consultation Questions

#### Loch Laxford SAC

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

Yes  No

The site features and conservation objectives for the Loch Laxford SAC are to maintain both the large shallow inlet and bay, and the bedrock and stony reefs features of interest. Two habitats are identified as being subject to pressure from fishing activities, these are Maerl beds and Reef and the management advice is the same for both of these habitat types. The advice sets out that pressure from towed fishing gear should be avoided, that pressure from static gear should be reduced or limited and that pressure from other fishing gears such as diver operated suction dredge should also be avoided.

The Council is supportive of the proposed measure to prohibit the use of demersal trawl, mechanical dredge or suction dredging (boat and diver operated) throughout the SAC. The Council recognises the benefit of ensuring that these activities will not prevent the achievement of conservation objectives.

The Council is uncomfortable that the opportunity is not being taken to limit creel fishing effort as advised in the management measures. Whilst it is accepted that at present static gear activity is low within the Loch Laxford SAC this is based on Scotmap data. This data is caveated with the advice that not all vessels participated in Scotmap meaning that the values are an under estimate of total fleet activity. It may therefore be the case that creel fishing pressure is already greater than currently recorded.

In addition the Council is aware that there are a number of areas within the loch that are currently less accessible to static gear than they might be due to the significant aquaculture presence within the Loch. In the event that the opportunity arises to rationalise aquaculture developments within the SAC this may potentially open up additional areas to, and increase pressures from, static gear. The Council is of the view that additional management measures should be included at this stage to restrict static gear effort in Loch Laxford in the future. Consideration could be given to closing the SAC completely to commercial fishing operations and then having a permit scheme for creel fishing which would enable fishing pressure to be timeously controlled.

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

Yes  No

The fishery assessment in relation to static gear is based on a current low creel fishing effort which seems to be based on data from only 2010 – 2013. There is no indication whether this low level of effort is a short term trough (during a recession)

or whether there is likely to be a trend of increasing pressure within the creel fishing sector operating within this SAC. Because pressure is currently low does not necessarily mean that pressure will remain low going forward. Whilst the Council notes the provision for addressing negative effects of static gear in the event that any are found, we consider it more prudent that measures are put in place to manage adverse effects prior to them occurring rather than having to wait for damage to be caused.

**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

Measures for the restriction in anchoring and mooring in Loch Teacuis in order to conserve Serpulid aggregations are welcomed. The prohibition on using long lines and bottom set nets along with the technical measure to prevent the use of tickler chains aimed at reducing the risk of accidental by-catch of common skate is also welcomed. However, whilst the Council notes the intention for a prohibition on trawling or mechanical dredging in the deep area in the Sound of Jura and the adjoined deep areas in the Sound of Mull the Council is concerned that the extent of this area closed to fishing is both unambitious, and poorly defined.

One of the key aims of this MPA is to conserve skate. Whilst preventing the use of tickler chains within the site will assist in reducing the incidence of skate becoming a by-catch it also implies that skate are present in the areas being fished. The Council is concerned that by continuing to permit the use of bottom trawls and scallop dredges within the area habitat will continue to be lost or will not have time to recover.

The Council notes that few, if any, conservation initiatives that concentrate purely on a single species work. It is widely recognised that the habitat and ecosystems within which such species dwell must also be conserved. With this in mind we would recommend that at the very least the whole of the Sound of Mull adjacent to the Highland shoreline and within the MPA be closed to all forms of mobile gear in addition to the specified forms of static gear. This would, it is considered, be justifiable in order to conserve the habitat used by the skate. From the fisheries assessments provided in support of the consultation the Council concludes that this will have a limited effect on the vessels currently using the area. Such a measure will guard against an increase in effort in this area in the future and is consistent with the approach that has been taken towards suction dredging which is not currently known to occur in the area. It is considered that given the thriving interest in diving tourism within the Sound of Mull that there will be wider economic advantages of this approach, for example avoiding damage to wrecks as a result of fishing activities.

Notwithstanding the comments above we also note that the closed area proposed is a relatively convoluted shape. At the meetings in relation to management

measures it was stated that areas could be any shape because vessel monitoring was sufficient to allow the position of any vessel relative to the line to be monitored. It is however noted both from the present consultation and the recent consultation on gear conflict that the Vessel Monitoring Systems only provide position data every 2 hours and that this may allow for vessels to fish the wrong side of a line during this period before moving back out of an area. The Council would therefore recommend that further consideration be given to preparing clearly defined boundaries easily visible from coastal landmarks in order to define closed areas. For example, in this case bay closing lines at either end of the Sound of Mull could be used.

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

Yes  No

As discussed above the Council is of the view that option 2 does not go far enough and this provides a greater closed area than option 1.

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

Yes  No

The Council is of the view that there are potentially greater benefits to residents and businesses connected to the Sound of Mull than have been considered within the various assessment documents.

No account has been taken of potential positive economic benefits accruing from the complete closure of the MPA to mobile fishing gear. Removal of mobile gear from the area would allow for the expansion of locally based, scallop diving and recreational diving operations as well as reducing the likelihood of gear conflicts with static gear fishermen in the area. The Council considers that there are potential benefits to the local economy which may result from the MPA designation that are not being realised by the proposed management approach. In addition there does not appear to have been any attempt made to quantify the potential for areas outwith the MPA to benefit from ecological improvements that will result from a reduction in mobile gear pressure throughout the site.

**Lochs Duich Long & Alsh SAC / MPA**

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

Yes  No

The management approach for this SAC/MPA consist of prohibiting Demersal Trawling, Mechanical Dredging and Suction Dredging though out the site but there would be a derogation between 01 April and 30<sup>th</sup> September each year to allow demersal trawling by vessels less than 12m registered length using a single net or

mechanical dredging. These activities would only be permitted in the existing fishing area.

The Council supports the prohibition in the use of mobile gear throughout the site but it is unclear why the derogation allowing seasonal fishing within the fishing area should remain. In comparison with the overall size of the loch the area in which fishing is permitted is relatively small and the Council would prefer to see a full year closure covering the whole of the site. This would remove the potential for any damage to any of the designated habitats being caused by mobile fishing activities.

Again the Council is concerned that the management measures proposed are unambitious and do not provide sufficient protection for the features on the site as a whole.

In addition the Council is of the view that measures should be put in place to provide for the closure of the site to mobile fishing gear. Creel fishing effort within the site could then be managed under a permit scheme. This would serve to prevent "honeypot" effects resulting from displacement of vessels, changing economics, or increased pressure.

The Council is aware from previous involvement with the Loch Duichs, Long and Alsh SAC that adverse impacts on Horse Mussel beds within the SAC may have occurred as a result of their removal by non licenced divers. Measures should be included within the management of the site to prohibit such activity.

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

Yes  No

No account has been taken of potential positive economic benefits accruing from the complete closure of the MPA to mobile fishing gear. Removal of mobile gear from the area would allow for the expansion of locally based, scallop diving and recreational diving operations as well as reducing the likelihood of gear conflicts with static gear fishermen in the area. The Council considers that there are potential benefits to the local economy which may result from the MPA designation that are not being realised by the proposed management approach. In addition there does not appear to have been any attempt made to quantify the potential for areas outwith the MPA to benefit from ecological improvements that will result from a reduction in mobile gear pressure throughout the site.

**Noss Head MPA**

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

Yes  No

The Council recognises the importance of prohibiting the use of mobile gear within this Marine Protected Area. It also notes that there is currently limited fishing pressure in this area in any case. The Council feels that this sets a useful precedent for management of other areas where the approach has been to say that there is currently little fishing pressure so restrictions are not necessary.

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

Yes  No

No additional comments in relation to this aspect.

**Small Isles MPA**

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

Yes  No

The preferred approach for management of this MPA would be to prohibit the use of suction dredges, and restrict the size of vessel that can fish within the MPA to 150 Gross Registered Tonnage. In addition other forms of mobile gear would be prohibited within the yellow zone shown in figure K4 of the maps book.

The Council is of the view that the management measures proposed are acceptable but that the area closed to mobile fishing gear is wholly unambitious, and should be significantly larger in order afford additional protection to the designated features of the site as a whole. The comment in the approaches document that further closed areas to the north of the Sound of Canna would increase the level of displacement of vessels onto the burrowed mud habitat elsewhere in the site is of significant cause for concern. Displacement of vessels increasing pressure on fishing ground within a site wouldn't be an issue if the whole of the site was to be closed to mobile gear in order to protect the extent of the burrowed mud habitat. As per its response to other MPAs the Council is also of the view that the boundaries of the closed area should be simplified in order to avoid any potential confusion with regard to the position of vessels and their proximity to closed areas.

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

It is not entirely clear from the two approaches which provides the greater level of protection for all the designated habitats within the MPA. It appears as if approach 2 provides for a slightly greater level of protection, however the Council is of the view that this does not offer sufficient protection for the features of the site.

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

The assessments seem to consider only the negative impacts of displacement of vessels rather than any positive ecosystem, or socioeconomic benefits that may arise from the designation of the site.

**Wester Ross MPA****48. Do you support the preferred approach (number 2) for managing the protected area?**Yes  No 

The preferred approach for managing the protected area is to have a capacity restriction of 150 Gross Registered Tonnage throughout the MPA, and a prohibition in suction dredging throughout the MPA. These measures are supported by the Council. Additional spatial measures which remove seasonal closures in Gruinard Bay and Little Loch Broom and replace them with year round closures but for a reduced area are welcomed in part. The Council is of the view that the year round closure area in Gruinard Bay should maintain the same bay closing line boundary as the original seasonal closure in order to simplify the boundary and aid in management.

The intention to close Loch Ewe and Loch Broom to mobile gear is welcomed as are the closed areas around the Summer Isles which seek to protect the mearl habitat but also encompass burrowed mud habitat to the west of the Summer Isles. The Council is of the view that again the way in which the boundaries have been defined is overly complicated and will be difficult to manage and would prefer to see a single, more ambitious larger area extending from the Coigach shoreline to beyond the westernmost extent of the closed area as currently drawn. All fishing within the MPA should be undertaken in accordance with a permit scheme in order to control fishing pressure of all types within the MPA and reduce the potential for a "honeypot" effect for creel fishing leading to increased pressure on this area.

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

Yes  No

Proposed closed area not extensive enough and would require additional measures in the future.

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

Yes  No

Yes, provision should be made to limit effort via a permit scheme throughout this MPA in order to afford protection to all of the features of interest.

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

Yes  No

We are aware of several examples over recent years where Scallop dredgers have not adhered to depth limitations, for example in relation to the boundaries of the Sound of Arisaig SAC. The sea bed surrounding the Summer Isles area is already heavily damaged by Scallop dredging activities, and needs to be given the opportunity to recover. In our view, zoning by depth would not provide adequate protection for habitat features.

Scallop dredging is of limited economic benefit to the communities in the locale of the MPA. The local communities have considerably more to gain from the immediate, meaningful protection of the area as a whole. In many of these areas Scallop stocks can be fished in a less damaging manner by appropriately licenced shellfish divers. Excluding Scallop dredgers from the Summers Isles altogether would reduce the potential for conflict between scallop dredgers from outwith the immediate MPA area and enterprises having direct benefit to the local economy.

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

Yes  No

No account has been taken of potential positive economic benefits accruing from the closure of a significant proportion of the MPA to mobile gear fishing. Removal of mobile gear from the area would allow for the expansion of locally based, scallop diving and recreational diving operations as well as reducing the likelihood of gear conflicts with static gear fishermen in the area. The Council considers that there are potential benefits to the local economy which may result from the MPA designation that are not being realised by the proposed management approach. In addition there does not appear to have been any attempt made to quantify the potential for areas outwith the MPA to benefit from ecological improvements that will result from a reduction in mobile gear pressure throughout the site.

