

## THE HIGHLAND COUNCIL

### PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE

6<sup>TH</sup> NOVEMBER 2013

Agenda Item	10ii
Report No	PED 71/13

## PLANNING SCOTLANDS SEAS – POSSIBLE MARINE PROTECTED AREAS CONSULTATION

### Report by Director of Planning and Development

#### Summary

This report presents a draft Highland Council response to the Scottish Government consultation on the Planning Scotland's Seas 2013 - Possible Nature Conservation Marine Protected Areas (MPAs) Consultation. Information is provided in relation to the designated features of each site, the proposed management options and the socio-economic impacts of the designations. There are 7 sites directly relevant to Highland. A draft response to the consultation questionnaire is attached at Annex 1 to this report. The Committee is invited to:

- (a) Note the Scottish Government's MPA consultation;
- (b) Consider the draft response at Annex 1, and
- (c) Approve the draft response for submission to the Scottish Government with any additional comments agreed Members wish to add.

## 1. Background

- 1.1 Scottish Government consultation has provided the opportunity for stakeholders to contribute to the development of a network of Marine Protected Areas (MPA). These include Nature Conservation MPAs, the subjects of the current consultation, and historical MPAs on which consultation has already taken place.
- 1.2 The purpose of the MPA network is to conserve a scientific selection of both marine biodiversity (species and habitats) and geodiversity (the variety of landforms and natural processes within the marine landscapes). The overall aim is to provide long term support for the benefits that our seas provide to society.
- 1.3 Protecting rare, representative and productive species and habitats on the basis of sound science means we can continue to receive the benefits they bring and enjoy the rich diversity of life in the waters around us.

## 2. The MPA consultation

- 2.1 The MPA consultation presents information and an assessment on possible nature conservation MPAs and MPA search locations in Scottish waters, collectively known as pMPA to denote their 'possible' status. A MPA network

in Scotland's seas is designed to conserve a selection of marine biodiversity and geodiversity, offering long-term support for the services our seas provide to society.

- 2.2 Nature MPAs are being identified for features that require more protection than is offered by existing nature conservation designations. MPAs will be in addition to the current network of protected sites such as Special Areas of Conservation (SACs) and Special Protected Areas (SPAs) and will collectively be known as the MPA network.
- 2.3 The MPA consultation provides an overview of potential MPAs which includes a summary of the processes used to identify pMPAs for designation as well as outline information about each pMPA. The consultation document is currently available on the Marine Scotland website:  
<http://www.scotland.gov.uk/Publications/2013/07/2072>
- 2.4 The consultation is supported by technical documents providing management options, socio-economic and environmental assessment for each site. These documents have been compiled by SNH for sites within 12 nautical miles of territorial baselines, and by the Joint Nature Conservation Committee for those sites between 12 nautical miles and the UK territorial limit at 200 nautical miles. The site-specific documents can also be accessed via the link above.
- 2.5 The Consultation document contains 37 pMPAs which are shown on the attached map. Of these 7 are adjacent to Highland coast. These are:
  - East Caithness Cliffs – proposed for the colony of Black Guillemots. This proposed designation is in addition to the existing SPA.
  - Lochs Duich, Long and Alsh – proposed for flame shell beds, horse mussels and deep mud habitats. These features are in addition to the existing reefs SAC.
  - Loch Sunart – proposed for flame shell beds, serpulid aggregations and aggregations of northern feather star. These features are in addition to the existing reefs SAC.
  - Loch Sunart to the Sound of Jura – proposed for the protection of skate and geomorphology.
  - North-west sea lochs and Summer Isles – proposed for numerous features including flame shells, deep mud habitat and geomorphology.
  - Noss Head – proposed due to the presence of a large bed of horse mussels.
  - Small Isles – proposed for geomorphological features and fan mussels, horse mussels, deep mud and other features.

2.6 The MPA consultation and associated documents will provide useful information for the Council particularly when involved in the development and implementation of Regional Marine Plans. There will be three of these in Highland.

### **3. Council Response**

3.1 A draft consultation response is included at Annex A. Included are general comments in relation to the selection of pMPAs and comments on activities such as trawling and scallop dredging. There are also recommendations for additional protection to protect the marine environment from these activities in certain areas.

3.2 The draft response also comments on the specifics of each of the 7 sites in Highland summarising, for committee, the features for which the site is proposed and the draft management options. In some cases the response makes reference to additional management measure which may be necessary.

3.3 Finally the draft response comments generally on aspects of the socio-economic impact assessments.

3.4 The draft response does not provide comment on those pMPAs that lie wholly outwith the Highland Council area. If Committee feel strongly that comment on these is necessary, additional responses could be prepared and agreed with the Chair prior to the submission deadline.

### **4. Resource Implications**

4.1 It is not anticipated that there will be any direct resource implications for the Council arising from this paper or from the designation of MPAs.

### **5. Equality and Climate Change/Carbon Clever Implications**

5.1 It is not anticipated that there will be any equality or climate change/carbon clever implications for the Council. The Scottish Government is the responsible authority for undertaking the relevant equality and climate change assessments. However, it is worth noting that once MPAs are realized, carbon savings may be achieved at national level, thus contributing to climate change/carbon clever initiatives.

### **Equality, Legal and Risk Implications**

6. It is not anticipated that there will be any equalities, legal or risk implications arising from this paper. The Scottish Government is the responsible authority for assessing any legal or risk implications.

**Recommendation**

The Committee is invited to:

- (a) Note the Scottish Government's MPA consultation;
- (b) Consider the draft response at Annex 1; and
- (c) Approve the draft response for submission to the Scottish Government with any additional comments agreed Members wish to add.

Designation: Director of Planning and Development

Date: 25/10/13

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Background Papers:

2013 – Possible Nature Conservation Marine Protected Areas Consultation:

<http://www.scotland.gov.uk/Publications/2013/07/2072>

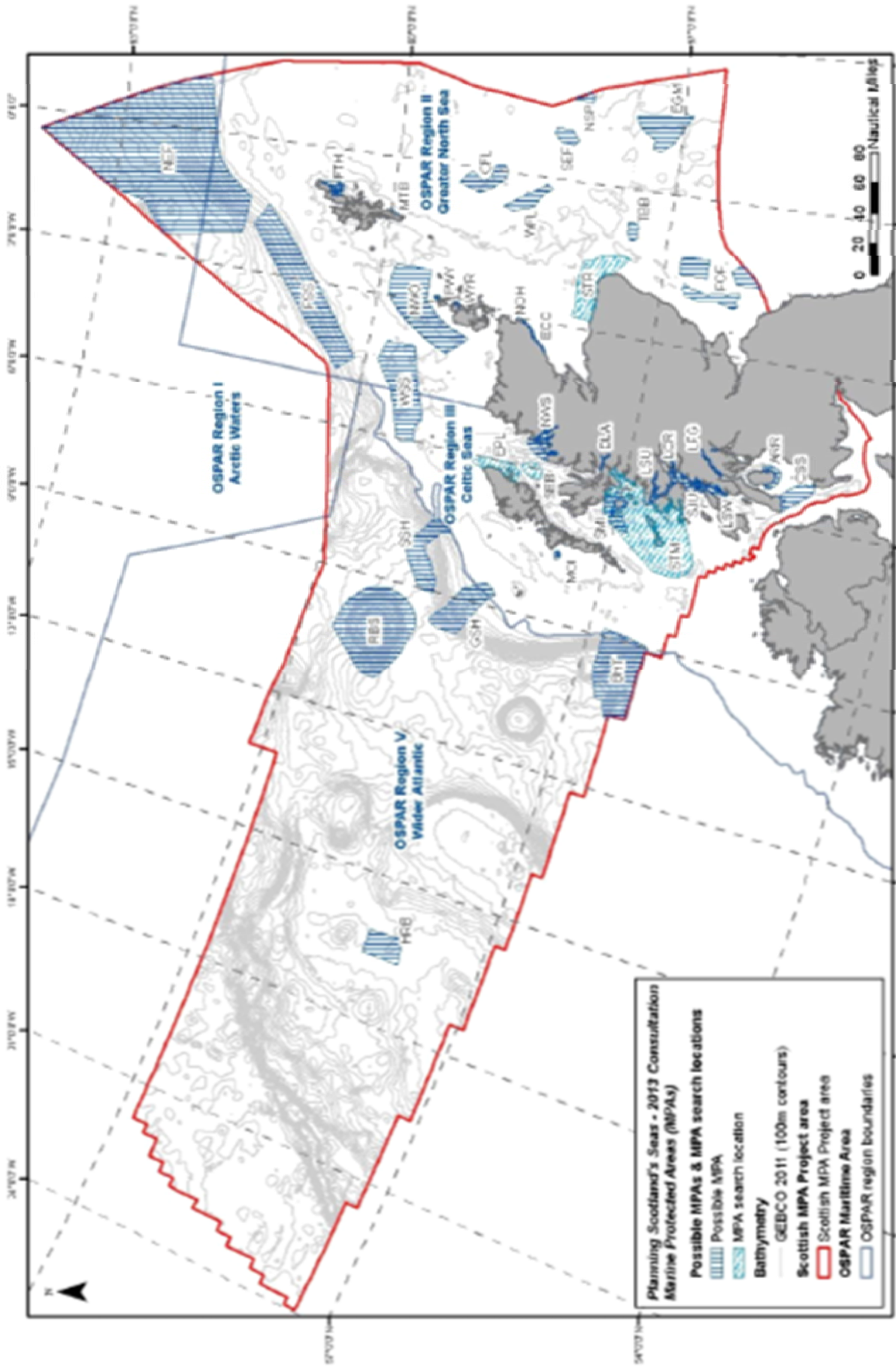


Figure 1: Possible Nature Conservation MPAs and search locations in Scotland's seas.

# **ANNEX 1**

## **PROPOSED RESPONSE TO CONSULTATION QUESTIONS**

### **ON BEHALF OF THE HIGHLAND COUNCIL**

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

Yes  No

Highland Council is supportive of the development of a Marine Protected Area Network in Scotland's Seas. The Council recognises the important contribution that marine biodiversity and geodiversity make to support the services that seas supply to society. It is also recognised that there is a risk that if specific, important areas are not afforded sufficient protection that they will be permanently lost.

In responding to the additional questions below the Council has chosen not to comment on those pMPA's that lie wholly outwith the Highland Council Area.

The Council is supportive of all the sites proposed within the Highland Council area and feels that they are representative of a range of important marine species and habitats.

The Council takes this opportunity to point out that many of the species and habitats identified within the pMPA are also present in other areas that are currently excluded from the proposed designations. In some cases there is the potential for the proposed management measures to lead to the displacement of pressures from MPAs to other similar areas with the result that areas of similar habitat may be lost. If an activity, (a particular example being benthic trawling or scallop dredging) is considered to be damaging within an MPA then action also needs to be taken to manage this activity in order to limit its adverse impacts outwith the MPA network.

The Council notes that in many of the pMPAs there are proposals to restrict the use of mobile fishing gear in order to conserve features such as deep mud habitats. The Council would like it to be noted that within 3 miles of the coastline these features have only been under pressure from trawling since the introduction of the 1984 Inshore Fishing legislation which opened inshore waters for the then developing nephrops fishery. In such areas nephrops can be effectively caught by creel fishing. Subject to measures to manage gear selectivity and fishing effort it is envisaged that such a fishery could present real economic benefit to local communities and the removal of gear conflicts between static and mobile gear could present advantages for Scotlands seas.

The Council has also expressed concern with regard to the impacts of scallop dredging on marine habitats and notes that many of the features contained within the pMPAs that may have taken many years to grow could be permanently destroyed by the operation of a single boat in a short space

of time. With this in mind the Council would encourage Scottish Government to further investigate inshore fisheries management measures in order to provide opportunities for an increase number of areas to be designated as closed to mobile gear.

## **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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

### **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

The East Caithness Cliffs pMPA is proposed to protect the nest sites and feeding areas of the Black guillemot. The proposed area is intended to conserve the local population of around 1000 individuals, approximately 2.5% of the known UK population. The Council notes that the possible MPA which includes the cliffs from Helmsdale to Wick and a seaward buffer is currently designated as a Special Protection Area covering the other seabird species present in this area.

The Council has no objection to the inclusion of an additional designation in this area as part of the MPA network.

Management Options: Yes  No

The management options proposed for the site are intended to conserve the black guillemot population in this area. Two specific pressures have been identified. These are the introduction of invasive, non-native mammalian predators, specifically American mink, and the risk of entanglement associated with fishing with static gear such as fyke, gill, trammel and tangle nets.

Mink are not currently known to be present in the area so the proposed management measure is to avoid the Introduction of such predators and to remove them if they do arrive. This is to be dealt with as part of a broader approach looking at seabird predation by invasive, non-native species.

It is proposed that static fishing nets be excluded from the area used by black guillemots for feeding in order to remove this particular pressure on the population and that this would be applied across the whole site area. It is expected that this may have additional benefits for the bird species already protected by the SPA designation.

The Council supports the management options proposed for this pMPA, we would however point out that an additional pressure may require to be introduced in the event that the current presumption against finfish aquaculture on the north and east coasts is, in the future, reviewed and subsequently removed. There is the possibility that finfish developments may present an additional entanglement risk either through the use of cage top nets or anti-predator nets if used.

It is also surprising that fishing with mobile gear for example, benthic trawling or scallop dredging is not identified as a pressure that requires to be considered. The Council is not aware whether this activity currently takes place within the specified site area however if it does take place it is considered that there may be need for further assessment in order to ascertain the impact of such operations on the food source for the diving birds.

Socioeconomic Assessment:

Yes  No

Please see comments in response to question 1 above

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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**



This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

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

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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

The Loch Sunart pMPA is proposed in order to conserve biodiversity, in three specific habitats. These are flame shell beds found in the tidal narrows, aggregations of northern feather star, normally associated with deeper offshore habitats; and serpulid aggregations in Loch Teacuis.

It is noted that the possible MPA overlaps with the subtidal element of the existing Loch Sunart SAC. The Council was involved with SNH in the development of a Draft Management Scheme for the Loch Sunart SAC but was not in a position to recommend the scheme for sign off. The Council previously supported the principle of the designation of the Loch as an SAC.

It now welcomes the inclusion of the Loch as an MPA on the basis that this designation has the potential to increase protection for the specific biodiversity features noted above.

Management Options:

Yes  No

The management objectives are intended to conserve the presence of the three biodiversity features, these have been identified as being sensitive to anchorage areas, moorings, commercial fishing including trawling, dredging for scallops and other bivalve molluscs and static gear fishing for crabs lobsters and Nephrops. The diver collection of bivalves particularly using hydraulic dredge techniques and finfish and shellfish aquaculture is also identified.

The management measures proposed for each of these pressures relate specifically to each of the features present and their know extents. For example it is proposed that that the moorings and anchorages within Loch Teacuis be restricted in order to protect the serpulid aggregations. It is also proposed that fish and shellfish farms be sited away from all three features of interest in order to protect these habitats from sedimentation and disturbance from anchors. These measures are welcomed as sensible approaches.

The proposed management measures in relation to the range of commercial fishing activities within the loch seek to restrict such activities to areas away from the three noted habitats. The Council considers that the measures proposed will be virtually impossible to implement, or enforce.

The Council suggests that management of fishing operations within the proposed pMPA would be considerably easier if fishing with mobile gear, including all forms of trawling, scallop dredging and any form of hydraulic or suction dredging either by boat or operated by diver were to be entirely excluded from the loch. This would have the added benefit of protecting the reef features of interest of the existing SAC which are currently at risk to damage from mobile gear. The Council recommends that this overall approach be taken rather than the piecemeal approach to protecting small areas set out in the draft management proposals.

It is also noted that the deployment of static shellfish pots is a pressure to the habitats within the loch system but unlike mobile gear the required soak time and the need to mark equipment with buoys means that the location of static gear is more easily enforced. Rather than excluding equipment from the areas where the features of interest are known to be present the Council recommends that the management would be clearer if in this case “go” areas were to be identified but that entry to the fishery be restricted to a set number of local vessels, fishing a set number of creels to prevent gear conflict leading to equipment being deployed in sensitive areas.

Socioeconomic Assessment:

Yes  No

Please see general comment in response to question 34 below

All of the above:

Yes  No

**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

This pMPA is designated in order to conserve resident populations of the Common skate and the geodiversity of the sea area which includes dramatic undersea canyons troughs and pinnacles formed during the last ice age. The site extends from the north of the Sound of Mull, including the whole of Loch Sunart and Loch Teacuis, from the entrance to Loch Sunart it extends to the Sound of Jura in Argyll and Bute and includes the southern end of Loch Linnhe and the Firth of Lorn.

The pMPA overlaps in part with the existing Loch Sunart SAC, and the whole of the Loch Sunart pMPA discussed above. It also overlaps with part of the Firth of Lorn SAC both designated in part for reef interests.

The Council supports the designation of this area as an MPA for the protection of skate and geological features but would suggest that if Scottish Government are minded to approve the designation that a single MPA be adopted covering all of the features of the two pMPA currently being consulted upon which involve Loch Sunart.

Management Options:

Yes  No

Management options suggested involve the reduction of fishing with mobile gear such as trawls, scallop dredges or hydraulic dredges within the area and restriction in the use of static gear such as tangle netting and longlines although these static gear methods are not known to take place within the area at present. It is currently an offence to target and retain on board sharks, skates and rays, so in essence the proposed restrictions would limit the disturbance to sea bed habitat.

Given the almost iconic status of large skate and the potential for the animals found in the area to be a key source of future populations it would seem prudent at the very least for fishing with mobile gear to be restricted within the bounds of the MPA if approved. Again this would have the added

advantage of protecting the SAC features of interest in the Sunart SAC and the Firth of Lorn. In addition it may also assist in preserving some of the wreck diving sites within the Sound of Mull which present a significant, year round source of tourist income and have been know to have been damaged by trawling operations in the past. The positive impacts of removing bottom trawling and dredging from this area may have benefits beyond the immediate ecosystem.

Socioeconomic Assessment:

Yes  No

Please see general comment in response to question 34 below

All of the above:

Yes  No

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

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

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

Designation:

Yes  No

This pMPA is proposed to conserve biodiversity, in particular, the deep muddy basins of Lochs Duich's, Long and Alsh it is also to conserve flame shell beds including a recently discovered area of this habitats extending from Skye Bridge to beyond Kyle of Lochalsh. This is believed to be the largest known bed of flame shells in Britain. The area of the pMPA is substantially similar to the existing Marine SAC covering the same sea lochs currently designated for both tide swept and sheltered rocky reefs and very sheltered bedrock reef the existing designation also includes horse mussel beds.

The Council was involved with SNH in the development of a Draft Management Scheme for the Lochs Duichs, Long and Alsh SAC but was not in a position to recommend the scheme for sign off. The Council previously supported the principle of the designation of the Loch as an SAC.

It now welcomes the inclusion of the Loch as an MPA on the basis that this designation has the potential to increase protection for the specific biodiversity features noted above.

Management Options:

Yes  No

It is noted that the management options for the flame shell beds are the same as those proposed for Loch Sunart, with moorings, anchorages, aquaculture, and mobile and static gear fishing noted as pressures.

In the case of fin fish farm development we note that the proposed management measures note the importance of the Marine Scotland Review and Audit of existing fish farm sites. The three sites identified within the pMPA have all been subject to applications for planning permission since 1<sup>st</sup> April 2007 and as such the review and audit of existing sites is of no relevance to these sites. In relation to shell fish farming we do not believe that the shellfish farm at Avernish has been active for in excess of 15 years and as a result we do not believe that it is eligible for Marine Scotland Audit. Any new sites would require planning permission so in this case it would also be more correct for the management measures to refer to planning rather than sea bed leases and review sites.

In relation to fishing activities it is noted that the proposed management measures suggest the exclusion of mobile fishing activities on the flame shell reef at the mouth of Loch Alsh. Again, as for Loch Sunart it is suggested that management of fishing operations in such a small area would be untenable and the Council suggests that management would be more effective if the use of mobile fishing gear was to be excluded from the whole of the pMPA. This would also serve to protect the deep mud habitat and the features for which the SAC was designated. The Council notes that there is already an exclusion to mobile gear in the loch for part of the year as under the inshore fisheries act. The Council would recommend that all fishing operations be excluded from the area identified as flame shell reef. It is noted that in practice harbour limits, the proximity to the main shipping channel beneath Skye Bridge as well as local sea bed features have served to limit fishing opportunities in this area to date.

The proposed management measures also include restrictions to the diver gathering of horse mussels from within the flame shell habitat. Again the Council feels that management on such a small scale would be difficult and that it would be more effective if there was a total moratorium on the diver collection of horse mussels from within the site.

Socioeconomic Assessment:

Yes  No

Comments Please see comments in response to question 1 above

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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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

This is a very extensive pMPA covering the area between the headlands at Rubha Reidh Rubha Mor in Coigach, including Loch Ewe, Loch Broom, Little Loch Broom, Gruniard, Isle Martin and the Summer Isles. It is proposed to conserve biodiversity features including, burrowed mud, flame shell beds, maerl beds and northern feather star aggregations amongst a mosaic of sea lochs, bays and near shore island channels. Geodiversity is also represented through the underwater glacial landscape.

The Council supports the development of this pMPA

Management Options:

Yes  No

There are numerous proposed management options for this site representative of the range of habitats proposed for conservation and the range of activities taking place. The main impacts are identified as disturbance to deep mud habitats arising from fishing operations, marine disposal, moorings and fish farming and the management measure proposed in relation to these activities seem reasonable enough.

The management options identify the location of flame shell beds in the Loggie Narrows and impacts associated with fishing in this area which should be avoided.

The Council welcomes the management options proposed and would wish to be involved in the finalisation of any management scheme for this pMPA if approved.

Socioeconomic Assessment:

Yes  No

Of all the pMPAs consulted on to date this site appears to represent the most significant costs to existing operations with the site. The values quoted are an order of magnitude greater than those for other sites. This appears to be slightly incongruous and the Council would ask that the figures presented be reviewed.

All of the above:

Yes  No

**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

This pMPA is intended to conserve a bed of horse mussels found off Noss head, which is believed to be the largest bed in Scotland. This is the sole feature for which the site is identified.

The Highland Council supports the designation of this site for the feature proposed.

Management Options:

Yes  No

The Management Options proposed involve the removal or avoidance of pressures associated with Marine disposal of dredged material. The exclusion of mobile/active fishing gear is proposed along with management measures to reduce or limit the amount of static gear is also recommended for consideration. It is also suggested that this area be avoided during the installation of cable infrastructure.

The management options proposed appear consistent with the need to protect the features of the site.

Socioeconomic Assessment:

Yes  No

Please see general comment in response to question 34 below

All of the above:

Yes  No

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

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.



**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

This is a large area, extending to 808km<sup>2</sup> surrounding the Small Isles of Rhum, Canna and Oigh-sger this area is intended to conserve biodiversity and geodiversity.

The area overlaps the Rum, and Canna and Sanday Special Protection Areas (SPAs) designated in part for their breeding seabirds. The proposals seek to protect the large (greater than 1,200 individuals) breeding colony of black guillemots present around the islands.

The seabed in this area is complex. A large U-shaped valley extends from the Sound of Canna north towards Skye. The near vertical sides of this shelf deep support a diverse fauna of northern sea fans, dead man's fingers, white cluster anemones and sponges. The flat sea bed at the base of the underwater cliffs is covered in mixed muddy sediments with scattered phosphorescent sea pens and the burrow entrances of Norway lobsters. As well as a large aggregation of fan mussels, the central section of the Sound of Canna supports the deepest known horse mussel bed in Scotland at depths of between 160-250 m.

Dense fields of the northern feather star occur at a number of locations within the Sound of Canna, to the south-east of Oigh-sgeir and to the north of the channel between the Small Isles and Skye. The northern feather stars extend their spikey striped arms up into the ocean currents creating a brightly coloured bristling carpet on the muddy sea floor.

The Council recognises the need to conserve the features of this area in particular the aggregation of fan mussels and the deep water population of horse mussels which are unique. It therefore supports the designation of this proposed MPA.

Management Options:

Yes  No

The Highland Council note that the aggregations of fan mussels may well have developed (or been maintained) by the presence in the area of a spoil dumping ground which may have precluded historic fishing activity. The management measures proposed include removing or avoiding the pressures associated with dredge disposal. This is welcomed in the interest of preserving the fan mussel aggregation.

Aquaculture is also identified as a pressure which may impact on the both burrowed mud habitats through anchoring and discharges and possible entrapment of black guillemots in anti predator netting if used. The Council consider that these aspects of aquaculture development can be adequately considered at the planning application stage for new fish farms.

The Council welcomes the recommended exclusion of mobile/ active fishing gears from the area of the horse mussel beds and fan mussel aggregations. It is noted that the intention is to reduce or limit pressures associated with the use of mobile gear in areas where there are tall sea pens in the burrowed mud habitats. Whilst the Council recommends this management measure, it notes that fishing activity within the pMPA does not currently benefit from the same environmental scrutiny afforded to aquaculture. A particular example from the past would be Loch Kishorn, this was previously designated by SNH as a Marine Consultation Area in order to afford some protection to the sea pen population. This meant additional scrutiny during the development of fish farming but had no bearing on fishing pressure to the extent that one of the few remaining locations that sea pens are found in significant numbers within the Loch are amongst the fish farm anchors. Marine Scotland must guard against similar situations occurring in the sites no proposed.

Highland Council has no comment on the other management measures proposed.

Socioeconomic Assessment: Yes  No

Please see general comment in response to question 34 below

All of the above: Yes  No

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

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

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

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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?**

All of the above:

Yes  No

This pMPA is wholly outwith the Highland Council area we therefore have no comment to make on the specific proposals for this pMPA. However please see the general note in response to question 1 above.

**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

The Highland Council has no comment to make on this issue

**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

The Highland Council has no comment to make on this issue

**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.

The Highland Council has no comment to make on this issue

**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

The Highland Council has no comment to make on this issue

**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

The Highland Council has no comment to make on this issue

**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

The Highland Council has no comment to make on this issue

### **Sustainability Appraisal**

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

Yes  No

The sustainability appraisal which is includes the socio-economic assessment seems to focus on a single issue in relation to fishing operations. Specifically it looks to assess the financial loss to fishing operations resulting from possible fishery closures and displacement of vessels. It is not immediately clear from the assessment what timescale this is considered over. For example does the assessment consider the potential longer term economic benefits accruing from the short term loss in fisheries income. It might reasonably be speculated that exclusion of fishing activities from a particular area now may result in long term benefits in terms of the site becoming a nursery area from which mature fish can enter the fishery in the longer term, potentially providing greater benefits for future generations.

### **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

Please see comments in response to question 1 above

**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

Please see comments in response to question 1 above