

Marine Scotland

2014 Consultation on the Management of Inshore
Special Areas of Conservation and Marine Protected Areas

Overview

Marine Scotland

2014 Consultation on the Management of Inshore
Special Areas of Conservation and Marine Protected Areas

Overview

© Crown copyright 2014

You may re-use this information (excluding logos and images) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or e-mail: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This document is also available from our website at www.scotland.gov.uk.

ISBN: 978-1-78412-892-0

Published by the Scottish Government, October 2014

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

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

Overview

Thank you for taking the time to consider this consultation paper. Your views on the proposed management approaches are welcomed. These cover 11 Nature Conservation Marine Protected Areas (MPAs) and 9 Special Areas of Conservation (SACs). The proposed measures are generally for fisheries management but controls for some other activities are also included.

The consultation invites views on:

1. your preferred management approach for each MPA or SAC;
2. the potential environmental effects of the approaches;
3. the potential socio-economic cost and benefits of the approaches;
4. other considerations for each MPA or SAC.

What documents should I read to answer the questions?

Along with this document you will need;

1. the approaches document;
2. the maps document;
3. the environmental report.

You may also wish to consider the following information sources;

1. the Feature Activity Sensitivity Tool (FEAST);
2. the Management Options Papers;
3. the advice on SAC fisheries management;
4. the Business and Regulatory Impact Assessments for the MPAs;
5. the site prioritisation document.

How do I respond and get involved in the consultation?

We are inviting views on management measures for a total of 20 protected areas, on the Marine Scotland website at;

www.scotland.gov.uk/MarineProtectedAreas

Links to all the relevant documents and information can be found at the above web address.

Summary details of the sites are in Annex A. This will guide you to the relevant parts of the approaches to management and maps documents for each site. Further details on how to respond can be found in Annex C. The consultation questions are in Annex C. The Respondent Information Form can be found in Annex D.

Thank you for taking the time to respond.

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

Overview

Contents

Introduction	3
What legal protection applies under these designations?	4
Special Areas of Conservation	4
Nature Conservation Marine Protected Areas.....	5
Annex A – Summary of the protected areas.....	6
Protected Area A – East Mingulay SAC.....	6
Protected Area B – Loch Creran MPA / SAC	7
Protected Area C – Loch Laxford SAC	8
Protected Area D – Loch Sunart to Sound of Jura MPA	9
Protected Area E – Loch Sween MPA	10
Protected Area F – Lochs Duich Long & Alsh MPA / SAC	11
Protected Area G – Luce Bay SAC	12
Protected Area H – Noss Head MPA	13
Protected Area J – Sanday SAC.....	14
Protected Area K – Small Isles MPA.....	15
Protected Area L – South Arran MPA	16
Protected Area M – St Kilda SAC	17
Protected Area N – Treshnish Isles SAC	18
Protected Area P – Upper Loch Fyne & Loch Goil MPA	19
Protected Area Q – Wester Ross MPA	20
Protected Area R – Wyre & Rousay Sounds MPA.....	21
Annex B – How to Respond	22
Annex C - Consultation Questions	25
Annex D - Respondent Information Form.....	34

Introduction

This document sets out the rationale for taking forward these proposals for new management measures for protected areas. All of the measures are for protected areas within Scottish Territorial Waters where Scottish Ministers have exclusive competence to manage fisheries.

Special Areas of Conservation (SACs) are designated under the EU Habitats Directive. Many of the SACs in Scottish Territorial Waters were designated in 2005. A review of how the EU Habitats Directive is implemented in the marine environment in Scotland has taken place. This has concluded that the provisions regarding the assessment of plans and projects should also apply to fishing.

This led to the review of existing management arrangements. This review has resulted in management proposals for 9 SACs in this consultation, mainly for locations with the most sensitive habitats.

Nature Conservation Marine Protected Areas (MPAs) are designated under the Marine (Scotland) Act 2010 in Scottish Territorial Waters. In July 2014 Scottish Ministers designated 30 MPAs, of which 17 were in Scottish Territorial Waters. There are proposals for 11 of these MPAs in this consultation. These have been prioritised according to the presence of the most sensitive seabed habitats.

For each site there may be one or more approaches to management. The consultation is seeking views on your preferred approach. Each approach is designed to meet the statutory requirements to protect the site in question. They are accompanied by ecological, economic, and intensity assessment information which informed the design of the approaches. This is detailed in the approaches to management document. The consultation also seeks to confirm the accuracy of the estimates made, and the design of the approaches. In some cases there may be additional questions particularly in respect of protected features which have a conservation objective to recover the habitat.

Proposals for measures for up to a further 13 SACs are likely to be consulted on next year, along with any measures needed for other MPAs.

At present there are no plans for statutory measures for Special Protection Areas classified under the EU Wild Birds Directive.

In offshore waters Marine Scotland is also developing proposals for management of SACs and MPAs. These fisheries measures will be delivered via the Common Fisheries Policy.

What legal protection applies under these designations?

Special Areas of Conservation (SACs) are designated under the EU Habitats Directive. Nature Conservation Marine Protected Areas (MPAs) are designated under the Marine (Scotland) Act 2010. This section sets out the respective legal requirements.

Special Areas of Conservation

All EU member states are obligated to designate Special Areas of Conservation (SACs) for a range of habitats and species as listed in the EU Habitats Directive (the Directive). The Directive requires that the sites are managed to ensure that the conservation objectives of the qualifying features are achieved. Article 6 of the Directive defines how SACs should be managed and protected.

The designation of these sites requires the implementation of conservation measures which correspond to the ecological requirements of Annex I 'habitats' and Annex II 'species' present on the site. (Article 6(1)).

Appropriate steps should also be taken to avoid, in the SACs, the deterioration of the natural habitats and habitats of species, as well as significant disturbance of species for which the site is designated. (Article 6(2)).

In addition, any plan or project (e.g. new policy or development) should be assessed to ensure that it does not have any negative implications for a SAC. Where there is a likely significant effect (or it cannot be ruled out) the proposal must undergo an appropriate assessment to determine the implications for the site. Subject to article 6(4), authority must only be given where it can be established that site integrity will not be adversely affected. (Article 6(3)).

A plan or project may be authorised even if such assessment shows negative implications for a SAC only where there are no alternative solutions and where the plan or project must be carried out for imperative reasons of overriding public interest. Where this is the case all compensatory measures necessary must be taken to ensure that the Natura 2000 network is protected. More stringent controls are in place where the SAC hosts a priority habitat type and/or a priority species. (Article 6(4)).

Historically the Scottish Government has generally relied upon article 6(2), as read with Article 6(1), to ensure that fisheries were managed appropriately within SACs. An example of such action was the measures implemented in April 2014 to protect the reefs of Lochs Duich Long & Aish SAC. This approach is in keeping with current published EU guidance.

However, a review of the requirements of the Directive has concluded that Article 6(3) should also apply to changes in fisheries policy, and other fisheries management plans.

This means that every change of fisheries policy or fisheries management plan (or the development of new management arrangements) would require to be tested against the provisions in Article 6(3). Without having requisite fisheries management measures in place for each SAC it would be virtually impossible to rule out a likely significant effect beyond reasonable scientific doubt. This means that even beneficial changes in policy or management plans could be prevented from occurring.

However by putting the necessary fisheries management measures in place such assessment under article 6(3) is unlikely to be required because there could be no significant effect. This also applies to SACs where little fishing activity takes place.

Nature Conservation Marine Protected Areas

The Marine (Scotland) Act 2010 has a number of legal provisions which support the protected features of a MPA.

According to s3 of the Act the Scottish Ministers and public authorities must exercise functions in a way best calculated to achieve sustainable development and if appropriate enhance the health of the Scottish marine area.

Under s82 and s83 public authorities have duties in relation to Marine Protected Areas. In s82 they are required to further the achievement of the conservation objectives where possible whilst exercising their own functions. If they cannot further the objectives then they should act in a way that least hinders them. In s83 public authorities should only grant authorisation to activities which do not present a significant risk of hindering the conservation objectives. Although these duties do not specifically apply to Scottish Ministers they will make decisions in accordance with them.

Under s85 Scottish Ministers may make Marine Conservation Orders to further the achievement of the conservation objectives. This may entail prohibiting, restricting, or regulating any activity in any way that is considered necessary.

In s95 there are general protective provisions which make it an offence to kill or injure a protected species of a MPA. It also makes it an offence to remove, pick, collect, cut, uproot, destroy, or damage a protected habitat. There are exceptions and defences detailed in s97 of the Act which means s95 cannot deliver all the management requirements alone.

Under s99 Marine Management Schemes can be established to further the conservation objectives of a MPA.

In addition to the legal provisions in the Act to protect MPAs Marine Scotland has produced a management handbook and this outlines the aim of producing a management plan for each MPA. The management plan will outline arrangements for each site or group of sites and would incorporate all relevant measures including those contained in this consultation paper once they have been refined as necessary to take account of consultation responses and implemented.

Annex A – Summary of the protected areas

Protected Area A – East Mingulay SAC

Thirteen kilometres off the eastern coast of the Outer Hebridean island of Mingulay are several biogenic reefs formed by the colonial cold-water coral *Lophelia Pertusa*. The oldest coral material dated from these reefs is 4,000 years old and growth is likely to have begun at the end of the last ice age 10,000 years ago. *L. Pertusa* was first reported in this area by fishermen in the early twentieth century. The reef complex was researched in 2003, when it was found that the area contained sea mounds with *L. Pertusa* reef and rocky reefs.

The *L. Pertusa* reefs have a highly diverse range of associated species including starfish, sea urchins, anemones, sponges, and fish including species like the blackmouth catshark (*Galeus melastomus*). These sea mounds on which these reefs are located rise from a depth of around 200m on the seafloor to 50-80m at the top of some mounds. Live *L. Pertusa* reefs have been confirmed at five locations (mounds) within the site to date.

The site is unique in the inshore waters (within 12 nm of the coast) of the UK, being the only known area with extensive coldwater coral (*L. Pertusa*) reefs. There are only three offshore sites identified with this type of reef (Darwin Mounds, North-West Rockall and Hatton Bank).

Summary of the approaches to management

There are 2 approaches presented;

The 1st approach would prohibit the use of any demersal fishing gear on a zonal basis, and apply a vessel capacity restriction of 100 GRT (Gross Registered Tonnage) for access to the SAC.

The 2nd approach would prohibit the use of demersal mobile gears throughout the SAC, and any demersal static fishing gear on a zonal basis.

Further information

See the Protected Area A section in the following documents;

Approaches
Maps
Pictures

See questions 1 - 3

Protected Area B – Loch Creran MPA / SAC

Loch Creran is a small but remarkable sea loch on the west coast of Scotland to the north of Oban. Carved into the landscape by glaciers during the last ice age, the loch has four deep basins separated by rocky sills. The conditions change from the entrance of the loch to its head. The bottoms of the basins are deep, dark and still.

Loch Creran has a unique assemblage of biogenic reefs which have been constructed by the serpulid tube worm and the horse mussel, as well as bedrock reef. In the marine environment serpulid reefs are exceptionally rare, occurring in only two other locations in Europe. Loch Creran is the most extensive example of serpulid reef habitat. Horse mussel beds are relatively common in Scottish west coast waters but are a valuable feature of our natural heritage and rare in a European context. These biogenic reefs provide significant habitat for a great diversity of marine organisms. However, they are slow growing and extremely susceptible to physical damage. The small amount of bedrock reef in Loch Creran provides substrate for a diversity of sessile organisms.

Currents are accelerated over the shallow sills at Eriska and Creagan. These two areas of rapid tidal flow supply the necessary food and aeration for the formation of flame shell beds. The largest lies to the south of the Eriska Narrows at North Shian, with the smaller found at the western entrance to the Creagan Narrows.

Summary of the approaches to management

There are 2 approaches presented;

The 1st approach would prohibit the use of suction dredges (boat or diver operated) throughout the MPA /SAC. A new spatial measure would prohibit trawling at Eriska Narrows where there is a flame shell bed.

The 2nd approach would prohibit the use of trawls and suction dredges (boat or diver operated) throughout the MPA /SAC.

Further information

See the Protected Area B section in the following documents;

Approaches
Maps
Pictures

See questions 4 - 7

Protected Area C – Loch Laxford SAC

Loch Laxford is an excellent example of a large shallow inlet and bay on the North West coast of mainland Scotland. The region is characterised by rocky coasts and full salinity, low turbidity waters.

The site contains a wide variety of marine habitats and communities resulting from a range of environmental conditions. These include exposed reefs at the western loch mouth to sheltered reefs and a variety of sediment habitats in the inner bay. Steep and vertical bedrock reef slopes extend along the whole length of the Loch Laxford on the southern side of the deep main channel. On the northern side there is both bedrock and boulder slopes forming the reef habitat, this also occurs at exposed sites around the islands and skerries at the entrance to Loch Dùghail.

The majority of the seabed consists of clean, coarse sediments in the outer reaches of the loch and muddy sediments in the middle and inner reaches. Maerl beds are located in the area between the head of Ardmore Point and Glas Leac and on the other side of the loch off the north side of Sgeir Iosal. At the head of the loch in Laxford Bay there are areas of the free-floating knotted wrack *Ascophyllum nodosum* ead mackaii.

The coastal waters support a wide range of marine communities, essentially boreal in character, which reflect the range of available substrata, the variation in exposure to wave action and tidal currents, and the influence of the warm waters of the Gulf Stream. The loch has a complex fjardic shape with numerous small islands and side branches that include two subsidiary lochs, Lochs Dùghail and a' Chadh-Fi on the north side.

The entrance to the loch system faces northwest into the Minch with the outermost part of the loch very exposed. However, the entrance is relatively narrow and the many reefs and islands near it combine to reduce wave action, such that most of the loch is sheltered. The central channel is relatively straight but the coastline is long and convoluted. The main loch has two basins and a single, broad sill across the entrance. The smaller outer basin reaches a depth of 67m whilst the rest of the loch is relatively shallow, less than 30m.

Summary of the approach to management

The use of demersal trawls, mechanical dredge, or suction dredges (boat or diver operated) would be prohibited throughout the SAC.

Further information

See the Protected Area C section in the following documents;

Approaches

Maps

Pictures

See questions 8 – 9

Protected Area D – Loch Sunart to Sound of Jura MPA (Incorporating Loch Sunart MPA and Loch Sunart SAC)

Loch Sunart is a long narrow sea loch at the northern end of the Sound of Mull. Within the loch there are numerous small islands creating narrow channels through which the incoming and outgoing tide is squeezed. These fast flowing currents create the essential conditions for the development of extensive flame shell beds, the largest of which is found in the Laudale Narrows.

The loch contains bedrock reef habitats and a diverse range of associated communities. An exciting discovery was made in 2006 when aggregations of the serpulid or organ-pipe worm were found in the shallow waters of Loch Teacuis, a small arm off Loch Sunart.

During the last ice age glaciers scoured the surface of Scotland eroding areas of soft rock to form glens, leaving the harder, more resistant rock behind as mountains. When temperatures rose and the ice retreated, the sea flooded the most deeply eroded channels leaving them submerged along the current coastline. Stunning examples of these underwater channels or troughs are scattered throughout the Loch Sunart to Sound of Jura MPA providing shelter to the reproductively mature common skate.

Summary of the approaches to management

There are 2 approaches presented;

The 1st approach provides spatial protection for the various habitats and the deep areas where mature common skate tend to reside.

The 2nd approach builds on the first by adjoining 3 of the deep areas to include shallower waters and provide connective protection for transient common skate.

Further information

See the Protected Area D section in the following documents;

Approaches

Maps

Pictures

See questions 10 - 12

Protected Area E – Loch Sween MPA

Loch Sween is a complex west coast sea loch with a number of arms extending from a single large basin. It is being proposed for burrowed mud, maerl beds, native oysters, sublittoral mud and mixed sediment communities.

The tidal narrows at Taynish and Caol Scotnish provide the perfect environment for maerl beds. Maerl is free-living calcareous red seaweed. There are two types found in Scottish waters and both types occur in Loch Sween. The branched structure of the maerl creates a complex habitat in which many other species such as feather stars, scallops, sponges, crabs and fish can shelter. The rapids also support luxuriant stands of seaweeds interspersed amongst the maerl.

Tidal movement through the main body of the loch and the narrow arms creates a variety of different physical conditions in which a diversity of habitats thrive. Here large green volcano worms live in burrows, as well as nephrops, shrimps, worms and burrowing gobies.

Summary of the approaches to management

There are 2 approaches presented

The 1st approach would prohibit suction dredging (boat or diver operated) throughout the MPA and restrict activities on a zonal basis. Under this approach there would need to be further consideration of measures in the 2nd batch for sublittoral mud and mixed sediment communities.

The 2nd approach builds on the first by increasing the level of zonal protection. In addition a curfew on mechanical dredging would be implemented in the outer part of the MPA to limit pressure on the habitats there. This would deliver all the necessary management measures.

Further information

See the Protected Area E section in the following documents;

Approaches

Maps

Pictures

See questions 13 - 15

Protected Area F – Lochs Duich Long & Alsh MPA / SAC

Home to a huge bed of brightly coloured shellfish flame shells, the Lochs Duich, Long and Alsh MPA covers a group of sea lochs on the west coast. When viewed from the air, they form a distinctive Y-shape. The sea lochs lie amongst the jagged mountains of Kintail, Lochalsh, Glenelg and Skye.

The steep sides of the mountains continue down underwater to form deep basins of burrowed mud. All three types of Scottish sea pens are found including forests of the tall seapen. The flamboyant white tentacles of the fireworks anemones flare out over the dark mud, particularly within Loch Duich where this species is recorded in large numbers.

The Lochs Duich, Long and Alsh SAC, were designated for extensive areas of tide-swept reefs, extremely sheltered rocky reefs and horse mussel beds. Adjoining the horse mussel bed and stretching out under the Skye Bridge is the flame shell bed covering more than 75 hectares. Estimated to host at least 100 million individuals this is the largest known bed in the UK, and possibly the world.

Summary of the approach to management

The approach to management would in effect convert the existing fishing vessel licence condition into a permanent measure and maintain the existing seasonal closure.

Further information

See the Protected Area F section in the following documents;

Approaches

Maps

Pictures

See questions 16 - 17

Protected Area G – Luce Bay SAC

Luce Bay and Sands SAC lies within the Scottish county of Dumfries and Galloway, to the south of Stranraer. Luce Bay is a broad, shallow embayment approximately 10.5 km wide at its head. Laying between The Machars and the Rhinns of Galloway the bay reaches its greatest width (31 km) between the two outer headlands. It covers an area of approximately 48,000 ha.

The head of Luce Bay is characterised by extensive intertidal sandy sediments, backed by sand dunes. The headlands are composed of steep rock and boulders. The eastern and western coastlines are composed of mixed boulder shores. The fauna and flora present reflect a range of wave exposures and habitat stability. A collection of offshore rocks, known as The Scares, lies centrally at the mouth of the bay.

The inner bay has a seabed characterised by fine sands, mixed with small amounts of mud, shell gravel and empty shells. The outer part of Luce Bay has extensive areas of hard substrate seabed, which generally consist of a mixture of bedrock, boulders, cobbles and pebbles. There are some areas of sediment including mobile sands and gravels. There are areas of bedrock on the seabed close to the headlands at the mouth of Luce Bay and at The Scares. There are also maerl beds and sabellaria reefs which add conservation value to the SAC.

Summary of the approaches to management

There are 3 approaches presented;

The 1st approach would prohibit the use of demersal trawls, mechanical dredges, or suction dredges (boat or diver operated) throughout the SAC.

The 2nd approach would be the same as approach 1 but with a derogation to allow mechanical dredging on a seasonal basis in the inner part of the bay.

The 3rd approach would prohibit the use of demersal trawls, or suction dredges (boat or diver operated) throughout the SAC. Mechanical dredging would be managed on a zonal basis. This approach would require industry participation in a monitoring programme.

Further information

See the Protected Area G section in the following documents;

Approaches
Maps
Pictures

See questions 18 - 20

Protected Area H – Noss Head MPA

Noss Head MPA off the coast of Wick in the north of Scotland supports the largest known horse mussel bed in Scottish waters at depths of between 35-45m. Horse mussels resemble the more familiar blue mussels of the seashore, but are much larger at 10-20 cm long. The shell is very thick and dark blue to black in colour, with a glossy brown covering. In Gaelic, horse mussels are called ‘clabaidh-dubha’ (‘clabbydoos’), meaning big black mouths. This describes perfectly how they appear on the seabed, the gaping shells lined with pale lips of the living mussel surrounding the deep, dark mouth.

Horse mussels are long-lived, many survive for more than 25 years and some may live for more than 50 years. The mussels’ large shell provides a solid foundation for many other animals, including soft corals, tubeworms, barnacles, sea firs, and sea mats. Between the live shells, and inside dead ones, brittlestars, crabs, worms, molluscs and many other small animals find shelter which attracts young fish to feed. Young mussels are a favourite meal for crabs and starfish; but once the mussels grow to more than 6 cm long they are relatively safe from these predators.

Summary of the approach to management

The use of demersal trawls, mechanical dredge, or suction dredges (boat or diver operated) would be prohibited throughout the MPA.

Further information

See the Protected Area H section in the following documents;

Approaches
Maps
Pictures

See questions 21 - 22

Protected Area J – Sanday SAC

The island of Sanday is one of the most northern of the Orkney Islands, and has a low-lying, indented coastline. Extensive rocky shores and headlands are broken by long clean sand beaches and muddy inlets. Rock extends a considerable distance offshore with shallow rocky reefs supporting dense kelp forests and these break the force of the waves hitting the shores, providing some protection for an otherwise exposed coastline.

The island supports a significant population of common seals which are protected by the SAC, as are a range of habitats - reefs, subtidal sandbanks, and intertidal mudflats and sandflats.

Reefs are found in the intertidal and in shallow and more offshore areas throughout the SAC. Shallow subtidal reefs are characterised by extensive kelp forests, with the reefs further offshore being more heavily silted and supporting more mixed kelp communities and animals which thrive in stronger currents such as hydroids and feather stars.

The subtidal sandbanks around Sanday are confined to shallow areas of fine sand in Otters Wick and the inshore areas immediately adjacent to open coast bays. Seagrass beds (*Zostera marina*) are located in clean fine sand off Otters Wick in water shallower than 5 m.

Summary of the approaches to management

The use of demersal trawls, mechanical dredge, or suction dredges (boat or diver operated) would be prohibited throughout the SAC.

Further information

See the Protected Area J section in the following documents;

Approaches
Maps
Pictures

See questions 23 - 24

Protected Area K – Small Isles MPA

Home to the only known aggregation of fan mussels in UK waters, the Small Isles MPA encompasses waters around the west coast islands of Canna and Rum. The fan mussel is one of the UK's most threatened molluscs. As well as the 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.

The surrounding waters are a complex mosaic of habitats including burrowed mud populated by tall seapens, northern seafan and sponge communities, and circalittoral sand and mud communities.

The Small Isles MPA overlaps the Rum, Canna and Sanday SPAs designated in part for their breeding seabirds. The large breeding colony of over 1,200 individual black guillemots is also a protected feature of the MPA.

Summary of the approaches to management

There are 2 approaches presented and they focus on the mosaic of habitats in the Sound of Canna. Under both approaches additional measures will be required for black guillemot, northern seafan and sponge communities, and possibly burrowed mud.

Approach 1 encapsulates the habitats in a relatively simple polygon which would prohibit the use of demersal trawls, mechanical dredge, or suction dredges (boat or diver operated).

Approach 2 does the same but draws a more complex polygon to minimise the inclusion of fishing grounds. This polygon would prohibit the use of demersal trawls, mechanical dredge, or suction dredges (boat or diver operated).

Further information

See the Protected Area K section in the following documents;

Approaches

Maps

Pictures

See questions 25 - 27

Protected Area L – South Arran MPA

The waters around the southern end of Arran are home to a patchwork of benthic habitats and species characteristic of the more exposed areas of the Clyde Sea. The MPA encompasses the waters from just north of Drumadoon Point on the west coast, to Corriegills Point on the east and includes the Lamlash Bay no Take Zone.

The maerl beds, which are made up of a free-living calcified red seaweed that looks like pink branched twiglets, support an amazing array of other seaweeds as well as various sea anemones, starfish and juvenile fish and shellfish. The maerl is interspersed with coarse gravel sea cucumbers which bury their bodies in the maerl and gravel extending only their white or orange feathery tentacles up into the water column to feed. The seagrass beds that provide shelter and protection to a range of associated species also help to stabilise sediments, furthermore these areas trap and store carbon dioxide.

Burrowed mud is widely distributed around the outer regions of the MPA and supports a range of animals including Norway lobster, squat lobster, crabs, worms, ocean quahogs and the slender seapen.

Summary of the approaches to management

South Arran already has a Marine Conservation Order in place. It will be replaced as part of this process. There are 3 approaches to management presented all of which would prohibit the use of suction dredges (boat or diver operated) throughout the MPA, and provide a high level of protection to the maerl beds.

The 1st approach would prohibit the use of demersal trawls or mechanical dredges within ½ NM of land. This approach would not deliver management of burrowed mud which would require further consideration.

The 2nd approach would create scallop permit areas with a strict management scheme for mechanical dredging. In addition designated fishing areas for trawlers under 100 Gross Registered Tonnage (GRT) would be created. This would meet all the conservation requirements

The 3rd approach would have the same trawl management as approach 2. For mechanical dredging a designated fishing area would be created which would be the subject of additional controls. This would meet all the conservation requirements.

Further information

See the Protected Area L section in the following documents;

Approaches
Maps
Pictures

See questions 28 - 32

Protected Area M – St Kilda SAC

The tiny archipelago of St Kilda, lying off the west coast of mainland Scotland, is breath taking. The islands were formed over 50 million years ago from the rim of an ancient volcano. Exposure to some of the greatest wave heights and strongest wind speeds in Europe plays a major role in shaping the coastal ecology.

With nearly one million seabirds present at the height of the breeding season, St Kilda supports the largest seabird colony in the north-east Atlantic. It's a seabird sanctuary without parallel in Europe, and is of global significance.

The combination of oceanic influences and local geology around the archipelago has created a marine environment of unparalleled richness and colour. The seabed communities are outstanding in terms of biodiversity and composition. Many species are at the extremes of their range. The complex ecological dynamic in the marine environment is essential to the maintenance of both the terrestrial and marine biodiversity.

The waters around St Kilda contain extremely wave exposed, steep and vertical reefs around the island group. These reach depths of 60-80m and because of the clarity of the waters here, the reefs are dominated by kelp forests in water down to around 35m and then diverse communities of anemones, sponges and soft corals. The caves and tunnels above and below the water are a major feature of the islands and are one of the most extensive of such systems in the UK. They support diverse, varying communities including sponges, anemones, hydroids, cup corals and tube worms, reflecting the degree of surge to which they are exposed.

St Kilda is also a UNESCO World heritage Site, Special Protection Area, Site of Specific Scientific Interest, and National Nature Reserve.

Summary of the approach to management

The use of demersal trawls, mechanical dredge, or suction dredges (boat or diver operated) would be prohibited throughout the SAC.

Further information

See the Protected Area M section in the following documents;

Approaches
Maps
Pictures

See questions 33 - 34

Protected Area N – Treshnish Isles SAC

The Treshnish Isles constitute an archipelago of remote volcanic islands situated between the islands of Coll and Mull in the Inner Hebrides, southwest Scotland. Located 3 km off the west coast of Mull at its closest point, this island chain extends for approximately 11 km from the Cairn na Burgh islands in the far northeast to Bac Beag at the most south westerly point.

The Treshnish Isles SAC covers approximately 1,963 ha and encompasses 6 out of the 8 islands in the chain. The site has grey seals and reef habitat as the qualifying features. In addition there is a significant presence of two Priority Marine Features. These are maerl beds and seagrass beds. These do not form part of the qualifying features.

Summary of the approaches to management

There are 2 approaches presented and under both the use of suction dredges (boat or diver operated) would be prohibited throughout the SAC.

In addition under approach 1, the use of demersal trawls, or mechanical dredges would be prohibited throughout the SAC.

In addition under approach 2, the use of demersal trawls, or mechanical dredges, would be prohibited on a zonal basis.

Further information

See the Protected Area N section in the following documents;

Approaches

Maps

Pictures

See questions 35 - 37

Protected Area P – Upper Loch Fyne & Loch Goil MPA

Upper Loch Fyne and Loch Goil is a productive multi-feature MPA for seabed habitats, including flame shell beds which have a recover conservation objective.

The quiet waters of these sea lochs are the ideal environment for a range of muddy seabed habitats to develop. Loch Shira is home to spectacular fireworks anemones that seem to explode from the mud. At Castleton there is a flame shell bed which helps stabilise the underlying sediment creating a habitat for a wide range of other plants and animals that would otherwise not be able to survive in the area.

Large aggregations of brightly coloured sea cucumbers are scattered in mixed muddy sediments at the entrance to the mouth of Loch Goil, alongside clumps of horse mussels and sea squirts as well as slender seapens and tube dwelling sea anemones that snap quickly back into their tubes if disturbed.

Summary of the approaches to management

There are 2 approaches for the recovery of the flame shell bed, and 2 approaches for the rest of the habitats. The use of suction dredges (boat or diver operated) would be prohibited throughout the MPA. The capacity of vessels able to fish in the MPA would be restricted to 75 Gross Registered Tonnage (GRT).

The difference between the 2 approaches for the flame shell beds is the spatial extent to which all fishing activities would be restricted.

For the rest of the habitats the 2 approaches would achieve the same outcomes in a different way. This 1st of these would prohibit the use of demersal trawls, or mechanical dredges, on a zonal basis. The 2nd approach would create designated fishing areas for the use of demersal trawls or mechanical dredges.

Further information

See the Protected Area P section in the following documents;

Approaches
Maps
Pictures

See questions 38 - 42

Protected Area Q – Wester Ross MPA

The Wester Ross MPA encompasses seabed features that not only offer valuable insights into Scotland's glacial past but are also home to an amazing array of plants and animals. Burrowed mud, flame shell beds, maerl beds and northern feather star aggregations to name but a few, all find a place to thrive in the mosaic of sea lochs, bays and near shore island channels. This complex landscape is a legacy from the end of the last ice age, when the ice sheet that once covered most of Scotland retreated.

The deeper parts of the MPA are covered by extensive areas of burrowed mud. Norway lobsters can be seen guarding the entrances to their burrows amongst dense forests of seapens. All three species of seapen found in Scottish coastal waters are present including substantial numbers of the scarce tall seapen.

Increased tidal flow in shallower waters between the coastal islands and on the sills of the sea lochs supply the necessary food and aeration for beds of flame shells and maerl to form. These habitats provide a stable home for a myriad of other plants and animals, from beautiful burrowing sea cucumbers burying their bodies in the maerl and gravel, to northern feather stars gripping onto the mixed sediments.

Summary of the approaches to management

There are 2 approaches presented. Under both approaches, the use of suction dredges (boat or diver operated) would be prohibited throughout the MPA. The capacity of vessels able to fish in the MPA would also be restricted to 150 Gross Registered Tonnage (GRT).

The 1st approach focuses on zonal management for the recovery habitats – maerl beds and flame shell beds. These zones would prohibit the use of demersal trawls or mechanical dredges. Additional measures would be required for sedimentary habitats.

The 2nd approach provides zonal management for all habitats. These zones would prohibit the use of demersal trawls or mechanical dredges. This approach would deliver all of the conservation requirements.

Further information

See the Protected Area Q section in the following documents;

Approaches
Maps
Pictures

See questions 43 - 47

Protected Area R – Wyre & Rousay Sounds MPA

Wyre and Rousay Sounds is at the margin of the Atlantic and the North Sea. The tides squeeze between Rousay, Wyre and Egilsay creating perfect conditions for protected features of maerl beds and other seaweed communities to thrive on the sandy seabed.

Maerl beds also have a strong link to coastal habitats of the Orkney Islands. The MPA lies within the Orkney carbonate production area, an internationally important example of a non-tropical shelf carbonate system. Here the seabed habitats are high in calcium carbonate because they are made up of the dead eroded shells and skeletons of plants and small animals that once lived in or on the seabed such as bivalve molluscs and maerl. These sediments supply the sandy beaches around Orkney and are essential for the development of coastal machair; a rare habitat that supports diverse springtime coastal meadows.

Summary of the approach to management

The use of demersal trawls, mechanical dredge, or suction dredges (boat or diver operated) would be prohibited throughout the MPA.

Further information

See the Protected Area R section in the following documents;

Approaches
Maps
Pictures

See questions 48 - 49

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

Annex B – How to Respond

Responding to this consultation

You are invited to respond to this consultation by the end of 02 February 2015 using the form in Annexes C & D which are also available online at;

www.scotland.gov.uk/MarineProtectedAreas

Please send your response with the completed Respondent Information Form (see 'Handling your Response' below) by email, by post or by online electronic response form to;

Email;

Marine_Conservation@scotland.gsi.gov.uk

Post:

MPA management Consultation
Scottish Government
Marine Planning and Policy Division
Area 1-A South
Victoria Quay
Edinburgh
EH66QQ

On line:

www.scotland.gov.uk/consultations

If you have any enquiries please send them to;

Marine_Conservation@scotland.gsi.gov.uk
or call Michael McLeod on 0131 244 5562, or Rhona Cairns on 0131 244 6632.

We would be grateful if you would use the consultation questionnaire provided in your response as this will aid our analysis of the responses received. This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/consultations>.

The Scottish Government has an email alert system which allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces SG distribution lists. It is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

<http://register.scotland.gov.uk>.

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** which forms part of the consultation questionnaire as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library and on the SEConsult web pages. You can make arrangements to view responses by contacting the SG Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

What happens next?

Following the closing date, all responses will be analysed and considered to help us make a decision on which management approach should be implemented. We aim to issue a report on this consultation process before laying new legislation in the Scottish Parliament in May 2015.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to marine_conservation@scotland.gsi.gov.uk with the subject "MPA management consultation – Comments and complaints"

The Scottish Government Consultation Process

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government web site enabling a wider audience to access the paper and submit their responses.

Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Government library at;

K Spur,
Saughton House,
Broomhouse Drive,
Edinburgh,
EH113XD,

telephone 0131 244 4565

All Scottish Government consultation papers and related publications (e.g. analysis of response reports) can be accessed at;
<http://www.scotland.gov.uk/consultations>

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence.

Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review;
- inform the development of a particular policy;
- help decisions to be made between alternative policy proposals;
- be used to finalise legislation before it is implemented.

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

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

Annex C - Consultation Questions

East Mingulay SAC

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

Loch Creran SAC / MPA

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

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

Comments

Loch Laxford SAC

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

Comments

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

Comments

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

Comments

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

Comments

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

Comments

Loch Sween MPA

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

Lochs Duich Long & Aish SAC / MPA

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

Yes No

Comments

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

Yes No

Comments

Luce Bay SAC

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

Yes No

Comments

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

Approach 1 Approach 3 No

Comments

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

Yes No

Comments

Noss Head MPA

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

Yes No

Comments

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

Yes No

Comments

Sanday SAC

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

Yes No

Comments

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

Yes No

Comments

Small Isles MPA

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

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

Comments

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

Comments

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

Yes No

Comments

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

Approach 1 Approach 2 No

Comments

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

Yes No

Comments

St Kilda SAC

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

Yes No

Comments

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

Yes No

Comments

Treshnish Isles SAC

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

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

Comments

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

Comments

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

Wester Ross MPA

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

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

Yes No

Comments

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

Comments

Wyre & Rousay Sounds MPA

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

Comments

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

Comments

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



Annex D - Respondent Information Form

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Title Mr Ms Mrs Miss Dr **Please tick as appropriate**

Surname

Forename

2. Postal Address

<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
<input type="text"/>		
Postcode	Phone	Email

3. Permissions - I am responding as...

Individual / **Group/Organisation**
 Please tick as

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

Yes, make my response available, but not my name and address

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site). Are you content for your **response** to be made available?

Please tick as appropriate

Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate Yes



**The Scottish
Government**
Riaghaltas na h-Alba

© Crown copyright 2014

ISBN: 978-1-78412-892-0

This document is also available on the Scottish Government website:
www.scotland.gov.uk

Produced for the Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS38197 (10/14)

w w w . s c o t l a n d . g o v . u k