



COAST response to the Scottish Government Consultation on the management of inshore Special Areas of Conservation and Marine Protected Areas

1. Introduction

The Community of Arran Seabed Trust (COAST) has been campaigning for measures to recover marine life and fish stocks in the Firth of Clyde since 1995. We established the Lamlash Bay No Take Zone in 2008 and were the main driving force behind the designation of the South Arran Marine Protected Area in 2014. In the same year we were presented with a Nature of Scotland Award for marine conservation.

COAST congratulates the Scottish Government, Marine Scotland and Scottish Natural Heritage for achieving the designation of 30 Marine Protected Areas around the shores of Scotland. In particular we would like to thank the individuals who have been at the front line of this process. We appreciate the amount of time and effort that has gone into this project against a backdrop of limited resources and strong opposition from vested interests and lobby groups.

COAST's broad comments on the wider network and South Arran MPA are given below followed by our answers to the questions asked in the consultation questionnaire.

2. Consultation process

This is the second of three 12 week consultations undertaken as part of the South Arran MPA designation and management decision process. The fact that the public's declared preferred option in this consultation - a complete ban on bottom active gear - is not included in Marine Scotland's options is to be regretted (a summary of respondent's views on the designation consultation is attached). The public had a right to expect this to be an option for consideration rather than an alternative for which they must now argue. COAST regrets that it now feels obliged to consider legal remedies to resolve this issue.

Marine Scotland's position means that many people have the impression they are not being listened to. This is resulting in a degree of cynicism and consultation fatigue which is compounded by the difficulty of accessing the correct documents on the Government's website. As mentioned during the consultation we urge the government to make its consultations more accessible to the general public.

3. National context

The Scottish and UK Governments' vision for inshore and offshore waters is for 'clean, healthy, safe, productive, biologically diverse, marine and coastal environments, managed to meet the long term needs of nature and people'.

This is a vision which an ecologically coherent Marine Protected Area (MPA) network can play a part in realising. At present Scotland's Marine Atlas shows we have a lot to do to achieve this vision nationally and within many of the proposed marine regions. The Atlas highlights long-term declines and wide spread degradation of our marine life ranging from depleted fish stocks to damaged seabeds and declining numbers of seabirds, seals, sharks and rays.

In addition, the Marine Atlas and SEPA's River Basin Management Plan illustrate many inshore coastal and transitional waters are failing to meet Good Ecological Status under the Water Framework Directive and many are a long way from reaching Good Environmental Status as defined in the Marine Strategy Framework Directive Descriptors. Our seas are also failing to meet our commitments under the OSPAR convention.

Further, under the public's right to fish the government has a legal duty to manage Scotland's seas for the benefit of everyone. Our seas are a public resource and must be managed as such. This implies that no sector or individual's rights in relation to our inshore waters are greater than any other individual's. By implication no one, or no sector, has the right to exploit our marine environment to the detriment of the public's right to fish.

4. Clyde context

In 2012 Marine Scotland's Clyde Ecosystem Review described the Clyde as being like 'used agricultural land'. The decline of commercially viable white fish stocks following the end of the trawler ban in 1962 and the removal of the three mile limit in 1984 is well documented. Although the Clyde ecosystem is assessed by Marine Scotland as still productive, white fish stocks have not been commercially viable for over a decade. The fishery in the Clyde is now almost entirely for scallops and Norway lobster. Species 'evenness' within the Clyde has declined. Trawl surveys show that whiting predominate with 70% of this species being under 1 year old. The decrease in fish maturation sizes for a number of important species have been directly attributed to overfishing. Top predators such as spur dog which used to make up over 23% of trawl surveys are now statistically insignificant.

5. Holistic ecosystem approach

Despite the internationally recognised degraded state of the Clyde and its historical importance as a fishery supporting the health and wellbeing of central Scotland, very little has been done up to now to recover and protect the Clyde marine ecosystem (besides the ineffective seasonal cod closure, only the COAST NTZ initiative has made any attempt to protect habitat and improve stocks). As documented in COAST's original MPA proposal there is very little spatial management or effort control of fishing activity in the Clyde. Even with all four MPAs in place fishing activity (acknowledged as the main pressure on the Clyde ecosystem) will continue unabated if Marine Scotland's proposals are adopted. While recognising the narrow features-based objectives of the MPAs as defined by SNH and Marine Scotland, the Clyde is in bad need of a holistic rather than a piece meal approach to recovery. The opportunity offered by the designated MPAs to contribute meaningfully to the restoration of the Clyde must be fully realised not minimised as is proposed.

6. Clyde 2020

COAST welcomed the Clyde Summit held in 2014 and Clyde 2020 initiative (which is at least an attempt to address the wide range of issues facing the Clyde) and has engaged with the subsequent workshops and process. At the summit we were pleased to note that the Cabinet Secretary Richard

Lochhead recognised COAST as trailblazers in community-led marine conservation and restoration initiatives. In fact it is highly likely that recent scientific research leading to the Clyde Ecosystem Review and the Clyde Summit would not have happened if COAST and other NGOs had not been agitating on behalf of the Clyde ecosystem.

The Clyde 2020's stated vision is as follows:

The Firth of Clyde is a healthy and thriving marine ecosystem that is capable of adapting and mitigating for the challenges of climate change and supports sustainable fishing, tourism, leisure and other sustainable developments while offering protection to the most fragile species and habitats. This will enhance the quality of life for local communities and contribute to a diverse and sustainable economy for the West of Scotland.

However, as they stand the management proposals for MPAs in the Clyde will only offer limited protection to a few selected species and habitats within subsections of the South Arran MPA and other Clyde MPAs. They will not make a significant contribution to the Clyde 2020's vision for a 'healthy and thriving marine ecosystem'.

7. Opportunity

Within the context of the OSPAR Convention, MSFD, WFD and the Clyde 2020 initiative the three designated Clyde MPAs offer a real opportunity for the Government to not only fulfil the objectives of the MPAs and the priority features for which they have been designated, but also to begin to address the wider objectives of these directives and initiatives as they apply to the Clyde. More specifically, rather than seeming to hide behind the narrowly framed objectives of the MPAs, the Government should completely exclude bottom trawlers and dredgers from MPA areas. This will demonstrate the Government's commitment to Clyde 2020 and its determination to meet Good Environmental and Ecological Status under the European Directives. The Clyde 2020 initiative will be badly undermined if this does not happen.

8. Public support

The MPA designation process in Scotland has engaged thousands of people across Scotland with an interest in our marine environment. Many have completed consultation responses and most were delighted that thirty MPAs had been designated (- the government doing something tangible and sensible). However, they assumed this meant there would now be protection from damaging practices such as dredging and bottom trawling. On Arran and elsewhere the public were stunned to learn that these activities would continue under the current proposals. Quoting the narrow terms of the MPA process does not wash with the public. It is vital that the broader public and communities around our coast continue to support the designated MPAs. Organisations such as COAST and other NGOs are working tirelessly to encourage interest in our marine life and good management practice. People will not support paper parks and there is a real risk of the government turning a potential win into a debacle for which it will not be quickly forgiven.

9. Displacement

COAST does not accept the displacement arguments put forward by the Government as a reason to allow the continuation of bottom trawling and dredging within MPAs. Rather than attempting to appease scallop dredgers and trawlers there should be an absolute reduction in damaging fishing effort within the Clyde and careful management of more sustainable methods of fishing such as creeling and scallop diving. Marine Scotland's own analysis is quite clear in stating that the main

reason for the Clyde's degraded state is over fishing. This impacts not only the fish stocks but also the marine habitats upon which many species rely during their life cycles. The designated MPAs offer an opportunity to recover the habitats for which they are designated and to regenerate fish stocks. We also note that there is no mention of the displaced recreational sea anglers (a potentially sustainable and lucrative business for the Clyde) who currently must fish elsewhere, but who may return to the Clyde if it is managed for recovery.

10. Economics

COAST has long argued that progressive changes to fisheries management and a switch to more sustainable gear and fishing methods will have a positive economic impact on coastal communities including fishing communities. We believe that well-managed seas will bring environmental, social and economic rewards which are worth striving for. We therefore welcome the Grid Economics report published by Marine Scotland in January 2015 which analyses the economic consequences of a switch to using static gear only within 1 and then 3nm. This report is particularly pertinent to the situation in the firth of Clyde. It suggests that the net benefits over 20 years to the South West IFG area, which includes the Clyde, would be between 64 and 1686 jobs and worth between £63m and £683m (least favourable and most favourable estimates respectively). These estimates are regarded as conservative. If the Clyde was assessed alone the benefits would be even greater due to the proximity of major population centres.

It should also be noted that these numbers only include direct benefits to recreational anglers and divers and do not include benefits arising from other activities such as increased yachting, kayaking and marine wild life tours.

Quotes from the Grid Economics Report

'With respect to the South West and East Coast IFG areas, even the LFO cannot generate negative values for NEV or the change in employment. In these two IFG areas, the significant excess of policy benefits over policy costs implies there is a current resource misallocation. Thus, one clear implication of the South West and East Coast results is that the gear restriction is an opportunity to correct a resource misallocation.'

'Rather than creating employment in the South West and East Coast, the current deployment of mobile gear might be constraining economic and employment growth.'

In summary, the report backs up COAST's argument for the exclusion of bottom active gear within much of the Clyde. The creation of marine protected areas which exclude this gear would be an important step in the right direction.

11. Compliance

Public confidence in the MPA network will be undermined by unnecessarily complicated management zones which can't be easily understood. Both the public and MSC need clear, easily monitored boundaries. Even with the use of VMS or similar systems Marine Scotland Compliance's ability to monitor vessels will be limited.

12. Wider MPA network

COAST supports the exclusion of bottom-towed mobile fishing gear from the following MPAs under the options below.

- Treshnish Isles SAC (option 1)
- Loch Creran ncMPA/SAC (option 2)
- Luce Bay SAC (option 1)
- East Mingulay SAC (option 2)
- Loch Laxford SAC (option 1 - only option)
- St. Kilda SAC (option 1 - only option)
- Noss Head ncMPA (option 1 - only option)
- Wyre and Rousay ncMPA (option 1 - only option)
- Sanday SAC (option 1 - only option)

For the MPA sites below COAST advocates the total exclusion of bottom towed mobile gear.

- *Loch Sween ncMPA*
- *Upper Loch Fyne and Loch Goil ncMPA*
- *Lochs Duich, Long and Alsh SAC and ncMPA*
- *Loch Sunart to the Sound of Jura ncMPA (including Loch Sunart ncMPA and Loch Sunart SAC)*
- *Small Isles ncMPA*
- *Wester Ross ncMPA*

References

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COAST Response to South Arran MPA consultation questionnaire

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

Yes, but this level of protection should be accorded to all habitats within the entire MPA area.

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

We agree that there should be a permit scheme for creel vessels within the recovery areas as currently in place under the existing Marine Conservation Order. Permits should only be available to boats with a track record of fishing in these areas and creeling activity should be monitored throughout the MPA area to ensure the conservation objectives for the area are being met and the area does not become a 'honey pot'. Moorings should be relocated outside the Whiting Bay seagrass beds. Anchoring should not be permitted within the seagrass beds.

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

Yes No ✓

No. COAST will only support management measures which completely exclude trawling and dredging from the entire MPA.

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

Approach 1 Approach 2 No ✓

COAST and the people of Arran's preferred management option to exclude trawling and dredging from the entire area was not included as an option despite strong representations from COAST and others.

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

Yes No

No, the assessments over-emphasise the economic impacts on bottom active gear while providing very little up-side data. The Grid Economics report on inshore fishing shows that these activities are constraining economic activity and that there would be considerable benefits from a complete exclusion of bottom towed gear within three nautical miles of the shore.

COAST agrees to this information being made publically available on Government web sites and literature and to being attributed as the author of this document.

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COAST: 2.2.15

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