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Submitted to Proposal to designate Red Rocks and Longay as a Marine Protected Area
Submitted on 2022-04-26 15:22:43

Consultation Questions on Proposals to Designate Red Rocks and Longay as a Marine Protected Area

1 Do you support the designation of Red Rocks and Longay as a permanent Marine Protected Area (MPA)?

Yes

Please explain your answer in the text box below:

IUCN consider the flapper skate to be critically endangered globally and extinct across larger parts of its former range. As a substantial flapper skate egg laying site (in size and in terms of concentration of flapper skate eggs), the Red Rocks and Longay area is clearly of National Importance for the conservation of this species and should be designated as a permanent MPA with appropriate protection from the most damaging forms of fishing and other marine activities. Permanently designating the MPA with appropriate management will be a positive contribution to the OSPAR MPA network in the North-East Atlantic.

The acknowledgement and protection of the glacial bedforms as specific geodiversity interest in their own right, as well for their habitat-forming role for flapper skate egg-laying is also important and we support the recognition of this as a feature of the MPA.

2 Do you agree that the scientific evidence presented supports and justifies the case for the designation of the site?

Yes

Please explain your answer in the text box below:

The evidence on the presence, abundance and distribution of flapper skate eggs and egg-laying habitats is robust and provides a very strong case supporting the designation of this site.

We note that the site boundary has been determined in relation to records of flapper skate eggs from observations and surveys since 2019. It is not clear why some areas where flapper skate eggs have been recorded have been omitted from the site or the site boundary drawn very tightly to the observed location of egg cases, when suitable habitat appears to be present in these locations.

3 Do you agree with the list of proposed protected features?

Yes

Please explain your answer in the text box below:

However, we are very concerned about the lack of protection afforded to spawning adult flapper skate and the hatched juveniles once outside of the MPA. Although there is a closed season in place in the Southern Inner Sound for 6 months of the year, trawling and dredging activity takes place outside of the closed season putting adult and young flapper skate at risk of capture in towed fisheries gear (as recognised as an impact in the MPA flapper skate advice document). The designation of the Red Rocks and Longay MPA as a permanent MPA for this highly important flapper skate egg laying site fails to provide any protection for newly hatched animals or spawning adults once they move outside of the MPA boundary. In terms of species conservation measures this does not make sense. An effective system of spatial management that restricts the more highly impacting fisheries and other activities whilst allowing those fisheries and activities with little or no impact is required, encompassing adjacent inshore areas to provide greater and consistent protection of skate coming to and from their egg laying grounds.

4 Do you have any comments on the Conservation and Management Advice (CMA) for the Red Rocks & Longay Marine Protected Area (MPA)?

Please explain your answer in the text box below:

Yes.

It is unclear why the flapper skate feature has been classed as ‘favourable’. Whilst this site is clearly of national importance for this species we do not yet know whether the state of the site is as good as it could be, or whether in fact we are observing an impoverished eggcase laying area where the abundance and density of eggcases and the area over which they are laid should be much greater than it is currently. Clearly the population of flapper skate is much reduced from what it once was and, on this basis, it would be reasonable to consider that the site is not favourable in terms of the number, density and distribution of eggcases that have been recorded here.
By setting a ‘favourable’ condition the intention is to conserve what is there already; given the critically endangered status of the flapper skate this means that the aspiration for the MPA is just to conserve what is quite probably an impoverished situation. We consider that the site should have a ‘restore’ objective in recognition of the degraded state of the flapper skate population and the need for urgent action to protect this species through all its life stages.

As commented in response to question 3, we consider that there should further measures to protect spawning adults and juvenile flapper skate in and around the eggcase laying area. The MPA fisheries guidance note for flapper skate identifies the relative impacts of different fishing activities and the much greater impact from towed bottom fishing gear. Establishing an inshore limit on mobile bottom fishing gear would be a significant step forward in providing more robust protection for flapper skate and the essential habitats and ecological functions that they depend on, and would help ensure site

integrity of the MPA. Complete closure of the Southern Inner Sound to mobile fishing gear year-round would be a specific management measures that would provide important protection for the spawning adults and the hatched juveniles.

We would like to see greater consideration of the impact on water quality of activities such as open cage fish farms which introduce fish waste and chemicals into the marine environment, and the cumulative effect of discharges from these and other activities that introduce waste or pollutants into the water body.

We support the advice to request licences for scientific and citizen science work as detailed in the Conservation and Management Advice document. We also support the advice to allow hand diving for scallops and recreational diving activities as set out on the document.

5 Do you agree with the list of prohibited activities included in the draft Marine Conservation Order (MCO) which may impact flapper skate eggs?

No

Please explain your answer in the text box below:

The complete closure of the MPA to all creel fishing is not proportionate and is not supported by the information provided in the MPA Fisheries Guidance Note for flapper skate. Unlike mobile bottom fishing gear where the NatureScot advice recommends measures to remove or avoid pressures, the advice for creel fishing is for measures to reduce or limit fishing intensity to be considered. There is a mismatch in the measures currently proposed in the draft Marine Conservation Order and the NatureScot advice in this respect which is not helpful.

The measures need to recognise that there are different forms of creel fishing using relatively lighter or heavier gear and which target different habitat types. There needs to be a distinction between creel fishing for Nephrops which uses lighter pots and focusses primarily on muddy seabed habitat (areas not favoured for flapper skate eggcase laying) and heavier creels for lobsters/crabs that would be more likely to be fished across the site and the more rocky areas used for eggcase laying. We consider there should be an exemption for Nephrops creel fishing so that this can take place in the muddy habitat areas and in deeper water which are not favoured habitat for eggcase laying.

6 Do you have any comments on the partial Business and Regulatory Impact Assessment (BRIA)?

Please explain your answer in the text box below:

Yes.
Under the measures as currently proposed there is a disproportionate impact on creel fisheries relative to their likely impact.

Whilst we welcome action by Scottish Government to protect the Red Rocks and Lungay MPA and maintain that protection in the long term, there is an urgent need for effective spatial management measures throughout Scotland's inshore waters rather than sporadic and piecemeal actions which, as we have commented above, do not provide the full protection required for species such as the flapper skate. Effective spatial management in Scotland's inshore water needs to support and enable a just transition to lower impact fisheries such as creeling and diving hand collection and in doing so encourage recovery of seabed habitats and marine life that provide the essential habitats and ecological functions that all species, including the flapper skate, depend on.

7 Do you have any comments on the draft Island Communities Impact Assessment (ICIA) screening?

Please explain your answer in the text box below:

About you

What is your name?

Name:
Lucy Kay

What is your email address?

Email:
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Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:
Community of Arran Seabed Trust (COAST)

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

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?

Yes

I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.

I consent

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:
Neither satisfied nor dissatisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:
Slightly satisfied

Please enter comments here.: