

LINK Consultation Response

Fisheries Management Measures within Scottish Offshore Marine Protected Areas (MPAs)
October 2024



Scottish
Environment
LINK

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Introduction to Scottish Environment LINK

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 40 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organisations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for the environment. Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits. This consultation response was written by LINK's Marine Group

1. Response

1. Do you support or oppose the proposed zonal fisheries management measures for offshore MPAs?

Support

Neutral

Oppose

2. Do you have any comments on the proposed zonal fisheries management measures?

Please add your comments in the text box.

Since the initial development of zonal fisheries management proposals in 2015-2016, the global environmental landscape has shifted dramatically. The UN has declared a Global Climate Emergency, and in 2022 an Ocean Emergency, all of which have been recognised by the Scottish Government.

While the zonal approach is better than the *status quo* and no action, LINK members are concerned it would not be sufficient to achieve wider ecosystem recovery and protect vulnerable offshore and deep-sea habitats and, in some cases, may be insufficient to meet the conservation objectives of a site. We cannot always be confident that the legal and ecological requirements for site integrity will be fully met in some of the Special Areas of Conservation (SACs) without excluding mobile and static gear from the entirety of the site.

The marine environment and the health of our seas have deteriorated rapidly as underscored by the stark findings of Scotland's Marine Assessment 2020 and the State of Nature report. Scotland's Marine Assessment 2020 documents major concerns about seabed conditions, across all marine regions, crucially including the offshore marine region. Sharp declines in biogenic habitats, those created by living



organisms, are a particular concern within wider seabed condition. The State of Nature Report highlights a 49% decline in seabird populations between 1986 and 2019 and the recent seabird census results reveal almost two-thirds (14 of 23) of Scotland's breeding seabird populations have declined over the past 20 years - a 70% overall decline.

The majority of offshore sites in this consultation are assessed as being in unfavourable condition for their protected features. LINK members therefore argue that it is crucial to adopt a more holistic and ambitious management approach to ensure wider ecosystem recovery.

We also believe that a zonal approach to the fisheries management measures will make enforcement much more difficult. Remote Electronic Monitoring (REM) systems can support enforcement efforts more effectively and trigger alerts when vessels enter an MPA and when fishing gear is deployed. This highlights the potential benefits of a whole-site approach, which could ensure better compliance and protection of marine ecosystems.

3. Do you support or oppose the proposed full site fisheries management measures for offshore MPAs?

Support

Neutral

Oppose

4. Do you have any comments on the proposed full site fisheries management measures?

Please add your comments in the text box.

LINK members strongly support the full-site fisheries management measures.

Climate change is significantly affecting Scotland's marine environment, posing additional challenges to the resilience of Marine Protected Areas (MPAs) and coastal communities. Rising sea temperatures and ocean acidification threaten the very ecosystems these areas were established to protect. Healthier ecosystems will be more resilient to the effects of climate change and will help ensure the availability of ecosystem services, including climate mitigation, biodiversity, important areas for seafood species and potential medicines for current and future generations, and by opting for full-site fishery management measures we can help protect the precious organic carbon stores within these sites.

After the zonal fisheries management proposals first developed over the period 2015-2016, the UN has declared a Global Climate Emergency and a nature crisis, and in 2022 an ocean emergency, all of which have been recognised by the Scottish Government.



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Scotland's Marine Assessment 2020 highlights major concerns about seabed condition, showing sharp decline of biogenic habitats, with bottom-towed and pelagic fishing cited as the most widespread pressure affecting the health of marine ecosystems.

The marine environment and the health of our seas have deteriorated rapidly as underscored by the stark findings of the State of Nature report. This report highlights a 49% decline in seabird populations between 1986 and 2019, and the recent seabird census and HPAI monitoring results reveal that more than 70% of seabird species in Scotland have declined since the last census twenty years ago. Of the 23 out of 25 UK seabirds that make their home and raise their young in Scotland, 9 are now included in the Birds of Conservation Concern 'red list', with 12 on the 'amber list', and only 2 on the 'green list', showing the critical condition of Scotland's seabirds. In light of the critical situation facing seabirds, we strongly believe that it would have been beneficial to include the three Special Protection Areas (SPAs) spanning offshore and inshore - Seas off Foula, Seas off St Kilda, and Outer Firth of Forth Banks Complex - in this consultation, rather than defer them to be dealt with as part of the inshore consultation which will cover a much larger number of sites.

Deep sea habitats at 600-800m depth show high levels of productivity, have significant potential to sequester carbon, and contain a high diversity of fish species and benthic habitats, such as deep-sea sponges, coral gardens, and cold-water reefs. Scientific evidence¹ suggests a depth limit of 600m for all mobile demersal fishing gear is most appropriate, as beyond this depth ecological damage increases significantly while the commercial gain per unit effort decreases. LINK members therefore suggest that a 600m depth limit on the use of mobile demersal gear would enable the recovery and expansion of remnant vulnerable marine ecosystems and a 'whole site approach', where fisheries management measures are applied across the seabed for the entire site, should be considered for offshore MPAs designated to protect seabed features

LINK members also argue that Remote Electronic Monitoring with cameras is a vital tool with which to underpin sustainable fisheries. The rollout of REM across Scottish fisheries is a robust, tried and tested, cost-effective means of delivering fully documented fisheries. The benefits of using REM are widespread and systems can be adapted to reflect the objectives of policy or management objectives. Data from REM systems can be used not only for essential monitoring, enforcement and improved stock assessment but also the ability to proactively evidence compliance and best practice, and provide transparency in the supply chain that will help deliver high levels of confidence in the sustainability of the fishery. The roll-out of REM across Scottish Fisheries would strongly support enforcement efforts of the fisheries management measures in MPA sites.

The elimination of both predator and prey species due to fishing activities and bycatch may result in significant ecological repercussions for populations, community structure, and the marine food web. The bycatch of top predators, such as marine mammals, will have substantial adverse ecological

¹ <https://www.sciencedirect.com/science/article/pii/S0960982215009380>





consequences for offshore MPAs, thus undermining the overarching goal of safeguarding the entire marine ecosystem within each area.

Deep seas and their unique features, such as *Lophelia pertusa* reefs, serve as important climate refugia. These deeper waters provide more stable and homogenous conditions compared to the shallower parts of the ocean. Deep sea ecosystems provide a natural buffer against environmental changes like ocean acidification. Protecting habitats is therefore essential to maintaining the health of our oceans and enhancing their ability to withstand and adapt to a changing climate.

The recently published Blue Carbon reports² reveal that the 20 offshore MPAs under consultation hold an estimated 60 million tons of organic carbon in just the top 10cm that are susceptible to activities where there is physical disturbance to the seabed, including bottom-towed fishing. The carbon stock in the 20 offshore MPAs represents nearly 40% of the total organic carbon in Scotland's seas. These results add further evidence for the need to protect Scotland's seabed from physical disturbances such as bottom-towed fishing and demonstrates how we must take a full-site approach to protect our carbon stores.

An Ecosystem Approach to management in the deep sea is vitally important to prevent collateral damage to sensitive habitats, preserving functional ecosystem links and processes that lead to connectivity among spatially isolated populations, which would ultimately regulate their recovery after disturbance³. Our knowledge of these functional links and processes is still limited, however, we know that the deep sea provides an array of goods and services vital to human wellbeing⁴, from carbon sequestration to food provision and waste absorption. It is therefore essential that vulnerable deep-sea ecosystems as a whole are protected through holistic management measures. A more transparent and responsive approach to adaptive management should use emerging science and the Precautionary Principle to inform and improve management decisions more readily.

Scottish Environment LINK's Marine Group commissioned a report, analysing the current Scottish MPA network against IUCN criteria to determine whether the MPA network meets its requirements based on management objectives. The key takeaway message from this report is that Scotland's MPA network is underperforming, partly as a result of how the legislation underpinning MPAs has been interpreted into policy. There is the need for an holistic approach to ocean protection and recovery and management of human activities, which is underscored by the many recommendations and gaps highlighted in this analysis of Scotland's MPA network. A major gap in the efficacy of the MPA network is the adoption of measures to manage the impact of commercial fishing on Priority Marine Features

² <https://www.wildlifetrusts.org/blue-carbon>

³ <https://doi.org/10.3389/fmars.2015.00006>

⁴ https://www.researchgate.net/publication/299234450_HERMES_Promoting_Ecosystem-Based_Management_and_the_Sustainable_Use_and_Governance_of_Deep-Water_Resources





within MPAs. Putting in place whole-site approach fisheries management measures for these offshore MPAs will go a significant way toward plugging this efficacy gap in Scotland's MPA network.

Under Provision 3 of the Marine (Scotland) Act 2010 Scottish ministers and public authorities must “*act in the way best calculated to further the achievement of sustainable development, including the protection and, where appropriate, enhancement of the health of (the Scottish marine) area*”. Furthermore, Scotland’s Marine Nature Conservation Strategy sets out a three-pillared approach to marine conservation in Scotland’s seas: species protection, site protection and wider seas policies and measures which require “strong linkages and coordination between them”. Under this framework management measures for protected areas must contribute to the protection and enhancement of the wider seas in Scotland and not just to the status of the protected features and the site conservation objectives themselves. LINK members are concerned that measures which focus on zonal management of features within a site may not allow for this wider seas contribution and even, in some cases, may be insufficient to meet the conservation objectives of a site. The conservation of a feature requires that the wider ecology, such as habitat, food sources and component species - upon which it relies for its successful function, is also maintained in good condition and this must be integral to management measures to maintain or restore a feature to favourable conservation status. Some of the management measures proposed for the MPAs and SACs being consulted upon do not take account of the wider ecology of a feature, provide an insufficient buffer from permitted fishing activities, do not protect blue carbon stores within these sites at the scale needed, and do not consider how improvements to biodiversity within a protected area may contribute to non-protected areas and the wider health of Scottish seas.

Furthermore, we cannot always be confident that the legal and ecological requirements for site integrity will be fully met in some of the SACs without excluding mobile and static gear from the entirety of the site.

Cumulative impacts should also be considered within the context of MPA management. Many other activities take place within or near to a number of the protected areas that will inevitably have an impact on the condition of the priority features e.g. fishing, oil and gas extraction, shipping and military exercises. Whilst we acknowledge that there are legislative mechanisms to manage licensed developments and other marine activities, the impacts of these must be considered alongside fishing activities so that fisheries management measures can be proportionately more effective. The combined effect of cumulative impacts in the deep sea can result in the loss and/or fragmentation of habitats. It can result in ecosystem changes and shifts in biodiversity, associated with the removal of habitat-specific or functionally important species. Seabed biodiversity is fundamentally important to healthy fisheries⁵ but also very slow to recover.

Additionally, there are currently few restrictions anywhere around Scotland on the shelf break/slope between 200-400m. We suggest the shelf break feature itself should be considered as a Vulnerable

⁵ <https://doi.org/10.1016/j.cub.2015.07.070>





Marine Ecosystem (VME). This depth range may be covered in the offshore Rockall bank sites, but in terms of wider network function and connectivity the two are not equivalent. Across Scotland the 200-400m depth range is heavily trawled and therefore it is important to represent this area within the network and restrict pressure on it within relevant MPAs in order to adequately assess the level of damage and recovery trajectories for habitats and species at this depth. Therefore we urge all representative examples of all continental slope zones in each of the relevant MPAs/SACs are protected from mobile demersal gear. Depending on the steepness of the continental slope, fishing effects may extend 70km horizontally⁶. This finding has huge implications for the buffer of management required around some of the features in these MPAs and therefore we support a precautionary ecosystem approach to management to limit damage to these vulnerable marine ecosystems.

The above approach is also consistent with representations that Scottish Environment LINK members made on the (then) respective North Sea and Northwestern Waters Advisory Committee environment groups when those groups were considering the options that arose from the 2013-17 stakeholder workshops in which our members participated.

Part 1a: Questions on documents

The following documents provide further detail on the protected sites and the measures, along with the assessments of potential environmental and socio-economic impacts of the proposed fisheries management measures, as well as any statutory assessments required. These documents should be considered when responding to this consultation. [Key draft documents](#)

5. Do you have any comments on the Sustainability Appraisal (SA)? Ensure you have read the Sustainability Appraisal (SA)

Add your comments in the text box.

The Sustainability Appraisal (and its component assessments, the SEA and SEIA) provide an informative estimate of the costs and benefits that may be associated with the different management options. However, as LINK members have asserted in previous consultation responses on this topic, the methodology of these assessments does not provide respondents with a full and balanced picture. Firstly, it does not provide detail on the costs to the environment, to fishing and to wider industry and society of doing nothing.

⁶ <https://doi.org/10.1098/rspb.2009.0098>





The long term costs of no management and the continued decline of marine ecosystems would likely be higher than the projected costs to fisheries and the Scottish economy under the two proposed management scenarios.⁷

Furthermore, the SA doesn't provide monetary values for the estimated benefits to fisheries alongside estimated losses, which doesn't allow for appropriate comparison of the measures. The underlying assumption of the SEIA is on the basis of economic cost to the fishing industry and supply chains. It reinforces the false dichotomy that conservation measures equate to economic loss for industries that extract natural resources. If well-managed, MPAs and wider seas measures can generate long-term benefits for people and nature. The benefits to the environment described in the SEA are offered on a qualitative scale which does not allow fishers and other stakeholders to evaluate the potential economic benefit of MPAs, such as through protection of important fish and shellfish habitat and through spillover effects. There are also potential economic benefits that may result from wider ecosystem improvement, such as wildlife tourism, whereby healthy offshore ecosystems, as a result of offshore processes such as deep water to shallow water nutrient exchange supporting productivity in shallower waters, can in turn support foraging seabirds and cetaceans. The loss of fishing revenue to the overall Scottish economy (based on the assumption that fishing activity ceases in the managed areas and fishers have no alternative fishing grounds) is presented in isolation for consultation purposes.

As a result of this unbalanced analysis and methodological flaws, respondents do not have the full picture and views may be at best skewed and at worst biased, as costs and benefits cannot be directly compared on the same scale, and there is no quantitative frame of reference for the estimated benefits to industry and wider society. We also need to understand how those benefits flow and how sustainable fisheries can be supported to capitalise on the long term benefits.

Costello (2024)⁸ recently reviewed evidence from 51 MPAs around the world, including from Scotland and the Isle of Man, and other sites in the Northeast Atlantic, and found that: *“There was no evidence of net costs of MPAs to fisheries anywhere. Fishery benefits included increased fish stocks, catch volumes, catch per unit effort, fecundity and larval export, and larger fish and lobsters.”* Further to his analysis of fisheries benefits, Costello also outlines benefits to tourism, such as an average increase of 30-50 jobs per MPA and estimated benefits to local (US\$7 million) and national economies (up to US\$6.4 billion for one marine park).

While we recognise that benefits will vary depending on many factors, including geographic location, environmental conditions and enforcement and monitoring, scientific evidence (including that presented by Costello, 2024) indicates that greater benefits will be seen as a result of the stronger

⁷ <https://www.wwf.org.uk/sites/default/files/2021-01/WWF2009-01%20Value%20of%20restored%20UK%20seas%20report%20v6%20%28002%29.pdf>
<https://op.europa.eu/en/publication-detail/-/publication/dbe3d250-b0b5-11e8-99ee-01aa75ed71a1>
<https://www.sciencedirect.com/science/article/pii/S0921800914003164>

⁸ <https://doi.org/10.3989/scimar.05417.080>





management options. We want to see a more comparable approach to presenting the positive and negative impacts of MPA management and that this should be used to develop a roadmap to help sustainable fisheries adapt and ensure they are able to benefit from MPAs in the long-term as part of a just transition, which itself is in urgent need of being mapped out and planned for.

The Marine Conservation Society's socio-economic analysis of a modelled scenario where fishing using mobile bottom-contact gear is prohibited from the UK MPA network projects a net positive impact of £2.57 billion in additional socioeconomic value over 20 years, with benefits after just seven years.

For Scotland, the report highlights an overall socio-economic benefit to society beginning in the 5th year following a prohibition of mobile bottom-contact fishing gear in the offshore benthic MPA network that rises to £0.88 billion over the rest of the 20-year period. The cumulative gains in ecosystem services value begin to outstrip the cumulative costs and displacement values in the 5th year following implementation of a ban. Across a 20-year period, there is a cumulative gain of £1.76 billion in ecosystem services value versus cumulative costs and displacement values of £0.88 billion. The results demonstrate there is far more to be gained than lost when implementing a prohibition of bottom-contact mobile fishing gear in the Scotland's, and the wider UK's, offshore benthic MPA network.⁹

6. Do you have any comments on the Draft Fisheries Assessments, including the methodology, which have been undertaken for each site?

Find the methodology document for the fisheries assessments below:

Draft Fisheries Assessments Methodology Report. We welcome comments for the site specific fisheries assessments within the relevant site specific questions (Questions 12-31).

Add your comments in the text box.

N/A

7. Do you have any comments on the Strategic Environmental Report (SEA)?

Ensure you have read the Strategic Environmental Report (SEA)

Add your comments in the text box.

The benefits to the environment described in the SEA are offered on a qualitative scale which does not allow fishers and other stakeholders to evaluate the potential economic benefit of MPAs, such as through protection of important fish and shellfish habitat and through spillover effects. There are also potential economic benefits that may result from wider ecosystem improvement, such as wildlife

⁹https://s3.eu-west-1.amazonaws.com/media.mcsuk.org/documents/Valuing_the_improvement_in_ecosystem_services_following_a_bottom-contact_fishi_Uh5LYKq.pdf



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tourism (with offshore ecosystems supporting foraging seabird and cetaceans, and with offshore processes such as nutrient exchange supporting productivity in shallower waters). The loss of fishing revenue to the overall Scottish economy (based on the assumption that fishing activity ceases in the managed areas and fishers have no alternative fishing grounds) is presented in isolation for consultation purposes. Respondents do not have the full picture and the views are likely to be biased to where information is available. The combined SEA high-level Impacts summary (annex b - <https://www.gov.scot/publications/high-level-site-summary-details-potential-impacts-proposed-fisheries-management-measures-within-scottish-offshore-marine-protected-areas/>) is over summarised and simplistic to the point of potentially leading the reader to the governments preferred option 1.

The summary presented in the annex misses important detail in the variations seen at the site level for the Minor/Major Benefits and for benefits to specific protected features/species in unfavourable condition. There should be more detail presented here and a summary of the benefits against the protected features. We also need to understand how those benefits flow and how sustainable fisheries can be supported to capitalise on the long term benefits.

Costello (2024)¹⁰ recently reviewed evidence from 51 MPAs around the world, including from Scotland and the Isle of Man, and other sites in the Northeast Atlantic, and found that: *“There was no evidence of net costs of MPAs to fisheries anywhere. Fishery benefits included increased fish stocks, catch volumes, catch per unit effort, fecundity and larval export, and larger fish and lobsters.”* Further to his analysis of fisheries benefits, Costello also outlines benefits to tourism, such as an average increase of 30-50 jobs per MPA and estimated benefits to local (US\$7 million) and national economies (up to US\$6.4 billion for one marine park).

8. Do you have any comments on the Socio-Economic Impact Assessment (SEIA)?

Ensure you have read the Socio-Economic Impact Assessment (SEIA)

Add your comments in the text box.

LINK members have similar comments on the Socio-Economic Impact Assessment (SEIA) as on above questions and documents (SA and SEA). We believe the SEIA presents an unbalanced perspective which reinforces the false dichotomy that conservation measures equate to economic loss for industries that extract natural resources

The SEIA stresses the costs of management measures for the fishing industry but does not integrate the **costs of inaction regarding the degradation of marine ecosystems**. Without effective management, these latter costs of inaction are likely to outweigh the projected economic impacts on fisheries and the

¹⁰ <https://doi.org/10.3989/scimar.05417.080>





Scottish economy under the proposed management scenarios. We believe the SEIA overlooks the significant costs associated with inaction, including the direct economic losses resulting from the continued degradation of marine habitats, the decline of fish populations, and the resulting impact on communities and related sectors. The consequences of no action have already been observed, with projected stock declines of 15% in the Celtic Seas and 35% in the North Sea by 2050 if damaging industries persist¹¹. Moreover, climate change is already exerting considerable pressure on marine ecosystems, with warming waters contributing to increased acidification, sea-level rise, and further degradation. For instance, reports project a £1.5 billion cost to the fishing industry by 2050 due to climate change impacts¹².

As noted in answers to previous questions, the SEIA's failure to provide monetary values for the estimated benefits to fisheries is a significant methodological flaw that hampers any meaningful comparison of the measures. We believe the SEIA does not adequately address the potential displacement effects on areas outside the MPAs, which is a cause for concern. The SEIA should take a more comprehensive approach to evaluating the costs and benefits, ensuring that the long-term economic, social, and environmental impacts are fully considered.

As mentioned under question 5, the Marine Conservation Society report demonstrate an overall socioeconomic benefit to society beginning in the 5th year following a ban on mobile bottom-contact fishing gear in the Scottish offshore benthic MPA network that rises to £0.88 billion over the rest of the 20-year period. The cumulative gains in ecosystem services value begin to outstrip the cumulative costs and displacement values in the 5th year following implementation of a ban. Across a 20-year period, there is a cumulative gain of £1.76 billion in ecosystem services value versus cumulative costs and displacement values of £0.88 billion.

The overall net benefit, highlighted in the Marine Conservation Society report, of between £2.57 billion and £3.5 billion for the UK and £888.1 million for Scotland shows that there is far more to be gained than lost over a 20-year period.¹³

¹¹ <https://www.wwf.org.uk/sites/default/files/2021-01/WWF2009-01%20Value%20of%20restored%20UK%20seas%20report%20v6%20%28002%29.pdf>

¹² <https://www.wwf.org.uk/sites/default/files/2021-01/WWF2009-01%20Value%20of%20restored%20UK%20seas%20report%20v6%20%28002%29.pdf>

¹³ Full report : https://s3.eu-west-1.amazonaws.com/media.mcsuk.org/documents/Valuing_the_improvement_in_ecosystem_services_following_a_bottom-contact_fishi_Uh5LYKg.pdf





9. Do you have any comments on the partial Business Regulatory Impact Assessments (BRIAs) for the fisheries management measures?

**Ensure you have read the Business Regulatory Impact Assessments (BRIAs):
Add your comments in the text box.**

Similar to the appraisals and our responses to previous questions, LINK members argue that the BRIAs present unbalanced views on options and the associated costs and benefits. The assessments display methodological flaws that hinder a proper comparison of the proposed measures. Specifically, there is a lack of monetary values for the estimated benefits to fisheries, which makes it challenging to fully understand the financial impact of the regulations.

The assessment fails to consider the potential cost of doing nothing. Option 3, which proposes no action, is insufficiently analysed, offering no substantial information regarding the costs of inaction. This omission is particularly critical in light of the sharp declines recorded in the landings of some fish and shellfish stocks, such as monkfish and *Nephrops*, and a decline in employment in the fishing industry¹⁴. Without evaluating the consequences of inaction, decision-makers and respondents to this consultation cannot fully grasp the urgency of intervention. Similarly, the BRIAs consider the reduced annual output landing by the UK fleet as a consequence of the management measures in MPAs, but fails to do so under option 3.

Projections, such as in the WWF report “The Value of restored UK Seas” indicate that the UK fishing industry could face a cost of £1.5 billion by 2050 due to climate change impacts. Declining fish stocks are forecasted, with a 15% drop in the Celtic Seas and a 35% reduction in the North Sea by 2050 if unsustainable practices continue¹⁵.

**10. Do you have any comments on the partial Island Communities Impact Assessment (ICIA)?
Ensure you have read the partial Island Communities Impact Assessment (ICIA)
Add your comments in the text box.**

LINK members believe that the ICIA should provide respondents with a comprehensive and balanced view. However, it fails to detail the costs to the environment, the fishing industry, and wider society of taking no action. The long-term costs of inaction and the continued decline of marine ecosystems are likely to outweigh the projected costs to fisheries and the Scottish economy under the two proposed management scenarios. Additionally, the ICIA does not mention the potential benefits for local communities from the implementation of these measures.

¹⁴ <https://www.gov.scot/publications/provisional-scottish-sea-fisheries-statistics-data/>

¹⁵ <https://www.wwf.org.uk/sites/default/files/2021-01/WWF2009-01%20Value%20of%20restored%20UK%20seas%20report%20v6%20%28002%29.pdf>





11. Do you wish to comment on the measures proposed for any specific sites?

Selecting yes will direct you to a page showing a map of the MPAs which will allow you to locate and select sites to comment on. You will also be able to select sites from a text list through this page.

Selecting no will direct you to part 2 of the consultation, the amendment of the West of Scotland MPA boundary. (Required)

Yes

No

Braemar Pockmarks SAC

We fully support the restriction of demersal gear throughout the site in order to ensure site integrity is met as required in law. This site is relatively small at 5km² therefore, we suggest adequate enforcement and compliance is likely to be unfeasible within such a heavily fished area. In order to effectively protect this site, we strongly advocate a requirement for Remote Electronic Monitoring on fishing vessels.

There is evidence that some examples of the designated feature for this site have already been damaged or destroyed by demersal mobile gear, therefore it may be necessary to ensure that further features in the surrounding area are protected to ensure adequate representation and to allow *“restoration of the biological communities at the Braemar pockmarks site [which] may be possible where the submarine structures have not been destroyed”*¹⁶.

Central Fladen NCMPA

We support the full restriction of mobile demersal gear throughout the Central Fladen NCMPA. The tall sea pen population is likely a remnant population, as it is rarely found

in the northern North Sea and protected by oil and gas infrastructure where there is limited

operation of towed/active gear. Sea pen and burrowing megafauna communities are also included on the OSPAR threatened and/or declining list. Connectivity between remnants of sea pen populations must be ensured. While relative fecundity in species such as *Funiculina quadrangularis* is high, the distribution and settlement of larvae may be restricted if the substrate is subject to disturbance¹⁷. Research on the distribution of *Funiculina quadrangularis* on the UK continental shelf also shows

¹⁶ <https://data.jncc.gov.uk/data/d5456b74-e58e-4ecc-ac14-601effc3122f/JNCC-Report-571-FINAL-WEB.pdf>

¹⁷ <https://www.sciencedirect.com/science/article/abs/pii/S0272771409000080>



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disparities that “reflect modification to the range and realised niche of this species in the Greater North Sea, due to trawling impacts”.¹⁸

The proportion of the site covered by fishing restrictions is low when considered in comparison to the extent of the wider fishing grounds. An equivalent site in the English North Sea - the Dogger Bank SAC, a far larger site than Central Fladden - has been fully protected from bottom-towed mobile fishing since 2022. Signs of ecosystem recovery are already being reported in the Dogger Bank SAC¹⁹. The Central Fladen NCMPS represents only 5% of the wider Fladen grounds, which is the wider Functional Unit for the *Nephrops* fishery, and measures within the site only affect approximately 1% of the Fladen ground. For clarity, we are not advocating for 33% of the entire Fladen Grounds to be protected but using the comparison to illustrate our concern about the proportion of the Central Fladen MPA that would be left unprotected in the wider ecosystem context under Option 1.

Whilst ICES does not support assigning protection percentages for broadscale habitats, ICES is seeking to understand the functional relationship between area size and interaction in relation to requirements for maintaining/improving seafloor integrity (in line with UK Marine Strategy Regulations) and the level of impact benthic communities can withstand. We therefore urge the full extent of the Central Fladen nCMPS be closed to demersal mobile gear to support wider ecosystem protection and site integrity. This is also important in the context of the recent OSPAR Quality Status Report 2023²⁰ concluding that “High” disturbance from fisheries with mobile bottom-contact fishing gear “was greatest in Offshore circalittoral mud (QSR:87%; MSFD:79%).”

This will also aid understanding of area/impact functional relationship, particularly whilst recognising that extensive valuable fishing grounds are still available in the surrounding area. We also recommend that this site is a priority for monitoring effort.

East of Gannet and Montrose Fields NCMPS

We support the proposed management option for the removal of demersal mobile gear from 100% of the East of Gannet and Montrose Fields NCMPS for the protection of ocean quahog aggregations, the offshore gravel and mud sediments and their characteristic component species, such as seapens. Ocean quahog is an important species for water quality, sediment bioturbation and is harvested commercially. It is also an important indicator of environmental trends through analysis of growth rings deposited in its shell²¹. Given that the suitable habitat for ocean quahog aggregations extends through

¹⁸ [Inter Research » MEPS » v670 » p75-91 \(int-res.com\)](#)

¹⁹ <https://www.blumarinefoundation.com/2023/12/31/a-tale-of-two-crises-diary-of-an-expedition-to-dogger-bank-by-charles-clover/>

²⁰ <https://oap.ospar.org/en/ospar-assessments/quality-status-reports/qsr-2023/indicator-assessments/phys-dist-habs-fisheries/>

²¹ <https://www.sciencedirect.com/science/article/abs/pii/S027843432300153X>





the majority of the site, it is likely that ocean quahog aggregations could extend beyond the confirmed sightings. Distribution of this species is likely to be significantly under-recorded as it is often missed by grab sampling and is difficult to identify from drop down video footage. Additionally, NatureScot recommended that given the uncertainty in estimating the area required to support a minimum population, the low expected recovery rate and their vulnerability to physical disturbance (e.g. trawling) a precautionary approach to protection is required. Recruitment success of ocean quahog is linked to temperature and increasing sea temperatures may have a long term effect on the recovery of populations²². Furthermore, demersal mobile gear (particularly hydraulic dredging and gears that cause surface abrasion) has a significant negative effect on adult quahogs, and population recovery under high levels of fishing may be difficult²³.

The GeMS database also indicates quahog aggregations outwith the MPA boundary in areas where the fishing intensity is lower. Suitable habitat is present in the southwest area of the MPA (where fishing is currently at high intensity). Therefore management measures should consider wider ecological resilience beyond feature records to enable greater long-term benefits. We believe the zonal management proposals are unlikely to contribute to helping to increase the population for this species, considered to be Threatened and/or Declining in OSPAR Region II by only protecting residual populations in areas of low impact. Adequate site survey monitoring and vessel monitoring of bycatch incidences for ocean quahog are essential to ensure the management proposals are proportionate.

The GeMS database also has records of cod, Norway pout, ling, whiting and spiny dogfish in the East of Gannet and Montrose Fields NCMPA, as well as the characterising seapen species described in the consultation paper. Cod populations are still significantly depleted, despite a zero Total Allowable Catch (but with bycatch allowance) and spiny dogfish remain vulnerable from historic overfishing, with populations continuing to decline (see IUCN Red List). The population trends for whiting and ling are unknown.

Faroe-Shetland Sponge Belt NCMPA

We support the full exclusion of mobile demersal fishing activities from the Faroe-Shetland Sponge Belt NCMPA. Deep-Sea Sponge Aggregations (DSSA) create complex habitats supporting high biodiversity and providing refuge for fish, potentially rivalling coldwater coral reefs in terms of functional importance²⁴. DSSA are sources of novel chemical compounds and have a critical ecosystem role in biogeochemical cycling and benthic pelagic coupling (linking benthic ecosystems to pelagic ecosystems via the food web)²⁵. Due to their important functional role, it is imperative that conservation efforts

²² Witbaard, R. and Bergman, M.J.N. (2003). The distribution and population structure of the bivalve *Arctica islandica* L. in the North Sea: What possible factors are involved? *Journal of Sea Research*, 50(1), pp. 11–25

²³ <https://doi.org/10.1016/j.marenvres.2015.05.003>

²⁴ <https://doi.org/10.1093/icesjms/fst124>

²⁵ <https://doi.org/10.1016/j.dsr.2016.07.005>





aim to enhance DSSA, allowing expansion of the feature rather than protecting residual areas. Fishing activities have likely greatly reduced the distribution of DSSA which historically is likely to have been extensive. Given that DSSA may be highly susceptible to fragmentation because of short planktonic larval duration and dispersal, increasing the extent of DSSA and DSSA habitat that is protected may be required to prevent reproductive isolation and ensure ecological coherence of the protected populations. It is also possible that unmapped DSSA occur within the site.

Protection across the site would help ensure that other PMFs (such as ocean quahog and migrating cetaceans) receive greater protection, and a representative range of depths on the continental slope is protected, some representation for which is currently lacking across the network.

Firth of Forth Banks Complex NCMPA

LINK members support the proposals to restrict mobile demersal fishing gear across the full site. Extending the management measures to protect more deep circalittoral coarse sediment to increase PMF representation within the MPA network and to provide a wider buffer around mapped ocean quahog aggregations is important for the recovery of the population (see comments on East of Gannet and Montrose Field NCMPA). Confirmed ocean quahog aggregations occur where fishing intensity is lower and where there are *Nephrops* sp. it is likely that quahogs are not present. We believe it is necessary to restrict mobile demersal gear to increase the amount of suitable habitat available for further quahog aggregation expansion, given that previous fishing activity may have reduced ocean quahog extent. We also restate the NatureScot advice for a more precautionary approach to management of this species due to the uncertainty in determining distribution, in estimating the area required to support a minimum population, the low expected recovery rate and their vulnerability to physical disturbance such as bottom trawling²⁶.

Additionally, we still have concerns that sandeels were not accepted as a designated feature for this site due to the protection afforded by the historic east of Scotland sandeel fisheries closure and the recent ban on sandeel fishing across the North Sea. However, given the keystone ecosystem role of sandeels, it is critical that areas important to sandeels are given adequate protection from all pressures, not just direct exploitation.

Given the extent of overlap with offshore wind leases and scoping areas, as shown in the in-combination fisheries assessment, it is essential that habitat diversity and ecological function are properly considered in the application and consents process, with compensatory measures that support the unique nature of the protected features. (In the context of the offshore wind process, it should be remembered that avoidance of impact is the first step in the mitigation hierarchy.)

²⁶ <https://www.nature.scot/sites/default/files/2022-08/2%20Final%20-%20Publication%202012%20-%20SNH%20Commissioned%20Report%20547%20-%20SNH%20and%20JNCC%20MPA%20network%20advice.pdf>





North-East Faroe-Shetland Channel NCMPA

We support the management proposal to restrict demersal mobile fishing gear throughout the site. We believe the greater restriction is appropriate in the 400m-600m depth band where Deep-sea Sponge Aggregations (DSSA) are likely to occur. DSSAs play a key role in food webs and nutrient cycling, in addition to numerous other ecological functions. The UN General Assembly Resolution 61/105 and Annex V of the Oslo-Paris (OSPAR) Convention requires that where VMEs (such as these DSSAs) are known to occur or are likely to occur based on the best available scientific information, mobile demersal fishing should be restricted to prevent significant adverse impacts on VMEs (UNGA 61/105).

The characteristic fish fauna of the continental slope, such as Atlantic halibut (*Hippoglossus hippoglossus*), have been damaged by overfishing and for some species the decline has occurred within less than a generation, such as orange roughy (*Hoplostethus atlanticus*)²⁷. It is highly likely that this is related to changes in ecosystem functioning, prey availability and habitat structure at scales relevant to the fish. Using the UN Food and Agriculture Organisation (FAO)'s description of VME the slope area could be considered as a VME because of the occurrence of species with low resilience to fishing, slow life histories and unpredictable recruitment²⁸. There is even more uncertainty regarding life histories of benthic invertebrates in these zones. Therefore, management of the continental slope should be precautionary in order to allow for the large uncertainty and vulnerable life histories of species in this zone. There is also uncertainty regarding DSSA extent, indicating that a precautionary response is required with management measures covering a wider area appropriate to the protection of sponges, until the extent of sponges can be clarified. Sponges are likely to have occurred in the area between 400-800m where there are currently limited restrictions to demersal gear, potentially limiting the potential for recovery to historical extent of the feature. Sponges occupy a narrow depth band (400-600m) and distribution is highly influenced by temperature²⁹, with this depth band having an unusually sharp temperature transition. Furthermore, this MPA contains 1.92 million tonnes of organic carbon, according to the recently published Blue Carbon Report, and it is vital that these stores are protected from demersal fishing activities site-wide.

Norwegian Boundary Sediment Plain NCMPA

We fully support the removal of mobile demersal gear throughout the site for the protection of ocean quahog and its habitat. This site may also be important for fish species such as cod, given the site's environment as a shallow sandy gravelly area, which is an essential habitat for cod, and with ocean quahog as a known prey species. The GeMS database shows records of cod in close proximity to the MPAs.

²⁷ <https://doi.org/10.1016/j.marpol.2011.01.003>

²⁸ <https://www.fao.org/in-action/vulnerable-marine-ecosystems/background/en>

²⁹ <https://doi.org/10.1016/j.dsr.2016.07.005>





Additionally, we recommend reviewing the presence of cold water corals at this site as recent research has indicated it is highly likely that *Lophelia pertusa* larvae are present and that this site could be important for cold water coral connectivity across the MPA network³⁰.

Pobie Bank Reef SAC

We support the restriction of mobile demersal gear across the whole site for the protection of the reef features. Consideration should also be given to whether there is sufficient buffer around the stony and bedrock reef features, as characteristic species and communities dwelling on and within this habitat have been found to be negatively impacted by resuspended sediments from fishing activity³¹. In order to ensure that site integrity is not being compromised, priority monitoring and adaptive management will be required.

The use of static gear on and around the reef features should be monitored closely to ensure that this practice is conducted sustainably and without causing damage to the health of the reef features. More research is needed to understand the impact of static gear on site integrity, especially given the zonal restriction of static gear from a number of reef features within the inshore SACs e.g. East Mingulay SAC and Treshnish Isles SAC. Should any evidence arise to indicate that damage was occurring and site integrity affected, we would support static gear being restricted (e.g. cap on creel numbers) in this MPA.

Scanner Pockmark SAC

LINK members fully support the proposed management approach to prohibit the use of mobile demersal fishing gear throughout the site. Pockmark features increase the heterogeneity of the seabed and positively influence the abundance, density and populations of benthic species³². The Scanner Pockmarks SAC provides critical habitat for highly specialised species. The site is the only known locality for a nematode worm, *Astomonema southwardorum*, known to host endosymbiotic, chemoautotrophic bacteria within their body cavity, and is also the only known native habitat in the Fladen Ground area for the bivalve *Thyasira sarsi*, a key species for regenerating sulphide rich sediments including drill-cuttings piles³³. Restoration of the pockmarks is likely to be impossible as methane derived authigenic carbonate (MDCA) of the kind at the site is accreted naturally over long time periods, and further accretion is dependent upon sufficient gas seepage as well as the presence of

³⁰ <https://doi.org/10.1098/rsos.160494>

³¹ <https://doi.org/10.1016/j.ecolind.2021.107545>

³² doi: 10.3354/meps08079; <https://doi.org/10.1111/j.1472-4642.2011.00859.x>;
<https://doi.org/10.1016/j.dsr.2020.103425>

³³ <https://www.nsrac.org/wp-content/uploads/2013/07/Paper-8.4-Scanner-Pockmarks-Site.pdf> - no longer found





specific chemosynthetic micro-organisms. Therefore, ensuring a sufficient representation of this feature across this area should remain a high priority, and due consideration should be given to adequate mapping of the feature and incorporation into existing protected areas.

Turbot Bank NCMPA

We acknowledge and support the ban on a targeted sandeel fishery in all of the Scottish fishing zone, including of course the Scottish North Sea, which will benefit the sandeel feature in this site. However, we suggest a more precautionary approach to the management of bottom contact gears to prevent/reduce sediment disturbance until it can be proven that those gears do not impact the substrate in such a way that negatively impacts the sandeel populations. We would support a trialled experimental prohibition on mobile demersal gear on a zonal basis within the MPA (e.g. up to 50% of the site prohibited to mobile demersal) to collect scientific data and enable effective and appropriate site monitoring.

Anton Dohrn Seamount SAC

LINK members support the exclusion of all demersal gear across the site. In 2016, we recommended that the boundaries of this site be reconsidered to incorporate the whole seamount community, including the top of the seamount, as a VME. *We understand and welcome the fact that the West of Scotland MPA will provide this protection.* Some of the cold water coral assemblages on the Anton Dohrn seamount appear to be the subject of increased sedimentation³⁴ which can impact on reef health. Seamounts also play a critical role in connectivity for coral reefs in the Northeast Atlantic³⁵. Given the low fishing intensity for both mobile and static gear at this site, the listing of seamounts as VMEs, on the OSPAR Threatened and Declining list, we propose that the entire seamount be included in the boundary of the site.

Darwin Mounds SAC

LINK members believe that a precautionary restriction on demersal fishing activities should be applied to the Darwin Mounds SAC. The depth of this MPA is between 710m and 1129m³⁶ and it is therefore not fully protected by the current deep sea fishing restriction of 800m.

The JNCC Conservation Statements paper highlights that the *Lophelia pertusa* reefs found within the Darwin Mounds SAC are unusual as they are found on “sand volcanoes” composed of sand overlying mud, rather than rock substrate. The Darwin Mounds are also home to dense aggregations of xenophyophores, the largest single-celled organisms in the world that can grow up to 20cm in

³⁴ <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0124815>

³⁵ <https://doi.org/10.1098/rsos.160494>

³⁶ <https://jncc.gov.uk/our-work/darwin-mounds-mpa/#:~:text=The%20Darwin%20Mounds%20SAC%20lies,710%20m%20and%201%2C129%20m.>





diameter, associated with a sedimentary “tail” of the Mounds, thought to be unique globally, and would also benefit from whole-site protection. Reefs such as these are also likely to be key climate refugia, affording some protection to the habitats and genetic diversity of the species that reside within it from environmental change.

East Rockall Bank SAC

We support the management proposal to exclude all demersal fishing gear across the site. Research indicates that this site is special in its hydrodynamics and biodiversity, and is described on the Atlas Project website as follows: *“Enhanced hydrographic mixing, upwelling and down-welling around the Rockall bank may give rise to highly localised and specialised biological communities such as sponge aggregations, Lophelia reefs and coral gardens. Lophelia pertusa occurs on Rockall Bank principally at depths between 200-400 m, but also in certain areas deeper than 500 m on the slopes of the bank³⁷.”* The water currents that flow in this area are important for wider connectivity and reef growth of *L. pertusa*³⁸.

Geikie Slide and Hebridean Slope NCMPA

We support the full restriction of mobile demersal gear within the site. Below 600m the collateral damage to vulnerable species exceeds the commercial return from trawl fisheries³⁹. Therefore, continued trawl activity below that depth would not be considered a sustainable use of the MPA. Additionally, there is a lack of protection for shelf break/slope between 200-400m across the MPA network and therefore we support the restriction on mobile demersal gear within this zone. Characteristic features of the continental slope, including geological deposits⁴⁰ and species such as orange roughy and blue ling (which also rely on the slope habitats for spawning), as well as unique hydrodynamic properties that influence the movement of sediment and nutrients⁴¹, require the full depth range to fulfil their ecological functions.

Hatton Bank SAC

We support the continuation of current fisheries restrictions.

³⁷ <https://www.eu-atlas.org/about-atlas/atlas-case-study-descriptions/case-study-3-rockall-bank-northern-ne-atlantic.html>

³⁸ <https://www.sciencedirect.com/science/article/abs/pii/S0924796320301512>

³⁹ <https://doi.org/10.1016/j.cub.2015.07.070>

⁴⁰ https://consult.gov.scot/marine-scotland/deep-sea-marine-reserve/supporting_documents/Development%20of%20deep%20sea%20reserve%20%20EO_WestofScotland_final%20%20Uploaded%20version.pdf

⁴¹ doi:10.1016/j.dsr2.2004.09.016





Hatton-Rockall Basin NCMPA

We support the continuation of current fisheries restrictions.

North West Rockall Bank SAC

LINK members support the full site exclusion of mobile demersal gear in this site for the protection and recovery of the reef features and to ensure site integrity is met. We also support the full site exclusion of long-lines and set net fishing to prevent impact on the reef features and to remove risk of bycatch of other vulnerable species and PMFs, including cetaceans, sharks and fish such as orange roughy.

Solan Bank Reef SAC

We support the exclusion of all demersal mobile gear from the Solan Bank Reef SAC in order to ensure site integrity. The alternative proposed zones are drawn very tight to the features and buffer zones insufficient. Many of the characteristic fauna of the stony and bedrock reef feature can be negatively impacted by resuspended sediment from fishing activities (see comments on Pobie Bank Reef SAC). Adequate connectivity between all the SACs protecting reef features is important to ensure dispersal of dependent organisms is supported.

Stanton Banks SAC

We support the exclusion of all demersal mobile gear from the Stanton Banks SAC in order to ensure site integrity. With the reefs in unfavourable condition, and the likely extent of the reefs much greater than the known extent, we advocate a precautionary approach. We recommend consideration of whether there is sufficient buffer around the feature to prevent negative impacts from resuspended sediment from fishing activities (see comments on Pobie Bank Reef SAC).

The Barra Fan and Hebrides Terrace Seamount NCMPA

We support the restriction of all demersal fishing gear from the full extent of the seamount. Seamounts also play a critical role in connectivity for coral reefs in the Northeast Atlantic⁴², as well as other species relying on water transport for dispersal of genetic diversity.

Orange roughy are included on the OSPAR threatened and declining list and ICES considers this species as highly vulnerable, due to life history characteristics such as extreme longevity and late maturity and due to previous exposure to targeted fishing practices. Gillnets are a potential risk to the favourable condition of this species and given vulnerability and marked declines, a precautionary approach would be sensible. We therefore support a ban on set nets of all types because of the risk they pose to orange

⁴² <https://doi.org/10.1098/rsos.160494>





roughly as the designated feature, but also for the risk to large cetaceans, sperm whales in particular are known to use this region, and vulnerable deep sea elasmobranchs when considering an ecosystem approach. We also recommend that further work is carried out to identify if there are any additional areas of importance for orange roughy and to include these additional examples of the feature within the MPA network to achieve replication and resilience for this species. Additional efforts should be made to monitor the orange roughy as current monitoring programmes are insufficient to monitor the recovery of the species.

West of Scotland NCMPA

We support the proposal for exclusion of demersal fishing gear throughout the site and we welcome the ambition behind this site to recover these offshore and deep-sea ecosystems at scale. Notably, latest evidence demonstrates that nearly 40 million tonnes of organic carbon are stocked in the top 10 cm of the seabed within the West of Scotland NCMPA site. This new evidence shows how crucial full-site management measures are to safeguard these vast carbon stores.

The West of Scotland MCMPA is also an important deep-sea habitat for a variety of marine species. The site is crucial for seabirds, as it is within the foraging range of some of the largest breeding colonies for seabirds in the UK, including European storm-petrel, and Leach's storm petrel.⁴³

LINK members also welcome the protection that this proposal would offer for the currently unprotected summit of Anton Dohrn seamount.

West Shetland Shelf NCMPA

LINK members support the full restriction of mobile demersal fishing gear and set nets in this MPA and the partial restriction of creel fishing, akin to the 2004 "Windsock" EU closure for spawning cod, which was repealed in 2019. This site is one of the few in this suite of offshore MPAs where the habitat feature has been assessed as being in favourable condition. The fisheries advice paper comments on the importance of the site for demersal fish and the subtidal sands and gravels feature is an essential fish habitat for spawning cod⁴⁴. Survey evidence of the "Windsock" area several years after the adoption of the closure documented higher size and abundance of cod and other fish species within the boundary⁴⁵. All this suggests that the historic closure of the site has enabled ecological benefits in comparison to the surrounding area, which for such a large site is highly significant and demonstrates the advantage of full site restrictions on mobile demersal gear.

Following the repeal of the "Windsock" EU closure, the voluntary measures discussed and adopted by members of the static and mobile fishing industry were a better option than allowing full access

⁴³ <https://www.scotlink.org/wp-content/uploads/2020/01/2019-12-SELINK-DSMR-consultation-response-2.pdf>

⁴⁴ <https://doi.org/10.1093/icesjms/fsv180>

⁴⁵ <https://webarchive.nrscotland.gov.uk/3000/https://www.gov.scot/uploads/documents/sisp0209.pdf>





without zonation and closed areas, but these measures significantly reduced the protection afforded to the site and other relevant stakeholders, such as environmental NGOs, were not included in these discussions.

Wyville Thomson Ridge SAC

We support the restriction of demersal fishing gear throughout this site in order to achieve site integrity. Predicted reef habitat for this site is larger than the proposed zonal measures and given the “restore” conservation objective and presence of recently discovered VME indicator species⁴⁶, we advocate for a more precautionary approach to ensure that the proposals cover the extent of the feature. The extent of the features may have previously been larger and subsequently been reduced by fishing pressure. VMEs and VME indicator species play a key ecological role, including for commercial species of fish⁴⁷. The recently documented VME indicator species, 405 of which were identified within the Wyville Thomson Ridge, also highlights the possibility that there are more VME and VME indicator species as yet unrecorded, that may already be impacted by damaging activities. The distinctive nature of the water masses found in the area⁴⁸ may also have a unique influence on these species and habitats.

⁴⁶ https://ices-library.figshare.com/articles/report/New_information_regarding_the_impact_of_fisheries_on_other_components_of_the_eco_system_2019_/21276960?file=37735905

⁴⁷ <https://doi.org/10.1016/j.dsr.2014.11.004>

⁴⁸ <https://doi.org/10.1016/j.dsr.2010.07.006>





Part 2: Amendment of the West of Scotland MPA site boundary

We are seeking views and comments on the amendment of the site boundary for the West of Scotland Nature Conservation Marine Protected Area (NCMPA). This is proposed to resolve an issue with the existing site boundary.

The West of Scotland NCMPA was formally designated on the 25 September 2020 under the Marine and Coastal Access Act 2009. The site became the biggest MPA located in national waters in the North-East Atlantic.

There is an area between Scotland and the Faroe Islands sometimes referred to as the “Faroese Special Area” where the UK shares certain rights and jurisdiction with the Kingdom of Denmark and the Faroe Islands.

Within this area the UK Economic Exclusion Zone (EEZ) extends beyond the UK continental shelf limits over the Faroese continental shelf.

The West of Scotland NCMPA is designated up to the UK EEZ boundary, so a small part of the site overlaps this Special Area, and also the Faroese continental shelf. As Scottish Ministers do not have jurisdiction in respect of the seabed and subsoil within the Faroese continental shelf an amendment to the existing NCMPA boundary is proposed to remove the area of the NCMPA which overlaps the Special Area, and the Faroese continental shelf.

Removing this area would mean Scottish Ministers would have full jurisdiction within the NCMPA. The removal of the Special Area from the site would reduce the NCMPA by 2,307km², which is 2.14% of the full site.

The implementation of fisheries management measures proposed in Part 1 of this consultation (a full site restriction to demersal mobile and demersal static gear) are not dependent on this proposed amendment. Measures proposed would apply to the full site, defined by the site boundary in place.

Map of the Current West of Scotland MPA Boundary



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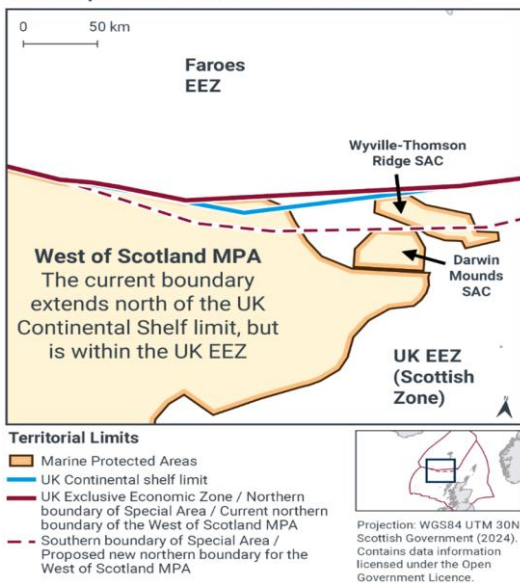


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Faroes Special Area and the Scottish MPA Network



Map of the current boundary of the West of Scotland Nature Conservation Marine Protected Area. The UK Exclusive Economic Zone, which is the current Northern boundary of the West of Scotland MPA, is marked with a solid red line. The new proposed boundary for the West of Scotland MPA is the Southern boundary of the Faroese special area which is marked with a dashed red line.

Map of Proposed West of Scotland MPA Boundary

Map of the proposed new boundary of the West of Scotland Nature Conservation Marine Protected Area. The UK Exclusive Economic Zone, which is the current Northern boundary of the West of Scotland MPA, is marked with a solid red line. The new proposed boundary for the West of Scotland MPA is the Southern boundary of the Faroese special area which is marked with a dashed red line.



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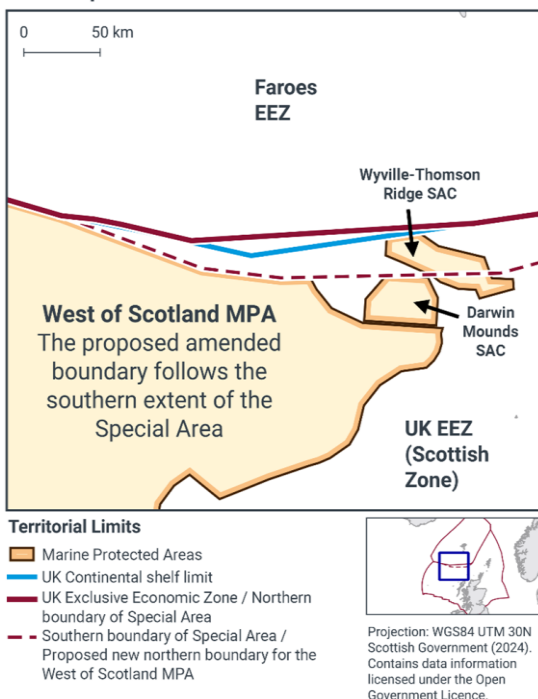


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Faroes Special Area and the Scottish MPA Network



32. What are your views on the proposed amended boundary for West of Scotland MPA?

Support

Neutral

Oppose

Please explain your answer in the text box.

LINK members are neutral on the proposed amended boundary for West of Scotland MPA. We would support the widest possible extent of protection but nevertheless understand if there are existing geopolitical reasons why the site boundary cannot be extended into the special area. In that scenario, we would urge the Scottish Government to work with the Faroese Government so that they support the prohibition of mobile bottom-contact fishing gear within that special area and provide maximum deep-sea ecosystem benefit. If the deep-sea access regime applies to Faroese fisheries management, with no use of mobile bottom-contact fishing gear below 800m, then *de facto* protection of that area of deep-sea should therefore follow in any case. Clarity on this would be welcome.



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We note that the Wyville-Thompson Ridge SAC is within the Scottish EEZ (see <https://www.gov.scot/publications/draft-fisheries-assessment-wyville-thomson-ridge-sac-fisheries-management-measures-within-scottish-offshore-marine-protected-areas-mpas/pages/6/>) and would seek clarity that the special area amends to the West of Scotland MPA do not need to also apply to the WyvilleThompson Ridge SAC boundary since it is designated under the habitats regulations. We would not support an amendment to the boundary of this SAC and support a whole site prohibition on mobile bottom-contact fishing gear in this site as indicated in response to that site-specific question earlier.

33. Do you have any comments on the revised Business Regulatory Impact Assessment for the boundary amendment for West of Scotland MPA?

Please read the revised West of Scotland Business Regulatory Impact Assessment (BRIA)

Please add your comments in the text box.

N/A



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This response was compiled on behalf of LINK INSERT Group and is supported by:

National Trust for Scotland

WWF Scotland

RSPB

Young Sea Changers Scotland

Hebridean Whale and Dolphin Trust

Whale and Dolphin Conservation

Scottish Wildlife Trust Scottish Seabird Centre

-Marine Conservation Society

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