

How to Respond

Responding to this consultation

You are invited to respond to this consultation by 13 November 2013 using the form in Appendices D & E.

Please send your response with the completed Respondent Information Form (see 'Handling your Response' below) to:

Responses can be sent by email, by post or by online electronic response form:

Email: [Marine Environment Mailbox@scotland.gsi.gov.uk](mailto:Marine_Environment_Mailbox@scotland.gsi.gov.uk)

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

On line: www.scotland.gov.uk/consultations

If you have any enquiries please send them to [Marine Environment Mailbox@scotland.gsi.gov.uk](mailto:Marine_Environment_Mailbox@scotland.gsi.gov.uk) or call Sebastian Howell on 0131 244 5301, Michael McLeod on 0131 244 5562 or Paul Cook on 0131 244 0381.

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

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

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** which forms part of the consultation questionnaire as this will ensure that we treat your response appropriately. If you ask

for your response not to be published we will regard it as confidential, and we will treat it accordingly.

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

Next steps in the process

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

What happens next?

Following the closing date, all responses will be analysed and considered to help us make a decision on the shape of the MPA network. We aim to issue a report on this consultation process in early 2014.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to Sebastian Howell. (0131 244 5301 or Sebastian.howell@scotland.gsi.gov.uk).

The Scottish Government Consultation Process

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

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

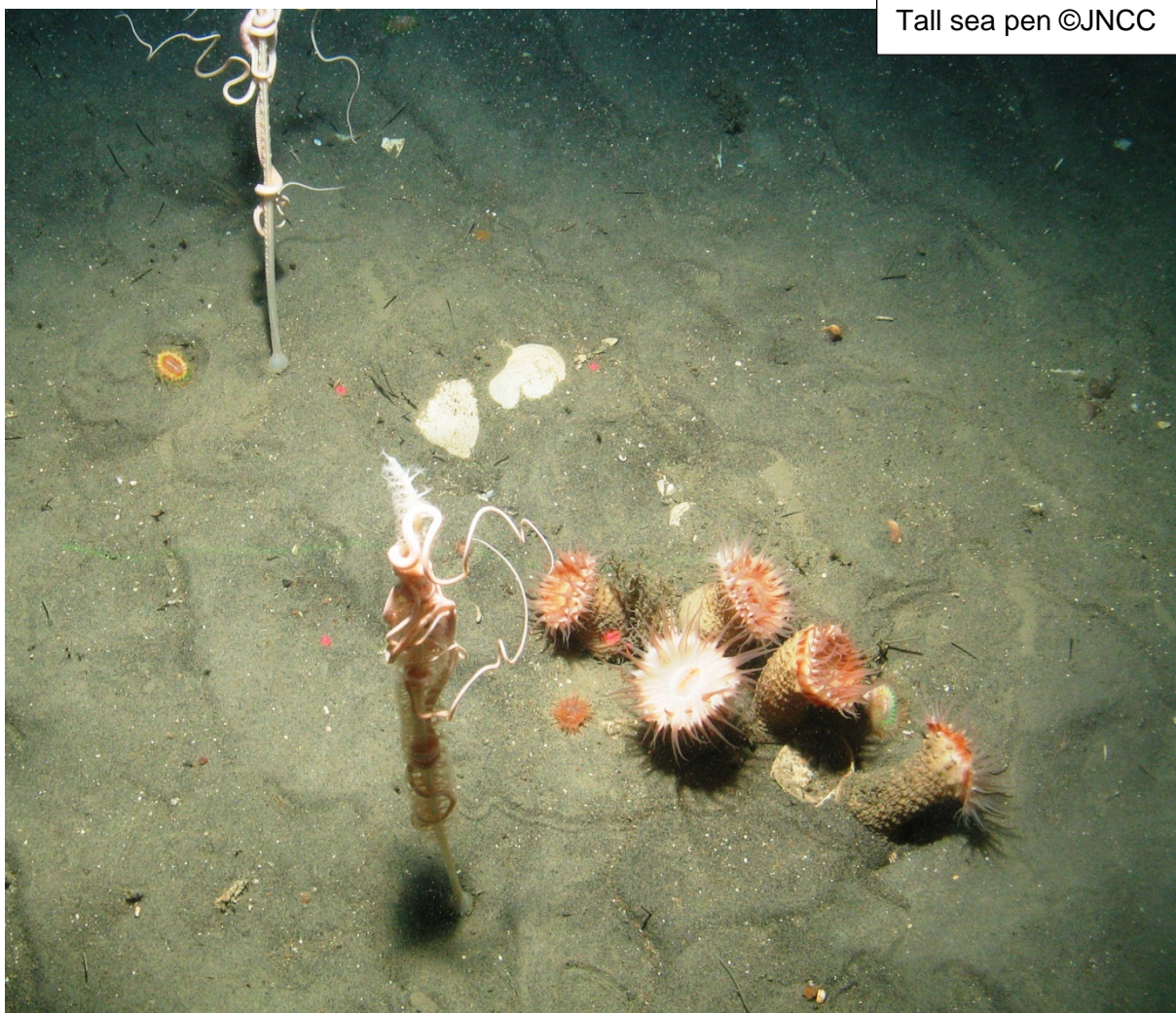
Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government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

Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises.

Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH113XD, telephone 0131 244 4565).

All Scottish Government consultation papers and related publications (e.g. analysis of response reports) can be accessed at: Scottish Government consultations (<http://www.scotland.gov.uk/consultations>) The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may: indicate the need for policy development or review; inform the development of a particular policy; help decisions to be made between alternative policy proposals; be used to finalise legislation before it is implemented. Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

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



CONSULTATION QUESTIONS

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

Yes No

Marine Harvest (Scotland) Limited supports in principle the development of a MPA network to protect specific marine features.

We are however surprised at the scale of the overall network and the extent of some of the individual pMPAs.

We are aware that the Scottish Government are required to create MPAs, but question whether the proposed MPAs exceed the specified requirements such as total area encompassed.

The lack of knowledge regarding the location of species should not be used to create larger areas, as this uncertainty could have a detrimental effect on economic activities such as the continued presence and development of aquaculture.

It would be our preference to reduce the overall size of the areas to best protect species and features in question, oppose to the current 'broad brush' approach. Using the Lochs Duich, Long, and Alsh pMPA as an example, there appears to be extensive data collected from Loch Duich and supporting the presence of flames shell beds near the Skye bridge, however there appears to be little accessible information warranting the protection of a large area of Loch Alsh, such as the from Kylerhea to the mouth of Loch Duich.

Similarly, we question the scale of the NW Sea Lochs and Summer Isle pMPA; the development implications of this proposal are raised in response to Q34.

Individual possible Nature Conservation MPAs

2. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Clyde Sea Sill* possible Nature Conservation MPA?

Designation: Yes No

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

3. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East Caithness Cliffs* possible Nature Conservation MPA?

Designation: Yes No

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

4. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *East of Gannet and Montrose Fields* possible Nature Conservation MPA?

Designation: Yes No

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

5. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Faroe-Shetland sponge belt* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

6. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Fetlar to Haroldswick* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

7. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Hatton-Rockall Basin* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

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

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

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

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Please see points raised in response to Q1, Q34, & Q36

10. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Loch Sunart to the Sound of Jura* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Please see points raised in response to Q1, Q34, & Q36

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

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

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

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Please see points raised in response to Q1, Q34, & Q36

13. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Monach Isles* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

14. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Mousa to Boddam* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

15. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-east Faroe Shetland Channel* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

16. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west Orkney* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

17. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *North-west sea lochs and Summer Isles* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Please see points raised in response to Q1, Q34, & Q36

18. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Noss Head* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

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

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

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

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

21. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Small Isles* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Please see points raised in response to Q1, Q34, & Q36

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

Designation:

Yes No

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Please see points raised in response to Q1, Q34, & Q36

23. Do you have any comments on the case for designation, management options and socioeconomic assessment for *The Barra Fan and Hebrides Terrace Seamount* possible Nature Conservation MPA?

Designation: Yes No

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

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

Designation: Yes No

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

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

Designation: Yes No

Comments

Management Options: Yes No

Comments

Socioeconomic Assessment: Yes No

Comments

All of the above: Yes No

Comments

26. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *West Shetland Shelf (formerly Windsock)* possible Nature Conservation MPA?

Designation: Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

27. Do you have any comments on the case for designation, management options and socioeconomic assessment for the *Wyre and Rousay Sounds* possible Nature Conservation MPA?

Designation:

Yes No

Comments

Management Options:

Yes No

Comments

Socioeconomic Assessment:

Yes No

Comments

All of the above:

Yes No

Comments

Choices to represent features in the MPA Network

28. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea, do you have a preference or comments on the following combinations to represent these features, bearing in mind Turbot Bank will need to be designated to represent sandeel in this region:

- Firth of Forth Banks Complex
- Turbot bank and Norwegian Boundary Sedimentary Plain
- Or Firth of Forth Banks Complex, Turbot bank and Norwegian Boundary Sedimentary Plain

Comments

29. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, ocean quahog and shelf banks and mounds in the Southern North Sea?

Yes No

Comments

30. Recognising the scientific advice from JNCC included alternatives for representing the burrowed mud feature in the Fladens, do you have a preference or comments on the following combinations to represent these features, bearing in mind the part of Central Fladen (known as Central Fladen (Core)) containing tall seapen (*Funiculina quadrangularis*) will need to be designated to represent tall seapen in this region:

- Central Fladen pMPA only
- The tall sea-pen component of Central Fladen, plus Western Fladen
- Or the tall sea-pen component of Central Fladen, plus South-East Fladen.

Comments

31. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing the burrowed mud feature in the Fladens?

Yes No

Comments

32. Recognising the scientific advice from JNCC included alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V, do you have a preference or comments on the following combinations to represent these features:

South-West Sula Sgeir and Hebridean slope
Or Geikie slide and Hebridean slope

Comments

33. Do you have any comments on the case for designation, management options and socioeconomic assessments for the preference you have indicated in the question above, regarding alternatives for representing offshore subtidal sands and gravels, offshore deep sea mud, and burrowed mud in OSPAR Regions III and V?

Yes No

Comments

Sustainability Appraisal

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

Yes No

Table 34a 2012 Employment levels and salaries at MHS farms in MPAs

pMPA	Farm Name	No. of Employees	Total Salary (£) (inc. overtime, pension, & NIC contributions)	Cumulative Total Salary (£) for MPA
Lochs Duich, Long, and Alsh	Duich	6	200,00	660,000
	Alsh	6	200,00	
	Ardintoul	6	260,00	
Loch Sunart	Invasion Bay	7	270,000	650,000
	Glenscripsdale	6	150,000	
	Camus Glas	8	230,000	
North West sea lochs and Summer Isles	Isle of Ewe	9	190,000	190,000
				1,500,000

Marine Harvest (Scotland) Limited wishes to reinforce the comments submitted by the SSPO. We acknowledge that the following information is difficult to quantify, nonetheless it should be communicated to parliament that aquaculture plays a valuable role in local communities, MPAs pose potential risks for aquaculture, and potential losses could be significant if a farm is forced to close or relocate away from the area. At present we feel this information is absent in the MPA documents.

- **Local Economic Benefits**

To elaborate, aquaculture creates important employment opportunities in remote communities where alternatives are often scarce. For example, in 2012 Marine Harvest employed 18 members of staff at the existing salmon farms within the

Lochs Duich, Long, and Alsh pMPA generating a total salary of **£660,000** (including overtime, bonuses, and pension contributions etc).

The benefits to local communities are wide reaching; the presence of the company, its employees, site visitors, and contractors in sparsely populated rural areas can help sustain local services such as village shops. Employees are also integrated into the local communities contributing critically to maintaining local schools, owning homes, volunteering in roles such as auxiliary firemen, and participating in sporting and community activities.

- **Existing Consents**

Aquaculture has operated in several of the proposed MPAs for many years and the activities have been able to coexist sustainably under the existing regulations. Given the local importance of the farms within pMPAs and the significance of these farms towards our business, Marine Harvest is pleased there is no policy to review existing consents¹

Nonetheless, it is important that sites are able to continue to adapt to remain efficient and competitive. We are concerned that the inappropriate designation and management of MPAs could prevent the use of the latest technological advancements, prevent expansion, and hamper the company's ability to operate in an economically viable way.

- **Displacement**

The approach of displacement is sensible, however if a farm is not commercial competitive there is no guarantee the site can be displaced nearby because finding an appropriate location is dependent on many factors. In addition to MPA features, our company would need to consider: operational conditions, marine users, wild fisheries, landscape and visual impact, community opinion, and planning policy to name just a few variables.

Potential losses could be significant if a farm is forced to close or relocate away from the area.

We are disappointed that alternative sites have not been identified and would look for support and guidance in future management to enable existing farms to remain competitive or to find alternative locations.

- **Lost potential**

Whilst it is not easy to predict the scale and location of future development, the Sustainability Appraisal does not recognise the economic benefits of future aquaculture nor does it really consider the impacts pMPAs could have through lost potential.

The Scottish Government supports the growth of aquaculture; an objective of the

¹ (6.1.43, Possible Nature Conservation MPAs: Environmental Report).

National Marine Plan is “support the industry and other stakeholders to increase sustainable production by 2020 of: marine finfish to 210,000 tonnes”. However, there is a risk that new sites will not be able to develop as a direct result of the creation of MPAs. The industry is already constrained and the creation of MPA adds to these restrictions.

For example, the North West sea lochs and Summer Isles pMPA offers the potential to move increasingly off-shore or to more exposed locations; a general trend and opportunity acknowledged on page 65 of the National Marine Plan. This could also help resolve constraints/perceived problems at existing in-shore sites.

MHS currently operates one farm within the North West sea lochs and Summer Isles pMPA. Given the size of this area it is possible that there is potential for development within the pMPA. However, the scale of the pMPA and number of protected features could prevent, or restrict, development and in doing so prevent the creation of future jobs. For example, it would be fair to assume a lost potential of 6 full time jobs and 1 seasonal worker (Total earnings £221,000) if a new site was not able to be created as the result of and p.MPA; this is based on recent socio-economic assessment carried out for the creation of a new site (maximum biomass of 2,500t).

The Scottish Ministers should consider whether a proposal of this scale is necessary if it is at the potential expense of new jobs. MHS look to future management discussions and guidelines to identify areas of opportunity within this pMPA.

Final Thoughts

35. On the basis of your preferences on which pMPAs should be designated, do you view this to form a complete or ecologically coherent network, subject to the completion and recommendations of SNH’s further work on the 4 remaining search locations?

Yes No

Comments

36. Do you have any other comments on the case for designation, management options, environmental or socioeconomic assessments of the pMPAs, or the network as a whole?

Yes No

The Management Options will be a crucial part in establishing how current activities and protected species and features interact. The management options papers provide a useful start for this process, however it is only once the stakeholder groups are set up that any meaningful management decisions will be made.

Marine Harvest requests to be part of stakeholder groups and future discussions for the following pMPAs:-

- Lochs Duich, Long and Alsh
- Loch Sunart
- Loch Sunart and Sound of Jura
- North-west sea lochs and Summer Isles
- Small Isles

- South Arran
- Loch Sween
- Upper Loch Fyne and Loch Goil

As stated in response to Q34, we are disappointed that alternative sites have not been identified and would look for support and guidance in future management to enable existing farms to remain competitive or to find alternative locations.