

# Consultation on proposals to designate four Marine Protected Areas in Scottish waters

## Frequently Asked Questions

This document has been produced to help answer questions relating to the public consultation on the four possible MPAs (pMPAs). They have been grouped under the following headings:

### [MPA Consultation Details](#)

### [The Scottish MPA Network](#)

### [SNH Advice to Scottish Government on the four possible MPAs](#)

### [Protected Features](#)

### [MPA Management and Monitoring](#)

### [Sustainability Appraisal](#)

### [Further information](#)

### [Drop-in Event Locations Map](#)

### [MPA Consultation Details](#)

#### How long will the consultation run for?

The public consultation will run for 12 weeks from the 7<sup>th</sup> June to the 30<sup>th</sup> August 2019.

#### Will there be any public consultation events?

Yes, a series of drop-in events are scheduled during the consultation period at a variety of locations near to the possible MPAs. Doors will be open from 2-8pm. A map of the locations is given at the end of this FAQs document.

Location	Date	Venue
Banff	24/06/2019	Fife Lodge Hotel
Fraserburgh	25/06/2019	The Museum of Scottish Lighthouses
Peterhead	26/06/2019	Palace Hotel
Elgin	27/06/2019	Elgin Town Hall
Mull (Tobermory)	16/07/2019	Aros Hall
Coll (Arinagour)	17/07/2019	An Cridhe
Tiree (Crossapol)	18/07/2019	An Talla
Barra event (Castlebay)	16/07/2019	Lews Castle College
South Uist (Lochboisdale)	17/07/2019	Southend Community Hall
North Uist (Lochmaddy)	18/07/2019	Lochmaddy Community Hall
Harris (Leverburgh)	23/07/2019	Leverburgh Village Hall
Lewis (Stornoway)	25/07/2019	Bayhead Bridge Centre
Skye (Portree)	30/07/2019	Skye Camanachd Social Club
Mallaig	31/07/2019	Mallaig and Morar Community Centre

### **Does the MPA Consultation include the Deep Sea Marine Reserve?**

No, there is a separate public consultation on [consult.gov.scot](https://consult.gov.scot)

## **The Scottish MPA Network**

### **What is a Marine Protected Area?**

Marine Protected Area (MPA) means one of three types of MPA in Scotland: Nature conservation to protect biodiversity; Historic to protect marine wrecks and artefacts; and Demonstration and Research to test novel approaches to marine management. The term can also be used generically to describe any protected area in the marine environment.

### **Why do we need MPAs and a network of sites?**

The MPA network supports the Scottish Government's vision of clean, healthy, safe, productive, biologically diverse marine and coastal environments, managed to meet the long-term needs of nature and people. MPAs play a role in conserving and regenerating our seas and ensuring they can continue to provide goods and services, like seafood and storm protection, for generations to come. When we bring individual MPAs together into a coherent network they can provide a greater level of protection for our marine habitats and wildlife and achieve a broader range of benefits for our seas.

The MPA network in Scotland contributes to the coherent UK-wide network which delivers a number of international and European commitments such as the Convention on Biological Diversity and the OSPAR Convention for Protection of the North-east Atlantic.

### **What are the benefits of the MPA network?**

The benefits of the MPA network include:

- Maintaining biodiversity and providing refuge for endangered and commercial species; or protecting critical habitats from damage due to destructive fishing practices and other human activities and allowing them to recover.
- Higher productivity of fish and shellfish.
- Cleaner waters and sea floor sediments (through the regulation of pollution and the recycling of nutrients).
- Greater opportunities for local jobs and businesses.
- Enhanced tourism and recreation (e.g. eco-tourism and wildlife watching trips).
- Contributions towards education and research.
- Helping to maintain local cultures, economies and livelihoods which are intricately linked to the marine environment.
- Building resistance to protect against damaging external impacts such as climate change (networks are more resilient to a wide range of threats).

### **Where can I get more information on the network?**

More detail on the scientific process and the individual sites can be found on the [Scottish Natural Heritage](#), [Marine Scotland](#) and [Joint Nature Conservation Committee](#) websites. [The 2018 report to Parliament](#) provides the latest update on progress with Scotland's MPA network.

## SNH Advice to Scottish Government on the four possible MPAs

### What information has SNH provided to the Scottish Government regarding the four (pMPAs)?

Scottish Natural Heritage's formal advice to the Scottish Government is comprised of two documents which have been produced for each pMPA.

1. Data Confidence Assessment - provides an overview of the evidence behind each pMPA
2. Detailed Assessment Against the Guidelines– provides details of the assessment of the pMPA against the Scottish MPA Selection Guidelines

Scottish Natural Heritage have also produced Site Summaries, which outline the features of each pMPA and Conservation and Management Advice documents for each site, which provide advice to Public Authorities and stakeholders about the activities that may affect the protected features of the pMPAs.

### Why are the boundaries different than those proposed previously?

The boundaries of three of the four pMPAs were modified from those discussed in 2012 at the MPA workshops. They now reflect the most up-to-date information on the proposed protected features of each site, informed by the outputs of the habitat modelling work and scientific research publications. In some locations this involved moving the boundary of the pMPAs to the mean low water springs tide line, where previously a given depth of water has been used. In other areas, such as where the coastline is complex, the boundary was altered using prominent headlands and skerries along the coastline to allow for easier interpretation and determination of site boundaries.

### What work was undertaken for the mobile species to support the pMPAs?

To support the pMPAs, habitat modelling was undertaken to identify areas of importance for mobile species. The method used relied on combining available survey data and environmental data to make seasonal and annual predictions about the density of different mobile species in Scottish waters. Habitat models were created for minke whale, Risso's dolphin and basking sharks.

### What were the key outputs of the work and what do they tell us?

The modelling reported in Paxton *et al.* (2014)<sup>1</sup> produced several key outputs which have been used in SNH's formal advice documents. These outputs, known as 'surfaces', are numerical estimates which range from low to high, with lower values representing lower densities of animals and high representing higher densities. The estimates are specific to 5 x 5 km areas of the sea which, when taken together, cover the entirety of Scotland's territorial waters. These were:

Observed adjusted density surfaces for each species. These surfaces combine all of the available survey data across the years 1994-2012 into an estimate of the density of animals in areas where surveys have been carried out. These estimates have also taken account of the likelihood that the animals were detected in the surveys, i.e. a consideration of how much time the animals spend at the surface and how many are likely to have been missed.

Seasonal, and annual, predicted densities for each species. These surfaces are the same as those described above however they also include estimates in areas where there has been no survey effort. It is important that these estimates are considered alongside the estimate of

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<sup>1</sup> SNH Commissioned Report No. 594. Available from <<https://www.nature.scot/snh-commissioned-report-594-statistical-approaches-aid-identification-marine-protected-areas-minke>>

confidence that is provided with them. These surfaces are specific to a point in time, meaning that they relate to a particular day, season or year.

Persistence-certainty surfaces for each species. These surfaces provide information on areas which are persistently (over the time series) estimated to support above average density of the species during summer. The values for these surfaces relate to the persistence (e.g. likelihood of high numbers of animals being present) and the confidence in the accuracy of the predictions. They are considered to be the most appropriate representation of the distribution and persistence of these animals produced by the modelling study.

### **How did the habitat modelling influence the development of the pMPAs?**

The results of the habitat modelling (the persistence-certainty surfaces) were used as a starting point in the process. Extra information such as boat-based survey data, photo-identification studies, tagging data and knowledge of the species behaviours in the areas was then used to refine and develop the pMPAs.

### **Why have some areas of above average densities of these species, as shown by the modelling, not been included within the pMPAs?**

Some areas, for example off the west coast of the Outer Hebrides and west of the Southern Trench pMPA, that have above average densities of these species, were not taken forward as pMPAs. This was due to a lack of survey effort and/or other information about the species in these typically remote locations.

### **Why weren't land-based sightings or acoustic data used?**

Land-based sightings and acoustic data were not used within the habitat modelling because combining these data sources with aerial and boat survey data is difficult, requiring many assumptions and additional information. The full details of the approach to modelling and results can be found in Paxton *et al.* (2014)<sup>2</sup>.

### **Is this the final set of MPAs or will there be more?**

This is currently considered to be the final set of MPAs to complete to MPA network. However the network is under constant review and sites may be changed or added in future.

## **Protected Features**

### **What is a cetacean?**

Cetacean is the scientific term for the group of marine animals commonly known as whales, dolphins and porpoises.

### **Why do we need MPAs for cetaceans and basking sharks?**

Scotland's seas are internationally recognised as being important for cetaceans and basking sharks. Scottish Ministers have national and international commitments to create a network of marine protected areas. MPAs not only offer additional levels of protection to locations important for these species (as outlined below) but also provide a mechanism for raising awareness of the value of Scottish waters for these iconic animals and people's enjoyment of them. Incorporating these species also ensures the MPA network is fully representative of

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<sup>2</sup> SNH Commissioned Report No. 573. Available from <<https://www.nature.scot/snh-commissioned-report-573-review-available-statistical-approaches-help-identify-marine-protected>>

features in Scotland and can provide a focus for developing best practice approaches to management.

### **What protection is there already for these mobile species in Scottish waters and how does the Scottish MPA network extend this level of protection?**

In Scotland the [Marine Nature Conservation Strategy](#)<sup>3</sup> sets out a three pillar approach to marine nature conservation comprising: species conservation, site protection and wider seas policies and measures.

In relation to wider seas policies and measures, Risso's dolphin and minke whale are protected everywhere in Europe from intentional or reckless killing or injury and disturbance as European Protected Species (EPS). Similarly, basking shark are protected through the Wildlife and Countryside Act 1981 (as amended).

Under the species conservation and site protection pillars, MPAs can be used to complement existing species protection for cetaceans and basking shark through the protection of their habitat. The pMPAs extend protection to the habitat of cetaceans and basking sharks in the context of the Scottish MPA Selection Guidelines, which refer to:

- Significant aggregations or communities of important marine species in Scottish waters;
- Essential areas for key life- cycle stages of important mobile species that persist in time, including habitats known to be important for reproduction and nursery stages; and,
- Areas contributing to the maintenance of ecosystem functioning in Scottish waters.

### **Why are geodiversity features included within the pMPAs?**

Geodiversity refers to the landforms and depositional records found on the sea bed in Scottish waters. We are conserving these geodiversity features because the diversity of rocks and landforms has a central role to play in marine biological diversity and a number of internationally important habitats owe their development to the presence of these seabed features.

Alongside biodiversity interests, the MPA selection guidelines recognise important marine geodiversity where they occur and highlight that they should be protected by the network. A report by Gordon *et al.* (2013)<sup>4</sup> has been published which describes Scotland's most important marine geodiversity features. The outcome of this assessment fed directly into the identification of the four pMPAs.

### **Why are large-scale features included within the pMPAs?**

Large-scale features have been included within the pMPAs as they represent areas of potential wider significance to the overall health and biodiversity of Scotland's seas. Five different large-scale features have been incorporated into the Scottish MPA network; seamounts, continental slope, shelf deeps, shelf banks and mounds and fronts. Three of these features are included within the four pMPAs being considered in this consultation. The inclusion of these features helps to enhance marine conservation by recognising and

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<sup>3</sup> <https://www2.gov.scot/Topics/marine/marine-environment/Conservationstrategy/marineconstrategy>

<sup>4</sup> SNH Commissioned Report No. 633. Available from <<https://www.nature.scot/snh-commissioned-report-633-selection-nature-conservation-mpas-scotland-assessment-geodiversity>>

protecting a number of fundamental processes which occur in the marine environment at a larger scale, such as:

- Interactions between different features of the MPAs and levels of the marine food chain e.g. fronts which concentrate nutrients and prey species that basking sharks feed on.
- The provision of habitat for a variety of marine communities e.g. those provided by shelf-banks and mounds, shelf deeps, seamounts and continental slopes.
- Connectivity within Scotland's seas more generally, e.g. where large-scale features provide migration corridors and habitat 'stepping stones' for marine animals.

### What is a front?

Fronts are oceanographic features that occur throughout Scotland's seas. Created by the mixing of different water bodies or through the interaction between oceanic currents and seabed features, fronts concentrate nutrients and boost the growth of plankton in specific areas of the ocean. By doing so fronts provide:

- An area of water with high abundances of plankton and prey species for marine predators like dolphins, whales and birds to feed upon.
- The circulation and transportation of nutrients, larvae, oxygen and heat within Scotland's seas.
- A physical 'corridor' in terms of environmental conditions along which marine species may congregate and migrate.

### How is a front mapped?

Fronts were mapped in Scottish waters using high-resolution satellite ocean colour data. Sea surface temperature and chlorophyll-a concentration data from two different sensors on two different satellites were collected and analysed to identify frequently occurring fronts near to the Scottish coast. A range of additional data from hydrodynamic models and sub-surface frontal maps were then used to refine the list of fronts, so that only those fronts that existed through the water column were included. Published literature and area-specific studies were used to refine the list further to those fronts that also persisted in time and space.

More information on seasonal shelf-sea front mapping using satellite ocean colour for the development of MPAs is included within a report by Miller *et al.*, 2014<sup>5</sup>.

## MPA Management and Monitoring

### What is MPA management?

MPAs need to be managed to ensure that human activities which are capable of affecting the MPA's protected features are not doing so to the detriment of the conservation objectives. The principle of sustainable use allows for activities, which do not have a significant impact on the protected features, to continue in the MPA without management. All Public Authorities are required to ensure that there is no significant risk to protected features from their duties and decisions they make in allowing licensable activities to take place. Activities which are not licensed may need to be managed by the implementation of specific measures through other legislation.

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<sup>5</sup> SNH Commissioned Report No.538. Available from <<https://www.nature.scot/snh-commissioned-report-538-seasonal-shelf-sea-front-mapping-using-satellite-ocean-colour-support>>

### **How are regulated activities managed?**

Activities in Scotland's marine environment are managed in a number of different ways. Public Authorities, such as the Scottish Government, Scottish Environmental Protection Agency and Local Authorities who regulate some marine and coastal activities must ensure that activities which they permit do not hinder the achievement of the MPA's conservation objectives. SNH provides advice to support the management of activities, based on the sensitivity of the features and the risk to achieving the Conservation Objectives of the MPA. This advice is outlined in the Conservation and Management Advice documents.

### **How are other activities managed?**

Fishing may be managed through implementation of Marine Conservation Orders or Inshore Fishing Orders unless it is more appropriate for a voluntary measure to be used. SNH provides advice to Scottish Government who has the responsibility for managing fisheries. SNH and Marine Scotland will discuss the potential need for fisheries management measures with relevant parties and carry out further stakeholder engagement. Fisheries management measures depend on the sensitivity of the protected features to each particular gear type. Management measures may be implemented for all or part of the MPAs and for specific times of year.

### **What are Conservation Objectives?**

Conservation objectives set out the desired quality of the protected features within each pMPA. They provide the framework for developing MPA management and for public authorities in assessing licences/consents for activities.

### **How will compliance with management measures be enforced?**

If management measures are implemented at these sites in the future, compliance activities will be integrated with wider work undertaken by Marine Scotland Compliance. In terms of compliance with any fisheries management, a combination of traditional as well as new technologies will be deployed to help ensure robust enforcement of management measures.

### **If designated, will the pMPAs be permanent and can they be changed?**

We understand that the distribution of species may change in response to climate change so we will consider the addition of sites or changes to boundaries to accommodate species shifts. The Scottish Government also undertakes monitoring and review of the condition of protected features as part of the management process and reports to Parliament every six years. The results of monitoring will be used to inform future decisions on management of MPAs. Site-based measures may therefore change over time as our knowledge evolves. As our understanding improves and/or the environment changes, there may be a need to select additional MPAs and alter boundaries particularly in the longer term in response to climate change.

### **When will pMPAs need to be taken into consideration for developments?**

A site becomes a possible MPA at the start of the consultation and it receives policy protection from this point, i.e. it is treated as if it were a designated site during development considerations.

## Where can I get information on how other activities affect protected features and how they might be managed?

Information on how activities interact with the sites protected features is available from a variety of different sources:

- [FEAST](#)<sup>6</sup> (Feature, Activity, Sensitivity Tool) provides detailed information on the sensitivities of the majority of the sites' protected features to various pressures that can be caused by human activities. The database can be used as a starting point for determining potential management requirements for MPAs and highlights where further discussion with users of the marine environment may be required. It does not take into account the intensity, frequency or a cumulative impact from activities taking place at specific locations and does not currently cover cetaceans or the basking shark. FEAST will be periodically updated to reflect best available evidence. Users are therefore recommended to check FEAST directly before using the information.
- [JNCC](#)<sup>7</sup> and [SNH](#)<sup>8</sup> have also published a series of fisheries guidance notes which outline the sensitivity of the proposed protected features to various fishing gears and the evidence base to support this.
- The 'Conservation and Management Advice' documents provide a summary of the sensitivities of each protected feature in relation to a variety of activities and recommendations on how these pressures should be managed.

## Sustainability Appraisal

### How will the impacts of the pMPA be considered?

The pMPAs have been subject to a Sustainability Appraisal, which has assessed the socio-economic and environmental impacts arising from the proposals. The Sustainability Appraisal comprises the following:

- Strategic Environmental Assessment (SEA) – the SEA identifies potential environmental effects (both positive and negative) of the pMPAs including the possible effects of activities being displaced outside the MPA.
- Socio-Economic Impact Assessment (SEIA) – The SEIA considers the economic impacts of each pMPA and the four pMPAs in-combination as a whole, relative to a situation in which the pMPAs are not designated and managed. The social and economic impacts on marine activities and public bodies have been quantified and benefits to marine activities and society overall have also been assessed.

### How will the impacts on activities be considered?

A Business and Regulatory Impact Assessment (BRIA) for each pMPA has been produced by the Scottish Government as part of best practice to assess the likely costs, benefits and risk of the proposals. The BRIAs are used to help confirm why the government is intervening, what options the government is considering and why, how the proposals may impact on the government, businesses and Scotland, and the estimated costs and benefits

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<sup>6</sup> <http://www.marine.scotland.gov.uk/FEAST/>

<sup>7</sup> <http://jncc.defra.gov.uk/page-6498>

<sup>8</sup> <https://www.nature.scot/fisheries-guidance-notes-support-2019-pmpa-consultation>

of the proposals. The BRIAs are available to view and download on the Scottish Government website.

### **Why have some features not been included within the sustainability appraisal?**

The sustainability appraisal considered the potential environmental, social and economic effects of the designation of the MPAs in the context of potential management scenarios. SNH did not provide advice on management options in relation to large-scale or geodiversity features because specific management measures are not required.

Advice on management options were however provided for the geodiversity feature of the Sea of the Hebrides pMPA – The Inner Hebrides Carbonate Production Area – on the basis that it is comprised of sensitive biological communities. Some of the main components of this feature are benthic Priority Marine Features (PMFs) which are currently being considered in a separate review of the 11 most vulnerable PMFs (due for consultation later this year). Management scenarios in relation to this feature were therefore not included within the sustainability appraisal to avoid double-counting of the environmental and economic impacts of protecting this feature.

### **How to find out more about MPAs**

#### **Is any information available on the internet?**

Yes, Marine Scotland and SNH have information on their websites:

- <https://www2.gov.scot/Topics/marine/marine-environment/mpanetwork/developing/consultation>
- <https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/protected-areas/national-designations/marine-protected-areas-mpas>

#### **What should people do if they have specific questions on MPAs?**

Please use the following email address: [marine\\_conservation@gov.scot](mailto:marine_conservation@gov.scot)

[Marine Scotland](#) and [SNH](#) websites are kept up-to-date with information on Scottish Marine Protected Areas.

### **Further information**

The boundaries of existing and possible MPAs in a GIS format are available to view on Marine Scotland Maps (<https://maps.marine.gov.scot>)

Data on the MPA network (including the pMPA boundaries and data on the proposed protected features) are also available for download from SNH's NaturalSpaces at <http://gateway.snh.gov.uk/natural-spaces/index.jsp>

### **Other relevant documents**

**Marine Scotland.** 2011. *Marine Protected Areas in Scotland's Seas. Guidelines on the selection of MPAs and development of the MPA network.*

<<http://www.scotland.gov.uk/Resource/Doc/295194/0114024.pdf>>

**Marie Scotland.** 2018. *Marine Protected Area Network – 2018 Report to the Scottish Parliament.* ISBN: 9781787814974

<<https://www.gov.scot/publications/marine-protected-area-network-2018-report-scottish-parliament/>>

**Scottish Natural Heritage.** 2014. Further advice to Scottish Government on the selection of Nature Conservation Marine Protected Areas for the development of the Scottish MPA network. Scottish Natural Heritage Commissioned Report No. 780.

<<https://www.nature.scot/snh-commissioned-report-780-further-advice-scottish-government-selection-nature-conservation-marine>>

**Scottish Natural Heritage.** 2015. Assessment of the adequacy of the Scottish MPA network for MPA search features: summary of the application of stage 5 of the MPA Selection Guidelines post consultation.

<<https://www.nature.scot/marine-protected-area-assessment-adequacy-scottish-mpa-network-mpa-search-features-summary>>

**SNH and JNCC.** 2014. Marine Protected Areas and Large-Scale Features. A position paper. Produced by SNH and JNCC for the Scottish MPA Project. Available from

<<https://www.nature.scot/scottish-mpa-project-large-scale-features-position-paper>>

## Drop-in Event Locations Map

