

Islands Communities Impact Assessment – Screening Report

Red Rocks & Longay Marine Protected Area

1. Identify the Issue

What are the objectives of the policy, strategy or service?

The Scottish Government is committed to a clean, healthy, safe, productive and biologically diverse marine and coastal environment that meets the long-term needs of people and nature. In order to meet this commitment our seas must be managed in a sustainable manner by balancing the competing demands on marine resources with appropriate conservation measures.

Biological and geological diversity must be protected to ensure our future marine ecosystem continues to provide sustainable economic, environmental and social benefits.

The coastal, marine, and inland ecosystems of islands provide valuable natural assets and cultural services to island residents and the general population of Scotland. Many of Scotland's islands have a strong traditional dependence on marine and coastal biodiversity for their food, industry, and transport. With increasing environmental pressures, island systems face serious challenges both in the immediate and near future. However, islanders positively recognise and value the importance of protecting these natural assets.

Marine Protected Areas (MPAs) in coastal waters are designated under the Marine (Scotland) Act 2010. The Red Rocks and Longay MPA in the Inner Sound of Skye was designated on an urgent basis in 2021, along with an urgent Marine Conservation Order (MCO). This action was taken after the discovery of a flapper skate nursery site. However, both the urgent MPA and MCO are time limited to a maximum of two years.

The Scottish Government proposes to make the Red Rocks & Longay site a permanent MPA no later than March 2023, with flapper skate and quaternary of Scotland as the protected features.

Alongside this, the Scottish Government proposes to implement an MCO to further the conservation objectives of the MPA by regulating particular activities, including most fishing. The only fishing allowed to take place within the site is pelagic fishing and scallop diving. The Marine (Scotland) Act 2010 s.83 states that for industries not covered by the MCO, the relevant public authority must only give consent where it can be demonstrated that the activity will not hinder the achievement of the conservation objectives.

The Red Rocks & Longay MPA is of national importance due to the number and concentration of flapper skate eggs within the site. There are two broad conservation objectives for the creation of a Scottish network of MPAs: either to conserve features in their current state, or to afford them protection to enable recovery to a state in which they remain healthy and productive. For the proposed permanent Red Rocks & Longay MPA the conservation objectives are to conserve flapper skate and Quaternary of Scotland.

The purpose of the MPA network is to safeguard important species, habitats and geology across Scotland's marine environment. Maintaining or improving biological diversity by having an ecologically coherent MPA network that meets a range of obligations such as:

- The Marine (Scotland) Act 2010

- The Marine and Coastal Access Act 2009
- The Convention on Biological Diversity
- The World Summit on Sustainable Development
- The OSPAR convention
- UK Marine Strategy
- Conservation (Natural Habitats, &c.) Regulations 1994, the Conservation of Habitats and Species Regulations 2017, and the Conservation of Offshore Marine Habitats and Species Regulations 2017
- The Islands (Scotland) Act 2018 which seeks to improve outcomes for islands in Scotland.

The wider objectives of the policy are:

- To meet Scotland's vision for clean, healthy, safe, productive and diverse seas that are managed to meet the long term needs of nature and people.
- To build on our current MPA network of well managed marine protected areas that have been established to meet national objectives and help deliver an ecologically coherent MPA network in the North East Atlantic.
- To help achieve Good Environmental Status under the EU Marine Strategy Framework Directive (MSFD).
- To establish a permanent Marine Protected Area (MPA) in the Inner Sound of Skye by Red Rocks & Longay to preserve and protect flapper skate, specifically nurse sites and Quaternary of Scotland.
- Flapper skate are a Marine Priority Feature (PMF). The PMFs are intended to help achieve the goal of healthy and biologically diverse seas by focusing conservation action and marine planning, directing research, and promoting a consistent approach to marine nature conservation advice.

Protected Features and Conservation Objectives

The protected features of the Red Rocks and Longay MPA is flapper skate and quaternary of Scotland.

(1) The Conservation Objectives of the Red Rocks and Longay possible MPA, are that the protected features

- a) so far as already in favourable condition, remain in such condition; and
- b) so far as not already in favourable condition, be brought into such condition, and remain in such condition.

(2) "Favourable condition", with respect to a mobile species of marine fauna, means that

- a) the species is conserved or, where relevant, recovered to include the continued access by the species to resources provided by the MPA for, but not restricted to, feeding, courtship, spawning or use as nursery grounds;
 - b) the extent and distribution of any supporting features upon which the species is dependent is conserved or, where relevant, recovered; and
 - c) the structure and function of any supporting feature, including any associated processes supporting the species within the MPA, is such as to ensure that the protected feature is in a condition which is healthy and not deteriorating.
- (3) “Favourable condition”, with respect to a feature of geomorphological interest, means that
- a) its extent, component elements and integrity are maintained;
 - b) its structure and functioning are unimpaired; and
 - c) its surface remains sufficiently unobscured for the purposes of determining whether the criteria in paragraphs (a) and (b) are satisfied.

For the purpose of determining whether a feature of geomorphological interest is sufficiently unobscured under paragraph (3)(c), any obscuring of that feature entirely by natural processes is to be disregarded.

For the purpose of determining whether a protected feature is in favourable condition any alteration to that feature brought about entirely by natural processes is to be disregarded.

Do you need to consult?

Yes – Proposals will go to public consultation on 01 February 2022. Direct engagement with stakeholders was carried out in January and February 2021 prior to the urgent designation coming into force which was targeted to relevant users of the area covered by the MPA. Further engagement was carried out with stakeholders in November 2021 on the proposal to extend the originally designated MPA to include newly discovered flapper skate eggs outside the original boundary.

Stakeholders engaged with in November 2021 included:

Scottish Creel Fishermen’s Federation (SCFF)
Scottish Environment LINK (SE LINK)
West Coast regional Inshore Fisheries Group (WCRIFG)
Recreational Divers
Communities Inshore Fisheries Alliance (CIFA)
Ross, Sutherland, Skye and Lochalsh Fisherman’s Association (RSSLA)
Scottish Fishermen’s Federation (SFF)
Scottish Salmon (SS)
Royal Yachting Association (RYA)
Scottish White Fish Producers Association (SWFPA)
Scottish Environment Protection Agency (SEPA)
Ministry of Defence (MOD)
Highland Council

Scottish Islands Federation, Coastal Communities Network (CCN), Rassay Development Trust, South Skye Seas initiative and Skye & Lochalsh Environment Forum were also contacted to discuss the ICIA and MPA proposals in early 2022.

The proposals will be subject to full public consultation between 01 February and 26 April 2022.

How are islands identified for the purpose of the policy, strategy or service?

The islands are defined as per the definition of the Island (Scotland) Act 2018:

- 1(1)In this Act, “island” means a naturally formed area of land which is—
(a)surrounded on all sides by the sea (ignoring artificial structures such as bridges), and
(b)above water at high tide.

Using this definition, one of the ways that islands are identified is by their direct vicinity to the proposed MPA. These being Skye, Raasay, Scalpay, Pabay, Longay and Crowlin Islands. The relevant islands to this assessment were identified as Skye and Raasay.

Islands were also identified through pre consultation engagement with stakeholders and looking at economic data for the area to identify any industries present. The data shows it will be commercial fisheries that the MPA impacts on.

Possible impacts to other industries such as tourism and associated activities such as recreational diving and recreational angling cannot be quantified and determined to impact specifically on island communities.

Port of landing or home port of fishing vessels was used to identify which islands would be impacted by the MPA through restrictions on commercial fisheries, these are Skye & Raasay.

The consultation will also be used to identify islands which may be affected by the policy.

What are the intended impacts/outcomes and how do these potentially differ in the islands?

The following activities are proposed to be prohibited in the protected area:

- the deployment (by any means) or use of any passive gear;
- the deployment (by any means) or use of any demersal gear;
- the deployment (by any means) or use of a rod and line or handline;
- the carrying out of any form of dredging;
- the anchoring of a vessel;
- the fixing of moorings or anchors to the seabed;
- the depositing (by any means) on the seabed of anything;
- the removal (by any means) of anything from the seabed except the removal of king; scallops and queen scallops by hand;
- the construction, alteration or improvement of any works;
- the deposit or use of any explosive substance or article either in the sea or on or under the seabed;
- the incineration of any substance or object on any vehicle, vessel, marine structure or floating container;
- the scuttling of any vessel or floating container; and

- the killing, taking, destruction, molestation, touching or disturbance of flapper skate (*Dipturus intermedius*) or the eggs of flapper skate.

These impacts will likely affect Skye and Raasay as these are the local communities with a fishing presence. Skye has the most landing or home ports registered to vessels that use the MPA so impacts may be greater here than on Raasay. Wider impacts however could affect island businesses more equally.

The introduction of fisheries management measures could affect the spatial location of commercial fisheries activity and may restrict the output capacity of this sector. However, restrictions on fishing locations may well be negated by displacement i.e. vessels fishing elsewhere. It is not expected that the distribution of additional costs will be skewed towards smaller entrants relative to larger existing suppliers.

The displacement effects may include; conflict with other fishing vessels, environmental impacts in targeting new areas, longer steaming times and increased fuel costs, changes in costs and earnings, gear development and adaptation costs, and additional quota costs.

A partial BRIA has been completed to consider the likely impacts of the proposals. The BRIA for the site will be finalised following the public consultation. The BRIA doesn't identify specific impacts for any islands but includes estimated impacts to certain sectors of the MPA is designated.

The following activities have been identified as present (or possibly present in the future) within the proposed Red Rocks and Longay site and potentially interact with the feature in the BRIA

- Commercial fisheries
- Tourism, recreational fishing & diving

The total costs identified in the BRIA from non-designation and designation of the site are outlined in tables 1 & 2 below:

Table 1: Total Present Value of Quantified Costs (£Million, 2022-2041)

Scenario	Option 1: Do nothing	Option 2: Designate site
Sector/Group	£m	£m
Commercial Fisheries	0.000	0.511
Public Sector	0.000	0.780-0.809
Total Present Value of Quantified Costs	0.000	1.290-1.320

Table 2: Total Non-Quantified Costs

Scenario	Option 1: Do nothing	Option 2: Designate site
Sector/Group		
Tourism, recreational fishing & diving	None	Costs cannot be quantified but there would be estimate of loss of ecosystem benefits for

		these activities within the MPA.
Commercial fisheries	Possible degradation of feature which could have negative impacts on ecosystem benefits but these cannot be quantified into a monetary value	Displacement effects, including conflict with other fishing vessels, environmental impacts in targeting new areas, longer steaming times and increased fuel costs, changes in costs and earnings, gear development and adaptation costs, and additional quota costs

Anchoring of vessels is prohibited in the site which may impact tourism for diving and fishing although due to uncertainty about the number of future instances of such activity, it is not possible to include a detailed assessment of these costs.

The BRIA also considers how ecosystem services benefits associated with the area are likely to change. The ecosystem services framework provides a coherent approach to assessing how the benefits society derives from the environment are likely to change as a result of the MPA designation and management measures.

Table 3 below summarises the evidence on how the island communities identified may be affected by the MPA proposal based on assessment in the BRIA in terms of the benefits they are projected to receive.

Table 3. Summary of Ecosystem Service Benefits to Scotland's Island Communities due to designation of the MPA

Services	Relevance	Baseline Level	Estimated impacts of designation and management	Value Weighting	Scale of Benefits	Confidence
Fish for human consumption	High - Support food web and contain nursery habitats.	Stocks reduced from potential maximum	Moderate – protection of site can contribute to recovery of fish and shellfish stocks	High - Commercial species supported and priority wildlife species.	Moderate	Moderate
Fish for non-human consumption		Stocks reduced from potential maximum	Moderate – protection of site can contribute to recovery of fish and shellfish stocks			
Gas and climate regulation	Nil - Low	Nil - Low	Nil-Low	Low	Low	High
Natural hazard protection	Nil - Low	Nil - Low	Low	Minimal-Increase unlikely	Nil - Minimal	High
Regulation of pollution	Nil - Low	Nil - Low	Low - If protection allows recovery of habitats,	Minimal-Increase in this service unlikely	Minimal - Low	High

			service could increase			
Non-use value of natural environment	Moderate – High Contribution of the site to MPA network and non-use value of flapper skate.	Low-Moderate Non-use value of the site may decline	Moderate - Protection of features of site from damage, allowing some recovery of population of flapper skate.	High - strong contribution to halting damage & decline of biodiversity. Protection of features is valued by divers and anglers.	Moderate	Moderate
Recreation	Moderate - active individuals and businesses	Moderate - High Including tourism activities and wildlife watching.	High – Protection of features of site from damage, allowing recovery of population of flapper skate.	Moderate - Extensive activities	Minimal-Moderate - Enhanced visitor experience	Low – Moderate
Research and Education	Moderate – High	Moderate – High	High Protection of key characteristics of site from decline, improving future research opportunities for juveniles, flapper skate eggs and reproductive biology of adults	High - opportunity to study recovery, opportunity to study life history of flapper skate	High	High – recovery to be monitored, life history of flapper skate to be studied

The mainland communities affected by this are most likely to be within the Highland Council Local Authority Area. The ecosystem benefits for the mainland communities are deemed to be the same as illustrated in the above table so no disproportionate ecosystem service benefit impacts to either island or mainland communities.

The MPA will also impose costs on businesses that operate in areas where management measures are introduced. For costs associated with development and consenting of projects and plans the requirements are effective immediately upon classification. The costs are estimated in terms of additional expenditure that would be incurred by these businesses (except commercial fisheries) over the lifetime of the assessment period. For the commercial fisheries, costs impacts are estimated in terms of impacts to Gross Value Added (GVA) associated with the value of landings that could be affected by the possible management measures.

The annual value of commercial fisheries within the MPA over the last 5 years £69,000.

Total change to Gross Value Added (GVA) 2022-2041 if the site is designated is £0.511 million and direct reduction of employment if the site is designated is 0.6 full time employment jobs.

Public sector costs 2022-2041 if the site is designated will be £1.060-1.1 million. Quantified costs 2022-2041 if the site is designated to commercial fisheries and public sector is estimated to be £1.29-1.32 million.

Total non-quantifiable costs for recreational fishing and diving cannot be estimated but there would be an expected loss of ecosystem benefits for these activities in the MPA if prohibited. Total non-quantifiable costs for commercial fisheries if the site was designated cannot be estimated but displacement effects including conflict with other fishing vessels, environmental impacts in targeting new areas, longer steaming times and increased fuel costs, changes in costs and earnings, gear development and adaptation costs, and additional quota costs may occur.

Is the policy, strategy or service new?

Twenty-three MPAs have been designated under the Marine (Scotland) Act 2010 since 2014. This is the second MPA to be designated under the urgent powers in Section 77 of the Act.

2. Understand the Situation

What data is available about the current situation in the islands?

Data is available on all fishing vessels but the resolution of fishing location varies by vessel length.

Information on current aquaculture development is available from Scotland's Aquaculture portal.

The Islands Plan can provide high level data on population levels, sustainable economic development, transport, housing, fuel poverty, digital connectivity, health, social care and wellbeing, environmental wellbeing and biosecurity, climate change and energy, empowered island communities and strong local partnerships, arts, culture and language & education.

The Islands Plan encapsulates the islands as a whole with little breakdown for each specific island. Tourism and development data cannot be pulled out from this report for Skye and Raasay which are the island communities this MPA will have impacts on.

Marine Scotland published a document: Attitudes in Scotland on the Marine Environment and Marine Issues (2019) provides data on MPAs, leisure activities at the coast, environmental concerns, marine issues and marine sectors amongst others but from a national perspective, so not islands focused.

Visit Scotland has national tourism statistics for coastal tourism but doesn't break it down into island specific statistics.

Do you need to consult?

Yes – Proposals will go to public consultation on 01 February 2022. Directed engagement with stakeholders was carried out in January and February 2021 prior to the urgent designation coming into force which was targeted to relevant users of the area. Further engagement was carried out with stakeholders in November 2021 on the proposal to extend the originally designated MPA to include newly discovered flapper skate eggs outside the original boundary.

Stakeholders engaged with in November included:

Scottish Creel Fishermen's Federation (SCFF)

Scottish Environment LINK (SE LINK)

West Coast regional Inshore Fisheries Group (WCRIFG)

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Scottish Islands Federation, Coastal Communities Network (CCN), Raasay Development Trust, South Skye Seas initiative and Skye & Lochalsh Environment Forum were also contacted to discuss the ICIA and MPA proposals in early 2022.

Are there any existing design features or mitigations in place?

No design features or mitigations identified.

3. Consultation

Who do you need to consult with?

As required by S. 75 of the Marine (Scotland) Act 2010, before making a designation order (designating the permanent site) we need to consult with such persons as you consider are likely to be interested in or affected by the making of the order, including, in particular, any local authority whose area is adjacent to the likely boundaries of the area proposed to be designated including those specified by virtue of section 27(4)(a) which is those specified in The Marine Licensing (Consultees) (Scotland) Order 2011:

- (a) the Commissioners of Northern Lighthouses;
- (b) the Maritime and Coastguard Agency;
- (c) the Scottish Environment Protection Agency; and
- (d) Scottish Natural Heritage (now NatureScot)

List of sectors/organisations required to consult with:

- Commercial fisheries
- Aquaculture
- Tourism including recreational diving, boating & angling
- Islands organisations
- SEPA
- NatureScot
- Highland Council
- General public

How will you carry out your consultation and in what timescales?

Public consultation will be launched via the Scottish Government's consultation hub – Citizen Space. During the consultation, online events will be held to raise awareness of the consultation and answer questions.

The consultation will last for 12 weeks.

- **What questions will you ask when considering how to address island realities?**

We have included a question in the consultation:

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

- **What information has already been gathered through consultations and what concerns have been raised previously by island communities?**

In pre-consultation discussions with local marine users, the Scottish Government gathered information on the general use patterns of the area by sea fisheries, recreational users and aquaculture.

The Islands Plan summarises more generally the views of all island communities on population levels, sustainable economic development, transport, housing, fuel poverty, digital connectivity, health, social care and wellbeing, environmental wellbeing and biosecurity, climate change and energy, empowered island communities and strong local partnerships, arts, culture and language & education.

Views relevant to this assessment include environmental protection. Participants highlighted specific economic drivers such as marine activities, agriculture and crofting, fishing, tourism and the food and drink industry (including island abattoirs) during the consultation process as playing an important role in promoting and delivering sustainable economic development. Tourism was highlighted as a positive, but with some caveats around the need for environmental protection and capacity of services to meet demand.

From a marine perspective, the Plan will build on, and align with, where possible, the National Marine Plan that calls for clean, healthy, safe, productive and diverse seas managed to meet the long-term needs of nature and people.

Is your consultation robust and meaningful and sufficient to comply with the Section 7 duty?

Yes, regard has been given to island communities in pre-consultation discussions, completion of this document, which will be included in the consultation and identification of island stakeholders that will be notified of the consultation launch.

4. Assessment

- Does your assessment identify any unique impacts on island communities?

Yes, the impacts to the fishing industry will be unique to the islands identified, Skye & Raasay.

- Does your assessment identify any potential barriers or wider impacts?

No

- How will you address these? You must now determine whether in your opinion your policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities). If your answer is NO to the above question, a full ICIA will NOT be required and you can proceed to Step Six. If the answer is YES, an ICIA must be prepared and you should proceed to Step Five. To form your opinion, the following questions should be considered:

- Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)?

Yes, there are different expectations between eNGOs and the fishing industry. However these are not significantly different in the islands identified compared to the mainland. The public consultation will also likely identify different expectations, needs and levels of satisfaction.

- Are these different effects likely?

Yes there will be some economic impact on the islands due the location of the home port of the vessels however no distinct demographic or social impacts have been noted.

- Are these effects significantly different?

No

- Could the effect amount to a disadvantage for an island community compared to the mainland or between island groups?

The effect on island communities of Skye and Raasay is likely to be at a scale that is not expected to create a significant difference between the islands and the mainland.

6. Publishing your ICIA

- Have you presented your ICIA in an Easy Read format?
- Yes
- Does it need to be presented in Gaelic or any other language?

No

- Where will you publish your ICIA and will relevant stakeholders be able to easily access it?

Online:

Scottish government website –

Consultation page –

- Who will sign-off your final ICIA and why?

Deputy Director, Mike Palmer will sign of this assessment. As it is not a full ICIA, Ministerial sign-off is not required.

