

Flapper skate conservation – Interim protection measures Meeting with SCFF

MS Teams online meeting 28 January 2021

Attending organisations

- Marine Scotland
- Scottish Creel Fishermen's Federation

General notes

- SCFF noted that they did not have advance sight of the proposed measures or advice provided by SNH and only received a map of the proposed site 15 minutes ahead of the meeting. Marine Scotland apologised for this and highlighted that this meeting was to introduce the possible measures and that comments could be submitted in writing following the meeting.
- Marine Scotland described the situation as outlined in the summary document and advised that we are considering all urgent management options that would afford the skate eggs/egg-laying habitat protection from activities that have been identified as potential threats by NatureScot.
- SCFF expressed surprise at the scale of the proposed interim management, particularly with how far south the boundary extends.
- SCFF highlighted that they felt that both the flapper skate eggs and the juvenile/adult flapper skate should be protected features of the site.
- SCFF expressed their wish to be proactive and to demonstrate their environmental credentials. They would support a No Take Zone (ALL references to supporting no take zones related to creels and not dive or angling) for all gear in areas that the skate eggs are known to exist, but feel that the proposed interim management area covers a large area of ground where no data is held and are not supportive of the current extent of the proposal.
- SCFF highlighted that creel and dive fishing methods pose a significantly smaller threat to the eggs than trawl and dredging. They therefore felt was inappropriate to apply equal management measures to all fishing methods. MS acknowledged that creeling and diving are likely to have a lesser adverse impact on the eggs than mobile fishing gear, and highlighted that we are considering measures for all marine activities that could have an adverse impact on the eggs.
- SCFF outlined the ongoing issue of gear conflict in the area, and highlighted that members would likely be supportive of a No Take Zone across the full extent of the existing management proposal **so long as** mobile gear was simultaneously excluded from the Inner Sound, as this would reduce gear conflict and enable creel fishers to relocate their gear outside of the flapper skate management area.
- MS reiterated that the existing proposals are for interim management only and encompass habitat that NatureScot recommend is likely to contain flapper skate eggs, not all of which has been surveyed. MS clarified that further survey work would be undertaken to enable the boundary to be better defined around the location of the flapper skate eggs when considering proposals for

permanent protection. A full public consultation and stakeholder engagement would be undertaken when permanent protection is considered.

A.P. 1 - MS to consider impact of recreational sea anglers to flapper skate eggs with NatureScot in advance of putting official advice to Ministers.

- SCFF recommend that the measures will have zero support locally as there are few alternative fishing locations, and queried whether it might be possible to have depth dependant restrictions to enable areas ~50m to be opened up to prawn pots.
- It is SCFF's experience that flapper skate eggs are not found below 30m, though they acknowledged that divers are unable to survey at this depth and that it's possible that existing mobile fishing practices may have already impacted upon eggs in the deeper muddy habitat.
- SCFF suggest vessel tracking is accelerated to ensure that measures can be effectively enforced in the area, and highlighted that fishers in the Inner Sound participated in MS's vessel monitoring trials and so are comfortable with the technology.
- MS invited SCFF to outline areas that are felt to be of particular economic significance in the area. MS highlighted that a complex management boundary would be practically challenging to enforce.

A.P. 2 – SCFF to share alternative management boundary proposal with MS.

- SCFF offered to voluntarily avoid specific areas with known presence of eggs and areas marked on the map by them as appropriate exclusion areas. MS highlighted that the area is of national importance and further surveys need to be undertaken to better understand the distribution of the eggs and therefore Ministers are likely to take a precautionary approach to management.
- SCFF suggested that a permanent management boundary could include a refined No Take Zone within the region of the existing proposal (over known egg records), but have a secondary management boundary that extends to the shore of Scalpay to restrict only mobile gear outside of the existing proposal (but permit static gear), as they do not think the site should be extended to include adjacent PMF management proposals. MS recommended that they would be unlikely to extend the area to prohibit mobile gear more broadly, as this emergency process is in place for flapper skate eggs and not other PMFs.
- SCFF suggested that the interim management boundary is split into two to incorporate the known egg locations only (not unsurveyed habitat), to make the deep channel available to static gear and thereby minimising socioeconomic impacts. MS requested SCFF annotate maps to ensure their proposals are clearly captured.
- SCFF recommend that the area is not currently trawled, but that scallop dredgers encroach upon the proposed interim management area.
- SCFF highlighted that there would not be a significant quantity of static gear displaced by the existing proposals, but that it would affect a few vessels.
 - Crab and lobster fishing is seasonal, there are likely to be a few hundred crab & lobster creels set in the area during the season.
 - Prawn fishing is year round, 600-800 creels are likely to be set in the area, around 30% capacity of 2 local boats.
- SCFF highlighted that creels tend to be laid in valleys rather than on the rocky peaks where flapper skate eggs have been identified so far.

- SCFF queried how much time will be available for them to provide input. MS highlighted that advice will go to Ministers next week, although if ministers decided to put in place measures key stakeholders may continue to provide evidence that feeds into boundary considerations until the Order is laid in Parliament.

A.P. 3 – MS to confirm final date that stakeholders can submit evidence for boundary considerations.

- SCFF requested if MS were inclined to opt for the larger area as opposed to their proposed creel exclusion area then a socio-economic impact assessment should be carried out.
- SCFF summarised that though they are supportive of conservation measures to protect the flapper skate eggs, their main concern is the scale of the proposed interim management area due to existing gear competition in the Inner Sound, and would like to see deeper areas opened up to prawn creels.

Action point summary

A.P. 1 - MS to consider impact of recreational sea anglers to flapper skate eggs with NatureScot in advance of putting official advice to Ministers.

A.P. 2 – SCFF to share alternative management boundary proposal with MS.

A.P. 3 – MS to confirm final date that stakeholders can submit evidence for boundary considerations.