

PE1431/E

Fair Isle community response to submissions to Scottish Parliament Petitions Committee

Shetland Fishermen's Association submission to Scottish Parliament Petitions Committee: we were disappointed to read the SFA comments because they completely miss the point of our proposal. We believe that there is a win-win opportunity and we are reaching out to the Fishing Industry to work with us on this. This we have made clear from the first, and we have reiterated it in our MPA proposal to Marine Scotland.

I will take the SFA comments one by one to correct the various statements which misconstrue our intentions and proposals, and also to allay those apparent fears of the SFA so that we can make progress in working together over this.

1. *"Traditionally fished areas"*. For 101 years the Herring Fisheries Act of 1883 restricted fishing activity within 3 miles of the Fair Isle shore (and indeed inshore waters throughout Scotland). That act was only repealed in 1984 (to give access to inshore stocks, which were quickly exhausted thereafter): see Fair Isle MPA proposal (pp. 19 & 114-117) for more detail. Modern access to the area does not in our view constitute "traditional" use, particularly when compared with our history: the seas around Fair Isle have played a vital role in maintaining and sustaining a Fair Isle community for the last 2000 years and probably 3000 more.
2. *SFA involvement*. Our first attempt to engage the SFA was 1998-2002 when we organised the "Fair Isle Marine Partnership". FIMP met twice a year and included delegates from the Fair Isle community, Fair Isle Bird Observatory Trust, National Trust for Scotland, North Atlantic Fisheries College (now NAFC Marine Centre), RSPB, Scottish Natural Heritage, Shetland Fishermen's Association, Shetland Islands Council and Shetland Shellfish Management Organisation. Thereafter Fair Isle was part of the Scottish Coastal Forum and this led to representation on the Government's Scottish Sustainable Marine Environment Initiative (SSMEI) Shetland pilot study steering group and its successor, the Shetland Marine Spatial Plan Advisory Group (SMSPAG). SFA was also represented on the last two groups and the issue of Fair Isle was raised regularly. At all times the SFA was invited to work with us. The last invitation to work with us elicited the response from the SFA Secretary Hansen Black that we should make proposals first and the SFA would consider them. This we have now done. The proposal was forwarded to all members of the SMSPAG at the beginning of 2012 and was discussed by the meeting in February 2012. The proposal was very well received by virtually all representatives there. The Chair of the meeting asked the SFA representative what the SFA opinion was and he replied that he had received the document but had not read it. He would form an opinion after studying it. In summary we have always wanted to work with the SFA (and all stakeholders); it is not for want of trying.

3. *Lack of detail and basic information.* Our proposal offers a framework for co-operative development and implementation of actions and activities which we feel would be of mutual benefit to all stakeholders and address the issue of safeguarding a marine environment under threat. It is backed up by a great deal of detail including the indicators we use (e.g. failing seabird populations, lack of fish availability for seabirds, etc.). And, *contra* the SFA statement, it also proposes a zonation system with clearly delineated borders (pages 35-36 & Map 2 of MPA proposal). Above all, the proposal should be seen as a framework to inform decision-making rather than a fully worked up plan of action with detailed methodologies. We have stated clearly that we are open to and seeking advice, particularly expert scientific input on how to refine and improve on that framework.
4. *MPA management.* The Fair Isle proposal clearly states “A Demonstration and Research MPA demands a partnership approach” and that “a finalised work programme will require considerable input from other bodies including participants, stakeholders and the Scottish Government agencies of Marine Scotland and Scottish Natural Heritage” (Chapter 4, page 26). In my evidence to the Petitions Committee in June I stated clearly “We do not want to take over the process. We want to...be a part of it, but we are not looking to run the thing. We are looking to work with people on the sustainable management of the marine area”. I reiterate this point later in my evidence. The SFA consideration that the Fair Isle community wishes “to assume sole control over management measures” is unfounded and incorrect. There is a chasm of difference between *sole control* and our current situation of *no say at all*. At the SMSPAG meeting in February 2012 the SNH representative indicated that “Marine Scotland would administer the management of any MPA”. The Fair Isle community is comfortable with this.
5. *Design, execution and evaluation.* Mr Tait is absolutely correct about shortfalls in island resources and expertise in the areas he indicates. That is why we have proposed a partnership approach, including scientific advice and input from scientific organisations and government agencies. The resources Fair Isle does offer should not, however, been underestimated. The isle has a large amount of baseline information, which is described in the Fair Isle MPA proposal, the Bird Observatory already has some serious research partnerships and initiatives (see RSPB Scotland response for examples) and FIBO/the isle hold some long marine data sets. Put together these make a powerful tool for further integrated research of immense benefit to the MPA network and sustainable marine management.
6. *Lack of clear purpose.* What are we doing wrong if our purpose is still being questioned after more than 20 years of effort, engagement in the process and emphasising how important a healthy, sustainable marine resource is to the socio-economic well-being of the isle? The Fair Isle MPA proposal sets out a series of aims and objectives which the community sees as central to its long-term well-being; and discusses each in full. How more specific can we be? We consider our approach to be positive and forward-looking, and we have tried to be inclusive of other stakeholders (note the clear objective on page 28 of the MPA proposal: “**to promote fishing activities** in Fair Isle waters which target commercial-sized fish only”). The bottom

line is that we have to look after our resources because we do not have the option of using them up then go and exploit resources elsewhere. That is why there is such concern on the isle and why every islander signed the petition as soon as they saw it.

7. *Unsubstantiated statements.* Fair Isle statements regarding the fishing are based on direct observations, a wealth of knowledge and experience amongst islanders who have fished and laid creels sustainably throughout their lives, and access to a virtually unbroken run of island diaries from the early 20th century recording changes in fish stocks. The last resource was analysed and published by Emma Perring in *Fishing Traditions of Fair Isle* (published by and available from FIMETI). It strikes us that any unsubstantiated comments are best resolved by a partnership approach research programme involving targeted scientific research. This is precisely what we are proposing.
8. *Effects on fish stocks.* We are consistently confronted with the “highly mobile” fish stocks argument. And yet there is 101 years of evidence that protection afforded to inshore waters does make a difference, *viz.* the Herring Fisheries of Act of 1883-1984 (see pages 19 & 20 of the Fair Isle MPA proposal for detail). If despite this evidence there is a dispute let us resolve this point of conflict by experimental measures to serve that hypothesis. There are many examples in the world where the types of management we propose have brought long-term benefits to the fishing community.

Marine Scotland submission to Scottish Parliament Petitions Committee: we welcome the measured response from Marine Scotland (MS). We have a few comments.

1. A FIMETI group and its scientific advisors are working on a separate request from Marine Scotland to *provide more detail*. That detail will be provided to MS in the next few days.
2. *SPA for seabirds.* The MS submission draws attention to the extension of the SPA for seabirds 2 km seawards. However, this is a line on the map and is not supported by any management measures which address the conservation objectives accompanying the SPA designation – e.g. to maintain and enhance Fair Isle’s seabird populations.
3. *Priority features.* MS does not accept the assertion by FIMETI (an assertion reiterated, we note, by RSPB Scotland) that the selection of Priority features is too narrow. This schism may best be explained by the MS assumption that the SPA looks after the seabirds – all but one species of which have been excluded from MPA consideration. Clearly this is an issue which needs to be addressed. The European Directive instructs member states to apply SPA conservation objectives and ensure they are achieved.
4. The Fair Isle MPA proposal takes a holistic approach to marine protection, extending also to archaeological, historical and geomorphological/landscape values. This contrasts with the criterion by criterion approach applied by MS. The Fair Isle proposal has a number of MPA priority features but if they are taken one by one, there is always a “better” site. Taken together in conjunction with all the other quality features which have prompted various designations, including the Council of Europe Diploma, a strong argument is made in favour of the overall values of the site and their contribution to the MPA network. In this respect we welcome the

acknowledgement that MS “is exploring how FIMETI requirements could be met with a Demonstration & Research proposal”.

Scottish Natural Heritage submission to Scottish Parliament Petitions Committee: the Fair Isle community welcomes the SNH comments which raise a number of relevant points, including the close relationship between SNH and Scottish communities; and, in the case of Fair Isle, its environmental values, series of designations, potential for “new approaches to management” and “the relatively restricted suite of priority nature conservation marine features”.

RSPB Scotland submission to Scottish Parliament Petitions Committee: the detail in the RSPB Scotland comments demonstrates that this organisation has studied and understood our proposal. The Fair Isle community is extremely grateful to the RSPB for its comments and particularly for recognising the socio-economic elements of a healthy marine environment. The RSPB submission is an excellent summary of the factors that have prompted the Fair Isle community to propose an MPA, to safeguard the Council of Europe Diploma designation and to raise the issue with the Scottish Parliament. One comment encapsulates it all: “*the economic future of Fair Isle is inextricably linked with the future of the marine wildlife associated with the island, the major „human” benefit of an MPA would appear simple and fundamental – the continued existence of a community on the island*”.

Nick Riddiford, Fair Isle, 3rd September 2012