The Committee will meet at 2.00 pm at the Festival Theatre, 13/29 Nicolson St, Edinburgh.

1. National Parks (Scotland) Bill: The Committee will consider evidence at Stage 1 regarding marine national parks and other aspects of this Bill.


Richard Davies
Clerk to the Committee

The following papers are relevant to this meeting:

Item 1: Copies of responses received
Item 2: Copy of response from the Scottish Executive Rural Affairs Department
NATIONAL PARKS

I apologise that your schedule precludes a more substantial response given the importance of the Committee’s consultation. However, on behalf of the Federation of Scottish Aquaculture Producers (FSAP), I would offer the following:

The principle of Marine National Parks does not cause a problem as long as the opportunities for sustainable aquaculture, and the vital jobs that it can support, are not unnecessarily restricted as a result of the new designation. Indeed there may well emerge additional marketing opportunities for sustainable aquaculture where products can be branded as having been grown in Marine National Parks. Such opportunities for primary producers should be regarded as a priority by National Park bodies and related public sector bodies. The “Yorkshire Lamb” Initiative (supported by a National Park Authority, local authorities and an enterprise body) demonstrates what can be achieved through a co-ordinated partnership approach on behalf of primary producers.

The importance of Marine National Parks being managed so as to underpin opportunities for sustainable aquaculture cannot be over-estimated in Scottish circumstances. To date, over 6,500 jobs have been created by Scottish aquaculture. The vast majority of these jobs are amongst remote coastal communities where alternative job opportunities are scarce. Scottish aquaculture is putting over £1 million per week into pay packets and is generating a turnover of approx. £500 million per annum. The retail value is approaching £1 billion. Scottish aquaculture is also making a valuable contribution to the Scottish economy through its successful export record.

The socio-economic and international success of Scottish aquaculture to date assumes greater significance in the light of estimates predicting an additional 30 million tonnes of fisheries products being demanded globally by 2010. The aquaculture skills base that Scotland has developed must be the springboard for Scotland winning additional jobs for its rural communities in the future. Given the Scottish industry’s commitment to ever-improving sustainability and assurance across all its activities, Marine National Parks must be designed and managed so that the jobs, livelihoods and communities that depend upon aquaculture in Scotland are enhanced not hindered.

We would welcome the opportunity to give evidence or provide further information.

Jamie Lindsay, Federation of Scottish Aquaculture Producers.
Mr Richard Davies  
Clerk to Rural Affairs Committee  
National Parks Bill  
Room 2.01  
Committee Chambers  
Scottish Parliament  
Edinburgh EH99 1SP

Fax No. 0131 348 5600

Dear Mr Davies

NATIONAL PARKS (SCOTLAND) BILL

I refer to your letter of 6th April with enclosures. You requested responses within an impossibly short time scale, namely April 18th. I have only managed to have an Executive Meeting of the Association. As a result FAL has been unable to consider the issues in any detail. However I have the following comments:-

1. More time is required, at least until the end of this month to enable us to give fuller consideration to the implications of the creation of Marine National Parks. It was clearly not the original intention to have Marine National Parks in the Bill. FAL queries the wisdom of trying to address the issue of Marine National Parks with provisions that were clearly designed to deal with land based parks.

2. The marine environment is already heavily regulated. Is there really a need to add another layer of regulations to the burdens already imposed on fishermen. Existing legislation creating SSSIs SACs and the Inshore fisheries legislation should be more than adequate to control marine users in specially designated areas within the six mile limit.
3. You also enquired about the appointment of Members of the National Park Authorities (Schedule 1). Is there no opportunity for marine users associations, whether they be fishing or otherwise to have the opportunity to nominate Members to such Authorities.

   It is another example of Marine National Parks being a bolt-on to the original Bill that Local Authorities are to be involved in nominating Members to a National Parks Authority with responsibility for the Marine Area. Those who have a direct interest in a Marine Park should have the opportunity to submit nominations not rely on the largesse of a local authority with political interests driving their nominations.

If the Scottish Parliament is minded to maintain the inclusion of Marine National Parks in the draft legislation then FAL would like the opportunity to expand on the foregoing.

   Yours sincerely

   RODERICK A McCOLL
   for The Fishermens Association Ltd
The time-scale allowed for this consultation is far too short to allow the detail of the Bill to be studied thoroughly and arrive at a considered opinion.

This organisation is particularly interested in the impact "National Park" status may have on inshore fisheries i.e. their application in relation to marine areas. We are very concerned that the section on marine areas in the Bill was a late addition and that the legislation covering such areas has been left somewhat "open-ended"; we do not know what "National Park" status will mean to such areas and cannot comment on the proposal until this is made clear.

It is certainly the case that the inclusion of any marine areas in "National Parks" will require the appreciation of significantly different factors in comparison with those established exclusively on land. It will be necessary to have full and thorough public consultation on each and every marine area which is to be included in a "National Park"

Robert Stevenson
Chief Executive
West of Scotland Fish Producers Organisation
Richard Davies  
Clerk to the Rural Affairs Committee  

National Parks Bill - Second Response to the Rural Affairs Committee:

I am writing in response to your invitation to submit our further views on the National Parks (Scotland) Bill introduced to the Parliament on 27th March 2000.

The Rural Affiars Committee asked for our views on specific questions. Following are our responses to these and to other points of concern that we have:

Committee Question:  
The appointment of members of the National Park Authorities, (Section 7 & Schedule 1), with related issues of Community Involvement (Schedule 1, Paragraph 4).

We made a number of general and specific recommendations concerning the need for National Parks to demonstrate best practice in participation alongside conservation in our original response.

We welcome some of the changes that have been made to accommodate this:  
Section 2 (5) (d) National Park proposals.  
This section on consultation on National Park proposals, along with subsequent sections on Ministerial Statements 3 (3) and National Park plans 11 (1), lay out clearer guidelines for who should be consulted about National Parks at various stages in the process. We welcome, in particular, the inclusion of ‘representatives of the interests of those who live, work or carry on business in the area’ alongside ‘community councils’ in the list of those who need to be consulted.

However we still feel that this wording does not go far enough. It relies on the quality of the process undertaken by those consulting and the amount of time allocated to it to ensure adequate participation. The Financial Memorandum accompanying the bill indicates that it is expected that the whole process of designating a National Park will only cost £80 000 and we wonder if that would allow an appropriate level of participatory consultation?

We would still like to see the requirement for a full stakeholder analysis as early on in the process to ensure that there is an objective baseline provided for who should participate and how that could be achieved.

Such a stakeholder analysis could be incorporated in:
- Section 2 (2) outlining what a report on a National Park proposal should contain;
- Section 3 (2) outlining what a statement by the Scottish minister should contain if no report is deemed necessary;
- It could also appear in section 6 (1) as one of the requirements for the designation order for a National Park.

1. Section 8 (1) Purpose and functions of National Park authorities

We welcome the inclusion of an overarching purpose of a National Park authority to bring
about the co-ordination of conservation and development aims and also welcome the strengthening of the wording so that the National Park authority now has to ‘ensure’ this rather than ‘to do anything which it considers is calculated to facilitate’ achieving the aims.

However we would still like to see an explicit compulsion on the National Park authority to achieve these aims in a participatory way alongside ‘in a co-ordinated way’. We feel that such wording would put the onus on the authority to think positively and creatively about what that means rather than giving it the opportunity to approach community involvement in a minimalist way. We still feel that National Park authorities must be given the duty to ensure participation.

Schedule 1 Paragraphs 4 and 5 Constitution of National Park Authorities
We welcome the clearer guidelines given on who should be consulted about membership of the National Park authority and in particular the need for appointed members ‘to be representative of any particular interests specified in the designation order’.

However we would point out that the designation does not in fact call for the specification of any interests other than local authorities. We believe that the inclusion of the requirement for a stakeholder analysis within the designation order as outlined above would allow for the identification of those interests.

Sections 2 (5) (b), 3 (3) (b), 6 (5), 11 (1) (b) and 11 (2) Various
All the above sections deal with the requirement of various, reports, Ministerial Statements, designation orders and National Park plans to be ‘made available’ for public inspection. We feel that in each case there needs to be more emphasis placed on those responsible for the consultation to actively seek the views of stakeholders rather than passively expect them to come forward. An inclusive society is one in which all parties strive to participate in decision making not just one in which those with power allow sections of society who may not have the capacity to push themselves forward to be excluded from decision making.

2. Section 14 (2) General
We would still like to see a requirement for the Scottish Minister to consult more widely than just with the National Park authority on what guidance is needed for the authority itself. Other interests, particularly those representing interests not already directly included within the National Park authority could also be consulted.

Committee Question:
The creation of marine National Parks (Section 29) and related issues.

3. Section 29 Marine areas
We welcome the explicit mention of the fact that this act will apply to areas of sea and therefore enable the designation of marine National Parks. We particularly welcome the reference to areas ‘comprised wholly or mainly of sea’ as indicating a flexible approach to marine National Parks which could potentially consist of areas of open sea or coastlines.

However we are unclear as to what the wording exactly means in terms of how marine areas could be designated as National Parks. Why given that any designation of a National Park will require a resolution to be laid before parliament should it be specified separately that an order designating a marine National Park will need one?
We also wonder why it has to be included as a separate section and not inserted as additional words to Section 1? We wonder if this reflects some unique problem with designating marine National Parks that the Scottish Minister foresees? Marine resources in the UK have traditionally been managed in a disjointed and sectoral manner. There are legislative, policy and consultative and procedural gaps in the way the marine environment of Scotland is managed. This situation is even further complicated in our newly and partially devolved Scotland. There is a pressing need for a duty to be placed on all relevant authorities to have a duty of care with regard to their statutory and advisory functions with respect to the marine environment to ensure the conservation and long term sustainability of potential marine National parks.

Further clarification of this section is needed.

4. Section 30 Supplementary
With particular reference to the possible designation of Marine National Parks. We assume that this section of the bill which binds the Crown, but not Her Majesty in her private capacity, clarifies the issue of whether UK public bodies with reserved and trans-boundary powers such as Crown Estates Commission and MoD will be under the same compulsion as Scottish public bodies to have regard to the plan. Is this so?

5. Related Issues:

6. Section 12 Purpose and functions of National Park authorities
We are worried that the wording of this section has remained unchanged and that public bodies are still only obliged to ‘have regard to the National Park Plan’.

An example of how we feel that this wording will not be adequate is presented by the Inshore Fisheries (Scotland) Act 1984 which contains a similar ‘have regard to’ clause in respect to conservation and environmental matters in the execution of powers under the act. It is difficult to see where this regard has influenced fisheries management. It is usually the case that in difficult decision where environmental damage may occur environmental matters are often given a lower priority than others.

We believe that a plan developed and adopted by stakeholders in an inclusive process is the key to the success of the National Park in protecting the environment and also in driving development. There needs to be a much stronger onus on all those stakeholders who should participate in developing the plan to follow it. A duty of care placed on competent and relevant authorities to adhere to the agreed National Park plan would not only reduce the risk of environmental degradation but would also ensure that reluctant bodies or those wishing to pay lip-service to the National Park played a full role in its success.

7. Section 13 Purpose and functions of National Park authorities
Equally, we are concerned that the wording of this section, referring to management agreements with private bodies within the National Park, has remained unchanged. We originally called for a form of compulsory Management Orders to cover situations where voluntary agreements were not reached and would still like to see them available to

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1 Incidentally, this was reported in the summary of responses as a call for compulsory purchase powers for National Park authorities which we were not promoting.
National Park authorities if needed.

8. **Section 35 (and Schedule 5) Supplementary and Modification of enactments**
The expansion of schedule 5 dealing with what other enactments will be modified by this bill is welcomed however we feel that this approach still leaves National Park authorities only with the powers to influence activities which are undertaken either by public bodies, or which are already subject to planning controls. Major land activities such as agriculture and marine resource uses are largely exempt from such control and we feel that the special nature of National Parks calls for a greater level of control. This would be provided by private bodies being required to produce individual management plans in line with the National Park plan.

**Further issues of concern to WWF:**

9. **Section 1 (2) (c) National Park proposals**
We welcome the wording that states that the four aims are to be ‘collectively achieved …in a co-ordinated way’ since it more clearly expresses our view that the conservation of the natural heritage should be integrated with the promotion of social and economic development aims of national parks.

However we wonder whether this clearly enough incorporates the idea that zoning of parks with different balances of aims in different areas is a way to achieve this ‘collectively’?

10. **Section 10 Purpose and functions of National Park authorities**
We would like to see an explicit requirement for the on-going monitoring and evaluation of National Park plans written into Section 10 outlining the content of the plan. To ensure maximum flexibility in the process however we feel that details of how the monitoring and evaluation is undertaken should be left to the National Park plan document itself.

We are not sure that the primary legislation at this point needs further clarification of what the content of the National Park plan should be.

If you have any queries about this response or would like to talk to us in greater detail please contact Adam Harrison by telephone or email. (01887 820 449 or via Aharrison@wwfnet.org)

Yours sincerely,

Simon Pepper.
DIRECTOR
WWF Scotland
The debate on National Parks for Scotland has under-played their potential to include areas of sea although marine National Parks have been set up in many places. The benefits of their establishment have been not only the familiar ones of long term protection for the environment and for natural resources, but also the opportunity to secure economic, social and cultural benefits for local communities, users, and for national interests. Some of these benefits are described in this paper with particular reference to ways in which they can:

- Bring local economic benefit and support rural development;
- Integrate economic social, institutional and environmental considerations
- Promote sustainable development;
- Encourage community participation;
- Take account of local national and global perspectives
- Promote environmental education

These points are illustrated below, drawing on experiences with Marine Protected Areas (MPAs) from around the world. They are a few of the many ideas and options that could be considered, adopted, or adapted for Marine National Parks in Scotland. It is therefore hoped that this paper will help those considering marine National Parks for Scotland to draw on world experience in order to develop an approach which is unique to Scotland, and through which Scotland can make a major contribution to the global momentum for the establishment and management of Marine Protected Areas.

Local Economic benefit and rural development

“It is becoming obvious that the key to protecting a cherished landscape lies with the communities that call it home” (IUCN, 1993).

In 1991, following positive experiences of marine protected areas in New Zealand, the New Zealand the Commercial Federation of Fishermen, along with the Fiordland Fishermen’s Association and the Fiordland Lobster Company proposed two areas as marine reserves. Graham Olsen of the CFF said “We are doing this because we believe marine reserves have an important role to play in guaranteeing sustainable fisheries”. Two years later the sites became part of the network of Marine Protected Areas in New Zealand.

It is difficult to find a Marine Protected Area which does not support some form of economic activity. Tourism, recreational activities, commercial and sport fishing are the most commonly encountered. Establishment of an MPA can support existing activities as well as encourage new ones with possibilities for improved employment opportunities or perhaps increased yields for local fisheries.

- In the Bonaire Marine Park (Netherland Antilles) establishment of the reserve has encouraged the growth of diving tourism and brought significant financial benefit to island.

- In the Cape Rodney to Okakari Point Marine Reserve (New Zealand) there was a 4-5 fold increase and a shift in the proportion of large mature individuals of the rock lobster *Jasus edwardsii* in the ten years since the reserve was established. Large mature males forage outside the reserve in summer and winter and are taken by a fishery that has developed to exploit this new resource.
Whether this is sustainable at current levels of exploitation is unclear as there has been a steady decline in the abundance of large mature males in the reserve in the past decade.

- In La Natividad (Mexico) areas permanently closed to the abalone fishery have high densities of adult abalone and are believed to help maintain recruitment to the fishery in the surrounding area. The benefits of the reserves are recognised and enforced by the fishermans co-operative responsible for management.

- In the De Hoop Marine Reserve (South Africa) a study has shown that tagged individuals of the galjoen (Dichistius capensis), disperses out from the protected area. Estimates of the levels of emigration from the reserve implied that the unharvested reserve population was restocking adjacent exploited areas with adult fish. Looking at three species which are the target for recreational fishing they demonstrated that considerable benefits to fishing and conservation could accrue from relatively small protected areas.

**Integration of economic, social, institutional and environmental considerations**

*Multiple objectives*

Marine protected areas are usually set up for nature conservation but this is rarely the only objective. Most have additional objectives some of which recognise the economic and cultural value of an area as well as its nature conservation importance;

The IUCN has an objective for the creation of a global, representative system of marine protected areas to provide for the protection, restoration, wise use, understanding and enjoyment of the marine heritage of the world in perpetuity.

The Tabarca Marine Reserve (Spain) has three categories of objectives;
(a) Conservation function; the protection and conservation of habitats and species
(b) Logistic function; Research and education
(c) Development function: to allow traditional uses and maintain a sustained exploitation of natural resources.

In Canada, Marine Protected Areas can be designated for the conservation and protection of commercial and non-commercial fishery resources, including marine mammals and their habitats.

*Biosphere reserve concept*

Biosphere reserves (promoted by UNESCO) seek to foster harmonious relationships between humans and the biosphere through an international programme that integrates the social, physical and biological sciences to address problems. They must fulfil three fundamental roles - conserving ecosystems and biological resources, developing ecologically sustainable types of human uses, and providing logistic support for research, monitoring, education and training activities relative to conservation and sustainable development. The model for Biosphere Reserves proposes that sites have a ‘protected area’, an adjacent ‘managed-use’ area and a broader ‘zone of co-operation’.

A number of countries have marine Biosphere Reserves. The Central California Coast Biosphere Reserve (USA) is one example and is a site which incorporates a variety of types of marine and coastal protected area within its boundary (eg. Marine Sanctuary, National Seashore, National Research Natural Area, Area of Special Biological Significance, Game Refuge and National Recreation Area). The objectives, activities and protective measures are different in each of these designated sites but, taken together, they make up the different zones of a Biosphere Reserve which seeks to integrated human activity and nature conservation.

*Balancing interests and reducing conflicts through zoning*
Most MPAs are multiple-use areas but it is extremely rare for all the activities taking place within the boundaries of an MPA to be totally compatible. Zoning schemes are therefore one of the most commonly used management tools and they have been applied to separate out potentially conflicting activities as well as to reflect management priorities and deal with the issues of concern in different parts of a protected area. In the Tabarca Marine Reserve (Spain) the water around the islands have been zoned so there is a strictly protected core zone which is reserved for scientific research, a buffer zone where only certain fisheries are allowed and where scuba diving is limited, and a transitional zone where more activities are permitted albeit with controls such as in marked areas or on a seasonal basis. In the Danish part of the Wadden Sea, the Nature and Wildlife Reserve is divided into reference areas, two types of preservation zone (the most strictly protected being areas were all hunting and public access is banned), two types of low-utilisation area, and a general use zone.

Social considerations may also be taken into account when developing a zoning scheme. In the Great Barrier Reef Marine Park (Australia), the assessment criteria for the development of zoning plans include the need to protect the cultural and heritage values held in the marine park by traditional inhabitants and others.

In the Maldives there has been a need to take account of the interests of fishermen and dive operators who were coming into conflict. Fishing communities were concerned about pressure on them to stay away from an increasing number of areas used by resort dive operators. The Ministry of Tourism has tackled this by identifying Protected Dive Sites where fishing is prohibited so that both parties know where they stand and have clearly defined rights both within and outside these specified areas.

Facilities provided for MPA management can also help to reduce conflicts between different user groups. Mooring buoys are often used to prevent anchor damage to benthic communities in MPAs. They have the added advantage of providing facilities that can benefit several groups. In Barbados, for example, mooring buoys have been set up within and outside MPAs in popular diving and fishing locations. They were established and paid for by the local dive operators association (funded through an annual diver fee) and are a facility used by both groups. Their existence has helped to defuse arguments about which of the two usergroups are causing more anchor damage to reefs.

Dealing with economic activities

The idea of MPAs has been around for more than a century but significant numbers have only started to be designated in the last few decades. As a consequence the site of any proposed MPAs is inevitably already used for some economic activity. Decisions about whether or how existing economic activities might continue, face every MPA manager and are tackled in a variety of ways.

The Flower Gardens Marine Sanctuary (USA) was an important base for offshore oil exploitation for many years prior to any proposals for its designation as an MPA. In this case, the existing zoning scheme, developed and applied by the US Minerals Management Service, was formalised into the MPA management plan as was the existing oil industry monitoring programme as they were considered to be compatible with the site management objectives.

Environmental Impact Assessments are another tool used to ensure compatibility of economic activity with environmental objectives in MPAs. In the Dutch sector of the Wadden Sea, there are specific requirements for EIAs which are more stringent than those which are required for areas outside the National Park. In the Florida Keys National Marine Sanctuary (USA) the management alternatives were subjected to a socio-economic impact assessment and were part of the consultation exercise before proceeding with MPA designation.

In some cases certain economic activities may be deemed inappropriate in an MPA. The threat of oil and gas extraction was the spur to the designation of the Great Barrier Reef Marine Park and, in this case, the potential economic benefits from such activity were not considered to be sufficient to outweigh nature conservation concerns. Mineral extraction is therefore prohibited throughout the Park.
Partnerships

The existence of a MPA can help to build and consolidate partnerships between different interest groups. Research programmes which involve several partners are common in MPAs. In the Flower Garden Banks National Marine Sanctuary (USA), for example, a fund has been set up by the Gulf of Mexico Foundation to enhance conservation efforts in the area through research, monitoring, education and communication. Academic, private and public sector research relevant to the area has been published in reports on science in the Sanctuary.

A different type of partnership is the involvement of yachting interests in Marine Parks in British Columbia. The Canadian Yachting Association has run a campaign to raise funds to buy land which would be associated with new Marine Parks. The land which is purchased and designated is then given to the Parks Department on a long-term lease. The result is a partnership between recreation and conservation interests with ownership being used to benefit both parties.

Promoting the principles of sustainable development

Sustainable development objectives.

National Parks are places which are used and enjoyed by people for work and pleasure. Sustainable use is therefore an objective of many MPAs and, if successful, can be used as models for management both within and outside protected areas. In the Great Barrier Reef Marine Park (Australia), the 5 year resource management objective is “to have management plans for major activities which lead to ecologically sustainable use of resources”, while the 25 year objective is to use the resources of the Reef without causing unacceptable effects on the area. In the Saguenay Marine Park (Canada), where sustainability is also a management objective, the Park authorities “seek to implement a sustainable development approach to the permitted harvesting activities which include commercial and sport fishing as well as aquaculture” as one of their objectives.

Setting priorities and limits

Sustainable use of marine National Parks requires decisions to be made about which activities are inappropriate in a Park and on any necessary limits to those activities which are appropriate. Many MPA management plans prohibit or limit activities such as mineral extraction, or commercial and recreational fisheries. This is the situation in the Tasmania sea mounts reserve which has a Highly Protected Zone from a depth of 500m to 100m below the seabed in which fishing and mineral exploration is prohibited. Species of particular concern are deep water corals, sponges and the orange rougy, a long-lived fish which is very vulnerable to over-exploitation when caught in these areas. However, the water column from 500m to the surface is a Management Resource Zone where the aim is to ensure long-term protection and maintenance of biological diversity while allowing the tuna longline industry access to the surface waters.

Work on carrying capacity is also relevant to sustainable development and is being considered in some MPAs. In the Florida Key Marine Sanctuary (USA), there is a programme to study and implement carrying-capacity limits for recreational activities because of concerns about the current and projected levels of recreational use in the Sanctuary.

Ecosystem management

Protected areas are often too small alone to protect viable populations of many species and also too small to accommodate the dynamics of large-scale ecological processes. As a result the integrity of many communities are at risk and it is difficult to determine levels of sustainable use beyond that for a localised area. Whole ecosystem management is an attempt to address this. The Great Fundy Ecosystem project (Canada) is an attempt to design and implement a plan to manage a landscape on
an ecologically sustainable basis. Although primarily concerned with terrestrial areas, with the Fundy National Park at its core, there are no fixed boundaries to the project and it does extend in to the Bay and the Gulf of Maine. The principal activities are research and monitoring to provide the science support necessary to manage an ecologically sustainable landscape.

**Community participation**

Community participation is essential to the success of marine National Parks. This can be achieved in many ways and the most suitable approach will inevitably depend on local circumstances.

**Seeking information prior to site identification**

In most cases there is limited community participation in the identification of potential marine protected areas. This may be limited to seeking information and views from individuals considered to be knowledgeable about an area which is already on a provisional list. A different approach has been taken in New Zealand where any individual can put forward a site for consideration. This has been taken up by a number of fishing communities who want MPAs because of the potential benefit to their activities. A decade after the establishment of the Cape Rodney to Okakari Point Marine Reserve (New Zealand) a survey revealed that 78% of local commercial fishermen were in favour of more such reserve, a similar percentage would actively prevent poaching in the reserve and 40% considered that catches were now higher outside the reserve because of its existence.

**Consultation**

The consultation stage is the point at which communities usually become significantly involved in any MPA proposals. Typical approaches include large, open, public meetings, one-to-one meetings with community representatives, and circulation of consultation documents. The type of consultation and level of input requested is very variable.

- The US Marine Sanctuaries consultation process usually involves the presentation of a number of options for consideration. There were four boundary options for the Stellwagen Bank National Marine Sanctuary, for example, and five management alternatives for the Florida Keys National Marine Sanctuary.

- In the Solitary Islands Marine Reserve (New Zealand), a draft zoning scheme was presented for consultation and further information sought on aspects such as what respondents considered to be the most important features of the proposed reserve. A brief questionnaire was used to give structure to the consultation responses.

- In Nova Scotia (Canada) the Department of Natural Resources consulted on a comprehensive system of Parks and protected areas rather than on individual sites. This followed a three-year inventory and evaluation of Crown lands that were still intact as significant natural areas which enabled them to propose representative examples of the province’s typical natural landscapes and ecosystems.

- The Monterey Bay Sanctuary (USA) as an Advisory Council with representatives from local government, businesses, agriculture, tourism and recreation, research and education. It promotes public stewardship of the Sanctuary and acts as a community mediator and advisor. The Chair, Karen Kauffman has said “Marine protection is a big, complicated job. Its an expensive job and the government cannot do it all. Advisory Councils ensure public participation in the process and channel public enthusiasm in a positive way”.

The style, pace and format of the consultation process can exclude some groups. An example where a special effort was made to overcome this was a project to help two Aboriginal communities prepare
submissions for the consultation on the second zoning plan for the Cairns section of the Great Barrier Reef Marine Park.

Community led MPAs

Community based MPAs set up by people living in the immediate vicinity and which may have a specific purpose related to the community are rare but there are some examples. They appear to function best where the site is small and fairly well defined, the local community has a close dependence on or interest in marine resources and the benefits of the MPA are clear. An example of this is the Balicasag Island Municipal Marine Park (Philippines) where the community put forward proposals for an MPA, developed a zoning scheme, and are involved in all aspects of the management of the Park. Another example is the Whytecliff Project (Canada) where the knowledge, skills, expertise and resources of different stakeholders was pooled and, through the efforts of the local community, the waters adjacent to the terrestrial Whytecliff Park were given legal status through amendments of a Fisheries Act.

Day-to-day management

Individuals from local communities have taken on many different roles in the day-to-day management of MPAs and thus get fully involved in the MPA programme. These roles include responsibilities for interpretation, education, enforcement, fund-raising, general wardening duties, members of management committees and as advocates for nature conservation. For example:

• Coastal Aboriginal communities north of Townsville in Australia already employ their own Community Rangers to protect cultural and natural heritage areas and to manage tourism in their areas. A programme has been set up to enable them to work the Great Barrier Reef Marine Park and other officers to support marine conservation initiatives in the area.

• In British Columbia (Canada), the Parks with the heaviest recreational use have voluntary on-site wardens while those with less use are managed either by the local yacht clubs under an ‘Adopt-a-Park’ scheme or directly by the Parks Department. Local yacht clubs or individual yachtsmen are encouraged to anchor in the Marine Park for a set period to provide other visitors with information about the marine park scheme.

Taking account of local, national and global perspectives

Safeguarding local interests

The national importance of many MPAs means that their relevance and importance at a local level can easily be overlooked. On the other hand they can be used to safeguard local interests. In the Bunaken National Marine Park (Sulawesi), for example, the zoning plan for the Park formalises traditional fishing areas and therefore gives some security to local fishermen. Local interests have also benefited from the Folkestone Marine Park (Barbados). Most of the west coast of the island of Barbados is developed right up to the shore making access to the sheltered beaches difficult unless users are staying in the adjacent hotels. Although not established with this in mind, the existence of the Folkestone Marine Park, which has an open beach frontage in its central section, has secured an easy access point to the shore for locals along what has become a highly developed coastline. The importance of this facility to the community is demonstrated by its great popularity as a local swimming and picnic site and by the popular and well used visitor centre as an educational resource for local schools.

Safeguarding national interest
Many MPAs are sites of national importance because of their natural heritage but other national interests, such as cultural heritage can also be safeguarded through the establishment of an MPA. The Monitor Marine Sanctuary (USA) is an example as it was designated to protect the wreck of the USS Monitor, the prototype ironclad turreted warship used in the American Civil War. Bruce Terrel, marine archaeologist with the Marine Sanctuary Programme commented that "The USS Monitor is a national icon, much like the Washington Monument. By designating a site with such high visibility in American naval and maritime history we’ve made the Monitor available to a wide range of people for generations to come". The Fathom Five Park (Canada) is another MPA of cultural importance because of the large number of historic shipwrecks within its boundaries. A proposal to sink a modern vessel within the Park boundary as an additional attraction to diving tourists was prohibited because it was seen as incompatible with the historic interest of the area.

International importance

Some MPAs are World Heritage sites (a UNESCO award) because of the global significance of their natural environment. Apart from acknowledging the importance of safeguarding these areas, this type of international recognition can bring technical and financial support for establishment and management of sites. In the case of Galapagos Marine Resources Reserve (Ecuador), for example, work on the MPA plan by national experts was supported by four international groups who provided specialist advice through an International Commission, as well as staff secondment and funding facilitated through the World Heritage status of the site. Ultimately, however it was national legislation (the Galapagos Special Law) which enabled the marine section of the Park to receive protection.

Integrating local, national and international aspects

Taking account of issues from the local to international level in a National Park can be difficult because of the different perspectives, expectations and needs at the different levels. One site where this has had to be tackled is the Wadden Sea protected area which lies off the coasts of Denmark, Germany and the Netherlands. Co-operative action at an international level was formalised by a Joint Declaration on the Protection of the Wadden Sea outlining the agreement of the three countries to consult and co-ordinate their activities on the implementation of a number of key international agreements on environmental protection and relevant EC Directives. There is also a Trilateral Working Group dealing with policy at an international level. In terms of implementation most of the area is covered by conservation designations and therefore implementation is through national provisions such as National Parks, Wildlife Reserves and planning provisions, while practical management takes place at a local level.

Promoting environmental education

Most MPAs of any size have environmental education programmes associated with them. These cover both formal and informal education and may be delivered on site or as an out-reach programme.

The long-term objective of the Great Barrier Reef Marine Park is “to have a community of responsible informed individuals who have a broadly-based and widely-accepted understanding of the diverse values, natural attributes and ecologically sustainable use of the Great Barrier Reef World Heritage Area”. To achieve this the Park promotes environmental education in a number of ways. The various park committees are encouraged to promote environmental education, there is formal and informal education aimed at a variety of groups, public participation programmes that allow different uses groups to share views and experiences, and education material specifically geared to the different groups.

The educational benefits of Marine Protected Areas can also spread beyond the boundaries of the protected area. A good example of this is in the Gulf of the Farallons National Marine Sanctuary (USA). The only land in the Park is on the uninhabited islands hence much effort is put into getting information to people before they enter the reserve. Primary sites for interpretation and education
have been placed along the coast from likely departure points which lie both within and outside the protected area. There is also a large education programme associated with the Monterey Bay National Marine Sanctuary (USA). In this case the Monterey Bay aquarium provides the base for numerous activities and educational programmes for schools and visitors who learn more about the Sanctuary and its wildlife.

CASE STUDIES

BONAIRE MARINE PARK (Netherland Antilles) - An example of recreational uses, economic and ecological sustainability in an MPA.

The Bonaire Marine Park covers the sea and seabed from the shore to a depth of 60m around this Caribbean island. It is one of the few examples where an attempt has been made to assess the ecological sustainability and economic impact of the establishment of a Marine Park. The assessment was undertaken in order to determine whether the Park could be managed to produce both ecological benefits as a protected area and economic benefits from dive-based tourism as a mainstay of the island economy.

The ecological aspects of the study revealed that the reefs at heavily visited sites had been affected but that elsewhere the current level of diving was probably sustainable as the reefs were considered to be in a relatively undisturbed state. The critical level above which reef damage was apparent was considered to be approximately 5,000 dives per year at individual sites. In terms of carrying capacity of the Park as a whole the maximum sustainable level was estimated to be around 200,000 divers per year spread over all dive sites.

The management of the Park as a multiple-use management area is oriented to support economic activities and there is a significant private sector involvement (principally dive operators). The benefits from activities directly related to the Park have been estimated to be of the order of US$23 million per year while the costs associated the establishment, subsequent rehabilitation and initial operation of the Park were estimated at approximately US$518,000 with recurring annual costs of approximately US$150,000. Much of the revenue does not go to Bonairians but the most long-lasting benefit to the local economy has been the employment generated by the activities of the Park.

This example illustrates:
- How a marine park can bring both economic and environmental benefits
- The financial value of a Marine Park to a local community
- Ways in which to address issues of sustainable use.


BALICASAG ISLAND MUNICIPAL PARK (Philippines) – An example of a community led MPA.

This Marine Park is a particularly good example of how communities can instigate and take the lead in the management of MPAs. The island has a population of around 600 people most of whom make their living from the surrounding sea. The Park came about through a support programme run by Silliman University to help develop community-based marine reserves. A community worker who went to live on the island, helped the local population to develop proposals for management of the surrounding waters at their request. These were subsequently formalised by the regional Government. Management guidelines were drawn up by the community and they are involved in all aspects of management for the provision of information to visitors to practical works such as the installation of signs and buoys.

This example illustrates:
- community involvement in all aspects of marine park establishment and management
- a community initiative developed to the point of gaining government backing
- a "bottom-up" approach to marine park management

Useful reference - Wells & White (1992)
GULF OF THE FARALLONES NATIONAL MARINE (USA) – An example of how an MPA can be an environmental education resource

The Gulf of the Farallones National Marine Sanctuary lies along the coast of California north and west of San Francisco. It is a large MPA and near a major metropolitan area. Environmental education was seen as a key role of the Park from the outset. A programme was set in place to decide on the best way to tackle this based on the premise of working co-operatively with others. Local marine organisations, as well as potential and current user groups were identified. Those most likely to be able to participate in joint education programmes were approached for more detailed discussions. The user survey was also used to identify the most appropriate education methods or opportunities. Another aspect of the initial work was to identify suitable sites on which to focus interpretation about the Park. These were sought using local coastal guides who helped to rank the sites according to their accessibility, biological and/or cultural richness and current levels of use.

As the next stage three overall education objectives were proposed;

- increase public awareness of the Sanctuary, current marine protection issues and the National Marine Sanctuary Programme
- offer opportunities for first-hand experience, appreciation of and involvement with the Sanctuary
- develop a strong network of local support through co-operative efforts and public involvement.

The main elements were reaching as many members of the public as possible, building a Sanctuary identity and widespread recognition of the ecological significance of the Sanctuary.

In the early years the emphasis was on maximising public contact, ensuring a sustainable future for the Sanctuary and developing a positive and professional image for the programme. Large scale projects, such as schools programmes, were left to the second stage and, at this point, it was also necessary to evaluate the programme to determine future direction. After only 5 years of active education programme the Sanctuary had become a leading agency in the area for promoting awareness of the marine environment of the central California coast.

The education plan served as a compendium and guideline for interpretive ideas and was also an educational tool for government agencies and organisations involved with the Sanctuary.

This example illustrates:

- the importance which can be given to environmental education in a marine park
- the way in which an education programme can generate and retain and interest in marine conservation beyond the boundaries of a marine park and support for the Park itself

Useful reference - Kaza (1985)

SABA MARINE PARK (Netherland Antilles) – An example of the tourism potential of an MPA and why consultation is important

The Saba Marine Park was designated in 1987. After it was established the government encouraged dive operators and divers to come to the island in an effort to increase the private sector of the economy. This was successful and by 1994 had led to an increase in employment in the tourism industry and to a positive impact on the incomes of roughly 18% of Saba’s working population. In order to ensure that future development of the Park continued to support and benefit the local community the Saba Conservation Foundation have been working to see how economic, environmental and social issues can be integrated in the management of the Park. Meetings, interviews and discussions with local people were conducted to identify what Sabans wanted from the Park and covered economic, environmental and social aspects. The overall goal for the Park, “maintaining the marine resources of Saba for the benefit and enjoyment of people in perpetuity”
provided a general direction and five management alternatives were discussed and tested with various scenarios such as a major oil spill or a major increase in tourism.

There was much agreement between stakeholders over what was the most desirable approach to future management and agreement over high value of having Saba Marine Park. There was agreement, for example that the present Park was far more valuable than no park or a park which permits line fishing everywhere. It was considered that without the park there would be negative economic, social and environmental consequences for the island.

This example illustrates:
• economic benefit to a local community from Marine Park establishment
• community involvement in a Marine Park.

Useful Reference - Fernandes (1995)

FLORIDA KEYS NATIONAL MARINE SANCTUARY (USA) – An example of zoning of an MPA to balance diverse objectives.

The Florida Keys National Marine Sanctuary covers a large area whose management requires the balancing of many interests and resolution of numerous conflicts of use. A system of zoning has been used to reflect different priorities for different parts of the Sanctuary and allow economic and environment benefits to be realised. Five types of zones have been established to reduce damage to resources and threats to environmental quality, while allowing uses that are compatible with resource protection. These are;

1. Wildlife Management Areas - established to minimise disturbance to especially sensitive wildlife populations and their habitats eg. bird nesting or feeding areas
2. Ecological Reserves - to protect biodiversity by setting aside areas with minimal human disturbance. These zones will serve to protect and enhance the spawning, nursery or permanent resident areas of fish and other marine life.
3. Sanctuary Preservation Areas - discrete, biologically important areas where use is subject to conditions or prohibition, to avoid concentrations of uses that could result in significant declines in species populations or habitats, to reduce conflicts between uses and protect critical habitats.
4. Special Use Areas - these are areas set aside for scientific research and educational purpose, restoration, monitoring or to establish areas that confine or restrict activities such as jet-skiing.
5. Existing Management Areas - zones that are managed by other agencies where restrictions already exist eg. State Parks.

Zoning is seen as critical to achieving the Sanctuary’s primary goal of resource protection. It is complimented by many other management schemes including those which are not specific to particular areas of the Sanctuary. The Water Quality Protection Programme is an example of the latter and is particularly important because it seeks to influences activities throughout the watershed as well as within Sanctuary waters. It is therefore linked to efforts to restore the whole of the South Florida Ecosystem which has serious water quality problems.

This example illustrates
• management which seeks to achieve a variety of objectives within a Marine Park
• a system designed to reduce conflicts between different user groups

Useful Reference - NOAA (1996)
Mr. Alex Johnstone, MSP  
Chairman  
Rural Affairs Committee  
The Scottish Parliament  
EDINBURGH  
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3 May 2000

NATIONAL PARKS BILL

As you may know the Federation submitted an interim reaction to the terms of this Bill on 18th April pending a general consideration of the matter by the Federation's Executive on 21st April. Some further thoughts arising from that meeting are set out below.

While the Bill is clear in its intention regarding terrestrial national parks, the concept of marine national parks is unclear. While terrestrial national parks, in England, have been in operation for over 50 years, the concept of a marine park, in the United Kingdom sea area is something quite new. The extension of a terrestrial national park to include coastal margins and inshore islands would seem entirely sensible but the designation of a significant area offshore would have no apparent purpose. Without more detailed explanation on the form of such a park, some idea of likely sites and prospective activities within such a park, it is not possible to make a reasoned reaction to the proposal for Marine National Parks included in the Bill.

The Federation is aware of a number of Marine National Parks covering tropical reefs. The purpose of the designation in those areas is to facilitate public access to the reefs and to manage that access so as to prevent excessive pressure on the vulnerable ecosystem of the reef. There is no comparable situation in Scottish Offshore waters. It appears to some Fishermen that, whatever the intention, Marine National Parks may have the effect of further restricting fishing activities. Fishing is already strictly controlled under UK and European legislation designed for that specific purpose. There are also a number of measures in place to protect the marine ecosystem, such as designated Environmentally Sensitive Areas, Special Areas of Conservation and Sites of Special Scientific Interest.

If there is, nevertheless, some justification, which is not apparent to the Federation, for Parliament giving the Executive powers to designate Marine National Parks, then the greatest care will be necessary to protect the economic and social interests of adjacent communities. A number of coastal communities are wholly dependent on fishing. In any legislation to protect the marine environment by controlling access to the sea it is, literally, vital that the livelihoods which sustain the adjacent communities are also protected.

In addition to the national social and economic effects of any Marine National Park designation the Parliament will, no doubt, wish to consider the international
ramifications of such action. If the perimeter of any Marine National Park were to extend beyond the 6-mile territorial limit, the EU would have to be assured that the access rights of non-UK fishing vessels were unimpaired.

In all the circumstances the Federation is unable to support the concept of Marine National Parks in Scottish waters.

HAMISH MORRISON
Chief Executive,
Scottish Fishermen’s Federation
CONSULTATION ON THE NATIONAL PARKS (SCOTLAND) BILL

With regard to consultation on the above bill, the time scale for consultation from a Marine viewpoint, is ridiculously short. In view of the possibility, that all of the Bill, will apply to the Marine environment (Section 29) and the implications thereof, we require until end May 2000, for proper and responsible consultation.

However, in the meantime, I have the following suggestions and comments to offer; before the bill is presented as a credible document for consultation, to those who presently earn their living from the Marine environment.

1. The bill appears to have been written for land, rather than marine based environments and it is impossible to reconcile the differences between the two.

2. The inclusion of “Marine Parks” in the bill seems to be an afterthought with no structure and no proper criteria laid out for its implementation in the marine environment.

3. There are already a superfluity of rules and regulations governing the marine environment. It would seem that marine users now spend more time in futile attempts to become au fait with the plethora of regulations already in place, than they do in actually “producing”.

4. It is inconceivable that local authority and persons serving on Community Councils etc. (Schedule 1 Para 4) will decide on membership of Marine National Parks Committees. There is no mention in the bill of Marine users Associations being consulted on membership of land based National Parks.

In summary, I would urge the RAC and the proposer to think very carefully over the ill thought out inclusion of Marine Parks in the bill. You can be assured of considerable opposition from marine users.

Regards

John Hermse
Secretary
Scallop Association
1 May 2000

Clerk to the Rural Affairs Committee  
The Scottish Parliament  
Rural Affairs Committee  
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By E-mail: national.parks@scottish.parliament.uk

NATIONAL PARKS FOR SCOTLAND – COMMENT BY SCOTTISH QUALITY SALMON

Thank you for the opportunity to comment on the proposed National Parks (Scotland) Bill.

We do not wish to comment in detail at this time, but would like to record some general comments on behalf of both the marine and freshwater elements of the Industry.

1. In principle we support the proposals. However, notwithstanding Para. 19 of the Policy Memorandum on Business Compliance Costs, we would be concerned - as an Industry body - if implementation were to create another layer of bureaucracy for those engaged in trade within the parts with which businesses had to engage. In particular, the Scottish salmon farming industry is already probably the most tightly regulated in the world. We have no argument with that. Indeed, Scottish Quality Salmon is already spearheading initiatives whereby members must introduce Environmental Management Systems certified to ISO 14001 and Product Quality and Safety certified to EN45011 standards. In what is now a globally competitive industry, this makes us world leaders. Given this, therefore, what we would hope to emerge would be not a relaxation but a simplification and streamlining of the regulatory process when national parks are established.

2. A further point for consideration might be the advantages that National Parks could provide to marketing of products and services beyond their own obvious attraction. “Product from the **** National Park” could attract a useful premium in the market place, piggy-backed onto the promotion of the park itself – particularly for a product such as salmon.

3. We make these point in the context that the conservation and enhancement of the fragile communities of the Highlands in which our Industry operates should be very much a part of the aim to conserve and enhance the natural and cultural heritage of the area of a park. Some 4000 jobs in the Highlands depend directly upon the Industry which generates cash flow of £1 million per week in the way of wages into the area. This cannot be sustained without a vigorous industry, and that in turn depends upon a supportive and responsive
regulatory environment. Thus the four stated aims should be given equal priority.

4. Finally, we would urge that the implications of establishing National Parks be considered on a case by case basis. They can have the effect of generating an influx of visitors to an area. This may in some cases be seen as generating economic benefits, but in others it might be to the detriment of achieving the other aims.

We trust these comments are useful, and we would be keen to remain a part of the continuing consultative process.

PHILIP NEAME