

Marine Conservation Society written evidence to Net Zero, Energy and Transport Committee

The [Marine Conservation Society](#) is a UK charity fighting for a cleaner, better-protected, healthier ocean: one we can all enjoy. A dedicated Scotland conservation programme and office in Edinburgh were established in April 2000. The Marine Conservation Society in Scotland has contributed to the development of previous Biodiversity Strategies, the Marine (Scotland) Act 2010 and delivery, including Marine Protected Area designation and management, and with partner organisations helped set out an [Ocean Recovery Plan](#) to 2030 and recommendations for the transformation of sectors such as fisheries and aquaculture that impact upon biodiversity. We welcome the opportunity to provide evidence to the Net Zero, Energy and Transport Committee on the Scottish Biodiversity Strategy.

Overall views on what is needed to address the biodiversity crisis

In 2019, the Intergovernmental Science-Policy Platform on -Biodiversity and Ecosystem Services (IPBES) published the most [comprehensive assessment](#) ever conducted on the global state of nature, starkly concluding that nature is undergoing dangerous rates of decline unprecedented in human history, eroding the very foundations of our economies, -livelihoods, food production, health and quality of life worldwide. This nature crisis, together with the climate emergency, create a *de facto* ocean emergency.

Despite welcome, but slowed, progress on establishing MPA networks, all [UK Governments collectively failed to meet 11 of 15 indicators of Good Environmental Status](#), the previous EU benchmark of ecological health, including commercial fish stocks, indeed most shellfish stocks, and seafloor condition, especially all sublittoral rock and biogenic habitats and soft sediments in Celtic Seas and Greater North Sea.

As stated in the [Scotland's Biodiversity Strategy consultation](#) document, [Scotland's Marine Assessment 2020](#) "highlights the increasing impacts of climate change and ocean acidification, and that disturbance of the seabed by bottom-contact towed fishing gear remains a significant pressure. The 'no loss in extent' target for subtidal biogenic habitats has not been met." Some biogenic seabed habitats - meaning those created by living organisms such as maerl, mussels, flameshells, tube-building worms or corals - have [declined in extent by 90% or more in some areas](#).

In order to drive action across society to address this nature emergency on land and sea, we need to enshrine for nature in policy and law the type of approach being used to tackle the climate emergency. In the context of the Scottish Biodiversity Strategy, in keeping with the [Ocean Recovery Plan](#), we are therefore calling for:

1. *Ambitious ocean recovery targets* enshrined in the forthcoming Natural Environment (Scotland) Bill.
2. *Programmes of ecosystem restoration including species recovery*, which would include for species such as native oyster and seagrass, where some work is underway with the [Dornoch Environmental Enhancement Project \(DEEP\)](#), [Seawilding](#),

[Restoration Forth](#) and in the Firth of Clyde, but should also systematically consider all [Priority Marine Features](#) for which restoration action is possible.

3. *Completing Scotland's Marine Protected Area network and integrating with a National Nature Network* - Completing Scotland's MPA network and protecting it from damaging activities, designating at least a further 10% of Scotland's seas as Highly Protected Marine Areas, greatly recovering Priority Marine Feature extent and status beyond the MPA network and, through intertidal sites, integrating with a wider Nature Network.
4. *Sufficient funding for nature* – provide and incentivise investment in marine conservation and sustainability to match the scale of the nature and climate emergencies. The funding gap is particularly marked in the global ocean, [where 25% of our carbon emissions are captured yet only 1% of global climate finance is spent.](#)
5. *Mainstreaming of biodiversity* across all government departments, national and local. This requirement is most relevant at sea for managing fisheries, aquaculture, all present and future aspects of offshore energy and all other forms of development. As the most widespread pressure at sea that directly removes biodiversity, new policies and where necessary legislation to support a just transition to a climate and nature friendly fishing industry is crucial.

Reflections on the outcomes specified in the consultation

The 2045 outcomes and 2030 milestones for both the Marine and Coastal sections in the draft strategy are rather vague, providing less target detail than the [UK Marine Strategy](#) which Scottish Government already require to deliver. The marine and coastal biodiversity outcomes for 2045 need to be SMART and, in keeping with the proposed outcomes for the Rural Environment section (encompassing Farmland, Woodland and Forestry, Soils and Uplands (including peatlands)), need to acknowledge the **sector-specific activity** that is necessary to achieve outcomes across all components of Scotland's marine environment. At sea, recognising how fishing, aquaculture, offshore energy and other developments and activities, can contribute is essential. Similarly on the coast, it should be recognised that unsustainable development proposals on fragile and diminished habitat such as dune systems, contributes to biodiversity decline and should be discouraged. Otherwise our concern is that the Biodiversity Strategy does not help drive cross-departmental action to halt, then reverse, the decline of marine and coastal nature.

With a commitment to binding nature targets across land and sea in the Natural Environment Bill, the new Scottish Biodiversity Strategy (SBS) needs to set out how those targets will be met, including through subsequent delivery plans and mainstreaming biodiversity delivery across all national and local government.

If we are to have any hope of turning around the decline of nature at sea, by 2030 the Marine Conservation Society would like to see milestones such as, but not limited to:

- At least 30% of Scotland's seas under high level of protection (IUCN Protected Area category 1b (highly protected)) with at least one-third of this (so at least 10% of

Scotland's seas) fully protected under a new MPA designation of Highly Protected Marine Area (HPMA) (IUCN Protected Area category 1a (fully protected));

- The entire Scottish MPA network truly protected from damaging activities following a whole-site management approach
- HPMA's targeting recovery of damaged ecosystems and enhancing the provision of ecosystem services such as carbon storage and sequestration ("blue carbon")
- The National Marine Plan and 11 Regional Marine Plans driving active restoration of marine and coastal ecosystems, such as sand dune systems, machair, saltmarshes, native oyster and blue mussel beds and seagrass beds, ensuring all sectors operate within environmental limits and are robustly monitored
- Low impact, demonstrably by-catch free, spatially managed, high-value nature and climate positive fisheries, with healthy and resilient stocks, supporting sustainable fishing opportunities, coastal communities and a growing domestic seafood market.
- All salmon farms in Scotland Aquaculture Stewardship Council certified, well-sited, and operating in harmony with the marine environment, through the avoidance of sea lice hotspots, sensitive habitats, seal haul-outs and wild salmonid interactions, and the adoption of a range of technologies, including offshore, semi-closed and closed systems
- An end to development on sensitive or irreplaceable coastal habitats, such as coastal dune systems.
- Deep-sea mining, deep-sea aggregate extraction and mechanical harvesting of kelp remain prohibited
- A waste-free circular economy, where refill/reuse of consumable products is required and single-use items become redundant.

This is not an exhaustive list but gives an overview of milestones needed for the protection and recovery of nature in our ocean and on the coast. We would urge the Net Zero, Energy and Transport Committee to recommend that SMART nature recovery outcomes and milestones for the marine and coastal sections, and crucially that specific sectoral milestones necessary for that recovery, be identified in Scotland's Biodiversity Strategy.

Legislative requirements to deliver the outcomes which might be needed

To meet Scottish Government commitments on biodiversity, the upcoming Natural Environment (Scotland) Bill in 2023 must contain ambitious **nature recovery targets across land and sea**, with a new Scottish Biodiversity Strategy (SBS) setting out how those targets will be met through subsequent delivery plans. The bill must specify that the SBS should include policies and proposals to ensure these new nature recovery targets across land and sea will be met.

New **Marine Conservation Orders** and **Inshore Fishing Orders** will be required to protect the remainder of Scotland's MPA network from damaging fishing activity.

The Natural Environment Bill must also provide for the **legislative powers needed to designate and fully protect Highly Protected Marine Areas** from all extractive and damaging activities, in keeping with the [Bute House Agreement](#) and international benchmarks.

Any **statutory fisheries instruments** needed to deliver the inshore cap on fishing activity, and subsequent reduction in activities that “disrupt the seabed” committed to in the Bute House Agreement, and to implement as necessary outcomes arising from the Future Catching Policy consultation.

A **Circular Economy Bill** that shifts Scotland’s economy from a linear “make, use, throw” model to one where refill/reuse of consumable products is required, single-use items become redundant and leaking of plastics and other pollutants into the ocean is stopped.

Views on what else needs to happen to deliver the outcomes set out in the consultation document

As fisheries is the most widespread pressure at sea, directly harvesting biodiversity, we highlight the importance of the Future Catching Policy and promised cap on inshore fishing activity for recovering nature in Scotland’s marine area. Setting sustainable catch-limits and protecting critical fish and shellfish habitats, many of which are also Priority Marine Features (PMFs) and “blue carbon” habitats, is crucial for [climate and nature smart fishing](#), therefore future catching policy, access to quota and the inshore cap should require spatial management. The inshore area is particularly important for PMFs, critical fish and shellfish habitat and storing blue carbon, and, when managing fishing, only demonstrably low impact fishing activity should be allowed here.

In addition to the need for the Natural Environment (Scotland) Bill to include statutory nature recovery targets across land and sea, a renewed National Marine Plan and future Regional Marine Plans, the Future Fisheries Management Strategy, forthcoming Future Catching Policy and Inshore Fisheries Management Group proposals, the Sectoral Wind Plan, the work of the Scottish Aquaculture Council, the Marine Nature Conservation Strategy and all other relevant plans, policies, programmes and strategies must all improve the status and health of nature in Scotland’s marine area. This is legally required by the [Biodiversity Duty](#) in the Nature Conservation (Scotland) Act 2004 and the [Sustainable Development and Protection and Enhancement Duty](#) of the Marine (Scotland) Act 2010.

Further detail on the policy interventions across all sectors that we think are needed for nature can be found in the [Ocean Recovery Plan](#).

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