

# Petition PE1951 Reinstate inshore coastal limit on the use of dredge and trawl fishing gears

## Submission from Marine Conservation Society

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. We publish our own independent Good Fish Guide, providing advice on over 600 species and stocks of wild-caught and farmed fish and shellfish and engage on fisheries policy and aquaculture sectors not only in Scotland, but across the UK. We welcome the opportunity to provide evidence to the Rural Affairs Islands and Natural Environment Committee on inshore fisheries.

### 1. Ocean Emergency

In the midst of an [ocean emergency](#), a **just transition** to climate and nature smart fisheries, both inshore and offshore, is essential to help secure a sustainable future for coastal communities around Scotland.

We [previously highlighted to the RAINE Committee the link between unsustainable fishing pressure and decline in our ocean](#), globally and nationally, from the Intergovernmental Science-Policy Platform on -Biodiversity and Ecosystem Services (IPBES) [-comprehensive assessment](#); the OSPAR commission ("[86% of the assessed areas in the Greater North Sea and the Celtic Seas have physical disturbance](#)" from bottom contact fishing, of which 58% is "highly disturbed"); the [UK Marine Strategy Part One](#) ("*in 2012, a consensus of experts concluded that the spatial extent of damage to the seabed from fishing gear was greater than any damage caused by other activities*"); the UKMMAS 2018 assessment that all [UK Governments collectively failed to meet 11 of 15 indicators of Good Environmental Status](#), the benchmark of marine ecological health; and from [Scotland's Marine Assessment 2020](#) ("*Pressures associated with bottom-contacting and pelagic fishing continue to be the most geographically widespread, direct pressures across the majority of Scottish Marine Regions and Offshore Marine Regions.*" with some biogenic seabed habitats having [declined in extent by 90% or more in some areas](#)).

In the context of the petition being considered before the RAINE Committee, our chief concern, as long articulated, is that high risk inshore dredge and trawl fisheries are operating beyond environmental limits. It is our view that as currently practiced, they are therefore also failing the [sustainability, precautionary, ecosystem and climate change objectives of the Fisheries Act 2020](#).

### 2. Delivering climate and nature smart fisheries

Our goal for sustainable fisheries by 2030, inshore and offshore, reflected in our collective [Ocean Recovery Plan](#) is:

Low impact, demonstrably by-catch free, high-value nature and climate positive fisheries, with healthy and resilient stocks, supporting sustainable fishing opportunities, coastal communities and a growing domestic seafood market.

As set out in [our collective response to the Future Catching Policy consultation](#), in order to help deliver this just transition we would like to see:

1. A mechanism to improve inshore fisheries governance and **transition to a new spatial management regime, which includes a presumption against trawling and dredging in a significant part of Scotland's inshore waters**
2. **Binding targets to end over-fishing** and eliminate the bycatch and entanglement of non-target and protected species
3. A requirement for **fully documented fisheries delivered through Remote Electronic Monitoring with cameras** to improve data collection and help to end Illegal, Unreported and Unregulated (IUU) fishing
4. A **new vessel licensing system that allocates fishing opportunities according to transparent and objective environmental, social and economic criteria** to incentivise the most sustainable low impact fishing practices
5. **Fisheries Management Plans** developed for all commercially targeted stocks and species and which explicitly deliver on the Fisheries Objectives within the Fisheries Act 2020.
6. **A comprehensive and transparent review undertaken of Scotland's fishing capacity**, inshore and offshore, in relation to fishing opportunities.

(Further information on the route to a climate friendly, low impact fishing industry is also set out in a report we commissioned with RSPB and WWF as part of the Future Fisheries Alliance [Shifting Gears: Achieving Climate Smart Fisheries](#).)

We have [long advocated for spatial management of fishing](#), including an inshore low impact zone comprising of No-Take Zones, static-gear only zones, low impact mobile-gear only zones (but only where this can be demonstrated) and areas for nature conservation. We therefore [welcomed](#) the [Bute House Agreement](#) commitment to completing all Marine Protected Area (MPA) designations; completing fisheries management measures for the existing MPA network; improving protection for Priority Marine Features beyond the MPA network; implementing new Highly Protected Marine Areas (HPMAs) for at least 10% of Scotland's seas and to introducing a cap on inshore fishing activity (to three nautical miles) as a "ceiling from which activities that disrupt the seabed can be reduced". We also welcome Point 11 of the Future Fisheries Management strategy action plan to deliver "an ecosystem-based approach to management, including considering additional protections for spawning and juvenile congregation areas". The question is, will these commitments be enough to deliver ecosystem-based climate and nature smart fisheries management as legally required?

### **3. Questions arising from the Bute House Agreement and Future Fisheries Management strategy**

The extent of the contribution of these welcome commitments toward marine conservation and fisheries management goals, and the transformative change needed, depends upon the answers to a number of questions.

To what degree will HPMAs overlap existing MPAs? For HPMAs to add maximum value they should as much as possible be designated in areas requiring protection and recovery beyond the existing MPA network.

To what extent will measures to protect Priority Marine Features (PMFs) outwith the MPA network allow for recovery in their extent and resilience while also contributing to spatial fisheries management? This depends on the measures proposed for consultation and their extent. We think a distance from shore closure is one simple and precautionary measure that would help deliver the protection and recovery of inshore PMFs ([as required of the National Marine Plan](#)), which are also valuable for supporting ecosystem services such as blue carbon habitat and essential fish and shellfish habitat, as we suggested during the Strategic Environment Assessment process.

To what extent will the cap in fishing effort and reduction in seabed-disrupting activity within three nautical miles contribute to an inshore low impact zone? Although not a true precautionary approach, whereby vessels that disrupt the seabed would be excluded and only allowed to fish via licensed derogations upon proving lower impact, this commitment is welcome. However, the answer to the question depends upon how the policy is implemented and upon the process for reducing seabed-disrupting practices such as bottom towed trawl and mechanical dredge gear, and the degree of their reduction, being proposed. Whilst we would prefer a more ambitious approach to recognise that there should be a presumption against trawling and dredging in a significant part of the inshore area, a cap followed by reduction in effort is a potential step forward to a similar outcome. A large-scale low impact trial could help inform the evidence-base.

How will an “ecosystem-based approach to management, including considering additional protections for spawning and juvenile congregation areas” be delivered? This welcome and essential commitment in the Future Fisheries Management strategy clearly overlaps the other policy commitments, not least because the entire inshore area can be considered essential fish and shellfish habitat, but the degree to which these will be sufficient depends on the detail of the aforementioned proposals still to be consulted on. We also note that Fisheries Management Plans (FMPs) are currently not proposed for the scallop and crab and lobster fisheries, whilst the Scottish Government keeps a watching brief on FMPs developed for these fisheries elsewhere in the UK, and we question how the legally-required ecosystem-based approach for these fisheries, alongside the other Fisheries Objectives within the Fisheries Act 2020, can be delivered in the absence of FMPs.

To what extent will all of the above contribute to delivery of ecosystem-based fisheries management, including an inshore low impact zone? Clearly there is potential for the above policy commitments to make a major contribution to the transformative change needed, but the devil will be in the detail, particularly for the inshore cap and activity reduction commitment.

#### 4. What is needed going forward?

Primarily, the mosaic of measures discussed above must be considered holistically toward a clear vision of meeting long-standing [scientific recommendations for the inshore area to be a low impact zone](#) as part of a climate and nature smart fisheries sector. The degree to which this happens depends upon the content of the individual proposals, how they interact with one another and how they are implemented.

Most critically, a Fisheries Management Plan (FMP) for the environmentally high-risk king scallop dredge fishery, including spatial management, dedicated scallop diving zones, no-take zones and, in keeping with scientific advice and our previous submissions, a presumption against dredge use in the three nautical mile zone (unless low impact can be demonstrated) is urgently needed.

We understand a FMP for the *Nephrops* fishery will be developed and it is crucial that this introduces spatial management, gear separation, static-only areas, mobile-only areas, no-take zones and a presumption against trawl use in the three nautical mile zone unless low impact can be demonstrated.

In the inshore area, FMPs are also needed for the crab and lobster fishery, including the use of spatial management, no-take zones, capping creel effort and the trial and introduction of low-entanglement gear, given the concerns about cetacean entanglement.

Large-scale trials for the spatial management of fishing, including for gear separation and to determine seabed habitat resilience, would be welcome to help inform FMPs and other policy commitments.

Calum Duncan

Head of Conservation Scotland, Marine Conservation Society