

Proposed Benefits

1 What is your view on these proposed benefits?

Please write your response here:

We believe that there are clear opportunities resulting from the establishment of this pilot and fully support it. The final benefit listed (Reduce the pressure on adjacent Marine Protected Areas from creel vessels that are displaced annually when the Inner Sound is open to mobile gear fishing,) raises the possibility of assessing the level of damage to MPAs and other benthic features from creel use and we suggest that the trial is modified to include this. We support this proposed pilot as an opportunity to test some of the approaches to gear separation and effort management that we have long-advocated (<http://www.scotlink.org/files/policy/ConsultationResponses/LINKrespNephropsControls.pdf>)

2 Do you agree that the establishment of a pilot management group is the most effective way of managing and monitoring progress of the pilot and appraisal of the benefits?

Yes

Please set out the reasons for your answer:

The establishment of a management group will be essential to effectively manage and monitor progress of the pilot. This group must be fully representative of the stakeholders operating in the area, including static, mobile and hand-divers as well as other associated businesses. It will also be essential that Marine Scotland policy and Science as well as SNH are involved in the management group.

Proposed Mobile Gear Management Measures

3 Do you agree that testing these proposed mobile gear management measures may provide insight into improving local fisheries management of Nephrops fisheries?

Yes

Please set out the reasons for your answer:

Several studies have highlighted the potential for restricting access to the inshore areas by mobile fishing gear, including to increase the economic benefits delivered by the natural capital. This trial will provide an ideal opportunity to investigate this. There has been a concern about the potential impact of creel ropes in entanglement of large whales and basking sharks for a number of years. A current project to investigate the rate of entanglements is showing, perhaps unsurprisingly as reporting entanglements is not a requirement currently, that this is higher than previously documented. A number of mitigation measures, such as the use of a single buoy per fleet, the use of no surface markers (pop-up buoys or grapnel recovery) are dependent on the ability to prevent damage to creels from active mobile fishing gear. The spatial separation envisaged by this pilot project will enable these mitigation measures to be tested. We suggest that such tests be included in the pilot. The cooperation of the Ministry of Defence should be sought in investigating the presence of cetaceans within the area from acoustic or visual records.

Eligibility Criteria

4 Do you agree that continued access for trawl vessels should be determined by a track record of fishing activity as described?

Yes

Please set out the reasons for your answer:

Yes, but it is important that continued access is contingent on full compliance with the measures stipulated in the pilot scheme.

5 Do you agree with the principle that eligible trawl vessels be restricted to fishing in the Trawl Fishing Control Area?

Yes

Please set out the reasons for your answer:

It is essential that the use of mobile and static gear is spatially separated.

Requirement for Onboard Vessel Monitoring System (VMS)

6 Do you agree that eligible trawl vessels should be required to have on board VMS?

Yes

Please set out the reasons for your answer:

Yes. We believe that this should be a requirement for all use of gear within the inshore zone. If Remote Electronic Monitoring systems with CCTV were to be installed (REM) on eligible vessels, this would incorporate the VMS system and provide an opportunity to further incorporate REM across different sectors of the Scottish fleet.

The measures available in the pilot scheme must make provision for the suspension of a licence to fish within the trial area in the event of infringements indicated by the VMS.

7 Do you have views on the specification of the VMS?

Please write your response here:

It must be effective, must have a short interval between pings (e.g. 10 mins) and must be operational at all times when the vessel is under way. However, rather than investing in VMS systems for these vessels, this would be an ideal opportunity to further pilot a Remote Electronic Monitoring system (REM), already in place on selected scallop vessels across Scotland.

Controlling Effort

8 Do you agree that there should be a limit on the fishing effort of eligible trawl vessels fishing in the Control Area?

Yes

Please set out the reasons for your answer:

Allied to this there must be an appropriate method of assessing nephrops stocks in order to determine whether fishing levels are sustainable. This measure should also apply to creel fisheries.

Track Record of Creel Fishing

9 Do you agree that fishing for Nephrops by creel should be restricted to those vessels with a track record of Nephrops creel fishing activity in the Inner Sound?

Yes

Please set out the reasons for your answer:

It is reasonable to use this as one method of restricting access, but it is more important that the overall level of fishing effort is known, monitored and managed effectively (see below). Preferential access should be granted to smaller vessels based in ports in the immediate vicinity because these are most likely to be restricted by adverse weather conditions. It would be important to allow for the introduction of new vessels where capacity allows, in this category provided there was a reduction in the fishing capacity elsewhere.

10 What are your suggestions for how a track record should be determined?

Please write your response here:

Creel Caught Nephrops Minimum Landing Size

11 Do you agree that the minimum landing size of Nephrops caught by creel in the Inner Sound should be increased?

Yes

Please set out the reasons for your answer:

The use of escape panels should be mandatory.

12 What are your suggestions on what the minimum landing size should be increased to?

Please write your response here:

The minimum landing size should be increased to 85mm overall length, carapace 25mm and tail 46mm, in line with the MCRS for Nephrops in adjacent ICES areas.

<https://www.gov.uk/government/publications/minimum-conservation-reference-sizes-mcrs/minimum-conservation-reference-sizes-mcrs-in-uk-waters>

Annual Quota for Nephrops Creel Fishing

13 Do you agree that an annual quota should be established for Nephrops creel fishing in the Inner Sound of Skye?

Yes

Please set out the reasons for your answer:

It is vital that effective measures are introduced to ensure that the creel fishery is conducted within sustainable limits and that this is monitored before and after the trial. Creels are capable of taking an unsustainable level of harvest as they can be fished continuously over long periods unlike mobile gear fisheries. They are also able to target breeding females which are less susceptible to capture by trawls. In addition to an overall catch quota, consideration should be given to some form of temporal limitation on the duration for which creels can be fished in any location. The number of days for which a creel is actively fished is more important than the total number of creels deployed. The pilot scheme should be designed to test out the effectiveness of managing the number of creel-days. Integral to this would be an accurate measure of the catch per unit effort of all creels deployed and records of the areas fished.

14 What are your suggestions on how an annual quota should be determined?

Please write your response here:

See Qu 13

Individual Vessel Creel Limits

15 Do you agree that Nephrops creels deployed by individual vessels in the Inner Sound should be restricted?

Yes

Please set out the reasons for your answer:

But see Qu 13

16 What are your suggestions on what a maximum number of Nephrops creels per vessel should be set at?

Please write your response here:

Limits should be based on the number of creel-days, not the number of creels.

The number of creels should be restricted to the maximum number of creels a vessel currently deploys. The aim of the proposal is to trial separation of mobile and static gear and to introduce local management for the nephrops creel fishery. Therefore, any increase in the number of creels would not contribute to the aims of the proposal.

About you

What is your name?

Name:

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Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

Scottish Environment LINK (Marine Group)

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

This consultation response was compiled on behalf of Scottish Environment LINK's Marine Group and is supported by the following organisations: Marine Conservation Society, National Trust for Scotland, Royal Society for the Protection of Birds Scotland, Royal Zoological Society for Scotland, Scottish Wildlife Trust, and Whale and Dolphin Conservation.