

Consultation on New Controls in the *Nephrops* and Crab and Lobster Fisheries

Scottish Environment LINK is the forum for Scotland's voluntary environment organisations, with over 30 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Overarching comments

Scottish Environment LINK's Marine Taskforce welcomes this consultation and the aspiration to achieve better management of our important shellfish resource. Nevertheless, we note that within the *Nephrops* fishery, trawling accounts for 90% of the catch by volume, has a three times lower value per tonne than creel-caught *Nephrops* and has a potentially much greater detrimental impact on non-target species and some marine habitats. We therefore believe that controls on creel fishing should only form part of an integrated system for management of the resource and that the key to achieving a truly sustainable fishery must rest with effective management of the trawl fishery. In particular, controls on creel limits should not be seen as a means of increasing the area available for trawl fishery as we note has been implied in some of the consultation material ("Limits on creels will reduce the risk and operational/financial impact of gear conflict... between trawl and creel"). We believe that there would be environmental and economic benefits in reducing the area of sea available for trawling rather than increasing it.

We are disappointed that the consultation has not sought to achieve better spatial management of the fishery. The ability to manage the fishery at a local scale is essential for species of limited mobility and will encourage local communities to take responsibility for the resources from which they benefit over the longer term. We hope that this will form part of the National Marine Plan and Regional Marine Plans, but we are disappointed with the significant delays in their production. Such delays will only undermine local fishing businesses as they will be unable to plan ahead or conform with Environmental Assessment legislation. Spatial management of creel fisheries also needs to incorporate the use of closed areas. Experience of the demand for fishing in the Inner Sound, adjacent to the British Underwater Test and Evaluation Centre (BUTEC) Range, points to the spill-over benefits from nearby closed areas.

We also note that the use of creels (both for *Nephrops* and crabs and lobsters) is not without environmental impact due to the gear dragging across the bottom and to bycatch, including entanglement with ropes. SMRU¹ concluded that 50% of minke whales stranded in Scotland had died as a result of entanglement with ropes, a high percentage of whales observed at sea have entanglement scars and there are documented reports of mortality of basking sharks resulting from entanglement with creel ropes². There is also a problem of entanglement of leatherback turtles and bycatch of otters. These impacts require further

¹ *Entanglement of minke whales in Scottish waters; an investigation into occurrence, causes and mitigation*. S. Northridge, A. Cargill, A. Coram, L. Mandleberg, S. Calderan and R. Reid (2010) SMRU Contract report.

² *Basking Shark Hotspots on the West Coast of Scotland: Key sites, threats and implications for conservation of the species*. Speedie, C.D., Johnson, L. A., Witt, M.J. (2009). SNH Commissioned Report No.339I

research with a view to developing techniques for mitigating them. While the consultation makes reference to reducing the danger of creels to other users of the sea, we find it extraordinary that it does not refer to their impact on the environment.

Further, we note that there is shamefully poor information available on the sustainability of creel fisheries of all types. The statement "we currently lack a scientific basis for recommending what any quota for crab and lobsters should be set at" is deplorable and there should be no question that this situation needs to be improved. Given their huge value to the Scottish economy, collecting sufficient information to achieve sustainable management of shellfisheries should be seen as an urgent priority. Imposing creel limits for each vessel will improve, but not solve, this problem and it will get us no closer to answering the critical question of whether the current level of fishing is sustainable. It is essential to design a management system that will provide us with the information necessary to do this. The system must provide data on the catch per creel-day in order to assess its impact. Collecting this information should be seen as the basic minimum of any system of management.

Question 1 - Do you think that the number of creels used by individual *Nephrops* vessels needs to be capped?

Yes, there should be a cap on the number of creels used by an individual vessel and a limit to the total number of creels that can be deployed in a given area. We believe that it is important to be able to set creel limits for different parts of the sea, based on the carrying capacity of that area. A requirement to record and report catch per unit effort should be essential in any management system.

Question 2 - What benefits do you think the introduction of a creel limit would bring?

We believe it should form part of a suite of measures, integrated with the management of the trawl fishery, to enable sustainable management of the resource and to control the impact of both fisheries on non-target species and the environment. On its own, this measure will be of limited benefit to the stock or wider environment if not coupled with a wider strategic approach to *Nephrops* management which includes spatial management.

Question 3 - Do you think that the same single maximum limit should apply to all vessels?

Yes, as this is most enforceable and will benefit smaller, inshore boats which will support the local economy. Large, and often nomadic, vessels with huge fleets of creels are reported to be able to deplete local resources very rapidly. However, any limit will be of little benefit if not coupled with a limit on the total number of creels that can be deployed in an area, and additional spatial measures.

Question 4 - What number should a creel limit be set at for *Nephrops* vessels?

Any limits on the creel fishery should be based on the carrying capacity of individual areas and stocks. It is therefore vital to establish limits on the total number of creels which may be deployed in a given area (and further spatial measures) as well as on individual boats.

Question 5 - Do you think creel limits should be based on vessel length for *Nephrops* vessels?

No. See Qu 3.

Question 6 - What number should a creel limit be set at by vessel length for *Nephrops* vessels?

No opinion. As with Qu 4, limits should be established on individual boats as well as on the total number of creels which may be deployed in a given area (and further spatial measures). These limits should be based on the carrying capacity of individual areas and stocks.

Question 7 - In your opinion should there be a mandatory escape panel or increased mesh size on *Nephrops* creels?

Yes – these should be mandatory and well enforced. The Scottish Government should commission research into such selectivity measures to ensure these are most effective at releasing non-target species and sizes. We note that creel fisheries, though more selective in catching large *Nephrops*, have the disadvantage of taking more berried females. We believe that the sustainability of this practice should be investigated and that, if necessary, controls should be introduced on the landing of berried females.

Crab and Lobster Controls

Question 8 - Do you think that the number of creels used by individual crab and lobster vessels needs to be capped?

We believe that it is essential that measures should be introduced to allow the sustainable management of crab and lobster fisheries. Any limits should be based on the carrying capacity of individual areas and stocks. Controlling the numbers of creels used by individual crab and lobster vessels, as well as the total number of creels which may be deployed in that particular location, is an essential part of this. However, sustainable management is not possible unless information on the impact of the fishery is radically improved. Recording catch per unit effort in different locations will be key to this and should be seen as absolute minimum requirement for any control system that is put in place.

Question 9 - What benefits do you think the introduction of a creel limit would bring?

See above.

Question 10 - Do you think that the same single maximum limit should apply to all vessels?

Yes, as this is most enforceable and will benefit smaller, inshore boats which will support the local economy. Large, and often nomadic, vessels with huge fleets of creels are reported to be able to deplete local resources very rapidly. However, any limit will be of limited benefit if not coupled with a limit to the total number of creels that can be deployed in an area, and additional spatial measures.

Question 11 - What number should a creel limit be set at for crab and lobster vessels?

Any limits on the creel fishery should be based on the carrying capacity of individual areas and stocks. It is therefore vital to establish limits on the total number of creels which may be deployed in a given area (and further spatial measures) as well as limits per vessel.

Question 12 - Do you think creel limits should be based on vessel length for crab and lobster vessels?

No. See Qu 10

Question 13 - What number should a creel limit be set at by vessel length for crab and lobster vessels?

No opinion. As with Qu 8 and 11, limits should be established on individual boats, as well as on the total number of creels which may be deployed in a given area (and further spatial measures). These limits must be based on the carrying capacity of individual areas and stocks.

Question 14 - Do you think parlour pots should be banned or restricted in the crab and lobster fisheries?

While there continues to be insufficient information to determine whether the existing fishery is sustainable, there is no justification for restricting the fishery in this way. It is, however, essential that any system for limiting overall creel fishing effort should take account of the greater capacity of parlour pots. Similarly, this also needs to be incorporated into any system for recording effort (See Qu 8).

Question 15 - Do you think quotas should be introduced in the crab and lobster fisheries?

It is essential that the Government has the ability to control the size and location of crab and lobster fisheries. Failure to do so represents an abrogation of its responsibility to manage marine resources sustainably both within and outwith protected areas.

Question 16 - Should the minimum landing size of *Nephrops* on the West Coast be increased to match those restrictions in the North Sea?

Given the low survival rate of under-sized prawns discarded from either trawl or creel fisheries, any controls should be based on the establishment of more selective fishing techniques rather than minimum landing sizes.

This response was compiled on behalf of Scottish Environment LINK's Marine Task Force and is supported by:

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