

## CONSULTATION QUESTIONS

Please identify the main area of interest you identify with :

- |                               |                                     |
|-------------------------------|-------------------------------------|
| Nature Conservation           | <input type="checkbox"/>            |
| Fisheries                     | <input checked="" type="checkbox"/> |
| Industry/Transport            | <input type="checkbox"/>            |
| Energy                        | <input type="checkbox"/>            |
| Aquaculture                   | <input type="checkbox"/>            |
| Recreation/tourism            | <input type="checkbox"/>            |
| Academic/scientific           | <input type="checkbox"/>            |
| Local authority               | <input type="checkbox"/>            |
| Community group               | <input type="checkbox"/>            |
| Public sector/Regulatory body | <input type="checkbox"/>            |
| Local Coastal Partnership     | <input type="checkbox"/>            |

Other (Please state)

Comments

### **Q1. Does the NMP appropriately guide management of Scotland's marine resources?**

The government is to be commended on the progress made in developing this draft plan and the underlying data gathering as presented within the marine atlas and the online NMPi, which are a great resource for Scotland and the UK.

The inclusion of additional information (within background sectoral information to the NMP) regarding the fisheries sector would help provide a clearer economic as well as environmental evaluation of the strategic importance of these ecosystem elements to guide future decision making.

The draft NMP recognises key overarching objectives but would benefit from the inclusion of more forward-reaching and proactive proposals to actively guide integrated management of the increasing interaction between sectors.

### **Q2. Does the NMP appropriately set out the requirement for integration between marine planning and land use planning systems?**

While the need for integration between the marine and land use planning systems is adequately recognised within the NMP, potential mechanisms for achieving this are not.

The sectoral approach adopted within the NMP has highlighted issues that are key to understanding sector needs, but the plan does not go far enough towards identifying how these key sectoral interests and all other relevant interests can be managed in an integrated way.

This is particularly the case for fisheries, which are already subject to very complex legislation and management measures, as a further layer of potential controls at local level would prove difficult to implement.

We appreciate that feedback from the ongoing consultation on the links between terrestrial and marine planning systems may provide further guidance on improving links to the National Planning Framework, and that the plan will continue to evolve in future iterations, but consider that some additional guidance should be added to the draft.

**Q3. Does the NMP appropriately guide development of regional marine planning? What, if any, further guidance is required for regional marine planners in terms of implementation and how to interpret the NMP?**

It is clear that any Regional Marine Plans must conform to the NMP guidelines, but it is not sufficiently apparent from the current draft :-

- a) how or when the marine planning partnerships are to be set up or regional marine plans are to be developed;
- b) how will planners be able to adequately assess the needs, relative socio-economic values and potential impacts of different sectors on a scientific and objective basis when deciding between development proposals by competing interests.
- c) Although decisions will require to be made on a case by case basis with consideration of all local factors, there will also need to be a Scotland, or UK wide strategic overview as well as collaboration between areas, and it would be helpful to have some additional guidance within the plan as to how this may be achieved .
- d) how Inshore Fisheries Groups, who will be implementing area Fisheries Management Plans (0-6 Nautical Miles), and the Inshore Fisheries Management Conservation group (iFMAC) covering 6-12 Nm, can best input to the process (We presume that IFGs would need to be represented on any Marine Planning Partnership.)
- e) the extent to which, and means by which, IFG “Fisheries Management Plans“ (in the process of being agreed) will in future be subject to regional marine plans, and vice versa.
- f) The mechanisms by which regional marine planning might seek to impact on the activities of fishing vessels, which are licensed under separate legislation, not under the Marine (Scotland) Act 2010.

For energy, the Sectoral Marine Plan for Wind, Wave and Tidal Energy in

Scottish Waters (currently being consulted on) will establish nationally important sites. For fisheries interests, there needs to be a mechanism to help identify key areas for different species, issues re seasonal stock availability, and potential impacts of displaced fishing effort on other areas.

The stated presumption in favour of development of energy sectors (which may have significant knock-on effects on local fisheries and biodiversity) needs to be offset by a clearer recognition of the economic and food security value of the fisheries sector.

It is not clear how Strategic Seas Areas would be treated within the proposed hierarchy, or what designation as a SSA would mean in practical terms.

If Strategic Seas Areas are to be adopted, Aberdeen Harbour may also merit inclusion, given its national importance as regards energy, fisheries, tourism, cetacean and many other competing interests.

There are concerns that designation of the Pentland Firth as a Strategic Seas Area to further renewables developments may allow restrictions on free passage of vessels that could affect vessel safety.

The lack of information as to how or when (or even whether) regional marine planning partnerships are to be set up and managed, how national objectives are to be taken forward within local plans, and how different sectoral interests are to be managed in an integrated way adds an unhelpful layer of uncertainty to the plan. We have some concerns that too many decisions are being deferred for consideration when setting up the Marine Planning Partnerships.

**Q4. The Marine Regional Boundaries Consultation proposed that in addition to regional marine planning, further integrated management of key marine areas would be achieved by designating the Pentland Firth; the Minches and the mouth of the Clyde as Strategic Sea Areas.**

**Should the NMP set out specific marine planning policies for Strategic Sea Areas?**

This issue requires further consideration and information on how SSAs could be most effective within the overall planning system. Where SSAs are designated, there should be clear guidance on the policies to be applied.

Given the national recognition of key areas for energy, natural heritage and aquaculture, the case could be made for the designation of Strategic Seas Areas critical for fisheries, national food security etc., or the inclusion of fisheries interests within one or more SSA.

**Q5. Are the objectives and policies in the NMP appropriate to ensure they further the achievement of sustainable development, including protection and, where appropriate, enhancement of the health of the sea?**

The objectives and policies appear appropriate, but are set at such a high strategic level that it is not clear how regional decisions can be assessed or evaluated in terms of achieving these, or whether weighting should be applied to the individual elements. E.g. more guidance, and a national overview, may be needed by marine planners when evaluating competing proposals with potentially equivalent economic value, but which would meet different objectives such as employment, food security or energy security.

**Q6. Chapter 3 sets out strategic objectives for the National Marine Plan and Chapters 6 – 16 sets out sector specific marine objectives.**

**Is this the best approach to setting economic, social and marine ecosystem objectives and objectives relating to the mitigation of and, adaptation to climate change?**

Scotland's Marine Atlas provides broad brush information on the status of fish stocks and the impacts of fishing on different types of environment. There is currently insufficient information on how to evaluate different ecosystem services and their component parts, or the cumulative effects that potential developments may have on these.

Fishing is however recognised within the NMP in Chapter 6 *“as an important source of sustainable protein and essential nutrients, often caught with lower associated carbon emissions than the rearing of meat.”*

This factor underlines the importance of the fishing industry contribution to food production with a low carbon footprint, and supports the suggestion of creating Strategic Seas Areas or equivalent for fishing .

The impacts of climate change on sea temperatures, currents, species availability, migration etc are only just beginning to be understood, and ongoing changes can be expected . Any regional marine planning mechanisms and guidance (including MPAs) will need to have built in flexibility so they can be adapted to meet changing circumstances where mobile species move out of the areas designated for their protection.

Signs are already emerging of some fish species moving further north to cooler waters, which may result in a long-term change in the types of fish available within our inshore waters. Fishermen will require flexibility to sustainably prosecute accessible fisheries within local waters to maintain food supplies without increasing their carbon footprint.

**Q7. Do you have any other comments on Chapters 1 – 3?**

Although fishing vessel-licensing is outwith the Marine (Scotland) Act 2010, the impacts of vessel activities will fall within the overall NMP or regional marine plan policies and objectives. There needs to be further consideration as to how these two systems can be integrated in a way that is clear and fair, along with the potential role of the Inshore Fisheries Groups and /or the Inshore Fisheries Management And Conservation Group in advising on requirements for variations of licence, perhaps on a spatial or temporal basis.

### **General Planning Policies**

**Q8. Are the general policies in Chapter 4 appropriate to ensure an approach of sustainable development and use of the marine area? Are there alternative policies that you think should be included? Are the policies on integration with other planning systems appropriate? A draft circular on the integration with terrestrial planning has also been published - would further guidance be useful?**

Gen 1. This presumption in favour of sustainable development where consistent with the plan is held to be important for fisheries (food and drink), and will be particularly relevant for some more remote areas of Scotland.

Gen 6. We would wish to see inclusion within the general guidelines of a clearer reference to the principles contained in Fisheries Policy 6. i.e. that terrestrial planners (and not just ports) should engage with key stakeholders regarding any proposed changes in existing infrastructure that might affect the viability of dependant fishing fleets, and that there should be a presumption in favour of maintaining necessary infrastructure.

Gen10. Data gathered as part of ongoing EIA processes and subsequent monitoring should be held centrally and made widely available so a clearer picture can emerge of what is in the marine environment, and the potential impacts and cumulative impacts of proposed developments.

The availability of current data, and the collection of new national data will also be key for inshore fisheries groups and marine planning decision makers to meet the needs for maintaining healthy fish populations.

Gen 12 states *“Marine planning and decision making authorities should ensure that development and use of the marine environment complies with legal requirements for protected areas and protected species and does not result in a significant adverse effect on the national conservation status of other habitats or populations of species of conservation concern.”*

The wording of this policy seems to suggest that significant adverse effects on habitats or species not of conservation concern could be acceptable. This policy needs to be clarified in line with the Strategy for Marine Nature Conservation et al.

The list of Priority Marine Features includes commercial species, and

habitats that support these. Further guidance may be appropriate regarding integrating and ensuring the compatibility of the fishing (particularly inshore fishing) and other marine planning activities and objectives.

Gen 16. When considering the effects of anthropogenic noise etc on sensitive species, account must be taken also of the potential impacts on spawning grounds, migration routes etc of priority species, including the effects of electromagnetic fields from sub sea power cables etc.

Gen 19. Regional marine planning decisions require to attempt to minimise emissions of greenhouse gases. Consideration should therefore be given to avoid developments in the marine environment that diminish access to locally productive fisheries areas and stocks and that avoid adding to carbon footprint.

GES 9 should help safeguard fisheries in relation to pollution events.

GES 11 may have particular relevance for fisheries in relation to the siting of renewables developments and infrastructure including sub sea cabling.

The terrestrial National Planning Framework makes provision for “areas for co-ordinated action”. Is something similar proposed for the Strategic Seas Areas? Or could something similar be used to integrate the fisheries management and general marine management plans for key fisheries areas?

**Q9. Is the marine planning policy for landscape and seascape an appropriate approach?**

No comment

**Q10. Are there alternative general policies that you think should be included in Chapter 4?**

No comment

**Guide to Sector Chapters**

**Q11. Do you have any comments on Chapter 5?**

**Are there other sectors which you think should be covered by the National Marine Plan?**

1) As stated previously, the requirements of the fisheries sector(s) need to be fully recognised within the NMP, given that the spatial and

temporal distributions of fish stocks and nursery areas are not uniform and may be subject to major change due to climate change and other factors.

The loss of fishing opportunity in one area may not be able to be met by increased effort in another area.

- 2) Also, policies guiding the interactions between sectors and those enabling multiple, cross-sector activities need to be further developed. The current NMP does not have a strong spatial focus so this aspect will need to be addressed more fully within the next iteration and / or the regional marine planning proposals.
- 3) Seaweed harvesting (now subject to separate consultation) should also be referred to. Provision should also be made for later inclusion of other activities, particularly in the inshore / coastal zone, that may become significant in light of changing technology (e.g. for renewable energy / biomass / carbon capture and storage), climate change effects on local species distribution etc.

## **Sea Fisheries**

### **Q12. Do you have any comments on Sea Fisheries, Chapter 6?**

- 1) The NMP would benefit from the inclusion of a map showing all fishing-dependent communities and all ports with data on the scale and type of fish landings etc, to show marine planners their comparative values in relation to other activities.
- 2) We would wish to see a clearer definition of the term “sustainable” in relation to fisheries, since this can be interpreted differently by different interest groups. E.g. Sustainability in relation to MSFD descriptors.
- 3) Map 5 claims to represent the “average effort in Scotland’s seas by all UK vessels”. Given that effort data is not yet being gathered for 10Mu vessels and that Scotmap data was limited to certain areas, a note regarding the source of this data might be appropriate.
- 4) Map 6 only shows the value of landings in Scotland from Scotland’s seas and does not reflect the value of catch taken by other nations’ vessels and landed elsewhere.
- 5) The colour gradation scheme used in maps 5 & 6 makes it very difficult in print-outs to differentiate between levels 3 and 4, and should be modified.
- 6) The draft NMP notes that the Scottish fishing fleet comprises four broad sectors:-
  - The pelagic fleet

- The demersal / whitefish fleet
- The mixed demersal and shellfish fleet
- The shellfish fleet

### **Commercial, wild salmon fishing also needs to be recognised**

- 7) Whilst the individual NMP fisheries objectives seem appropriate, we consider they provide too incomplete an explanation of fishing activities and environmental impacts to be used as planning policy guidance for regional marine planning.
- 8) It is suggested that marine planning policy guidance needs a **clearer demarcation between the type of gear used, and the implications in terms of its potential effect on the environment**, e.g.
  - Towed gear (pelagic)
  - Towed gear (whitefish / shellfish)
  - Static gear.
- 9) **Hand gathered and dived fisheries should also be recognised.**
- 10) Smaller fishing communities are often reliant on small scale, seasonal and niche fishing opportunities, potentially including both shellfish and finfish. The proportionality of the effect of planning decisions on local communities should be adequately taken into account.
- 11) In the section 'Living within Environmental Limits', the general statement that "Fishing using mobile gear also adversely affects the sea bed...." should be qualified, since not all mobile gear is implicated. E.g. Apart from pelagic fisheries which are mainly mid-water or off the seabed, some of the types of gear used on rough bottom for white fish, with Rockhopper Trawls which have rubber discs of up to 24 inches in centre section, have little contact with the seabed and bounce over any obstruction with minimal damage. Similarly with pair-trawling for white fish, the net has little actual bottom contact as it is the sweeps that herd the fish towards the net.
- 12) Activities such as scallop dredging are recognised as having the most significant impacts on the seabed habitats within Scotland's waters. Fishing using mobile gear can also cause damage to features and habitats, which must be weighed against their significance in economic terms.  
The **addition of "on sensitive habitats or locations"** may give the policy context more objectivity i.e.:- "Scallop dredging is recognised as having the most significant impact on sensitive habitats or locations within Scotland's waters".
- 13) However, it should also be noted that scallop grounds can recover within a relatively short period of time, confirmed by the fact that commercial scallop fisheries keep returning to the same areas. Scallop



fishing can therefore be sustainable, as evidenced by the Marine Stewardship Council (MSC) accreditation already granted to a Shetland scallop fishery.

- 14) A variety of benthic habitats support important demersal fisheries, providing essential habitats and nursery, feeding and recruitment areas for fish species. Nephrops also rely on a specific muddy habitat to construct burrows. Both water depths and currents are key in the distribution of fish stocks and sufficient weight needs to be given to this within planning policy guidance, since most conflicts over resource-use are likely to occur between marine industry-users in the shallower, inshore areas or shallower reefs and sandbanks.
- 15) The translation of the NMP's stated objectives into practical marine planning proposals will require clearer information and understanding regarding the different types of fisheries prosecuted, their seasonality and the competitive interactions between sub-sectors, particularly between the inshore vessels and the pelagic and whitefish offshore sectors.
- 16) Mobile and static gear fisheries have different issues and should be referred to separately in terms of the species being fished and the size of vessel (over 10m, and 10 metres or under (10Mu)).
- 17) The planning process needs to recognise the significant differences there can be between inshore and offshore fish stock management based on typical fishing activity. E.g. regarding discards. Within the static gear sector, most white crab, undersized crab and other shellfish returned to the sea from creels are alive and should not be classified as discards.
- 18) The type of information marine planners will require to obtain an accurate impression of activity (e.g. that around 70% of the '10 metre or under vessels' are currently creelers) is complex and rapidly changing. As suggested elsewhere, sectoral information like this should be considered as background information and not embedded within the NMP.
- 19) The Inshore Fisheries Groups' current area of remit only extends to 6Nm. The Inshore Fisheries Management and Conservation Group currently has responsibility for fisheries management in the 6 – 12 Nm area.
- 20) Marine planning policy guidance needs to reflect the fact that between 6 – 12 Nautical miles (Nm), only EU states with historic fishing rights have access to Scottish waters and these rights relate mainly to pelagic species.  
Marine measures such as sea area closures are often managed at EU level or through the North East Atlantic Fisheries Commission.  
National measures may be put in place by Scottish ministers, but

outside the 6 Nm zone, other EU member states are not obliged to observe these closures.

21) Policy Fisheries 5 states that *“Where an impact on existing fishing activity may occur, a **fisheries management plan** should be prepared by the developer, involving full engagement with local fishing interests.”*

In order to ensure that such plans are implemented and monitored, as well as integrated with plans from developments in other areas, they will require to be integrated with the existing inshore Fisheries Management Plans prepared by the IFGs and also reflected in any local regional marine plans. This will be particularly important as regards the impacts of displaced fishing activities, etc as already mentioned .

The key role of IFGs within national level planning and future Regional Marine Planning / MPPs needs to be clearly identified and resourced.

22) ‘Fisheries 7’ refers to recreational angling, whose interests have already been recognised in the set up of IFGs. Our concerns as an industry relate more to “hobby fishing”, where no catch limits are set. We recognise the historic rights of individuals to fish, but mechanisms and resources need to be introduced to enable Marine Scotland Compliance officers to control large-scale unlicensed activities, where individuals are illegally profiting from their catch. E.g. there is no limit on the number of creels that an individual can set and local reports have identified some with over 100 creels. The extent of this unrecorded fishing effort and catch undermines the scientific accuracy of the assumptions that can be made from the data provided by bona fide, licensed fishermen.

This would then complement the aim outlined in ‘Part 4: The Future’, of “moving towards a system of **monitoring total removals**.....”

**Q13 Are there alternative planning policies that you think should be included in this chapter?**

One of the Plan's Objectives is

- Support the sea fisheries industry to:
  - Maximise annual quota opportunities across Scotland's stocks

That will not be achieved in future unless there is not only a recognition of the impact of seals on fish stocks but also a management plan put in place to regulate the growth of the grey seal population to what may be agreed as acceptable levels.

#### ***Effect of seals on North Sea cod***

*Over the past decade, a large management effort has been exerted to decrease catches of cod in order to allow the North Sea cod stock to recover to levels above precautionary reference points and to ensure management in accordance with the MSY principle. This effort resulted in a decrease in reported catch corresponding to a decrease in fishing mortality of around 50% compared to that in the year 2000. This should have resulted in a swift recovery of the cod stock to levels compatible with MSY management as the stock responded to the decrease in total mortality.*

*However, the age composition of cod did not recover as anticipated and it was necessary to adapt the stock assessment to account for a large mortality from an unknown source affecting large cod (up to 49% in the years 2007–2010), and the resulting decrease in fishing mortality of only 30%. This unknown source of mortality was significant in all years from 2001 onwards. It was hypothesised that it was a result of increased discards or unreported landings and efforts to control these would be necessary to rebuild the cod stock.*

*During the same time period, the grey seal population in the North Sea increased to levels beyond what had been seen during the past 40 years. Grey seals feed predominantly on fish and are able to take large prey like two- or three-year old cod. When the consumption by marine mammals was included in the model of cod natural mortality, the unallocated mortality was no longer significant in the period from 2008–2010.*

*Hence, the conclusion reached by some that the lack of speedy recovery of the cod stock could be blamed on discards and unreported landings could at least be questioned.*

Page 23 of the Framework for Multi Species Assessment and Management

<http://www.ices.dk/publications/Documents/Miscellaneous%20pubs/A%20framework%20for%20multispecies%20assessment%20and%20management.pdf>

The **Scottish** grey seal population was estimated at 164,000 in 2008, but the latest 2012 Special Committee on Seals (SCOS) report uses revised population modelling criteria and suggests much reduced estimates of UK grey seal numbers.

<http://www.smru.st-andrews.ac.uk/documents/1199.pdf> .

NOTE however, that 20 years ago, in 1993, the grey seal population was estimated to be not less than 100,000 animals based on the Sea Mammals Research Unit work - 1993 SFF paper "The impact of Grey Seals on fisheries - the need for their management."

Nevertheless using the new model, the 2012 Scottish grey seal population is now estimated to be around 97,846#. However, the SCOS report indicates that the North Atlantic populations in Canada, USA, UK and the Baltic are still increasing, albeit at a reduced rate.

(#provided by Callan Duck of Sea Mammal Research Unit. Based on the last actual pup count in 2010, 44,109 Scottish pups of 50,174 born in the UK = 87.9121%. of the current estimated 111,300 UK grey seals, this gives an equivalent Scottish population of 97,846.)

Taking this 2012 estimated Scottish grey seal population of 97,846 the total fish consumption at an average of 7kg\*\* per day would be around 250,000 tonnes, including a mix of commercial and other species.

(\*\*<http://www.scotland.gov.uk/Topics/marine/marine-environment/species/19887/20814/20877>  
Prey weight varies depending on species / season. Sandeel would be around 4Kg/day)

By comparison, in 2012, the quantity and value of all landings by Scottish vessels by main species was 365,000 tonnes of fish and shellfish with a value of £466 million according to the 2012 Scottish Fisheries Landings Statistics.

The total value of the fish and shellfish landed in the UK in 2012 was 400,640 tonnes valued at £568.318million.

Using the new modelling results if the North Sea population has increased at “around 4.5% p.a. since 2000” then the estimated 2013 population is now 127,000 animals in the UK.

Based on an estimated population of 127,000, the total UK fish consumption at an average of 7kg per day would be around 325,000 tonnes just 10,000 tonnes short of the Scottish fleet’s 365,000 tonnes of fish and shellfish landed in 2012 and 75,000 tonnes short of the UK fleet’s landings of fish and shellfish in the UK

However omitting shellfish from the calculations, the total fish (demersal and pelagic) landed in 2012 by the Scottish fleet was 295,500 tonnes valued at £309 million.

**The estimated UK population of Grey seals therefore consumed 30,000 tonnes more fish than the Scottish fleet’s 2012 landings of 295,500 tonnes of fish.**

These are not insignificant figures demonstrating that uncontrolled expansion of grey seal populations is not sustainable, either for fisheries, or other key species such as cetaceans, common seals and seabirds, and a balanced approach is required. Sand eel, an element of the seal diet, is an important food source for puffins and other bird species that are facing decline.

The grey seal management plans could include options for sustainable use of seals or seal products. Grey seal numbers should be sufficiently high to maintain healthy breeding populations and provide visitor attractions (where compatible with avoiding disturbance) as part of a balanced ecosystem approach, but not so high as to endanger other populations.

## Aquaculture

**Q14. Does Chapter 7 appropriately set out the relationship between terrestrial and marine planning for Aquaculture? Are there any planning changes which might be included to optimise the future sustainable development of aquaculture?**

Aquaculture is currently not an issue for east coast Scotland and the presumption against marine fish farms in this area is generally considered appropriate.

However, given the relatively limited number of sheltered sites on the east coast that could accommodate aquaculture production, the NMP should perhaps reflect the future potential need for biosecurity, and identify any sites or additional measures that would be required to secure healthy shellfish hatcheries, both onshore and offshore, (e.g given the spread of herpes virus in Pacific Oyster hatcheries).

The current “footprint” of fish farms that requires to be declared within planning applications does not include the full area around the farm that may be “blighted” in terms of other activities. E.g. there are often anchor cables, exclusion zones and supply vessel activity in the area around the fish farm that preclude other fishing activity taking place. This current loophole should be closed and the full extent of the impact of fishfarms, or any other development, on other sectors should be declared and taken into account as part of the marine planning process.

**Q15. Do you have any comments on Aquaculture, Chapter 7?**

Aquaculture 5 states that *“Shellfish waters will be protected in a proportionate manner by designation. Once shellfish waters are designated, there will be a presumption that future expansion should be located in designated areas.”*

We consider that this policy may have significant implications for other fisheries that currently use these designated areas, since access may become more difficult or restricted. The restricted areas for fisheries extend well beyond the footprint of fish farms as stated in planning applications due to anchor cables, exclusion zones etc and this should be more fully recognised within the current and any future planning system.

Chapter 7 part 4, The Future.

Longer Term. *“The potential to move to increasingly offshore or more exposed salmon farms may, in time, remove the main spatial constraint on the industry and could herald the next stage of aquaculture development. Potential sites could be much larger than existing sites and therefore represent a significant increase in the value of the Scottish industry. The Scottish Government will take a more proactive role to identify opportunities with the industry.”*

Any expansion of the aquaculture sector to more exposed or larger offshore sites is likely to lead to more competitive interactions with the inshore fishing

industry and / or the displacement of other fishing activity that could impact on other areas.

**Q16. Are there alternative planning policies that you think should be included in this Chapter?**

In the past, aquaculture sites that have been decommissioned or become fallow have left disused equipment on the seabed that is capable of fouling fishing gear. We recommend a clear planning presumption in favour of the removal of redundant equipment including mooring systems.

**Wild Salmon and Migratory Fish**

**Q17. Do you have any comments on Wild Salmon and Migratory Fish, Chapter 8?**

Details of heritable and other fisheries also need to be recognised and mechanisms outlined for managing these as part of the marine planning process.  
More research requires to be completed regarding migration patterns and the effects of electromagnetic radiation from sub sea cabling etc. (Current studies at the Fish Laboratory have been using farmed salmon stocks, whose sensitivity to such influences may have been impaired compared to wild salmon.)  
The detrimental effects of uncontrolled seal population increases and seal predation on salmon and trout as well as other species should be recognised as being an important factor in long term sustainable fisheries development.

**Q18. Are there alternative planning policies that you think should be included in this Chapter?**

No comment

**Oil & Gas**

**Q19. Do you have any comments on Oil and Gas, Chapter 9?**

Sea areas should be identified for mooring redundant rigs and structures awaiting decommissioning, that have least impact on fisheries areas.

**Q20. Are there alternative planning policies that you think should be included in this Chapter?**

No comment

**Carbon Capture & Storage (CCS)**

**Q21. Do you have any comments on Carbon Capture and Storage, Chapter 10?**

No comment

**Q22. Are there alternative planning policies that you think should be included in this Chapter?**

No comment

### **Offshore Renewable Energy**

**Q23. Should the NMP incorporate spatial information for Sectoral Marine Plans?**

The sectoral marine plans should be considered as background information for the NMP rather than being part of the plan. If specific spatial information on renewable energy developments is required, this should be included within the NMP.

**Q24. Do you have any comments on Offshore Renewable Energy, Chapter 11?**

Sub Sea Cabling – we need more information on effects of electro magnetic fields on different species and migratory species before networks of cables criss cross the entire Moray Firth both between arrays and the main power transmission cable to onshore sub stations.

Cables that cannot be buried due to seabed conditions should be adequately covered by matting or other means to limit their effect on migratory and other species

Where rock armouring is required for seabed structures that destroys key areas of fishing ground or nursery areas, mitigation measures such as recreating lobster habitats and restocking with young lobster should be considered as a mitigation measure.

Compensation for displaced fishing activity should be considered, especially as the effects of the installation, maintenance and exclusion zones round structures may have long lasting impacts both for that area, and displaced fishing effort will put increased pressures on stocks in other areas.

**Q25. Are there alternative planning policies that you think should be included in this Chapter?**

Concern has been raised over the implications for the inshore fishing industry regarding offshore energy generating projects outside territorial waters (12 nm) and under 50MW, which do not require to apply for consent under section 36 of the Electricity Act 1989. A recent example is the award of an exclusivity agreement by The Crown Estate for the deployment of five floating wind turbine generating units in the Buchan Deeps approximately 25km off the coast of Peterhead, which is an important fishing and nursery area.

Whilst we appreciate that discussions have taken place between the developers and the Scottish Fishermen's Federation and at least one local association as part of the pre-scoping study, there will be a number of implications for inshore fishermen that should at least be discussed with the Inshore Fisheries Groups. The East Coast IFG had possibly not been set up when these particular discussions took place, but we are keen to ensure that, in future, the relevant local Inshore Fisheries Groups are a consultee and are provided with information on all relevant applications, so that key information being gathered at IFG level can be made available and so that all relevant fishing associations can be consulted.

**Recreation and Tourism**

**Q26. Do you have any comments on Recreation and Tourism, Chapter 12?**

Recreational and tourism activities, which can have significant impacts on the environment, should also be subject to controls as part of an integrated marine and coastal management strategy.

For example, hobby fishermen currently enjoy unrestricted rights regarding the amount of fish they can catch, or the number of lobster or crab pots they can deploy, as long as the catch is taken for personal use and is not sold or disposed of for gain. The current lack of controls makes this sector very difficult to manage effectively and there are many reports of individuals with large numbers of creels (some up to 100) potentially illegal sales activity, undersized and inappropriate catches (eg berried lobster) that need better management.

The MF & NC IFG wishes to see closer liaison and co-operation with hobby fishers, as well as future measures requiring all hobby fishers to record their catch. Only in that way can all fishing effort be monitored to ensure the long terms sustainability of our fisheries.

**Q27. Are there alternative planning policies that you think should be included in this Chapter?**

No comment



## **Transport (Shipping, Ports, Harbours & Ferries)**

**Q28. Should the NMP specifically designate national significant ports/harbours as described in Chapter 13: Marine Planning Policy Transport 2?**

What would designation entail and mean in practical terms?

Depending on the significance of “designation” in planning terms, the proposed list of nationally significant ports and harbours should be consulted on separately. Fraserburgh is of national significance in fishing terms and should potentially be added to the list.

Any designation of ports and harbours should not deflect attention from smaller ports and harbours that provide invaluable services to our national industries like fishing, albeit on a smaller scale. E.g. Macduff which is of importance for fishing and which aims to play an increasing role in supporting future renewables developments.

The inclusion within the NMP of a map / diagrams showing the main types and quantities of cargo and fish landings for ports would help to establish their relative importance across different sectors.

**Q29. Do you have any comments on Transport, Chapter 13?**

No comment

**Q30. Are there alternative planning policies that you think should be included in this Chapter?**

No comment

## **Telecommunication Cables**

**Q31. Do you have any comments on telecommunications, Chapter 14?**

No comment

**Q32. Are there alternative planning policies that you think should be included in this Chapter?**

No comment

## **Defence**

**Q33. Do you have any comments on Defence, Chapter 15?**

No comment

**Q34. Are there alternative planning policies that you think should be include in this Chapter?**

No comment

### **Aggregates**

**Q35. Do you have any comments on Aggregates, Chapter 16?**

No comment

**Q36. Are there alternative planning policies that you think should be included in this Chapter?**

No comment

### **Business and Regulatory**

**Q37. Please tell us about any potential economic or regulatory impacts, either positive or negative, that you think any or all of the proposals in this consultation may have.**

No comment

### **Equality**

**Q38. Do you believe that the creation of a Scottish National Marine Plan discriminates disproportionately between persons defined by age, disability, sexual orientation, gender, race and religion and belief?**

Yes  No

**Q39. If you answered yes to question 23 in what way do you believe that the creation of a Scottish National Marine Plan is discriminatory?**

No Comment

### **Sustainability Appraisal**

**Q40. Do have any views/comments on the Sustainability Appraisal carried out for the NMP?**

No comment