

Scottish Fishermen's Federation – Submission to the Net Zero, Energy and Transport Committee

Biodiversity Strategy: Tackling the Nature Emergency - Consultation

Background to SFF

The Scottish Fishermen's Federation (SFF) is a democratically constituted industry group set up in 1973 and its key aims are:

- Promoting and protecting the collective interests of the Scottish Fishermen's Federation Constituent Associations.
- Supporting production of healthy and sustainable wild-caught seafood, ensuring a sustainable future for the industry and our marine environment.
- Advancing the reputation of fishing by championing responsible practice in meeting a growing demand for healthy, climate-smart food.
- Improving fishing safety through supporting and promoting professional standards of training and compliance with safety standards.
- Showing fishing as a positive career choice – one with a viable and positive future.

SFF is comprised of eight Constituent Associations, with around 450 vessels within their membership, representing a wide range of fishing businesses, both inshore and offshore and catching a wide range of fish and shellfish species across demersal, pelagic and shellfish fleets.

Whilst SFF doesn't represent all fishing vessels in Scotland, our constituent Associations bring a very diverse membership across both geography and fleet sectors, and account for the vast majority of the catching effort in the Scottish fleet.

Scottish Biodiversity Strategy and Draft Delivery Plan

- ***Does the draft plan appear fit for purpose to address the biodiversity crisis as it affects Scotland?***
 1. SFF wishes to make a number of points about this consultation and would be happy to explore in more detail with the Committee on 12 December. We have comments with regard to both process and substance.
 2. Starting with process. From a practical perspective, this consultation was very difficult to deal with. Documents were nested within other documents, and it would have been very easy to miss key aspects. It should be much clearer on the face on a consultation exactly what documents are included and what questions are being asked. In addition, we were very disappointed that having asked for an extension to deal properly with the complexity of this consultation, and take into account all the

potential ramifications with related policies, the Scottish Government was not willing to grant one.

3. It is our understanding that the Scottish Biodiversity Strategy itself is unchanged from the version consulted upon in 2022, other than adding reference to the Global Biodiversity Framework. The delivery plan that is the subject matter of the current consultation is for the implementation of the first five years of the unchanged Biodiversity Framework, which begs the question why to consult on the Strategy in 2022, if no changes were to be made in response.
4. This is disappointing and gives the impression that the 2022 consultation was simply a paper exercise and that the Scottish Government was not concerned with the views expressed upon it. We had understood from reading the content of the SEA, that due to stakeholders finding it difficult to comment on the draft Strategy in the 2022 consultation as it lacked some of the necessary context and elements needed, that the Scottish Government's intent was to consult again on the Strategy in this phase alongside the draft Delivery Plan (see paragraph 1.18 of the SEA). Despite this, there appears no space in the current consultation to provide any additional feedback on the Strategy itself.
5. The documents making up this consultation have to be read collectively, and we consider that there is a mismatch between the draft Delivery Plan and the Strategic Environmental Assessment (SEA). The SEA goes through a process in its Assessment of Reasonable Alternatives to identify whether Scotland's approach to addressing biodiversity should focus a restorative or regenerative approach, and the outcome supports the latter.
6. This is not reflected consistently in the draft Delivery Plan however, and especially in the Section on the "Statutory Targets for Nature Restoration" where there is much reference to restorative approaches. As SFF specified in our original response to the consultation and as acknowledged in the SEA itself, in many cases restoration of biodiversity may not be possible, if environmental conditions have changed in ways that now make it not possible for the current ecosystem to support whatever change back to the past may be thought desirable. Restoring to some point in the past is no longer possible in some cases as conditions of today and the future are too different.
7. Similarly, the SEA considers whether there should be a short or longer term approach to delivery. The SEA overwhelmingly supports a longer-term approach, yet the draft Delivery Plan focusses on five year rolling programmes for delivery. It is concerning therefore that the Scottish Government appears not to support the findings of its own SEA.
8. In our discussions with Scottish Government on biodiversity, we have discussed the OSPAR assessment of the northeast Atlantic, which is one of the assessments underpinning the SG's Strategy. The most recent OSPAR assessment is based on data up to 2018-19, We raised this with officials as meaning that the OSPAR assessment would therefore not have identified any trends over the last 4-5 years. We were advised that this is too short a time frame over which trends in biodiversity

could be observed. It seems contradictory therefore that five year rolling delivery plans will be capable of assessing whether the Scottish strategy is having any effect.

9. The draft Delivery Plan is at a high level and there is much detail yet to follow, including the Accountability Framework in the proposed Natural Environment Bill and statutory targets for biodiversity in secondary legislation. The decisions about these statutory targets and how they will be deployed will be critical. We are concerned that the timelines set out in the draft Delivery Plan will make it very difficult to collect and assess data, review it and revise the Plan as necessary. This will be particularly true for data collection in the marine environment.
 10. We are also concerned that the draft Delivery Plan does not appear to be costed. The content of the draft Delivery Plan is rightly ambitious but will, we believe, be extremely costly to implement. This may be particularly the case during a time when budgets are constrained and resources and capability may be spread thinly. Data collection at sea is more complex, time consuming and considerably more costly than on land.
 11. We would be concerned if in an attempt to address the issue of resources to deliver the draft Delivery Plan that the SG would look to 'citizen science' or single issue interest groups to fill the gap. The science, data and information needed for the draft Delivery Plan must be robust and rigorous, particularly when statutory targets are to be met.
 12. The plan also fails to recognise and take account of what is already underway. For example, in the marine environment, the existing network of Marine Protected Areas (MPAs) covers around 37% of Scotland's seas. By the time the planned Priority Marine Features are added, this will likely exceed 40%. This means that Scotland is already meeting the '30 by 30' ambition, though we acknowledge that the Scottish Government is still working with stakeholders on the fisheries management measures for the MPA and PMF network.
 13. We believe that the Scottish Government should complete this work on MPAs and PMFs and continue with its already planned assessment and review framework to study and measure their effect. Rushing into new approaches when existing ones are still being developed is not a sensible approach, particularly when resources are stretched. PMFs were identified for their importance for protecting biodiversity in Scotland and their protection is in the process of being finalised. Measures will be in place by 2025 and will protect them from what has been flagged as the potentially most impactful stressor, mobile bottom contacting gears. SFF has cooperated with the SG to streamline this process and strike a balance between protection and sustainable use around those features.
- ***Do you have any concerns that implementation of the plan could have adverse consequences? If so, please set these out.***
14. In our view, the draft Delivery Plan is trying to do too much, and in doing so, has lost focus. We believe that a more realistic approach is needed, and that the scope and expectations must be aligned with the resources available for delivery. It is also very

vague in places and is unclear about what specific actions will be. This means that it is difficult for sectors like ours to assess fully the possible impacts on businesses.

15. We must not forget that several other policies are addressing related issues: the above-mentioned implementation of measures in MPAs and the protection of PMFs, the Future Catching Policy for reduction of unwanted catches of associated species and the various initiatives focussing on protecting protected, endangered and threatened (PET) species, including seabirds and cetaceans.
16. It concerns us greatly that the Scottish Government has not carried out a Socio-Economic Impact Assessment of their proposals. This means it is difficult for businesses to understand the potential impacts. Whilst a Socio-Economic Impact Assessment is not a legal requirement for this work, it must be considered as best practise, and for proposals that are so far-reaching, we believe it is essential that one be carried out.
17. As outlined above, the scale of resources needed to give effect to the Plan should not be underestimated. It is important to understand where these resources will come from and what else will not be delivered if resources are needed for this instead.
- ***What matters, other than those set out in the plan, would require to be addressed to ensure that the plan works?***
18. There are several areas that we believe need to be addressed for the plan to work. Firstly, the Scottish Government needs to do this work rigorously and properly. The UK has determined that it must have a National Biodiversity Strategy and Action Plan before COP16 in October 2024. This deadline is driving a rushed process, which is evident in the SG's consultation.
19. This may also be why the SG would not agree to an extension for businesses to respond to the consultation, despite their recognition of the burden of consultation that our sector has faced this year, and the complexity and significance of this one.
20. There is a lack of focus, several inconsistent approaches and very little evident thought given about a properly rigorous and standardised approach. This rushed approach also risks money and time being spent on things that are not efficient in delivering the desired objectives. We need to maximise the impact of spending money, and this means taking time to make sure that the right actions are being taken. We believe that Scotland will be better served by a longer-term incremental approach than 'big bang' initiatives that look and sound appealing but will not deliver what is actually needed.
21. Whilst the statutory targets are to follow in secondary legislation after the Natural Environment Bill, the Scottish Government is consulting here on the logic behind the targets and how to measure them. This is a really key issue - if the targets are wrong then Scotland is being set up to fail, both nationally and internationally. There is reference to targets being SMART - Specific, Measurable, Achievable, Relevant and Time-bound. This will not always be possible and indeed brings many challenges

and some risks. We believe that the targets should be generic and measured through trends and qualitative indicators.

22. There is scant reference to baselines, and very little detail on how things will actually be done. There is a great deal of rose-coloured but rather meaningless language.
23. The references to connecting people to nature must also recognise that some of those closest to nature are our food producers. Fishermen spend most of their working lives in nature, harvesting natural resources from Scotland's well-managed fisheries. There needs to be a greater recognition of the importance of food production, and insofar as fisheries are concerned, recognising that our seas have remained extremely productive over many decades of commercial fishing.
24. Fishing efficiently with a modern fishing fleet operating in productive well-managed areas is a key part of Scotland's net zero transition – low emission, healthy protein from renewable and sustainable resources. The sector has also been working constructively with the SG for over a decade on nature conservation, aiming to strike the right balance between conservation and sustainable harvesting. We must not let a rushed biodiversity strategy and not fully thought-through Delivery Plan put that in jeopardy.
25. We understand the urge to move, be active and, perhaps sometimes more importantly, be seen to be active, but we should not forget that there are processes that are already ongoing, in a measured and planned way. There are changes implemented every day in the fishing fleet that do not individually account for a step change, but when all taken together represent adaptation to the future, with a reduction of fuel consumption, impact on fishing grounds and reduction of by-catch. Rushing is often a bad adviser and is not guaranteed to lead to success. Achieving results gradually and incrementally is often a much more effective approach than scattering bold actions that may create a temporary 'patch', but with the risk of unintended and potentially serious consequences.