



Irish Wildlife Trust

8 Cabra Road

Dublin 7

D07T1W2

Registered Charity (CRA) Number: 20010966

April 11th 2024

Re: Public Consultation on trawling activity in the 6nm zone

The Irish Wildlife Trust (IWT) very much welcomes the consultation on trawling activity within the 6nm zone. We responded to the previous public consultation and since the ban was lifted in March 2023 we have contacted the relevant Minister's on several occasions requesting that the ban be reinstated without delay. The decision to appeal this ban was a huge setback for marine protection in Ireland. We are still without Marine Protected Area legislation for Ireland and this ban was one of the only effective fisheries conservation measures we had. We would like to use this opportunity to call for a ban on all sea fishing boats over 18m in length overall to be excluded from trawling inside the 6nm zone and baselines (option 3). We would also like to make further recommendations to help ensure the sustainability of Ireland's fishing industry and marine environment.

The options are:

1. No change to the status quo
2. All sea-fishing boats excluded from pair trawling inside the 6nm zone and baselines
3. All sea-fishing boats over 18m in length overall excluded from trawling inside the 6nm zone and baselines
4. All sea-fishing boats over 15m in length overall excluded from trawling inside the 6nm zone and baselines

Many small scale fishers rely on this area as is stated within the Marine Institutes analysis, *'Sea-fishing boats under 18m using pelagic trawls, take the vast majority of their catches inside 6nm. Sea-fishing boats using demersal otter trawls take a varying proportion of their landings from inside 6nm; in general, smaller sea-fishing boats are more dependent on the zone inside 6nm than larger sea-fishing boats and most sea-fishing boats over 18m only take a small proportion of their landings inside 6nm.'* It also states that while smaller scale boats dominate the fishing activity, their landings make up less than 30% of the total landings from the area.

*'Inside 6nm, sea-fishing boats under 10m dominate the fishing activity (63% of the total fishing effort inside 6nm). **These sea-fishing boats landed around 9 thousand tonnes of fish per year from the area, which is less than 30% of the total annual landings from the area.**'* This shows that larger boats, even though they have the means to fish further out to sea, still take the majority of fish from the 6nm zone. (1)

1. <https://www.gov.ie/pdf/?file=https://assets.gov.ie/283641/d21f7dc3-6abb-4d22-8a28-e783ef81011b.pdf#page=null>

Unregulated fishing in the Irish inshore area

There are many fisheries within the 6nm zone which are unregulated and therefore are in a precarious position. Smaller boats in the inshore area are having to rely more on static gear and fishing for species such as brown crab, crayfish, sprat, shrimp, lobster, wrasse, anchovies, pilchard and many others which have no quotas and zero potting limits. This is having a detrimental effect on these species and therefore makes it more complicated when it comes to phasing out destructive bottom trawling altogether and making a just transition to more sustainable fisheries. A priority must be placed on regulating fisheries within the inshore area so that in the near future, Ireland can realistically have a low impact inshore fishing fleet which will benefit the local economy and the environment. Quotas and subsidies should also favour low impact fishers if we are to effectively move towards sustainable fisheries. This should be a matter of extreme urgency for the Irish Government.

Sprat fishing

Sprat fishing is unregulated in Irish waters resulting in massive overfishing of this important forage fish. Sprat is a key species in the marine food web and vital for larger marine fish, seabirds and mammals. According to BIMs analysis, vessels over 18m take 63% of the average annual value of sprat catches from the 6nm zone and this is one of the reasons vessels over 18m should be banned from trawling this area.

Migrating humpback whales' diet in Irish waters is made up of around 70% sprat and herring and Fin whales diet consists of 50% sprat (1). Without effectively protecting this vital forage fish species, Ireland is failing to meet its commitments under the **UN Bonn Convention on the Conservation of Migratory Species of Wild Animals**.

As there is no management of sprat in Irish waters, it is not included in the landing obligation under the CFP. According to The Irish Stock book 2023 (2), 3580 ton of sprat was landed in 2018. This then increased to 14,353 ton in 2019, 15,172 ton in 2020 and 14,146 in 2021. In 2022, 7240 tonnes of sprat were landed which shows a significant reduction thanks to the ban on trailing by vessels over 18m. However, ICES advice was that 'with the precautionary principle applied, sprat catches should be no more than 2,240 ton in each of the years 2022 and 2023'. Even with the ban on vessels over 18m, Irish sprat catches were over 3 times

what the recommended tonnage should have been. ICES have again advised that sprat catches should not exceed 2,240 ton for years 2024 and 2025. We fear that going by the level of sprat taken in years 2019 to 2021, the catch for 2024 will already have overtaken the recommended allowance by a significant amount.

National, European and global targets on marine conservation

Ireland has committed to targets at many levels in regards to marine conservation. Trawling is the most destructive and indiscriminate form of fishing causing utmost damage to the marine environment. Continuing with destructive fishing practices significantly lowers the chance of meeting planned objectives. Some of the obligations Ireland has signed up to are within the **EU Birds and Habitats Directive** (Ireland was taken to the EU Court of Justice last year after failing to meet obligations under the Habitats Directive) as well as the **Marine Strategy Framework Directive** (MSFD). Under the MSFD, Ireland failed to achieve good environmental status for Descriptor 1, Biodiversity, Descriptor 3, Commercial Fish and Shellfish and Descriptor 6, Sea floor Integrity. Restricting trawling would significantly improve the environmental status for these descriptors. Ireland currently uses a 15% disturbance threshold within protected areas, the majority of which are within the 6nm and baseline

1. <https://www.marine.ie/site-area/news-events/news/first-study-diet-fin-and-humpback-whales-irish-waters-one-hundred-years>
2. <https://oar.marine.ie/handle/10793/1873>

zones. This 15% threshold is applied in all risk assessments/appropriate assessments and is usually used to justify the continuance of a damaging activity as long as the activity disturbs less than 15% of the habitat. "Appropriate Assessments" should be carried out on plans or projects "likely to have a significant effect" on a protected site and to only authorise such a plan or project where it has been ascertained that it will not adversely affect the integrity of the site concerned (Habitats Directive Article 6(3)). Under the policy, the NPWS appears to take the position that up to 15% of a protected habitat can be damaged by a plan or project without the need for an AA. This approach does not align with the very low threshold of 'likely significant effect' established under Article 6(3).

Ireland's **National Marine Planning framework** states under Sea-floor and water column integrity Policy 1 that, *'Proposals, including those that increase access to the maritime area, must demonstrate that they will, in order of preference and in accordance with legal requirements: a) avoid, b) minimise, or c) mitigate adverse impacts on important habitats and species.'*

At **COP15 on Biodiversity** in December 2022, Ireland signed up to numerous targets to help protect and restore biodiversity. One of these targets states, *'Ensure that the use, harvesting and trade of wild species is sustainable, safe and legal, preventing overexploitation, minimising impacts on non-target species and ecosystems, and reducing the risk of pathogen spill-over, applying the ecosystem approach, while respecting and protecting customary sustainable use by indigenous peoples and local communities.'*

The EU Fisheries Action Plan: Protecting and Restoring Marine Ecosystems for Sustainable and Resilient Fisheries details the need to phase out destructive fishing such as bottom trawling in EU waters by 2030. While this is not legally binding, Member States are expected to submit a roadmap by the 31st of March 2024 on how they plan to achieve this. The IWT have written to Minister's requesting information on the status of this roadmap and we have not heard back on this matter. We appreciate that the department is busy with the MPA bill, the EU Biodiversity pledge on protected areas and other legislation, but we also want to state the need to ensure that a realistic plan is set in motion on how to move away from bottom trawling.

The effects of bottom trawling

Bottom trawling is the most widespread human activity which negatively affects the seabed. Dredges are also extremely damaging with a paper published in 2017 showing that hydraulic dredges removed 41% of biota found on the seafloor and penetrated up to 16.1cm (1).

The seabed is a crucial habitat for many species including commercially important fish as well as critically endangered species, Important spawning and nursery grounds for juvenile fish species are disrupted which not only has a devastating ecological impact by reducing fish recruitment, it also has a negative social and economic effect on the fishing industry and coastal communities.

It has been shown in scientific research that trawling is indiscriminate and has the highest level of bycatch of non-target species as well as having a negative impact on the seabed. A report from 2021 states, *'Bottom trawling is in fact different from other gear types, in that its aggregate impact – as assessed by academics, the seafood industry, fisheries managers, and NGOs in paired comparison studies – is highest across nearly every factor of concern for marine biodiversity, and these trends become only more apparent in global meta-analyses.'* (2).

There is research showing the effects that fisheries have on the oceans ability to capture and store carbon. Direct contact with the seabed, results in the resuspension of sediment affecting areas outside of the trawled zone (3). Areas of seabed storing carbon need to be prioritised to minimise the risk of emissions (4). Bottom trawling is also fuel intensive and harmful fuel subsidies for this practice should be reallocated to assist with fishers fishing with low impact gears. This is vital to not only achieve our biodiversity targets but also our climate targets. Birdwatch Ireland and OurFish released a comprehensive briefing on this matter in 2023 (5). It shows that in Ireland, fuel consumption in the fishing industry rose by 141% between 2014 and 2019.

1. <https://www.pnas.org/doi/abs/10.1073/pnas.1618858114>
2. https://www.fauna-flora.org/wp-content/uploads/2023/05/FFI_2021_New-perspectives-on-an-old-fishing-practice.pdf
3. <https://www.frontiersin.org/articles/10.3389/fmars.2021.683331/full>
4. <https://www.frontiersin.org/articles/10.3389/fmars.2022.892892/full>

5. https://birdwatchireland.ie/app/uploads/2023/07/Fish-Carbon-Briefing_Our-Fish2023-05_V2.pdf

How much bottom trawling occurs in Irish SACs in the 6nm zone

An analysis done by the Marine Conservation Society (MCS) shows that there was 19,896 hours of pelagic and demersal trawling within the 6nm zone since 1st April 2023 to 1st March 2024 going by Global Fishing Watch data using AIS (9,891 hours by vessels registered as demersal and pelagic and 4,955 hours by demersal vessels). 16,789 hours of this was undertaken by vessels over 18m in length (5,818 by vessels registered as demersal and pelagic and 4,695 by vessels registered as demersal). This data vastly underrepresents the actual level of trawling in this area as it doesn't take into account VMS data and AIS is only required on vessels over 15m (AIS can also be turned off by vessels). Castlemaine Harbour, Slaney river valley SAC, Tralee Bay and Magheeres Peninsula, West to Cloghane SAC, Cahore Polders and Dunes SAC, Hook head SAC, Helvick Head SAC, and Helvick Head SAC are just a few of the protected areas designated under the EU Habitats Directive which include seabed features which are found within the 6nm zone. All of these sites experience trawling within them which is not conducive to the conservation objectives laid out by the habitats Directive. It states that Member States '*take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which the areas have been designated*' (Habitats Directive Article 6 (2)). A move away from destructive fishing in MPA's is vitally needed to ensure sustainable fisheries and ecosystems with good environmental status.

Conclusion & Recommendations

1. We believe that a ban on trawling for vessels over 18m should be reinstated immediately.
2. There was a phased approach to this awarded back in 2018, giving the vessels 2 years until the law came into force and the original ban outlined that trawling for sprat by vessels over 18m would be phased out by 31 December 2021. We have now gone backwards in marine conservation actions and there is no further time to lose.
3. We also believe that this ban should be nationwide and not restricted to specific areas. Small scale inshore fishers around the country deserve to have equal opportunities when it comes to fishing within the 6nm zone.

Further recommendations outside of this consultation

1. Better management of Ireland's inshore fisheries. Quotas and pot limits should be put in place to ensure these fisheries can remain sustainable for the inshore fleet into the

future and assist with a just transition away from destructive methods such as bottom trawling

2. Phasing out bottom trawling within MPAs by 2030.

End of submission