



**Association of
Salmon Fishery Boards**



Comments on 'Working together to protect and improve Scotland's water environment: Getting involved in developing the second river basin plan'

February 2013

Introduction

The Association of Salmon Fishery Boards (ASFB) is the representative body for Scotland's 41 District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), who have a statutory responsibility to protect and improve salmon and sea trout fisheries. The Association and Boards work to create the environment in which sustainable fisheries for salmon and sea trout can be enjoyed. Conservation of fish stocks, and the habitats on which they depend, is essential and many DSFBs operate riparian habitat enhancement schemes and have voluntarily adopted 'catch and release' practices, which in some cases are made mandatory by the introduction of Salmon Conservation Regulations. ASFB create policies that seek where possible to protect wider biodiversity and our environment as well as enhancing the economic benefits for our rural economy that result from angling.

Formed in 2005, Rivers and Fisheries Trusts of Scotland (RAFTS) is an independent freshwater conservation charity representing Scotland's national network of 25 rivers and fisheries Trusts and Foundations. Our members work across over 90% of Scotland's freshwaters to protect and develop our native fish stocks and populations by undertaking a range of activities including freshwater, river habitat restoration, fish and fisheries monitoring, research and education programmes. RAFTS is the membership organisation of the fisheries and rivers trusts operating in Scotland and is, itself, a charity and company limited by guarantee.

We welcome the opportunity to comment on these consultations. We have responded to both consultation documents in turn below. Whilst this approach inevitably leads to some repetition, we hope that this is a useful way forward. Where there is not direct read-across between the two sets of consultation questions, we would wish our responses to be considered for both consultations.

General Comments

We welcome the opportunity to influence the delivery of River Basin Management Planning to secure a healthy, protected and restored water environment in Scotland. We are concerned that Scotland's water environment, and the species that depend on it, remain under significant pressure from pollution, abstraction and the spread of invasive non-native species. As the managers of the fisheries for Atlantic salmon and sea trout, our members make a significant contribution to the achievement of RBMP objectives and we welcome opportunities to deliver restoration, for example, through the Water Environment Fund. We, and our respective members, look forward to maintaining and further developing a positive relationship with SEPA in the future.

We believe it is important that the second cycle of RBMP, achieves the following:

- An increased emphasis on the delivery of practical restoration measures on the ground, coordinated by Area Advisory Groups with the oversight of the National Advisory Group;
- Adequate enforcement of water environment protection through existing regulations and cross compliance; and

- Effective monitoring of the success of implementation of existing measures.

Scotland RBMP

Question 1: Will the consultation opportunities outlined above enable you to contribute to the river basin planning process? If not, can you suggest any additional methods? Please also let us know if you feel that any of the methods are not appropriate and should not be a priority?

Yes, we are content with the consultation opportunities as set out in the consultation document. It is important that stakeholder views are fully considered and used to identify issues and solutions. We would specifically request to be consulted at an early stage on any proposals that could have repercussions for the health of freshwater fish populations. We note, for example, that changes to the permission levels of activities under CAR and the designation of Heavily Modified Water Bodies are mentioned in the consultation document.

Question 2: As we move towards the second river basin planning cycle, are there any ways that the area advisory groups can work more efficiently and effectively so they work better for you and for river basin planning?

Please note that the reference to *District Salmon Fisheries Boards Scotland* on page 9 is incorrect. It should read *Association of Salmon Fishery Boards*. With regard to the NAG, it might be useful to schedule at least 1 extra meeting per year, perhaps in a workshop format, to focus specifically on the developing RBMP. On Page 10 both references should be to the *Association of Salmon Fishery Boards* (no District). We are content at the operation of these groups, but we believe that there could be more read-across from the NAG to the AAGs and *vice versa*. Similarly, there could be more coordination between DPMAG and the Fish and Fisheries Advisory Group with the NAG.

Although not an issue of how the groups work efficiently and effectively there is a need to ensure that the agendas and discussions of the AAGs are meaningful and deal with substantive issues. We are advised by some of our members that, in some areas, they do not believe that issues of genuine interest to them are considered. This can be partially dealt with via the topic and working group mechanisms proposed elsewhere.

Question 3: One of the key roles of individual advisory group members is to ensure that they share information and promote the objectives of river basin planning more widely within their respective organisations. How do you disseminate river basin planning information to other relevant departments within your organisation? Are there any ways we could support you more effectively to promote river basin planning information and objectives to all relevant departments within your organisation?

This is an issue that we have raised at the NAG. Whilst we try to coordinate between our national input at the NAG and the input of DSFBs/Fishery Trusts at the AAGs, we could certainly improve our coordination in this regard. This could also be helped by greater coordination/reporting at the NAG as to issues arising locally and *vice versa* as suggested above.

It is important that there are matters of substance to seek to coordinate views upon and it may be useful to consider how this role is fulfilled in conjunction with SEPA in some instances so that issues of concern and solutions are effectively advised to each other.

Question 4: Do you agree with the proposal to formally split the Orkney and Shetland area advisory group into two separate groups? If not, then please give your reasons.

As our respective memberships do not extend to Orkney or Shetland we have no comment.

ASFB/RAFTS Consultation Response

Question 5: Do you support the proposed changes to move AAG boundaries to enable better integration with flood risk management?

We welcome the proposal to better integrate the two systems as it will largely be the same individuals at both sets of meetings. However, we note the very large area now proposed to be included within the new North Highland AAG following its combination with the previous West Highland AAG. Given one of the key drivers in the initial formation of the AAG network was to seek to ensure effective local engagement opportunities, we would welcome further clarification from SEPA as to how this is to be achieved in this area in particular. Although review of AAG boundaries must always be undertaken to ensure more effective working it is not clear how the objectives of the river basin planning process itself are better achieved by this amalgamation in particular.

Question 6: Do you think we should consider making changes to any other area advisory group boundaries at this time?

No, but we believe that this issue should be kept under review.

Question 7: Do you agree with the proposal to reduce the emphasis on delivering area advisory forum events and use the mechanisms outlined above instead? Please give your reasons why.

The area advisory group forums were formed initially as a means of facilitating wider engagement and interest in the river basin planning process. This clearly has not been successful and SEPA has identified alternative means of reaching beyond the AAG membership which we support. In this context SEPA must still seek to ensure that effective engagement opportunities are provided within the planning process if the forums themselves are to be no longer supported. We presume that existing memberships of the AAG forums have been advised and consulted on this change?

Question 8: We have found focused workshops a really good way of working with you. What kind of workshop can you or your sector contribute to? We will consider all suggestions and the feasibility of resourcing them.

We welcome the reference to fishery trusts and boards in the consultation document. One aspect that we will be working on during 2013 is a sector-specific prioritisation for improvements in relation to hydro electricity generation, and the timetable over which such improvements should take place. We believe that there would be great value in convening a specific event to discuss these priorities, once developed.

Fishery trusts and boards also undertake significant monitoring of the freshwater environment; particularly in terms of juvenile fish populations. We would welcome the opportunity to consider how these activities may be appropriately included in the on-going WFD monitoring programmes as part of any review of monitoring effort, the bodies undertaking this work and within the context of seeking cost-effective delivery of these roles.

Question 9: Should we be considering other ways to involve you in river basin planning? Please provide suggestions as to how you would like to be involved.

No

Question 10: Are there any barriers which you or your organisation face which may curtail or prevent you from participating in river basin planning? How can these barriers be lessened?

No

Question 11: Please tell us what river basin planning data would be most useful to you as we move into the second cycle?

ASFB/RAFTS Consultation Response

We would endorse the comments made by RSPB Scotland with regard to enabling extraction of data according to individual pressures and ensuring that datasheets do not record a 'pass' where no monitoring has taken place.

Question 12: As we move towards the second river basin planning cycle, are there any ways that we can work more efficiently and effectively at the catchment-scale?

We support catchment-scale working and the consideration of multiple benefits including biodiversity, natural flood management and climate change. In order to address pressures and deliver restoration at the catchment scale, it is essential to fully engage all stakeholders and to integrate different policy objectives and plans. With the dissolution of the AAG forums it is essential that the alternative engagement mechanisms proposed by SEPA are effective and supported on an on-going basis.

As an example, both ASFB and RAFTS are members of DPMAG, and we are concerned at the high number of breaches of General Binding Rules which have been detected through SEPA's diffuse pollution priority catchment work. We understand that, despite breaches of GBR19 (livestock erosion) being the most frequently recorded by SEPA, there have been very few recorded breaches of GAEC 4, which also relates to erosion by livestock. More needs to be done in terms of detection of breaches on the ground and follow-up enforcement and this is something that should be addressed with co-ordinated effort across a range of organisations and public bodies. For example, given adequate training, employees of both DSFBs and Fishery Trusts could help to identify such breaches and distribute information to those responsible.

We also understand that there is an opportunity to ensure greater coordination between Scottish Water's investment and the next cycle of RBMP, as the next water industry investment period occurs between 2015-2021.

Question 13: Are there geographic areas or issues we should treat as a priority for a catchment-scale approach, and why?

Hydro-electricity generation, barriers to fish migration, diffuse pollution, INNS review and of CAR licenses, the public notification of these and the integration of these reviews to wider catchment restoration objectives, particularly in respect of barriers to fish migration.

Question 14: How can we better integrate or co-ordinate more effectively with other plans and processes to ensure RBMP objectives are incorporated? Can you suggest how we could do this?

There could and should be better integration between the Marine Strategy Forum and NAG. This is not happening at the present time.

Question 15: Are there key dates in your planning timetable we need to be aware of so we can plan to integrate during review or consultation opportunities?

No

Question 16: Do you agree with the key areas that we have suggested above for making improvements to the second river basin plan and planning cycle?

Yes

Solway Tweed RBMP

Question 1: Will the consultation opportunities outlined above enable you to contribute to the river basin planning process? If not, can you suggest any additional methods? Please also let us know if you feel that any of the methods are not appropriate and should not be a priority?

ASFB/RAFTS Consultation Response

Yes, we are content with the consultation opportunities as set out in the consultation document. It is important that stakeholder views are fully considered and used to identify issues and solutions. We would specifically request to be consulted at an early stage on any proposals that could have repercussions for the health of freshwater fish populations. We note, for example, that changes to the permission levels of activities under CAR and the designation of Heavily Modified Water Bodies are mentioned in the consultation document.

Question 2: As we move towards the second river basin planning cycle, are there any ways that the area advisory groups can work more efficiently and effectively so they work better for you and for river basin planning?

Please see our comments above relating to the Scotland RBMP. We have no further specific comments relating to the Solway-Tweed plan.

Question 3: Will our proposals enable you to get involved in river basin planning? Should we be considering other ways to involve you in river basin planning? Please provide suggestions as to how we could involve you, and at what stage.

We are content that we have significant opportunities to get involved in RBMP.

Question 4: We have found focused workshops a really good way of working with you. What kind of workshop can you or your sector contribute to? We will consider all suggestions and the feasibility of resourcing them.

One aspect that we will be working on during 2013 is a sector-specific prioritisation for improvements in relation to hydro electricity generation, and the timetable over which such improvements should take place. We believe that there would be great value in convening a specific event to discuss these priorities, once developed.

Question 5: Are there any barriers which you or your organisation face which may curtail or prevent you from participating in river basin planning? How can these barriers be lessened?

No

Question 6: Please tell us what river basin planning data would be most useful to you as we move into the second cycle?

We would endorse the comments made by RSPB Scotland with regard to enabling extraction of data according to individual pressures and ensuring that datasheets do not record a 'pass' where no monitoring has taken place.

Question 7: As we move towards the second river basin planning cycle, are there any ways that we can work more efficiently and effectively at the catchment-scale?

We support catchment-scale working and the consideration of multiple benefits including biodiversity, natural flood management and climate change. In order to address pressures and deliver restoration at the catchment scale, it is essential to fully engage all stakeholders and to integrate different policy objectives and plans. With the dissolution of the AAG forums it is essential that the alternative engagement mechanisms proposed by SEPA are effective and supported on an on-going basis.

As an example, both ASFB and RAFTS are members of DPMAG, and we are concerned at the high number of breaches of General Binding Rules which have been detected through SEPA's diffuse pollution priority catchment work. We understand that, despite breaches of GBR19 (livestock erosion) being the most frequently recorded by SEPA, there have been very few recorded breaches of GAEC 4, which also relates to erosion by livestock. More needs to be done in terms of detection of breaches on the ground and follow-up enforcement and this is something that should be addressed with co-

ASFB/RAFTS Consultation Response

ordinated effort across a range of organisations and public bodies. For example, given adequate training, employees of both DSFBs and Fishery Trusts could help to identify such breaches and distribute information to those responsible.

Question 8: Are there geographic areas or issues we should treat as a priority for a catchment-scale approach, and why?

Hydro-electricity generation, barriers to fish migration, diffuse pollution, INNS review and of CAR licenses, the public notification of these and the integration of these reviews to wider catchment restoration objectives, particularly in respect of barriers to fish migration.

Question 9: Do you agree with the four key areas that we want to continue and develop further as we work to produce the second river basin plans?

Yes. However, under climate change it is also important to have a clear understanding of the possible adverse effects on river biodiversity resulting from actions taken to mitigate climate change, for example large-scale hydropower development or land-use change for biofuels and carbon sequestration.

Question 10: How can we better integrate or co-ordinate more effectively with other plans and processes to ensure RBMP objectives are incorporated? Can you suggest how we could do this?

There could and should be better integration between the Marine Strategy Forum and NAG. This is not happening at the present time.

Question 11: Are there key dates in your planning timetable we need to be aware of so we can plan to integrate during review or consultation opportunities?

No

For further information please contact:

Dr Alan Wells
ASFB Policy and Planning Director
Tel: 0131 272 2797
Email: alan@asfb.org.uk

Callum Sinclair
Director: RAFTS
Tel: 0131 272 2797
Email: callum@rafts.org.uk