



Association of Salmon Fishery Boards

Comments on 'Partial Business and Regulatory Impact Assessment on the Aquaculture and Fisheries Bill Consultation Document'

March 2012

Introduction

The Association of Salmon Fishery Boards is the representative body for Scotland's 41 District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), which 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 creates 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. An analysis completed in 2004 demonstrated that freshwater angling in Scotland results in the Scottish economy producing over £100 million worth of annual output, which supports around 2,800 jobs and generates nearly £50million in wages and self-employment into Scottish households, most of which are in rural areas.

We welcome the opportunity to comment on the consultation on the Partial Business and Regulatory Impact Assessment on the Aquaculture and Fisheries Bill Consultation Document. This response should be considered in conjunction with our response to the original consultation (reference number: CR53).

Specific comments

- ***Statutory requirement for finfish farmers to participate in Farm Management Agreements (FMAs);***
- ***Powers for Scottish ministers to prescribe/direct appropriate scale Farm Management Areas (FMAs) where appropriate;***
- ***Related provisions for independent arbitration.***

We refer the reader to our response to Q1-3 in the original consultation. Of the key options set out in this section we believe that options c and d are the most appropriate. As we have previously highlighted a number of the existing FMA boundaries are not primarily based on reasons of good husbandry, biosecurity and control of sea lice. We therefore believe that ultimately, should the industry fail to deal with this issue, that there should be provision for Ministers in the delineation of FMAs, and for related monitoring and enforcement provisions.

- ***To address the issue of unused fish farm consents to ensure they do not act as a barrier to development and growth in aquaculture in Scotland.***

As we stated in our response to Q6-7 in the original consultation, we see merit in all of the options here. However, we believe that it is vital that option d is taken forward into the legislation and therefore we would particularly highlight our support for option d.

- ***Collection and publication of sea lice data, and***
- ***Provision by businesses of additional surveillance, bio-security, mortality and disease data.***

We refer the reader to our response to Q9-11 in the original consultation. Our favoured option is option 2.

- **Temporary or permanent reductions in biomass consents, to help manage sea lice in particular problematic areas/circumstances.**

We refer the reader to our response to Q12 in the original consultation. Our favoured option is option 2. We would note however, that the ‘*potentially significant costs to fish farm operators...with possible knock-on effects on jobs and suppliers*’ would only be an issue where operators have been demonstrated to have failed (presumably over a prolonged period) to control sea lice.

- **Enabling powers for Ministers to place additional controls on wellboats.**

We refer the reader to our response to Q13 in the original consultation. Our favoured option is option 2.

- **Additional controls on facilities processing farmed fish (salmonids).**

We refer the reader to our response to Q14 in the original consultation. Our favoured option is option 2.

- **Give Scottish Ministers powers to determine a threshold (lower than that set out in the industry code) for the incidence of sea lice on farmed fish, above which remedial action is required.**

We refer the reader to our response to Q20 in the original consultation. Our favoured option is option 2.

- **Introduction of a Technical Standard for finfish farm equipment for businesses operating in Scotland.**

We refer the reader to our response to Q21 in the original consultation. Our favoured option is option 3.

- **Additional powers for Scottish Ministers to take or require samples of fish from fish farms, for genetic or other analysis, for tracing purposes.**

We refer the reader to our response to Q22 in the original consultation. Our favoured option is option 2.

- **Modernising the operation of District Salmon Fishery Boards**

We refer the reader to our response to Q23 in the original consultation. Subject to our slight concerns about how such a duty would work in practice, our preferred option is option 1.

- **Enhancing the management of wild salmon fisheries**

We refer the reader to our response to Q26 & 27 in the original consultation. Our favoured option is option 2. We would highlight that the tagging system will only be successful if individually numbered tags are used and recorded in a log book. We understand that there is some concern that this will be unduly arduous. However, the numbers of fish caught (and tagged and recorded) in the North East England net fishery demonstrates that such an approach is entirely feasible in Scotland.

- **To strengthen existing management and conservation measures under the Salmon & Freshwater Fisheries (Consolidation) (Scotland) Act**

We refer the reader to our response to Q28-30 in the original consultation. It is difficult to answer this question along the lines that the consultation is set out. Due to the fact that DSFBs do not cover the whole of Scotland, the circumstances under which we believe such powers could and should be used are not uniform across Scotland. Our favoured option is option 3 (subject to the qualifications in our original response).

- **To introduce powers to amend the licensing regime for the introduction of fish to freshwater**

We refer the reader to our response to Q35 in the original consultation. Our favoured option is option 3.

For further information please contact:

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RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Association of Salmon Fishery Boards

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

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3. Permissions - I am responding as...

Individual

/ Group/Organisation

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No