



Association of Salmon Fishery Boards

NEWS RELEASE

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Call for law change to rein in expansion of salmon netting

The Association of Salmon Fishery Boards (ASFB) is advocating that a new right of pre-emption on the sale of any salmon netting rights – in favour of the relevant local District Salmon Fishery Board – be included in the forthcoming Aquaculture and Fisheries Bill. The relevance of such a pre-emptive right has been highlighted by the recent acquisition by a major Scottish netting company of several dormant or lightly-fished netting stations in the north and north east of Scotland, signalling a significant increase in the commercial exploitation of salmon.

Dr Alan Wells, Policy and Planning Director for ASFB, explained: “Any increase in coastal salmon netting constitutes a significant threat to sound salmon management. The recent purchase of previously dormant or lightly fished netting stations in Caithness, Easter Ross and Aberdeenshire raises the prospect of an increase in netting across Scotland. There are still many inactive netting stations in Scotland, for which the netting rights still exist. Local Fishery Boards are often keen to acquire any netting stations that are being sold in order to mothball them in the interests of conservation”.

Dr Wells continued: “However there are limitations to what Fishery Boards or other conservation organisations can do to prevent an increase in netting activity. Net fisheries are private heritable rights which can be bought and sold privately in the same way as rod fisheries or indeed any other property. We believe that, when a netting station is put up for sale or is to be leased to a third party, the relevant Fishery Board or indeed a local angling club should, in the interests of salmon conservation, have a statutory pre-emptive right to purchase (or lease) that netting operation on the terms agreed before any proposed sale (or lease) can proceed. Such a mechanism would help to prevent an increase in fishing effort, in line with our international commitments through the North Atlantic Salmon Conservation Organisation.”

Dr Wells added: “The ASFB response to the Consultation on the forthcoming Fisheries Bill included constructive proposals on pre-emptive rights on transfers of netting stations. Without a change in the law Fishery Boards are powerless, as highlighted by recent events, to prevent significant additional exploitation of salmon runs. Scotland’s rod fisheries have taken conservation to heart in recent years. According to the preliminary official statistics for 2011, anglers released back into the water 73 % of all salmon caught and 91 % of the fragile spring stock component. It sends out all the wrong signals, both nationally and internationally, if there is an expansion in netting activity and the commercial exploitation of salmon stocks in Scotland.”

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**** The ASFB response to the consultation on the Aquaculture and Fisheries Bill can be found at: <http://www.asfb.org.uk/wp-content/uploads/2011/04/ASFB-response-to-Aquaculture-and-Fisheries-Bill-Consultation.pdf> The proposals on pre-emptive rights on transfers of netting stations are on page 18. ****

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Editors' notes

1) 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), who have a statutory responsibility to protect and improve salmon and sea trout fisheries. Conservation of fish stocks, and the habitats on which they depend, is essential and many DSFB's 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. www.asfb.org.uk

2) Mixed stocks coastal netting stations indiscriminately catch any salmon passing by, regardless of where they are heading or the strength of the population in their home rivers. They are completely non-selective, making the management of individual river stocks almost impossible. The Scottish Government's 2001 Green Paper on Freshwater Fish and Fisheries stated that "the exploitation of salmon outside their river of origin is widely accepted as contrary to good salmon management, primarily on the grounds that it does not discriminate between separate river populations and therefore severely inhibits monitoring and optimum management of exploitation of stocks on a catchment basis". In addition, 17 rivers in Scotland are designated as Special Areas of Conservation, part of the Natura 2000 network – a series of internationally important wildlife sites throughout the European Union. The random nature of mixed stock fisheries makes it extremely difficult to determine the impact of such fisheries on these important conservation sites.

3) The North Atlantic Salmon Conservation Organisation (NASCO)¹ was established under the Convention for the Conservation of Salmon in the North Atlantic Ocean in October 1983 (under the United Nations Convention on the Law of the Sea 1982). The objective of the organisation is to contribute through consultation and co-operation to the conservation, restoration, enhancement and rational management of wild salmon stocks. All EU Member states are signatories to the NASCO Convention (including Denmark in respect of the Faroe Islands and Greenland). NASCO and its Contracting Parties agree to adopt and apply a Precautionary Approach to the conservation, management and exploitation of salmon in order to protect the resource and preserve the environments in which it lives.

¹ <http://www.nasco.int/>

NASCO agreed general guidance on management of the fisheries which included the following specific guidance on mixed stock fisheries:

“NASCO has defined MSFs as fisheries exploiting a significant number of salmon from two or more river stocks; NASCO has also agreed that management of homewater fisheries should be based on the status of individual river stocks and management of distant water fisheries on the status of the stock complexes defined by managers.

ICES has advised that the management of all fisheries should be based upon assessments of the status of individual stocks. Fisheries on mixed-stocks, particularly in coastal waters or on the high seas, pose particular difficulties for management, as they cannot target only stocks that are at full reproductive capacity if there are stocks below CL within the mixed-stock being fished.

Conservation would be best achieved if fisheries target stocks that have been demonstrated to be at full reproductive capacity. Fisheries in estuaries and especially rivers are more likely to meet this requirement. In addition to the general management guidance, the following actions should therefore apply to MSFs:

- a. Rational management of a MSF requires knowledge of the stocks that contribute to the fishery and the status of each of those stocks;*
- b. Where such fisheries operate, managers should have a clear policy for their management that takes account of the additional risks attributable to, among other things, the number of stocks being exploited and their size and productivity;*
- c. Management actions should aim to protect the weakest of the contributing stocks;*
- d. Consideration should also been given as to whether the above guidelines for MSFs apply to certain fisheries operating within larger rivers or estuaries.”*

4) The extent of active net fisheries in Scotland has declined, particularly since the 1970s when the advent of salmon farming and the availability of cheaper farmed fish to the consumer had a marked effect on the commercial viability of salmon netting for wild stocks. However, since the millennium, the price of wild Scottish salmon has increased markedly. There remain a large and undefined number of inactive netting stations in Scotland. The 1997 Report of the Scottish Salmon Strategy Task Force recognised that it would be inappropriate to prohibit the operation of active net fisheries, but that a mechanism should be established to prevent any increase in fishing effort, in line with our International commitments. The report therefore recommended that ‘All net fisheries (both outside estuary limits and net and coble fisheries above the head of the tide) operated or genuinely let in any two years in the period 1993 to 1996, inclusive, should be registered, and only those that are so registered should be permitted to continue operating’. The report also recommended that ‘The number of traps fished at a bag-net or stake-net station, or the number of crews working a net and coble station outside estuary limits, should not be greater than those qualifying for registration’.

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