



Association of
Salmon Fishery Boards



BAN ON THE KILLING OF WILD SALMON EXCEPT UNDER LICENCE AND ACCOMPANYING CARCASS TAGGING SCHEME

Representations made by the Association of Salmon Fishery Boards (ASFB) and Rivers and Fisheries Trusts of Scotland (RAFTS).

29 October 2015

ASFB and RAFTS note the following proposals on which Scottish Ministers have provided formal notice and have invited representations and objections.

1. ASFB and RAFTS welcome the proposal to prohibit the taking of Atlantic salmon out-with inland waters which will be reviewed after 3 years. We believe that this will rationalise and allow more effective and logical management of salmon stocks and reduce the uncertainty and risk associated with fisheries that exploit stocks from a range of freshwater habitats. We welcome the retention of a carcass tagging scheme which will be introduced for commercially caught fish only.

2. In principle, we welcome the proposal to permit the killing of wild salmon within inland waters where stocks are above a defined conservation limit (CL). We fully recognise and endorse the broad principles of identifying conservation limits for ensuring that any exploitation of salmon is sustainable. However, adopting these measures requires comprehensive and good quality information and data to ensure meaningful assessments can be made. We also support the concept of a conservation plan and associated management actions in areas where salmon fail to achieve good conservation status.

With regard to the setting of CLs, we have strong reservations about the present lack of reliable and meaningful long term data to feed into the methodology to provide sound information on the potential egg deposition rate for each river system, which we understand is the broad approach taken to determine CLs. We recognise that very few river systems in Scotland have been subject to long term and systematic monitoring to ensure that reliable deposition rates can be calculated. As such, we have real concerns about the validity of the approach taken.

Whilst we recognise that the proposed system is to be developed further, we would make the following points:

- We understand that modelling has been applied to the vast majority of the river systems to arrive at each CL, sometimes using characteristics of internationally monitored river systems of a similar nature. We also understand that the data derived from this is applied to the Scottish sites through a 'wetted area' approach. We would stress that each management area should be modelled with the best available data specific to that district. Whilst we appreciate that this information may currently be limited, where it does exist it should be used and where it does not resources should be invested to improve the quality of this data. To that end, we would emphasise the willingness of our members to assist with the provision of data to help further refine this work. We would emphasise that close dialogue with local managers (DSFBs and Trusts) must be part of this process and we would expect there to be ongoing engagement with the network of fishery managers and biologists to help refine the information and ensure management decisions take into account appropriate local data. We would suggest that these



discussions should be undertaken in a co-ordinated and joint way so that the overall methodology can be better queried, understood, and refined.

- We recognise that the current data on exploitation rates is lacking, particularly regarding catch per unit effort. We also understand that a decision has been made that stocks with insufficient catch data to run the model have automatically been included in category 3. This underlines the need to improve the quality of information which is supporting the modelling work – we suggest that this requires further resources, and hope that close dialogue with local fishery managers will be part of the process to arrive at better information on exploitation rates.
- We would welcome further clarity regarding the process/mechanism which will enable the categorisations to be adjusted in response to changes in abundance levels. In the longer term, it is likely that identifying changes in abundance will become easier as the science becomes more definitive and more capable of recognising the effects of management actions, and other factors which may influence stock levels.
- We are aware of concerns expressed by some of our members about the specific categorisations for some local river systems, and the consequences that this will have for fisheries management and angling activity. Whilst we would not draw attention to any particular local case, we would strongly advocate that where such scenarios exist or emerge, there should be specific engagement with the local DSFB and Fishery Trust so that these concerns can be heard, addressed and changes made to the approach (if required). We understand that part of this concern may arise from circumstances where large districts which have a series of discrete river catchments may have been categorised as one unit despite being made up of separate and isolated fisheries.
- The risks to wild Atlantic salmon populations from genetic introgression of farmed fish are widely documented and accepted. For rivers which may be subject to mandatory catch and release under Category 3, it is important to ensure that there are sufficient legal derogations to ensure that fish of clearly identifiable farmed or ranched origin can be legally taken and removed from systems. There is no statement of intent regarding the legal status of such fish within the terms of the proposals. It is clear that there are no conceivable environmental or conservation advantages to returning such fish to the water. As such, we would welcome clarity on how the proposals will accommodate this so as to ensure such fish can be legitimately removed. This might be achievable in a number of ways, for example by ensuring that the scope of any regulation applies exclusively to wild Atlantic salmon, or alternatively by making a clear derogation or exemption in the regulations permitting the removal of fish of farmed or ranched origin.
- A similar derogation should be introduced to permit the humane killing of fatally damaged fish, for example fish that are heavily bleeding during or following capture, and where it is obvious that the fish will not survive. To reduce the scope for abuse, in both the case of farmed fish and damaged fish, a reporting and/or disposal mechanism for such fish could be implemented to ensure that any fish so taken should be reported.



- We are concerned that sea trout do not fall within the current scope of the proposed measures. Like salmon, sea trout stocks are also susceptible to a variety of pressures. Sea trout are formally recognised as a UK Biodiversity Action Plan (BAP) priority fish species and were added to the list of priority species following the JNCC Species and Habitats Review Report published in 2007. In view of the fact that UK BAP priority species are those that are identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP), this reinforces the need for sea trout to be brought within the scope of the conservation proposals. For example, on the West Coast, sea trout stocks are known to be more sensitive than salmon to other impacts and influences, such as sea lice infestation. Under existing legislation, sea trout are afforded the same protection as salmon and are treated the same.

If it is the intention of this conservation legislation to deliberately exclude sea trout from the proposed protection in the future, then it is suggested that a proper scientific rationale must be provided. We would strongly advocate that work should begin on collating data which will enable sea trout stocks to be assessed in their own right and brought within the scope of conservation limits and plans. Similarly, with the exclusion of sea trout from the package of measures, we note that fishing for sea-trout out-with estuary limits will remain lawful. This poses two potential issues; 1) such fisheries may be unsustainable for sea trout stocks, given their coastal and mixed-stock nature, and 2) their continued legal operation may result in a by-catch of salmon, presenting issues associated with safe return of salmon caught. There will also be an enforcement requirement which would otherwise not exist if the scope of the proposed prohibition also extended to sea trout.

3. In summary, it is universally recognised that angler and net fishery exploitation is not the only influence on the abundance salmon stocks. Whilst angling exploitation rates are variable, the fact that 82% of all salmon and 93% of spring salmon are released, means conservation gains likely to be achieved by the introduction of mandatory catch and release are unlikely to be significant. As such, further measures to achieve a reduction in exploitation on its own are highly unlikely in themselves to lead to attainment of CLs.

Given the limited influence further restrictions will have on conservation, coupled to their potential significant socio-economic effect in some areas, it is imperative that serious consideration is given to other key factors which may be having a significant impact on salmon stocks.

These will include:

- Marine and freshwater aquaculture operations
- Predation – both marine and freshwater
- Potential impacts of other forms of legal exploitation which fall out-with Scottish jurisdiction – ie Solway and Tweed
- Illegal fishing activity – both marine and freshwater
- Land use and associated impacts on water quality and quantity
- Physical barriers - impoundments and abstractions
- Energy generation
- Wider marine factors and their potential impacts on salmon abundance