

Fisheries Management Scotland response to Scottish Government forestry consultation on regulation of felling & restocking

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Fisheries Management Scotland is the representative body for the District Salmon Fishery Boards, the River Tweed Commission and the Rivers and Fisheries Trusts in Scotland. We work to promote and ensure the best fisheries management for the protection, preservation, and development of Scotland's wild salmon and freshwater fish, along with their fisheries and the wider environment. District Salmon Fishery Boards have a statutory responsibility to protect and improve salmon and sea trout fisheries in their district, but their remit does not extend to other freshwater species. The statutory remit of the River Tweed Commission is broader and covers salmon and all freshwater fish. Rivers and Fisheries Trusts charitable objectives extend to all fish species and the wider aquatic environment.

Fisheries Management Scotland welcomes the opportunity to respond to the consultation on regulation of felling and restocking. We represent a number of our members who have statutory responsibility to manage salmon and freshwater fish populations, fisheries and associated aquatic habitats and who operate in the context of large-scale forestry activity. We recognise that there is a national strategic commitment to expanding the woodland resource in Scotland, and we support regulatory means to better balance maintaining appropriate levels of woodland cover through avoiding inappropriate woodland removal and encouraging sustainable forest management practices. Fish and their habitats can be particularly sensitive to certain forestry practices, and we hope that the proposals can help reduce further impacts on water quality and fish.

Much of the established conifer estate in Scotland has resulted in extensive drainage and blanket planting of available land, and in some areas these practices have contributed to serious deterioration of the water quality, aquatic habitat, fish populations and associated fisheries. For example, south west Scotland has experienced particular problems with very low pH levels in the water environment due to forestry practice, and this remains the key limiting factor to the production of salmon and trout in the region. Long-term monitoring both of the fish populations undertaken by Galloway Fisheries Trust and water sampling undertaken by SEPA has demonstrated serious long-term consequences for freshwater fish stocks in the area, where entire populations have been wiped out due to water quality.

In recent years, more stringent environmental regulation and a more environmentally-friendly methodology of forest replanting and felling has resulted in some limited recoveries of fish stocks and improvements in water quality in Galloway. However, there remain a number of areas, especially in the River Bladnoch catchment (which is designated a Special Area of Conservation for Atlantic salmon), where recovery is not occurring. The areas where recovery is not occurring are predominantly where conifers have been planted on deep peats. The extensive drainage of these peatlands to create conditions suitable for good tree growth is degrading these peatlands resulting in carbon loss, reduced water quality, including low pH, sedimentation and accelerated run-off. Whilst new conifer planting schemes are not permitted on peat deeper than 50cm, *replanting* on deep peats after tree felling is still practised. As long as this continues then recovery of water quality in deep peat dominated catchments will not occur and these waters will continue to only support very degraded fish populations and continue to cause downgraded status in terms of the Water Framework Directive.

Please see below our responses to the specific questions raised in the consultation:

Exemptions to the requirement to have a permission to fell trees

1. Yes
2. No
3. No
4. Yes – We would support the Galloway Fisheries Trust to include a new exemption to allow the removal of all conifer natural regeneration (whatever the tree diameter) present in riparian zones. Managing conifer regeneration in riparian zones is a significant problem in Galloway which is undermining the benefits of the environmental standards requiring unplanted buffer zones to protect water courses. Experience has shown that where felling has taken place, if the riparian zone is not returned to native woodland, then there will be problems with non-native conifers regenerating in the cleared area. We would like to see incentives or requirements on forestry operators to ensure that areas which have been cleared of natural conifer regeneration in riparian zones to be returned to appropriate native tree species. Without the establishment of native trees within a riparian buffer strip, the full ecological benefits of nutrient input, bank stabilisation, shading and creation of cover for fish provided by riparian woodland will not be realised.

Felling: Applications, issuing permissions, compensation, felling directions

5. Yes
6. No
7. Yes – We would support the Galloway Fisheries Trust point that applicants be required to provide information on the depth of peat in relation to areas proposed for restocking, and what overall percentage this would be of the proposed area to be restocked.
8. Yes – We would support the Galloway Fisheries Trust who ask that a condition to deforest should be considered for deep peat areas, particularly in areas that are sensitive to fish and water quality – ie where acidification is impacting on fish populations.

Felling directions

9. Yes
10. No
11. Yes – we would support Galloway Fisheries Trust who like to see more emphasis on controlling and managing felling and restocking on deep peats. As referred to earlier, forestry activity on deep peats can be particularly damaging to aquatic habitats and fish populations. We also reiterate our earlier point about ensuring that there is a mechanism which makes it easy for operators to remove natural conifer regeneration present in the riparian buffer zone.
12. No

Appeals

13. Yes
14. No
15. Yes – any guidance developed (or in existence) to inform the Step 1 internal review process and Step 2 DPEA Reporter should provide information on the types of external input that may be required to help determination. For example in the case of the water environment and fish concerns, input from SEPA, SNH or Fisheries Trusts / District Salmon Fishery Boards may be appropriate.
16. No

Compliance

17. Yes

- 18. No
- 19. No
- 20. No

Impact assessments

- 21. Yes – we note Table 2 highlights the common issues associated with soil and water.
- 22. -