

Fisheries Management Scotland Consultation Response

Scottish Government Consultation on salmon assessment for the 2019 fishing season



23 November 2018

Introduction

Thank you for the opportunity to comment on the proposed 2019 conservation assessments. Fisheries Management Scotland are the representative body for the DSFBs, the River Tweed Commission and the Rivers and Fisheries Trusts in Scotland. Many of our members will make individual responses and therefore we have tried to capture the key themes that our members have highlighted to us, rather than focussing on specific local issues. In the timescale available it has not been possible to capture all of the views of our members.

General Comments

We reiterate the comments we made in 2017. Fisheries Management Scotland supports the principle of ensuring that any exploitation of salmon is sustainable. We also recognise the significant and challenging work that Marine Scotland Science have undertaken to develop the models which underpin the Conservation regulations and we welcome the opportunities we have had to engage with this process through the Salmon Liaison Group.

We note the new wording in the accompanying guidance which states that the '*conservation regulations could be seen as a back-stop where levels have reached a point that Scottish Ministers have stepped in to regulate the fisheries*' and '*this does not however preclude management action being taken in areas designated grade 1 or 2 due to either local knowledge/circumstances or the setting of different management goals (e.g. to maximise the fishery)*'. Whilst we welcome the inclusion of this statement, it is important to recognise that this message is not clear to wider stakeholders. Indeed, there are examples where the conservation limits approach has actually compromised local conservation efforts, particularly in the light of changing gradings or grade 1 status being perceived as a 'green light' which signifies that there is a healthy, exploitable surplus of fish.

Related to the above, as we have stated previously, there is a clear need for the process to generate tailored conservation limits for distinct sub-stocks of fish within rivers. This would enable action to be targeted at those stocks at most risk. Whilst we recognise that this approach is not currently possible for all rivers, we would like to see this developed where it is possible to do so. With that in mind, we urge Scottish Ministers to take forward the proposed spring conservation measures on the River Tweed SAC in time for the 2019 season.

There remain a large number of anglers and fishery owners who feel that a disproportionate focus has been placed on controlling the activities of anglers, whilst other pressures on fish have received much less attention, or indeed have been actively supported by the Scottish Government. We do not consider that exploitation in the rod fishery is the reason for declines in Atlantic salmon, which have occurred throughout its natural range.

We emphasise that DSFBs powers are limited, and the majority of pressures that Atlantic salmon and sea trout face are out with the direct control of fisheries managers. There is a need for a step-change in efforts across the Scottish Government and its Agencies to support local fisheries managers in ensuring the protection and improvement of these iconic species. Some of our priorities for increased effort include:

- Changes to the current regulatory regime for salmon farming in Scotland are urgently required, to ensure that regulation meets the needs of both wild fish and the industry. We are engaging in this process via the Interactions Working Group with the aim of developing a world-leading regulatory and planning system which protects wild migratory fish and proactively seeks to address any local negative impacts on wild fish. It is vital that Scottish Government show strong leadership in ensuring that this process delivers for the benefits of Atlantic salmon and sea trout.
- An increase in ambition to ease fish passage through regulatory intervention by SEPA – fish passage is recognised as one of the three main priorities of RBMP2 and the challenges faced by smolts in their downstream migration, particularly in relation to hydro schemes (large-scale and run-of-river), are now well-understood.
- Agricultural diffuse pollution remains a problem in some parts of Scotland, and we are aware of ongoing and significant issues in Ayrshire, for example.
- Related to the above, we are working to ensure that the decision to reintroduce beavers to Scotland does not negatively impact upstream or downstream migration of our native salmonids, particularly in relation to the current status of stocks – it is crucial that the developing management plan allows fisheries managers to take quick and effective action to ensure fish passage, and that a cost-recovery mechanism for local monitoring and management actions is enabled as a matter of urgency.
- A greater emphasis on the needs of migratory fish when licensing new activities such as offshore renewables –coastal movements of salmonid fish are poorly understood, and we do not consider that the licensing process has provided sufficient safeguards for migratory fish.
- Acidification impacts on streams resulting from forestry remains an issue for salmon and sea trout. We have communicated recently to Scottish Government how a range of operational forestry practices could be improved and altered to reduce impacts on watercourses and fish. We would like to see these translated into best practice through better regulation of felling and restocking.
- Mitigation of predation pressure at key points in the salmon’s life cycle (seals and piscivorous birds such as mergansers, goosanders and cormorants) – we would like to see efforts focussed on a greater number of options to keep seals out of rivers through developing scaring technology, greater ability to remove problem seals when they do enter rivers and options for proportionate, effective and strategic control of piscivorous birds at river catchment level. We are also working with SASA and SNH to understand better the options for scaring piscivorous birds away from rivers during the smolt migration in the spring.

We made the above points in 2017 and unfortunately, despite ongoing engagement across these policy areas by Fisheries Management Scotland, it is difficult to point to substantive progress on any of the above pressures. **A clear statement by Scottish Ministers, recognising the urgency of the situation, is required.** This should set out the process, to be established during 2019, through which substantive and meaningful progress across the range of pressures will be made for the benefit of wild salmon and sea trout.

Comments about the model

Generally speaking, we believe that the changes to the model are positive and the resulting outputs appear to better reflect the perception of local managers more accurately than previous versions. However, there remain some prominent local concerns where the model outputs are not providing a fair representation of stocks in some river systems, and this suggests that there is a disparity between local data on populations and the data being used to inform the model, as well as not taking into account other factors, unrelated to stock status, which may affect catch data.

These will be highlighted in detail by our members, however we highlight two examples in Galloway to illustrate this point.

- In relation to the **Kirkcudbright Dee**, local electrofishing surveys show that juvenile salmon densities are low or absent in most accessible habitats, and the adult count data has reduced by around 50% in the last

decade. The Dee is highly impacted by hydro generation, and this not only seriously hinders fish passage for adult and juvenile salmon but exacerbates predation by slowing downstream migration and rendering smolts more vulnerable to pike predation. The expected high smolt mortality rate should result in a high 'egg requirement per m²' but we understand that the opposite has happened in the CL model with the Dee appearing to have the lowest 'egg requirement per m²' in Scotland. In light of the local data, the proposed grading of the Dee as Category 2 does not appear to be reflective of the actual population status in the system. **We support the Galloway Fisheries Trust in their request to have this reviewed and re-graded to category 3 in conjunction with the provision of local count and electrofishing data.**

- Conversely, there is concern that the **Water of Luce** and the **River Bladnoch** in Galloway have both moved from a category 2 to category 3. The local data suggests that the Luce has a healthy and well-distributed population of juvenile salmon throughout the catchment. We understand that the angling pressure is very low on this river, and in some years – notably 2014 – angling effort/catches on both rivers were significantly reduced by a prolonged summer/autumn drought. Whilst the angling catch was substantially reduced in 2014, we understand that adult spawning counts that year and results from subsequent juvenile surveys in 2015 did not prompt concerns on the stock status. The unusual data from 2014, caused by low angling effort/catches, would appear to be reducing the % egg requirement for both the Luce and the Bladnoch, in contrast to the overall data for 2013 and 2015-17. **We support the Galloway Fisheries Trust, Luce and Bladnoch DSFBs in their request that this is reviewed in anticipation that the current categorisation 2 can be maintained.**

Marine Scotland have received a clear steer via the Salmon Liaison Group that catchment-level habitat data should be incorporated into the model. Such metrics already form part of the juvenile model developed by Marine Scotland Science. It was agreed at the Salmon Liaison Group meeting in June that a meeting would be convened in the autumn to explore this further. **We urge Marine Scotland to take this forward with some urgency.**

We are keen to understand how the extremely low flows in 2018 will impact on the 2019 model. Whilst we recognise that flows from SEPA gauging stations are incorporated in the model, we are concerned that the extreme events of 2018 will be beyond the scope of the model to address. **We would ask that this issue is fully explored through the Salmon Liaison Group.**

We remain concerned about the use of rod catch as the primary driver for the assessment. In particular, some of our members are concerned about the accuracy, or lack, of catch figures collected by Marine Scotland in some areas. Unless accurate information, and full catch returns, are included in the model, the outputs will always be questioned. In addition, some of our members have expressed the concern that this approach 'penalises' those rivers which are lightly fished, sometimes as part of an overall conservation strategy.

We understand that Marine Scotland is considering collecting effort data in 2019. We have discussed this possibility with our members and we highlight the following points:

- Some of our members see real benefit in collecting catch effort data. For the first time in 2017 the Deveron DSFB asked proprietors to include angling effort as rod days per month and 74% of beats included effort data with their catch return. In the case of the Deveron, angling effort increased through the season with a peak in September and there was a strong relationship between the angling effort and the number of salmon caught.
- It was also thought that there was a benefit in collecting such data where the model outputs appear do not reflect the views of local managers— e.g. River Luce and Kirkcudbrightshire Dee.
- However, where it is currently difficult to get accurate catch returns, there is a strong view that adding angling effort data will add to the process.

- The collection of data from tightly managed beats with a controlled number of anglers could be relatively straightforward, however gathering data from large associations, syndicates and remote beats with no ghillies, where access is much less formal and controlled, is likely to be very difficult to collect accurately.
- Whilst the principle of collecting effort data is supported, there is significant concern that it cannot be collected with sufficient accuracy and consistency to provide meaningful data for the model.

We would welcome the opportunity to discuss the collection of effort data in more detail. Given the positive response from some of our members, it may be sensible to collect this data on a trial basis in 2019, perhaps focussing on key areas where the data would be most useful.

Comments about the underlying policy

As highlighted above, we support the principle of ensuring that any exploitation of salmon is sustainable. However, we are also concerned that the current approach remains poorly understood, and in some cases has compromised local management, due to a lack of understanding of what the gradings actually mean. It is recommended that a short, simple interpretative layman's guide should be developed to explain the significance of the gradings to wider stakeholders, with a clear message that the data and gradings reflect the sustainability of the *population*, rather than signifying that, for example, grade 1 suggests that there is a safe exploitable stock surplus of fish which may be killed.

We emphasise that prior to the conservation measures being adopted for rod fisheries, Scotland had the highest levels of catch and release of any signatory to NASCO. We have raised the possibility of an alternative approach to conservation regulations with Marine Scotland, whereby rather than each river being assigned a grade, the main output of the model would be the percentage chance that the egg requirement for each river has been reached (a current output of the model). This information would be supplied to the relevant DSFB to help inform decisions on their local conservation policies. We believe that this approach would achieve the correct balance between national and local management and would help to address the unintended consequences of the current approach highlighted above. Local managers are also best placed to understand factors that the current model does not currently take into account, such as angling effort, and to take this into account in determining the appropriate conservation policies for the river. This would also allow a degree of consistency to be taken at a local level and would allow managers to take into account the most recent season, which the current approach cannot do.

We are aware of concerns, where rivers have been categorised as grade 3, and sometime where gradings have fallen from grade 1 to grade 2, that it is becoming increasingly difficult to let fishing on the river. We also recognise that this situation is also a factor on grade 1 rivers. This has resulted in loss of anglers, and therefore income, and we are aware that in some cases this has made the salmon assessment unaffordable. DSFBs are primarily funded by the assessment raised annually on each fishery's rateable value, which in turn is largely derived from fish catch. It is vital that the fisheries management sector is adequately funded, particularly where investment may be required to improve the conservation status of the river. It is also vital that we find a way to support angling promotion and development, at a local level, in order to reverse the current declines in anglers. We have recently met with Visit Scotland and Scottish Enterprise with a view to exploring means by which fisheries infrastructure and marketing can be improved. Such support is crucial and we hope that Marine Scotland will support these efforts. Whilst marine survival has declined throughout the natural range of the Atlantic salmon, Scotland continues to offer a world class angling experience that compares favourably with anywhere else in the world.

Conclusion

Fisheries Management Scotland supports the underlying principle of ensuring that any exploitation of salmon is sustainable. We welcome the opportunities that we have had to comment on the process to date and will continue to contribute positively in future. However, it is vital that demonstrable action is taken by Scottish

Government and Agencies to address the range of potential pressures on salmon stocks as it is unfair and disproportionate to focus on fisheries exploitation in isolation.