

Agenda item 6.1
For information

Council

CNL(05)15

Returns under Articles 14 and 15 of the Convention

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Summary

1. Under the Convention, the Parties shall report on actions taken in accordance with Articles 14 and 15 of the Convention. Details of the new actions taken are attached. At the time of preparation of this paper, some EU Member States which have Atlantic salmon stocks (Germany, France and Portugal) have not sent returns.
2. Under Article 14 of the Convention, Canada has reported on its cooperation with France in sampling the St Pierre and Miquelon salmon fishery. This sampling programme now includes genetic testing. A detailed report on this sampling programme has been provided by the French authorities and is contained in Council paper CNL(05)28. Norway has reported on its surveillance activities which (together with the surveillance activities of the Icelandic coastguard) are very valuable in identifying fishing for salmon by non-Contracting Parties in international waters in the North-East Atlantic Commission area.
3. Under Article 15, a number of new laws, regulations and programmes and other new commitments have been reported. In summary these include:

In Canada, a national policy framework for the conservation of wild Atlantic salmon has been announced and has as its principal goal the restoration and sustainable management of diverse Atlantic salmon populations and their habitat. A CAN\$30 million Atlantic Salmon Endowment Fund has also been established and will be held in trust with the income generated used to support salmon conservation projects and programmes. Canada's commercial fisheries remain closed and the First Nations food fisheries are located in areas where interception of salmon destined for rivers outside the area are minimised. There were major enforcement actions against salmon poaching in Newfoundland and Labrador.

European Union:

In Denmark, a National Management Plan for Salmon has been published.

In Ireland, a Statutory Instrument was updated and amended with the effect that the carcass tagging and logbook scheme was continued in 2004. By-laws were also maintained for 2004 which set a one-salmon-per-day limit up to 1 June to protect spring (MSW) fish and which limit the catch per angler per season to 20 salmon. A Statutory Instrument was maintained for 2004 which prohibited the sale of rod-caught salmon. The national aggregated TAC for the commercial salmon fishery in 2004 was set by regulation at 162,000 salmon to limit the catch by this sector. For 2005 the commercial quota has been set at 139,900 salmon, a reduction of 48% from the initial TAC of 219,000 set in 2002.

In Spain, regulations were adopted in 2004 which set fishing seasons and quotas in each autonomous region. In addition, considerable areas of salmon rivers have been

designated as Sites of Community Importance under the Council Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC). Important public works on a road beside the Bidasoa River in Navarre could affect the salmon stocks.

In Sweden, new regulations require that imported fish must be proved to be free of contagious diseases and taken from a fish farm complying with Swedish approval on fish farms for stocking. Sweden has received additional guarantees under an EU Commission Decision for three fish diseases (SVC, IPN-V and BKD).

In the United Kingdom, there have been further reductions in netting effort in Cornwall and Cumbria in England as a result of buyouts. Compensation has continued to be paid to netsmen not to fish for all or part of the season (or to release fish alive) in a number of fisheries and a number of mixed stock fisheries continue to be phased out. In Wales, ten net fisheries were closed. In Scotland, a baits and lures regulation was introduced which restricts fishing to fly only in the River Findhorn Salmon Fishery District. The voluntary practice of catch and release fishing has been maintained and in 2004 50% of salmon caught by rod and line were returned. Netsmen have repeated their voluntary deferment of the start of the netting season by 6 weeks to conserve early running salmon stocks. Stock and habitat enhancement programmes have been maintained.

In Iceland, a new regulatory measure was introduced prohibiting the rearing of salmonids of reared origin in sea-cages in fjords and bays close to major salmon rivers. Regulatory measures were also introduced prohibiting net fishing for char in designated areas at certain times so as to protect char stocks and prevent by-catch of salmon.

In Norway, 21 Atlantic salmon rivers were limed at a cost of NOK45 million (approximately £4 million) in 2004 and funding for the liming programme has been increased by NOK14 million (approximately £1 million) for 2005. In 2003/2004 a rotenone project to eliminate the parasite *Gyrodactylus salaris* was undertaken in the Rana region in which six infected rivers within the fjord system and 15 rivers in close proximity were treated. In 2004 a research and development project commenced using aluminium sulphate to eliminate the parasite. Experimental treatment of the River Batnfjordselva was undertaken. Of the 45 rivers infected with *Gyrodactylus salaris*, 26 rivers have now been treated with chemicals but 19 rivers are still infected. Monitoring and preventative measures for the parasite are given a high priority.

In the Russian Federation, the Federal Act on Fisheries and Conservation of Aquatic Biological Resources was adopted in 2004 which gives priority to the conservation of particularly valuable aquatic biological resources (including Atlantic salmon). The Act allows for the designation of fish preservation zones where there is a special regime for economic and other activities with the aim of conserving aquatic resources.

In the US, consultations with the other federal agencies to review all projects carried out in listed Atlantic salmon watersheds have continued in order to avoid or minimise impacts on Atlantic salmon and their habitat. A draft recovery plan for the listed Atlantic salmon populations has been developed and in 2004 the plan was subject to

public review. From 1 April 2004 all new fish placed into marine net pens must be identifiable through external measures as commercially reared in Maine. In 2004, most fish stocked for aquaculture purposes received a fin clip. Public meetings were held during 2004 to solicit input from the public on a proposed pilot liming project on a portion of the Dennys River, Maine. A study to determine the effectiveness of non-lethal methods to remove or displace foraging double-crested cormorant populations from the Narraguagus River estuary commenced in 2004.

Secretary
Edinburgh
11 May, 2005

Returns under Article 14 of the Convention

1. Actions Taken To Make Effective The Provisions Of The Convention (*Article 14, Paragraph 1*)

1.1 The prohibition of fishing for salmon beyond 12* nautical miles from the baselines from which the breadth of the territorial sea is measured. (*Article 2, paragraph 2*)

* 40 nautical miles at West Greenland

* Area of fisheries jurisdiction of the Faroe Islands

Norway

Information on sightings is reported directly to NASCO by the Norwegian Coast Guard Squadron North.

Other Parties

No actions reported by the other Parties.

1.2 Inviting the attention of States not party to the Convention to any matter relating to the activities of the vessels of that State which appears to affect adversely the salmon stocks subject to the Convention. (*Article 2, paragraph 3*)

Canada

Canada and France continue to discuss the salmon fishery at St. Pierre et Miquelon during bilateral meetings. France and Canada have enhanced co-operation on samples from this fishery and assessment now includes genetic testing.

Other Parties

No actions reported by the other Parties.

1.3 Measures to minimise the by-catches of salmon originating in the rivers of the other member. (*Article 7, paragraph 2*) [North American Commission members only]

No actions reported by either Party.

1.4 Alteration in fishing patterns in a manner which results in the initiation of fishing or increase in catches of salmon originating in the rivers of another Party, except with the consent of the latter. (*Article 7, paragraph 3*) [North American Commission members only]

No actions reported by either Party.

2. Actions Taken To Implement Regulatory Measures Under Article 13 (*Article 14, Paragraph 1*)

No actions reported by any Party.

Returns under Article 15 of the Convention

1. Laws, Regulations And Programmes Adopted Or Repealed Since The Last Notification (*Article 15, Paragraph 5(a)*)

Canada

In December 2004, the Minister of Fisheries and Oceans Canada announced that work would begin on a national policy framework for the conservation of wild Atlantic salmon. The framework's principal goal will be to restore and sustainably manage diverse Atlantic salmon populations and their habitat. Consultations with stakeholders will begin early summer 2005. A final policy document is anticipated to be ready by early 2006.

In addition, the most recent federal budget included C\$30 million to establish an Atlantic Salmon Endowment Fund. The Fund will be held in trust and the income used for projects and programs that support long-term conservation of the wild salmon resource. The Fund will help watershed and community groups in the Atlantic provinces and Quebec who are working on a range of habitat-enhancement, monitoring and conservation initiatives.

European Union

Denmark

The Ministry of Environmental Protection has published a "National Management Plan for Salmon" in Denmark.

Ireland

Statutory Instrument (SI No. 256 of 2000) was updated and amended for the continuation of the Carcass Tagging and Logbook Scheme for the 2004 fishing season. Under this instrument all salmon fishermen (commercial and recreational) must apply a coded carcass tag to each salmon caught and provide details of these landings and subsequent disposal (sale, storage, etc.) in official logbooks. The amendment required the return of all logbooks and unused tags within 7 days after the end of the season rather than 21 as in previous years.

By-law 781 (of 2001) was maintained for 2004 allowing a limit of one salmon per day up to 1st June to protect spring (MSW) fish.

Subject to the above limit, by-law 786 (of 2002) was maintained for 2004 allowing a limit of 20 salmon per angler per season.

Statutory Instrument (SI) No. 353 of 2001) was maintained for 2004 which prohibits the sale of salmon caught by rod and line.

A national aggregated TAC of 162,000 salmon was included in the regulations in 2004, and applied to the commercial salmon fishery in 2004 to limit the catch in this sector.

Spain

In Spain each Autonomous Region independently regulates its salmon stocks and annually enact rules for rational exploitation of these stocks.

The open season for salmon fishing in Galicia was established through an Order of 21 January 2004 (BOG N° 22, February 2004). During 2004, fishing of salmon was allowed in the fishing reserves of Masma, Mandeo, Lérez, Miño, Ulla and Eo rivers, all of which, with the exception of the Eo River, had an annual catch quota.

In the Autonomous Region of Navarre, fishing of salmon is regulated by the Local Order 89/2004. Under this Order the only river in the region where salmon fishing was permitted was the Bidasoa and the Order set an annual catch quota. In addition, in Navarre the sale of salmon is forbidden with the exception of the first salmon caught in the year.

In the Principality of Asturias, the Resolution of 31 October 2003 (BOPA N° 264, 14 of November of 2003) regulated salmon fishing during 2004, and this Resolution established the minimum size limit for salmon and set the fishing periods in the fishing reserves.

The Order 4/2004 of 24 January (BOC N°24, 5 of February 2004) regulated salmon fishing during 2004 in the Autonomous Region of Cantabria. It defines the fishing periods, the catch quota and the minimum catch size.

The Basque Country has seven salmon rivers. In Guipúzcoa, the fishing of Atlantic salmon is only allowed in the small stretch of the Bidasoa River that belongs to the Basque Country.

United Kingdom

In England and Wales: For the Rivers Lynher, Tavy and Tamar in Cornwall Area (SW Region of England) a reducing Net Limitation Order (NLO) was introduced, with a privately funded buyout reducing the total number of draft/seine nets operating in this joint estuary from 23 to zero for a 10-year period. In Cumbria, England, the remaining coastal drift net was bought out in perpetuity using joint private/public funding. In Wales, 10 fisheries were closed: drift nets – River Usk; draft/seine nets – South Lleyrn, North Lleyrn, South Menai Strait (Seiont & Braint), North Menai Strait (Ogwen & Aber), Dwyfawr and West Wales Coastal; sling nets – North Anglesey, Clwyd; wade nets - West Wales Coastal.

In Scotland: The River Findhorn Salmon Fishery District (Baits and Lures) Regulations 2004 came into force on 4 June 2004. This prohibits the use of ‘organic’ baits (any crustacean, fish or other animal, or any part of such animal), and any ‘spinner’, ‘plug’, or ‘spoon’ as a lure. It effectively restricts fishing to fly only.

Iceland

A regulatory measure “(nr. 460/2004) prohibiting the rearing of salmonids of reared origin in sea-cages in fjords and bays close to major salmon rivers” was adopted in June 2004. In addition two regulatory measures were adopted which prohibit net fishing for char in the sea from 15 May through 15 August in Eyjafjörður and from June 10 through August 10 in Skjálfandaflói and Þistilfjörður. The ban is intended to protect the char stocks in Eyjafjörður and prevent by-catch of salmon in char-nets in Skjálfandaflói and Þistilfjörður. This is a continuation of a regulatory programme, which was initiated in Southwestern Iceland in 2003.

Russian Federation

The Federal Act on Fisheries and Conservation of Aquatic Biological Resources was adopted on 20 December 2004. This Act is based on the principles which give priority to conservation of particularly valuable aquatic biological resources (Atlantic salmon is included in this category) and provides the regulatory framework for fisheries and conservation of aquatic biological resources in the Russian Federation. The Act defines measures for the conservation of aquatic biological resources and their habitat. For example, for protection of habitat of aquatic biological resources fish protection zones could be established, where restrictions on economic or any other activities are introduced. Waters of particular importance for conservation of valuable species of aquatic biological resources can be awarded the status of fish preservation zones, where a special regime for economic or any other activities is established with the aim of conserving aquatic biological resources and providing conditions for development of aquaculture and fisheries at the same time.

Other Parties

No changes reported by the other Parties or the other EU Member States.

2. Other New Commitments Relating To The Conservation, Restoration, Enhancement And Rational Management Of Salmon Stocks Subject To The Convention (Article 15, paragraph 5(b))

Canada

Canada’s commercial fisheries for Atlantic salmon remain closed. There are a few First Nations food fisheries, with specific quotas. These fisheries are located mainly in large inlets and bays, thereby minimizing the interception of migrating salmon destined for rivers outside the area.

European Union

Spain

Under the Council Directive 92/43/ECC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora, the salmon belongs to the species of Community Importance for whose conservation it is necessary to designate special zones of management. All the zones designated as Sites of Community Importance

(SCI) belong to the Nature 2000 programme. The Commission Decision of 7 December 2004 (DO L387) adopted the list of SCIs for the Atlantic biogeographical region.

In the Autonomous Regions of Galicia, Principality of Asturias, Cantabria, Basque Country and Navarre constitute the Atlantic Region of Spain, the salmon inhabits 101,633,351 hectares of the SCIs of the Atlantic Region.

In Galicia, of the areas approved as SCIs, salmon inhabit occupy 8,009.54 hectares in the following rivers:

Eo River (781.13 hectares); Betanzo - Mandeo (864.58 hectares); Ría de Foz - Masma, (575.17 hectares); Sistema Fluvial Ulla – Deza, (1,306.841 hectares); Lézrez River 18.6 hectares); Baixo Miño (2,791.64 hectares); Landro River (88.94 hectares); Esterio do Tambro (1,582.61 hectares).

In the Principality of Asturias the following SCIs inhabited by salmon have been designated and amount to 89,851 hectares:

Eo River (123 hectares); Cabo Busto – Luanco (11,599 hectares); Ría de Ribadesella - Ría de Tinamenor (5,788 hectares); Montovo - La Mesa (14,926 hectares); Ría del Eo (1,931 hectares); Picos de Europa (25,086 hectares); Ponga - Amiega (28,100 hectares); Cares - Deva River (269 hectares); Esqueiro River (13 hectares); Esva River (192 hectares); Las Cabras River (36 hectares); Nalón River (560 hectares); Narcea River (374 hectares); Navia River (96 hectares); Trubia River (81 hectares); Negro River (45 hectares); Pigüeña River (45 hectares); Porcía River (65 hectares); Purón River (22 hectares); Sella River (500 hectares).

In the Autonomous Region of Cantabria a total area of 3,386.84 hectares occupied by salmon have been designated as SCIs:

Nansa River (ES1300009, Area: 569,86 hectares); Pas River (957.29 hectares); Ason River (530.49 hectares); Deva River (397.91 hectares); Saja River (321.28 hectares); Miera River (395.53 hectares); Agüera River (214.48 hectares).

In the Basque Country, of the existing SCIs, 196 hectares are inhabited by salmon, as follows:

Urumea River (74 hectares); Txingudi - Bidasoa (122 hectares).

In the Autonomous Region of Navarre, the Bidasoa River (190 hectares), is considered as an SCI as it is the only salmon river in Navarre.

Sweden

Imported fish must be proven free of contagious diseases and taken from a fish farm complying with the Swedish approval on fish farms for stocking purposes (FIFS 2004:47).

Sweden was given additional guarantees for three fish diseases: SVC (spring viraemia of carp), IPN-V (infectious pancreatic necrosis) for coastal and inland waters and BKD (bacterial kidney disease) for inland waters (Commission Decision 2004/453/EG). The decision concerns all species intended for aquaculture, implying that the fish can only be brought from countries having the same health status.

United Kingdom

In England and Wales: Netsmen have received compensation payments (from various sources) not to fish for all or part of the season (or to release fish alive) in the following salmon fisheries: Tavy, Tamar, Lynher, Fowey, Camel, Lyn, Severn and the Hampshire Avon and Stour. A number of mixed stocked fisheries continue to be phased out.

In Scotland: The voluntary practice of catch and release in the rod fishery has been maintained. The estimated level for 2004 is 50% of all salmon caught by rod and line. Salmon netsmen repeated their voluntary deferment of the start of the netting season by 6 weeks to conserve early-running stocks. District Salmon Fishery Boards and Fisheries Trusts throughout Scotland have maintained programmes of stock and habitat enhancement.

Norway

Liming

In 2004, 21 Atlantic salmon rivers were limed in Norway at a cost of NOK45 million (approximately £4 million). For 2005, the Government of Norway has increased the funding for the liming programme by NOK14 million (approximately £1 million) compared with 2004. The increased funding makes it possible to start liming in the river Nidelva in Aust-Agder county in 2005. The natural Atlantic salmon stock in this river is regarded as being extinct due to acidification. Before acidification, during the late 1800s, the yearly catch of salmon in the river Nidelva was up to 12 tonnes. Today the potential for salmon production is reduced by two dams built for production of hydroelectric power.

Most liming projects in Norway commenced during the period 1991 to 1997. It will take some years before the salmon stocks in treated rivers are re-established. In 14 rivers in the southern-most part of Norway the total catch of Atlantic salmon was 2 tonnes per year in the 1980s. After about 10 years of liming the catches have increased to about 35 tonnes per year. The Norwegian Institute for Nature Research (NINA) has estimated that the salmon stocks in these 14 rivers will be fully re-established after about 15 years of liming, and has suggested that the total catch may be about 75 tonnes in 2011.

The largest liming projects are in three large watercourses in southern-most Norway: Tovdalselva, Mandalselva and Bjerkreimselva. In Tovdalselva and Mandalselva, the natural Atlantic salmon stocks became extinct due to acidification. Before acidification, during the late 1800s, yearly catches of salmon in the rivers Mandalselva and Tovdalselva were as high as 30 and 20 tonnes respectively. In both rivers, a

restocking programme is being carried out in connection with the liming programme. The catches are increasing in the river Mandalselva with an average catch of about 9 tonnes in the last five years. In the River Tovdalselva the density of young fish was recorded in 2002 - 2004 and the catches are expected to increase in the next few years. Bjerkreimselva had a small population of its natural salmon stock before liming commenced and catches increased significantly in the first few years after liming started. The average catch in the river Bjerkreimselva for the last five years has been about 14 tonnes.

Gyrodactylus salaris

In 2003-2004, a rotenone project in the Rana region began. The project treated six infected rivers within the fjord system (River Ranaelva, River Røssåga, River Slettenelva, River Bjerka, River Bardalselva and River Sannaelva); another 15 rivers were treated due to their close proximity. Treatments were conducted in October 2003, June 2004 and August 2004. The most comprehensive treatment involved more than 100 persons and took 14 days to complete. The project included preservation of fish stocks, removal of dead fish and environmental monitoring.

In 2004 a research and development project commenced using aluminium sulphate (AIS) to eliminate the parasite. The experiment was conducted in the River Batnfjordselva in the middle part of Norway. The main river and its biggest tributaries were treated with aluminium sulphate. Rotenone was used in small quantities in more or less stagnant water connected to the river.

Out of 45 infected rivers, 26 rivers have now been treated with chemicals. 19 rivers are still infected. In addition to the remedial measures, the monitoring programme and preventive measures are being given high priority.

International cooperation

Cooperation between Norway and Russia on environmental issues, and on research and management of Atlantic salmon, has continued, especially concerning Atlantic salmon in the Pechora River and in relation to *Gyrodactylus salaris*.

Conservation of salmon stocks

By the end of 2004, milt from a total of 6,511 wild salmon from 169 stocks had been included in the Norwegian Gene Bank (cryopreservation). 11 new milt samples were included in the gene bank in 2004. Norway currently operates 3 living gene banks; one in northern Norway, one in middle Norway and one in south-western Norway. The threats to the stocks that are kept in these stations are hydropower development, acidification, high proportion of escaped farmed salmon and the freshwater parasite *Gyrodactylus salaris*. Of the 29 salmon stocks that are, or have been, taken care of in the gene banks, nine have been re-introduced to their rivers and seven of them are taken out from the gene banks. Two are kept for safety reasons. Ten stocks are under restoration, while nine stocks are waiting to be restored after eradication of *G. salaris* from the rivers.

USA

As reported last year, following the listing of Atlantic salmon under the Endangered Species Act, NOAA Fisheries and the US Fish and Wildlife Service have been consulting with other federal agencies to review all projects carried out in the salmon watersheds in order to avoid or minimize impacts to Atlantic salmon and their habitat. Consultations have been conducted on the permitting process for discharge from aquaculture facilities, siting and operation of aquaculture facilities, dredging projects, and bridge and road repair.

The US Fish and Wildlife Service and NOAA Fisheries have worked with the Maine Atlantic Salmon Commission to develop a draft recovery plan for the populations of Atlantic salmon that have been listed as endangered. The draft was reviewed by technical staff at both state and federal agencies during 2003. During 2004 the draft was subject to public review. The Recovery Plan is currently being revised to address public comments received during the review process. A final draft is expected by summer of 2005. A copy of the Draft Recovery Plan is available at the following link: http://www.nmfs.noaa.gov/pr/readingrm/Recoverplans/Draft_ATS_plan.pdf

In 2003, the MEPDES general permit for Atlantic salmon aquaculture was finalized and includes special conditions for protection of endangered Atlantic salmon. These conditions are focused on finfish aquaculture operations in four primary areas: (1) fish husbandry and culture; (2) loss prevention through audited containment practices; (3) marking cultured fish to identify the origin of escapes; and (4) use of only North American strains of Atlantic salmon. Effective April 1, 2004 all new fish placed into marine net pens must be identifiable through external means as commercially reared in Maine. In 2004, mostly all fish stocked for aquaculture purposes received a fin clip.

NOAA Fisheries, in conjunction with other federal and state agencies, Universities, and non-governmental organizations, continues to work cooperatively on the Water Chemistry Committee to implement a pilot liming project on a portion of the Dennys River, Maine. In 2004 public meetings were held to solicit input from the public.

NOAA Fisheries, Maine Atlantic Salmon Commission, and USDA Wildlife Services developed a study to determine the effectiveness of non-lethal methods to remove or displace foraging double-crested cormorant populations from the Narraguagus River estuary. The objectives of the cormorant harassment study are twofold: 1) to reduce predation on migrating Atlantic salmon smolts by excluding double-crested cormorants from the lower Narraguagus River and Narraguagus Bay; 2) to assess the efficacy of non-lethal predator exclusion as a means of reducing predation on migrating Atlantic salmon smolts. In order to measure success in meeting the first objective, smolt survival during times of active harassment and non-harassment will be monitored. Smolt survival will be monitored with ultra-sonic telemetry gear; however, this data from 2004 is not yet available. In addition, cormorant abundance before, during, and after the smolt run is also being monitored with automated digital cameras that are programmed to take pictures (i.e., point counts) at fixed intervals every day. Preliminary results from 2004 suggest that fewer cormorants were found in the lower Narraguagus River on days when they were being actively harassed. Smolt survival results from both 2004 and 2005 will be available by the fall of 2005 and

reported in the U.S. Atlantic Salmon Assessment Committee Report in early 2006 as well as in the 2005 returns for NASCO.

Other Parties

No new commitments reported by the other Parties or the other EU Member States.

3. Other Factors Which May Significantly Affect The Abundance Of Salmon Stocks Subject To The Convention (Article 15, Paragraph 5(c))

Canada

Enforcement of salmon fishing rules is an ongoing responsibility of federal and provincial fisheries departments. In 2004, major enforcement actions against salmon poaching were undertaken in Newfoundland and Labrador. In some cases, these actions were jointly undertaken by federal and provincial fisheries enforcement officers. Where cases have gone to court, judges are more frequently handing down large fines, forfeiture of fishing gear and equipment used in the offences, and even jail sentences.

European Union

Ireland

The commercial quota in 2005 has been set at 139,900 salmon. This is a reduction of 48% from the initial TAC of 219,000 which has been brought about by staged reductions of 17%, 11% and 14% annually since 2002.

Spain

At present, important Public Work is taking place on a road next to the Bidasoa River in Navarre that could affect the abundance of the salmon stocks.

Other Parties

No factors reported by the other Parties or the other EU Member States.