

West Greenland Commission

WGC(01)9

*Background Note on European Union Measures
taken to Protect Salmon*

(tabled by European Union)

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General

1. It is an offence to fish for salmon, either in fresh water or in the sea, in England and Wales without a licence issued by the Environment Agency (EA); in Scotland, without having the legal right to fish for salmon or written permission from a person having such a right; and in N.Ireland all commercial salmon netsmen are required to hold licences issued either by the Foyle, Carlingford and Irish Lights Commission (FCILC) or the Fisheries Conservancy Board (FCB).
2. The numbers of annual net licences issued by the Environment Agency in England and Wales are strictly controlled via Net Limitation Orders (NLOs).
3. Annual close times and close seasons for net and rod fisheries are set by legislation. The minimum close season for net fishing is 153 days in England and Wales, 168 days in Scotland and 183 days in N.Ireland. (Commercial season on the Foyle and Carlingford areas is restricted to six weeks).
4. Modes of operation, design and construction of nets used to fish for salmon are also subject to legislation. The use of fixed engines is also regulated.
5. Drift netting for salmon in Scotland was prohibited in 1962. Prohibition on carriage of monofilament nets was introduced in 1986 in Scotland and its use is prohibited in N.Ireland.
6. The use of certain instruments, baits and lures is regulated and, where appropriate, prohibited. It is also an offence to use the roe of any fish to fish for salmon as is the taking, buying or selling of unclean or immature salmon.
7. A wide range of physical habitat restoration/enhancement initiatives is being undertaken in N.Ireland, by DSFBs throughout Scotland, and in England and Wales. In England and Wales some £7 million is spent on such habitat improvements. Additionally, the water industry in England and Wales is investing £6 billion over the next five years to improve water quality which will have significant benefits for current and potential salmon rivers.
8. Some £1.3 million is spent annually on salmonid-related R&D in the UK.

Specific actions taken in or applying to England and Wales

New measures introduced in 2001

- NLOs renewed on Rivers Lune, Dart and Teign which reduce the number of net licences issued; and a byelaw introducing a bag limit for anglers on the River Lune.
- Netsmen received (largely private) compensation payments not to fish for all or part of the salmon season on Rivers Tavy, Tamar, Lynher, Fowey, Usk, Avon, Stour and Cumbrian Coastal Fisheries.

Existing and continuing measures

- The major package of regulatory measures introduced in 1999 to provide additional protection for early-running 'spring salmon' remain in force and continue to reduce exploitation by both rods and nets. The measures prevent:
 - killing, and in most cases fishing for, salmon by netsmen before 1 June. Only predominantly sea trout netting is allowed and where salmon can be and are released;
 - killing by anglers before 16 June. Before that date anglers must release any salmon caught; and
 - the use of anything other than artificial flies or lures before 16 June.
- Voluntary catch and release, ie after 16 June, operating at about [50%] of all salmon caught.
- Number of mixed stock fisheries continue to be phased out. The largest, the North East Coast, fallen 50% to 71 net licences since 1993.
- NLOs are in place for all salmon rivers in England and Wales where net fishing occurs. The total number of net licences issued has been reduced by 50% since 1990.
- a number of separate Byelaws have been introduced to improve the management of rod and net fisheries.

Other initiatives

- Formal Government response to independent Salmon and Freshwater Fisheries Review Group report published in February. Vast majority of the 195 recommendations accepted. These are now being considered further for

implementation; Ministers have given commitment to introduce proposals for new salmon and freshwater fisheries legislation when Parliamentary time permits.

- Government expenditure to the Environment Agency for fisheries work in England is set to increase by 30% in 2002/03 (by £1.5 million). An additional £750,000, subject to matching funding from private interests, is available to launch compensation arrangements to accelerate the phase out of mixed stock fisheries, particularly the North East Coast.
- In accordance with NASCO guidance, in-river management of stocks is based on the use of spawning targets or conservation limits. The EA is expected to complete the preparation of Salmon Action Plans for all the principal salmon rivers in England and Wales by 2003.

Specific actions taken in or applying to Scotland

New Measures

- Salmon Conservation (Scotland) Act 2001 came into force on 15 April 2001. Makes provision for fishery managers and Scottish Ministers to make regulations for the conservation of salmon.
- Green Paper to be published this summer proposing a range of measures to take forward the management of Scotland's salmon and freshwater fisheries.
- A Bill to consolidate the Scottish salmon and freshwater fisheries legislation will be introduced to the Scottish Parliament later this year.

Existing and continuing regulatory measures

- In addition to the salmon drift net ban the landing of salmon from Scottish fishing vessels is prohibited. The use of trolls, seine, gill nets and long-lines to fish for salmon is also prohibited. A derogation to the prohibition on carriage of monofilament nets was permitted in 1996 to allow those of mesh size of at least 250 mm, but their use only permitted beyond six miles from MLWST.
- Weekly close times of 60 hours per week for net fisheries and 24 hours for rod fisheries are in force.
- Regulations prohibiting the use of certain baits and lures have been introduced in the rivers Nith, Cree, Stinchar, girvan, Awe, Ewe, Ness, Spey, Deveron, Ugie, Ythan, Don, Dee, Esk, Tay, Forth and Tweed (2 Orders).
- It is not only an offence to use the roe of any fish to fish for salmon, buy or sell unclean or immature salmon, but also to be in possession of roe, except where it has been produced in the course of fish farming.
- Provision was made in the Scotland Act 1998 for the introduction of legislation for salmon and freshwater fisheries management for the rivers on the borders between Scotland and England. The Scotland Act 1998 (Border Rivers) Order 1999 came into force in June 1999. This Order made, *inter alia*, provisions in relation to fishing for salmon in the inner part of the Solway Firth.
- The only permitted methods of fishing for salmon are:
 - within estuary limits – net and coble, and rod and line;
 - outwith estuary limits – fixed engines (bag or stake nets), net and coble, and rod and line;
 - some rights to fish in rivers by cruives (a form of trap) still exist but this method has not been used for at least 50 years;

- in the Solway, haaf nets (hand-held) and poke nets may be used as well as “privileged” fixed engines (stake nets) for which certificates must be held;
- taking or destroying salmon smolts has been prohibited since 14th and 15th centuries; and
- prohibitions on destroying kelts have been in force since the 17th century.

Current salmon management initiatives

- Voluntary 6 week deferment of the start of netting by the Salmon Net Fishing Association of Scotland to protect early-running MSW salmon.
- Reduction of netting effort as a result of voluntary cessation and buy-outs. In 2000, fixed engine netting effort was 3.5% of the 1952 level, and in the net and coble fishery, netting effort in 2000 was 9% of the 1952 level.
- Increasing adoption of catch and release in the rod fishery – national level now at 33%. In some districts, catch and release estimated to be over 80%.
- Fishery Trusts and Foundations employing biologists now covering most of Scotland. Provide scientific advice to District Salmon Fishery Boards in addition to that provided by Freshwater Laboratory. Scottish Fisheries Coordination Centre, comprising representatives of DSFBs, Trusts, FL and SERAD, established to ensure standardised sampling and analytical techniques.

Implications of high seas fisheries for Scottish salmon resource

- Scotland contributes salmon to both the Greenland and Faroes fisheries areas.
- Proportion of catch at Greenland of European origin has declined in recent years. If overall abundance at Greenland has shown an increase over last year, it is not clear that there has been a substantial increase in the number of Scottish salmon there. If Scottish salmon are going elsewhere in the ocean, they are not returning from there either.
- Faroes fishery relies heavily on Northern European stock component, which has shown an increase. Scotland’s salmon resource is subsumed within the Southern European stock component, where abundance remains worryingly low. However, Scotland is a major contributor of salmon to the Faroes fishery.

Specific actions taken in or applying to N.Ireland

New fishery management measures in 2001 and 2002

- The FCB has proposed for the 2001 season that new fishery conservation, measures will be put into place within their area. These include - total catch and release until 1 June; application of a daily bag limit of 2 salmon from 1 June for the remainder of the season, and a total ban on the sale of rod-caught salmon.
- These measures to be introduced immediately on a voluntary basis, pending the introduction of regulations.
- Voluntary measures to be adopted by commercial netsmen operating in the FCB area for the 2001 season, to include: no netting to commence until 1 June (previously 18 March); an agreement not to fish around 40% of inshore nets, and a restriction of drift net operations to an 8 week period in total.
- A salmon carcass tagging scheme is being introduced throughout N. Ireland in the 2001 season.
- The above measures are to be extended for 2002 and beyond by the adoption of a policy of voluntary buyout of commercial net fisheries in the FCB area based on 75% government funding and 25% private funding (NASF).
- These measures could reduce commercial licence numbers by around 27.
- From 2002, the number of draft nets licensed in the Foyle area will be capped at 60 nets, while drift nets will remain capped at 112.

Existing and continuing measures

- Number of drift nets licensed has dropped since 1991 by 8% (118 to 109), draft nets by 44% (102 to 57), and bagnets/boxes by 45% (18 to 10). Current license numbers issued include 112 drift net and 57 draft net licences issued by the FCILC mainly to commercial fishermen operating out of the Republic of Ireland.
- Considerable numbers of licence holders in the FCILC area are not actively fishing (60 to 70% of drift nets and 50 % or less of draft nets do fish).
- In the FCILC area, commercial fishing is restricted to 4 days/week and drift net fishermen only allowed to fish 12 hours per day.
- A management system operates in the FCILC area, whereby if management targets, set on the basis of spawning requirements, are not being met (as assessed

by fish counters at 3 sites in the system), then specified closures of angling and/or net fisheries take place.

- A daily bag limit of 4 fish (salmon/sea trout) applies in the FCILC area.
- In the FCB area, in addition to new measures noted in the previous section, future management of salmon will follow the N. Ireland Salmon Management Plan (SMP). This will be carried out with reference to salmon conservation limits (as required by the NASCO Precautionary Approach), within the context of overall catchment management.
- Salmonid Enhancement Programme Phase I (1997-2000) targeted £3million EU Peace & Reconciliation funding towards habitat improvement/rehabilitation measures. Further funding, under Peace II, for habitat restoration will be available under an Angling Development Programme - to be launched in 2001.

New Measures for Managing Irish Salmon Stocks Taken

General

In accordance with the Recommendations of the Salmon Task Force in 1996 and in compliance with specific recommendations from NASCO, Ireland is committed to the introduction of new dynamic policies for the future management of wild stocks. The basic elements of the new management system introduced since 1997 are :

- provision of a legislative and scientific framework to allow the management system to operate (National Salmon Commission, carcass tags and logbooks);
- establishment of spawning escapement targets and conservation limits for all rivers which can be achieved in the short term (in-river assessments, fish counters);
- determination of compliance with these spawning escapement targets by providing in season measures of spawners (fish counters, catch data);
- implementation of measures to rebuild stocks which are below conservation limits;
- use of fishery management plans (catchment management plans) to assist in the allocation of the surplus by the beneficial users after targets are expected to have been met.

Specific actions taken in or applying to Ireland

- Immediate reduction in fishing effort in the commercial and recreational catch sector was achieved in 1997 by the following management actions – which effectively put MSW salmon beyond the scope of commercial fisheries:
 - cap on public commercial fishing licences for draft nets and drift nets;
 - area of fishing at sea reduced from 12 to 6 nautical miles;
 - drift net season constrained to 1st June to 31st July;
 - draft net fishery deferred to the 12th of May – these measures designed to eliminate the bulk of commercial exploitation on wild MSW salmon;
 - changes to the season for angling for spring salmon on a number of rivers;
 - restriction on night time fishing (0400 to 2100 hrs only); and
 - reduction to 4 days fishing per week.
- Following the introduction of restrictive fishery measures in 1997, commercial catches have significantly declined.
- Management of Irish salmon fisheries is now on the basis of carcass tagging of all fish caught and the mandatory completion of fishing logbooks for commercial and recreational fisheries.

- In addition, the Regional Fisheries Boards responsible for the protection and development of salmon stocks have been restructured in new legislation aimed at strengthening their ability to manage the salmon resource.
- A National Salmon Commission was established in 1999 which will be advised by a Standing Scientific Committee.
- A considerable investment in 22 new fish counters has been made in order to monitor stock status and to establish spawning escapement targets and conservation limits for these and other salmon rivers. There are approximately 135 main stem rivers in Ireland supporting salmon stocks. Significant investment in both time and manpower have been made to obtain complete GIS coverage and evaluation of salmon productivity within a number of years. This will greatly enhance our estimates of the productive capacity of all Irish salmon rivers as an input into establishing appropriate Conservation Limits.
- Measures to rebuild stocks which are below conservation limits are ongoing. Approximately 4 million fry were released in 1999 and 2000. Stocking with parr also takes place with 250,000 – 400,000 released in recent years. About half a million smolts have been stocked each year since 1995 including microtagged, finclipped and unmarked fish. These stock rebuilding programmes will continue to be developed and evaluated as a method of rebuilding stocks which are below conservation limits.
- Catchment management groups have been established in 6 major catchments in Ireland by the Minister for the Marine and Natural Resources. These groups comprise representations from all of the major users of the freshwater resource including agricultural, tourism, state utilities and local councils as well as fishery interests. The process of catchment management is seen as an inclusive process bring the interests of all user groups to the fore with the intention of allocating and sharing the resource by the local communities and their representatives. Two significant draft net fisheries ceased fishing in 2000 following local financial arrangements negotiated by Catchment Management Groups.
- Over the next five years Ireland will spend more than £3 billion to improve water quality and this action will have significant benefit for salmon rivers. Over the past five years some £8million was spent on habitat rehabilitation under the EU funded Tourism Angling Measure.
- Some £1million is spent annually on salmon related research in Ireland.