

Response ID ANON-YFFV-NPF9-R

Submitted to **Managing salmon fisheries in England and on the Border Esk**

Submitted on **2017-10-07 12:16:40**

1. Your details

Please tell us which one of the following categories best describes your primary interest in salmon/sea trout. Please select one option.

I represent a salmon/sea trout conservation or environmental conservation organisation (please use the box below to tell us the name of your organisation)

Name of group, organisation or other primary interest:

Atlantic Salmon Trust

If more than one of these categories applies to you please tell us which of the others do in the box below.:

What part of the country do you have an interest in? Please tell us where you primarily fish for salmon/sea trout or where the salmon/sea trout that support your business are from. You can select more than one option.

National

If other, please specify:

Are you a member of a salmon/sea trout fishing club/organisation or an organisation that represents anglers, net and fixed engine fishermen or the interests of salmon/sea trout/wider conservation?

Not Answered

Please tell us which organisation you are a member of.:

What is your email address?

Email:

ivor@linkwell.org.uk

Can we publish parts of your response that are not personally identifiable or contain financial information?

Yes

If no, please explain why.:

Please tell us how you found out about this salmon consultation:

From the Environment Agency

If other, please specify:

2. The Salmon Five Point Approach

Q2.2a To what extent do you agree with the summary of the current state of salmon stocks and the supporting information provided in Appendix 2?

Wholly

Please give your reasons and any evidence you have to support your answer.:

The summary in Annex 2 is fully consistent with the ICES and other assessments of the state of salmon stocks.

3. Deciding which salmon stocks need further protection

Q3.2a To what extent do you agree that a salmon stock should be subject to additional protection from net/fixed engine and rod exploitation if it is classified as either At Risk or Probably at Risk of failing to meet its Management Objective?

Partially

Please give your reasons and any evidence you have to support your answer. If you would like to provide us with an alternative approach then please do so.:

The AST believes that on rivers with threatened salmon stocks (ie rivers that are consistently failing to meet their conservation limits) it is essential to maximise the numbers of salmon that survive to spawn, and so as a matter of principle no potential spawner on such a river should be deliberately killed. Stocks in these two categories meet this criterion, as they have less than a 50% chance of meeting the management objective, and so will be failing to meet their conservation limits most of the time. NASCO guidelines require that in these circumstances there should be no exploitation of the stocks concerned.

However, we do not agree that the classification for deciding which stocks need extra protection should be based on the predicted classifications in 5 year's time. These are not, in fact, predictions; they are extrapolations of the current trend line, albeit ones based on some sophisticated statistics. The evidence from the last few years shows that trends are not stable, and projections based on them are not a reliable indicator of what will happen in the future. This is demonstrated by the predictions made in 2011 for 2016. The predicted percentage of rivers classified as Not at Risk (NaR) was 16%; the percentage in the recent assessment was 0%; the percentages for Probably Not at Risk (PNaR) are 39% predicted, 10% actual; for Probably at Risk (PaR) 31% predicted, 57% actual; and for At Risk (AR) 14 % predicted , 33% actual.

The proposed approach is particularly problematic for stocks that are predicted to improve, since it would treat them now as if the improvement had already taken place. For this reason the AST considers that the statement in 3.2.3 of the consultation document, that 'Stocks that continue to have a better than 50% likelihood of meeting the management objective (i.e. those classified as 'Not at Risk' or 'Probably Not at Risk') are considered to have some capacity for continued exploitation and might be regarded as having a certain level of harvestable surplus' is simply not true of stocks that are currently classified as PaR.; they might in future have a harvestable surplus but they do not have one now, and should not be treated as if they did.

We urge the Agency to look at this again, and to base the stock status classifications for the various options on the actual, not the predicted assessments. This could be for the most recent year or an average of recent years.

It is true that there are other weaknesses in the current assessment system; these were considered in the EA/AST/IFM work shop on stock assessment held in July 2016, which explored a number of possible improvements. However, it is unlikely that the weaknesses are serious enough to be giving a false picture of the state of salmon stocks; there is no doubt that on many rivers these are in severe decline. In these circumstances, a precautionary approach requires action to be taken to mitigate this decline.. Nevertheless, it is important that the EA and Defra continue to explore ways of improving the assessment system, and are prepared to introduce any necessary changes and to review classifications in the light of the latest evidence

4. Review of existing National Salmon Byelaws

Q4.2a Do you agree with the proposal to renew without amendments the existing National Salmon Byelaws to protect spring salmon stocks?

Wholly

Please give your reasons and any evidence you have to support your answer. :

While MSW salmon stocks seem to have stabilised in recent years they are still well below their levels in the early '70s. The current measures are working well and are widely accepted; they should be left in place

5.2. Possible options for salmon net and fixed engine fisheries - across England and the Border Esk

Q5.2a (This question is for net and fixed engine fishermen) If you were no longer able to fish for salmon or sea trout, what would be the consequences for you?

Please provide us with details of both financial and cultural (i.e. traditions within your community and / or how you spend time within your local environment). Ideally, please use the last 5 years of income to support your answer.:

Q5.2b (This question is for net and fixed engine fishermen) What are the opportunities for you to fish for other species if you could no longer fish for salmon or sea trout (e.g. white fish or crustaceans)?

If there are any please provide us with an estimated breakdown of the costs you would incur to switch to a different target species. Please indicate whether you would need to purchase quotas / different equipment.:

Q5.2c (This is for businesses that are supplied with wild salmon and sea trout from English and Border Esk fisheries) Please provide details of the impact of stopping the supply of salmon and sea trout from the English fisheries that you buy from.

These impacts could be either financial and / or social. Ideally, please use the last 5 years of income to support your answer.:

Q5.2d (This is for net and fixed engine fishermen) Please provide any other options for reducing the exploitation of salmon by your fishery that you would like us to consider.

Please provide details of these and why you would find them preferable to the possible options set out in Section 5.2: Table 2.:

Q5.2e (This question is for net and fixed engine fishermen) Do you consider that your fishing gear and how it is fished enables salmon to be released alive immediately after capture?

Not Answered

If you wish, please provide us with your reasons for this answer.:

Q5.2f (This question is for net and fixed engine fishermen) Do you fish in attendance with your nets or do you set them and return?

Not Answered

Q5.2g (This question is for net and fixed engine fishermen) Do you currently release salmon as a result of existing controls on your fishery?

Not Answered

If yes, please provide us with details of why this is.:

Q5.2h (This question is for net and fixed engine fishermen) What type of gear do you use when fishing for salmon and/or sea trout? Please provide details.

Please provide details of the gear that you use.:

Q5.2i (This question is for net and fixed engine fishermen) Do you consider that your fishing gear and how it is fished enables salmon to be released with minimal damage?

Not Answered

Please provide us with information of the type of damage (e.g. scale loss or fin damage) that you see on the fish that you catch.:

Q5.2j (This question is for net and fixed engine fishermen) Would altering your gear make it easier to release and/or cause less damage to salmon?

Not Answered

Please provide details and an estimate of the cost if you consider this an option.:

Q5.2k (This question is for net and fixed engine fishermen) If you could release salmon and continue to take the sea trout that you catch would you continue to fish for sea trout?

Not Answered

If you wish, please provide us with your reasons for this answer.:

Q5.2l (This is for businesses that are supplied with wild salmon and sea trout from English and Border Esk fisheries) Please provide details of the impact of stopping the supply of salmon only from the English and Border Esk fisheries that you buy from.

These impacts could be either financial and/or social/cultural. Ideally, please use the last 5 years of income to support your answer.:

Q5.2m (this question is for both businesses and net and fixed engine fishermen that are supplied with / catch wild salmon and sea trout from Fisheries in England and on the Border Esk) If fishing for salmon was required to cease, is there a date later than 2018 that would be economically easier to work towards?

Not Answered

If yes, what date would you suggest?:

Please provide details of why a later date would reduce the impact of closure. These impacts could be either financial and/or social/cultural.:

Q5.2n (this question is for both businesses and net and fixed engine fishermen that are supplied with / catch wild salmon and sea trout from Fisheries in England and on the Border Esk) How long do you consider the measures covering a fishery should be in place for?

Not Answered

If other, please specify.:

Please provide details of why you have given this answer.:

5.4. All consultees' views sought on the options for net and fixed engine fisheries

Q5.4a (Seeking all consultees' views on the options for net and fixed fisheries in England and on the Border Esk (except North East Coast Net Fishery Options)) Which is your preferred option for net and fixed engine fisheries as set out in Section 5.2: Table 2?

Option 2

Please provide details of why you have given this answer.:

The AST believes that on rivers with threatened salmon stocks (ie rivers that are consistently failing to meet their conservation limits) it is essential to maximise the numbers of salmon that survive to spawn, and so as a matter of principle no potential spawner on such a river should be deliberately killed. Option 2 reflects this principle, and is in accordance with NASCO guidelines, which require that there should be no exploitation of stocks that fail to meet their conservation limits.

The AST notes, however, that under Option 2, using the proposed stock status classifications, net fisheries could continue to operate in the river Severn. As indicated in our response to 3.2a), we believe that classifications should be based on the latest assessment of actual stock status, not predicted ones, which would classify the Wye as PaR; on this basis, the Severn net fisheries should be included in Option 2. In addition, these are mixed stock fisheries, exploiting stocks from numerous rivers (paragraph 2.4.2 of the consultation document wrongly omits these fisheries from its list of remaining mixed stock fisheries); returns of tagged salmon have shown that they exploit salmon from at least as far as the river Tawe (AR), including the Taff (also AR). They may well also exploit stocks from rivers in North Devon. As mixed stock fisheries, these fisheries should in any case be closed.

If you would like to suggest a different approach and your reasons for suggesting it, please do so here.:

Q5.4b (This question is for all consultees to answer and is in reference to the answer that you have given to Q5.4a) What are the benefits, if there are any, which you would see from your preferred option for net and fixed engine fisheries?

These could be economic as well as social/cultural, please provide details if you are able.:

While there are many other factors contributing to the decline in salmon stocks, increasing the number of spawners for threatened stocks will contribute to the conservation of this iconic species.

Q5.4c (Seeking all consultees' views on the options for net and fixed engine fisheries in England and on the Border Esk (except North East Coast Net Fishery)) How long do you consider the measures covering a net and / or fixed engine fishery should be in place for?

10 Years

If other, please specify:

Please provide details of why you have given this answer.:

10 years is the minimum period that would allow an evaluation of the impact of these measures to be made. If, as planned the byelaws are made in early 2018, they would expire in early 2023 if made for five years. However, the first 2SW fish from 2018 spawners would not return until 2022, and those from 2+ smolts not until 2023. Even with stocks in which 1+ smolts and grilse predominate, only one generation would return within 5 years whereas at least two generations are needed for an adequate preliminary evaluation.

Q5.4d (Seeking all consultees' views on the options for the North East Coast Net Fishery) Which is your preferred option for the North East Coast Net Fishery as set out in Section 5.3: Table 3?

Option NE1

Please provide details of why you have given this answer.:

It is long-standing government policy to close mixed stock net fisheries that exploit stocks from a large number of rivers, in line with international best practice and scientific advice. The general decline in stocks over the past three years provides a strong case for accelerating these closures; this would bring England into line with other parts of the British Isles, in particular Scotland. Coastal fisheries, including mixed stock ones, have been suspended in Scotland, and it is anomalous that such fisheries continue to operate on the North-East coast of England, particularly as the salmon they catch predominantly come from Scottish rivers.

If you would like to suggest a different approach and your reasons for suggesting it, please do so here.:

Q5.4e (This question is for all consultees to answer and is in reference to the answer you have given to Q5.4d) What are the benefits, if there are any, which you would see from your preferred option for the North East Coast Net Fishery?

These could be economic as well as social/cultural, please provide details if you are able.:

Mixed stock fisheries pose a threat to the effective management of salmon fisheries, and so to the conservation of salmon, at both the national and the international level. This is because it is impossible to assess the impact of a mixed stock fishery on stocks from individual rivers; what appears to be an acceptable catch level may disguise a dangerously high take from a particular stock. It is for this reason that NASCO seeks to discourage mixed stock fisheries, and ICES recommends that they be treated with particular caution. Moreover, while NASCO has been effective in reducing mixed stock fisheries in distant waters to very low levels, the case for continuing to restrict these fisheries is weakened if some countries persist in allowing substantial mixed stock fisheries in coastal waters. Closing the North East Coast Net Fishery would deliver clear conservation benefits.

6.2. Possible options for rod fisheries - catch and release of salmon

Q6.2a (This question is for all consultees to answer and we are seeking your views on the possible options that have been developed) Which is your preferred option for the catch and release of salmon by rod fisheries from those that are set out in Section 6.2: Table 6?

Option 2

Please provide details of why you have given this answer.:

The AST believes that on rivers with threatened salmon stocks (ie rivers that are consistently failing to meet their conservation limits) it is essential to maximise the numbers of salmon that survive to spawn, and so as a matter of principle no potential spawner on such a river should be deliberately killed. Option 2 reflects this principle. Making catch and release mandatory would remove any ambiguity about the need to return all salmon caught on affected rivers, and would create a level playing field for anglers: efforts by the vast majority to conserve salmon would not be undermined by a small minority continuing to kill fish. Mandatory catch and release has worked well for spring salmon; although there was strong opposition to this when it was first proposed, it has now become generally accepted, and the AST believes that the same would happen if catch and release became mandatory on all AR and PAR rivers.

The AST notes, however, the Government's preference for voluntary measures where these may prove a feasible alternative to mandatory ones, and is not opposed to the approach set out in Option 3 on a trial basis. If this option is adopted it will be essential to move to mandatory measures if the required levels of catch and release are not met by 2019

If you don't have a preferred option, please tell us if there is another approach that you consider that we should be taking and why.:

Q6.2b (This questions is for all consultees to answer and is in reference to the answer that you have given to Q6.2a) What are the benefits, if there are any, which you would see from your preferred option for the catch and release of salmon by rod fisheries?

These could be economic as well as social/cultural, please provide details if you are able.:

While there are many other factors contributing to the decline in salmon stocks, increasing the number of spawners for threatened stocks will contribute to the conservation of this iconic species. In addition, anything that improves the state of salmon stocks is likely produce economic benefits.

Q6.2c (We would like to seek all consultees' views on the use of a voluntary (as opposed to mandatory) approach to deliver increased levels of catch and release) Do you agree with using a voluntary approach to deliver improved catch and release of salmon by rod fisheries?

No

If no or don't know, please explain your answer and include any dis-benefits that you consider the use of voluntary catch and release would bring.:

As explained in our response to 6.2a, the AST's firm preference is for a mandatory approach, but we would not oppose recourse to a voluntary approach for a trial period. The obvious disbenefits are that this might delay the achievement of 100% catch and release on rivers with threatened salmon stocks and put these stocks under greater pressure. If a significant minority of anglers refused to accept the need for catch and release this could undermine support for the practice among anglers who saw others continuing to kill fish.

Q6.2d (If you answered yes to Q6.2c please answer these questions) Do you support the proposed levels of voluntary catch and release for rivers whose salmon populations are either At Risk, Probably at Risk or Probably Not at Risk (see Section 6.2: Table 6: Option 4)?

Yes

Not Answered

If you wish, please provide us with what you think the levels of voluntary catch and release should be and the reasons for your answers.:

The AST supports these levels as the minimum that should be achieved under Option 4, and failure to achieve them by 2019 should trigger the introduction of mandatory catch and release. However, we believe, as we have said, that in principle no potential spawner should be killed on an AR or PAR river, so we would expect all involved in managing and participating in salmon fisheries on these rivers to aim for 100% catch and release, as has successfully been achieved on a number of rivers.

Q6.2e (If you answered yes to Q6.2c please also answer this question) What are the benefits that you would see in voluntary catch and release?

These could be economic as well as social/cultural, please provide details if you are able.:

As we have said, the AST's preference is for mandatory measures for rivers classified as AR or PaR. We would also like to see anglers encouraged to return fish in all rivers where there is uncertainty about the healthy state of the stock. Ie all rivers other than those classified as Not at Risk.

The AST does not believe that it is necessary for anglers to release all salmon caught from a stock in a healthy condition ie one that is consistently well above its conservation limit. However, given the state of current salmon stocks generally, and the decline in marine survival, it is clearly necessary for anglers to exercise restraint

Q6.2f (This question is for all consultees) Would you support the voluntary catch and release of all salmon caught (100%) on rivers whose salmon populations are either?

At Risk, Probably at Risk and Probably Not at Risk

If you wish, please provide us with the reason for your answer.:

As we have said, the AST's preference is for mandatory measures for rivers classified as AR or PaR. We would also like to see anglers encouraged to return fish in all rivers where there is uncertainty about the healthy state of the stock, ie all rivers other than those classified as Not at Risk.

The AST does not believe that it is necessary for anglers to release all salmon caught from a stock in a healthy condition ie one that is consistently well above its conservation limit. However, given the state of current salmon stocks generally, and the decline in marine survival, it is clearly necessary for anglers to exercise restraint, and even on rivers with healthy stocks only kill the occasional salmon for personal consumption.

Q6.2g (This question is for salmon anglers) Would you stop fishing for salmon if the proposed levels of catch and release were implemented (see Section 6.2: Table 6)?

Please tell us which river(s) you fish for salmon on.:

Q6.2h (This question is for salmon anglers) Would you consider moving to a river where lower levels of catch and release were required?

Not Answered

If you wish, please provide us with your reasons for your answer.:

Q6.2i (This question is for owners/lessees of salmon rod fisheries) What would the impact of these catch and release proposals be on your fishery (see Section 6.2: Table 6)?

Not Answered

Please provide us with details of which of the possible option(s) would result in a significant difference to your fishery. Please provide us with details of financial and social impacts.:

6.3. Possible options for rod fisheries - improving survival of released salmon (voluntary measures)

Q6.3a (This question is for all consultees to answer and is about the best practice recommendations for catch and release) Do you agree with the catch and release best practice recommendations?

Yes, all of them

If you wish, please tell us which of them you agree/disagree with and provide us with further information to support your answer.:

A number of studies have shown if anglers' fish with the right tackle and handle fish correctly, a large majority of salmon released will survive to spawn. It is essential, though, that best practice is followed if the conservation objectives of catch and release, more spawners and hence more eggs, are to be achieved.

Q6.3b (This question is for angling club and fishery owners) With reference to the catch and release best practice recommendations in Section 6.3.3, which, if any, of these would you have difficulty applying to the waters under your control?

Please provide us with the details of your reasons why.:

Q6.3c (This question is for all consultees to answer and is about other ways that you might improve salmon surviving capture) Are there any other catch and release best practice recommendations that you feel should be included?

No

If yes, please provide us with the details of these and your reasons why.:

6.4. Possible options for rod fisheries - improving survival of released salmon (mandatory measures)

Q6.4a (This question is for all consultees) Do you consider that having a landing net available to use should be required by byelaw whilst fishing for salmon or sea trout in England and Border Esk?

Yes

If you wish, please provide us with your reasons for this answer.:

These reasons apply to our answers to all the questions 6.4a to g.

The AST considers that the use of fishing equipment and tackle used to fish for salmon and sea trout should be regulated by national byelaws. This will provide certainty among anglers and also for the tackle trade, who will be able to ensure that the correct tackle and equipment is available. The byelaws should apply to all rivers, even those on which 100% catch and release is not necessary, as on these we would expect anglers to release the great majority of fish that they catch.

Q6.4b (This question is for all consultees) Do you consider that a landing net used when fishing for salmon and sea trout should be required by byelaw to have a maximum mesh size of 20mm (as measured across the widest point of the stretched mesh)?

Yes

Please tell us if you think this mesh size should be different from this and why.:

Q6.4c (This question is for all consultees) Do you consider that the use of barbed hooks should be prohibited by byelaw when fishing for salmon or sea trout with flies, lures or bait?

Yes

What would the impact, if any, be for you or your business of prohibiting the use of barbed hooks when fishing for salmon or sea trout with flies, lures or bait? :

Q6.4d (This question is for all consultees) Do you consider that the use of treble hooks should be prohibited by byelaw when fishing for salmon or sea trout with flies, lures or bait?

Yes, all should be banned

If you wish, please provide us with your reasons for this view and if you think that large treble hooks of a different size than greater than size 8 should be banned.:

What would the impact be, if any, for you or your business of prohibiting the use of treble hooks (either completely or only large treble hooks) when fishing for salmon or sea trout with flies, lures or bait?:

Q6.4e (This question is for all consultees) Do you consider that the use of circle hooks should be mandatory by byelaw when using worm as bait when fishing for salmon or sea trout?

Yes

If you wish, please provide us with your reasons for this answer.:

See response to 6.4.g. Circle hooks should only be permitted on rivers where worm fishing is allowed and salmon can be retained.

What would the impact be, if any, for you or your business of only allowing the use of circle hooks when using worm as bait when fishing for salmon or sea trout?:

Q6.4f (This question is for all consultees) Should there be restriction on the use of Flying 'Cs' when fishing for salmon or sea trout?

Yes, Flying 'Cs' should only be allowed with single hooks

If you wish, please provide us with your reasons for this answer.:

What would the impact be, if any, for you or your business of prohibiting the use of Flying 'Cs' or only allowing their use with single hooks when fishing for salmon or sea trout?:

Q6.4g (This question is for all consultees) In your opinion, are there other types of equipment that should be prohibited by byelaw when fishing for salmon and sea trout?

Yes

Please provide details of what these could be and why you think they should be prohibited or altered.:

When fishing on a catch and release basis no bait fishing (worm, prawn or maggot) should be allowed, as the risk of serious damage to fish is too great, even with the use of circle hooks.

7. Further comments

Q7 (This is for all consultees) Please tell us if you have any further comments that you would like to provide on this consultation.

Please provide your further comments here.:

The AST welcomes the assurance, in section 2.5 of the consultation document, that that it is not intended that these measures lead to any increase in the exploitation of sea trout, and that if necessary further measures will be taken to prevent this happening. We also agree that some of these measures will benefit sea trout stocks. We remain concerned, however, at the state of sea trout stocks generally; although the consultation document states that on many rivers sea trout stocks are not a cause for concern, this confidence is not based on a proper assessment system. As a matter of priority the Environment Agency needs to improve its methods for assessing these stocks and to conduct a rigorous assessment of their true state.

8. Your feedback

How satisfied were you with the tool?

Satisfied

Please tell us if you have any suggestions on how we could improve the tool.: