



PUBLIC PETITION NO.

PE01547

Name of petitioner

Ian Gordon and the Salmon and Trout Association (Scotland)

Petition title

Conserving Scottish wild salmon

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government

- (i) in the interests of salmon conservation, and on a precautionary basis, to request Scottish Ministers to use their powers immediately under the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 Act to ensure that no Atlantic salmon are killed in Scotland for a period of five years from 2015 if possible, by 2016 if not - by either nets or rods - before 1st July; and
- (ii) in the case of fishing for salmon by coastal netting, to take such steps as are necessary to bring to an end the exploitation of wild salmon by Mixed Stock Fisheries at any time of year, in line with Scotland's international commitments and obligations.

Action taken to resolve issues of concern before submitting the petition

The Petitioner has been very heavily involved over many years with the Scottish Government in both formal and informal consultation in order to promote the conservation of early-running wild Atlantic salmon.

The Salmon & Trout Association (Scotland) gave very detailed evidence to the Rural Affairs, Climate Change and Environment Committee, both written and oral, during the passage of the Aquaculture and Fisheries Act 2013, to the Wild Fisheries Review ('the Thin Review') on how the conservation and management of Scottish wild salmon may be improved and in direct relation to the date to which exploitation of wild salmon should be prevented by Scottish Government under Annual Close Time Orders and Salmon Conservation Regulations.

Petition background information

Ian Gordon and the Salmon and & Trout Association (Scotland) are asking for maximum restraint in any exploitation of salmon in response to very poor runs of salmon into Scottish rivers, particularly in 2013 and 2014.

The evidence from angling catches, in-river and coastal netting catches and fish counters across most of Scotland shows 2014 to have been a very poor year indeed. The poor runs in 2014 follow very sparse runs in 2013. The low numbers of salmon reflect poor marine survival for the second year running. In the circumstances it is vital

that as many as possible of those salmon that do manage successfully to return from the ocean are able to spawn successfully. This must apply to both netting and angling.

Coastal netting in Scotland indiscriminately catches any salmon passing by, regardless of where they are heading or the strength of the various populations in their home 'natal' rivers. These nets are non-selective, making the proper management of individual river stocks almost impossible.

The Scottish Government's 2001 Green Paper on Freshwater Fish and Fisheries stated that "the exploitation of salmon outside their river of origin is widely accepted as contrary to good salmon management, primarily on the grounds that it does not discriminate between separate river populations and therefore severely inhibits monitoring and optimum management of exploitation of stocks on a catchment basis".

Seventeen rivers in Scotland are designated as Special Areas of Conservation, part of the Natura 2000 network, with Atlantic salmon as protected species. The nature of coastal netting in Mixed Stock Fisheries makes it extremely difficult to determine the impact of such fisheries on these important conservation sites.

Both NASCO and the European Commission agree that there should be a general presumption against operating Mixed Stock Fisheries for salmon unless they can be shown not to contravene basic conservation policies. The international consensus is clearly against the operation of Mixed Stock Fisheries.

There is a particular concern in Scotland over the impact of coastal netting on the health of the spring or early-running component of wild salmon stocks. It is widely recognised that this component now extends to the end of June. While the extent of active net coastal Mixed Stock Fisheries in Scotland has declined, there remain a large and undefined number of inactive netting stations in Scotland, for which the netting rights still exist. Worryingly, there has been significant activity in the market for those dormant stations leading to serious concerns that a large increase in unregulated exploitation of salmon at sea may be about to occur in Scotland.

Importantly, Marine Scotland Science cannot say with any confidence whether there is a harvestable surplus for the early running component of salmon stocks on any Scottish rivers, including those that are protected under European law.

In contrast to the position of the coastal netting industry, over recent years very high levels of catch and release by rod fisheries have been achieved during the spring run, largely through voluntary policies. Several rod fisheries have either implemented or have called for 100% catch and release of all salmon before the beginning of July. Importantly, the rod fisheries of Scotland support some 2,000 jobs.

The Scottish Government's current intention is only to close the net fishery until 1st April and will not necessarily alter actual catches for two reasons. Firstly, there is still no quota on the nets such that when they do fish they can take as many fish as they can catch. Secondly, in any event, most nets do not start fishing until 1st April, but these will still be catching spring-running fish, through April and into June. Official catch figures for 2013 show that just 62 salmon were killed by the net fishery prior to 1st April; the numbers increase substantially from April onwards.

The Petitioners believe that no salmon be killed in Scotland – either by nets or rods - before July 1st - as numbers of returning adults are so low. The earliest running fish are the most vulnerable - the well-established management principle is that breeding fish should not be killed where a stock is threatened or vulnerable. Where local evidence demonstrates that additional protection is required, District Salmon Fishery Boards are encouraged to seek zero exploitation for a longer period.

In addition, Scotland has legal obligations under the European Habitats Directive to protect Atlantic salmon populations of all SACs in Scotland designated under the Habitats Directive for the protection of Atlantic salmon.

While it is clear that early-running salmon from SAC rivers are currently under some threat, the Habitats Directive must be interpreted by reference to Article 174(2)EC of the Treaty, which establishes the precautionary principle as one of the foundations of the high level of protection pursued by Community policy on the environment.

As such, to protect the integrity of the SAC rivers designated in Scotland - and the salmon for which those rivers are designated – the Scottish Government should act to impose zero exploitation of salmon before 1st July.

What exactly could the Scottish Government do to protect early-running salmon?

Under the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, the Scottish Government has the statutory ‘levers’ available to stop all exploitation, from 2015 onwards, of early running salmon until 1st July, by making salmon conservation regulations at its own initiative, pursuant to paragraph 7(b) of Schedule 1 of the 2003 Act, to require no exploitation of salmon anywhere in Scotland before that specified date.

Unique web address

<http://www.scottish.parliament.uk/GettingInvolved/Petitions/PE01547>

Related information for petition

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YES

How many signatures have you collected so far?

0

Closing date for collecting signatures online

26 / 01 / 2015

Comments to stimulate online discussion

Ian Gordon and the Salmon and Trout Association (Scotland) are asking the Scottish Government to stop the exploitation of salmon before 1st July in response to very poor runs of salmon into Scottish rivers, particularly in 2013 and 2014.

The evidence from angling catches, in-river and coastal netting catches and fish counters across most of Scotland shows 2014 to have been a very poor year indeed. The poor runs in 2014 follow very sparse runs in 2013. The low numbers of salmon reflect poor marine survival for the second year running. In the circumstances it is vital that as many as possible of those salmon that do manage successfully to return from the ocean are able to spawn successfully.

This must apply to both netting and angling.