28 September 2015

Dear Rob

PROPOSED CONSERVATION MEASURES - BAN THE KILLING OF WILD SALMON EXCEPT UNDER LICENCE: UPDATE

As you will be aware I have been considering how best to progress the proposed ban on the killing of wild salmon except under licence. The level of response to our various consultative forums has been significant and varied, and demonstrated that there were a number of serious concerns and worries that required further attention.

The product of that further consideration has led to a revised scheme and accompanying activity which we have just made public through a press release and detailed web content. I am writing therefore to provide you with notice of that detail, the key elements of which are:

- The killing of salmon will be managed on an annual basis by categorising fishery districts and Special Areas of Conservation (SACs) in relation to their conservation status.

- Fishing outwith estuary limits will be prohibited for a period of 3 years followed by a review.

- Fishing will be restricted to catch and release only, ending deliberate killing in areas where salmon are in poor conservation status. To put that in context, in 2014 the proportion of the rod catch accounted for by catch and release was the highest recorded. In 2014, 93% of rod caught spring salmon was released, as was 82% of the annual rod catch, so this measure is a relatively small further, albeit important, step beyond the voluntary action that has been taken hitherto.
• Steps to reduce killing of salmon will be required in areas where salmon are in moderate conservation status.

• The killing of salmon will be allowed in areas in good conservation status.

• Conservation plans will be required in areas where salmon fail to meet good conservation status.

Further detail has been published on the website http://www.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform/licence including a technical report on the Conservation limit work.

While these clearly remain proposals and as such are subject to a further statutory 28 day consultation period, the detail reflects the extent to which we have acknowledged those concerns and responded in what we consider to be a proportionate manner, while not diluting the original intent of the proposal which as you know was a key recommendation from the Independent review of fishery management in Scotland. In discussion with Scottish Natural Heritage we have undertaken a Habitats Regulation Appraisal for this proposal which has concluded that it is compliant with the Habitats Directive. This aspect of the proposal addresses the concerns from the European Commission around salmon management in Scotland which has led them to consider infraction proceedings.

You will note that we have decided not to progress with individual proprietor licensing but retain the ability to do so, if local conservation activity, as detailed in the suggested conservation plans, does not prove sufficient. Equally there is no longer any charging element, again with the option to revisit in the future, and tagging for now only associated with in-river commercial netting, with the costs met by the Scottish Government.

As regards the 3 year prohibition on coastal netting outwith estuary limits, we are developing an appropriate diversification/compensation package and will publish details at the earliest opportunity.

I am copying this letter to Alasdair Laing, Chair of the Association of Salmon Fishery Boards and Keith Allan, Secretary and Treasurer of The Salmon Net Fishing Association of Scotland.

Kind regards

AILEEN MCLEOD