

SECRETARIAT PAPER FOR MSFWG

Paper MSFWG0917

24th April 2009

The paper presents a draft structure of the Report the Group will work on over the summer and autumn.

CHAIRMAN'S SUMMARY

Usual contents pages, copyright, etc

1 INTRODUCTION

- History of the Group's formation
- Terms of reference – including main aims & objectives
- Membership
- Working methodology
- Timetable
- Definition of MSF:
 - Group has agreed to use NASCO definition
 - FRS evidence makes clear that river stocks are made up of different populations and are mixed in that sense, but that they can be managed within the river and catchment.
 - The main focus of the Group's work has been on coastal fixed engine fishing but has emphasised the need for effective measures within rivers and estuaries.

2 FISH, FISHERIES AND ORGANISATIONS

- Description of the different types of
 - Anglers/proprietors; net & cobble; fixed engines – some discussion about how each sector operates – distinction between production of food fish and provision of sporting/leisure opportunity
 - Atlantic salmon – species specific issues
 - Sea trout – species specific issues (paper to be presented on 6 May)
- Locations types of fisheries (FRS paper)
- Status of the stocks
 - Assessment of overall status of Southern European salmon stocks using PFA trend information based on advice from ICES and FRS
 - Assessment of status of UK salmon and sea trout stocks using similar indicators and data sources

- Assessment of the health of salmon and sea trout stocks in Scotland, using FRS statistical data notably on catches in SAC rivers and other appropriate sources of information
- Overview of science and monitoring effort invested in the fisheries: past, present & future
- Scottish & UK non-statutory organisations
 - ASFB (discuss all the 'good practice' work that goes on)
 - RAFTS and individual Trusts (*ditto*)
 - SNFAS (*ditto*)
 - AST
 - S&TA
 - SANA (clubs and associations)
- Scottish non-statutory stakeholder groups
 - Freshwater Fisheries Forum
 - Steering Group
 - Strategic Framework for Scottish Freshwater Fisheries
- Ownership of Scottish Fisheries
 - Proprietors
 - Riparian owners
 - Heritable titles
 - Public bodies
- Crown Estate
- Overview of the contribution of the different sectors to conservation and management

3 ECONOMIC AND SOCIAL ASPECTS OF THE FISHERIES

- Based on contractor's paper and presentation on 6 May
 - Review other previous studies in Scotland, UK and elsewhere
 - Demonstrate the key economic contribution of each sector
 - Give a balanced picture showing how different communities are involved in (and to some degree dependent on) the different types of fisheries.
- The market for salmon and sea trout:
 - Overview
 - Cultural associations
 - Legal & illegal sources of fish

4 STATUTORY ORGANISATIONS AND LEGISLATIVE LANDSCAPE

- International organisations (NASCO, EC, UK)
 - Brief description; roles and responsibilities; summary of current policy statements
 - Consequent obligations on the UK/Scottish Governments

- Consider ECHR
- European organisations
 - Describe roles
 - Consider relevance to freshwater fisheries in Scotland
- UK organisations
 - Describe roles
 - Consider relevance to freshwater fisheries in Scotland
- Scottish statutory organisations
 - Scottish Government
 - Salmon & Freshwater Fisheries legislation
 - Conservation legislation
 - Habitats and Birds regulations
 - Fish Health and Welfare legislation
 - Role as statutory consultee: planning, EIA regulations
 - FRS
 - Science advice to Scottish Ministers
 - SNH
 - Management role in designated sites
 - Advisory role on all conservation and biodiversity matters
 - Role as statutory consultee: planning, EIA regulations
 - SEPA
 - Water Environment & Water Services (Scotland) Act 2003
 - Controlled Activities Regulations
 - River Basin Management Planning
 - Role as statutory consultee: planning, EIA regulations
 - DSFBs
 - Statutory obligations
 - Role as statutory consultee: planning; EIA regulations

(Sections 1 to 4 are 'context setting')

5 ASSESSMENT OF EVIDENCE AND FUTURE OPTIONS

- Summarise evidence presented to the Group
 - Scientific advice from FRS and other statutory bodies
 - Sectoral submissions
- Discuss gaps in evidence, and how these are currently being filled (notably establishment of conservation limits and research into genetic typing) (and over what timescale)
- Discuss implications of the current evidence for conservation, incorporating thoughts about the precautionary principle:
 - Local situations
 - National overview including unequivocal statement on future of the stocks (based on FRS advice)

- Summarise and discuss areas of clear agreement within the Group at this stage:
 - There is evidence of an ongoing decline in most spring salmon stock catch returns
 - Which requires the application of some management measures
 - There is evidence of declining catches of sea trout
 - Which requires the application of some management measures
 - There is support for further research and monitoring of all types, especially into the genetic make up of catches to allow a better targeted approach to conservation measures
 - River based stocks should continue to be assessed on the basis of catch statistics
 - Conservation limits will become important and should guide management decisions
 - Conservation action including restriction and/or closure must be taken if evidence of MSF taking vulnerable stock
 - Each sector has major responsibility for maintaining viable stocks and the burden of conservation, through the range of management measures should be shared across all sectors
 - [Measures should respect proprietorial and heritable rights and recognise that, in principle, they are permanent.]

- Summarise and discuss areas where significant further discussion is required within the Group:
 - Exact management measures that should be applied
 - For conservation of identified salmon stocks
 - For conservation of sea trout
 - Timing (seasonal) of application of management measures
 - Effects of catch and release in relation to protecting spring salmon
 - In the spring
 - In the late autumn
 - Other?

6 PROPOSED STRATEGY

- Summarise key principles [including conservation, respect for heritable and proprietorial rights, respect for international and EU obligations, burden sharing, local management within the national and international framework, protection of the weakest stocks, evidence based decision making and the precautionary principle]
- Conclusions:
 - On whether there is sufficient evidence (bearing in mind precaution) to make any changes to the status quo that exists today
 - Whether changes are required nationally – under current legislation

- Whether changes are required nationally – through new legislation
- *Ditto for* changes that are required at localised levels
- Proposed structure for taking decisions – research, evidence, assessment, actions. Set out options in management options matrix
 - Consider a decision tree that would help to spell out the steps which would trigger certain actions, as per the matrix of options
- Other specific recommendations
 - Includes genetic research, river based stock assessments, implementation of Conservation Limits, etc
 - Actions needed on the basis of current evidence, in light of principles above.

7 ANNEXES

- *Probably not too many, but include*
- Membership of the Group; others who have helped
- Literature references used throughout the report (footnotes)
- Summary of and references to papers, reports and submissions to the Group (link to Scottish Government’s website)
- Legislative overview (with links to where the legislation can be downloaded)
- Glossary of terms