

The River Deveron District Salmon Fishery Board

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Dear Mr Waugh

Thank you for the opportunity to respond to the Green Paper Scotland's freshwater fish and fisheries: Securing their future. I do so on behalf of the Deveron District Fishery Board. This board includes riparian owners, anglers representatives, and representatives of netmen. The Board recognises and embraces the challenge of developing the management programmes to ensure a sustainable future for our freshwater resources. It will do this within the helpful context of the Water Framework Directive and in a manner sensitive to our Natural Heritage (the Deveron district is currently not within a proposed SAC). However, above all, it asks the Executive to accept that all such efforts of themselves will be ineffectual without recognition, that nine-tenths of the problems stem from the marine environment; that without tackling the problems of interceptory netting, mixed stock fisheries, marine predation, and Sand eel fishing as an energy source, there will be no secure future for Scotland's precious salmon and freshwater resources.

Yours sincerely

R J G Shields
RDevDSFB Chairman

Response to Scottish Executive Green Paper
“Scotland’s Freshwater Fish and Fisheries: Securing their Future”

Paras 1 - 23

No comment

Paras 24 - 25 – Seal predation

After all the research which has gone before it is, to say the least, surprising to find it suggested that a further three to four years research should now be carried out. Whatever may be the requirements of scientific proof, it can hardly be doubted that heavy mortality on migratory fish is inflicted by seals. For instance, they are known regularly to attack nets containing salmon and in the freshwater environment any angler knows that large numbers of fish are bitten or claw marked by seals. The problem is accordingly too urgent to await a further three or four years of research, which may well in the end, fail scientific tests of conclusiveness. In any event, the problem of marine mortality inflicted by seals surely goes much further than migratory fish and extends into white fish as well. Sea-going fishermen are known to be extremely concerned about the effect seals are having on stocks of white fish and there is the further problem that industrial fishing – the practice of taking out small fish such as sand eels at the base of the food chain – may well lead to increased predation by seals on other species. If, therefore, any further research is to be carried out it is suggested that it be done on a holistic basis – covering the whole range of damage inflicted by seals – as being, indeed, the only sound basis for future long-term strategy.

Para 26

No comment.

Para 27 – Coastal netting

It is heartening that the Executive now recognises that coastal netting is interceptory in character and thus inimical to sound management. Until relatively recently Scottish coastal nets in fact intercepted more fish than the north east of England drift nets. So far as the suggestion that the netsmen act as a deterrent to both poaching and predation by seals is concerned, the old adage comes to mind that “two wrongs never made a right”. The Paper states that any buy-out of netting rights “ would have to be on a willing buyer/willing seller basis”. However, if the public good required it, there is no reason why compulsory purchase should not be introduced – of the compulsory purchase powers given to Crofting Communities in the Land Reform Bill. In any event, in England and Wales the Westminster Government has contributed £750,000 towards voluntary buy-outs. Why should the Scottish Executive not do likewise?

Paras 28 – 31

No comment.

Paras 32 – 33 – FRS Freshwater Laboratory

It is recognised that science has an important role to play and it is welcome news that there will be a reassessment of the resources devoted to the possible causes of marine mortality. One possible cause of such mortality – not mentioned in the Paper – is the practice of Industrial Fishing referred to above. In particular, the taking of huge quantities of sand eel in the Minch

and from sandbanks lying just beyond the twelve mile limit off the east coast of Scotland (e.g. Wee Bankie, Marr Bank and Smith Bank) must, it is thought, have a very damaging effect both on outgoing smolts and on adult fish, particularly sea trout. In that connection, it is surely significant that in 2001 the Tweed, Tay and Dee have enjoyed considerably improved runs of grilse, - this reflecting better smolt survival in the Spring of 2000 which was the first of three years in which such fishing was temporarily suspended. It is essential that there should now be a long-term ban.

So far as research in fresh water is concerned, it is of fundamental importance to recognise that the role of the scientist (i.e. fishery biologist) is essentially limited. He can tell when the demise of a fishery is imminent, i.e. when the spawning escapement is insufficient to produce the number of surviving juveniles which the spawning areas of a river should sustain, but he has, and can have, no input into what constitutes a healthy or viable sport fishery in terms of numbers of adults which succeed in escaping predation and netting in the sea and become available to the sport fishery. The greater the number of such adults, the more valuable the sport fishery becomes. That number simply cannot be assessed by scientists. It is certainly far in excess of the scientifically required spawning escapement. Indeed, when the sport fishery is healthy there will be many times that requirement on the redds. Since the availability food for juveniles is the limiting factor this, no doubt, will lead, as in the past, to increased percentages of mortality amongst juveniles. On the other hand, it can be argued that this is but an early reflection of the “survival of the fittest”. At all events, there is no suggestion that in, for example, the Kola Peninsula the stocks of adult fish in the river bear any relation to the spawning escapement. Yet it is the very numbers of adult fish present in the river, which draw anglers worldwide to that region – despite discomfort. This is the sort of sport fishery which must be aimed at by the Scottish Executive and it is not one which will be produced by scientists or scientific advice alone. It depends fundamentally on adults being unmolested at sea and thus able to return to their natal rivers. That is why the Scottish Executive must first and foremost address the problems at sea referred to above.

Para 34

No comment.

Paras 35 – 44 – Management of fishery resources etc

The idea that each individual owner or operator of a fishery should prepare some form of “management plan” is thought to be bureaucratic in the extreme and quite unrealistic. While there may be an argument in favour of nationalisation of all sporting resources, the fact of the matter is that sporting rights are at present privately owned and enjoyed. They cannot therefore be treated as if, somehow, they were a nationalised resource.

The further idea that there should be additional layers of bureaucracy in the form of Area Management Committees and a National Fisheries Management Consultative Committee is unwelcome in the extreme. In point of fact it smacks of thinly disguised “centralism” in that the proposed Area Management Plans would be subject to Ministerial approval or direction. In any event, the whole administrative structure which is envisaged is quite disproportionate and unwieldy. The existing structure of independent District Salmon Fishery Boards, taken along with the existing legislation which provides for Government intervention when necessary, provides, it is thought, the right level of control and should not be interfered with.

Paras 45 – 47 – Composition of District Salmon Fishery Boards

Recent legislation has already allowed for the co-option to Boards of representatives of angling and netting interests. Furthermore, it is only commonsense for Boards to consult, where appropriate, with SEPA and SNH – and vice versa. As it is, representatives of outside bodies can be invited to attend Board meetings. In these circumstances it seems quite unnecessary to legislate in the manner proposed. In this connection it should not be forgotten that Board meetings do occasionally discuss matters of a confidential nature such as the catches of individual fisheries.

Paras 48 – 50 – Protection Orders

We await with interest sight of the proposed new legislation. Properly understood, however, the existing system represents a reasonable compromise between, on the one hand, private ownership and, on the other hand, the desirability for access by the public to trout fisheries. The balance is a delicate one and it should not be altered lightly.

Paras 51 – 52

No comment.

Para 53 – Re-definition of “rod and line” fishing

The point here being made is understood but any new definition would require to be carefully considered on its merits.

Para 54

As indicated above, it is considered that research in the sea should be given a high measure of priority so far as migratory fish are concerned.

Paras 55 – 57

No comment.