

SUBMISSION

To: Marine Scotland, The Scottish Government

From: Scottish Anglers National Association (SANA)

CONSULTATION ON PROPOSED AQUACULTURE AND FISHERIES BILL

Introduction

1. SANA is the recognised governing body for game angling in Scotland. While some game angling is dependent on stocking of waters with fish reared by the aquaculture industry, most game angling in Scotland has quarry species that are wild fish, principally salmon, sea trout and brown trout. This submission has been prepared by SANA's Migratory Fish Committee.
2. While sea trout are migratory fish, it should be noted that brown trout and sea trout have not been shown to be genetically distinct. Sea trout are the progeny of trout which may, or may not, have been to sea. Therefore, the issues involved in safeguarding populations of migratory (sea) trout are liable to be also relevant to brown trout, and vice versa.
3. Tension between angling and finfish farm aquaculture arises from their distinct interests. Anglers want abundant stocks of wild fish, as quarry species from which they can take a harvest or exploit for recreational purposes, as "catch and release", or both. Owners and employees of freshwater fisheries depend on sustainable fisheries for their livelihoods. Additionally, there is a multiplier effect in other sectors whose output is purchased by anglers, especially those visiting an area who are normally resident elsewhere.
4. Fish farmers want to make profits. This is achieved by maximising the value of sales and minimising costs. Consequently, they have to operate at lowest cost albeit within the constraint of not doing anything which would compromise sales.
5. From an angling perspective, lowest cost farm production of salmon imposes unacceptable burdens on the natural environment which severely damage wild stocks of salmon and sea trout. Because farmers are not charged for their use of the environment and their impact on wild stocks, their perspective must be quite different. There is an industry that competes in world markets against other production sites, which are also not charged for environmental impact. Salmon farms generate employment in rural areas and through their purchases and through processing of the end product contribute to value added in other sectors of the economy as well as their own. Therefore, there is a clear public interest in the continued development of

environmentally sustainable aquaculture in Scotland which is as valid as the public interest in sustaining wild fish populations.

Summary of SANA position

- The balance of public interest between conservation of wild fish and development of the aquaculture industry should be addressed through regulation and, where justified, by financial support of the industry. The central objective should be to encourage the industry to “up its game”, through innovations that mitigate its impact on wild fish.
- To achieve fish farming companies’ improved environmental performance, we recommend that public support be provided for measures which go beyond legal requirements and/or exceed costs met by equivalent operations in other competitor countries. Closed containment would be an example of such innovation.
- As a back-up to the above and to previously voluntary standards of good practice, we welcome the proposals to make Farm Management Agreements obligatory and to introduce a statutory Scottish Technical Standard for fish farm equipment.
- From an angling perspective, the consultation’s references to biosecurity have a major omission. Containment of farmed fish, both juvenile and adult, is fundamental to minimising impacts on wild fish. A statutory requirement to take remedial action following reporting of escapes to Marine Scotland should be included in the proposals.
- SANA is pleased to have participated in the Mixed Stock Salmon Fisheries Working Group and welcomes the proposed implementation of that Group’s recommendations, through measures in the proposed Bill. We support: statutory carcass tagging of wild salmon and sea trout; obligatory provision of samples for genetic and other analysis; ministerial powers to vary close time orders; ministerial powers to initiate conservation measures and attach conditions to such measures; a statutory process of disputes resolution to deal with salmon conservation, management and any related compensation issues; and reporting of effort data for rod fisheries.
- SANA supports the proposed reforms to freshwater fisheries management practice, including a statutory Code of Good Practice.

Impact of Finfish Aquaculture on Wild Fish

6. The principal negative impact of fish farming is effects on the water environment, both in fresh water, where juvenile fish are produced, and sea water, where fish are grown on to marketable size. The potential pollution burden at production sites is twofold, through water quality (chemical pollution and decay of surplus food and faeces) and through providing an artificial habitat for parasites (eyefluke, tapeworm and lice) whose population explosions impact on wild fish (salmon, sea trout and

trout), particularly on juveniles. The concentration of farmed fish also presents an opportunity for disease hotspots, as with other intensive farming.

7. Both freshwater and saltwater impacts could be avoided through use of closed production systems, i.e. fish farms separated from natural freshwater and sea water. By abstracting water and treating effluent, these problems would not exist. However, such separation would not be lowest cost production systems.
8. The saltwater parasite element could be mitigated by rearing fish further offshore, beyond the region in which sea lice concentrations are most likely to be in the routes for migrating smolts and returning adults. Such a move would also aid dispersal of effluent and seems likely to reduce the cost of sea lice treatments. Again, such a solution is unlikely to represent a lowest cost production process.
9. A second negative effect of current practices arises from escapes of both juvenile fish and adults. There has been widespread reporting of large scale escapement, especially from sea cages. However, small scale seepage is also a problem, especially with freshwater cage production. The common factor in these escapes is damage of nets. A variety of causes have been cited but the bottom line is that cheap containment systems are not impervious to accidents.
10. The result of mass escapes is that farmed fish, which are poorly adapted for long term survival in freshwater and marine environments, can out-compete wild fish in fresh water in the short term through sheer force of numbers. Also, they can reduce fitness of the remaining population through interbreeding, causing wild populations to decline and naturally selected genetic traits to be extinguished. Genetic sterilisation of farmed fish through triploidy would eliminate interbreeding with wild fish, should escapes occur. Even better, closed containment systems would avoid all of these problems. In the meantime, remedial action following reports of escapes should be compulsory.
11. The industry cannot realistically be expected to implement higher cost production systems, even in the national interest, without compensation for increased costs. Otherwise, the industry would almost certainly shrink because of competition from lower cost locations in other countries. Therefore, SANA would support claims for public expenditure in support of production innovations that offer environmental benefits. In this regard, the proposed Scottish Technical Standard for fish farm equipment would be a helpful benchmark in judging claims for support.
12. Additionally, a necessary part of fostering good practice is to prevent unfair competition from any future “cowboy” operators. SANA welcomes the proposed extension of statutory good practice obligations through compulsory Farm Management Agreements and adherence to the Scottish Technical Standard.

Salmon and Freshwater Fisheries Management

13. The proposals to introduce duties on District Salmon Fishery Boards to act fairly and transparently and for definition of good practice in freshwater fisheries management

are regarded by SANA as uncontroversial. On the question of whether such good practice should be mandatory, it would be inconsistent with the proposals for regulation of finfish aquaculture and of the netting industry for it to be otherwise. SANA supports consistency.

14. We are pleased to note that the Bill is proposed to include measures that will enable new powers for Ministers which will put into effect the recommendations of the Mixed Stock Salmon Fisheries Working Group, in which SANA participated.

15. The proposals include:

- a statutory requirement on netsmen to carcass tag fish for sale;
- powers to take, or be supplied with, samples of netted salmon and sea trout for genetic analysis (this is to enable identification of which river stocks are being exploited and is fundamental to demonstrating the impact of netting on fragile fish populations);
- the genetic sampling powers are also proposed to be applicable to rod-caught fish;
- giving authority to Ministers to initiate changes to close seasons and other conservation measures (this makes particular reference to rivers that are not in any District Salmon Board Area but is not restricted to such situations);
- the creation of a panel of independent advisers who would mediate, on a statutory basis, any dispute between different classes of proprietor on conservation measures being considered for their area;
- addition of effort assessment to data collection from rod fisheries, e.g. rod days fished, as opposed to rod-days let of which some may be unfishable.

All of these are supported.

16. There are also two open-ended questions about (i) what additional information on fish or fisheries might be reported by collected by proprietors and/or Boards and (ii) whether Ministers should have powers to oblige Boards and/or proprietors and/or anglers to investigate and report on undefined aspects of fish populations and fisheries. These questions do not arise from the aforementioned Working Group's report. Therefore, it is not clear what the intentions of the questions are. It is further clouded by the role of Fisheries Trusts. In most parts of Scotland, it is those bodies, rather than Boards, which investigate issues of fisheries management and commission or carry out original research. SANA reserves its position on these questions pending clarification of intentions.

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