

Rob Gibson MSP

Convener

Rural Affairs, Climate Change and Environment Committee

c/o Room T3.40

The Scottish Parliament

Edinburgh

EH99 1SP



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21 April 2015

Dear Rob

Thank you for your letter of 27 March 2015 about the Committee's recent evidence sessions on the report of the Wild Fisheries Review (WFR) Panel.

As I indicated when giving evidence on 4 March 2015 I am looking forward to working with the Committee on the next steps in reforming wild fisheries management in Scotland. It is an issue with a long history but one that I am committed to addressing to ensure that the management system is fit for purpose and facilitates management of all of Scotland's natural fish and fisheries resources. The importance the Scottish Government attaches to this work is reflected by its inclusion in our Programme for Government for 2015/16.

### **Consultation on broad principles for a new management system**

I am grateful to the Committee for their observations on the WFR report and suggestions for what should be included in the forthcoming consultation. These have been helpful in shaping our thinking and drafting the paper and I plan to launch the consultation very shortly. As suggested, I can confirm that it will discuss and seek views on – amongst other issues - the balance between national leadership and local delivery; resourcing; scientific information; and regulation and compliance. I shall notify the Committee when the consultation begins and provide a copy of the documentation.

Further to analysis of responses to the consultation on broad principles we will work up detailed proposals for a new management system and consult on these, alongside a draft Bill to deliver them, by the end of this parliamentary session.

## **Sustainable harvesting**

I am pleased that the Committee welcomes the ongoing consultation on our proposals for conservation measures to ensure sustainable harvesting of wild salmon. I will look to announce our intentions and bring forward to Parliament the necessary legislation to deliver sustainable harvesting before the summer recess.

I agree that the nature of mixed stock fisheries presents challenges for management of salmon populations. I consider that a licencing system is an appropriate way to help manage salmon on a precautionary basis in line with our obligations to NASCO and under the Habitats Directive. Under our proposals decisions on the granting of licences to kill salmon will be subject to Habitats Regulation Appraisal (HRA) in line with the Habitats Directive to ensure the impact of proposed activities is known and decisions made in that context. As the precautionary principle is already embedded in both our obligations to NASCO and the HRA process I do not therefore intend to consult further on the issue.

## **Public Petition PE01547 on Conserving Scottish Wild Salmon**

I am aware of this petition from Ian Gordon and the Salmon and Trout Association (Scotland) which pre-dates the publication of our consultation on conservation proposals for a ban on killing wild salmon except under licence. I have considered the petition in the context of our proposals which are intended to ensure that killing of salmon by any method is sustainable and demonstrated to be so. It is our intention that the licensing system will be capable of delivering restrictions on killing at particular times of the year, for example to protect the spring run of salmon, and that decisions will be made on a yearly basis to ensure that the most up to date science is taken into account. In the context of our plans, I do not agree that an arbitrary 5 year moratorium on killing before 1 July is required. While the petitioners argue for this date I am aware that other representative bodies have a different opinion about whether further temporal measures are needed. Given this, I believe it is appropriate to make decisions about killing which are informed by the best available and up to date science and in the context of our plans for a licensing system.

In response to the second point in the petition about coastal netting I should like to clarify that mixed stock fisheries are not prohibited by our international obligations and commitments; rather, it is recognised by NASCO and the EU that they pose particular difficulties for management. NASCO has produced guidelines for management of salmon fisheries, including mixed stock fisheries, and we are drawing from these to design our proposed licensing system for killing salmon by any method. Again, in the context of our ongoing work to introduce a licensing system from the start of the 2016 season, I do not agree that the action called for in the petition is necessary. I believe that what is necessary - and what I am proposing - is a mechanism by which killing by any method is demonstrated to be sustainable. Further, taking a method neutral approach reflects the status of salmon fishing rights as property rights and ensures parity of approach.

Finally, I agree that it is important that we move ahead, as a matter of priority, to deliver the changes needed to ensure our wild fisheries management system is fit for purpose. Some of these changes need primary legislation to redesign a legislative framework which is complex and over 150 years old; I am committed to doing this as soon as possible but such a fundamental reform cannot be delivered overnight. A Stakeholder Reference Group has been established to inform that process, further details are available on the dedicated Wild Fisheries Reform webpage: <http://www.gov.scot/Topics/marine/Salmon-Trout-Coarse/fishreform>.

In the meantime other measures can, and are, being taken now to ensure that we are meeting our objectives to conserve our wild fish populations to derive the economic and social benefits that flow from them. Since becoming Minister last November I have demonstrated a commitment to act in the interests of conservation and use the existing legislation to deliver measures to protect stocks. This includes the secondary legislation considered by the Committee earlier this year to delay the start of the netting season and require catch and release in the rod fisheries to protect spring salmon. Further, and as set out above, I shall bring forward shortly a package of secondary legislation to ensure sustainable harvesting of salmon by any method. I am working with all interested parties on these important proposals in an effort to reduce conflict, promote understanding and a shared aspiration of conservation in the interests of all of Scotland's people.

I look forward to working with you and the Committee on Wild Fisheries Reform and the conservation and management of Scotland's wild fish and fisheries resources. I do hope we can build and develop cross sectoral and party support for these important issues – that is certainly my intention.

Kind regards

**AILEEN MCLEOD**