

## EXECUTIVE SUMMARY

# Technical case supporting a public consultation on proposals for new fishing controls to protect salmon and sea trout stocks in Wales.

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This technical document sets out the case for amendment of fishing controls to protect stocks of salmon and sea trout in Welsh rivers, and presents the concluding proposals for new byelaws to regulate fishing and the keeping of captured fish.

The technical case describes:-

- a. The application for a renewed 'all Wales' 2017 Net Limitation Order
- b. Proposals for new net and rod fishing byelaws across the whole of Wales (with the exception of the cross-border rivers dee, Severn and Wye)
- c. Proposals for new 'Cross Borders (Wales) Byelaws' to address matters in those three rivers.

The NLO ('a' above) and the Wales net and rod byelaws ('b' above) are both being progressed now with the NLO advertisement and the byelaw consultation being launched simultaneously. The border rivers byelaws ('c' above) will be launched later in the year.

It is the intention to seek agreement and approval by Welsh Government ('a' and 'b') and, in due course, Welsh Government and DEFRA ('c' above) to implement new measures prior to the 2018 fishing seasons.

There has been considerable investment in the science of salmon stock management throughout the countries where they exist. This is a result of the iconic nature of the Atlantic salmon and its extraordinary life cycle and requirements for high quality environmental conditions. But it is also because of the high value placed upon them for recreational purposes and as a sought-after food item.

Pressures on the salmon resource in England and Wales led to a Ministerial Direction in 1998 requiring the development of a scientific basis for their management and the production of Salmon Action Plans for 62 rivers designated as 'principal salmon rivers' and one estuary.

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In Wales the sewin, or sea trout has a similar reputation and traditions. Its life cycle is very similar to that of salmon and in many of our rivers it is the primary migratory salmonid. However evidence for management of the species is constrained by its life cycle, which is inter-twined with the non-migratory brown trout in most rivers. This makes management on the basis of biological reference points challenging, however NRW has developed and is commending a new methodology to do this on our 33 main sea trout rivers.

Natural Resources Wales is now seeking views on its proposals to reduce the exploitation of salmon and sea trout in the rod and net fisheries in Wales.

This follows our review of evidence of stock status derived from catch statistics, and the emerging concerns of the status of juvenile fish populations across Wales.

The proposals would, if confirmed and implemented, see byelaws requiring statutory catch-and-release (C&R) fishing for salmon and some sea trout stocks, by rods and nets across most of Wales. We are also proposing byelaws to ensure that angling methods used are commensurate with the highest rate of survival after release. Finally we are proposing amendments to net fishing seasons to protect important stock components of sea trout whilst also saving more salmon.

**Our overall objective for salmon and sea trout is:-**

***“To protect, through the application of best-practice science and management, the sustainability of our natural resource of wild salmon and sea trout stocks in Wales.”***

This paper sets out the technical case for our proposals by describing the status of stocks across Wales and considering issues around the exploitation of salmon and sea trout and the options to reduce this.

Over the past 20 years or so the status of most of our stocks of migratory salmonids has declined. Catches have reduced and the uptake of fishing has generally mirrored this. There is a complicated range of factors that has contributed to this, including the survival of fish at sea, the pressures on freshwater habitats, and past unsustainable fishing effort in high seas and other interceptory fisheries including some fisheries in home waters. Where feasible some of these pressures have been addressed or removed, however with few exceptions stocks have not returned to levels of historical abundance.

Although it seems clear that no stocks are at risk of extirpation, it is also clear that re-building to a position of sustainability is essential if exploitation is to be allowed. Our position is that stocks may be exploited when they are sustainable but until they are we must ensure that pressures are moderated or excluded in order to achieve this goal.

Salmon is a species listed under Annex 2 of the EC Habitats Directive and currently supports the designation of 6 *Natura 2000* sites across Wales. Both salmon and sea trout are listed as UK BAP (Biodiversity Action Plan) priority species. Both are therefore regarded as most threatened and requiring conservation action.

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Under the Environment (Wales) Act 2016, there is a duty on public authorities to:-

***“seek to maintain and enhance biodiversity so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to ‘promote the resilience of ecosystems’”.***

Both species are included in the list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

### Evidence

We have considered 3 principal sources of evidence in concluding our preferred option for management change:-

#### Salmon

The most recent assessment of our stocks indicates that compliance with conservation limits and management targets across the whole of Wales is very poor.

20 of our 23 principal salmon rivers are either ‘At Risk’ or ‘Probably at Risk’ of failing to achieve their management objectives in 5 years’ time. All but 2 of these are continuing to decline.

The only exceptions to this are the rivers Wye, Usk and Severn but only the Wye has a near statistically significant trend of improvement.

The status of salmon in 4 of the 6 *Natura 2000* sites is unfavourable.

#### Sea trout

Management of sea trout stocks has been constrained due to the lack of a system based on biological reference points. Such a system has been used for the management of salmon stocks for many years. NRW has now developed a similar process for sea trout, and this is described here together with the results.

21 of our 33 main sea trout rivers are ‘At Risk’ or ‘Probably at Risk’ of failing to achieve their management targets. In many cases there are significant egg deficits

#### Juvenile Salmonids

The results of recent monitoring programmes for juvenile salmonids have given rise to very serious concern. Following the exceptionally wet and warm winter of 2015/2016 there was a broad-scale reduction across most of Wales in the numbers of 0+ fry in the majority of rivers, including near-absence in some.

This will result in shortfalls in adult salmon runs, and possibly some sea trout, in coming years, mainly in 2019 – 2020. We have also considered this and the general status of juvenile salmonids in concluding our options for management.

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It is important to note that there is inevitable uncertainty around the predictions of both stock assessment assessments and caution is needed in triggering management control. However by whatever measure, the current status of most of our salmon stocks, and some of our sea trout stocks, gives increasing serious cause for concern.

Having considered the available evidence, and applied the National decision structure for salmon stock management and the complementary approach for sea trout stock management, it is concluded that further reduction towards zero exploitation of fish is urgently required in most of our rivers.

### Options

The key sections of this document that have shaped our proposals are Chapters 5, 6, 7 and 8.

We have considered the following options:-

1. **do nothing further, continuing to manage fisheries as we do now** - this will not achieve the required reduction in exploitation,
2. **reduce exploitation by nets and rods through a combination of:  
byelaw controls on rods and nets**

and / or

**fishing method control by voluntary catch-and-release fishing**

Despite good uptake of this by most anglers in many rivers, it is clear that the urgently required reduction in exploitation is not evident,

3. **a 'zero kill' policy for salmon and some identified sea trout stocks through statutory catch-and-release fishing with appropriate restrictions on fishing methods** – regulation of exploitation through new byelaws,
4. **closure of specified net and rod fisheries** - this would result in negative socio-economic impacts

**We conclude that Option 3 is required and propose the following measures for a 10 year period.**

### Salmon Rod fisheries

A. 'All rivers in Wales byelaws'

Statutory C&R fishing at all times in all rivers in Wales

Method controls	imposing prohibition on:- bait (worm, prawn and shrimp) treble hooks barbed hooks (barbless acceptable)
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Exceptions: The three cross-border rivers.

### B. 'Border rivers byelaws'

Statutory C&R fishing at all times on 2 of the 3 cross-border rivers

Detail:

Wye	no change to existing statutory C&R measures (expiring on 31.12.21) new method control prohibitions (to expire on 31.12.21)
Severn	no new byelaws proposed (currently 'Probably Not At Risk'). The Environment Agency takes integrated lead for fisheries matters. The river falls within EA planning under their "5 Point Approach Programme".
Dee	statutory C&R fishing at all times new method control prohibitions

Method controls prohibition on:-

- bait (worm, prawn and shrimp)
- treble hooks
- barbed hooks (barbless acceptable)

**Note: NRW is working with the Environment Agency on the technical case and rod fishing byelaws for the Wye and Dee ("Border Rivers byelaws").**

### Salmon Net fisheries

- Statutory C&R fishing at all times in all fisheries.
- Revised start and finish dates for seasons (see sea trout measures).

Exception: Wye (Blackrock heritage lave net fishery).  
The supporting stock is 'Probably Not At Risk'. Fishery catch capped at <2 salmon per licence under terms of a lease.

### Sea Trout Rod fisheries

#### A. 'All rivers in Wales byelaws'.

Statutory C&R fishing in rivers in the period when net fishing is also constrained.

Method controls imposing prohibition on :-  
bait fishing before 1<sup>st</sup> May (targeted rivers)  
treble hooks (all rivers)  
barbed hooks (barb-removed acceptable)(all rivers)

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Method control: single hook (<8mm gape) only for bait fishing

Slot length - 60cm (the maximum length of fish that may be retained)

### B. 'Border rivers byelaws'.

Detail:

Wye	No change to existing statutory C&R measures (expiring on 31.12.21) New method control prohibitions (to expire on 31.12.21)
Severn	no new byelaws proposed. The Environment Agency takes integrated lead for fisheries matters.
Dee	New method control prohibitions.

Method controls prohibition (Wye and Dee) on:-  
treble hooks  
barbed hooks (barb-removed acceptable)

Method control: single hook (<8mm gape) only for bait fishing

Slot length of 60cm (all larger fish to be returned).

**Note: NRW is working with the Environment Agency on the technical case and rod fishing byelaws for the Wye and Dee ("Border Rivers byelaws").**

### Sea Trout Net fisheries

- Single consistent start of net fishing season in Wales on 1<sup>st</sup> May (delaying start by 1 month on:-

NeVERN, Teifi, Dyfi and by 2 months on the Tywi and Taf).

Other rivers to retain existing start-date of 1<sup>st</sup> May.

- Single consistent end date to net fishing season in Wales (bringing forward end date to 31 July on:-

Cleddau, NeVERN, Teifi, Conwy, Dyfi, Dysinni, Mawddach).

Other rivers to retain existing end-date of 31<sup>st</sup> July.

## 5. Proposed new NLO

A renewed NLO is important in order to regulate the number of net fishing licences issued for fishing in the public net fisheries around the Welsh coastline and estuaries.

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We are advertising a new NLO to maintain the existing cap on the numbers of licences available. We are doing this as our proposals for new byelaws will facilitate regulation of netting activity and catches.

### **Our proposals**

**We are proposing to seek confirmation of a new NLO and new byelaws for a period of ten years for rod and net fishing in Wales. Separately we will consult on and seek confirmation of new rod fishing byelaws for the border rivers Dee and Wye.**

### **Your response**

**We would like your views on our proposals and invite you to submit these using the form designed for the purpose which is available on our website here: <https://naturalresources.wales/catchcontrols2017>**

**Respondents on matters for the rivers Wye and Dee should note carefully where representations for either Wales or England are to be sent.**