



Adrian Taylor
Fisheries Policy Manager
Environment Agency
Rio House
Waterside Drive, Aztec West
Almondsbury
Bristol
BS32 4UD

3/09/2009

Dear Adrian Taylor,

Thank you for giving the Salmon & Trout Association (S&TA) the opportunity to respond to the consultations on 'Close Seasons for Salmon and Brown Trout' and the 'Removal of Fish by Rod and Line'

The S&TA, which was awarded charitable status due to our work concerning fish stock management and aquatic conservation, has over 100,000 individual and club members. We represent the public interest over issues relevant to the management and conservation of fish, water, the aquatic environment and all its dependent species.

Overall we believe;

- the same principles should apply to byelaws on all fish, regardless of whether they are regarded as coarse or game;
- byelaws restricting anglers rights to kill fish must be justified on conservation or fisheries management grounds.

Our views on the specific questions are set out below.

Close Seasons for Salmon and Brown Trout in Stillwaters

Trout

1. Do you agree in principle with the removal of the brown trout close season on stillwaters?

Yes, subject to the points made below. The purpose of the close season for brown trout is to protect fish during the spawning season. In stocked stillwater fisheries where there are no, or a minimal, breeding populations, it serves no useful purpose, and there is no reason why brown trout should not be treated in the

Fishmongers' Hall, London Bridge, London EC4R 9EL
T: 020 7283 5838 | F: 020 7626 5137 | E: hq@salmon-trout.org | W: www.salmon-trout.org

Patron: HRH The Prince of Wales | President: The Duke of Northumberland
The Salmon & Trout Association Limited is a company registered in England and Wales.
Registered No. 5051506 | Charity No. 1123285



same way as rainbow trout, which are not subject to a close season.

2. Do you agree that we should retain the close season on stillwaters where there are significant stocks of wild brown trout?

Yes in principle, although in some stillwaters the position is not clear cut. Fish that were originally stocked may have established viable breeding populations, and in such waters we do not consider that the close season should be removed. In many cases, the existence of a breeding population of brown trout will not be widely known, particularly in small stillwaters, nor will it always be clear whether a stillwater allows egress under certain water conditions and thus is contributing to brown (and in some cases sea) trout stocks more widely.

3. Which Option do you prefer?

For the reasons given above at 2, we favour Option 2, removing the close season on specified stillwaters. If, as is proposed for salmon, this was implemented via a dispensation linked to stocking consents, we do not believe that this would be burdensome to administer.

Salmon

In our view the Agency should not consent to the stocking of salmon in stillwaters. If for any reason this is done, we accept that a close season serves no useful purpose, and the approach proposed seems a reasonable one.

Removal of Fish by Rod and Line

We feel this consultation as neglected the basic policy issue of increasing numbers of people wanting to remove coarse fish for food, a phenomenon as seen across Europe, and likely to increase in the UK if not immediately by our native population but by some of our recent immigrants. This will alter the static system of stock and return, and therefore a very different structure for management will be required than that in existence at present. This will have fisheries management and ecosystem dynamic implications. Resources need to be made available to address this underlying issue.

Application to open waters

1a. Do you agree that fish removal byelaws should only apply to unenclosed waters (mainly rivers, streams, and drains)?

Yes

1b. Please explain your answer.

We agree with the Agency's analysis of the issue. In our view existing criminal legislation is adequate to deal with the illegal removal of fish. We agree that the use of fisheries legislation to control the removal of legally caught fish is only justified on unenclosed waters, for the reasons given in the consultation document.

We look forward to hearing more details and clarification about how the options will be applied to stillwaters.

Fishmongers' Hall, London Bridge, London EC4R 9EL
T: 020 7283 5838 | F: 020 7626 5137 | E: hq@salmon-trout.org | W: www.salmon-trout.org

Patron: HRH The Prince of Wales | President: The Duke of Northumberland
The Salmon & Trout Association Limited is a company registered in England and Wales.
Registered No. 5051506 | Charity No. 1123285



Coarse fish

2a. Do you agree that coarse fish (including grayling) caught by rod and line from unenclosed waters (mainly rivers, streams, drains) must be returned?

No

2b. Please explain your answer.

In our view it is important to ensure that the same principles underlie all fisheries byelaws. The main purpose of fisheries legislation should be to conserve fish and their environment. However, legislation is also justified when it helps maintain the economic value of salmon and freshwater fisheries.

We are unaware of any conservation reason for banning the removal of all coarse fish taken by rod and line at the current time, and we could not support a measure which made it illegal to kill any coarse fish, including grayling, and so led to the situation whereby the only fish that could legally be taken by rod and line and killed were trout and salmon. I

Where there are valid fisheries management reasons for controlling the removal of coarse fish in rivers and open waters, particularly large, more valuable fish, we are not opposed to a byelaw for this purpose. This could, for example, set maximum size limits, and possibly bag limits, for fish that may be removed. However, in waters managed primarily as trout and salmon fisheries there may be good management reasons for removing pike and other predators taken on rod and line, and this should be permitted. We recognise that the removal of large coarse fish in some regions of the UK is exerting pressure on the health of the stock and depressing the economic worth of coarse fisheries in these areas, and that it is suggested this removal is correlated with the arrival of immigrants from the East of Europe and Asia. This issue does need addressing, but we feel this could be achieved through current legislation and the Theft Act, if resources are made available for better enforcement.

Given food shortages and financial dynamics the coarse fish food industry may well continue to grow in the UK. We therefore feel it is important that future management of stocks are planned, which will require sufficient resources to collect monitoring data.

Non-natives

3a. Do you agree that non-native fish caught by rod and line from unenclosed waters **must not** be returned?

We support in principle a requirement to remove non-native fish where these pose a risk to native fish stocks and the aquatic environment.

3b. Please explain your answer.

Specific problem fish, such as topmouth gudgeon, sunbleak, etc, require positive eradication measures, and in such cases anglers should be required not to return any of these fish to the water.

The spread of all non-native species (common carp, etc.) should be controlled due to their unpredictable but often deleterious impacts on fragile aquatic ecosystems with loss of the multiple benefits that society derives from them. There are many examples of disease introduction and disharmony with the local ecosystem that

Fishmongers' Hall, London Bridge, London EC4R 9EL

T: 020 7283 5838 | F: 020 7626 5137 | E: hq@salmon-trout.org | W: www.salmon-trout.org

Patron: HRH The Prince of Wales | President: The Duke of Northumberland

The Salmon & Trout Association Limited is a company registered in England and Wales.

Registered No. 5051506 | Charity No. 1123285



result from the spread of non-native species in our waterways. Measures to reduce the chance of non-native migration should be taken. These measures include the banning of non-native coarse fish taken for use as bait.

Eels

4a. Do you agree that all eels caught by rod and line from any waters (including estuaries and coastal waters) must be returned?

Yes

4b. Please explain your answer

The decline of the European eel population is a worrying development, perhaps reflecting wider environmental pressures on climate, marine, river and wider catchment systems. Addressing the 'symptom' by a proposed complete ban on removing eels by rod and line in any waters is to be welcomed. We are mindful of the many wider ramifications of the decline of this important species, and feel it is very important that the ban is accompanied by an increase in research funding to shed further light on the underlying problems affecting the species.

Shad

5a. Do you agree that all shad caught by rod and line from any waters (including estuaries and coastal waters) must be returned?

Yes, subject to the points made below.

5b. Please explain your answer

We support the protection of rare native species. Adding to the commentary in the Environment Agency document that hybridisation between Allis and Twaite shad further muddies the water endorses the need for a blanket ban on their removal in freshwater. We have reservations about extending this ban to estuaries and coastal waters, given the potential resource implications and the fact that the Agency's fisheries duty does not extend to shad.

To conclude we feel the same principles should apply to byelaws on all fish, regardless of whether they are categorised as coarse or game, and byelaws restricting anglers rights to kill fish must be justified on conservation or fisheries management grounds.

Yours sincerely,

Paul Knight
Salmon and Trout Association Chief Executive

Fishmongers' Hall, London Bridge, London EC4R 9EL
T: 020 7283 5838 | F: 020 7626 5137 | E: hq@salmon-trout.org | W: www.salmon-trout.org

Patron: HRH The Prince of Wales | President: The Duke of Northumberland
The Salmon & Trout Association Limited is a company registered in England and Wales.
Registered No. 5051506 | Charity No. 1123285