

SUBMISSION

To: Nikki Milne, Crown Estate Strategy Unit, Scottish Government
From: Scottish Anglers National Association (SANA)

CONSULTATION ON CROWN ESTATE INTERIM MANAGEMENT IN SCOTLAND

Introduction

1. SANA is the recognised governing body for game angling in Scotland. This submission has been prepared by SANA's Migratory and Non Migratory Fish Committees on behalf of the SANA Board.
2. This proposal touches on two spheres of interest to game anglers, viz. financing of future fishery management in Scotland and angling access to publicly owned fisheries.

Summary

- The proposal to have an interim management body should be accompanied by a statement of management objectives.
- Those objectives should make provision for:
 - funding of the proposed Fishery Management Organisations in compensation for the deleterious impacts of the Crown Estate's aquaculture leases on wild fish; and
 - improved angling access arrangements on Crown Estate waters, e.g. through leases to angling clubs, and where necessary, creation of clubs where these do not presently exist.

Management Systems

3. In the consultation document, the proposed management structure and its purposes are identified to include:
 - (a) "Good management of our land, marine environment and other natural resources";
 - (b) "an opportunity to ensure that decisions on use of Crown Estate assets in Scotland are more transparent, and new processes for decision-making are put in place to take account of the priorities of Scotland and which meet the needs of the Scottish people and local communities".
4. SANA supports those purposes and regrets that such objectives have not been applied in the past. To date, the story of aquaculture's impact on Scotland's natural

environment leaves much to be desired and the Crown Estate's management, especially in respect of the location of leases to minimise damage to wild fish stocks, has been deplorable. It may be that this was a natural consequence of the "overriding duty placed on the Commissioners to maintain and enhance the value and the return obtained from The Crown Estate". Now is the time to make things better.

5. SANA agrees with the proposal that the interim body that will initially undertake management of the assets will be a body corporate and a separate body from Scottish Ministers. However, it should not be run on the basis of "business as usual". Specific directions should be given as to management purposes - and SANA requests that these two subjects be addressed, perhaps using the ministerial power to direct. (Paragraph 33 of the consultation refers.)

Crown Estate's Earnings from Aquaculture

6. SANA has participated in the development of proposals for reform of freshwater fisheries management in Scotland – usually referred to as "Wild Fisheries Reform" (WFR). We are now at the stage of discovering how much more it will cost to revise the structure of management and extend its reach to all species.
7. One of the possible ways of bridging the likely gap would be to charge anglers a "conservation and development" levy. SANA has said that it is prepared to consider that option, provided certain criteria are met. The most important is that such a levy is small, lest it have the opposite effect to that intended by discouraging people from going fishing. A contribution from the Crown Estate which charges fish farmers for their use/abuse of the natural environment would be one way of minimising the need to charge anglers.
8. The Crown Estate's considerable earnings from finfish aquaculture have come at a heavy price for the natural environment. 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.
9. 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.
10. 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.

11. 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.
12. 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.
13. 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. Angling interests are also involved, both directly and indirectly, with aquaculture as operators of non-commercial hatcheries that produce salmon fry to augment the natural population. For example, one of the biggest is at Contin, run by the Cromarty Firth Fishery Board, supported financially by SSE and producing over half a million fry every year.
14. 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.
15. 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.
16. 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.
17. 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.

18. The balance of these interests could be addressed by having the Crown Estate pay for at least some part of the public expense of fishery management in Scotland.

Access to Angling

19. In addition to the unresolved problems of financing the extended remit for fisheries management in the WFR process, there is considerable concern about the potential impact of extending criminal jurisdiction to all fishing without permission.
20. Privately owned fishing rights for non-migratory fish are currently made available at sustainable rents, of variable scale, to local associations or syndicates, or are not enforced because of the impracticality of using civil law against those fishing without permission. Additionally, the current system of Protection Orders (POs) whereby criminal law protection is offered to private owners is proposed to be abolished. Taken together, SANA fears that the supply of angling access to private waters could diminish. Therefore, attention should be focussed on availability of publicly owned waters to the angling public.
21. Crown Estate ownership of angling and netting rights for migratory fish have been identified in the consultation document and the inference elsewhere in the text is that local communities should have opportunities to influence how these are used. We raise this subject of access to fishing rights in freshwater, primarily in the context of non-migratory fish.

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