



RIVER TWEED COMMISSION THE NORTH COURT DRYGRANGE STEADING MELROSE ROXBURGHSHIRE TD6 9DJ
TEL: EARLSTON (01896) 848294 FAX: EARLSTON (01896) 848277 EMAIL: enquiries@rtc.org.uk
Established by Order under an Act of Parliament to protect the fish stocks in the Tweed river system

BAN THE KILLING OF WILD SALMON EXCEPT UNDER LICENCE AND ACCOMPANYING CARCASS TAGGING SCHEME

Scottish Ministers propose to make an order for conservation reasons under Article 54 of the Tweed Order:

1. to prohibit the taking of salmon outwith inland waters* within the Tweed District
2. to introduce a licensing system for the killing of wild salmon in Scotland
- 3.

**Inland waters include all rivers above estuary limits and their tributary streams, and all waters, watercourses and lochs whether natural or artificial which drain or drain to some extent into the sea. The coastal limits of the estuary of the Tweed are, in the north, high water mark on the boundary between Scotland and England and, in the south, grid reference NU 0483246702, which is the northern boundary of the Cheswick coastal fishery.*

- a) Whereas the RTC AGREES with the general provision to prevent the killing of Salmon in the sea outwith the estuary limits, which are Salmon of mixed stock and is accordance with internationally accepted best practice, the RTC OBJECTS to the proposals to introduce a licensing and accompanying tagging system to the remaining Salmon rod fisheries because there is no conservation reason for them.
- b) The RTC OBJECTS to the proposal that licences should limit the number of fish that may be taken by a licence holder because there is no accurate mechanism for calculating that number of fish (unless there is an accurate way of predicting the runs for the coming season, of which the RTC is unaware). Moreover, the proposal will not allow a proactive corrective action in response if an unexpected problem appeared in the number of fish in the runs; the RTC has already demonstrated that it has the resources and capability to effect a rapid reaction in real-time management when it introduced additional restrictions on killing of Spring Salmon midway through the Spring Season of 2009 in response to very poor catches.
- c) The RTC DISAGREES that there has been a decline in status of stocks of Tweed Salmon. Based upon the suggested five-year rolling average of catches, there has been no decline on Tweed, that figure having been over 15,000 for many years now which is the largest spawning escapement Tweed has ever had; this is the largest annual five-year average catch by rod of *any river* in the North Atlantic, and 23,219 in 2010 is the largest total *ever recorded anywhere*. Spawning escapement is higher than it has ever been although catch numbers vary annually by up to three times. There is a fish counter on the Gala Water, which counts Summer and Autumn fish, and the angling exploitation rate of Autumn fish is monitored through a tagging programme. Neither of these sources show either a decline or the increased exploitation rate that could be expected if angling effort was being concentrated on smaller numbers of fish.
- d) Effectively all Salmon caught by the rod fishers before July 1st are returned either by (recent) law or by the Tweed Code. Two-thirds of all Salmon caught by rod and line after that time are returned and, as this catch is less than 10% of the run, only a maximum of 3-4% of the total number of fish entering the river is killed: this is biologically insignificant and does not warrant control measures. Nor could such measures have any impact since the percentage of the total Summer and Autumn run killed by anglers is so small.

- e) In 2010, when Tweed had its record catch of all time, the largest number of rod-caught fish taken in any British or Irish river ever, there was a concern that there were too many spawning Salmon in the River and should that reoccur, for conservation reasons, Tweed might wish to increase the amount of fish that were able to be taken in the Autumn. The current proposals would not allow for that.
- f) There is no proper, ground-truthed way of working out how many Salmon are required to reach conservation limits, especially given that there are different stocks on a River: the information available is currently not good enough to do this.
- g) Basing the Kill Licence on five-year averages is numerically flawed because it would mean that the average would reduce each year therefore never resulting in a higher number allowed to be taken; effectively it would result in the introduction of total Catch & Release over a number of years which would be unnecessary and financially damaging.
- h) Basing a licence system only on simple numbers ignores current angling practice which is that mostly only male fish or smaller fish are taken. Large, female fish, which could be of much greater biological significance, are almost exclusively returned. The RTC, like many Fishery Boards, has worked hard to win the cooperation and trust of anglers and boatmen, and implementing these measures on Tweed would make no sense to a large number of anglers and boatmen, and would be divisive.
- i) The RTC OBJECTS to the proposal that rod-caught and killed Salmon should be carcass tagged. Tagging is only necessary for fish that are presented for sale to provide traceability both for consumer protection and control of illegal trade; rod-caught fish cannot be sold and therefore should not be tagged. Moreover, issuing a finite number of tags for rod-caught Salmon will encourage the killing of Salmon in years when fish are scarce as anglers will feel they have a right to kill fish for which they have bought tags, but will restrict it when they are abundant. The fundamental flaw in any quota system is that, unless the quota is set very low indeed, it will only reduce the number of fish killed in years when they are abundant but will have no effect in years of scarcity when catches do not reach the quota level.
- j) The RTC AGREES that the current legislation on baits and lures should remain unchanged.

The Tweed Commissioners unanimously endorsed their response to the Licence to Kill consultation at their meeting on 1st June 2015 and mindful of the fact that that the Tweed Order is only applicable to Salmon in the Tweed District and cannot affect Salmon anywhere else in Scotland the RTC OBJECTS to the current proposals, as drafted, on the basis that there are no conservation reasons for enacting the Kill Licence on Tweed; that the proposals would financially damage the remaining fisheries and result in both increased expenses and losses; that they would remove the property rights of fishery proprietors; that they would be complicated to enact and unenforceable; and that the recent purchase by the RTC of the two significant, remaining coastal netting stations remove any conservation reason for the introduction of a Conservation Order on Tweed.

River Tweed Commission
12 August 2015