

CONSULTATION QUESTIONS

SECTION 1 - THE SUSTAINABLE DEVELOPMENT OF AQUACULTURE

Farm Management Agreements (FMAs)

1. Do you agree that we should, subject to appropriate safeguards, make it a legal requirement for marine finfish operators to participate in an appropriate Farm Management Agreement (FMA), with sanctions for failure to do so, or to adhere to the terms of the agreement? (Page 9)

YES

NO

Appropriate Scale Management Areas (MAs)

2. Do you agree that operators should have primary responsibility for determining the boundaries (and other management arrangements) for Management Areas, but with Scottish Ministers having a fallback power to specify alternative areas? (Page 9)

YES

NO

Management Measures and Dispute Resolution

3. Do you agree that an independent arbitration process should be put in place (with statutory underpinning) to resolve disputes related to Farm Management Agreements? (Page 10)

YES

NO

4. How do you think such a system might best be developed? (Page 10)

Unused Consents

5. Do you agree we ought to review the question of unused consents? (Page 11)

YES

NO

6. What do you consider are suitable options to promote use or relinquishment of unused consents? (Page 11)

Relinquish unused consents

7. Do you agree that Scottish Ministers should be given powers, ultimately, to revoke, or to require or request others to revoke, consents? (Page 12)

YES x

NO

8. Should any such power relate to all or to particular consents (and if the latter, which)? (Page 12)

Collection and Publication of Sea-lice Data

9. What in your view is the most appropriate approach to be taken to the collection and publication of sea-lice data? (Page 13)

Close monitoring on a regular basis on all sites and publish the findings no less than quarterly, also include the chemical data used and how often. Bearing in mind this is being used in a food substance.

Surveillance, Biosecurity, Mortality and Disease Data

10. Do you agree that aquaculture businesses ought to be required to provide additional information on fish mortality, movements, disease, treatment and production as set out above? (Page 16)

YES x

NO

11. What are your views on the timing and frequency of submission of such data? (Page 16)

At least quarterly

Biomass Control

12. Do you agree that Scottish Ministers should have powers to require SEPA to reduce a biomass consent where it appears to them necessary and appropriate – for example to address concerns about fish health and welfare? (Page 16)

YES x NO

Wellboats

13. Do you agree we should make enabling legislation giving Scottish Ministers powers to place additional control requirements on wellboats? (Page 17)

YES x NO

Processing Facilities

14. Do you think Scottish Ministers should be given additional powers to place controls on processing plants? (Page 17)

YES x NO

Seaweed Cultivation

15. Do you agree that the regulatory framework should be the same for all seaweed farms? (Page 18)

YES x NO

16. Do you agree that the most appropriate approach to regulation of this sector would be through marine licensing? (Page 17)

YES x NO

17. If not, what alternative arrangements would you suggest? (Page 18)

Commercially Damaging Species

18. Do you agree that we should provide for additional powers for Scottish Ministers in relation to commercially damaging native species? (Page 19)

YES

NO

SECTION 2 - PROTECTION OF SHELLFISH GROWING WATERS

19. Do you agree with the introduction of provisions to protect shellfish growing waters and support the sustainable growth of the shellfish industry? (Page 21)

YES

NO

SECTION 3 - FISH FARMING AND WILD SALMONID INTERACTIONS

Sea-lice

20. Do you agree that there is a case for giving Scottish Ministers powers to determine a lower threshold above which remedial action needs to be taken, in appropriate circumstances and potentially as part of a wider suite of protection measures? (Page 23)

YES

NO

Containment and Escapes

21. Do you agree we should provide powers for Scottish Ministers to require all finfish farms operating in Scotland to use equipment that conforms to a Scottish Technical Standard? (The technical content of the standard would be defined separately.) (Page 25)

YES

NO

Tracing Escapes

22. Do you agree that there should be additional powers for Scottish Ministers to take or require samples of fish from fish farms, for tracing purposes? (Page 26)

YES

NO

30. Do you agree that Scottish Ministers should be able to attach conditions, such as monitoring and reporting requirements, to statutory conservation measures? (Page 32)

YES x see note

NO

Dispute Resolution

31. Do you agree that we should introduce statutory provisions related to mediation and dispute resolution, to help resolve disputes around salmon conservation, management and any related compensation measures? (Page 33)

YES x

NO

Improved Information on Fish and Fisheries

32. Do you agree that there should be a legal requirement to provide comprehensive effort data for rod fisheries? (Page 34)

YES x see note

NO

33. What additional information on the fish or fisheries should proprietors and/or Boards be required to collect and provide; and should this be provided routinely and/or in specific circumstances? (Page 34)

Weather conditions, condition and health of fish, fresh run or coloured and a true record of mortality after catch and release.

34. Should Scottish Ministers have powers to require Boards and/or proprietors or their tenants to investigate and report on salmon and sea trout and the fisheries in their district? (Page 34)

YES x

NO

Licensing of Fish Introductions to Freshwater

35. Do you agree that Scottish Ministers should have powers to recall, restrict or exclude the jurisdiction of Boards in relation to fish introductions, in certain circumstances? (Page 35)

YES x

NO

36. If so, why and in what circumstances? (Page 35)

Ban the introduction of juvenile salmon into fresh water lochs for salmon farming
Close monitoring at the impact of restocking

AQUACULTURE AND FISHERIES BILL RESPONSE

ARMADALE SALMON FISHERIES

SECTION 1 AQUACULTURE

I would like to see Scottish Ministers dealing hard on the escapement of Farm salmon causing severe damage to wild stocks.

Never giving consent to move farm cages into the open waters of the west coast like the Minch or North Atlantic causing cages to rupture due to severe weather.

Farm sites should be encouraged to have tanks on shore with water pumped from the sea And filtered on return to the sea this would deal with question 9 and 18 in this section

SECTION 2

Inland farm sites would protect shellfish growing water question 19

SECTION 3

Inland farm sites would protect sea lice, escapement questions 20 and 21

Question 22 again this would not take place

TRADE DISCRPTION ON THE SALE OF FARM SALMON

This should be looked at by Scottish Ministers

Scottish Farm Salmon is being sold everywhere as “ SCOTTISH FRESH SALMON”

No doubt it is fresh but this is misleading as a lot of people refer to Wild salmon as Scottish fresh Salmon.

The title farmed fish should bear is “SCOTTISH FRESH FARMED SALMON”

SECTION 4

Question 23 Because of the unequal balance of upper and lower proprietors on Boards it is impossible to implement fairness and transparency (this is not even the case between all upper proprietors in the same board)

Questions 24 and 25 I answered yes but this will never take place under the current management even if Scottish Ministers try to implement this through the bill.

The only way to see fairness between the two sectors angling and Netting it to remove netting from the management of District Fishery Boards and put the netting sector in with an Inshore Fisheries management organisation and Manage Salmon stocks with Marine Scotland directly

Financial assessment implemented by some Fishery Boards to a crippling level to bear for small fisheries and in turn get nothing for their money.

Question 26 answered yes, most of the likely readers of this document, are aware I was one of the mixed stock working group when carcass tagging was spoken about, and in recommendation 6 in the report of the mixed stock salmon fisheries working group it was decided that Scottish Government along with the stakeholders develop and use a tag as a pilot scheme, this was done by 11 netting Scottish fisheries, members SNFAS

The tag developed by both parties and is working extremely since two years well giving

traceability and also a great marketing tool showing Scotland's high quality food, marked with the Scottish saltire.

I Would strongly recommend and urge Scottish Ministers to introduce Statutory carcass tagging for reasons above and also to keep illegal fish off the market.

I would also be keen to see Ministers keep the pioneering tag as the statutory carcass tag for Scotland it is simple and easy to use and of course already paid for by Scottish Government.

Having to keep a log book and record a tag number the weight and length of fish would be unworkable and would serve no purpose this would create a large burden small crews to administer.

Marine Scotland gets our annual fish returns number, weight and fishing effort this system worked well for the past 50 years .

I would recommend that in addition to Salmon and Sea trout killed and tagged by nets men A statutory carcass tag of a similar design should be introduced for Salmon and Sea trout killed and retained by anglers, having the name of the Fishery or the River it was killed on This would also keep rod caught salmon and Sea trout from being sold illegally it would also give the legitimate killed Salmon and Sea trout traceability.

To conclude on carcass tagging I feel that if the angling sector, does not have a statutory tagging system introduced and having it introduced on netting only, this would be a wasted effort

Speaking to the superintendent of the river Naver his view was that he felt Rod caught salmon retained should be carcass tagged ,this would greatly help manage the river catches.

Question 27 answer was yes, fish sampling on principal yes, I feel that Scottish Ministers should have the powers to sample catches, for the various reasons, but I question the need for this in the Bill as legislation as We as in the netting industry have for many years and to this day give access to our catch for research reasons, and I feel that it is in the interests of both sectors to permit voluntary access and without having the Statutory powers,

Participants will give access to sampling more freely as in status quo

One concern I have, On looking back over the years, Strathy, Mr Paterson who had shown willing to permit research on his station (owned of course by Scottish Government) had his consent to scientific research close his fishery using antiquated weak data

Question 28 answer yes Scottish Ministers Should have the powers to initiate change to season Annual closed time, but by removing the Salmon management from District Fishery Boards to the proposed inshore fisheries management organisation, this should give Scottish Ministers in co injunction with Marine Scotland a free hand to change the season as harvestable stocks become available.

Question 29 answer yes Scottish Ministers should be able to promote combined Salmon conservation measures, but with advise from Marine Scotland and consultation from the stakeholders regarding stocks in a specific area's of Scotland and taking in to account of the mixed stock fisheries recommendation 21 equal burden sharing through both sectors and not using catch and release as a conservation tool for anglers.

Question 31 answer is yes Scottish Ministers should have statutory provisions related to mediation and dispute resolution to resolve disputes around salmon conservation management and related compensation, this would be more relevant if netting is not removed from the Management of District Fishery Boards

Question 32 and 33 answer yes I feel strongly that effort data should be requested for rod fisheries , also river condition relating to weather as in spate or drought this would then indicate the conditions regarding fresh or coloured fish within a system

IMPORTANT BUT NOT IN RESPONSE BUT SHOULD BE CONSIDERED

WEEKLY CLOSED TIME

In 1988 Scottish Salmon Fisheries was robbed of 18 hours of their fishing weekly working time, and depending on tides some times longer than 18 hours with no compensation.

We as members of SNFAS has agreed to postpone the start of our season for 6 weeks as a conservation instrument for the Spring Component, we have done this since the year 2000 11 years and we intend to do it again for season 2012 again with no compensation for loss of earnings in total to date 385 fishing days out of a short season.

What we are now looking for is to have our 18 hour reinstated per week from the start of our season being in my case 1st April as there is clearly no stock issue after that time.

It is our Heritable title and should never had it eroded by anyone.

Giving 35 hours a week up in the Spring each year should compensate for us having our 18 hours returned weekly throughout the season when a harvestable stock is clearly available This is not taking into account the robbed hours.

Reinstatement of weekly closed time should be looked at even if Scottish Ministers do not Decide to remove Netting from the District Fishery Boards jurisdiction.

IF SCOTTISH MINISTERS DECIDE TO TAKE NETTING OUT OF DISTRICT FISHERIES

MANAGEMENT

I feel if we are under an Inshore Fisheries Management Organisation we then can work as other Inshore Sectors do, we could abolish the weekly closed time and fish days at sea through the season, and the days would equal no more than our total days allocated to fish in our heritable title my season is from 11th of February to the 26th of August 28 weeks x 126 fishing hours per week is 3528 annual hours per heritable title 147 days at sea.

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