



11th July 2022

Victoria Prentis MP

Minister of State for the Environment

By email cc George Eustice, Secretary of State for the Environment

Dear Minister,

I am writing an open letter to you with reference to the Cornish Inshore Fisheries and Conservation Authority (CIFCA) proposal for a new migratory salmonid protection byelaw around the coast of Cornwall, which I understand requires your final agreement before being actioned. While this byelaw is focussed on the south-west of England, it is also extremely important in respect of the UK's wider policy on managing and conserving wild Atlantic salmon and sea trout. Not only do you have ultimate control over these issues in English rivers and home coastal waters, but you also have international responsibility for salmon management and conservation through the UK's membership of the North Atlantic Salmon Conservation Organisation (NASCO).

Currently, the 2021 stock assessment shows all southern rivers are failing to meet their conservation limits for salmon - salmonids are in crisis and significant protective action needs to be taken. This proposed new byelaw is a significant component of the UK's salmonid management policy and is therefore an important part of your responsibility towards the protection of Atlantic salmon and sea trout. Minimising salmon mortality at sea is also an important part of the Environment Agency (EA)'s 5-point plan for salmon protection, and yet Defra appears to have handed over responsibility for the coastal zone to the Marine Management Organisation (MMO) and IFCA.

I am enclosing WildFish's (formerly Salmon & Trout Conservation) response to CIFCA's consultation for your information. However, to summarise, Atlantic salmon now enjoy considerable protection from human impact all the way from their breeding habitat in the UK's upland rivers right out to their feeding grounds around the Faroe Islands and the west coast of Greenland. It is therefore vital for Atlantic salmon conservation that they remain protected as they migrate through estuaries, harbours and coastal areas of the UK where they are particularly vulnerable to exploitation as by-catch in commercial fisheries targeting other marine species. Sea trout are arguably even more vulnerable to these fisheries, as they tend to forage inshore waters for food and are therefore exposed to inshore netting by-catch danger for the greater part of the marine phase of their life cycles.

WildFish supports the adoption of a byelaw to protect migratory salmonids in Cornish waters, and indeed around the whole of the English coastline, especially as it plays an important part of the UK's international responsibilities to wild salmon conservation. However, we do have reservations about the level of protection this draft byelaw already affords migratory salmonids, and we have concerns that the draft may be further diluted due to protests from commercial fishermen, who apparently have the ear of

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local MPs as well as the MMO. We have a suspicion that more support is being given to inshore fishermen at the expense of more binding conservation measures for wild salmon, which is surely in contravention of the UK's international responsibilities under the NASCO Convention.

While on a national/international level the UK has shown commendable responsibility in recent years by closing virtually all coastal commercial salmon fisheries, it would show regrettable mismanagement and a lack of integrated policy if the UK government were to allow migrating salmonids to be exploited as by-catch in fisheries targeting other species.

WildFish's specific issues include:

- CIFCA's proposed byelaw decreases coastal areas in which migrating salmonids are protected. Evidence shows that Atlantic salmon migrate close to the shoreline, while, as stated above, sea trout often forage for food in estuaries and coastal areas during the greater part of the marine phase of their life cycles. It is vital that these fish are protected in the coastal zone, yet CIFCA's byelaw protects only some 28% of the inshore area out to 0.5 nautical miles, as opposed to the 1 nautical mile under current regulation. It is also estimated that some 300 boats use gill nets around the Cornish coast, with the possibility of one million metres or more of netting being deployed at any one time. The potential for netting interaction with migratory salmonids is therefore obvious.
- Evidence from the SAMARCH project (headed by the Game & Wildlife Conservation Trust and of which we are a partner) has shown the vulnerability of migrating salmonids to gill nets. It has also shown that sea trout utilise the whole water column rather than the top 3-5 metres as was previously assumed. Added to this, SAMARCH has also shown that juvenile salmonids are vulnerable to gill netting exploitation, even from nets with meshes large enough to allow their escape. Fish caught in gill nets are unlikely to be fit enough to survive release, even if they are alive when the net is hauled.
- Despite the SAMARCH evidence, the proposed byelaw would allow fishing with set nets provided there was 3 metres of water above the headline. However, regardless of whether 3 metres offers sufficient protection (see above bullet point), WildFish believes that this must apply at any state of the tide, and this condition cannot be diluted. By stating at any state of the tide, not only would this limit the areas in which nets could be set and therefore be protective of migrating salmonids, it also makes the byelaw far easier to regulate.
- Insufficient consideration has been given to freshwater systems with conservation status for Atlantic salmon and sea trout, and the potential impact this proposed byelaw could have on that status by exploiting migratory salmonids as by-catch in estuaries and the coastal zone. Because of the migrating nature of Atlantic salmon and sea trout, fish originating in rivers right across the south of England could potentially be intercepted by fisheries in the Cornish coastal zone, and so it must be considered as a mixed stock fishery as far as migrating salmonids are concerned. Both the International Council for the Exploration of the Seas (ICES) and NASCO consider mixed stock fisheries (MSFs) to be poor management practice. While the UK government has acted responsibly

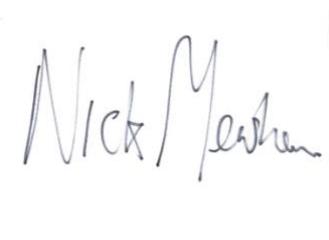
WildFish.

by closing coastal MSFs targeting salmon, allowing exploitation as bycatch in fisheries targeting other marine species would be an extremely regrettable step and make management of individual rivers with conservation status extremely difficult.

- WildFish is concerned at the apparent lack of transparency and stakeholder consultation in the way in which the economic impact assessment was conducted. In particular, it appears that conspicuously more regard has been shown to often fanciful economic values of inshore fisheries based on fishermen's claims, rather than to any conservation issues covered by the byelaw. For example, we cannot understand why CIFCA did not require fishermen's tax returns to underpin the EIA, as was the case with the similar Devon and Seven IFCA EIA, rather than take anecdotal valuations from fishermen as its evidence-base. Some of these values are quite obviously exaggerated and WildFish believes the byelaw is biased too much in favour of inshore fishery protection as a result.

There are other issues connected to this proposed byelaw which have been well covered by the Environment Agency, whose evidence we also support. WildFish therefore urges you to take all these issues into account and not to sign off the proposed byelaw until proper protection is given to migrating salmonids as demanded by both national and international management and conservation policies. In this regard, we strongly suggest that the Environment Agency is given more say in the details of the proposed byelaw to provide greater balance between inshore fishery protection and migratory salmonid conservation, which we believe is not the case under the currently worded byelaw.

Yours sincerely,



Nick Measham
CEO, WildFish