Salmon & Trout Association

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

Marine Bill Team
Defra
Horseferry Road
LONDON SW1P 2AL

June 11th 2008

Dear Sirs,

Response by the Salmon & Trout Association
To the Draft Marine Bill

Thank you for the opportunity to respond to the consultation concerning the draft Marine Bill. The Salmon & Trout Association (S&TA), which was recently 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 game fisheries view as to public interest over issues relevant to the management and conservation of water, the aquatic environment and its dependent species.

As a founder member of the Moran Committee, S&TA has been involved with the review of Salmon & Freshwater Fisheries (SFF) legislation since 1997, and we now fully support the inclusion of clauses within the Marine Bill updating SFF legislation. We also strongly support the Memorandum of the Moran Committee, which has already been submitted.

However, there are issues which we would especially wish to highlight from that Memorandum, which we consider worthy of particular emphasis:

IFCAs, inshore marine management and Inter-tidal habitat – we note the intention to replace Sea Fisheries Committees (SFCs) with Inshore Fisheries and Advisory Committees (IFCAs), one of whose new areas of responsibilities will cover all estuaries, as opposed to the previous arrangement whereby the Environment Agency (EA) had jurisdiction over most of those estuaries with significant runs of migratory salmonid species. There are several issues of concern to the S&TA over this change in authority:

- The EA still retains responsibility for the management of migratory salmonids out to the six-mile limit, and so coordination between the EA and IFCAs will be vital to ensure efficient management and enforcement of salmonid legislation. It is important that IFCAs exercise their powers to ensure protection for migration of **all** diadromous fish, especially where stocks are threatened and particularly in estuaries. Under **Clause 142,** IFCAs will have a duty to protect the marine environment from the effects of sea fisheries, and **Clause 169** makes it clear that the term 'marine environment' includes fauna 'associated with a marine or coastal environment'. This appears to cover salmon, sea trout, eels and other diadromous fish, but we believe it should do so more explicitly, so as to avoid confusion.

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- As Clause 142 is currently drafted, the exploitation of sea fisheries resources must be carried out in a sustainable way and the protection of the marine environment has to be balanced against the social and economic benefits of exploiting sea fisheries resources. We strongly believe that environmental protection must be given much greater priority, with sustainability referring to maintenance of a healthy marine ecosystem. In our view, IFCAs should have an unequivocal duty to further the conservation of the marine environment, at the same time as taking into account the social and economic benefits of exploiting sea fisheries resources.

- The EA is the competent authority to deliver the objectives of the Water Framework Directive (WFD), including transitional (estuarine) waters out to one nautical mile in the coastal zone. We feel IFCAs must be given the duty of contributing to the attainment of the objectives of the WFD, thereby ensuring that IFCAs work closely with the EA.

- We support the Environment Agency's continuing responsibility for the regulation of fisheries for salmon, sea trout and eels within the coastal zone and its extension to other diadromous fish. It is important, however, that the Agency and IFCAs co-operate in the holistic, sustainable management of these fish stocks, including enforcement of their respective regulations to ensure the most cost-effective use of limited resources. To promote this, we would like to see **Clause 157** amended to give IFC officers the definite power to enforce salmon and freshwater fisheries legislation and EA byelaws relating to fisheries (as is done for Marine Enforcement Officers in Clause 206) in their relevant areas of jurisdiction.

  We consider this to be an extremely important issue, as S&TA members have strong concerns that, in certain areas, most noticeably in the South West of England, SFCs are presently failing to take enforcement of offences impacting migrating salmonids seriously, thereby jeopardising the sustainability of local stocks, and the EA's statutory duty to protect and develop salmonid fisheries.

- Under **Clause 140,** members appointed to IFCAs by national authorities must be associated in some way with the local commercial fishing community, or be knowledgeable about the marine environment. There is no statutory requirement for anyone to be appointed to represent the interests of recreational sea anglers, but we consider it essential that there should be at least two such members on each IFCA, to reflect the economic and social importance of sea angling to communities, as recognised in the Cabinet Office Policy Paper, and the sea anglers' determination to protect marine habitats and their dependent species.

In summary, the Bill must facilitate the close cooperation of IFCAs and the EA to efficiently manage and protect coastal and transitional waters, especially in the enforcement of legislation to protect the passage of migratory salmonids, and the efficient implementation of measures designed to deliver the EA's objectives under the Water Framework Directive.

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Yours faithfully,

Paul Knight
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