

2011-10-19

Coalition Clean Baltic Comments to the European Commission's Proposal for a Baltic Salmon Management Plan

Introduction

Coalition Clean Baltic is glad to finally receive a proposal for a new long term Baltic salmon management plan. The proposal has several interesting and good elements that may improve the management considerably, but CCB has also found several unclear issues and need for improvement. We present also new additional proposals to be taken into account to complete a well functioning Baltic salmon management plan. CCB is however worried that large unknown removal of salmon and the smolt survival trends will weaken the possible impact of the proposed plan.

Summary

CCB welcomes the clear relation to existing directives and to fulfill their ambitions and targets, especially the Habitat directive. CCB also appreciates that the proposal text clearly states that Baltic salmon whole lifecycle including freshwater areas falls under the exclusive competence. This will hopefully improve the situation where member states (MS) have different ambitions in safeguarding the wild salmon populations. To avoid this requires an active Commission and clear provisions. The demands placed on the member states of appropriate management to meet targets, as well as reporting on the conservation measures taken is welcomed.

CCB has for a long time referred to the large scale salmon stocking programmes as a severe problem and that these constitute both a genetic pollution problem and that they keep up an artificial level of commercial fishing not based on the natural production. It is positive that the plan support phasing out of these programmes, but CCB is concerned that the proposal still refers to stocking and re-stocking as a solution. All financing and effort should be directed towards support of natural reproduction and funding from EFF must have this as a first priority. The proposal should list such measures as a toolbox for MS to use and also list the minimum standards required for each action e.g. fish counters must be in place to monitor progress.

The proposal includes measures to incorporate sea trout fishermen in the same reporting scheme as salmon fishermen. This is most welcome and it will give a good start to tackle the problem of misreporting of salmon as sea trout and that reporting of sea trout will be mandatory and not

Coalition Clean Baltic (CCB), Östra Ågatan 53, SE-753 22 Uppsala, Sweden Tel: +46 18 71 11 55 / +46 18 71 11 70 Fax: +46 18 71 11 75
E-mail: sekretariat@ccb.se / gunnar.noren@ccb.se www.ccb.se CCB is a member of The World Conservation Union (IUCN)

Coalition Clean Baltic is a network of environmental NGOs sponsored by:

• Danish Society for Nature Conservation • Ecohome • Estonian Green Movement • Finnish Association for Nature Conservation • Finnish Society for Nature & Environment • Bund für Umwelt und Naturschutz Deutschland, BUND • Environmental Protection Club of Latvia, VAK • Latvian Green Movement • Lithuanian Green Movement • Lithuanian Fund for Nature • Polish Ecological Club, PKE • Green Federation - GAJA, Szczecin, Poland • Friends of the Baltic, St Petersburg, Russia • Ecodefense, Kaliningrad, Russia • Neva River Clearwater, St Petersburg, Russia • Green World, St Petersburg, Russia • The Guide Environmental Group, Kaliningrad, Russia • Greens of Karelia, Petrozavodsk, Russia • Swedish Society for Nature Conservation • WWF Sweden • The Western Center of the Ukrainian Branch of the World Laboratory

voluntary. This opens also the door to a better management of the Baltic Sea trout population which is strongly needed. Restrictions for sea-trout minimum landing sizes should for example be harmonized with salmon to further improve the possibilities for effective control.

We interpret the proposal for a Baltic Marine salmon TAC as an ongoing mixed salmon fisheries, and such practices can never be a part of long-term sustainable salmon fisheries. We believe that a new Baltic salmon management plan should implement practices that phase-out mixed salmon fisheries.

Setting a salmon marine TAC and mortality (F) target is also very tricky, because of substantial unknown salmon fisheries/mortality. Introduction of a Marine TAC would therefore require efficient procedures that quickly can respond to changes.

The plan discuss "Marine" and "River" TACs for salmon fisheries. But the plan does not define how these areas will be delimited. As this delimitation is fundamental for how fisheries management can develop in different MS, many of our views below may have to be developed and/or reconsidered later.

CCB is also concerned how MS, within the rules of the proposed salmon plan, can control salmon coastal/river fisheries in a way that will guarantee sufficient salmon run in all wild Baltic salmon rivers, also in rivers outside the territory of a MS. It is a risk that too much responsibility will be given to MS, which cannot guarantee that the goals of the salmon plan will be fulfilled, because of national fisheries interests. These aspects should be dealt more within the salmon plan.

CCB Comments

Positive plan elements:

1. Clear connections to targets and ambitions in important EC Directives related to environment protection and nature conservation.
2. Commission takes on the responsibility for salmon within its entire lifecycle
3. Phasing out the large scale compensatory stocking of salmon in the Baltic Sea
4. Supports scientific advice as the base for river specific targets and harvest control
5. Improved control measures to include sea trout in the rules of prior notifications
6. Ambitions to move fishing effort closer to rivers

Suggested amendments and changes:

1. The definition of "Marine" and "River" areas for TACs on salmon fisheries, if applied, must be defined in the EU plan. This important issue cannot be decided by the MS. Each MS should also be required to define what coastal areas (covering all coastal areas of the MS) that will belong to a certain river TAC, and report on this to EC.

2. Smolt production target differs from already agreed target in HELCOM Baltic Sea Action Plan (BSAP). Target to reach in smolt production capacity should be 80% in this plan, to confirm what Baltic Region MS already have agreed upon within HELCOM.
3. Each MS should be requested to develop *Salmon River Management Plans* to reach the Potential Smolt Production Capacity (PSPC) goals, by setting targets for returning salmon spawners, and inclusion of measures such as restoration and protection of spawning & breeding bottoms, and mapping of such areas in the river; control of river and estuary fisheries; monitoring programmes for returning spawners and smolt migration. Trigger points for management, as number of returning spawners to the river, should be set for a "Limit value", when a total closure of the fishery should be considered, a "Pre-cautionary value" under which strict in beforehand agreed control measures will be implemented.

Salmon River Management Plans will support the biodiversity component of the River Basin Management Plans requested within the Water Framework Directive.

4. All kind of harvest of Baltic salmon should be reported and this should be clearly stated in the plan. Especially important is the recreational fishing with nets and traps in estuary and coastal areas. Reliable harvest figures for angling should also be developed.
5. Mixed salmon fisheries can never be a part of long-term sustainable salmon fisheries. All exploitation of salmon should be in rivers and their estuaries in order to minimize mixed stock fishing.
6. All efforts and funds, including EFF funds, must be allocated to conserving, improving and monitoring the natural reproduction as a first priority. Stocking will never be a sustainable solution and all types of fishery must adapt to the natural stock situation.

Important aspects missing in the plan:

1. The future of the Baltic salmon population depends on the post-smolt survival and the situation today is more than alarming. Many actions in the EC Baltic salmon plan will probably have little or no effect in the long run on this problem. The Baltic salmon plan must target the problem with the very low salmon post-smolt survival. Answers to what is happening to the salmon smolt must be found. The Commission and MS must urgently initiate and finance a Baltic assessment of Baltic salmon smolt survival.
2. CCB supports salmon river management plans having trigger points for when emergency measures must be taken. The current proposal for salmon management plan lacks this type of triggers. CCB propose that this concept is amended and trigger points related to the level of returning salmon spawners for each river should be used. If the agreed level is not reached, no exploitation is possible.
3. There is a large unknown and unregulated removal of salmon from the sea every year, and also substantial discarding. ICES estimates show that the mode values in number of salmon are 32 000 fish discarded and 107 000 fish unreported. ICES also estimates that around

200 000 juvenile and adult fish are by-caught in the pelagic fishery, unintentionally by unaware fishermen. This removal, larger than the TAC is not dealt with in this management plan meaning that the bigger share of removal is unregulated and outside control.

This mortality must be addressed by the plan and the by-catch issues must be managed. CCB cannot accept a situation with a reduced legal TAC but an unchanged unknown and uncontrolled removal of salmon. This will only mean that the part of salmon mortality actually managed by the plan will gradually be reduced.

*The Commission and MS should initiate a study to clear out the large removal of juvenile and adult salmon via by-catch and unregulated removal outside of all control.

4. The plan does not propose technical gear provisions such as hook size and hook type in the long line fishery. CCB believes that this is a mistake and that this should be included or immediately amended to other regulations. The plan should reintroduce technical gear provisions such as hook size and hook type in the long line fishery.
5. CCB wants to underline the close relationship between salmon and sea trout, both in their migratory life cycle and the fact that they are caught in the same areas and with same gear. Therefore, the legal catch sizes of salmon and sea trout should be harmonized to avoid misreporting.

A Baltic-wide landing size for both salmon and sea-trout of 65 cm should be introduced, as such landing size would give most salmon and sea-trout a chance to reproduce.

6. Several salmon river cross members states borders and therefore is not managed by a single member state and this fact is not recognized in the plan. In such cases member states should be requested to develop and adopt a joint Salmon River Management Plan.
7. We propose introduction of a new article in the Baltic salmon plan to regulate the need and importance of joint management with Russia, related to salmon in Gulf of Finland and Kaliningrad region, and with Belarus, related to upper Nemunas/Neris river system.
8. To secure the successful implementation of a river specific PSPC and target fishing mortality in one member state it may be necessary to set up additional measures to reduce harvesting in another member state. The plan should give a clear mandate to the Commission intervene in such cases.

CCB comments and proposals for amendments in order of the articles of the proposal

Articles 4 and 5, objectives and targets

- The objectives of the plan are in line with our general goals, but the targets level chosen should be 80% of the potential smolt production capacity. Baltic Sea Region MS have already agreed on this goal within the HELCOM Baltic Sea Action Plan (BSAP) adopted in 2007.

- Regarding targets in art. 5 (4) , CCB would like to see the explicit mentioning of what stringent targets can be for example “number of returning spawners” should be mentioned as this would be a way to control when a fishery should be opened.

Articles 3, 6 and 7, definitions and harvest control

- The lack of a concrete definition of where a river ends and the sea begins present a fundamental problem because management measures and harvest control depends on this. There are several definitions found in the Directives referred to in Article 3 of this proposal but none that clearly states “River” and “Sea”. This is needed since the salmon management proposal foresees a TAC for the river/coast and one for the sea, and how to divide these or set an overall TAC to be divided up for each river is crucial for the effectiveness of this plan.

The Water Framework Directive lists Transitional water and Coastal water and both could be used; however in the Baltic Sea salinity is low and to use the definition Transitional water is therefore problematic. Coastal waters remain as the best option giving an *area stretching 1 nautical mile out from the baseline*.

If defining a river and where the river TAC should be set as stated above, a river TAC would in practice incorporate all coastal fishing (nearby the river mouth and e.g. half-way to the next salmon river) as well as upstream in the actual river.

- Article 6 and 7 include the setting of harvesting rules as TAC and the setting of river specific fishing mortality (F) rates and a fixed F for the marine area of 0.1. As a result of the above mentioned problems with definitions the proposed harvest rules are difficult to assess the outcome of. However setting a fishing mortality targets may be possible but this requires less unknown mortality and much better data compared to what is available today according to ICES (see BSRAC report from ICES and BS RAC meeting about salmon, Copenhagen 17 August 2011:
- Art. 6 - The control and measures empowered to the Commission in the proposal are good and indeed needed if MS are going to have a more free role in setting the TAC in rivers.

Article 8 service vessels

- CCB understands the difficulty of including all recreational fishing in a TAC and the difficulties in controlling this sector. However a large part of the removal of salmon is unknown and this must be tackled. CCB expect that the Commission will sharpen the demands of reporting and better control of the catches in this sector in other regulations e.g. technical and data collection regulations.

Article 9 measures to protect weak stocks

- Weak stocks must be protected before permanent loss of its genetics is a reality. We expect the technical measures referred to shall include possibilities for temporary ban of all types of fishing, including recreational fishing with nets and traps as well as angling and also

encompass national or regional rules to release all caught wild salmon alive. We expect the Commission to promptly request such actions under Art. 11 (2) and (3)

- CCB wants to underline the work already done in HELCOM regarding salmon management measures in and near rivers. HELCOM SALAR project and the recommendations in the document are presented in *“CONSERVATION OF BALTIC SALMON (SALMO SALAR) AND SEA TROUT (SALMO TRUTTA) POPULATIONS BY THE RESTORATION OF THEIR RIVER HABITATS AND MANAGEMENT OF RIVER FISHERIES”* (Rec. 32-33/1) lists a number of actions now agreed and adopted in June 2011 by the HELCOM Contracting Parties.

Articles 12, 13 and 14 - Stocking and restocking

- CCB welcomes the proposal to phase out stocking of salmon as a compensatory measure. All funds today allocated to rearing and releasing salmon should instead be aimed at improving the possibilities for natural production in dammed rivers. If this is not possible the funds should be transferred to nearby rivers to pay for monitoring and conservation measures.

The proposal art. 12 and 13 refer to rearing and stocking in water with wild salmon and possible direct restocking in potential rivers, and states that under certain conditions stocking may be funded via EFF. Stocking, for whatever reason, is showing a decreasing return of investment in the form of poor smolt survival, less returning spawners or as a commercial catch. CCB must underline that rearing and stocking is not a sustainable solution in the long run and it has historically showed poor results. Funds must be allocated to improve the natural reproduction and to protect the fish migration in rivers (both up and down) and the EC Baltic salmon management plan should list this as the top priority.

However, the plan should clearly state that the member states have a specific responsibility to save and protect the extremely weak stocks and that EFF funds can be used for the emergency measure to keep a brood stock alive of an endangered river stock. The main purpose of keeping a genetic bank of live fish must be to reintroduce them in their native river or nearby rivers in a near future.

Wording should be introduced in the plan saying that:

*Stocking shall always be performed with as early life-stages as possible (preferably with eggs and alevins) to mimic natural reproduction and to reach a strong homing instinct of released salmon.

- A text should be amended in the salmon plan, in relation to Article 13 stating that “direct restocking as a conservation measure can be financed via EFF”, that support EFF financing also to be used to improve natural production and migration in wild Baltic salmon rivers and its monitoring.
- In relation to rearing and stocking there should be provisions in the plan for how the farming and how a native brood stock is to be handled and that there should clear minimum standards for this. Such a list of requirements could be introduced by the Commission in

relation to Art. 12 (3), similar to the one in Art. 13 , as an annex or in a separate guidance document for stocking. Such provisions should also include demands that MS in the Baltic area develop more detailed standards for capture of wild brood stock, how to feed and keep the fry, parr and smolt, how to release fish and when etc.

- The possibility to separate reared fish from wild is very important when it comes to choosing brood stock for rearing salmon and to make it possible for national implementation of rules to release all wild fish in certain areas or in rivers. CCB strongly advice that fin-clipping is added as a requirement under article 12 (4) and to the list of requirements listed in Art. 13, for all salmon releases.

Articles 16 and 17 Control

- CCB strongly supports the proposal to keep logbooks for all vessels targeting salmon as stated in Art. 16
- CCB strongly supports the proposal to include sea trout in Art. 17 of the plan and to have the same rules for prior notification regarding salmon and sea trout. Better and easier control and improved data is badly needed in both salmon and sea trout fishery. CCB expect that appropriate rules for prior notification will be developed since the 4 hour rule is difficult to adapt to for most small scale salmon fishermen.

Articles 18 and 19 Authorization and catch declaration

- CCB supports proposals in Art. 18 and 19 that includes service vessels (sport fishing guides targeting salmon) in the catch declaration. However to be fully consistent with the ambitions of Art. 17, sea trout should also be included in the reporting requirements for service vessels.

Article 22 Electrofishing

- CCB supports better control and improved monitoring, as crucial elements to reach sustained salmon stocks. Therefore Art. 22 should be changed from saying the rivers may be surveyed with electrofishing to shall be surveyed with electrofishing. The text should be amended and clearly state that such monitoring can be funded by EFF or via funds allocated to existing stocking programmes can instead be devoted to monitoring.

Article 25 Delegated powers

- Due to the conservation efforts present and ambitions to restore salmon rivers in the Baltic Sea (for example in the HELCOM BSAP via the SALAR project recommendations), CCB sees it necessary to have possibilities to update and change the list of Baltic wild salmon rivers. CCB thus support art. 25 empowering the Commission to amend the annexes of this management plan.