

Stage 1 Habitats Regulations Assessment

Environment Agency record of screening for likely significant effects

Version: 27/02/2018

Sent to Natural England for **consultation**

Permission, plan or project (PPP) details

Type of PPP:	Salmon rod and net fisheries changes to byelaws and proposed new measures
Environment Agency reference no:	n/a

Description of proposal

Over the past 20-30 years, there has been a marked decline in the abundance of Atlantic salmon across much of the distributional range. Evidence suggests there has been an increase in the mortality of salmon at sea between their seaward migration as juveniles (smolts) and their return to freshwater as adult fish. The precise causes of this increased mortality have not been determined, but it is likely they are related to climate forcing indices, suggesting an underlying link with climate change.

Estimates of salmon marine survival are therefore an important requirement. Ongoing collaborations between Cefas, the Environment Agency and others through the 'Salmon Five Point Approach' have identified a number of measures to help restore the abundance, diversity and resilience of salmon stocks throughout England.

Part of these measures include further reducing exploitation by nets and rods by implementing a number of changes to existing byelaws. This assessment will give an overview of how those changes and new measures will impact on the Atlantic salmon and sea trout as designated features rather than an assessment on the sites they are designated for. This is because this assessment is not assessing the impact of each type of fishery on the designated site – this would have been done in an HRA completed for that fishery at the time.

This assessment will only focus on salmon and sea trout and how the new measures will impact on them as features. In all cases the impact will be positive and will represent a marked step towards improvements in salmon and sea trout populations in England, Wales and Scotland.

The following existing National Salmon Byelaws that apply to all England and Border Esk will be renewed:

- Netting season for salmon and sea trout starts 1 June (see notes for exempt fisheries in [Appendix 1](#)).
- No angling for salmon, other than with artificial fly or lure, prior to 16 June.
- Return of all salmon by anglers before 16 June.

In addition to the existing byelaws, there will be a new byelaw that requires the release of all salmon caught by rod and line from recovering salmon rivers (and their tributaries) at all times (see [Appendix 1](#) for details). If voluntary catch and release is not achieved we will seek to revert to 100% mandatory for the rivers classed 'probably at risk'.

The following restrictions will also be in place for the angling of salmon, sea trout and trout:

- Only allowing single, double or treble hooks with a maximum gape of 7mm to be used when using prawn or shrimp as bait. No more than 1 single, double or treble hook to be used.
- Only allowing single hooks to be used on lures with a maximum gape of 13mm.
- Treble hooks used on flies limited to a maximum gape of 7mm.

The proposed national byelaws for net and fixed engine fisheries have been applied on a fishery basis and form part of this assessment, with detail given in [Appendix 1](#).

The proposed approaches for national catch and release byelaws for rod fisheries have been applied on a river basis and form part of this assessment with detail in [Appendix 1](#) using 2021 predicted status to determine the measure.

European sites requiring assessment

The following table represents a full list of all Special Areas of Conservation (SACs) designated for salmon in England, Wales and Scotland. This assessment will look at salmon designated as a SAC feature that could be impacted by a fishery. SAC sites designated for salmon that have a potential to be impacted by the new measures proposed are signified in green and will be screened in to this assessment. Sea trout is only designated as a Ramsar feature for the Severn Estuary Ramsar, so will be treated the same as salmon in this instance.

Sites designated for salmon	Site code	Net Fishery / River	Designation	Country	Salmon as qualifying feature?	Screened in?
Dartmoor	UK0012929	Dart, Teign, Tavy and Lynher	SAC	England	No	Yes
River (Hampshire) Avon	UK0013016	Christchurch Harbour / River Avon	SAC	England	Yes	Yes
River Camel	UK0030056	Camel / River Camel	SAC	England	No	Yes
River Derwent & Bassenthwaite Lake	UK0030032	River Derwent	SAC	England	Yes	Yes
River Ehen	UK0030057	River Ehen	SAC	England	No	Yes
River Eden	UK0012643	Solway / River Eden	SAC	England	Yes	Yes
River Itchen	UK0012599	River Itchen	SAC	England	No	Yes
River Wye/ Afon Gwy	UK0012642	Severn	SAC	England / Wales	Yes	Yes
River Usk/ Afon Wysg	UK0013007		SAC	Wales	Yes	Yes
Severn Estuary	UK0013030		Ramsar for salmon and sea trout (& SAC 'estuaries' sub-feature)	England / Wales	No	Yes

River Tweed	UK0012691	Scotland but salmon populations linked to NE Fishery	SAC	England / Scotland	Yes	Yes
River Spey	UK0019811		SAC	Scotland	Yes	Yes
River Tay	UK0030312		SAC	Scotland	Yes	Yes
Berriedale and Langwell Waters	UK0030088		SAC	Scotland	Yes	Yes
River South Esk	UK0030262		SAC	Scotland	Yes	Yes
River Naver	UK0030260		SAC	Scotland	Yes	Yes
River Thurso	UK0030264		SAC	Scotland	Yes	Yes
River Borgie	UK0012995		SAC	Scotland	No	Yes
River Oykel	UK0030261		SAC	Scotland	No	Yes
River Teith	UK0030263		SAC	Scotland	No	Yes
River Bladnoch	UK0030249	N/A	SAC	Scotland	Yes	No
River Dee	UK0030251	N/A	SAC	Scotland	Yes	No
Langavat	UK0030255	N/A	SAC	Scotland	Yes	No
Little Gruinard River	UK0030183	N/A	SAC	Scotland	Yes	No
North Harris	UK0012935	N/A	SAC	Scotland	No	No
Endrick Water	UK0019840	N/A	SAC	Scotland	No	No
River Moriston	UK0030259	N/A	SAC	Scotland	No	No
River Dee and Bala Lake	UK0030252	Rod fishery only – delivery to be led by NRW	SAC	England / Wales	Yes	No
Afon Gwyrfaï a Llyn Cwellyn	UK0030046	N/A	SAC	Wales	Yes	No
Afon Teifi/ River Teifi	UK0012670	N/A	SAC	Wales	Yes	No
Afon Eden - Cors Goch Trawsfynydd	UK0030075	N/A	SAC	Wales	No	No
River Roe and Tributaries	UK0030360	N/A	SAC	Northern Ireland	Yes	No
River Faughan and Tributaries	UK0030361	N/A	SAC	Northern Ireland	Yes	No
River Foyle and Tributaries	UK0030320	N/A	SAC	Northern Ireland	Yes	No
Lough Melvin	UK0030047	N/A	SAC	Northern Ireland	No	No
Owenkillev River	UK0030233	N/A	SAC	Northern Ireland	No	No

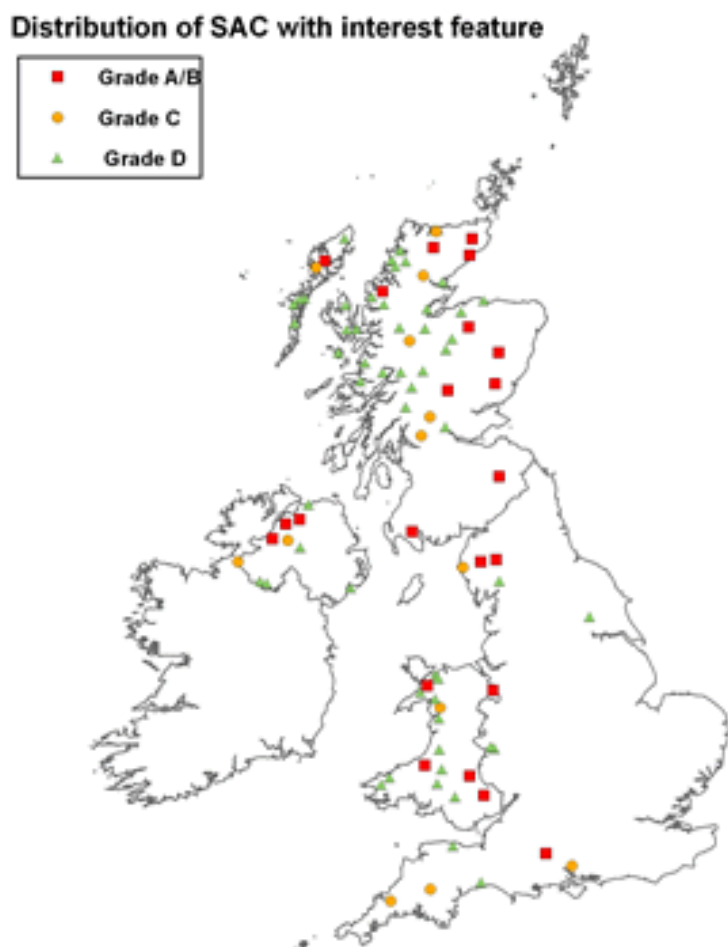
Salmon found in East and North East Scotland are known to be from a mixed stock that includes salmon stocks from NE England. This means that any new measures that affect the NE fishery could impact on SAC sites within East and North East Scotland and therefore will be screened in.

Salmon returning to SAC rivers in Wales (excluding Wye and Usk), West and North West Scotland and Ireland are not likely to be substantially affected by net fisheries in England as these net fisheries are targeting salmon stocks within estuaries that are returning to the river(s) that feed these estuaries. These sites are therefore screened out.

However, it is important to note that the SACs designated for salmon in Scotland, Wales and Northern Ireland that have not been screened in, still have the potential to benefit from the proposed changes to the existing byelaws to help restore the abundance, diversity and resilience of salmon stocks across the UK and beyond.

Map(s) showing PPP location and European site(s)

Map 1. Distribution of SACs with SAC species '1106 Salmon (*Salmo salar*). JNCC website: <http://jncc.defra.gov.uk/ProtectedSites/SACselection/species.asp?FeatureIntCode=s1106>



Conservation objectives¹

The assessment of likely significant effect will consider the implications of the proposal in view of the site's conservation objectives.

¹ Generic conservation objectives are based on 'Natural England (2014) Conservation Objectives for European Sites in England Strategic Standard 01/02/2014 V1.0'

Generic conservation objectives for SACs

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its qualifying features, by maintaining or restoring;

For qualifying habitats

- The extent and distribution of qualifying habitats
- The structure and function (including typical species) of qualifying habitats, and
- The supporting processes on which qualifying habitats rely.

For qualifying species

- The extent and distribution of habitats of qualifying species
- The structure and function of habitats of qualifying species
- The supporting processes on which habitats of qualifying species rely
- The populations of qualifying species, and
- The distribution of qualifying species within the site.

Generic conservation objectives for SPAs

Ensure that the integrity of the site is maintained or restored as appropriate, and to ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring,

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The populations of the qualifying features, and
- The distribution of the qualifying features within the site.

Conservation objectives for Ramsar sites

There are currently no conservation objectives for Ramsar sites. The SAC/SPA conservation objectives will be used when the qualifying features are the same, and advice sought from Natural England in other cases if necessary.

HRA Stage 1 screening table

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
Dartmoor SAC	Atlantic salmon (<i>Salmo Salar</i>)	Dart	Draft or seine net	Retain exemption to fish pre 1 June, season ends on this date.	Fishery currently has zero Net Limitation Orders (NLO) in place with no licences issued due to buy-out in 2015. NLO expires 2025.	The new net fishery measures will ensure salmon stocks are better protected within Dartmoor SAC. No likely significant effect.	The Dart, Teign, Tavy and Lynher fisheries have the ability to act in combination on the Dartmoor SAC salmon feature. However, the new measures proposed along with the current restrictions for both rod and net fisheries will help reduce the impact of salmon stocks within the Dartmoor SAC. No likely significant effect in combination.
		River Dart	Rod	Voluntary Catch and release @>90% from 2018 with review of success in 2019.	None	Catch and Release data shows that rod fishing on the River Dart is already at 96% (total) and 96% (post June 16)*. The new measure for the River Dart will ensure the voluntary catch and release rate remains >90% from 2018. The following restrictions will remain in place: No worm or maggot. No shrimp or prawn except below Staverton Bridge. No spinning above Holne Bridge. This will ensure	

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
						continuing protection of salmon stocks within Dartmoor SAC. No likely significant effect.	
		Teign	Draft or seine Net	Retain exemption to fish pre 1 June, season ends on this date.	Current NLO is set at 3 licences with renewal. NLO expires 2020.	The new net fishery measures will ensure salmon stocks are better protected within Dartmoor SAC. No likely significant effect.	
		River Teign	Rod	Voluntary catch and release @>90% from 2018 with review of success in 2019.	None	The new measure for the River Teign will ensure the voluntary catch and release rate is >90% from 2018 with review of success in 2019. The following restrictions will remain in place: artificial fly or lure only after 31 August 2018. This will be an improvement compared with current catch and release rates (69% total and 64% post	

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
						16 June)* and ensure further protection of salmon stocks within Dartmoor SAC. No likely significant effect.	
		Tavy	Tavy – draft or seine net	Sea trout: salmon ratio does not exceed 4:1. Fishery closes. The new byelaw will close fishery.	Current NLO is reducing to zero with 3 licenses issued. A catch limit of 5 salmon (no sea trout limit) is in place. All salmon caught to be retained, fishing stops when limit is reached. NLO expires 2024.	The new net fishery byelaw will close the fishery and salmon stocks meaning that the Dartmoor SAC will be better protected. No likely significant effect.	
		River Tavy	Rod	Voluntary catch and release @>90% from 2018 with review of success in 2019.	None	The new measure for the River Tavy will ensure the voluntary catch and release rate is >90% from 2018 with review of success in 2019. This will be an improvement compared with current catch and release rates (80% total and 82% post 16 June)* and ensure further protection of salmon	

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
						stocks within Dartmoor SAC. No likely significant effect.	
		Lynher	Lynher – draft or seine net	Sea trout: salmon ratio does not exceed 4:1. Fishery closes. The new byelaw will close fishery.	Fishery currently has zero NLO in place with no licences issued. NLO expires 2024.	The new net fishery byelaw will close the fishery and salmon stocks meaning that the Dartmoor SAC will be better protected. No likely significant effect.	
		River Lynher	Rod	Voluntary catch and release @>90% from 2018 with review of success in 2019.	None	Catch and Release data shows that the River Lynher is already at 94% (total) and 93% (post June 16)*. The new measure for the River Lynher will ensure the voluntary catch and return rate remains >90% from 2018. This will ensure further protection of salmon stocks within Dartmoor SAC. No likely significant effect.	

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
River (Hampshire) Avon SAC	Atlantic salmon (<i>Salmo Salar</i>)	Christchurch Harbour	Seine or draft Net	No new measures - No data from last five years – leave as is and re-assess at next NLO review.	Fishery currently has zero NLO in place with no licences issued due to buy-out in 2012. NLO expires 2022.	There are no new measures in place for the net fishery. No likely significant effect.	There is only one fishery that has the ability to impact on salmon stocks within the River Avon SAC. New measures will be in place to further protect salmon stocks. No likely significant effect in combination.
		River (Hampshire) Avon	Rod	Voluntary catch and release @>90% from 2018 with review of success in 2019.	None	Catch and Release data shows that rod fishing on the River Avon is fully compliant and already at 100% (total) and 100% (post June 16)*. The new measure for the River Avon will ensure the voluntary catch and return rate remains >90% from 2018. This will ensure continuing protection of salmon stocks within Avon SAC. No likely significant effect.	
River Camel SAC	Atlantic salmon (<i>Salmo Salar</i>)	Camel	Draft, seine, drift or hang net.	From 2018 and for life of byelaw: fishery to close due to use of drift net.	Current NLO is set at 6 licences with renewal. NLO expires 2018. Emergency byelaw bought in 2017, which closes fishery for 2018 season.	The new net fishery byelaw will close the fishery and salmon stocks within the River Camel SAC will be better protected. No likely significant effect.	There is only one fishery that has the ability to impact on salmon stocks within the River Camel SAC. New measures will be in

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
		River Camel	Rod	Voluntary catch and release @>90% from 2018 with review of success in 2019.	None	The new measure for the River Camel will ensure the voluntary catch and release rate is >90% from 2018. This will be an improvement compared with current catch and release rates at 67% (total) and 67% (post 16 June)* and ensure further protection of salmon stocks within the River Camel SAC. No likely significant effect.	place to further protect salmon stocks. No likely significant effect in combination.
River Derwent & Bassenthwaite Lake SAC	Atlantic salmon (<i>Salmo Salar</i>)	River Derwent	Rod only (No net fishery)	100% Mandatory catch and release from 2018	None	The new measure for the River Derwent will ensure 100% mandatory catch and release. This will be an improvement compared with current catch and release rates at 79% (total) and 79% (post 16 June)* and ensure further protection of salmon stocks within the River	Only rod fishing has the ability to impact on salmon stocks within the River Derwent & Bassenthwaite Lake SAC, which has new measures in place to further protect salmon stocks. No likely

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
						Derwent & Bassenthwaite Lake SAC. No likely significant effect.	significant effect in combination.
River Eden SAC	Atlantic salmon (<i>Salmo Salar</i>)	Solway / River Eden	Heave or Haaf net and Rod	Current Net Limitation Order (NLO) and byelaw package has expired and is being reviewed. Advertisement of proposed measures in Jan/Feb 2018. These will include release of all salmon caught by this fishery. New package of measures will be in place for 10 years.	S5PA measures will therefore be delivered by NLO and local byelaw package, specific measures for this fishery won't therefore be included in new National Salmon Byelaws.	There is a current consultation on new Net Limitation Order and local byelaws requiring release of all salmon from 2018 season. This will be covered under local measures supported by a separate Habitats Regulations Assessment for both net and rod fisheries. River Eden - N/A	N/A
River Ehen SAC	Atlantic salmon (<i>Salmo Salar</i>)	River Ehen	Rod only (No net fishery)	Voluntary catch and release @>90% from 2018 with review of success in 2019.	None	The new measure for the River Ehen will ensure the voluntary catch and release rate is >90% from 2018. This will be an improvement compared with current catch and release rates at 47% (total) and 48% (post 16 June)* and	Only rod fishing has the ability to impact on salmon stocks within the River Ehen SAC, which has new measures in place to further protect salmon stocks. No likely significant

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
						ensure further protection of salmon stocks within the River Ehen SAC. No likely significant effect.	effect in combination.
River Itchen SAC	Atlantic salmon (<i>Salmo Salar</i>)	Southern Coastal	No net fishery	No net fishery on River Itchen. From 2018 and for the life of byelaw: require release of all salmon caught.	Current NLO of 1 licence, which is currently taken by Beaulieu Estates. NLO expires 2018 and is currently under review. Current fishery only catches sea trout so new requirement to release any salmon caught will have no impact on this fishery.	Beaulieu River only. No pathway to impact on salmon stocks from the River Itchen - N/A	Only rod fishing has the ability to impact on salmon stocks within the River Itchen SAC, which has new measures in place to further protect salmon stocks. No
		River Itchen	Rod	Voluntary catch and release @>90% from 2018 with review of success in 2019.	None	Catch and Release data shows that rod fishing on the River Itchen is fully compliant and already at 100% (total) and 100% (post June 16)*. The new measure for the River Itchen will ensure the voluntary catch and return rate remains >90% from 2018. This will ensure continuing protection of salmon stocks within	likely significant effect in combination.

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
						the River Itchen SAC. No likely significant effect.	
River Wye/ Afon Gwy SAC, River Usk/ Afon Wysg SAC , and Severn Estuary SAC and Ramsar	Atlantic salmon (<i>Salmo Salar</i>) and sea trout (<i>Salmo trutta</i>) for Severn Estuary only	Severn	Putcher Rank	No new measures.	Current NLO of 6 licences with a total allowable catch of 136 salmon (in 2016). NLO expires 2019.	There are no new measures in place for the net fishery. No likely significant effect.	The Severn fishery has the potential to impact upon salmon (& trout) across 3 different SAC sites designated for the species. Since no new measures are being put forward and the predicted compliance at each of the sites has been classed as 'probably not at risk' , therefore we do not foresee any likely significant effects in-combination.
			Lave net	No new measures.	Current NLO of 26 licences with a total allowable catch of 26 salmon (in 2016). NLO expires 2019.	There are no new measures in place for the net fishery. No likely significant effect.	
			Draft net	No new measures.	Current NLO of 1 licence with a total allowable catch of 3 salmon (in 2016). NLO expires 2019.	There are no new measures in place for the net fishery. No likely significant effect.	
			Rod			The River Severn operates a voluntary catch and release of 78% (total) and 61% (post June 16)*. Its predicted compliance up to 2021 puts the site in the category of 'probably not at risk' so no new measures are required. No likely significant effect.	

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
						River USK A new measure has been proposed for the River Usk by Natural Resources Wales for 100% mandatory catch and release (currently under consultation). Its predicted compliance up to 2021 puts the site in the category of 'probably not at risk' so no new measures are required. No likely significant effect. The River Wye already operates at 100% mandatory catch and release. Its predicted compliance up to 2021 puts the site in the category of 'probably not at risk' so no new measures are required. No likely significant effect.	

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
East coast Scottish SACs designated for salmon: • River Tweed • River Spey • River Tay • Berriedale and Langwell Waters • River South Esk • River Naver • River Thurso • River Borgie • River Oykel • River Teith	Atlantic salmon (<i>Salmo Salar</i>)	North East Coast (England)	Drift Nets, Beach Nets (T&J nets)	Drift nets – fishery will close. Beach nets – for 2019 season and thereafter the decision is for the release of all caught salmon caught.	Gradual phase out of mixed stock fishery. Current reducing Net Limitation Order (NLO) to zero stays in place, so that the remaining T and J net coastal mixed stock fishery for sea trout reduces and ultimately ends as fishermen leave the fishery. NLO expires in 2022.	The new measures will bring a significant reduction in net caught salmon a proportion (>50%) of which return to Scottish East coast SAC rivers. Due to the measures likely to significantly improve Scottish salmon stocks. No likely significant effect.	The NE Coast Fishery has the ability to act in combination on the East Coast Scottish SACs designated for salmon. However, the new measures proposed along with the current restrictions for both rod and net fisheries will help reduce the impact on salmon stocks within the East coast of the UK and benefit Scottish rivers designated for salmon. No likely significant effect in combination.
		Coquet, Tyne, Wear, Tees and Esk.	Rod	Tyne and Wear and Rivers not considered at risk so will remain at the voluntary catch and release rate. Coquet and Esk will move to Voluntary catch and release @ > 90% from 2018 with review of success in 2019. River Tee will move to 100% mandatory catch and release from 2018.	None	The current Catch and Release (C&R) rates for the River Coquet are 74% (total) and 67% (post 16 June). For the River Esk 87% (total) and 85% (post 16 June) and for the River Tees 93% (total) and 93% (post 16 June)*. A Voluntary catch and release @ > 90% from 2018 for the Rivers Coquet and Esk along with a 100% mandatory catch and release for	

Site name	Feature to be assessed	Net Fishery / River	Fishing method	New measures	Comments	Likely significant effect alone?	Likely significant effect in combination?
						the River Tee will ensure continuing protection of salmon stocks within the NE rivers and beyond to support the protection of salmon stocks within Scottish SAC rivers. No likely significant effect.	

* Catch and Release (C&R) data is declared data from 2016 (% C&R for whole season and post 16 June). Existing byelaws and voluntary measures restricting C&R and angling methods.

Alone assessment (further details)

Through the 'Salmon Five Point Approach' a number of measures have been identified to help restore the abundance, diversity and resilience of salmon stocks throughout England. The new measures will see quite a few fishing methods significantly restricted in the actual take of salmon with some set to close in the very near future. It is hoped that the new proposed measures will significantly improve salmon stocks across England and East/NE Scotland and potentially sites within Wales and Northern Ireland.

Further details of the proposed summary of measures can be found in [Appendix 1](#).

In combination assessment (further details)

In combination impacts are very limited. As above, these new measures will significantly improve salmon stocks across England and East/NE Scotland and potentially sites within Wales and Northern Ireland.

Environment Agency PPP assessed in combination

All of the relevant Environment Agency fishing methods for salmon have been included within this assessment and have therefore been accounted for. No further PPPs to assess.

PPP of other competent authorities assessed in combination

The Salmon Five point Approach is an ongoing collaboration between Cefas, the Environment Agency and others, such as Inshore Fisheries and Conservation Authorities. All relevant authorities are therefore aware and / or involved in the approach.

Advice

Environment Agency internal advice and consultation

National Fisheries Senior Advisors: Simon Toms, Andy Martin,
National Fisheries Manager: Graeme Storey
National Biodiversity Senior Advisor: Craig Rockliff

Natural England advice

Natural England responded to the initial consultation in Aug/Sep 2017
Numerous conversations, meetings and emails with Dave Ottewell - Lakes Restoration Programme Manager, and Chris Mainstone.

Third party advice

None

Decision

The Environment Agency:

Concludes there is no likely significant effect alone or in combination to the salmon and sea trout feature against all of the SAC and Ramsar sites assessed.

Through the 'Salmon Five Point Approach' a number measures have been identified to help restore the abundance, diversity and resilience of salmon stocks throughout England. The new measures will see quite a few fishing methods significantly restricted in the actual take of salmon with some set to close in the very near future. It is hoped that the new proposed measures will significantly improve salmon stocks across England and East/NE Scotland and potentially sites within Wales and Northern Ireland.

Name of Environment Agency officer:	Eve Leegwater
Job title:	National Biodiversity & Fisheries Advisor
Date:	27/02/2018

This screening of significant effects has been sent to the Natural England for **consultation**

Date sent to Natural England:	28/02/2018
Date response received from Natural England:	8 th March 2018
Is there agreement with the assessment and decision	Yes – when comments below are taken into consideration

Natural England comments on screening for likely significant effect

If the review of the national byelaw and its effectiveness (discussed below) is not undertaken after one year, there may be the potential to undermine local by-law development for the River Eden SAC. The local proposal for mandatory 100% catch and release for the rod fishery at this site is due to no progress being made towards a voluntary achievement of 100% catch and release for the 'probably at risk' R. Eden.

Natural England comments on the scope of the appropriate assessment

Natural England support the aims and objectives of the proposed national byelaws for net and fixed engine fisheries and catch and release for rod fisheries in designated sites across England. The reduction in exploitation pressure represents a clear benefit to salmon stocks within these sites and associated migratory routes. However, where salmon is a notified feature of a protected site (SSSI or SAC), for a site to comply with favourable condition (as defined in the Common Standards Monitoring guidance for freshwater fauna), sites must achieve their management objective for salmon. Where this objective is not achieved exploitation pressure must be reduced, to zero if required, to restore favourable condition.

In our response to the consultation on Managing salmon fisheries in England and on the Border Esk, submitted on the 16th October 2017, it was highlighted that in the opinion of Natural England, to fulfil the additional duty of care associated with specially protected sites, those rivers where salmon is part of the notified interest and considered either 'At Risk' and 'Probably At Risk' (including migratory corridors connected to those rivers) should be subject to 100% catch and release of rod caught fish. Natural England understands that this may not be immediately deliverable within one year and to enforce this position may limit gains in protection in other areas of the proposed byelaw changes. Natural England therefore advise

that a review of the byelaws be undertaken after one year of their implementation. Should 100% voluntary C&R not be achieved by the end of this period in all specially protected rivers where salmon forms part of the notified interest, and / or salmon stocks continue to decline in these sites and their associated migratory corridors, 100% mandatory C&R should be considered.

Name of Natural England officer	Dave Ottewell
Job title:	Lake Restoration Programme Manager / Freshwater Fish Specialist
Date:	8 th March 2018

Appendix 1. Summary of measures for rod and net fisheries – Final 27/02/18

1. National byelaws applying to all England and Border Esk

Existing National Salmon Byelaws	Decision	Notes
Netting season for salmon and sea trout starts 1 June (see notes for exempt fisheries).	Renewal	The following fisheries were provided with exceptions to this byelaw: • T & J net fisheries of the North East Coast (close season ends on 25 March) • Anglian coastal net fisheries (close season ends on 31 March) • Seine net fisheries on the River Teign and its estuary (close season ends on 14 March) • Seine net fisheries on the River Dart and its estuary (close season ends on 14 March) • Seine net fisheries on the River Fowey and its estuary (close season ends on 1 March) These exceptions will continue for the new national salmon byelaw package.
No angling for salmon, other than with artificial fly or lure, prior to 16 June.	Renewal	Note additional restrictions on these methods that are set out below.
Return of all salmon by anglers before 16 June.	Renewal	Note effective extension of this byelaw for 'At Risk' rivers – see Section 3. Applies to all rivers in England and Border Esk. Proposed local C&R byelaws for Eden and Border Esk are for period post 16 June.
Recovering salmon rivers		Notes
New byelaw that requires the release of all salmon caught by rod and line from recovering salmon rivers (and their tributaries) at all times.		This measure and the measure for At Risk rivers will mean that mandatory C&R will be in place for the whole year for these rivers, rather than just up to the 16 June as is currently the case.
Angling method restrictions from 2019 – for salmon and sea trout		Notes - All other good practice angling methods that were included in the initial consultation will be promoted on a voluntary basis.
Only allowing single, double or treble hooks with a maximum gape of 7mm to be used when using prawn or shrimp as bait. No more than 1 single, double or treble hook to be used.		Hook size limit set to match that of treble hooks when using flies.
Only allowing single hooks to be used on lures with a maximum gape of 13mm.		No restriction on more than one single hook on a lure, so Rapala type lures can still have 2 or more sets of hooks.
Treble hooks used on flies limited to a maximum gape of 7mm.		Size limited to a maximum hook gape (shank to hook point) of 7mm.

2. National byelaws for net & fixed engine fisheries applying on a river basis

See rod fishery table for rivers and their respective stock status

North East Coast Net Fishery

	Net fishery	Fishing District	Decision	Notes
NE	Drift Nets	N/A – covers all Y & NE drift nets	Close fishery from and including 2018 season.	Season currently starts on 1 June. Permanent closure as coastal mixed stock fishery.
	Beach Nets (T&J nets)	1	For 2019 season and thereafter: release of all salmon caught and modify netting season for sea trout to end on 31 May.	T – nets used. Decision meets S5PA and North Coast NLO mid-term review requirements.
		2	For 2019 season and thereafter: release of all salmon caught and modify netting season for sea trout to end on 31 May.	No beach net fishery in this district as the 1 Licence who fished this district left the fishery.
		3	For 2019 season and thereafter: release of all salmon caught and modify netting season for sea trout to end on 31 May.	J nets used. Decision meets S5PA and North Coast NLO mid-term review requirements.
		4	For 2019 season and thereafter: release of all salmon caught and modify netting season for sea trout to end on 30 June.	J nets used. Decision meets S5PA and North Coast NLO mid-term review requirements.
		5	For 2019 season and thereafter: release of all salmon caught and modify netting season for sea trout to end on 30 June.	J nets used. Decision meets S5PA and North Coast NLO mid-term review requirements.
		6	For 2019 season and thereafter: release of all salmon caught and netting season for sea trout ends on current date of 31 August.	J nets used. Decision meets S5PA and North Coast NLO mid-term review requirements.
		7	For 2019 season and thereafter: release of all salmon caught and netting season for sea trout ends on current date of 31 August.	J nets used. Decision meets S5PA and North Coast NLO mid-term review requirements.

New/revised measures for whole fishery (repeated in Section 4) for 2019 season and thereafter:

- Amend the attendance at nets requirement for beach nets to require close attendance in a boat when fishing so that all salmon can be removed with least delay, for Districts 1 - 5. Not required for Districts 6 & 7 due to the very low catch of salmon and disproportionate impact attendance by boat would have on these fishery districts. This will be as implemented via a licence condition.
- Remove the regional byelaw exemption allowing T nets to fish in the Tyne and the Coquet Conservation Areas (by revoking Regional Fishery Byelaw 16).

Also - current reducing NLO to zero stays in place so that the remaining T and J net coastal mixed stock fishery for sea trout reduces and ultimately ends as fishermen leave the fishery. NLO expires in 2022.

All other net fisheries

	Net fishery	Fishing Method	Decision	Notes
SW	Christchurch Harbour*	Seine or draft Net	No data from last five years – leave as is and reassess at next NLO review.	Fishery currently has zero NLO in place with no licences issued due to buy-out in 2012. NLO expires 2022.
	Poole Harbour	Seine or draft Net	Sea trout to salmon ratio (ST:SA) exceeds 4:1 in June only. Restrict season to June only and require release of all salmon, from 2019.	Current NLO is reducing to zero with 1 licence issued. NLO expires 2027.
	Exe	Draft Net	ST:SA ratio does not exceed 4:1. Fishery closes, from 2019.	Current NLO is set at 3 licences with renewal. NLO expires 2021.
	Teign	Draft or seine Net	Retain exemption to fish pre 1 June, season ends on this date, from 2019.	Current NLO is set at 3 licences with renewal. NLO expires 2020.
	Dart*	Draft or seine net	Retain exemption to fish pre 1 June, season ends on this date, from 2019.	Fishery currently has zero NLO in place with no licences issued due to buy-out in 2015. NLO expires 2025.
	Tavy, Tamar & Lynher*	Tavy* – draft or seine net	ST:SA ratio does not exceed 4:1. Fishery closes, from 2019.	Current NLO is reducing to zero with 3 licenses issued. A catch limit of 5 salmon (no sea trout limit) is in place. All salmon caught to be retained, fishing stops when limit is reached. NLO expires 2024.
		Tamar – draft or seine net	ST:SA ratio does not exceed 4:1. Fishery closes, from 2019.	Current NLO is reducing to zero with 3 licenses issued. A catch limit of 69 salmon (no sea trout limit) is in place, limit is shared equally by licenses. All salmon caught to be retained, fishing stops when limit is reached. NLO expires 2024.
		Lynher – draft or seine net	ST:SA ratio does not exceed 4:1. Fishery closes, from 2019.	Fishery currently has zero NLO in place with no licences issued. NLO expires 2024.
	Fowey	Draft or seine	Retain exemption to fish pre 1 June, season ends on this date, from 2019.	Current NLO is set at 1 licence and existing licensee has been bought out for life of NLO not to fish. NLO expires 2018 and is currently under review.

	Net fishery	Fishing Method	Decision	Notes
SW	Camel*	Draft, seine, drift or hang net.	From 2018 and for life of byelaw: fishery to close due to use of drift net.	Current NLO is set at 6 licences with renewal. NLO expires 2018. Emergency byelaw bought in 2017, which closes fishery for 2018 season.
	Rivers Taw and Torridge	Draft or seine net.	ST:SA ratio does not exceed 4:1. Fishery closes, from 2019.	Current NLO is set at 1 licence with renewal. NLO expires 2022.
Anglian	Anglian coastal fishery	Drift net and other nets	From 2018 and for the life of byelaw: require release of all salmon caught.	This fishery targets sea trout takes <10 salmon per year. Current reducing NLO will remain in place so that fishery reduces over time as existing licensees and their partners leave the fishery. NLO expires in 2022. A new requirement to release any salmon caught will have minimal impact on this fishery.
Southern	Southern Coastal	Any	From 2018 and for the life of byelaw: require release of all salmon caught	Current NLO of 1 licence, which is currently taken by Beaulieu Estates. NLO expires 2018 and is currently under review. Current fishery only catches sea trout so new requirement to release any salmon caught will have no impact on this fishery.
Midlands / Wales	Severn*	Putcher Rank	No new measures.	Current NLO of 6 licences with a total allowable catch of 136 salmon (in 2016). NLO expires 2019.
		Lave net	No new measures.	Current NLO of 26 licences with a total allowable catch of 26 salmon (in 2016). NLO expires 2019.
		Draft net	No new measures.	Current NLO of 1 licence with a total allowable catch of 3 salmon (in 2016). NLO expires 2019.
NW	Ribble	Drift net	From 2018 and for life of byelaw: fishery to close due to use of drift net.	Current NLO reducing to 1 Licence with 4 licenses currently issued. Salmon catch limited to 48 salmon per season (equal distribution). NLO expires 2027.
	Lune	Drift Net	From 2018 and for life of byelaw: fishery to close due to use of drift net.	Current NLO set at 7 licences (capped). NLO expires 2019.
		Haaf net	From 2018 and for the life of byelaw: require release of all salmon caught.	Current NLO set at 12 licences (capped). NLO expires 2019. Timing of this measures is 1 year earlier than for other fisheries so that it matches measures for drift net and rod anglers on Lune.

	Net fishery	Fishing Method	Decision	Notes
NW	Kent	Lave net	From 2019 and for life of byelaw: require release of all salmon caught.	Current NLO set at 6 licences (capped). NLO expires 2023.
	Leven	Lave net	From 2019 and for life of byelaw: require release of all salmon caught.	Current NLO set at 2 licences (capped). NLO expires 2023.
	Solway (England)*	Heave or Haaf net	Current NLO and byelaw package has expired and is being reviewed. Advertisement of proposed measures in Jan 2018. These will include release of all salmon caught by this fishery. New package of measures will be in place for 10 years. S5PA measures will therefore be delivered by NLO and local byelaw package, specific measures for this fishery won't therefore be included in new National Salmon Byelaws.	

* Fisheries that take salmon form one or more SACs

3. Proposed national catch and release byelaws approaches for rod fisheries applying on a river basis – 2021 predicted status is used to determine measure. If current catch and release rate is higher than the proposed then the current rate will be required to be maintained.

Location	Net fishery	River	Compliance 2016	Predicted compliance 2021	100% mandatory C&R from 2018	Voluntary C&R @ > 90% from 2018 with review of success in 2019	Voluntary C&R at current from 2018	Notes – C&R data is declared data from 2016 (% C&R for whole season and post 16 June). Existing byelaws and voluntary measures restricting C&R and angling methods.
NE	North East Drift and Beach (Scottish rivers affected are not shown)	Coquet	Probably at risk	Probably at risk	-	X	-	C&R rate of 74% (tot) and 67% (post 16 June). No night fishing, except with natural or artificial bait and hook must pass a 10mm tube.
		Tyne	Probably not at risk	Probably not at risk	-	-	X	C&R rate of 75% (tot) and 74% (post 16 June). No night fishing, except with natural or artificial bait and hook must pass a 10mm tube.
		Wear	Probably not at risk	Probably not at risk	-	-	X	C&R rate of 81% (tot) and 80% (post 16 June). No night fishing, except with natural or artificial bait and hook must pass a 10mm tube.
		Tees	At risk	At risk	X	-	-	C&R rate of 93% (tot) and 93% (post 16 June). No night fishing, except with natural or artificial bait and hook must pass a 10mm tube.
		Esk (Yorks)	Probably at risk	Probably at risk	-	X	-	C&R rate of 87% (tot) and 85% (post 16 June).
Southern	-	Test	Probably at risk	Probably not at risk	-	-	X	C&R rate of 99% (tot) and 99% (post 16 June). Voluntary achievement of 100% catch and release already forms part of measures to protect salmon stocks. Voluntary worm ban – whole season.
	-	Itchen*	Probably at risk	Probably at risk	-	X	-	C&R rate of 100% (tot) and 100% (post 16 June). Voluntary achievement of 100% catch and release already forms part of measures to protect salmon stocks. Voluntary worm ban – whole season.
SW	Christchurch Harbour	Avon (Hants)*	Probably at risk	Probably at risk	-	X	-	C&R rate of 100% (tot) and 100% (post 16 June). Voluntary achievement of 100% catch and release already forms part of measures to protect salmon stocks. Artificial fly only before 15 May.
		Stour	At risk	At risk	X	-	-	C&R rate of 100% (tot) and 100% (post 16 June). Voluntary achievement of 100% catch and release already forms part of measures to protect salmon stocks. Artificial fly only before 15 May.
	Poole Harbour	Piddle	Probably at risk	Probably at risk	-	X	-	No catch of salmon in 2016. Voluntary achievement of 100% catch and release already forms part of measures to protect salmon stocks. Artificial fly only before 15 May.
		Frome	Probably at risk	Probably at risk	-	X	-	C&R rate of 97% (tot) and 96% (post 16 June). Voluntary achievement of 100% catch and release already forms part of measures to protect salmon stocks. Artificial fly only before 15 May.
	-	Axe	Probably at risk	Probably at risk	-	X	-	C&R rate of 67% (tot) and 63% (post 16 June). No shrimp, prawn, worm or maggot. Fly only after 31 July below Axbridge.

Location	Net fishery	River	Compliance 2016	Predicted compliance 2021	100% mandatory C&R from 2018	Voluntary C&R @ > 90% from 2018 with review of success in 2019	Voluntary C&R at current from 2018	Notes – C&R data is declared data from 2016 (% C&R for whole season and post 16 June). Existing byelaws and voluntary measures restricting C&R and angling methods.
SW	Teign	Teign	Probably at risk	Probably at risk	-	X	-	C&R rate of 69% (tot) and 64% (post 16 June). Salmon: artificial fly or lure only after 31 August. Sea trout: no worm or maggot before 1 June. Angling rules apply to experimental season extension (1 Oct – 14 Oct 2016): fly only, with single barbless hook & mandatory C&R.
	Dart	Dart*	At risk	Probably at risk	-	X	-	C&R rate of 96% (tot) and 96% (post 16 June). Salmon: no worm or maggot. No shrimp or prawn except below Staverton Bridge. No spinning above Holne Bridge. Sea trout: fly only.
	Exe	Exe	Probably at risk	Probably at risk	-	X	-	C&R rate of 79% (tot) and 77% (post 16 June). Angling rules apply to experimental season extension (1 Oct – 14 Oct 2016): fly only, with single barbless hook & mandatory C&R. No worm or maggot.
	-	Avon (Devon)	Probably at risk	Probably at risk	-	X	-	C&R rate of 73% (tot) and 70% (post 16 June). No worm or maggot.
	-	Erme	At risk	Probably at risk	-	X	-	C&R rate of 100% (tot) and 100% (post 16 June). No worm or maggot.
	-	Yealm	At risk	At risk	X	-	-	C&R rate of 100% (tot) and 100% (post 16 June).
	-	Plym	At risk	At risk	X	-	-	C&R rate of 50% (tot) and 50% (post 16 June).
	Tavy, Tamar & Lynher	Tavy*	At risk	Probably at risk	-	X	-	C&R rate of 80% (tot) and 82% (post 16 June).
		Tamar	Probably at risk	Probably at risk	-	X	-	C&R rate of 83% (tot) and 80% (post 16 June). No worm, maggot, shrimp or prawn after 31 August.
		Lynher	Probably at risk	Probably at risk	-	X	-	C&R rate of 94% (tot) and 93% (post 16 June).
	Fowey	Fowey	Probably at risk	Probably at risk	-	X	-	C&R rate of 74% (tot) and 74% (post 16 June).
	Camel	Camel*	Probably at risk	Probably at risk	-	X	-	C&R rate of 67% (tot) and 67% (post 16 June). Emergency angling byelaws for 2018 season – 100% C&R and method restrictions.

Location	Net fishery	River	Compliance 2016	Predicted compliance 2021	100% mandatory C&R from 2018	Voluntary C&R @ > 90% from 2018 with review of success in 2019	Voluntary C&R at current from 2018	Notes – C&R data is declared data from 2016 (% C&R for whole season and post 16 June). Existing byelaws and voluntary measures restricting C&R and angling methods.
SW	Rivers Taw and Torridge	Taw	Probably at risk	Probably at risk	-	X	-	C&R rate of 79% (tot) and 77% (post 16 June). No shrimp, prawn, worm or maggot. No spinning after 31 March. Salmon bag limits per angler of: 2 per day, 3 per week and 10 per season.
		Torridge	Probably at risk	Probably at risk	-	X	-	C&R rate of 83% (tot) and 79% (post 16 June). Salmon bag limits per angler of: 2 per day, 2 per week and 7 per season. No salmon >70cm retained after 1 August. No salmon >70cm retained after 1 August. Angling rules apply to experimental season extension (1 Oct – 14 Oct 2016): fly only, with single barbless hook & mandatory C&R.
	-	Lyn	At risk	Probably at risk	-	X	-	C&R rate of 100% (tot) and 100% (post 16 June). No worm or maggot before 1 June.
Midlands / Wales	Severn	Severn**	Probably not at risk	Probably not at risk	-	-	X	C&R rate of 78% (tot) and 61% (post 16 June). No float fishing with lure or bait.
		Wye*	Probably at risk	Probably not at risk	-	-	-	Welsh river, already operates at 100% mandatory C&R.
		Usk*	Probably not at risk	Probably not at risk	-	-	-	Welsh river, proposed new byelaw (currently under consultation) for 100% mandatory C&R.
NW	Ribble	Ribble	Probably at risk	At risk	X	-	-	C&R rate of 89% (tot) and 88% (post 16 June). For 2017 a local byelaw restricting anglers to 2 salmon per season post 1 June.
	-	Wyre	At risk	At risk	X	-	-	C&R rate of 0% (tot) and 0% (post 16 June) – only 1 salmon caught in 2016.
	Lune	Lune	At risk	At risk	X	-	-	C&R rate of 69% (tot) and 69% (post 16 June). Bag limit of 4 salmon per season.
	Kent	Kent	Probably at risk	Probably at risk	-	X	-	C&R rate of 68% (tot) and 67% (post 16 June).
	Leven	Leven	Probably at risk	Probably at risk	-	X	-	C&R rate of 100% (tot) and 100% (post 16 June). Salmon bag limit of 3 per season for whole fishery with carcass tagging scheme and mandatory C&R once limit is reached. Voluntary method restrictions also apply to improve survival of released fish.
	-	Crake	At risk	At risk	X	-	-	C&R rate of 100% (tot) and 100% (post 16 June). Salmon bag limit of 3 per season for whole fishery with carcass tagging scheme and mandatory C&R

								once limit is reached. Voluntary method restrictions also apply to improve survival of released fish.
	-	Duddon (& Lickle)	Probably not at risk	Probably not at risk	-	-	X	C&R rate of 85% (tot) and 85% (post 16 June).
	-	Esk (Cumbria)	Probably at risk	Probably at risk	-	X	-	C&R rate of 72% (tot) and 71% (post 16 June).
	-	Irt	At risk	Probably at risk	-	X	-	C&R rate of 65% (tot) and 65% (post 16 June).
	-	Ehen*	Probably at risk	Probably at risk	-	X	-	C&R rate of 47% (tot) and 48% (post 16 June).
	-	Calder	At risk	At risk	X	-	-	C&R rate of 0% (tot) and 0% (post 16 June). 2 salmon caught in 2016.
	-	Derwent*	At risk	At risk	X	-	-	C&R rate of 79% (tot) and 79% (post 16 June). Salmon bag limit of 2 per day. Release of all female salmon from 1 October. Voluntary lower bag limits are in place.
	Solway (England)	Eden*	Probably at risk	Probably at risk	N/A – local byelaw package being applied for that will specify mandatory catch and release of all salmon caught from 2018. This is for 16 June onwards as renewal of national byelaws requires mandatory catch and release pre 16 June.			C&R rate of 87% (tot) and 79% (post 16 June). Current consultation on new local byelaws requiring release of all salmon from 2018 season. Salmon bag limit per angler of 2 per day has been in place for previous seasons.
		Esk (Border)	Probably at risk	Probably at risk				C&R rate of 72% (tot) and 71% (post 16 June). Current consultation on new local byelaws requiring release of all salmon from 2018 season. Salmon bag limit per angler of 2 per day has been in place for previous seasons.

* Rivers where salmon form part of their SAC designation

**Rivers where salmon and sea trout form art of their Ramsar designation