

October 07 FERAC Chairs Paper on Brown Trout Policy Stocking Review

Appendix 1: Proposed Brown Trout Stocking Policy and how it might be implemented

1. Our proposed policy for the stocking of brown trout

1.1 The following to apply In England and Wales by a target date:

Enhancement stocking of brown trout: (*i.e. - Stocking that is carried out to supplement an existing stock where the production is less than the water body could potentially sustain or is insufficient to meet angling requirements*)

- a) In totally enclosed waters with no significant natural brown trout production, there will be no restriction on the origin or provenance of brown trout to be stocked beyond routine Section 30 health and other requirements.
- b) In all other waters in England and Wales, stocking of non-fertile brown trout will be permitted. The choice of life stage in most cases will be takeable non-breeding brown trout but other life stages are not ruled out depending on the outcome of potential further research.
- c) A supported breeding programme using locally sourced wild broodstock for enhancement purposes is unlikely to be practical but it would be permissible. This would include egg incubation box schemes.
- d) These are the only two forms of stocking that will be permitted. Stocking with domesticated fertile brown trout will not be permitted.

Restoration stocking of brown trout (*i.e. Stocking which is carried out after the removal of a factor(s), which has been limiting or preventing natural production. Restoration stocking should have a defined timescale and objective*).

- e) Where the limiting factor has been removed and natural recovery is unlikely to be sufficient to satisfy immediate angling requirements, a supported breeding programme using locally sourced wild broodstock can be implemented using as close to our best practice protocol as possible. The details of this programme should be agreed with local Environment Agency fisheries staff, balancing agreed best practice with local practical circumstances. If there has been a total eradication of native stocks, broodstock from appropriate adjacent rivers should be used. The supported breeding programme should be for a specified period only.
- f) Where more fish are required than can be naturally produced (either immediately or at all) to satisfy angling requirements, suitable stocking with non-fertile brown trout would be permitted. This would be temporary pending restoration of a “wild” stock – if continued stocking was needed to maintain fishery performance, *enhancement* stocking would be permitted once *restoration* stocking ended.
- g) Where a one off pollution has occurred, the polluter should be required to pay for either or both of the above 2 options (i.e. e or f).

Mitigation stocking of brown trout (*i.e. Stocking that is conducted to mitigate against lost production due to a scheme or activity that cannot be prevented or removed*):

- h) In most cases, the likely reason for stocking will be to support angling catches and so stocking with takeable non-fertile fish will be permitted. The choice of other life stages is not ruled out depending on the outcome of potential further research.
- i) A programme of supported breeding using locally sourced wild broodstock would also be allowed with the details agreed with local Environment Agency staff as for restoration stocking. This could be in addition or as an alternative to stocking with non-fertile fish. However, it is unlikely that fish would thrive if the limiting factor remains.
- j) It will be expected that the person or organisation responsible for the scheme or activity leading to a mitigation requirement (the 'polluter') will be accountable to pay for whatever mitigation is decided.

2. Our proposals for implementation of such a change in policy

- 2.1 If this brown trout stocking policy recommendation is adopted, there are options as to the manner and timetable of implementation - especially the date when it should become mandatory. Our suggested options are:

Option 1 – that the above policy becomes mandatory in the medium term (*i.e.* within 5 years). We would use the intervening years to work with the Salmon & Trout Association, the Wild Trout Trust and the fish farm industry to inform and guide fishery owners, undertake further research to refine policy implementation, make sure our implementation and audit processes are in place and generally proactively advance all the NT&GFS policies.

Pros: Gives the fish farm industry the clarity they have requested and is simple to understand and administer by both fishery owners and Section 30 consenting officers. Sends a strong message.

Cons: Offers more limited opportunity to address points made at the Technical Seminar and particularly the Stakeholder Meeting about “taking the angler with you”

Option 2 – advertise that we want to move away from stocking fertile farm strain brown trout in most waters in England and Wales and are aiming for 100% compliance with the new policy by a certain date. Set interim target compliance by target dates *e.g.* 30% less than present of stockable equivalent farm origin fertile trout stocked into England and Wales within 3 years, 50% less within 5 years and total compliance within 10 years. Use the intervening years to achieve the same tasks as Option 1, monitor issues and practicalities and use the targets as review dates to check progress and apply additional persuasive resource as necessary. Aim is to “take the angling community with us” and remove the need for enforcement in the meantime but retain the option to make the policy mandatory by a target date if rate of progress and/or issues arising at earlier milestones justifies.

Pros: Is fairly close to the Stakeholder Meeting recommendation (see Appendix 1) and is in the spirit of “taking the angling community with us”. Allows time for any problems to be “flushed out” and addressed before the mandatory date.

Might result in a voluntary switch to non-breeding trout through acceptance over time and the fish farm industry may feel that they should actively sell use of non-breeding fish rather than rely on Environment Agency policy to force their sale.

Cons: Does not give the fish farm industry the same clarity as Option 1. The temptation may be for few to switch until the last moment. Relies on considerable focus and effort from the Environment Agency to keep on top of the issue over a number of years. With frequent changes in personnel and structures there is a strong risk that the whole issue will get diluted and forgotten and the “mandatory” date abandoned.