# Scottish Government Policy on Introductions of Fish to Scottish Inland Waters

## Introduction

1. This document formalises key policy positions within the Scottish Government's fish introductions licensing process and underpins an assessment system which;

- targets the major risks involved
- is visible and accessible to all stakeholders
- reflects the provisions of the Wildlife and Countryside Act 1981 and the amendments made to that act by the Wildlife and Natural Environment (Scotland) Act 2011 (WANE).

In addition to being a co-regulator of certain classes of fish introduction Scottish Natural Heritage (SNH) is a key stakeholder in the introductions licensing process, therefore this document also highlights areas of cross cutting policy.

## Assessment of applications to introduce fish under the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003:

2. Where a District Salmon Fishery Board (DSFB) operates and the fish to be introduced are salmon or sea trout then the relevant DSFB deals with applications. Where a DSFB does not operate or where the fish being introduced are not salmon or sea trout e.g. brown trout from hatcheries, then it is for Marine Scotland (MS) on behalf of Scottish Ministers to consider applications and issue written agreement or refusal. The area of Scotland covered by the River Tweed commission operates under separate legislation and is therefore out-with the scope of this document.

3. Separate licenses, issued by SNH are required for introduction of fish out-with their native range and for keeping certain species of invasive non-native fish.

4. If a proposed introduction is "likely to damage any natural feature" specified in a Site of Special Scientific Interest (SSSI) notification, MS consults with SNH. In addition, MS consults with SNH, as part of an Appropriate Assessment process, on any proposed introduction which is likely to have "a significant effect" on a Special Area of Conservation (SAC).

## Policy statements and positions

**The following are adopted for:**

**5 a) Introductions of salmon, sea trout and brown trout:**

- **Introduction of salmon, sea trout and fertile brown trout into open Scottish inland waters may only be of local origin fish from the same river and in the case of large rivers, from the same sub-catchment, or forms part of a properly researched re-introduction programme.**

- **Female non-fertile brown trout (triploid) may also be stocked into open Scottish inland waters where the species is already native or naturalised.**

**Qualification:**
The policy where it applies to brown/sea trout will be phased in over the period 1st January 2016 to 1st January 2020. The table overleaf lays out the implementation dates which will apply, depending on the type of water and stocking history.

| Type of water | Stocking history[1] | Implementation date | Arrangements until implementation date |
|---|---|---|---|
| **Rivers, streams and canals** | **Not stocked since 2008** | **1 January 2016** | Stocking with fertile (diploid) and non-local origin trout will continue to be permissible until the stated implementation date subject to assessment by Marine Scotland Science. |
| | **Stocked since 2008** | **1 January 2017** | |
| **Open still-waters** | **Not stocked since 2008** | **1 January 2016** | |
| | **Stocked since 2008** | **1 January 2020** | |

**Stocking history will be determined by introductions recorded and/or consented by Marine Scotland since August 2008.**

Open still-water is defined as any still-water that is directly connected to another watercourse and that is not screened to contain all lifecycle stages for the species concerned.

**5 b) Introductions above impassable natural barriers:**

- **Areas above and below will be treated as separate catchments (i.e. 5 a).**
- **Atlantic salmon may be introduced above natural impassable barriers/falls provided the brood-fish, or their progeny, are sourced from as close to the barrier/falls as possible (such introductions are subject to SNH licencing*)**

*Stocking of salmon and sea trout above impassable natural barriers will be considered as an introduction of fish out-with their native range. Therefore, any consent issued is subject to SNH's policy position on the release of fish out-with their native range and the issue of a licence under the Wildlife and Countryside Act (See **Paragraph 5 e** below for more information).

**5 c) Introductions of Arctic charr:**

- **Introduction of fertile Arctic charr into open waters with an existing Arctic charr population may only be of local origin fish from the same waterbody, or form part of a properly researched re-introduction programme.**
- **Introduction of Artic charr into bodies of water with no existing Arctic charr population will be considered to be out-with native range and subject to relevant licensing by SNH under the Wildlife and Countryside Act.**
- **The above positions will also be adopted for introductions of vendace and powan to Scottish inland waters**

**5 d) Applications to stock rainbow trout into Scottish inland waters.**

- **Introduction of rainbow trout into all but totally enclosed waters will only be approved provided:**
  - **All female triploid stock is used.**
  - **The introduction is to stillwaters only.**

[1] For the species and ploidy applied for.

- **The activity is determined by MS as likely to have minimal detrimental effect on native fish.**

**Qualification:**
The policy regarding triploid rainbow trout will be phased in over the period 1st January 2016 to 1st January 2020. The table below lays out the implementation dates which will apply, depending on the type of water and stocking history

| Type of water | Stocking history[2] | Implementation date | Arrangements until implementation date |
|---|---|---|---|
| **Open still-waters** | **Not stocked since 2008** | **1 January 2016** | Stocking with fertile (diploid) rainbow trout will continue to be permissible until the stated implementation date, subject to assessment by Marine Scotland Science. |
| | **Stocked since 2008** | **1 January 2020** | |

**Stocking history will be determined by introductions recorded and/or consented by Marine Scotland since August 2008.**

Open still-water is defined as any still-water that is directly connected to another watercourse and that is not screened to contain all lifecycle stages for the species concerned.

**5 e) Introductions of coarse fish and for those species considered to be out-with their native range (with the exception of rainbow trout see paragraph 5 d):**

- **Consent will not be issued for introductions of coarse fish or for species out-with their native range that will lead to their wider distribution in open waters in Scotland.**
- **For introduction to a catchment where there is no existing self-sustaining population of the species but the species are capable of forming self-sustaining populations, only bodies of water that are sufficiently screened to prevent escape of all lifecycle stages of the introduced fish or are isolated from all watercourses and danger of flooding will be eligible to be issued introductions consent.**
- **For species which are not capable of forming self-sustaining populations in Scottish waters, to be eligible for introductions consent, screening must contain all stocked fish and the site must not be liable to flooding.**
- **Consent will not be issued for species that pose a threat to native flora or fauna within the body of water e.g. by predation or habitat modification.**
- **In the event that SNH refuse to licence either the release or keeping of a non-native species an MS licence to introduce fish will not be issued as such a licence would not be competent.**

**5 f) Natural fishless lochans:**

- **Consent will not be issued for introductions of fish species into previously unstocked natural fishless lochans.**
- **Introduction of fish species into natural fishless lochans will be considered to be out-with native range and subject to relevant licensing by SNH under the Wildlife and Countryside Act.**

[2] Diploid rainbow trout

**5 g) Disease, parasites and incidentally transported invasive aquatic species**:

- **The powers provided under the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 will be used in conjunction with any other relevant legislation to prevent the spread of disease, parasites and invasive species into Scottish inland waters.**