

# River Basin Management Plans

## Programme of measures

Key Sector — Fisheries

Pressure Type — All Pressures

## Introduction

Many fish species in inland and transitional (estuarine) waters support commercial and recreational fisheries. The commercial fisheries for salmon, trout, eels and pollan have declined in recent years and although angling remains a major participation sport in Northern Ireland, catches are becoming more variable. Species most sensitive to impacts on their habitats, such as salmon and char are currently under pressure whilst a major decline in eel recruitment to the coast is a real concern.

Estuaries are important nursery and over-wintering habitats for fish that inhabit adjoining coastal waters as well as migration routes. Species include smelt, Allis and Twaite shad, amongst others. The sea loughs also provide economically valuable areas for shellfisheries such as mussel and native oysters.

## What causes the environmental impact?

A range of inter-related factors that affect fish spawning grounds, rearing areas, food supplies and migration routes often combine to prevent populations from maintaining their productive capacity. Poor water quality, inadequate or modified flows, and morphological impacts that impede fish movements and degrade physical in-river habitats are particularly damaging, whilst predation and competition from invasive species can be locally significant. In the sea loughs poor water quality and other factors such as invasive species can affect the productive capacity of transitional fish and shellfish.



## What action are we already taking?

### Key legislation

#### Fisheries Act (Northern Ireland) 1966

Salmon and inland fisheries in Northern Ireland are regulated by legislative provisions made under the Fisheries Act (NI) 1966, as amended, and the Foyle Fisheries Act 1952, as amended which provide for the making of regulations and byelaws, annually as required, that specify:

- a licensing regime
- close seasons
- bag limits,
- carcase tagging schemes

Furthermore, there are provisions in the primary legislation regarding illegal capture (poaching), the protection of juvenile salmon, eggs and spawning areas and the free passage of migratory fish.

Part 4 of the Act relates to the protection of fisheries. Under this legislation it is an offence to :-

- Use or possess deleterious matter for the capture, destruction or injury of fish.
- Pollute a watercourse.
- Take, sell, purchase, possess, obstruct the passage, injure or disturb the spawn or fry of salmon, trout or eels or injure or disturb spawning beds where the spawn or fry of salmon, trout or eels exist.
- Remove any material from the bed of a river without the consent of the Department of Culture, Arts and Leisure (DCAL).
- Disturb spawning salmon or take unseasonable salmon.
- Possess immature salmon for sale, or take undersized pollen.
- Obstruct the passage of fish or fail to protect fish where water is abstracted and requires the construction of a fish pass where a weir is built or an existing weir is reinstated or altered.

The Department of Culture, Arts and Leisure (DCAL) is responsible, under the provisions of the Fisheries Act (NI) 1966 as amended (the Fisheries Act) for the salmon and inland fisheries of Northern Ireland. Enforcement is carried out by DCAL with the exception of the Foyle and Carlingford catchments. The Loughs Agency of the Foyle, Carlingford and Irish Lights Commission (FCILC) is responsible for enforcing the provisions in the Foyle and Carlingford catchments.

Section 54 of the Fisheries Act requires persons who wish to build dams and weirs or repair existing weirs in rivers to construct fish passes for the free passage of fish. All fish pass designs and specifications must be submitted to DCAL for approval before a pass is constructed.

Sections 58 and 59 of the Fisheries Act impose certain closure periods where water is being abstracted from a river or lake to facilitate the passage of fish and require grids and gratings to be placed at water abstractions and return points.

The Fisheries Act also allows DCAL to issue exemption certificates from these requirements. The exemptions are used to introduce modern fishery protection measures. In 2007 a review of exemption permits issued under Sections 54, 58 and 59 of the Fisheries Act was conducted to ensure that the most appropriate fishery protection measures were included in the permit conditions. DCAL refreshed guidelines in this regard during 2007.

DCAL has powers under the Fisheries Act to approve an application by anyone who wishes to improve a derelict water for angling either for their own use or for public angling. The applicant must submit proof that the owner of the fishing rights cannot be found and provide a scheme for the development of the fishery. The Department having established that no fishery owner can be identified or that no person has substantial objections may approve the scheme for a period up to 15 years.

A suggestion to allow private water bailiffs to take water samples when NIEA staff are not available is under consideration. NIEA is currently engaging with the Ulster Angling Federation and other related stakeholders to examine this issue.

### **Foyle and Carlingford N Ireland Fisheries Order (2007) / Foyle and Carlingford Fisheries Act (2007)**

This legislation concerns the protection of the aquatic environment, specifically fisheries and is cross-border in nature. Provisions include making it an offence to:

- Permit any deleterious matter to enter any river
- Fail to leave open a channel of sufficient width and depth to facilitate the passage of salmon.
- Remove material from the bed of the freshwater portion of a river without the consent of the FCILC.

The legislation also extends the FCILC's existing fisheries regulatory powers (salmon and inland fisheries) to cover the regulation of oysters, mussels, sea bass and tope within the Foyle and Carlingford Areas.



Mussels

## Fishery and habitat management

### NASCO Resolutions and Agreements

DCAL pursues a strategic approach to attempt to address the decline in Atlantic Salmon. The Atlantic Salmon Management Strategy for Northern Ireland has been developed to meet the objectives of the North Atlantic Salmon Conservation Organisation (NASCO), an intergovernmental body established by treaty. The core concept is to establish spawning targets (conservation limits) at a river and regional level to ensure that in most rivers in most years sufficient adult salmon are spawning to maximise output of smolts from freshwater assessments. The Loughs Agency is responsible for implementing this in the Foyle and Carlingford areas and reporting back to NASCO annually through DCAL. In addition the agency in conjunction with AFBI produces the annual report to the International Council for the Exploration of the Sea (ICES) on the status of stocks of salmon within the FCILC and NI areas.

Under the Atlantic Salmon Management Strategy the following actions are proposed:

- Further restrictions on the small number of licensed commercial salmon fishermen in Northern Ireland shall be considered in rolling out the Salmon Management Strategy. Regulations to prohibit the sale of rod caught salmon shall be progressed to clarify the boundaries between commercial and recreational fishing by removing the opportunity for anglers to sell their catch.
- Introduction of angling regulations to support salmon Catchment Management Plans (sCMPs) in DCAL areas and catchment status reports in Loughs Agency areas. Measures may include Catch and release, quotas, use of barbless hooks, early closures and shortened season.
- Develop further conservation and management targets and sCMPs for specific rivers. sCMPs will aim to provide a scientific evaluation of each salmon population and its habitats at catchment or sub catchment level including a conservation limit, an evaluation of quantity and quality of habitat units, identification of impacts and threats, and prioritisation of management actions in consultation with stakeholders.
- Complete DNA based study in 2009/10 to determine genetic structure of salmon populations at catchment/sub catchment level to produce a "genetic baseline" of Irish Salmon populations.
- Introduce real time management strategies and replicate Catchment Status Reports for the Roe and Faughan catchment and for the rest of the tributaries within the Foyle and Carlingford 2008-2013.

### Salmon Management Plan

A Salmon Management Group, which oversees the Salmon Management Strategy meets regularly to review the approach. The group also manages the collection of management information under a scientifically developed methodology known as the Salmon Management Plan and reviews existing regulations and where appropriate makes recommendations for modification or the introduction of new controls based on the interpretation of the data. The data is compiled from habitat surveys, fish counter information, annual electric fishing surveys and a carcass tagging scheme which provides the data on exploitation. The information is held on a Geographical Information System (GIS) database which is maintained and expanded on an ongoing basis. The GIS and counter databases provide the mechanism to monitor compliance against conservation limits and trigger management actions to address impacts on the stocks.

### Coarse fish and pike management

The Fisheries (Amendment) Byelaws (Northern Ireland) 2008 came into operation on 24th July 2008. The Byelaws restrict the number of pike which can be taken whilst angling to one per day.

The Fisheries (Conservation of Coarse Fish) Byelaws (Northern Ireland) 2008 (SR 2008 No. 319) came into operation on 24th July 2008. Anglers can now only catch and retain four coarse fish in one day and these fish must be 25 centimetres or less. The Byelaws also require that a person shall not have in his possession more than four rod-caught coarse fish to use as bait when fishing for pike.

## European Eel Regulation 2007

The European Eel Regulation aims to establish measures for the recovery of the European eel stock. The Regulation requires the establishment of Eel Management Plans for each eel river basin, of which there are three in Northern Ireland, which will demonstrate that at least 40% of the biomass of adult eels from each river basin relative to the best estimate of the potential escapement in the absence of human activities affecting the fishing area or stock are escaping to spawn.

Work is on-going in conjunction with other UK departments, the Department of Communications, Energy and Natural Resources in Ireland and the commercial eel industry to meet the requirements of this Regulation. Essentially the Department is seeking to arrive at a balance between permitting a level of commercial fishing to continue and ensuring that there are adequate measures in place to contribute to conservation of the species and thus allow for both a sustainable eel stock and a sustainable industry in the future. Accordingly, the Department continues to operate conservation oriented management policies through the regulation and monitoring of commercial eel fisheries.

European Fisheries Funding is being sought to implement eel management plans to establish measures for the recovery of the stock of European eel.



## Advice and guidance

### DCAL Fisheries Officers

DCAL Fisheries Officers provide advice and guidance on matters relating to the conservation, protection, development and improvement of salmon and inland fisheries to angling clubs, fishery owners, and a range of other water users and interested parties.

Advice is provided to the range of authorities who control and regulate activities that might impact on salmon, eels and freshwater fish. This includes providing input to the development of environmental policies and regulations generally across government that have the potential to improve fisheries.

Angling Clubs and other fishery owners and operators are supported in improving fisheries through the provision of advice and guidance and by the issuing of permits under Section 14 of the Fisheries Act (NI) 1966 to capture, culture and stock fish.

DCAL provides advice and assistance to NIEA who administer complementary powers under water abstraction and impoundment regulations.

### DARD Rivers Agency

Technical advice, guidance and support is provided to the Department of Agriculture and Rural Development (DARD) Rivers Agency to ensure protection of fisheries from possible damage arising from flood alleviation/drainage maintenance programmes. This is a key relationship in ensuring the productive capacity of wild fish stocks is maintained. Opportunities to restore or enhance fish habitats are taken forward through this cooperative approach. This builds on arrangements in place since the early 1990's and now captured in a Service Level Agreement



## Loughs Agency

Loughs Agency staff and Fishery Officers provide similar services in the Foyle and Carlingford areas but also include the marine environment. Loughs Agency also operate a visitor centre (RiverWatch) and web site ([www.loughs-agency.org](http://www.loughs-agency.org)). The centre attracts in excess of 10,000 visitors annually and a number of out reach programmes are undertaken such as 'Salmon in the Classroom' and 'Adopt a Stream' which target schools within the Foyle and Carlingford areas.

The Loughs Agency also produces annually 'Catchment Status Reports' which sets out the available information for the catchments with a series of recommendations for improvements to generate stakeholder involvement in decision making.

As part of this stakeholder involvement Loughs Agency has an Advisory Forum, which is made up of representatives from a wide and diverse background. Focus Groups convene to discuss particular topics. There are currently four of these in operation:

- Salmon and Inland Fisheries;
- Aquaculture and Shellfisheries;
- Marine Tourism and
- Environment.

## Research and Development

The Agri-Food and Biosciences Institute (AFBI) undertake monitoring and research into salmon and freshwater fisheries, which are funded by DCAL. This monitoring data and research programmes provide the scientific basis for conservation and management of the resource.

## What further actions will deliver environmental improvements?

The following tables summarise the existing/ planned measures and supplementary measures for Fisheries.



Blue Lough



White Park Bay

**Key Sector: Fisheries****Pressure Type:** All pressures**Summary of existing and planned measures**

Improvement Required	Actions	Delivery mechanism	Lead Department / Agency	Support Provider	Deadline for delivery of mechanism (year end)
<b>Protection of fisheries and habitats</b>	Protect fish and assure free passage	Fisheries Act (N Ireland) 1966	DCAL/ LA		In place
	Protect the aquatic environment  Alleviate the impacts of drainage maintenance works on habitat using mitigation measures (and where funding permits, fishery rehabilitation measures)	Rivers Agency's Service Level Agreement with DCAL Inland Fisheries and Loughs Agency.  Education and advice	RA/DCAL/ LA		In place
	Reinstatement of polluted waters	The Fisheries (Amendment) (Northern Ireland) Order 1991	DCAL		In place
	Establish scientific basis for conservation & management	Research & development	AFBI	DCAL	In place
	Reintroduction of salmon stock	Local projects	DCAL/LA		In place
	Protect the aquatic environment, specifically fisheries	Foyle and Carlingford Fisheries (N Ireland) Order (2007)	LA		In place
	Advice, education and guidance through visitor centre, outreach programmes and school based learning	Rivers Agency Service Level Agreement with DCAL Inland Fisheries and Loughs Agency	DCAL/RA/ LA		In place
	Tagging schemes, fish counting/juvenile stock assessment, habitat improvement works	Atlantic Salmon Management Strategy for Northern Ireland / NASCO Resolutions and Agreements  Salmon Management Plan	DCAL/LA		In place
<b>Protection and maintenance of eel populations</b>	Regulate commercial eel fisheries	National Eel Management Plan for three eel river basins	DCAL/LA		In place
<b>Establish measures for the recovery of the stock of European eel</b>	Implement eel management plans	European Fisheries Funding	DCAL/LA		2010

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Improvement Required	Actions	Delivery mechanism	Lead Department / Agency	Support Provider	Deadline for delivery of mechanism (year end)
<b>Protection and maintenance of coarse fish and pike populations</b>	Manage coarse fish and pike	The Fisheries (Amendment) Byelaws (Northern Ireland) 2003	DCAL/ LA		In place
		The Fisheries (Conservation of Coarse Fish) Byelaws (Northern Ireland) 2008			
<b>Improved Fishery management</b>	Provide advice and guidance on matters relating to the conservation, protection, development and improvement of salmon and inland fisheries to angling clubs, fishery owners, and a range of other water users and interested parties	Angling development programme  Voluntary action	DCAL/ LA		In place
	Promote and develop angling	The Fisheries Act (NI) 1966, as amended	DCAL/ LA		In place
	Prohibit sale of rod caught salmon	Salmon Management Strategy	DCAL/ LA		2011
		Commercial Fishing Regulations			
	Promote catch and release, quotas, use of barbless hooks, early closures and shortened season	Angling Regulations	DCAL/ LA		2011
	Scientific evaluation of each salmon population and its habitats at catchment or sub catchment level	Management targets and Catchment Management Plans	DCAL/ LA	AFBI	In place - 2013
	Complete DNA based study in 2009 to determine genetic structure of salmon populations at catchment/sub catchment	AFBI research programme			
	Replicate Catchment Status Reports for the Roe and Faughan catchment and for the rest of the tributaries within the Foyle and Carlingford Area and implement real time management strategies	Management targets and Catchment Management Plans			



**Key Sector: Fisheries**

**Pressure Type:** All pressures

**Summary of supplementary measures**

Improvement Required	Actions	Delivery mechanism	Lead Department / Agency	Support Provider	Deadline for delivery (year end)
No supplementary measures have been identified for this sector					

Our aim is to protect, conserve and promote the natural environment and built heritage for the benefit of present and future generations.

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