DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS SALMON AND INLAND FISHERIES FORUM

-Note of Proceedings-

MINUTES OF A QUARTERLY MEETING OF THE SALMON AND INLAND

FISHERIES FORUM *SUB GROUP* HELD VIA ZOOM VIDEO LINK ON **WEDNESDAY 14 OCTOBER 2020 AT 2PM**

Present Mr Edward Montgomery – Chair

Mr Albert Keys

Mr Jack Tisdall

Mr Robbie Marshall

Mr Pat Close

In attendance

DAERA Mrs Fiona Lavery (Minutes)

DAERA Mr Seamus Connor

DAERA Mr Damian McCann

**Agenda**

**Consultation on the policy for commercial permits on Lough Erne**

The Chair welcomed members to the Zoom meeting. Fiona Lavery advised that Gary Houston had sent an email relating to the Agenda topic.

* 1. **Introduction**

Mr Albert Keys stated that this section contained incorrect information, questioned DAERA’s Lough Erne ownership rights and disagreed with the interpretation of the policy in relation to the commercial fishermen. Mr Jack Tisdall queried the circulation and consultation on the policy. In reply, Seamus Connor advised that it was his intention to circulate the policy to the current Lough Erne commercial fishermen.

Mr Tisdall disagreed with Mr Key’s interpretation of point 1.1., noting that it outlined the current position. Mr Albert Keys rejected Mr Tisdall’s views and challenged the DAERA policy, requesting that private Loughs should be opened. In reply, Mr Seamus Connor noted that he was disappointed by Mr Keys comments, stating that the policy was the Department’s view and the document was simply a summary of the current position and assured members that the Department did have the ownership rights for Lough Erne which allowed for the issue of commercial permits to fishermen and the management of recreational fishing.

The Chair advised that the Group must accept the background as summarised and move on to discuss the proposed Policy and make progress. Mr Albert Keys highlighted flaws in the wording and Mr Seamus Connor clarified the historic documents which existed and the proposals which were since implemented. Continuing to disagree with point 1.1, Mr Albert Keys asked for a rewording. Mr Seamus Connor advised it was a brief summary introduction and could not contain every detail, and that all the relevant information does appear later in the document.

Mt Jack Tisdall suggested that the Group should move on with the points and outlined the opening position from the Coarse Anglers which he felt was reflected in the document. Mr Albert Keys objected to the Department’s view, noting only 2 fishermen are limited to certain areas and returned to point 1.1 to disagree with the wording, noting lack of commercial fishing on Lough Erne and no management of fish stocks.

Mr Jack Tisdall noted that recreational Trout fishing areas are also where commercial Pike fishing occurs, and there is no need to extend the commercial area, stressing that recreational angling has primacy on Lough Erne.

Mr Albert Keys moved to the topic of Perch and Pike fishing and highlighted predation and lack of Brown Trout management. Mr Jack Tisdall felt that the document allowed for further discussion which should be for the issue of commercial permits. Mr Albert Keys noted that he wanted full inclusion of all fishermen but felt that the management of Pike can only be done via commercial fishing.

Mr Robbie Marshall agreed with some of Mr Keys points citing the big West of Ireland lakes. He noted that the Trout stocks must be managed and protected as results this year were the worst on Lough Erne in 60 + years and in order to manage trout stocks, if there needs to be an increase in commercial pike fishing then so be it. Continuing, he noted that all the points must be looked at as Lough Erne is not currently being managed at all. Mr Marshall asked the Chair if 1.1 could be reworded to include protection for Commercial Fishermen and a means to enhance the role of Commercial Fishermen. Mr Seamus Connor stressed that this was a brief introduction and the Department does recognise that Lough Erne is mainly a recreational fishery with a place for commercial fishing, noting that the next point 2.3 referred to that. Mr Connor found it bizarre that this paragraph was in dispute, outlining the other issues on limits and the introduction of new fishermen which is the body of the Policy and asked that the meeting move forward. Mr Albert Keys asked that this concerns are noted.

In reply, the Chair noted the issue and moved the meeting forward and asked members to consider the content.

* 1. Noted

**2.1** Members asked for the recent changes mentioned to be expanded. Mr Seamus Connor agreed. Mr Albert Keys asked for all the changes to be recorded. Mr Seamus Connor advised that the changes are within the Fisheries legislation (FCB-era) and consultation would have been undertaken at the time.

**Action Point: Mr Seamus Connor to expand this point and list the legislation changes.**

**2.2** Mr Jack Tisdall queried Trap and Truck for eels, which Seamus Connor confirmed was on going. Mr Albert Keys noted that there are no metrics on Eel stocks being supplied to SIFF. Mr Seamus Connor advised on the current statistics.

**2.3** Mr Jack Tisdall noted the current methods for taking Pike, which are not suitable, citing the issue was with Pike size. It was his belief that there is a need to find a new way to take the correct size of Pike and suggested the use of a long line to reduce the predator pyramid.

Mr Robbie Marshall felt that this was addressed in point 4.5 but that the document was poorly written. The Chair agreed that this topic was addressed in the latter part of the document.

**2.4** The Chair noted this was a statement of fact. Mr Robbie Marshall queried the closing dates for the season which were confirmed. Mr Albert Keys noted that there was still a lack of fisheries management on Lough Erne.

**2.5** Mr Seamus Connor noted the need for a balanced criteria and the need to encourage new fishermen. The Chair noted the decline in numbers of commercial fishermen. Mr Albert Keys highlighted that there had been a ‘total annihilation’ of commercial fishermen.

**2.6** Mr Jack Tisdall queried who lobbied for “changes”. In reply, Mr Seamus Connor advised that it was the Department and outlined the need to recruit new fishermen. Mr Albert Keys advised that this was due to no planned succession planning. At this point Mr Albert Keys requested it be recorded that he disagreed with Annex 2. Mr Robbie Marshall queried the difference between a Licence and a Permit. He asked why not have just one? Mr Seamus Connor clarified the “permission” requirement which was met by the Department permit.

**3 Status of Stocks – Scientific facts**

Mr Albert Keys felt there was a false opinion around the location of small Trout and noted the historic established areas for Trout. Continuing, he highlighted that there were no metrics available and management cannot continue without real data on stocks. Mr Jack Tisdall asked that consideration should be given to the rights of the recreational Pike anglers, especially the tourism market, noting that recently 70 boats were out. Referring to scientific evidence form the last meeting, Mr Jack Tisdall outlined the flaws in this evidence and stated that a lot of the information used are assumptions which are not challenged by scientists.

Mr Albert Keys felt that the Perch will destroy the Lough in time. In reply, Mr Seamus Connor advised that the text in this section was supplied by AFBI but agreed there was still a lot of unknown matters and a lot of historic data, but it highlighted the core principles i.e. if there is a surplus of fish to be taken, what approach do the Department take to the issue of permits? Continuing he noted that it should not be a detrimental approach. The Chair queried how would the Department estimate a surplus without recent data. Mr Albert Keys noted the need for eDNA which would give real numbers of stock and would be perfect for Lough Erne. In addition NIEA use AFBI which he felt is not suitable, as an independent consultant was required.

**4.2**  **Permits for Commercial fishing on Lough Erne**

Mr Seamus Connor outlined the principles of commercial exploitation of any species and discussion was held on the permitted areas in Lough Erne to fish. Mr Seamus Connor clarified the permitted areas for commercial fishing for Mr Albert Keys. Discussion was held on the concentration of stocks on Lower Lough Erne. Mr Robbie Marshall felt that the Upper Lough should not be precluded. Mr Albert Keys noted the need for more protection in certain areas and discussion was held on predatory fishing and the poor management of stocks.

**4.3 Number of Permits to be issued**

Mr Seamus Connor advised that the Department were introducing a new policy. Currently 6 people were eligible but there was a need to reduce this to 4 with this number kept under review. Mr Seamus Connor noted that too many commercial fishermen will defeat the purpose.

Mr Robbie Marshall felt there was a contradiction in the numbers. In reply, Mr Seamus Connor clarified the need for a sustainable fishery and the need for a balance. Mr Pat Close noted the similarities to Lough Neagh where a numerical quota was used. There was a need for a balance between the number of boats taking a fixed quantity and the need for individuals to make a reasonable living. Mr Robbie Marshall suggested that the proposal to cap the figures to 4, not knowing how Lough Erne would develop, was not a viable approach. Mr Albert Keys provided some anecdotal information and noted that there has been no Pike fishing this season due to Covid-19. Mr Seamus Connor outlined that historically there have been multiple stocks of fish available and clarified the need for incentives to get people to commercially fish and get a reasonable return vs the cost involved in setting up a business.

Mr Robbie Marshall voiced concerns that the recreational Trout angling was impacted by the Pike fishing. Mr Albert Keys felt the current figure of 6 permit holders is too low as all Pike fishermen are part time, he felt it should be 8-10 as there was a need for part/time fishermen to supply restaurants to bring value as there is a need for development for locals. He also outlined the need to target smaller Pike using a long line. Mr Jack Tisdall agreed with the need to long line for Pike in an effort to save Trout stocks. Mr Seamus Connor suggested that these could be considered as addendums. The Chair queried the decision to reach a figure of 6 and Seamus Connor outlined the different recruitment methods for new commercial fishermen and the division of the monetary value of the fish. Mr Seamus Connor advised that there was not a vast amount of money to be made due to the lack of markets for the fish, noting there must be some incentive to fish and make a living.

Mr Jack Tisdall queried the potential for further development while Mr Albert Keys voiced concerns in relation to obtaining a licence and permit as the Department refuses people and he has a long list of potentially interested parties. Noting the growth rates on Lough Erne, he felt it would now sustain a larger number of fishermen but stressed that the choke points would need to be cleaned up, which in turn would increase stocks.

**4.4 New eligibility criteria for permits**

Mr Seamus Connor outlined the amendments to the previous recruitment criteria points A – D noting some of the previous eligibility criteria. The Chairman queried the definition of ‘recent’ convictions. Mr Seamus Connor advised that the 5 years ‘spent’ rule would apply. Discussion centred on the need to nominate another fisherman and no ability to pass on the tradition. It was agreed in the long term to adopt a ‘helper’ criteria but due to the current age profile there is a need to recruit and develop more fishermen now. Mr Albert Keys noted that the use of a long line should be included now, not in 10 years’ time. Continuing, he voiced concerns with the Department’s approach which is wiping out people’s livelihood; concluding, he said he plans to take this further.

Mr Seamus Connor highlighted the basis for the criteria and the inclusion of some flexibility in the policy to open up recruitment.

Mr Robbie Marshall felt that in the short term there was a need for the nomination of acceptable individuals to be trained up and get a commercial licence and permit.

At this point, Mr Pat Close felt that a comparison could be made to Lough Neagh, highlighting that the fishery owner needs full control in the issue of permits to ensure that conservation is maintained, highlighting the inclusion of a timeframe in the permit conditions for non-fishing (due to agreed personal/circumstantial reasons – perhaps 4 years) as skillset retention was critical. Discussion centred on the ability to transfer to a trained helper. Mr Pat Close cautioned on allowing a bidding exercise to develop in the process. Mr Albert Keys reiterated the need for part time fishermen, mentioning the illegal activity with nets. Mr Seamus Connor advised that there were issues with commercial fishermen nominating a person as it was not transparent, there was a need for an open process to avoid creating a closed shop. Continuing, he noted that the proposed process allows nomination of a helper and outlined the benefits stressing that other issues could be addressed by AFBI research in the future but DAERA’s focus should be on the issue of the commercial permits.

**4.5 Pike**

The three recommendations contained in the consultation were summed up by Mr Seamus Connor and the Chair asked for comment from the members. Mr Albert Keys rejected the proposals, highlighting that they did not address the problem. Mr Seamus Connor felt the Policy was in line with modern management techniques. Mr Robbie Marshall suggested the Policy was a Civil Service statement and that legislation needed to be changed as it was just more of the same and the Department needs to think outside the box. Mr Jack Tisdall asked members to consider all the other issues forming the Policy, noting that it was important to realise that the markets are not there. Changes to legislation were not required. Mr Albert Keys felt that it does not deal with the problem and the use of long lines should be introduced. Mr Seamus Connor suggested that using a long line could catch other species and this method is reliant on warmer weather, but agreed that it could be further investigated. Mr Albert Keys requested that long lines should be introduced now, highlighting the low by catch. Discussion continued on by catch. Mr Seamus Connor noted that the Policy was the issue of commercial permits and that process to include the use of long lines will take time to make legislative changes, it was not a quick fix.

Discussion continued on the geographical areas best suited to commercial fishing Upper Lough Erne vs Lower Lough Erne. Mr Albert Keys disagreed with Mr Seamus Connor’s statement that commercial fishing was currently permitted on both the Upper and Lower Lough, stating that the former had been closed.

Mr Robbie Marshall referred to point 4.5 (last point) which stated ‘no change to current method or season’ which he disagreed with. Mr Seamus Connor again stressed that the Policy was the issue of commercial permits and a lot of the discussion related to the Lough Erne Fisheries Management Plan. In reply, Mr Robbie Marshall felt that without highlighting it, SIFF would be accused of agreeing to that statement.

**4.6 Perch**

Mr Seamus Connor outlined the background and clarified the spawning seasons for members. It was agreed that more scientific data was required on the use of Fyke nets and dependant on a positive response from AFBI. Discussion continued on the introduction of Fyke nets. Mr Pat Close suggested that they should have an escape panel and an electronic identifier as the Lough Erne Fyke nets could potentially be used in Lough Neagh, which could cause management difficulties. He continued on the issue of marketing catch and the cross-over in season dates between Lough Erne and Lough Neagh. It was important that these factors are considered.

Mr Albert Keys raised the issue of cross-over also applying to fish dealers and the lack of available metrics.

**4.7/4.8/4.9 Bream/Pollan/Eels**

Mr Robbie Marshall queried how the Department could make a decision, given the lack of available metrics. Mr Seamus Connor clarified that the data obtained for EU and ICES was available, as were the DAERA digest statistics, noting the inclusion of escapement figures and the fact that the Lough is a cross border catchment. All reports are available.

Mr Albert Keys disagreed and felt that an independent review was required, fish stocks may be high but there was not a surplus.

The Chair noted that once the minutes were complete a response would be complied. He did not expect that the response would be unanimous. It was agreed to use the A-K list of changes as a summary. Mr Albert Keys suggested the A should not be included.

At this point Mr Seamus Connor thanked SIFF members for their time and good suggestions, noting that some would require legislative changes. A response would be provided to SIFF. Following a query from the Chair, Mr Seamus Connor advised that the Policy document would also be sent to the current commercial fishermen for comment. Following this, the proposal would be given to the Minister for consideration. It was hoped to have the Policy in place for the start of the commercial season – 1 December 2020.

Members were reminded that the next full SIFF meeting would be held Wednesday 16 December 2020 at 2pm via Zoom.

In response to a query from the Chair, Mr Damian McCann outlined the process and advised that a matrix would be circulated with the SIFF responses.

This concluded the SIFF sub group meeting.