



**Iascach Intíre Éireann
Inland Fisheries Ireland**

Designated Salmonid Waters Byelaw Submission to Public Consultation

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Byelaw Proposal

On page 66 of the programme for Government it states that the government intends to "Legislate to designate our western lakes as salmonid lakes".

IFI welcomes the Government's commitment to recognise these exceptional limestone lakes which are unique in Europe as salmonid – in particular wild brown trout - lakes. The intention of the designation of these lakes as 'salmonid' lakes from IFI's perspective needs to be fully explained. This requires some background.

Background:

Since the 1950's, and probably before, the main large limestone lakes of Ireland were selectively managed as wild brown trout fisheries. Few countries have such a unique resource whereby there is adequate spawning in clean rivers for wild trout to breed and this is complimented by limestone lakes with extensive stonewort (*Charaphyte sp*) beds in which an abundance of invertebrate life exists on which the wild trout, which migrate down from the nursery streams, feed and grow quickly.

In the earlier years the fish fauna of these lakes was less diverse – over time more species appeared in these lakes as a result of anthropogenic activity and as a consequence most of these lakes have additional non-native species competing with the trout for food.

Under the management of the Inland Fisheries Trust all the large limestone lakes – some of which were originally known as the 'Crown Lakes' were managed selectively for wild brown trout angling. This entailed removing predator and competitor species as part of a management programme. It is IFI's policy and intention that the lakes in the Schedule to this draft bye-law will continue to be managed into the future with the reduction, through both angling and direct management, of both competitor and predator species into the future.

Proposed Designation:

The designation of these lakes is welcomed by IFI but should be simple. They are already designated in terms of the established management policy of Inland Fisheries Ireland and the agencies that preceded it such as the Central and Regional Fisheries Boards and the Inland Fisheries Trust and also marketing of these lakes as wild brown trout fisheries. However, there was never formal recognition of this. In the view of IFI, it is unclear that this byelaw, as currently drafted, actually achieves the intent of IFI to protect these lakes and enshrine their management in such a manner that they are primarily wild brown trout fisheries and competing or predator species shall be removed to improve the opportunity for trout to survive and grow.

On another detail, in view of the fact that some of the lakes in question are remote from the sea and have no migratory salmon component to their population – the byelaw would be best worded to specify wild brown trout as opposed to salmonid.

Conflicting Byelaws:

One of the over-riding concerns of Inland Fisheries Ireland in the past 15 years was the fact that two bye-laws introduced in 2006, (specifically to prohibit the widescale harvest of pike and coarse fish from certain waters in Ireland), was directly in conflict with the management policy of the then Central and Regional Fisheries Boards. This was intended as a 'stop-gap' measure to address a particular threat – but the anomaly caused by these byelaws in respect of the management and marketing of the Great Western Lakes as wild brown trout fisheries has continued for an inordinate period of time. The proposal to designate these lakes as salmonid (or wild brown trout) lakes must address this inconsistency once and for all.

It is evident that unless the lakes in the Schedule to the draft byelaw are excepted from the provisions of the two Byelaws – namely Byelaw 806 and Byelaw 809 of 2006 the byelaw as it stands does not achieve its stated aim of protecting the wild brown trout status of the lakes. In fact these byelaws have resulted in fish species which have become 'naturalised' in these lakes are now afforded equal protection to the native species which have been there since the retreat of the last ice age. This is contrary to the aims of the Habitats Directive and fisheries legislation in general.

Stock Assessments, Carrying Capacity and Angling Returns:

The draft byelaw as currently stated also appears to bind IFI into a massive undertaking in terms of regular stock assessments of all the lakes in the schedule (7) including most of the largest lakes in the country and such an assessment will also require surveys of all feeder rivers and streams. This will require very significant additional resources for IFI to be able to deliver on this component annually. Coupled with the assessment of the stocks IFI will be required to identify the carrying capacity of the lakes, the current stock and the 'harvestable surplus' available to anglers. IFI have never done such a detailed stock assessment for any of these lakes previously and the cost of such a commitment into the future for seven lakes will be very substantial.

The logical extension from this would be that the complimentary element to this will be an assessment of the fishing effort and catch of trout on the lakes in question. Previously voluntary "Creel Census" returns were introduced for some of these lakes but with limited success. Creating a system for all anglers to make required returns will be another significant administrative burden and may be seen by some as the precursor to the introduction of a 'fee or licence for trout angling' on these lakes which, it is clear, will never be an acceptable funding mechanism.

Without the substantial additional resources annually to carry out all these requirements IFI will not be in a position to fulfil the terms of the byelaw. This may lead to IFI being in breach of the byelaw which would be an unacceptable scenario. Furthermore, the byelaw as currently worded empowers the Minister – a politically elected public representative to amend the plans of IFI – prepared by fishery management professionals and scientists 'as he sees fit'. This leaves the future

management of these vitally important lakes open to potential pressure for change from lobby groups and takes it away from professional fisheries managers where such expertise exists and should remain.

Summary & Recommendations:

In the light of the foregoing IFI propose that a more manageable approach be adopted. One that addresses the fundamental anomalies of the 2006 byelaws and also encourages anglers to play their part in the future management of the lakes.

IFI believes this matter would benefit from further discussion and debate prior to finalising the wording of the proposed byelaw. This should involve detailed discussion with the relevant stakeholders in particular the local resident, local anglers, key tourist interests including guides, angling centres as well as local angling clubs. The buy-in from these sectors is fundamental to the success of the future management of these lakes. However, should that approach not be possible at this stage IFI proposes that the byelaw be amended to include the following:

- (1) Calling the byelaw the Designated Wild Brown Trout Waters Bye-Law
- (2) Defining "designated waters" as means the waters designated as wild brown trout waters under Article 3; which shall be managed by Inland Fisheries Ireland specifically for wild brown trout (*Salmo trutta*) in all its forms and subspecies.
- (3) Defining "wild brown trout" as meaning fish of the species (*Salmo trutta*) including Ferox, Sonaghan and Gillaroo trout.
- (4) Specifying that the designated waters shall be managed specifically as premier wild brown trout fisheries. Management shall include the unrestricted removal of predator and competitor species either by direct management or angling.
- (5) Exempting the waters in the schedule from the provisions of Byelaw 806 of 2006 – for example:-
The waters in Schedule 1 Column 2 of this byelaw shall be excluded from the bag limit and size provisions of byelaw 806 of 2006 namely a person may take (by angling) and kill more than 4 coarse fish and including fish less than or greater than 25 cms measured in a straight line from the tip of the snout to the fork of the tail.
6. Exempting the waters in the schedule from the provisions of Byelaw 809 of 2006 – for example:-
The waters in Schedule 1 Column 2 of this byelaw shall be excluded from the bag limit and size provisions of byelaw 809 of 2006 namely a person may take (by angling) or kill more than one

pike including pike less than or greater than greater than 50 cms measured in a straight line from the tip of the snout to the fork of the tail.

7. Include a general provision for the proper management of the fishery – i.e. - IFI shall do whatever it deems necessary for the proper management of the lakes in Schedule 1 as wild brown trout fisheries.
8. Leave the transfer provision in the proposed regulation:- (a) A person shall not put or transfer into the designated waters fish of any species without the prior written consent of IFI. (b) An application for the prior written consent of IFI referred to in paragraph (a) shall be made in writing to IFI.

