

DECLARATION

THE FOYLE AREA (CONTROL OF OYSTER FISHING) REGULATIONS 2008

SUSPENSION OF OYSTER FISHING IN THE FOYLE AREA

I, Sharon McMahon, Designated Officer of the Loughs Agency, Foyle Carlingford and Irish Lights Commission, hereby certify that The Commission is satisfied that it is necessary and expedient for the conservation and protection of native oysters (*Ostrea edulis*) to declare fishing for such oysters suspended in the entirety of The Foyle Area, as defined by The Foyle Area (Control of Oyster Fishing) Regulations 2008 as amended 2010, for the periods listed below.

“the defined mouth” in relation to the River Foyle, means the mouth of that river as defined by instrument dated 8th February 1864 made under section 17 of the Salmon Fishery (Ireland) Act 1863;

“Lough Foyle” means those waters in the Foyle Area bounded on the north or seaward side by an imaginary straight line drawn between Greencastle Fort in the County of Donegal and the Martello Tower at Magilligan Point in the County of Londonderry and bounded on the south by the defined mouth of the River Foyle;

“the River Foyle” means all of the River Foyle upstream of the defined mouth of the River Foyle;

“seaward of Lough Foyle” means those waters in the Foyle Area which lie seawards of an imaginary straight line drawn between Greencastle Fort in the County of Donegal and the Martello Tower at Magilligan Point in the County of Londonderry.

Dates of suspension of fishing in The Foyle Area

Fishing for native oysters (*Ostrea edulis*) is **suspended** in the entirety of The Foyle Area, as defined by The Foyle Area (Control of Oyster Fishing) Regulations 2008 as amended 2010, for the periods listed below:

- 19th September 2020 at 06:00hrs to 5th October 2020 at 18:00hrs.
- 7th October 2020 at 06:00hrs to 12th October 2020 at 18:00hrs.
- 14th October 2020 at 06:00hrs to 19th October 2020 at 18:00hrs.
- 22nd October 2020 at 06:00hrs to 26th October 2020 at 18:00hrs.
- 29th October 2020 at 06:00hrs to 2nd November 2020 at 18:00hrs.
- 5th November 2020 at 06:00hrs to 9th November 2019 at 18:00hrs.
- 12th November 2020 at 06:00hrs to 16th November 2020 at 18:00hrs.
- 19th November 2020 at 06:00hrs to 23rd November 2020 at 18:00hrs.
- 26th November 2020 at 06:00hrs to 30th November 2020 at 18:00hrs.
- 3rd December 2020 at 06:00hrs to 7th December 2020 at 18:00hrs.
- 10th December 2020 at 06:00hrs to 14th December 2020 at 18:00hrs.
- 17th December 2020 at 06:00hrs to 31st January 2021 at 18:00hrs.

Reasons for suspension of fishing in The Foyle Area

Suspension of Opening

Poor recruitment of juveniles into the population in the summers of 2015, 2016 and 2017 resulted in reduced spawning potential for the subsequent seasons. The protection and retention of a functioning spawning stock biomass is necessary in order to maintain future stocks. There is evidence that a widespread spatfall took place in summer 2018, however these juvenile oysters will not recruit into the fishery until 2021 at the earliest.

The Foyle oyster population has generally ceased spawning late in August, however on occasion spawning is still occurring up to the end of September. The period immediately post spawning is a sensitive time when oysters are reconditioning and may still be susceptible to mortality if disturbed.

Spawning surveys and indications for water temperature monitoring in 2020 have indicated that conditions are such that oysters may still be spawning and settling in late August to early September. Therefore, the 2020/21 fishery opening has been suspended until 06:00hours on 6th

October 2020 in order to protect juvenile stages until such times as they are robust enough to withstand fishery related stress.

Reduction of Days per Week

In order to reduce the amount of stress being put upon the Native Oyster population in Lough Foyle, and in order to retain an acceptable biomass of spawning stock in the population, fishing effort will be reduced from the total regulation days for the 2020/21 season as in previous years.

Fishing related stress levels in the oyster population in the Lough are directly linked to the fishing effort. Fishing related stress has been found to be highest during the first 8 weeks of the season. This correlates with the landings data submitted to Loughs Agency by licence holders which shows that, for the period 2012-19 around 80% of the total landings were removed within the first 8 weeks of the fishery. The high fishing effort at the beginning of the season is likely to have an impact on the health of the oyster stocks, particularly those individuals which are undersized and which are being caught and released.

The Foyle oysters are infected with a blood parasite called *Bonamia Ostreae* which causes a disease called Bonamiosis. This disease spreads when the cells of infected oyster rupture and infect nearby oysters which ingest the parasite. It is thought that infection rates are increased during periods of high stress. Therefore a reduction in fishing effort may go some way to reducing the spread of Bonamiosis in the Native Oyster population in the Lough.

Closure January 2021

Removal of 100% of the stock above the minimum landing size is not sustainable. It is advisable to retain a proportion of the spawning stock above 80mm in the fishery in order to allow for stock replenishment and the achievement of effective spawning for the 2021 spawning season. Removal of a large proportion of stock over 80mm from the fishery this season, could have a significant negative impact on broodstock and could potentially have a highly detrimental effect on future recruitment to the population.

The fishery will be closed in January 2021 (in accordance with the dates listed in this Declaration) in order to allow a survey and review of the Native Oyster population remaining in the Lough after the fishing period (in accordance with the dates listed in this Declaration).

NOW THEREFORE

In pursuance of the said Regulations

I HEREBY SUSPEND OYSTER FISHING IN THE FOYLE AREA AS DEFINED BY THE FOYLE AREA (CONTROL OF OYSTER FISHING) REGULATIONS 2008 AS AMENDED 2010.

From:

- 19th September 2020 at 06:00hrs to 5th October 2020 at 18:00hrs.
- 7th October 2020 at 06:00hrs to 12th October 2020 at 18:00hrs.
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- 10th December 2020 at 06:00hrs to 14th December 2020 at 18:00hrs.
- 17th December 2020 at 06:00hrs to 31st January 2021 at 18:00hrs.

Signed: *S. McMahon*
(Designated Officer)
Sharon McMahon

Dated: 9th September 2020