

**Department of Agriculture, Food and the Marine**

**An Roinn Talmhaíochta, Bia agus Mara**

**Fisheries Natura Declaration No. 2 of 2017 (Dundalk Bay)**

I, Michael Creed, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by Regulation 9(1)(a) and (b) of the European Union (Birds and Natural Habitats) (Sea-fisheries) Regulations 2013 (S.I. No. 290 of 2013), hereby issue the following declaration:

**Citation**

1. This Declaration may be cited as Fisheries Natura Declaration No. 2 of 2017 (Dundalk Bay).

**Commencement**

2. This Declaration is issued on and comes into force on 11 July 2017.

**Dundalk Bay**

3. In this Declaration:

"cockle" means *Cerastoderma edule*;

"Dundalk Bay" means the area up to the high water mark landwards of a straight line between Latitude 53° 59.0845' N, Longitude 6° 13.2018' W and Latitude 53° 51.5976' N, Longitude 6° 14.2633' W.

**Cockle fishing and hand gathering by permit only**

4. A person shall not:

- (1) use any method to fish, including hand gathering, or attempt to fish cockle in Dundalk Bay, or
- (2) have on board a vessel, retain in their possession, land, tranship, attempt to land or attempt to tranship cockle taken in Dundalk Bay

without a Fisheries Natura Permit issued under Regulation 10 of the European Union (Natural Habitats and Birds) (Sea-Fisheries) Regulations 2013 (S.I. No. 290 of 2013).

**Cockle fishing**

5. The person holding a Fisheries Natura Permit that permits fishing for cockle in Dundalk Bay from a sea-fishing boat named on the permit shall ensure that the boat is operated in accordance with:

- (1) the Fisheries Natura Permit, and
- (2) the following conditions:
  - (a) the Fisheries Natura Permit shall be carried onboard the boat for the duration of the permit and be produced on the demand of a Sea Fisheries Protection Officer;

- (b) the boat shall not be used to fish for cockle on more than one tide in any 24 hour period;
- (c) the boat shall not be used to fish for cockle in Dundalk Bay on any tide less than 4.2 metres;
- (d) the boat shall not be used to land on any one day more than 1 tonne of cockle taken in Dundalk Bay;
- (e) cockle shall not be transhipped without the prior permission of the Sea-Fisheries Protection Authority
- (f) if the boat has a GPS monitoring system, within the meaning of the Razor Clam (Conservation of Stocks) Regulations (S.I. 206 of 2015), then the system shall be fully operational when the boat is used for cockle fishing in Dundalk Bay;
- (g) the boat shall not have onboard a cockle suction dredge with a dredge width greater than 0.75 metres or a cockle non-suction dredge with a dredge width greater than 1.0 metres;
- (h) cockle with a maximum width less than 17mm shall not be retained on board the boat or landed from the boat but shall be immediately returned to the sea (the width of a cockle shall be measured as the maximum measure on the smallest dimension of a cockle shell);
- (i) the boat ceases fishing for cockle in Dundalk Bay on the occurrence of the first of the following –
  - (i) on 23:59 hours on 31 October 2017,
  - (ii) when a total of 772 tonnes of cockle has been landed, or
  - (iii) when the Minister considers that the catch rate has declined to 250kg of cockle per boat per day, calculated in accordance with the Dundalk Bay Fisheries Natura Plan 2016-2020.

**Inter-tidal hand gathering of cockle**

6. A person shall not hand gather cockle in Dundalk Bay.

**Purchase or sale of cockle**

7. A registered fish buyer within the meaning of Council Regulation (EC) No 1224/2009 shall –

- (1) not purchase cockle from Dundalk Bay from a person unless that person holds a permit for fishing for cockle in Dundalk Bay;
- (2) in accordance with the information set down in Article 64 of Council Regulation 1224/2009, record on the sales note for each purchase:
  - (a) the permit number of the person presenting the cockle for sale,
  - (b) the gross weight of the purchase,

- (c) the net weight for which the permit holder was paid,
  - (d) the net value paid by the buyer; and
- (3) provide the records relating to purchases of cockle from Dundalk Bay at any time on request to the Sea-Fisheries Protection Authority and each week (ending at midnight on a Sunday) within 48 hours of the end of that week.

### **Brown shrimp fishing**

8. A person shall not fish for brown shrimp (*Crangon crangon*) in Dundalk Bay other than in accordance with the following conditions:

- (1) the owner, master or other person who is for the time being in charge of the sea-fishing boat shall accurately maintain a BIM Fishing Activity Record Book in respect of each voyage and send the record relating to each calendar month's fishing to the address stated on the book within 48 hours of the end of that month;
- (2) the owner, master or other person who is for the time being in charge of the sea-fishing boat shall inform the Fisheries Monitoring Centre operated by the Irish Naval Service for the purposes of Articles 9(3), (4), (7) and (8), 48(3) and (4) and 80 of the Council Regulation (EC) No 1224/2009:
  - (a) by telephone to +353 21 4378752,
  - (b) in written form to fax number + 353 21 4378096, or
  - (c) by email to [fmcireland@defenceforces.ie](mailto:fmcireland@defenceforces.ie),

immediately prior to leaving port stating:

- (i) boat identification details (name and registration number),
- (ii) the boat is intending to enter Dundalk Bay,
- (iii) target species (brown shrimp),
- (iv) port of departure,
- (v) time of departure,

and not less than 1 hour in advance of his or her intention to land brown shrimp, stating:

- (I) boat identification details (name and registration number),
- (II) it has ceased fishing in Dundalk Bay,
- (III) target species (brown shrimp),
- (IV) expected time of landing,
- (V) port of landing.

**Revocations**

9. Fisheries Natura Declaration No. 1 of 2016 (Dundalk Bay) is revoked.

GIVEN under my Official Seal,

11<sup>th</sup> July 2017



A handwritten signature in black ink, appearing to read "Michael C. Martin". The signature is written in a cursive style and is positioned over a faint circular official seal.

Minister for Agriculture, Food and the Marine

## **EXPLANATORY NOTE**

(This note is not part of the declaration and does not purport to be a legal interpretation)

This Declaration sets restrictions on fishing, dredging and hand gathering in Dundalk Bay.

(FND 2017/002)