I, Simon Coveney, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by Regulation 9 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 2013 (Dundalk Bay).

Commencement

2. This Declaration comes into force on 5 August 2013.

Expiry

3. This Declaration expires on 30 July 2014.

Cockle fishing and hand gathering by permit only

4 A person, on board a vessel or otherwise, shall not use any method to fish, including hand gathering, or attempt to fish, have on board, retain in their possession, land, tranship, attempt to land or attempt to tranship cockles (Cerastoderma edule) without a Fisheries Natura Permit issued under Regulation 10 of the European Communities (Natural Habitats and Birds) (Sea-Fisheries) Regulations 2013 (S.I. No. 290 of 2013), in the following geographical area: up to the high water mark west of a straight line between latitude 53° 59' 6.429" N, longitude 6° 13' 21.252" W and latitude 53° 51' 36.829" N, longitude 6° 14' 18.202" W ("Dundalk Bay").

Cockle fishing

5. In Dundalk Bay, a person shall fish for cockle (Cerastoderma edule) in accordance with a Fisheries Natura Permit and under the following conditions:

a) the owner of a vessel participating in the fishery shall hold a Fisheries Natura Permit particular to that vessel and to Dundalk Bay which, during the period of its validity, will be carried onboard the vessel and produced for inspection on demand by a Sea Fisheries Protection Officer;
b) the owner, master or other person who is for the time being in charge of the permitted vessel shall ensure that fishing by the vessel shall only take place between the hours of 06.00 and 22.00 each day;
c) the owner, master or other person who is for the time being in charge of the permitted vessel shall ensure that the vessel shall not commence fishing prior to 06.00 hours on any day for the duration of the fishery;
d) the owner, master or other person who is for the time being in charge of the permitted vessel shall not on any given day have or retain onboard or land more than 1 tonne of cockle, taken in Dundalk Bay;
e) the owner, master or other person who is for the time being in charge of the permitted vessel shall not have or retain 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;
f) the owner, master or other person who is for the time being in charge of the permitted vessel shall not have or retain on board (other than for gradation purposes) or land cockles with a maximum width less than 17mm and shall immediately return cockles less than 17mm in width to the sea. The width of a cockle shall be measured as the maximum measure on the smallest dimension of a cockle shell;
g) the owner, master or other person who is for the time being in charge of the permitted vessel shall ensure that it is at all times operated in accordance with that permit and this Declaration, and any other such rule as may be notified from time to time by the Minister for Agriculture, Food and the Marine; and

h) the owner, master or other person who is for the time being in charge of the permitted vessel shall cease fishing for cockle in Dundalk Bay -

(i) on 22:00 hours on 31 October 2013,
(ii) when a total of 416 tonnes of cockles has been taken before the scheduled closing date for the fishery, 31 October 2013, or
(iii) when the Minister considers that the catch rate has declined to 250kg of cockles per vessel per day, calculated in accordance with the Dundalk Bay Fisheries Natura Plan 2011-2016.

Hand gathering of cockles

In Dundalk Bay, a person shall hand gather for cockle (Cerastoderma edule) in accordance with a Fisheries Natura Permit and under the following conditions:

a) a hand gatherer shall only operate between the hours of 08:00 and 17:00 from Monday to Saturday inclusive;

b) a hand gatherer for cockles shall cease all operations on 17:00 hours on 28 September 2013;

c) a hand gatherer shall not retain cockle less than 17mm maximum width (the maximum measure on the smallest dimension of the cockle shell). A hand gatherer shall leave cockles of less than these dimensions where they are found;

d) a hand gatherer shall hold a Fisheries Natura Permit particular to him or her and to Dundalk Bay and which during the period of its validity he or she shall carry and present for inspection on demand by a Sea Fisheries Protection Officer;

e) in addition to the Permit, a hand gatherer shall carry secondary photographic identification in the form of a driver's licence or passport or other identification acceptable to a Sea Fisheries Protection Officer and produce it on demand to the officer;

f) a Fisheries Natura Permit shall not be issued to any person under the age of 16 years on the date of application;

g) a Fisheries Natura Permit may only be issued to a person aged 16 to 18 years old on the date of application on condition such persons when gathering cockles are accompanied at all times by a person over 18 years old with a permit;

h) a hand gatherer for cockles shall only operate within the following sub-areas of Dundalk Bay:

Sub-Area A - The Annagassen area enclosed by a line from point 1 through to point 4 and from point 4 back to point 1

<table>
<thead>
<tr>
<th>Point</th>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>53° 53' 24&quot; N</td>
<td>6° 20' 30&quot; W</td>
</tr>
<tr>
<td>2</td>
<td>53° 53' 11&quot; N</td>
<td>6° 20' 45&quot; W</td>
</tr>
<tr>
<td>3</td>
<td>53° 52' 37&quot; N</td>
<td>6° 19' 49&quot; W</td>
</tr>
<tr>
<td>4</td>
<td>53° 52' 39&quot; N</td>
<td>6° 19' 21&quot; W</td>
</tr>
</tbody>
</table>

Sub-Area B - The North Bull area enclosed by a line from point 1 through to point 4 and from point 4 back to point 1

<table>
<thead>
<tr>
<th>Point</th>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>54° 00' 13&quot; N</td>
<td>6° 19' 25&quot; W</td>
</tr>
<tr>
<td>2</td>
<td>54° 00' 14&quot; N</td>
<td>6° 17' 46&quot; W</td>
</tr>
<tr>
<td>3</td>
<td>53° 59' 43&quot; N</td>
<td>6° 16' 37&quot; W</td>
</tr>
<tr>
<td>4</td>
<td>53° 58' 54&quot; N</td>
<td>6° 18' 02&quot; W</td>
</tr>
</tbody>
</table>
Purchase or sale of cockle

7. Registered fish buyers shall –
   a) only purchase cockle from Dundalk Bay from a person who holds a permit in accordance with this Declaration;
   b) in accordance with the information set down in Article 64 of Council Regulation 1224/2009, record on the sales note for each purchase:
      i. the permit number of the gatherer presenting the cockles for sale
      ii. the gross weight of the purchase
      iii. the net weight for which the gatherer was paid
      iv. the net value paid by the buyer; and
   c) 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 on a Sunday) within 48 hours of the end of that week.

Razor Clam and brown shrimp fishing

8. In Dundalk Bay, a person shall fish for razor clams (Ensis siliqua) or brown shrimp (Crangon crangon) under the following conditions:
   a) the owner, master or other person who is for the time being in charge of the vessel 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;
   b) the owner, master or other person who is for the time being in charge of the vessel shall inform FMC Ireland –
      - by telephone +353 21 378752, or
      - in written form to Fax Number +353 21 4378096 or
      - by email to fmcireland@defenceforces.ie,
      (i) immediately prior to leaving port stating-
      - Vessel ID details (name and registration number)
      - The area it is entering (Dundalk Bay)
      - Target species (razor clams or brown shrimp)
      - Port of departure
      - Time of departure
      and
      (ii) not less than 1 hour in advance of his or her intention to land razor clams or brown shrimp, stating-
      - Vessel ID details (name and Reg number)
      - The area it is has fished (Dundalk Bay)
      - Target species (razor clams or brown shrimp)
      - Expected time of landing
      - Port of landing.

Revocations

9. Fisheries Natura Declaration No. 1 of 2013 (Dundalk Bay) is revoked.

GIVEN under my Seal,

30th July 2013

Simon Coveney, T.D.
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 2013/002)