

Department of Agriculture, Food and the Marine
An Roinn Talmhaíochta, Bia agus Mara

Fisheries Natura Declaration No. 3 of 2014 (Wexford Razor Clam Fishery)

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. 3 of 2014 (Wexford Razor Clam Fishery).

Commencement

2. This Declaration comes into force on 1 January 2015.

Razor clams

3. In this Declaration, "razor clams" means *Ensis* spp.

Fishing week

4. In this Declaration, "fishing week" means seven consecutive days commencing on a Monday.

Fishing areas

5. In this Declaration:
 - (a) "specified area" means the geographical area landwards of an imaginary line drawn from:
Latitude 52°32.7872'N, Longitude 006°12.1889'W through
Latitude 52°31.2500'N, Longitude 006°07.8667'W through
Latitude 52°14.8500'N, Longitude 006°12.9000'W through
Latitude 52°08.3102'N, Longitude 006°18.6133'W through
Latitude 52°08.3136'N, Longitude 006°26.3732'W to
Latitude 52°11.2908'N, Longitude 006°30.4294'W.
 - (b) "Rosslare" means the geographical area enclosed by an imaginary line drawn from:
Latitude 52°18.4000'N, Longitude 006°23.2000'W through
Latitude 52°21.2000'N, Longitude 006°17.3000'W through
Latitude 52°16.1000'N, Longitude 006°19.2000'W through
Latitude 52°14.9000'N, Longitude 006°17.3000'W through
Latitude 52°14.9000'N, Longitude 006°19.6000'W through
Latitude 52°15.4000'N, Longitude 006°19.9000'W through
Latitude 52°16.1000'N, Longitude 006°21.4000'W through
Latitude 52°17.2000'N, Longitude 006°22.4000'W to
Latitude 52°18.4000'N, Longitude 006°23.2000'W.
 - (c) "Cahore" means the geographical area enclosed by an imaginary line drawn from:
Latitude 52°32.3920'N, Longitude 006°12.3830'W through
Latitude 52°31.9200'N, Longitude 006°10.2500'W through
Latitude 52°25.9850'N, Longitude 006°17.8630'W through
Latitude 52°22.3280'N, Longitude 006°17.8600'W through
Latitude 52°22.3280'N, Longitude 006°18.8400'W through
Latitude 52°23.0840'N, Longitude 006°19.5740'W through
Latitude 52°23.0840'N, Longitude 006°21.6350'W to
Latitude 52°32.3920'N, Longitude 006°12.3830'W.

Prohibition on fishing for razor clams

6. (a) Subject to paragraph (b), a person shall not use any method to fish, or attempt to fish, for razor clams in the specified area.

- (b) Subject to paragraphs 7, 8, 9, 10, 11, 12 and 13, a person may fish for razor clams in Rosslare or Cahore.

Restrictions on fishing for razor clams

7. (a) A person shall only fish for razor clams in Rosslare or Cahore between the hours of 07:00 to 19:00.
- (b) A person fishing in Rosslare or Cahore shall not:
- (1) land or tranship more than 2.5 tonnes of razor clams in any fishing week.
 - (2) have more than one dredge on board a sea-fishing boat.
 - (3) tranship, have onboard or commence landing razor clams after 21:00 hours on any day the person has fished in Rosslare or Cahore.
 - (4) retain on board a sea-fishing boat, land or tranship razor clams with a shell length of less than 130 millimetres measured along the longest part of the shell, but shall immediately return such razor clams to the sea where they were taken.
 - (5) have in his or her possession or under his or her control, buy, handle, weigh, transport, process, store, document or sell razor clams with a shell length of less than 130 millimetres measured along the longest part of the shell.

Dredge restrictions

8. The dredge referred to in paragraph 7(b)(2) shall:
- (a) not be more than 122 centimetres in width, and
 - (b) have a bar spacing of not less than 10 millimetres.

Prior notice of intention to fish

9. A person intending to fish for razor clams in Rosslare or Cahore shall contact the Sea-Fisheries Protection Authority (SFPA) at Dunmore East by SMS/text message to 0873388635 immediately prior to leaving port, stating:
- the boat name and registration number,
 - the area the boat is entering (Rosslare or Cahore),
 - the target species (razor clams),
 - the port of departure, and
 - the time of departure.

Advance notice of landing or transhipment

10. A person fishing for razor clams in Rosslare or Cahore shall contact the Sea-Fisheries Protection Authority (SFPA) at Dunmore East by SMS/text message to 0873388635 not less than one hour in advance of his or her intention to land or tranship razor clams, stating:
- the boat name and registration number,
 - the area the boat has fished (Rosslare or Cahore),
 - the target species (razor clams),
 - the expected time of landing or transhipment, and
 - the port of landing or place of transhipment.

Weighing of landings

11. A person shall not have in his or her possession or under his or her control, buy, handle, transport, process, store, or sell razor clams landed by a sea-fishing boat in Rosslare or Cahore unless the landed razor clams have been weighed in a location and by means of weighing systems

approved in writing by an officer of the Sea-Fisheries Protection Authority (SFPA) before being sorted, processed, held in storage or transported from the port of landing.

GPS monitoring

12. (a) The owner, master or other person who is for the time being in charge of a sea-fishing boat fishing for razor clams in Rosslare or Cahore shall ensure that a fully functioning GPS (Global Positioning System) monitoring system is installed onboard the boat and operational at all times while the boat has on board fishing equipment.
- (b) The GPS monitoring system referred to in paragraph 9(a) shall:
- (1) acquire, log (store) and transmit to shore the boat's positional information as required over the GPRS (mobile phone network),
 - (2) use a direct power supply from the boat and have an independent power source,
 - (3) be fitted in a robust and tamperproof manner, and
 - (4) transmit the boat's positional information to shore at least once per minute in a format accessible by the SFPA and the Marine Institute.

Record keeping

13. The master of an Irish sea-fishing boat used to fish for razor clams in Rosslare or Cahore shall accurately complete a copy of the SFPA's Shellfish Gatherers Document for Shellfish Vessels in respect of each voyage and send the records relating to a fishing week to the address stated on the Shellfish Gatherers Document book within 48 hours of the end of that fishing week.

Contravention

14. A person shall not have in his or her possession or under his or her control, buy, handle, weigh, transport, process, store, document or sell razor clams caught, landed or transhipped in contravention of this Declaration.

GIVEN under my Official Seal,

 3 December 2014

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 prohibits fishing for razor clams in a defined area off the Wexford coast. It also defines areas off the Wexford coast (Rosslare and Cahore) where fishing for razor clams is permitted subject to a number of restrictions and conditions.

(FND 2014/003)