

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

**Fisheries Natura Declaration No. 3 of 2018 (Mussel Fishing)**

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. 3 of 2018 (Mussel Fishing).

Commencement

2. This Declaration comes into force on 14 December 2018.

Intertidal zone

3. In this Declaration:

“intertidal zone” means the bed and the shore, below the line of high water of ordinary or medium tides and above the line of low water of ordinary or medium tides, of the sea and of every tidal river and tidal estuary and of every channel, creek and bay of the sea and of any such river or estuary in the specified zone.

“specified zone” means the geographical area seaward of the high water mark and enclosed by an imaginary line drawn from

Latitude 54°01.3617'N, Longitude 006°03.7762'W through  
Latitude 53°43.3335'N, Longitude 005°50.0885'W through  
Latitude 52°56.1703'N, Longitude 005°52.8268'W through  
Latitude 52°03.7831'N, Longitude 006°14.9551'W through  
Latitude 52°03.9026'N, Longitude 006°26.5613'W to  
Latitude 52°11.3839'N, Longitude 006°26.5789'W.

#### Conditional fishing for mussels

4. Sea-fishing boats issued with an authorisation to fish for mussels (*mytilus edulis*) under section 13 of the Sea Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) shall when fishing for mussels within an area enclosed by an imaginary line drawn from

Latitude 52°59.3000' N, Longitude 005°59.4000' W through  
Latitude 52°59.3000' N, Longitude 005°55.3000' W through  
Latitude 52°56.5000' N, Longitude 005°55.3000' W through  
Latitude 52°56.5000' N, Longitude 005°59.4000' W to  
Latitude 52°59.3000' N, Longitude 005°59.4000' W

have a fully functioning Vessel Monitoring System (VMS) in accordance with Council Regulation (EC) No 1224/2009 of 20 November 2009<sup>1</sup> and make reports every 5 minutes on the VMS.

#### Prohibitions on fishing for Mussels

5. A person, on board a vessel or otherwise, shall not use any method to fish, including hand gathering, or attempt to fish mussels (*mytilus edulis*) in the intertidal zone.
6. A person, on board a vessel or otherwise, shall not use any method to fish, including hand gathering, or attempt to fish mussels (*mytilus edulis*) in the following geographical areas:

- (a) the area enclosed by an imaginary line drawn from

Latitude 53° 30.2971' N, Longitude 006° 02.1960' W through  
Latitude 53° 30.2467' N, Longitude 005° 59.1660' W through  
Latitude 53° 28.6180' N, Longitude 005° 59.2444' W through  
Latitude 53° 28.6683' N, Longitude 006° 02.2699' W to  
the first mentioned point,  
(referred to as "Lambay Island");

- (b) the area enclosed by an imaginary line drawn from

Latitude 52°59.1600' N, Longitude 005°57.6960' W through  
Latitude 52°57.5160' N, Longitude 005°55.5960' W through  
Latitude 52°57.5160' N, Longitude 005°58.2660' W through

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<sup>1</sup> O.J. No. L 343, 22.12.2009, p.1

Latitude 52°58.6260' N, Longitude 005°59.1360' W to  
Latitude 52°59.1600' N, Longitude 005°57.6960' W,  
(referred to as "Wicklow Reef");

- (c) the area landwards of an imaginary line drawn from  
Latitude 52° 14.8488' N, Longitude 006° 19.8267' W through  
Latitude 52° 14.8288' N, Longitude 006° 14.0335' 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° 11.3012' N, Longitude 006° 30.4436' W,  
(referred to as "Carnsore");
- (d) the area landwards of an imaginary line drawn from  
Latitude 52° 03.6120' N, Longitude 006° 30.8130' W through  
Latitude 52° 03.6108' N, Longitude 006° 41.5698' W through  
Latitude 52° 10.0248' N, Longitude 006° 41.5574' W to  
Latitude 52° 10.2201' N, Longitude 006° 35.7564' W,  
(referred to as "Saltees");
- (e) the area enclosed by an imaginary line drawn from  
Latitude 52° 13.0591' N, Longitude 006° 43.0412' W through  
Latitude 52° 12.9394' N, Longitude 006° 43.3404' W through  
Latitude 52° 11.5348' N, Longitude 006° 43.8421' W through  
Latitude 52° 11.5451' N, Longitude 006° 44.8025' W through  
Latitude 52° 12.7458' N, Longitude 006° 44.4299' W to  
the first mentioned point,  
(referred to as "Keragh Islands");
- (f) the area landwards of an imaginary line drawn from  
Latitude 52° 12.2620' N, Longitude 006° 47.1391' W through  
Latitude 52° 02.8153' N, Longitude 006° 47.1151' W through  
Latitude 52° 02.8125' N, Longitude 007° 02.1112' W through  
Latitude 52° 08.3274' N, Longitude 006° 55.9632' W to  
Latitude 52° 08.9814' N, Longitude 006° 54.8012' W,  
(referred to as "Hook Head - Bannow");

- (g) the area north of an imaginary line drawn from  
Latitude  $52^{\circ} 11.4842' \text{ N}$ , Longitude  $006^{\circ} 54.7664' \text{ W}$  to  
Latitude  $52^{\circ} 10.7454' \text{ N}$ , Longitude  $006^{\circ} 57.0207' \text{ W}$ ,  
(referred to as "Waterford Bay").
- (h) the area north of an imaginary line drawn from  
Latitude  $52^{\circ} 08.2464' \text{ N}$ , Longitude  $007^{\circ} 06.1291' \text{ W}$  to  
Latitude  $52^{\circ} 09.3558' \text{ N}$ , Longitude  $007^{\circ} 07.3892' \text{ W}$ ,  
(referred to as "Tramore");
- (i) the area west of an imaginary line drawn from  
Latitude  $52^{\circ} 04.6817' \text{ N}$ , Longitude  $7^{\circ} 33.1621' \text{ W}$  through  
Latitude  $52^{\circ} 03.5548' \text{ N}$ , Longitude  $7^{\circ} 31.1759' \text{ W}$  through  
Latitude  $52^{\circ} 02.3687' \text{ N}$ , Longitude  $7^{\circ} 31.1885' \text{ W}$  to  
Latitude  $52^{\circ} 01.9499' \text{ N}$ , Longitude  $7^{\circ} 34.5821' \text{ W}$ ,  
(referred to as "Dungarvan Bay – Helvick Head");
- (j) in Lough Swilly, the area south of an imaginary line drawn from  
Latitude  $55^{\circ} 09.3607' \text{ N}$ , Longitude  $007^{\circ} 29.0561' \text{ W}$  to  
Latitude  $55^{\circ} 08.4944' \text{ N}$ , Longitude  $007^{\circ} 32.5148' \text{ W}$ ,  
(referred to as "Lough Swilly");
- (k) the area north of an imaginary line drawn from  
Latitude  $51^{\circ} 56.4534' \text{ N}$ , Longitude  $007^{\circ} 50.5514' \text{ W}$  to  
Latitude  $51^{\circ} 56.4767' \text{ N}$ , Longitude  $007^{\circ} 49.8264' \text{ W}$ ,  
(referred to as "Youghal Bay – Blackwater Estuary");
- (l) the area west of an imaginary line drawn from  
Latitude  $51^{\circ} 55.3207' \text{ N}$ , Longitude  $007^{\circ} 52.4487' \text{ W}$  through  
Latitude  $51^{\circ} 55.3147' \text{ N}$ , Longitude  $007^{\circ} 52.0585' \text{ W}$  through  
Latitude  $51^{\circ} 54.3950' \text{ N}$ , Longitude  $007^{\circ} 52.2603' \text{ W}$  to  
Latitude  $51^{\circ} 53.6948' \text{ N}$ , Longitude  $007^{\circ} 53.3713' \text{ W}$ ,  
(referred to as "Ballymacoda Bay");

(m) the area west of an imaginary line drawn from

Latitude 51° 51.6234' N, Longitude 007° 59.8239' W through  
Latitude 51° 51.5425' N, Longitude 007° 59.7447' W through  
Latitude 51° 50.8198' N, Longitude 008° 00.4482' W through  
Latitude 51° 50.3390' N, Longitude 008° 00.7200' W to  
Latitude 51° 49.8627' N, Longitude 008° 00.7486' W,  
(referred to as "Ballycotton Bay").

(n) the area west of an imaginary line drawn from

Latitude 53°31.0384'N, Longitude 006°05.1631'W through  
Latitude 53°29.5242'N, Longitude 006°05.5152'W through  
Latitude 53°29.3131'N, Longitude 006°05.5234'W to  
Latitude 53°29.3109'N, Longitude 006°05.9200'W,  
(referred to as "Rogerstown");

(o) the area west of an imaginary line drawn from

Latitude 53°28.6871'N, Longitude 006°06.9175'W through  
Latitude 53°28.5970'N, Longitude 006°06.7873'W through  
Latitude 53°27.5134'N, Longitude 006°07.1896'W through  
Latitude 53°26.0140'N, Longitude 006°07.1757'W to  
Latitude 53°26.0158'N, Longitude 006°07.4402'W,  
(referred to as "Malahide");

(p) the area west of an imaginary line drawn from

Latitude 53°25.2877'N, Longitude 006°07.2914'W through  
Latitude 53°24.0903'N, Longitude 006°04.7409'W to  
Latitude 53°23.4431'N, Longitude 006°04.3320'W,  
(referred to as "Baldoyle Bay");

(q) the area west of an imaginary line drawn from

Latitude 53°21.6697'N, Longitude 006°03.1246'W through  
Latitude 53°20.6805'N, Longitude 006°08.9268'W to  
Latitude 53°18.1546'N, Longitude 006°07.6237'W,  
(referred to as "Dublin Harbour");

(r) the area enclosed by an imaginary line drawn from  
Latitude 53°35.9400'N, Longitude 006°00.3600'W through  
Latitude 53°35.9400'N, Longitude 005°59.9400'W through  
Latitude 53°35.7600'N, Longitude 005°59.9400'W through  
Latitude 53°35.7600'N, Longitude 006°00.3600'W to  
the first mentioned point,  
(referred to as "Rockabill");

(s) the area enclosed by an imaginary line drawn from  
Latitude 53°31.8000'N, Longitude 006°04.0800'W through  
Latitude 53°31.8000'N, Longitude 006°03.3600'W through  
Latitude 53°30.7200'N, Longitude 006°03.3600'W through  
Latitude 53°30.7200'N, Longitude 006°04.0800'W to  
the first mentioned point,  
(referred to as "Rockabill to Dalkey");

(t) the area enclosed by an imaginary line drawn from  
Latitude 53°24.6600'N, Longitude 006°04.2000'W through  
Latitude 53°24.6600'N, Longitude 006°03.3000'W through  
Latitude 53°23.8800'N, Longitude 006°03.3000'W through  
Latitude 53°23.8800'N, Longitude 006°03.5400'W to  
the first mentioned point,  
(referred to as "Rockabill to Dalkey ; Ireland's Eye");

(u) the area enclosed by an imaginary line drawn from  
Latitude 53°16.8600'N, Longitude 006°05.4000'W through  
Latitude 53°16.8600'N, Longitude 006°04.2000'W through  
Latitude 53°16.0200'N, Longitude 006°04.2000'W through  
Latitude 53°16.0200'N, Longitude 006°05.4000'W to  
the first mentioned point,  
(referred to as "Rockabill to Dalkey ; Dalkey Island").

7. Nothing in this Natura Declaration affects the cultivation and harvesting of mussels in accordance with an aquaculture licence (within the meaning of the Fisheries (Amendment) Act 1997 (No. 23 of 1997)).

8. A person shall not have on board a vessel, in their possession, land, tranship, attempt to land or attempt to tranship, buy, handle, weigh, transport, process, store or sell mussels that have been caught in contravention of paragraphs 5 or 6.

Revocations

9. Fisheries Natura Declaration No. 2 of 2018 (Mussel Fishing) is revoked.

GIVEN under my Official Seal,

14

December 2018

A handwritten signature in black ink, appearing to read 'Michael Creed', with a stylized flourish at the end.

Michael Creed,

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 makes conditional and prohibits fishing for mussels in a number of areas around the Irish coast.

(FND 2018/003)