

**Iascach Intíre Éireann  
Inland Fisheries Ireland**

# **Report for the Purpose of Appropriate Assessment Screening**

**Lough Ree Commercial Trout Fishery  
2024-2029**

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# **1. Introduction**

## **1.1 Purpose of Assessment**

This Screening for Appropriate Assessment has been undertaken to determine the potential for significant impacts of the commercial trout fishery on Lough Ree that takes place each year from February 15th to July 31st on nearby Natura 2000 sites. This Screening for appropriate assessment has been undertaken by Inland Fisheries Ireland. The outcome of this screening is that it can be objectively concluded that there are not likely to be significant effects on any European sites.

This Appropriate Assessment Screening Report is in accordance with the requirements of Articles 6(3) and 6(4) of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora; the Planning and Development Acts, 2000-2015 and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011) as amended.

The proposal is not connected with or necessary to the conservation management of any Natura 2000 site.

## 2. The Appropriate Assessment Process

### 2.1 Stages in the Appropriate Assessment process

The requirement for Appropriate Assessment (AA) is outlined in Article 6(3) of the EU Habitats Directive where it is stated that:

*“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public”*

The Commission's guidance (EC, 2018) recommends a staged approach to complete the AA with each stage determining whether a further stage is required:

#### **Stage One: Screening**

The process which identifies, on the basis of a preliminary assessment the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans and considers whether these impacts are likely to be significant. There is no necessity to establish such an effect, it is simply necessary for the competent authority to determine that there may be such an effect. Plans or projects that have no appreciable impact on a European site may be excluded.

Where significant effects are likely, uncertain or unknown at screening stage, a second stage AA is required. Screening determines whether AA is necessary by examining:

- Whether a plan or project can be excluded from AA because it is directly connected with or necessary to the management of a European site; and
- Any possible effects of a project or plan either alone or in-combination with other projects or plans on the conservation objectives of a European site.

The assessment is carried out in the absence of any consideration of protective mitigation measures to reduce the plan or project's impact on a European site.

**Stage Two: Natura Impact Statement**

The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.

**Stage Three: Assessment of alternative solutions**

This process examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site.

**Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain**

An assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

### **3. Methodology**

The assessment in this report is based on a desk study and has been prepared with reference to the EC document *Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC* (EC, 2002). The desktop study was undertaken to identify the possible Zone of Influence of the proposed works and to identify any European sites within that area which could be potentially impacted upon. Sources of information consulted include the following:

- NPWS site boundary and site objective data
- OSI mapping and aerial photography
- EPA rivers and stream data
- Status of EU protected Habitats in Ireland, (NPWS, 2013)
- Relevant local area plans
- National Biodiversity Data Centre public records
- IFI records and publications
- Water Framework Directive via EDEN
- Irish Wetland Bird Survey on-line mapping

Relevant shapefiles were downloaded from the EPA, NPWS and from in-house IFI databases were used to generate maps on a Geographic Information System (GIS) platform. The resultant mapping has been used to illustrate information, including SAC and SPA boundaries.

#### **3.1 Statement of Authority**

This AA Screening has been completed by Jane Gilleran, Fisheries Environmental Officer with IFI. Jane has over 16 years' experience with Inland Fisheries Ireland. This screening has also undergone internal and external review.

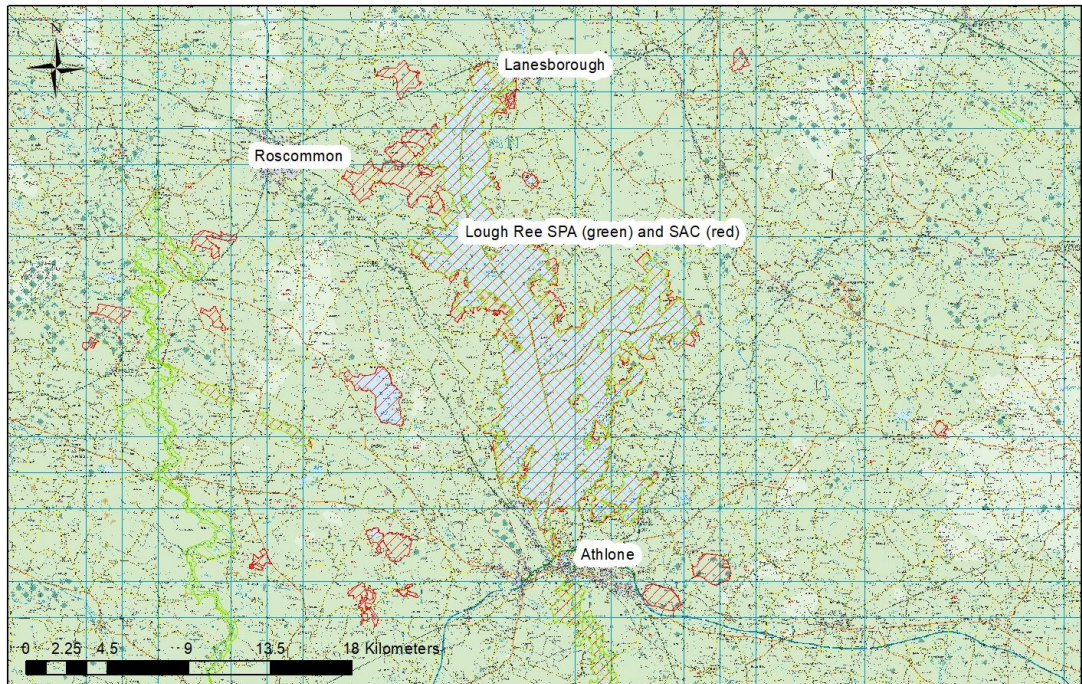
## **4. Description of Project**

### **4.1 Outline Project Description**

This commercial trout fishery on Lough Ree operates on an annual basis under two separate byelaws, The Lough Ree (Netting for Trout) Bye-law No. 484, 1954 and the Shannon Fisheries Region (Close Season for Draft Netting of Trout on Lough Ree) Bye-law No. 284, 2006. The 1954 byelaw permits the use of draft nets in L. Ree and prescribes limits on mesh size. The 2006 byelaw establishes the annual close season during which netting is prohibited and restricts netting from 6am on Saturday to 6am the following Monday from season opening to May 11<sup>th</sup>. The byelaw also prohibits taking of fish less than 30cm and caps the number of licences available to 12. Applicants must also meet a set of criteria to be eligible for a licence.

### **4.2 Site Location**

Lough Ree is situated on the River Shannon between Lanesborough to the north and Athlone to the south. It is Ireland's third largest lake and lies in an ice-deepened depression on Carboniferous limestone and covers parts of Counties Longford, Roscommon and Westmeath. The lake is 26km long and 11km at its widest point, has an area of 10,500ha, a mean depth of 6.2m and a maximum depth of 36m. Much of the northern end of the lake is relatively shallow, with only one deep basin reaching a maximum depth of 31m. The southern end of the lake has several deep basins, with depths exceeding 35m. The lake is categorised as typology class 12 (as designated by the EPA for the purposes of the Water Framework Directive) i.e., deep, greater than 50ha and with high alkalinity (Kelly et al., 2013). Under the WFD risk categorisation system, the lake has been classified as 'not at risk'. The lake has been designated as both a Special Area of Conservation (SAC) and a Special Protection Area (SPA) due to the presence of Annex I habitat types, bird species listed on Annex I of the Birds Directive (Council Directive 79/409/EEC) and the otter listed on Annex II of the EU Habitats Directive (Council Directive 92/43/EEC) (NPWS, 2011). The lake itself is an excellent example of a mesotrophic to moderate-eutrophic system, supporting rare fish species and a good diversity of breeding and wintering birds.



**Figure 1: Lough Ree SPA and SAC**

## **4.2 Commercial netting on Lough Ree**

Commercial netting on Ree has a long cultural history, practiced by generations of the same families living along the shoreline at the Athlone end of the lake or on the islands of the lake. Netting is generally restricted to the southern end of the lake, around Coosan and Inchmore Island, occasionally taking place as far north as Elfleet Bay. Eleven licences were granted for 2023 and were valid for fishing from February 15<sup>th</sup> to July 31<sup>st</sup>. Fishing is prohibited from 6am Saturday to 6am the following Monday morning from season opening to May 11<sup>th</sup>. The taking and retention of trout <30cm is illegal and the legislation sets out a minimum mesh size. The ESB, as the fishery owner on Lough Ree, have the statutory responsibility to manage, conduct and preserve the fisheries throughout the Shannon catchments. However, during the course of regular duties IFI staff also inspect and monitor the fishery.





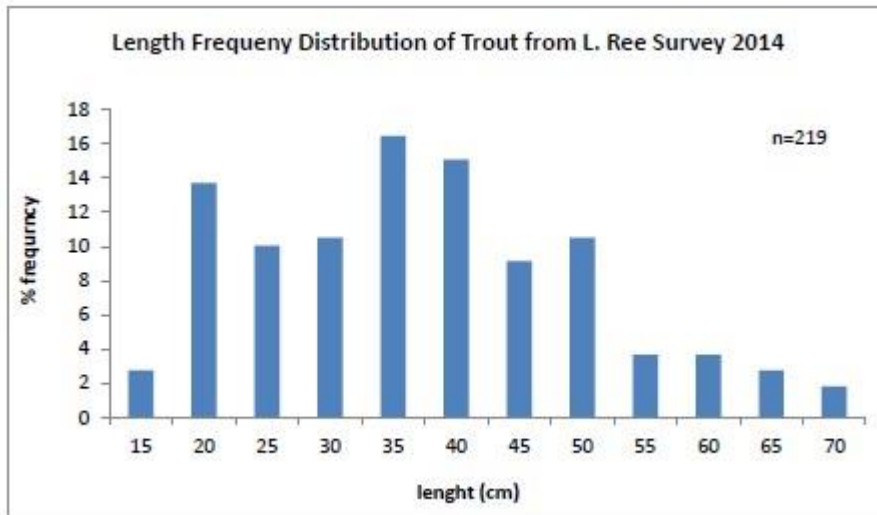
**Figure 2: Southern Lough Ree, Coosan to Elfleet Bay**

Netting takes place from the shore in daylight hours only. The draft net is never left unattended and is not set overnight as would be typical for drift or survey netting. A boat takes one end of the net out onto the lake with the other end held ashore. The boat takes a sweep out into the lake trailing the net, and then returns immediately to shore, enclosing a semi-circular area of water within the net. The net is then pulled ashore by the fishermen. Up to 15 trout have been known to be caught in a single haul but a more usual catch is from zero to single figures of trout.



**Figure 3 Draft net haul in action at Inchmore Island**

Any trout above 30cm are retained with other fish released. Several 'hauls' may be completed per fishing session with each haul taking approximately 15 minutes. Information from local IFI staff indicates that fishing pressure is very light with only two licences regularly fished. This is supported by evidence from the Lough Ree survey in 2014 which found a healthy population of trout above 30cm in the lake with steady recruitment to the population over the previous 6 years. If trout experienced cropping pressure from intensive fishing by the commercial netting licence holders this would lead to a significant reduction in trout >40cm. This is not evident in the survey results and supports the view that fishing activity is limited.



**Figure 4** Size frequency distribution of trout in L. Ree (From A Report on a Scientific Survey of Adult Fish Stocks in Lough Ree, IFI, 2016)

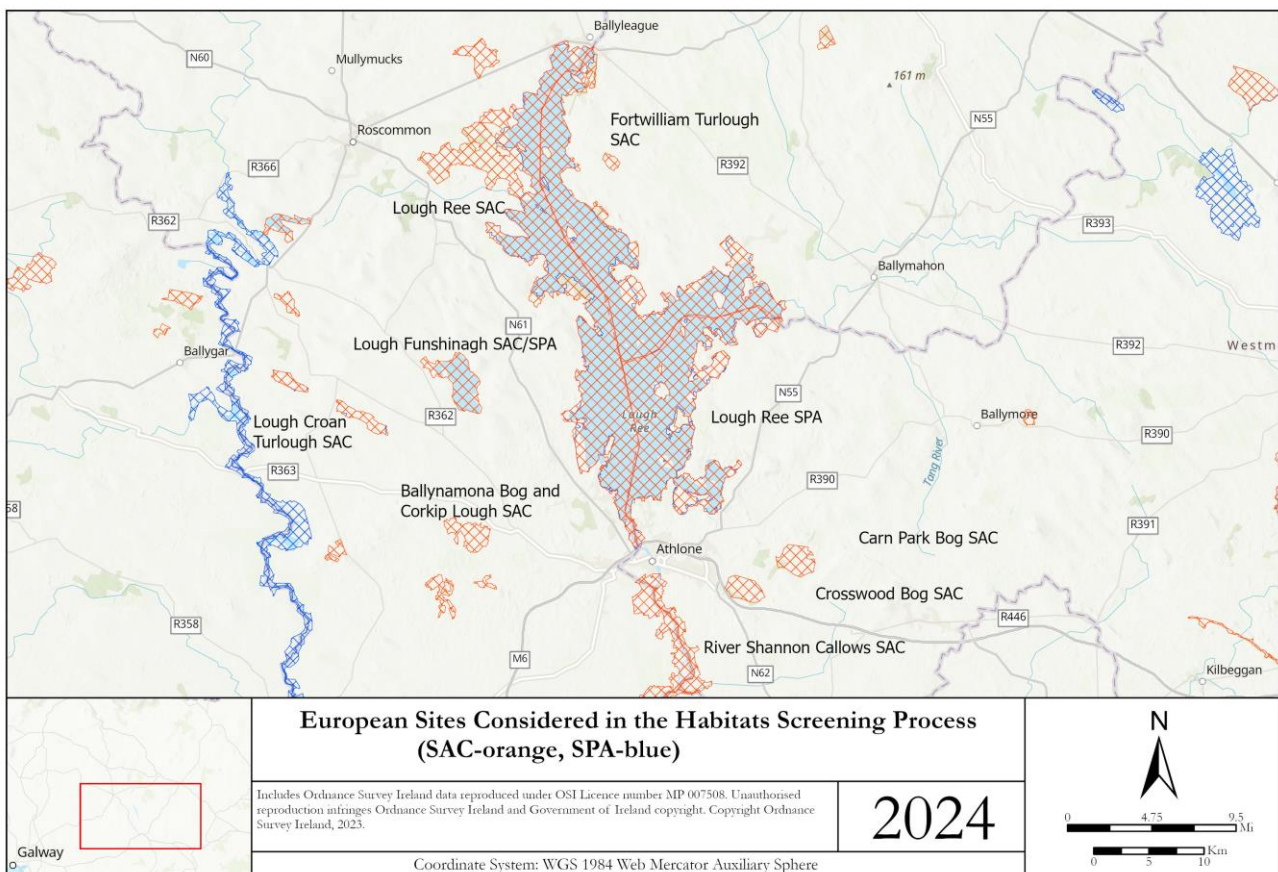
Returns from the previous 4 years of fishing effort. Reported returns increased in each year from 2020 to 2022 but a large decline was reported in 2023. Only eleven licences were taken up in 2023. The average weight of fish reported has remained relatively stable.

**Table 1** Licence holder reported commercial catch from 2020 to 2023

Licence Number	2023 Catch (kg)	2022 Catch (kg)	2021 Catch (kg)	2020 Catch (kg)
1	36	60	40	7
2	0	n/a	3	n/a
3			n/a	10
4	250	100	n/a	n/a
5	n/a	250	n/a	200
6	20	37	46	18
7	220	272	270	500
8	57	60	136	74
9	300	1200	330	420
10	45		1000	300
11	65	80	18	46
12	27	87	60	n/a
<b>Total Catch (kg)</b>	<b>1020</b>	<b>2146</b>	<b>1903</b>	<b>1575</b>
<b>Average Trout Weight (kg)</b>	<b>1.24</b>	<b>1.25</b>	<b>1.17</b>	

### 4.3 Determination of likely zone of Influence

Guidance on Appropriate Assessment in Ireland recommends that a distance of 15km is used in assessing any potential impacts of plans on European sites. The source-pathway-receptor model was also used to identify potentially impacted European sites outside of this distance. An examination was undertaken, both alone and in combination, to identify any European sites falling within these zones. Given the nature of the proposal it is considered that it will only impact Lough Ree, in which the proposed activity will occur.



### 4.4 Identification of relevant European sites

Using the model as described above the following European sites were considered to be within the Zone of Influence:

- Lough Ree SPA (Site Code: 004064)
- Lough Ree SAC (Site Code: 000440)



The significance of any impacts from the proposed plan on this site and on its qualifying interests is considered in Table 2 and 3 below:

**Table 2 Screening of European Sites within Zol**

<b>SAC/SPA</b>	<b>Screened In/Out</b>	<b>Reason</b>	<b>Outcome</b>
Lough Ree SPA	Further considered below	Activity occurring within the SPA	
Lough Ree SAC	Further considered below	Activity occurring within the SAC	
River Shannon Callows SAC	Out	Limited nature and extent of activity – no connectivity	No significant effects likely
Lough Funshinagh SAC	Out	No hydrological connection	No significant effects likely
Lough Croan Turlough SAC	Out	No hydrological connection	No significant effects likely
Ballynamona Bog and Corkip Lough SAC	Out	No hydrological connection	No significant effects likely
River Shannon Callows SAC	Out	No hydrological connection	No significant effects likely
Crosswood Bog SAC	Out	No hydrological connection	No significant effects likely
Carn Park Bog SAC	Out	No hydrological connection	No significant effects likely
Fortwilliam Turlough SAC	Out	No hydrological connection	No significant effects likely

**Table 3: Brief Description of European sites within Zone of Influence**

European site description	Qualifying Interest	Conservation Objectives	Possibility of Likely Impacts
<p><b>Lough Ree SAC</b></p> <p>Lough Ree is the third largest lake in Ireland and is found on the River Shannon between Lanesborough and Athlone. The water of Lough Ree tends to be strongly peat-stained, restricting macrophytes to depths of less than 2m, and therefore, macrophytes are restricted to sheltered bays, where a typical Shannon flora occurs. Species present include Intermediate Bladderwort (<i>Utricularia intermedia</i>), pondweeds (<i>Potamogeton</i> spp.), Quillwort (<i>Isoetes lacustris</i>), Greater Duckweed (<i>Spirodela polyrhiza</i>), stoneworts (<i>Chara</i> spp. including <i>C. pedunculata</i>) and Arrowhead (<i>Sagittaria agittifolia</i>). Reedbeds of Common Reed (<i>Phragmites australis</i>) are an extensive habitat in a number of more sheltered places around the lake. Limestone pavement occurs occasionally around the lakeshore. The most substantial area is at Rathcline in the extreme north-east. The lake itself contains one of only two populations in Ireland of the endangered fish species, Pollan (<i>Coregonus autumnalis</i>), which is genetically different from Continental European stock. The shrimp <i>Mysis relicta</i> (Class Crustacea) occurs in this lake and is a relict of the glacial period in Ireland.</p>	<p>3150 Natural Eutrophic Lakes</p> <p>6210 Orchid-rich Calcareous Grassland</p> <p>7110 Active Raised Bog</p> <p>7120 Degraded Raised Bog</p> <p>7230 Alkaline Fens</p> <p>8240 Limestone Pavement</p> <p>91D0 Bog Woodland</p> <p>91E0 Alluvial Forests</p> <p>1355 Otter (<i>Lutra lutra</i>)</p>	<p>No decline with area stable or increasing subject to natural processes.</p> <p>At least seven positive indicator species present, including two "high quality" species. Cover of non-native species not more than 1%.</p> <p>Restore area of active raised bog to 70.1ha, subject to natural processes</p> <p>Appropriate natural hydrological regimes necessary to support the natural structure and functioning of the habitat</p> <p>Cover of non-native species not more than 1% on exposed pavement; on wooded pavement not more than 10% with no regeneration</p> <p>Birch (<i>Betula pubescens</i>), bog moss (<i>Sphagnum</i> species) and at least five other species present</p> <p>N/A</p> <p>No significant decline</p>	<p>Given the limited extent of netting and the fact the net is constantly attended the likelihood for waterbirds to come near or in contact with the net is considered highly unlikely.</p> <p>Given the net is never left unattended the scope for impact on Otter is considered highly unlikely.</p>

European site description	Qualifying Interest	Conservation Objectives	Possibility of Likely Impacts
<p><b>Lough Ree SPA</b></p> <p>Lough Ree is one of the most important Midland sites for wintering waterfowl, with nationally important populations of Little Grebe (52), Whooper Swan (139), Wigeon (2,070), Teal (1,474), Mallard (1,087), Shoveler (54), Tufted Duck (1,012), Goldeneye (205), Coot (338), Golden Plover (3,058) and Lapwing (5,793). Other species which occur in winter include Great Crested Grebe (29), Cormorant (99), Curlew (254) and Black-headed Gull (307) as well as the resident Mute Swan (85). Greenland White-fronted Goose has been recorded on occasion on the flooded margins of the site. Of particular note is that Lough Ree is one of the two main sites in the country for breeding Common Scoter, a Red Data Book species. Lough Ree SPA is of high ornithological importance for both wintering and breeding birds. It supports nationally important populations of eleven wintering waterfowl species. The site has a range of breeding waterfowl species, notably nationally important populations of Common Scoter and Common Tern. Of particular note is the regular presence of three species, Whooper Swan, Golden Plover and Common Tern, which are listed on Annex I of the E.U. Birds Directive.</p>	<p>A004 Little Grebe (<i>Tachybaptus ruficollis</i>)</p> <p>A038 Whooper Swan (<i>Cygnus cygnus</i>)</p> <p>A050 Wigeon (<i>Anas penelope</i>)</p> <p>A052 Teal (<i>Anas crecca</i>)</p> <p>A053 Mallard (<i>Anas platyrhynchos</i>)</p> <p>Shoveler (<i>Anas clypeata</i>)</p> <p>A061 Tufted Duck (<i>Aythya fuligula</i>)</p> <p>A065 Common Scoter (<i>Melanitta nigra</i>)</p> <p>A067 Goldeneye (<i>Bucephala clangula</i>)</p> <p>A125 Coot (<i>Fulica atra</i>)</p> <p>A140 Golden Plover (<i>Pluvialis apricaria</i>)</p> <p>A142 Lapwing (<i>Vanellus vanellus</i>)</p> <p>A193 Common Tern (<i>Sterna hirundo</i>)</p> <p>A999 Wetland and Waterbirds</p>	<p>i) To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA</p> <p>ii) To maintain or restore the favourable conservation condition of the wetland habitat at Lough Ree SPA as a resource for the regularly occurring migratory waterbirds that utilise it.</p>	<p>No interaction with or disturbance of the winter migrant species given the netting takes place in Summer and the net is fully attended at all times and its duration and geographic extent is limited. Scoter are confined to the northern and mid-sections of lake, thus do not overlap with the netting activity.</p> <p>Given the limited nature of the netting the potential for disturbance of breeding birds is also highly unlikely. Nesting is generally confined to the islands away from netting activity. The netting is limited in scope both temporally and spatially.</p> <p>The presence of people around the net will also act as a deterrent to the presence of waterbirds</p>

## 4.5 Impact Assessment

Table 3: European Site Impact Assessment
Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby European site:
The commercial trout fishery that operates on Lough Ree from February 15 <sup>th</sup> to July 31 <sup>st</sup> each year will have no significant effects upon any designated European site, with no individual aspects of the fishery likely to give rise to any site or Qualifying Interest for which they are designated. No potential in-combination impacts are likely to give rise to direct or in-direct impacts on European sites.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:
<p><b>Size and Scale:</b> No impacts are predicted due to any European sites due to the size and scale of the licenced netting activity</p> <p><b>Land-take:</b> No land-take is necessary for the activity and therefore no impact on a European site is likely</p> <p><b>Distance from European Site or key features of the site:</b> The activity is located on Lough Ree, a designated European site no impacts on are predicted on these sites or sites with a hydrological connection.</p> <p><b>Emissions:</b> There may be some minor, discrete and short-term emissions related to noise from outboard engines. The engines will be run at low speed and for short durations. Noise at idle is typically in the range of 60dB, equivalent to typical human conversation.</p> <p><b>In-combination/Cumulative Impacts:</b> The proposed licenced activity was examined with other plans, programmes and permitted development that may have given rise to in-combination or cumulative effects, and none were predicted.</p> <p><b>Duration:</b> The activity will only take place between February 15<sup>th</sup> and July 31<sup>st</sup> with no fishing between the hours of 6am Saturday and Monday. Fishing activity is also heavily weather-dependent.</p>



**Describe any likely changes to the nearby Natura 2000 sites arising as a result of:**

**Reduction of Habitat Area:** There will be reduction in habitat area as a result of the netting activity and no interference with habitats

**Disturbance of Key Species:** There will be no direct disturbance of any Qualifying Interests of the Lough Ree SPA or SAC as listed in Table 3 above. For winter migrants, the activity occurs during the Spring and Summer and does not overlap with their presence on the lake. For the resident species, they are largely found in the reed and shallow margins of the lake. The netting activity takes place outside of the margins and reeds and involves a boat moving very slowly and often under oar rather than engine power. Significant impacts on breeding birds from the activity are unlikely.

**Habitat or Species Fragmentation:** There will be no habitat damage or removal due to the netting activity and no loss or damage to designated habitats or species.

**Reduction in Species Density:** The netting activity will no result in the reduction of the density of any of the Qualifying Interest species in the SAC or SPA. The net will never be left unattended, and each haul lasts approximately 15minutes therefore there is no risk of entanglement.

**Changes in Key Indicators of Conservation Value:** There are no predicted changes in water quality indicators predicted for either surface or groundwater as a result of the netting activity.

**Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:**

**Interference with the Key Relationships that Define the Structure and Function of the Site:** The lack of predicted impacts on water quality, species density or habitat fragmentation means there is no likely impact on the relationships that define the Lough Ree SAC or SPA

**Provide indicators of significance as a result of the identification of effects set out above in terms of:**

**Estimated % of Lost Habitat area:** None

**Fragmentation:** None

**Disruption and Disturbance:** Not significant

**Change to Key Elements of Site:** None

## 5. Report Conclusion

The proposal relates to the continuation of commercial netting on Lough Ree following the legislation set out in relevant byelaws. It is limited in nature and restricted geographically. Given the nature of the activity and the fact the nets are attended at all stages of fishing, there are no potential likely impacts from the proposal that could impact on the European site in question.

There are no other projects in the vicinity that in combination with the current proposal will likely impact on the European site its qualifying interests.

The outcome of screening for this project is that it can be objectively concluded that there are not likely to be significant effects on any European sites. Therefore, no further assessment is required. Table 2 below (Screening report matrix) provides a summary of the information gathered for in reaching this conclusion. Should any changes occur to the nature or extent of the netting activity the project will be re-screened ahead of the 5 year review period.

<b>Table 4: Finding of No Significant Effect Matrix</b>	
<b>Information about the project</b>	
<b>Brief description of project</b>	Commercial brown trout draft net fishery on Lough Ree
<b>Brief description of European sites within 15km</b>	Lough Ree SAC and Lough Ree SPA
<b>Is the project directly connected with or necessary to the management of the site?</b>	No, it is an activity controlled by Licence
<b>Are there other projects or plans that together with the project being assessed could affect the sites</b>	There are no other known projects that would combine with the effects of the proposed developments to give rise to likely significant effects.
<b>Assessment of significance of effects</b>	
<b>Describe how the project is likely to affect European Sites</b>	Having regard to the location, nature and scale of the proposed operation, it is considered that there is no potential for significant effects either from the proposed programme on its own or in combination with other plans and projects
<b>Explain why these impacts are not</b>	Not applicable – no potential for significant impacts

<b>considered significant</b>	
<b>Describe how the project is likely to affect Annex II species designated under the Habitats Directive</b>	No significant impacts likely

## 6. Appendix 1

**DEPARTMENT OF COMMUNICATION, MARINE AND NATURAL RESOURCES  
FISHERIES ACTS, 1959 TO 2003**

**SHANNON FISHERIES REGION NO. 8 OR LIMERICK DISTRICT  
CLOSE SEASON FOR DRAFT NETTING OF TROUT ON LOUGH REE  
BYE-LAW NO. 284, 2006.**

I, Pat the Cope Gallagher, Minister of State at the Department of Communications, Marine and Natural Resources, in exercise of the powers conferred on me by section 9 (as amended by section 3 of the Fisheries (Amendment) Act 1962 (No. 31 of 1962)) of the Fisheries (Consolidation) Act 1959 (No. 14 of 1959), section 33 of the Fisheries (Amendment) Act 1962, the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order 1977 (S.I. No. 30 of 1977) (as adapted by the Marine and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 307 of 2002)) and the Marine (Delegation of Ministerial Functions) (No. 5) Order 2005 (S.I. No. 843 of 2005), hereby make the following Bye-law:

1. (1) This Bye-law may be cited as the Shannon Fisheries Region (Close Season for Draft Netting of Trout on Lough Ree) Bye-law No. 284, 2006.

(2) This Bye-law shall come into operation on 15 February 2006.

2. In this Bye-law:

“draft net” means a single wall of netting attached to a floating head rope and a weighted ground rope, designed so that a bag is formed into which the catch is drafted or hauled, for the purpose of taking or fishing for, or attempting to take or to fish for trout.

a reference to “a paragraph” is to a paragraph of the Bye-law in which the reference occurs, unless it is indicated that reference to some other Bye-law is intended.

3. (1) Paragraph 8 (1) of the Salmon and Trout Conservation Bye-law No. 798, 2005 insofar as it applies to taking or fishing for, or attempting to take or to fish for trout with a draft net, or aiding or assisting in such taking, fishing, or attempting, shall not apply to Lough Ree in the No. 8 or Limerick District.

(2) Notwithstanding anything contained in any Bye-law fixing the annual close season for trout in Lough Ree in the No. 8 or Limerick District it is hereby prohibited to take or to fish for, or to attempt to take or to fish for, trout with a draft net, or to aid or assist in such taking, fishing or attempting in the said part of the No. 8 or Limerick District during the period in any year commencing on 1 August and ending on 14 February.

4. Subject to paragraph 3 (2) of this Bye-law and notwithstanding anything contained in any Bye-law varying the weekly close time, it is hereby prohibited to take or to fish for, or to attempt to take or to fish for, trout with a

draft net, or to aid or assist in such taking, fishing, or attempting, in the said waters in the No. 8 or Limerick District between 6 o'clock am on Saturday and 6 o'clock am on the next following Monday during the period commencing on 15 February and ending on 11 May.

5. It is hereby prohibited to take and retain with a draft net, in Lough Ree in the No. 8 or Limerick District any trout of less than 30 centimetres (12 inches) in length measured in a straight line from the tip of the snout to the fork of the tail.
6. Any trout taken inadvertently in contravention of paragraph 5 of this Bye-law shall be handled carefully and returned without avoidable injury to the said waters in the No. 8 or Limerick District immediately upon being taken.
7. The maximum number of draft net licences on Lough Ree, which the Shannon Regional Fisheries Board may issue in 2006, or any year thereafter for that district shall not exceed 12.
8. It is hereby prohibited -
  - (a) to have on board any boat, or
  - (b) to have in or on any vehicle, or otherwise,with the intention of taking or fishing for, or attempting to take or to fish for, trout, a draft net, during the period specified in paragraph 3 and 4 of this Bye-law.
9. The Shannon Fisheries Region (Close Season for Draft Netting of Trout on Lough Ree) Bye-law No. 281, 2005 is revoked.

GIVEN under my hand,  
9 February 2006.

Pat the Cope Gallagher

Pat the Cope Gallagher  
Minister of State at the Department of Communications,  
Marine and Natural Resources

### EXPLANATORY NOTE

(This Note is not part of the Bye-law and does not purport to be a legal interpretation).

This Bye-law introduces the following conservation measures on Lough Ree:

- The annual close season for draft netting of trout shall commence on 1 August and end on 14 February.
- Prohibits draft netting between 6 am on any Saturday and ending at 6 am on the next following Monday during the period commencing 15 February and ending on 11 May.
- Prohibits the taking and retention of trout less than 30 centimetres (12 inches) in length.
- The maximum number of draft net licences, which the Shannon Regional Fisheries Board may allocate in 2006 and each year thereafter shall not exceed 12.

### FOOTNOTE

Section 11 of the Fisheries (Consolidation) Act, 1959 as amended by Section 27 (b) of the Fisheries (Amendment) Act, 1999 provides that any person aggrieved by this Bye-law may within 28 days after its publication in the *Iris Oifigiúil*, appeal against same to the High Court.

DEPARTMENT OF AGRICULTURE (FISHERIES BRANCH).  
(FISHERIES ACTS, 1842 TO 1953).

BYE-LAW No. 484.

No. 8 of LIMERICK DISTRICT.

NETTING FOR TROUT IN LOUGH REE.

I, GEARÓID MAC PHARTHALÁIN, Parliamentary Secretary to the Minister for Agriculture, in exercise of the powers conferred by Section 2 of the Fisheries (Amendment) Act, 1953 (No. 14 of 1953), and the Fisheries (Delegation of Ministerial Functions) Order, 1953 (S.I. No. 281 of 1953), and of every and any other power me in this behalf enabling, hereby make the following Bye-Law:—

1. This Bye-law may be cited as the Lough Ree (Netting for Trout) Bye-law No. 484, 1954.
2. The Interpretation Act, 1937 (No. 38 of 1937), applies to this Bye-law.
3. It is hereby permitted to use draft nets with a mesh of not less than  $1\frac{1}{4}$  inches from knot to knot or 5 inches in the round (measured when the net is wet) for the capture of trout in Lough Ree.
4. The Bye-law dated 27th August, 1858, relating to the use of nets in Lough Ree is hereby revoked.
5. Any person offending against this Bye-law shall forfeit and pay for each offence a sum not exceeding £5 and any fishing engine used contrary to the Bye-law shall, as a statutory consequence of conviction, stand forfeited.

GIVEN under my hand this 12th day of  
February, 1954.

(Signed) GEARÓID MAC PHARTHALÁIN,  
*Parliamentary Secretary to the Minister for Agriculture.*

The version of this Bye-law in the Irish language prepared  
officially is on the opposite page.