

An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



AP8/2018

AG Oysters

Appeal

Cúirt Choill Mhinsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

Guthán/Telephone: 057 8631912 R-phost/Email: info@alab.ie Láithreán Gréasáin/Website: www.alab.ie

Date : 21/08/2018

AG Oysters
225 New Lodge Road,
Belfast BT15 2BY
Northern Ireland

The Aquaculture Licences Appeals Board (ALAB)
Kilminchy Court
Dublin Road
Portlaoise
Co Laois.
R32 DTW5
IRELAND



Object : Outline the ground for appeal against the refusal to grant the aquaculture license T03/96.

I would like to make an appeal to the decision of refusal to grant the license for the aquaculture of oyster on intertidal areas of Bannow Bay to AG Oysters Ltd. (Ref T03/96).
The reason given for the refusal is : the proposed aquaculture would potentially result in significantly higher levels of disturbance for protected shorebird species.

The reason for my appeal are given in the comments and suggestions below :

1- Politiques :

The marine resource is a shared resource for which many actors - big and small – compete. In my view it is fair that any business involved in aquaculture activity should have an equitable access to license and marine resources of Ireland's shores and this right should not be reserved to existing businesses only. I would like to underline that a monopolisation of the oyster industry to few big farm businesses as much as 70 per cent of Ireland's production comes from just 15 enterprises (BIM, 2012) would negatively adversely the sustainable coastal development of small and medium business. Monopolisation of the oyster farming industry would lead to long term effect on market prices with large business becoming price makers and restricting market access for the SMB. This is why I think it would be economically sustainable to grant aquaculture licenses to new businesses in Bannow Bay.

2- Birds protection :

Bannow Bay is located in a SPA, and although there are no scientifically investigation demonstrating that oyster farming may cause an armful pressure on some birds population I understand that cautious measure need to be taken into consideration when allocating new aquaculture licenses.

I have good knowledges of the bay and its natural habitat. Most of the area visited by birds is located upstream in the muddy marshy and brackish habitat where they are feeding on small invertebrate. Because of the location of the proposed license, the impact on bird populations is minimal compared to other parts of the Bay.

I am a nature and birds lover myself and a sustainable development of the oyster farming industry can take place only with adequate management measures too reduce its potential impact on the environment. A healthy environment is a key of success to oyster farming and I understand that a heathy ecosystem must take into account birds protection as well as protection of the shellfish water quality.

If I was allocated a site for growing oysters in Bannow bay I would propose the implementation specific oyster farming production management measure, tight to the aquaculture license. These would minimise disturbance and enhance the site natural biodiversity. Such measure would need

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to be further developed with environmental agencies and bird specialist. Measures that could be further developed you involve such as :

- The shortening the production cycle to 9 months, from half grown to full grown oyster only (from 40 grams to 80/ 100 grams).
- Removal of the trestles at the end of each production cycle, in winter time when migratory birds visit Bannow Bay. Pseudo faeces accumulated below the trestles during the oyster production season can be used as food source for polychaete on which many bird species feed. Oyster cultivation will enhance the biodiversity and density of polychaete and other invertebrates at the oyster site location. This will have a positive impact on bird population and the removal of the trestles during the winter will allow full access to the feeding ground for the birds. The removal of trestles will also allow a dynamic water flow through the site thus minimising the accumulation of sediments and organic matter on the site and a better oxygenation and mineralisation of the organic matter deposited on the sea floor. It would suggested a production time frame between the 15 of March to the 15 of December. Trestles would be all removed and stored on land between the 15 of December and the 15 of March.
- Use of the tractor only into two periods/ year : 1) to put the production in place; 2) to harvest the oysters and remove the trestles. Short cycles doesn't requires grading and splitting oyster bags. Therefore access to the oyster site would be kept to a minimum, hence lower noise or soil trampling disturbances. For turning the oyster bags, access to the site can be done on feet and doesn't require the use of a tractor with trailer.
- No trestles will be placed within or nearby the channels and at the muddy, deeper location to allow good access for navigation and feeding ground for birds. Large alleys between blocks of trestles will allow birds to travel on ground free trestle within the site. The size and frequency of alleys need to be discussed with bird specialists.

Best regards

Adrien Geay
AG Oysters Ltd.



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**NOTICE OF APPEAL UNDER SECTION 40(1) OF
FISHERIES (AMENDMENT) ACT 1997 (NO. 23)**

Name and address of appellant:

AG Oysters Ltd.
Adrien Geay (Director)
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Belfast BT15 2BY
Northern Ireland

Telephone: +33 546362829 Fax: +33 546363480
Mobile Tel: ' E-mail address: adrien@huitres-geay.fr

Subject matter of the appeal:

Refusal to grant the aquaculture license and foreshore license at Bannow bay.
Reason for refusal : the proposed aquaculture would potentially result in significantly higher level of disturbance for proposed shorebird species.

Site Reference Number: T03/96

(as allocated by the Department of Agriculture, Food and the Marine)

Appellant's particular interest in the outcome of the appeal:

Cultivation of oysters in Bannow Bay.

Outline the grounds of appeal (and, if necessary, on additional page(s) give full grounds of the appeal and the reasons, considerations and arguments on which they are based):

See additional pages as per attached.

Fee enclosed: Appeal by licence applicant €380.92 + Request for an Oral Hearing (fee payable in addition to appeal fee) 76.18 = 457.10 €

(payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 1998 (S.I. No. 449 of 1998))(See Note 2)

Signed by appellant:..... **Date:** 21/08/2013

Note 1: This notice should be completed under each heading and duly signed by the appellant and be accompanied by such documents, particulars or information relating to the appeal as the appellant considers necessary or appropriate and specifies in the Notice.

Note 2: The fees payable are as follows:

- | | | |
|-------------------------------------|---|---------|
| <input checked="" type="checkbox"/> | Appeal by licence applicant..... | €380.92 |
| <input type="checkbox"/> | Appeal by any other individual or organisation | €152.37 |
| <input checked="" type="checkbox"/> | Request for an Oral Hearing (fee payable in addition to appeal fee) | €76.18 |

In the event that the Board decides not to hold an Oral Hearing the fee will not be refunded.

Adrien GEAY



