Submission Objecting to the Proposed Aquaculture Licence for Non-Native Oysters

I wish to formally object to the granting of any aquaculture licence permitting the cultivation of non-native Pacific oysters within this Special Area of Conservation (SAC) of Ballyness Bay, Co. Donegal.

Ballyness Bay is an exceptionally beautiful location that provides a valuable amenity and is a considerable economic asset to the local community. At this level alone it demands protection. It is an environmentally valuable coastal area, supporting a rich diversity of wildlife and marine life. That coastal habitat provides food and shelter for numerous species, including birds, otters, seals, crabs, periwinkles, mussels, native oysters and species inhabiting the seabed, which is precisely why this area has been designated for special protection.

The natural seabed is itself an important habitat. It supports organisms living both on and within the sediment and provides feeding grounds for birds and other wildlife. The faecal deposit below oyster farming trestles as experienced at many other sites can fundamentally alter the character of the seabed beneath and suffocate the habitats upon which existing species depend.

The potential impacts of non-native species on native oysters, mussel beds, invertebrates, birds and other wildlife must not be dismissed or treated as an acceptable consequence of commercial development within an SAC.

Article 22(b) of the Habitats Directive requires Member States to "*ensure that the deliberate introduction into the wild of any species which is not native to their territory is regulated so as not to prejudice natural habitats within their natural range or the wild native fauna and flora and, if they consider it necessary, prohibit such introduction*".

In an SAC, the consequences of introducing a non-native species could be irreversible.

The introduction and cultivation of a non-native species such as Pacific oysters, *C. gigas*, within such a protected area is a matter of serious concern and can alter the existing balance of the Bay's ecosystem

The use of triploid oysters cannot be accepted as a guarantee that they will not reproduce and spread outside of the farming setup.

Triploid oysters are only *partially* sterile, and cannot be considered to be non-reproductive with certainty. There is an increasing body of evidence that shows that spawning in triploid *C. gigas* can and does occur. There is also evidence that this tendency increases in hot weather conditions which are predicted to occur frequently in future climate change scenarios

Extensive field studies conducted by research institutes in France etc. have discovered that *25% to 42% of triploid populations* can overcome their non-reproductive status and become fertile. Their actual ability to successfully reproduce and generate viable wild offspring is cited as a fraction of a percent. This reproductive output appears low, but still represents a massive amount of physical spawn. Scientific counts (such as Guo & Allen) show that a spawning triploid female Pacific oyster can produce between *400,000 and 8.2 million* eggs per spawning event, and other wider hatchery studies, suggest that spawning triploid females average roughly 1 [illegible] eggs per spawn. *However, because they start*

AQUACULTURE LICENCES
APPEALS BOARD
15 OCT 2026
RECEIVED

with millions of eggs, even a tiny survival percentage (0.3% is suggested) can still result in thousands of viable, swimming larvae successfully reaching the seabed.
This, multiplied by the number of individual oysters in any given farm site, gives the potential for large numbers of Pacific oyster escapees being released into the wild and cannot be ignored or discounted. Once viable Pacific oyster eggs have entered an open coastal ecosystem, they cannot realistically be retrieved or contained.

This is particularly the case in the Ballyness Bay scenario, where the daily inwards and outwards flow of tides could disperse the oyster eggs widely to adjoining protected areas and become established in the wild.

These issues have not been adequately addressed in dealing with the licence applications for Ballyness Bay.

These concerns have been adequately outlined by the appellants, and are extensively outlined in many scientific studies available, to even a cursory search, online. However, the subsequent various AA and NIS reports have, for no sound scientific reason, repeatedly chosen the approach of mentioning these dangers and others. They then go on to dismiss them without providing any in-depth scientific or ecological evidence or reason.

Should the licences be granted on such flawed assessments it would not speak well of the independence or fairness of the granting bodies.

The Irish Department of Agriculture, Food and the Marine has signed up to the EU Habitats Natura directives which require that the precautionary principle be applied when there are concerns over potential ecological damage.
There is little evidence that these principles are being applied by DAFM in dealing with the applications for Oyster farms in Ballyness Bay.
This represents a significant failure in their commitments and their responsibilities.

For these reasons, I respectfully request that the proposed aquaculture licences be refused.

Yours sincerely
Helen Fowley

[redacted]

AQUACULTURE LICENCES
APPEALS BOARD
19 OCT 2026
RECEIVED



FAO Aquaculture Licence Appeals Board,
Kilminchy Court,
Dublin Road,
Portlaoise,
Co Laois
R32 DTW5