



Kilcatherine, Eyeries, County Cork
<http://www.friendsoftheirishenvironment.org>

AP1-100-25



The Aquaculture Licences Appeals Board (ALAB)

Kilminchy Court

Dublin Road

Portlaoise

Co Laois.

R32 DTW5

Appeal Against Aquaculture Licence T05-472A in Kinsale Harbour

The appeal against Woodstown Bay Shellfish Ltd's aquaculture licence raises substantial environmental and procedural concerns regarding bottom-culture mussel farming in Kinsale Harbour. We urge licence revocation based on the structured analysis of key issues, scientific evidence, and regulatory violations that compose the 5 material deficiencies below.

1. Environmental Impact of Dredging

Bottom-culture mussel dredging is internationally recognized as ecologically destructive:

- **Sediment disruption:** Dredging resuspends seabed sediments, releasing sequestered heavy metals and hydrocarbons. Studies confirm this creates toxic plumes affecting water quality over 1km from dredge sites⁽¹⁾.
- **Benthic destruction:** Research shows dredging reduces benthic biodiversity by 40-60% and alters seabed composition for decades. Kinsale's crab populations face direct threat.
- **Lack of mitigation:** The application omits dredging frequency, intensity, and sediment data – critical for impact assessment. No buffer zones or monitoring protocols exist.

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2. Critical Omission of Environmental Impact Assessment (EIA)

The licence violates EU directives requiring EIA:

- **Legal mandate:** Projects exceeding 5ha or 100t annual output require EIA under EU Directive 2011/92/EU. This project (23ha/200t) far exceeds both thresholds.
- **Protected habitats:** Seagrass beds (*Zostera marina*) in Kinsale Harbour are Annex I protected habitats. Dredging would threaten any carbon sinks and fish nurseries.
- **Species impacts:** No assessment for Annex IV species (otters, cetaceans) or migratory salmonids. The invalid otter "risk assessment" erroneously evaluated oyster trestles, not dredging.

3. Regulatory Non-Compliance

- **Natura 2000 risks:** Adjacency to SPAs (Old Head of Kinsale, Sovereign Islands) necessitates impact studies under Habitats Directive.
- **Archaeological neglect:** Dredging near James Fort (National Monument) without seabed survey violates National Monuments Act.
- **Shellfish Waters misrepresentation:** False claim of designation undermines Shellfish Waters Directive compliance.

4. Unaddressed Operational Risks

- **Navigation hazards:** Dredging increases sedimentation in shallow channels, creating navigational risks. No Marine Navigation Impact Assessment conducted.
- **Infrastructure damage:** Mussel larvae infiltration threatens vessel cooling systems, increasing RNLI emergency risks.
- **Public health:** Proximity to wastewater outlets risks shellfish contamination.

5. Procedural Deficiencies

- **Stakeholder exclusion:** No consultation with Harbour Master, RNLI, archaeologists, or traditional fishers.
- **Outdated data:** Six-year delay (2018-2025) invalidates environmental baselines.
- **Cumulative impacts:** No assessment of combined effects with existing aquaculture.

6. Requested Actions:

1. Rescind licence T05-472A immediately
2. Mandate full EIA including:
 - Benthic-pelagic coupling studies
 - Migratory fish and otter population surveys
 - Archaeological seabed assessment
3. Require Social Impact Assessment and Navigation Risk Analysis

This project exemplifies unsustainable aquaculture. Approval without rigorous assessment violates EU environmental law and threatens Kinsale's marine ecosystem.

Signed on behalf of Friends of the Irish Environment by

Tony Lowes,

Director

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