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*Aquaculture Licence Appeals Board  
Kilminchy Court  
Dublin Road, Portlaoise  
Co. Laoise, R32 DTW5  
16 November 2020.*

[info@alab.ie](mailto:info@alab.ie)

***RE: AP2/1-14/2015: Response to Supplementary EIS from Marine Harvest Ireland in relation to the foreshore licence application at Shot Head, Bantry Bay, Co.Cork.***

*To whom it may concern:*

We refer to the PUBLIC NOTICE of your determination of appeals (references AP2/1-14/2015) against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Bradán Fanad Teoranta t/a Mowi Ireland (formerly trading as Marine Harvest Ireland), Kindrum, Fanad, Letterkenny, Co. Donegal for the cultivation of Atlantic Salmon; *Salmo salar* on a site (numbered T5/555A) in Bantry Bay, Co. Cork.

We further refer AP2/1-14/2015, 'Report for the purposes of the Aquaculture Licences, Appeals Board's Appropriate Assessment of a proposed salmon farm at Shot Head, Bantry Bay, Co Cork' which was completed on 11 September 2020 and which you state will be taken into account by the Aquaculture Licences Appeals Board in carrying out its Appropriate Assessment.

We refer therein to Appendix II of this Report, 'Marine Institute AA Screening Matrix for Bantry Bay'. We note that this version is dated March 6 2019. We attach the current Marine Institute AA Screening Matrix for Bantry Bay, dated 3 September, 2020. [ANNEX I]

We note that this Screening document determines that 'There are no direct or indirect impacts from the culture operations on any of the SACs or SPAs adjacent to outer Bantry Bay.'

This conclusion should rely on the best available scientific knowledge of the impact of these operations on the environment, and in order to rule out adverse effects, ALL activities arising from and impacting on the operations and their environment must be considered to reach

the conclusion that 'On the basis of the above it is considered that there will be no significant effects on the qualifying interests' of the Natura 2000 sites'.

We have not been able to find any consideration of the following activities:

- (1) Disease and its transmission to native species
- (2) Impact of the collection and use of wrasse as cleaner fish
- (3) Algae blooms
- (4) Lumpfish
- (5) The pair trawling for sprat in Bantry Bay for fishmeal production
- (6) Pesticides

### **(1) Disease and its transmission to native species**

We note from documentation released under AIE that 'there is no direct regulatory requirement under council directive 2006/88/EC to report mortalities from explained causes that are not associated with notifiable diseases to the Marine Institute.'

We attach the Mortality Reports submitted to the Fish Health Unit of the Department of Agriculture from 01 January 2020 to 14 Oct 2020 and draw your attention to:

#### **Cardiomyopathy syndrome**

Cardiomyopathy syndrome (CMS) was first described in farmed Atlantic salmon in Norway in 1985, with the first case in Scotland in 2000 and subsequently in the Faroe Islands in 2006. CMS also affects humans. We attach 'Cardiomyopathy syndrome in Atlantic salmon *Salmo salar* L.: A review of the current state of knowledge'.

CMS, affecting fish late in the production cycle, has a serious economic impact because mortalities occur late in the life cycle when the expenditures incurred are high. A 2001 field study in Norway found 14.3% of a county in the CMS hot spot in mid Norway had CMS and estimated direct annual lose to the industry of between €4.5 to €8.8 million.

The first occurrence of CMS in Ireland was on a salmon farm in the north west of Ireland in 2012, reported in the Journal of Fish Diseases in 2014. We refer to the attached paper 'Cardiomyopathy syndrome in Atlantic salmon *Salmo salar* L.: A review of the current state of knowledge.'

CMS is a severe disease affecting the heart of infected fish and characterized by prolonged periods of low-level mortalities. Fish can appear in generally good condition prior to time of death. Although sudden death is characteristic, CMS may be regarded as a chronic slowly progressing disease.

However, during sea lice or fresh water bath for Pancreatic Disease [PD] treatments, mortalities are significantly elevated due to the clinical and pathological effects of stressful events, especially if oxygen levels decrease as CMS compromises the ability of the fish to adapt to lowered oxygen levels and cardiac failure will result. Rupture of the heart typically occurs in affected fish under suboptimal rearing conditions, e.g. algal blooms, and after moderate stress such as feeding, grading, transportation.

The condition is transmittable and caused by a virus. A Norwegian 2003 study identified CMS in migrating wild salmon on a major river and off the coast of Norway and concluded that CMS can be considered a potential threat to the wild Atlantic salmon populations. In 2017 CMS was detected in wrasse caught locally and stocked as cleaner fish with farmed Atlantic salmon in Bantry Bay.

Thus CMS could spread to wild wrasse, posing a risk to their health and a potential reservoir or vector for the further transmission of the virus.

We refer you to Minister for Agriculture; Food and the Marine response to an Oral Question [8 November, 2017 Oral Question [46928/17] in reference to a site in Bantry Bay: 'The mortalities at the site referred to by the Deputy have been caused in part by Cardiomyopathy Syndrome (CMS) and a jellyfish attack'.

That the issue of the transfer of CMS has not gone away is confirmed by this applicants operator's report of CSA at Inishdoonver on 14 and 21 February, 2020 and at their Clew Bay Smolt Site on 21 May, 2020 recorded in the attached Mortality Report.

According to the Department's Record of Fin fish Inspection reports, MOWI hold three licences at Clew Bay but only one of them is active. We cannot reconcile the weight of the fish at +750g with the title of the site as 'smolts'. Only one of 5 licences owned by this company in Clew Bay is occupied, according to the most recent Fin Fish Inspection Reports and it is not possible to untangle the cause of 750g fish being held at a smolt site under single bay management but this lack of clarity does not meet the standard of knowledge sufficient to address the real and present threat of CMS in our waters.

The Habitats Directive screening should identify and prevent movement of live animals as they may introduce a pathogen that could transmit to wild animals (e.g. including to other species which may become vectors if not killed by it) and thus harm biodiversity. At least they should be expected to show that such transmission could not happen because of use of quarantine, a condition rendered problematic due to persistent 'leakage' of fish from the cages and increasingly frequent storm events resulting in the loss of entire salmon farms.

## **(2) Impact of the collection and use of wrasse as cleaner fish**

Given the highly transmissible CMS, it is difficult to understand why the industry choose to use wrasse as cleaner fish. Records we attach show that between 22/5/2015 up until 23/10/2019 1,655,139 wild wrasse have been taken from the listed bays, 98,995 from Bantry Bay and 84,000 from Kilkieran Bay SAC.

The wild wrasse have been bought from fishermen by salmon farmers without the required First Buyers Licences and without any assessment of the impact on the bays either through the depletion of numbers of wild stock in the bays that they have been taken from or through the transmission of parasites and disease taking place in Bantry Bay and within Glengarriff Harbour.

### **(3) Algae blooms**

We can find no information that would rule out the impact of nutrition from fish farms on algae blooms which are responsible for most of the mortalities in the Mortality Report.

If algal blooms (and jellyfish) are responsible for mortalities of the scale indicated - reaching up to 60% mortality - how can any impact on other wild marine species and the related ecosystem in protected areas be ruled out?

### **(4) Lumpfish**

The Bantry Marine Research Station site was licenced in 2018 for 'experimental purposes only and will not exceed more than two tons of standing stock at any one time'. Its Constitution requires it to:

To carry on the business of applied research on the development of aqua culture together with all technical processing and promotional activities associated therewith and to organise, plan, direct, assist in or otherwise be connected with research or development work to include all kinds of consultancy services to include biological, technical, marketing and financial consultancy services to the marine industry.'

It is now openly producing lumpfish on a large commercial scale far beyond the <2 ton limit. According to their website, in September 2019 they had '3 separate batches of fish in our system, accumulating to around 1,000,000 lumpfish. We plan to dispatch lumpfish to salmon farms to work as cleaner fish from September 2019 until April 2020'.

Our enquiries and complaints provided no records were kept of the meeting between the company and the Department addressing our complaint.

The production of lumpfish and its distribution on a commercial scale to this applicant and others is not subject to the standard assessment for aquaculture projects as it continues to be addressed as 'experimental'. Any AA screening must examine the impact of this commercial activity on the ecology of the area in order to screen out any possible adverse impacts.

### **(5) The pair trawling for sprat in Bantry Bay for fishmeal production**

The fish meal for salmon farms has as a staple diet sprat. In Bantry Bay, there has been a substantial outcry against the use of pair trawling for sprat which is then used in the production of fishmeal. We can find no trace of this activity being considered and these activities screened out. Sprat form an essential part of the food chain relied on by species protected under the Habitats and Birds Directives and so must be assessed as an indirect impact.

## **(6) Pesticides**

Neither the Marine Institute nor the Department of Food and Marine hold any records of the quantities and types of toxic pesticides that are used to treat sea lice on Ireland's salmon farms. Because of the potential impact of any such treatment on biodiversity, there is an obligation on the developer to disclose the necessary information to be taken into account by the competent authority before development consent can be issued.

## **(7) Conclusion**

In view of the above, we suggest that the 'Marine Institute AA Screening Matrix for Bantry Bay' [THE REPORT] does not meet the basic standards of an AA Screening Report, in that it has not provided 'Objective and verifiable information required to enable the competent authorities to decide on the basis of the integrity of the site and is unable to provide 'Authorisation of certainty, without any reasonable scientific doubt, that the plan or project will not affect the integrity of the site'.

This is because existing information, inventories, and surveys identified in this appeal have not been addressed by the authorities in preparing the 'Marine Institute AA Screening Matrix for Bantry Bay'. This excludes the possibility of determining the effects of this proposal on the integrity of the protected areas under Natura 2000.

Yours, etc.

Tony Lowes