

An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board
Kilminchy Court
Dublin Road
Portlaoise
Co Laois
R32 DTW5



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Bradán Fanad Teo
t/a Marine Harvest Ireland,
Kindrum,
Fanad,
Letterkenny,
Co. Donegal

6 October 2016

Our Ref: AP2/1-14/2015
Site Ref: T05/555 Shot Head, Bantry Bay, Co Cork

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to the conditions/grant of Aquaculture Licence to Bradán Fanad Teo t/a Marine Harvest Ireland, Kindrum, Fanad, Letterkenny, Co. Donegal on site Ref: T05/555 for the cultivation of Atlantic Salmon; *Salmo Salar* on a site on the foreshore at Shot Head, Bantry Bay, Co Cork

Dear Sirs

I refer to the appeals received by ALAB in relation to Aquaculture Licence for the cultivation of Atlantic Salmon; *Salmo Salar* on a site on the foreshore at Shot Head, Bantry Bay, Co Cork.

The Aquaculture Licence Appeals Board has considered the documentation furnished. Pursuant to Section 47(1) (a) of the Fisheries (Amendment) Act, 1997, where the Board is of the opinion that any document, particulars or other information is or are necessary for the purposes of enabling the Board determine the Appeal it may serve a notice on any person who has made submission or observations to the Board in relation to the Appeal.

In accordance with the provisions of section 47(1) (a) of the Act, the Board requires the following information:

1. Salmonids and freshwater pearl mussel in Dromagowlane River

The presence of the mouth of the Dromagowlane River, 1.2 km north of the proposed licence area, was not mentioned in either the Environmental Impact Statement (EIS) or the Environmental Impact Assessment submitted as part of the Appeal to the Board. The Board notes that some of the Appellants maintain that this river supports populations of salmonids together with colonies of freshwater pearl mussel.

Questions

1.a The Board requires clarification from you as to whether the Dromagowlane River does or does not support populations of salmonids together with colonies of freshwater pearl mussel.

1.b If the Dromagowlane River does support returning salmonid breeding stock, what is the estimated size of that population?

2. Well boat discharges

The EIS outlines your intention to use a well boat for lice bath treatments (hydrogen peroxide, Alphamax®), but there is no indication of the location at which the well boat discharges will take place and consequently no evaluation of any localised impacts of these discharges. The RPS report, supplied as a supplementary submission, provided a modelled assessment of an Alphamax® in-pen treatment regime, presenting it as a "worst-case" scenario, with the implication that discharges from well boat treatments (the most likely treatment method) would also be undertaken within the licence area. Please clarify the intended location for well boat discharges.

3. Provision on Information on the suitability of the cage and mooring system for the Shot Head site

It is acknowledged by you that the Shot Head site is particularly exposed to prevailing winds. While not the most exposed salmon farm site in Ireland, it is among the most exposed and is in a location very close to a downwind rocky shore and cliff coastline, which would allow limited scope for remedial action should the cage system fail or become damaged as a result of a collision event.

Questions

3.a Please supply specific details on the cage and mooring system intended to be used

3.b Please provide evidence of where the proposed system has been successfully deployed elsewhere and in similar conditions

3.c Please demonstrate that the selected system will be sufficiently robust to cope with a one-in-fifty-year storm event.

4. The use of Emamectin Benzoate (Slice®) at Shot Head

The EIS, with further confirmation provided in the supplementary RPS submission, indicates that the use of Emamectin Benzoate (EmBZ) will be severely restricted due to the lack of dispersion during treatment resulting in a breach of the statutory EQS. Given that the application of this in-feed pesticide is widely acknowledged to be the most effective of the available lice prevention and removal treatments, please provide details of your alternative Shot Head treatment strategy in the event of a lice infestation event beyond the seven-month post smolt transfer period?

5. Seabed impacts in respect of the requested change in the licence conditions to accommodate four additional cages

A change has been requested in the licence conditions to accommodate an increase in the number of salmon cages at the proposed site from fourteen to eighteen. Whilst the Board notes that the change in number and spatial arrangement can be comfortably accommodated within the existing licence area, clarification in respect of the modified and enlarged cage array configuration and the resulting impact footprint on the seabed is required, in the form of an updated assessment of the impact of the revised cage and mooring configuration on the site.

6. The presence of a potentially harvestable population of *Nephrops norvegicus* population within the licence area

The Board notes that the presence of Dublin Bay prawn (*Nephrops norvegicus*) in the Shot Head licence area was reported in the results of the benthic survey provided in the EIS, but it was stated that the density of individuals were low and not of a level that would constitute a commercially exploitable population. In its subsequent submission, the Marine Institute expressed disagreement with this conclusion, stating:

"The video data and the operation of a commercial pot fishery around and in the site would seem to contradict the view in the EIS that the densities of Nephrops at the site are not commercial."

And;

"The ROV data presented in the EIS is insufficient to say whether the burrow density is too low to support economic exploitation of Nephrops."

Please provide more accurate quantitative information on the occurrence and density of *Nephrop norvegicus* within the licence area.

In accordance with section 47 (1) (a) of the Act, the Board requires this information within 28 days of receipt of this letter.

Please note that if the documents, particulars or other information specified above is not received before the expiration of the period specified above, or such later period as may be agreed by the Board, the Board will, without further reference to you, determine the appeal.

We await hearing from you.

Yours sincerely,



Mary O'Hara
Secretary to the Board

