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Date: 26 June 2018

Brendan Farr
Aquaculture and Foreshore Management Division
Department of Agriculture, Food and the Marine
Clogheen,
Clonakilty
Co. Cork.

Advice on Aquaculture Licence Application

Applicant	Pat Moran
Application type	New
Site Reference No	T06/386A
Species	Pacific Oysters (<i>Crassostrea gigas</i>) – bags and trestles
Site Status	Located within the Lower River Shannon SAC (Site Code 002165) and the River Shannon and River Fergus Estuaries SPA (Site Code 004077) Located within the West Shannon Ballylongford Shellfish Growing Waters Area.

Dear Brendan

This is an application for an aquaculture licence for the cultivation of Pacific oysters (*Crassostrea gigas*) using bags and trestles at Site T06/386A on the foreshore at Bunaclogga Bay, Shannon Estuary, Co. Kerry. The area of foreshore at Site T06/386A is 4.9Ha.

The site is located within the West Shannon Ballylongford Shellfish Growing Waters Area.

Oysters in this area currently have a “B” Classification under Annex II of EU Regulation 854/2004.

The cultivation of shellfish at this will produce faeces and pseudofaeces. Any impact will be limited to the area of the sites. The build-up of excess organic matter beyond the footprint of the sites is not considered likely. On the basis of targeted research¹, the impact of intertidal oyster cultivation using bags and trestles on the majority of community types is considered not significant.

No chemicals or hazardous substances will be used during the production process.

Significant impacts on the general environment are not considered likely.

Site T06/386A is located within the Lower River Shannon SAC and within the River Shannon and River Fergus SPA. We note the findings of the Appropriate Assessments reports² and the Department’s draft Natura conclusion statement³ in regard to the impacts on the Conservation Objectives within the Lower River Shannon SAC and the River Shannon and River Fergus SPA.

¹ Forde, J., F. O’Beirn, J. O’Carroll, A. Patterson, R. Kennedy. 2015. Impact of intertidal oyster trestle cultivation on the Ecological Status of benthic habitats. Marine Pollution Bulletin 95, 223–233.

² <https://www.agriculture.gov.ie/media/migration/seafood/aquacultureforeshoremanagement/aquaculturelicensing/appropriateassessments/clare/1ShannonEstAppAssessment240418.pdf>

³

<https://www.agriculture.gov.ie/media/migration/seafood/aquacultureforeshoremanagement/aquaculturelicensing/appropriateassessmentconclusionstatement/DraftAppAssessmentConStateAquacultureActivitiesLowerRiver240418.pdf>

In making the final determination with respect to this application it is recommended that DAFM take full account of the conclusions and recommendations of the Appropriate Assessment report and the proposed mitigation measures set out in the Department's draft Natura Conclusion Statement.

In order to be able to assess and manage the potential risk of the introduction of invasive non-native species the MI recommends that the initial source of seed and other sources which may be used at any point in the future should be approved by the Minister. This approval should be a specific condition of any licence that may issue. It should be noted that the control of alien species is a separate issue to the control of diseases in the context of the current Fish Health legislation.

Notwithstanding the recommendation outlined above, and in the event that an Aquaculture Licence is granted, the movement of stock in and out of the site should follow best practice guidelines as they relate to the risk of introduction of invasive non-native species (e.g. [Invasive Species Ireland](#)). In this regard it is recommended that, prior to the commencement of operations at the site, the applicant be required to draw up a contingency plan, for the approval of DAFM, which shall identify, *inter alia*, methods for the removal from the environment of any invasive non-native species introduced as a result of operations at this site. If such an event occurs, the contingency plan shall be implemented immediately.

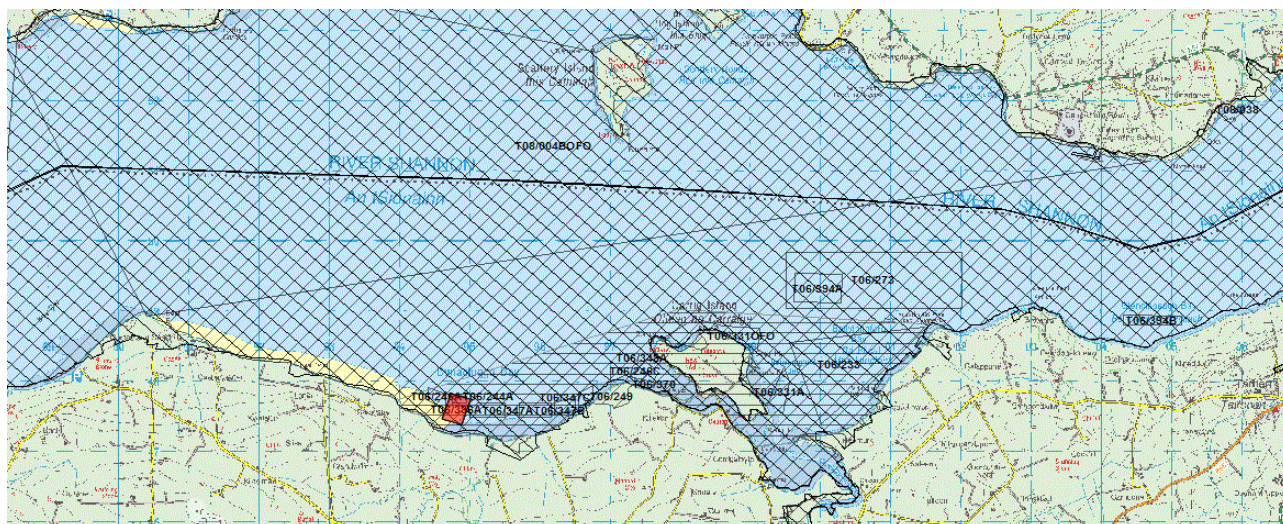
In the event that invasive non-native species are introduced into a site as a result of aquaculture activity the impacts may be bay -wide and thus affect other aquaculture operators in the bay. In this regard, therefore, the Marine Institute considers that the CLAMS process may be a useful and appropriate vehicle for the development and implementation of alien species management and control plans.





It is statutory requirement that a Fish Health Authorisation as required under Council Directive 2006/88/EC be in place prior to the commencement of the aquaculture activities proposed.

Kind regards,



Dr. Terry McMahon
Section Manager, Marine Environment and Food Safety Services,
The Marine Institute.



- ☒ Shellfish Waters Directive Area 
 - ☒ Aquaculture Site 
 - ☒ Special Area of Conservation 
 - ☒ Special Protection Areas 



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Ms. Deirdre Fitzpatrick
Aquaculture and Foreshore Management Division
Dept. of Agriculture Food & the Marine
National Seafood Centre
Clonakilty
Co. Cork

Your Reference: T06/386
Our Reference: LA:0507.5010
Date: 15/06/2018

LL: LA0507.5010

Applicant: Pat Moran

Site: Bunaclogga Bay, Co. Kerry

Dear Ms. Fitzpatrick,

Thank you for your letter advising us of this renewal.

Based on the information supplied, there appears to be no objection to this renewal. It is important to ensure that no navigable inter-tidal channels are impeded by any structures.

If a licence is renewed, all structures must be clearly marked as required by Regulations and Licensing Permit conditions and to the approval of the Nautical Surveyor with the Marine Survey Office.

Note: To date we have no record of this applicant applying for Statutory Sanction

We would request that you include the following terms in the licence

- That the applicant secures Statutory Sanction from the Commissioners of Irish Lights for the aids to navigation required by the Marine Survey Office. Statutory sanction forms are available at <http://www.irishlights.ie/safety-navigation/statutory-sanction.aspx>

It is recommended that local fishing and leisure interests be consulted prior to a renewal decision being made.

Furthermore, if a licence is granted, the UK Hydrographic Office at Taunton: sdr@ukho.gov.uk must be informed of the development's geographical position in order to update nautical charts and other nautical publications.

Yours sincerely,

Capt. Harry Duggan
for Director of Operations and Navigation

cc Capt. T. O'Callaghan, Dept. of Transport Tourism & Sport, Marine Survey Office

Farr, Brendan

From: Foreshore EPA Marine [fem.dau@chg.gov.ie]
Sent: 03 July 2018 15:15
To: Aquaculturelicensing
Subject: Aquaculture Licence T06/233A + 5
Attachments: ATT00001.txt; ATT00002.htm

RE: Aquaculture Licence [REDACTED] + 5 at Ballylongford and Bunaclogga Bays, north County Kerry within the Lower Shannon Estuary.

A chara,

Attached please find the underwater archaeology and nature conservation recommendations of the Department of Culture, Heritage, and the Gaeltacht for the above mentioned planning application.

These are areas of high archaeological potential, including terrestrial, foreshore and subtidal cultural heritage. There are a number of recorded monuments within the immediate hinterland of the proposed area including on nearby Carrig Island, e.g. KE002-010 Ancient Saint's Road/Trackway and KE002-004 Battery, as just two examples. The waterways would have been the focus of maritime activity through the centuries, not least associated with ecclesiastical pilgrimage and late- and post-medieval maritime events, again as evidenced by the diversity of archaeological sites within the immediate hinterland. There is therefore the potential that underwater cultural heritage could be impacted by the proposed dredging for bottom culture operations as proposed.

The Department therefore recommends that an underwater archaeological impact assessment (UAIA) be carried out in advance. This to take the following format:

UAIA

- The applicant to engage a suitably qualified and suitably experienced underwater archaeologist, with experience in the archaeo-geophysical interpretation of geophysical data, to carry out the UAIA.
- A geophysical survey of the entire area shall be undertaken, for archaeological purposes comprising multi-beam, side-scan sonar and magnetometer surveys.
- Archaeological dive inspections of any identified anomalies that are considered to be cultural in nature.
- Intertidal survey carried out by a suitably qualified and suitably experienced underwater archaeologist of all areas of the foreshore that may be impacted by use as an access route if not a defined extant pier.
- All surveys to be assisted by hand-held metal detection survey.
- The UAIA shall be licence by the National Monuments Service and a detailed method statement to accompany the application made by the archaeologists.
- The Underwater Archaeology Unit shall provide further comment and possibly have further requirements based on the results in the submitted UAIA report.
- No licence should be issued until a formal response has been received from NMS on this application.

It shall be noted that site CO116-041001 Pier/Jetty has a zone of protection around it which should be adhered to at all times. No activity should take place within the zone of constraints that has the potential to impact the area or the recorded monument. The archaeologist engaged by the applicant shall be able to advise on this matter.

Nature Conservation

The Department of Culture, Heritage and the Gaeltacht welcomes the opportunity to provide observations concerning the proposed licensing of aquaculture activities for the sites, namely [REDACTED] and 5 others listed in your communication on the 22nd of May, 2018) at Lower River Shannon SAC (Site Code: 002165) and River Shannon and Fergus Estuaries SPA (Site Code: 004077).

This is the first time this Department has issued comments on the appropriate assessment reports and draft conclusion statement for the above mentioned Natura 2000 sites.

The conclusion statement acknowledges that for the Lower River Shannon SAC (Site Code: 02165), the 15% disturbance threshold will be exceeded for two the Annex I marine habitats and a number of marine community types should applications be licensed. This Department's conservation objectives supporting document for marine habitats (NPWS, 2012) states "this Department takes the view that licensing of activities likely to cause continuous disturbance of each community type should not exceed an approximate area of 15%. Thereafter, an increasingly cautious approach is advocated. Prior to any further licensing of this category of activities, an inter-Departmental management review (considering inter alia robustness of available scientific knowledge, future site requirements, etc.) of the site is recommended." The Department would like to re-iterate this recommendation.

The in-combination effects of the aquaculture activities and activities within the Fisheries Order Areas exceed the 15% disturbance threshold for the Annex I habitats of Estuaries and Large shallow inlets and bays for which the site is designated. Similarly this disturbance threshold is exceeded for five of the constituent communities of these habitats.

Fishery Order areas overlap significantly with the well-documented critical habitat areas for Bottlenose dolphin, both spatially (>14.2%) and temporally. The potential for interactions which would be in conflict with the conservation objective targets for Bottlenose dolphin in the SAC can be reasonably concluded.

As the exact nature and level of current and proposed activity within the Fisheries Order Area is considered unknown, this Department considers that further information is necessary before an Appropriate Assessment can be concluded. Data on the extent of the Fisheries Order Area to be utilised by current and proposed activities and the method by which restriction to this area alone will be regulated is a minimum requirement to enable adequate assessment of aquaculture activities within these Natura 2000 sites. In the event of no further information being available the precautionary principle must be evoked.

The draft Conclusion Statement as part of its mitigation measures and management actions have as a licence condition that further actions might be required in the event of deterioration of conservation status of the features at the site. However, the Nature Directives set a higher bar than this and require that deterioration should not be allowed to happen. Furthermore, there is no clear methodology on a monitoring and reporting framework to determine such deterioration.

This draft Conclusion Statement identifies the potential for significant displacement impacts for several of the listed bird species for the SPA. This Department has concerns about the potential effectiveness of the adaptive management plan as outlined in the draft Conclusion Statement and would welcome further information on how the precautionary principle is to be adhered to.

Mise le meas,

Connor Rooney
Clerical Officer
Development Applications Unit
Department of Culture, Heritage, and the Gaeltacht.
Newtown Road
Wexford

Department of Agriculture, Food & the Marine,
Aquaculture and Foreshore Management Division,
National Seafood Centre,
Clonakilty,
Co. Cork

[03/07/2018]

Submission pursuant to the provisions of Article 5 (2) of Directive 2011/92/EU

To Whom It May Concern:

Thank you for referring this notification to An Taisce in accordance with Section 10 of the Aquaculture (Licence Application) Regulations, 1998 (SI No 236 of 1998).

An Taisce has reviewed the applications [REDACTED]
[REDACTED] T06/386, [REDACTED]. We would like to raise the following issues.

The proposed aquaculture projects lay within the Lower River Shannon Special Area of Conservation (SAC), and River Shannon and River Fergus Estuaries Special Protection Area (SPA). The SAC marine area is designated for the Annex I habitats Sandbanks which are slightly covered by sea water all the time (1110), Estuaries (1130), Mudflats and sandflats not covered by sea water at low tide (1140), Coastal lagoons (1150), Large shallow inlets and bays (1160) and Reefs (1170). The bay supports a variety of sub-tidal and intertidal sedimentary and reef habitats. The area is also designated for marine mammals, Bottlenose Dolphin (*Tursiops truncatus*) and Otter (*Lutra lutra*); fish, Sea Lamprey (*Petromyzon marinus*), Brook Lamprey (*Lampetra planeri*), River Lamprey (*Lampetra fluviatilis*), and Atlantic Salmon (*Salmo salar*) (only in freshwater); and the Freshwater Pearl Mussel (*Margaritifera margaritifera*).

The River Shannon and River Fergus Estuaries SPA form the largest estuarine complex in Ireland. The site comprises the entire estuarine habitat from Limerick City westwards as far as Doonaha in Co. Clare and Dooneen Point in Co. Kerry. The site has vast expanses of intertidal flats which contain a diverse macroinvertebrate community, e.g. Macoma-Scrobicularia-Nereis, which provides a rich food resource for the wintering birds. The site is both internationally important and the most important coastal wetland site in the country, regularly supporting in excess of 50,000 wintering waterfowl. It holds internationally important populations of four species, i.e. Light-bellied Brent Goose (*Branta bernicla hrota*), Dunlin (*Calidris alpina*), Black-tailed Godwit (*Limosa limosa*) and Redshank (*Tringa tetanus*). It is also designated for, amongst others, Whooper Swan (*Cygnus cygnus*), Shelduck (*Tadorna tadorna*), Wigeon (*Anas penelope*), Teal (*Anas crecca*), Pintail (*Anas acuta*), Shoveler (*Anas clypeata*), Scaup (*Anas marila*), Cormorant (*Phalacrocorax carbo*), Golden Plover (*Pluvialis apricaria*), Grey Plover (*Pluvialis squatarola*), Lapwing (*Vanellus vanellus*), Ringed Plover (*Charadrius hiaticula*), Curlew (*Numenius arquata*), Bar-tailed

Godwit (*Limosa lapponica*), Knot (*Calidris canutus*), Greenshank (*Tringa nebularia*), and Black-headed Gull (*Larus ridibundus*).

Issue 1: Bird Displacement

There is a significant risk of displacement to the Grey Plover and Bar-tailed Godwit with the proposed development of intertidal aquaculture sites in the Ballylongford/Bunaclogga areas. However, in the Appropriate Assessment Conclusion Statement it is stated that the Appropriate Assessment conclusions are ‘*highly precautionary*.’ An Taisce submit that this is implicit in the Habitats Directives, outlined in the Commission’s COM (2000) 1 final ‘Communication from the Commission on the precautionary principle,’ which states that ‘*the use of the precautionary principle presupposes: ... a scientific evaluation of the risks which, because of the insufficiency of the data, their inconclusive or imprecise nature, makes it impossible to determine with sufficient certainty the risk in question (European Commission, 2000, p. 14)*.’ Thus, in our considered opinion, the findings must be assessed in light of this precautionary approach and not given less weight because of it.

The Ballylongford/Bunaclogga area is particularly important for Light-bellied Brent Goose and Ringed Plover, and also holds significant numbers of a number of other species. In the Appropriate Assessment Conclusion Statement it is outlined that in the case of the Ballylongford/Bunaclogga area the majority of the intertidal culture is to occur low in the intertidal area, thereby implying that it will have less of an impact. However, in section 7.44 of the SPA report (Annex II, p. 48) it is outlined that the true distribution of intertidal habitat in this area is unknown, and it is not possible to quantify the actual impact in terms of the percentage of the available habitat that will be affected under various tidal conditions. They propose licensing the area on these grounds, and monitoring Ringed Plover numbers (through IWeBs). However, An Taisce note that in Section 2 of the SPA report, they outline the limited use of the I-WeBs data as sufficient coverage is not always possible to achieve in a volunteer-based scheme, and the River Shannon and River Fergus Estuaries SPA is a particularly difficult site to cover due to its size and access issues in some of the major areas. Thus, we believe that this will not be an adequate method to survey for potential displacement effects.

The possibility exists for significant disturbance impacts to high tide roosts used by Light-bellied Brent Goose, Shelduck, Wigeon, Teal, Pintail, Shoveler, Golden Plover, Grey Plover, Lapwing, Ringed Plover, Curlew, Black-tailed Godwit, Bar-tailed Godwit, Knot and Dunlin. It is outlined that for sites with Special Conservation Interests species covered by the Appropriate Assessment, significant disturbance from ‘*vessel activity associated with the development of sites in Ballylongford ... cannot be excluded due to a lack of information about the usage of high tide roost sites in these areas*,’ [An Taisce emphasis added]. On the weight of this, An Taisce submit that licensing of the proposed aquaculture projects would clearly be in contravention of Article 6 (3) of the Habitats Directive. The legal basis for this is definitively outlined by the European Court of Justice (ECJ) in the Waddenzee Case (C-127/02), where the ECJ stated quite categorically that ‘*The competent national authorities,*

*taking account of the appropriate assessment of the implications ... are to authorise such an activity only if they have made certain that it will not adversely affect the integrity of that site. This is the case where **no reasonable scientific doubt remains** as to the absence of such effects.'* [An Taisce emphasis added].

In addition, the potential for cumulative impacts from this vessel activity in combination with other vessel activity in these areas also needs to be considered. In keeping with the Precautionary Principle, and Article 6(3) of the Habitats Directive, in our considered opinion further information should be sought in regard to roosting behaviour prior to licensing.

Issue 2: Marine Mammals

The Lower River Shannon SAC is one of two designated SAC's in Ireland for the Bottlenose Dolphin (*Tursiops truncatus*, 1349), and it supports the largest resident population of the species known to occur in Ireland. They occur throughout the year and the SAC is an important calving area. Two distinct areas have been identified within the SAC as being important and are considered critical habitat for the overall welfare and health of the populations at the site (Figure 3, AA SAC report). The AA report outlines that the aquaculture production activities within the SAC spatially overlap with dolphin critical habitat area, with a 14.73% overlap, very close to the 15% threshold (Table 3 of AA SAC report), and that these activities may have negative effects on the range and distribution of populations of the species. It is outlined that the presence of subtidal mussel fixed structures associated with the suspended subtidal culture of shellfish operations may act as a barrier restricting the range and movement of the species within the critical habitat area. It is also outlined that the activities are potentially disturbing, but unlikely to happen. As outlined above, the licensing authority must be certain, beyond reasonable doubt that no adverse impacts will occur prior to granting licensing consent. Given the critical habitat this area provides, An Taisce submit that further ecological information/studies should be requested prior to licensing to ascertain the aquaculture activities will not negatively impact this QI species, in fulfilment of Article 6(3) of the Habitats Directive.

In addition, although subtidal bottom cultured mussels are not considered disturbing to dolphins, dredging is proposed as a method of harvesting for adult mussels at one of the application sites. It has been shown that the dredging activities for mussels in subtidal areas may change marine ecosystems in relation to benthic organisms and substrate, and may induce cascade effects on higher trophic levels, including birds (Dolmer 2012). Thus, An Taisce submit that further consideration should be given, and further information sought, regarding the risks to dolphins prior to licensing. If adequate mitigation measures cannot be furnished, it is our considered opinion that the licensing body should consider refusal of subtidal mussel culture aquaculture where it overlaps with the critical habitat.

Issue 3: Fisheries Orders

It is unclear to An Taisce how Fishery Orders are being addressed in this Natura 2000 assessment. They significantly overlap with Estuaries (17.11%) (Table 3 SAC Annex 1 report), inclusive of the following communities: Subtidal sand to mixed sediment with *Nucula nucleus* community complex (64.16%), Fucoid-dominated intertidal reef community complex (28.57%), Faunal turf-dominated subtidal reef community (17.24%), Anemone-dominated subtidal reef community (77.65%), Laminaria-dominated community complex (98.01%) (Section 8.4, SAC Annex 1 report).

Similar for Large Shallow Inlets and Bays (1160) where the Fishery Order overlaps 10.8% of this feature (Table 3 SAC Annex 1 report), and a number of community types recorded within this feature (Table 8): Subtidal sand to mixed sediment with *Nucula nucleus* community complex (44.3%), Fucoid-dominated intertidal reef community complex (15.5%), Faunal turf-dominated subtidal reef community (10.5%), Anemone-dominated subtidal reef community (25%).

Reefs (1170) are also affected. The Fishery Order overlaps 9.44% of this feature (Table 3 SAC Annex 1 report), as well as some community types recorded within this feature: Fucoid-dominated intertidal reef community complex (22.36%), Anemone-dominated subtidal reef community (75.27%).

Conclusion 1 of the SAC Annex 1 report outlines that aquaculture activities (bottom mussel, suspended mussel and bottom oyster culture) in combination with Fishery Order areas do pose a significant risk of disturbance to a number of qualifying interests in the SAC. However, the information available regarding the extent of usage and type of culture occurring within the Fishery Order Areas is sparse. It is stated that the spatial extents listed are the maximum areas the Fishery Order covers, however, the area may not be fully utilised by the operators. An Taisce submit that there is uncertainty regarding the level of impact posed by the Fishery Orders. Given that the 15% threshold is exceeded for Estuaries, and for several of the constituent communities of the different habitat types, An Taisce would submit that any cumulative impact assessment must concede that the level of impact of the proposed aquaculture, when viewed in conjunction with the Fishery Orders, will exceed the level of allowable impact, and thus will pose a significant threat to the integrity of the SAC. In our considered opinion, further clarification regarding the extent of current and planned aquaculture activities within the Fishery Order areas should be sought prior to licensing.

Issue 4: Water Quality

Within the Shannon Estuary, there are 60 aquaculture sites, covering a total of 631 Ha. While An Taisce supports the sustainable development of aquaculture, the granting of licenses must be in keeping with other objectives for the area and developed in a balanced manner, which is not degrading to the site or the water quality, thus ensuring the local habitats, flora and fauna are not adversely impacted.

An Taisce would highlight that coastal and transitional waters are subject to the legal obligations of the Water Framework Directive (WFD) (2000/60/EC), which requires that all water bodies reach good status by 2021. They are also protected by the Marine Strategy Framework Directive (MSFD), which aims to achieve good ecological status (GES) of the EU's marine waters by 2020 and to protect the resources on which marine-related economic and social activities depend. The Shannon Estuary is currently only at moderate status (EPA, 2016), and as such we are obliged to bring it to good status by 2021 under the WFD. Filter feeders excrete organic matter as pseudofaeces to the water column. Although it is generally assumed that organic outputs from suspended aquaculture activities fall to the sea floor directly beneath the trestles, and only cause localised enrichment, this is for small scale projects, and it is difficult to accurately predict the impacts of aquaculture as it intensifies and expands, as encouraged to do under the Harvesting our Ocean's Wealth plan and the Foodwise 2025 policy. Although Foodwise 2025 does mention the need to assess the carrying capacity of bays for aquaculture, no Strategic Environmental Assessment has been carried out for the aquaculture industry as a whole. Studies suggest that the environmental effects associated with oyster cultivation, such as increase in organic and silt composition become more severe in areas of large-scale cultivation as the water velocity can be decreased by the presence of the trestles (Nugues et al. 1996).

This application is for two renewal sites with a total area of 128.5 Ha, and seven new application sites with a total area of 70 Ha. Considering the impacts of these sites in combination with other proposed applications already submitted this year within these two conservation sites ([REDACTED]; [REDACTED] [REDACTED]

[REDACTED] [which total 240.5 Ha renewal sites and 590 Ha application sites when combined with the applications being considered in this submission]), An Taisce feel that the potential impact of these proposed licences on water quality must be considered. It appears, from the submitted paperwork, that the potential risk to water quality from granting all of the proposed licences was not considered. This is particularly pertinent when considering cumulative impact, both within the various aquaculture projects proposed for the estuary, in conjunction with the Fishery Orders, but also when considering them alongside point source outfalls from Wastewater Treatment Plants and septic tanks. An Taisce have concerns that there is a real risk of a cumulative impact on the water quality of the estuary, in contravention of the WFD and the MSFD, and this threat is also echoed in the EPA State of the Environment Report (2016) which states that: *'The main issues in relation to aquaculture are the effects of discharges of uneaten fish-food material and fish waste from fish farms...inputs to the aquatic environment associated with this industry include feedstuffs, veterinary medicines and anti-fouling agents. A certain portion of these may be lost to the waters and sediments in the vicinity of the fish farms.'*

We should be grateful if you would take account of these concerns in considering this application. If approved, An Taisce maintains the right to appeal this application should we be dissatisfied with the approval and/or any conditions attached.

We should be grateful if you would provide to us in due course: an acknowledgement of this submission; the nature of the decision; the date of the decision; in the case of a decision to grant an approval, any conditions attached thereto, and the main reasons and considerations on which the decision is based; and, where conditions are imposed in relation to any grant of approval, the main reasons for the imposition of any such conditions.

Is mise le meas,

A handwritten signature in black ink, appearing to read 'Elaine McGoff', with a stylized, cursive script.

Elaine McGoff,
Natural Environment Office,
An Taisce – The National Trust for Ireland

References

Dolmer, P., Christensen, H.T., Hansen, B.W. & Vismann, B. (2012) 'Area-intensive bottom culture of blue mussels *Mytilus edulis* in a micro-tidal estuary,' *Aquaculture Environment Interactions*, Vol. 3, No. 1, pp. 81-91.

EPA (2016) State of the Environment.

European Commission (2000) Communication from the Commission on the precautionary principle. Available at: <https://publications.europa.eu/en/publication-detail/-/publication/21676661-a79f-4153-b984-aeb28f07c80a/language-en>.

Nugues, M.M., Kaiser, M.J., Spencer, B.E. and Edwards, D.B. (1996) 'Benthic community changes associated with intertidal oyster cultivation,' *Aquaculture Research*, Vol. 27 pp. 913-924.

Kelleher, Evan

From: Murphy, Mike [Mike.Murphy@bim.ie]
Sent: 03 July 2018 15:09
To: Farr, Brendan
Subject: RE: Statutory Consultation on Aquaculture Licence Applications in in Ballylongford and Bunaclogga Bays, north County Kerry within the Lower Shannon Estuary.

Dear Brendan,

Re: Licence Applications in Ballylongford and Bunaclogga in Co. Kerry, (Lower Shannon) [REDACTED]
[REDACTED] T06386; [REDACTED] for pacific oysters in bags an trestles, hanging baskets Bottom mussels and seaweed.

Following internal consultation within BIM, the aquaculture division and our Regional Development Officer, BIM are satisfied that the proposed applications do not conflict with any aquaculture or inshore Fisheries interests in the area and we have no objection to the applications.

Regards,
Mike

Michael Murphy

Resource Development Manager North,
Seafood Technical Services Business Unit,
BIM

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Ireland's Seafood Development Agency
bim.ie

From: Farr, Brendan [<mailto:Brendan.Farr@agriculture.gov.ie>]
Sent: 22 May 2018 16:00
To: 'Natural Environment Office'; Dallaghan, Ben; O'Carroll, Terence; Murphy, Mike; 'harry.duggan@irishlights.ie'; 'fem.dau@chg.gov.ie'; 'foreshore@housing.gov.ie'; 'planning@failteireland.ie'; 'mary.larkin@fisheriesireland.ie'; 'Terry McMahon'; 'mark.osullivan@kerrycoco.ie'; 'foh@udaras.ie'; 'Michael Kennelly'
Subject: Statutory Consultation on Aquaculture Licence Applications in in Ballylongford and Bunaclogga Bays, north County Kerry within the Lower Shannon Estuary.

Dear All,

Please see letter attached for your attention regarding the statutory consultation phase for aquaculture licence applications in Ballylongford and Bunclogga Bays, north County Kerry within the Lower Shannon Estuary. There is also a live web link below to the Department's website for details of the licence applications and all other relevant documentation.

<https://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquacultureforeshorelicenceapplications/kerry/>

I would be grateful for any observations you wish to make on the above proposals which must be submitted **within six weeks** from the date of notification. As this correspondence is being sent by e-mail, the date of the e-mail is treated as the date of notification. In the event that objections are lodged in this matter by you, the applicants will be given an opportunity to comment thereon.

Regards
Brendan Farr

Brendan Farr
Aquaculture & Foreshore Management Division,
National Seafood Centre, Clonakilty, Co.Cork
P85 TX47, Phone: 023-8859514
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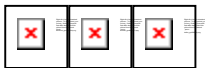
Disclaimer:

Department of Agriculture, Food and the Marine

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolais san ríomhphost seo, agus in aon ceanglái leis, faoi phribhléid agus faoi rún agus le h-agmaigh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scríos an t-ábhar ó do ríomhaire le do thoil.



Kelleher, Evan

From: Mary Larkin [Mary.Larkin@fisheriesireland.ie]
Sent: 13 June 2018 17:10
To: Farr, Brendan
Subject: FW: Statutory Consultation on Aquaculture Licence Applications in in Ballylongford and Bunaclogga Bays, north County Kerry within the Lower Shannon Estuary.

Dear Brendan,

IFI would like to make the following observations in relation to the above proposal.

While this proposal does not appear to have any significant implications for the operation of commercial/recreational salmon and other inshore fisheries in the area, IFI would like see the following issues addressed in the licence:

1. No fish other than native and pacific oysters shall be cultured or taken.
2. No other method of cultivation will take place.
3. That any disease in the fishery or any abnormal losses or mortalities are notified.
4. That disposals of all dead fish are by appropriate disposal methods and not back into the sea area.
5. That no substance is used which has a deleterious effect on the fishery environment and that biosecurity arrangements are in place.
6. That there is no unreasonable interference with fishing and navigation in the vicinity of the fishery.
7. That proper biosecurity protocols are followed during the operations of the farm to ensure no diseases or non-native species are introduced or spread elsewhere from the facility should one arise.
8. That the location chosen does not conflict with any fishing locations either for recreational sea angling boats or commercial fishermen;

That the location is clearly marked on the boundaries by appropriate bouys / or navigational markers if required;

Regards
Mary

Mary Larkin
PA to Head of Operations

Inland Fisheries Ireland - Galway

Iascach Intíre Éireann
Inland Fisheries Ireland

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Mob +353 (0)87 7882082
Email mary.larkin@fisheriesireland.ie
Web www.fisheriesireland.ie

Teac Breac, Earl's Island, Galway, IRELAND.



From: Farr, Brendan [<mailto:Brendan.Farr@agriculture.gov.ie>]

Sent: 22 May 2018 16:00

To: 'Natural Environment Office'; 'dallaghan@bim.ie'; 'ocarroll@bim.ie'; 'murphym@bim.ie'; 'harry.duggan@irishlights.ie'; 'fem.dau@chg.gov.ie'; 'foreshore@housing.gov.ie'; 'planning@failteireland.ie'; Mary Larkin; 'Terry McMahon'; 'mark.osullivan@kerrycoco.ie'; 'foh@udaras.ie'; 'Michael Kennelly'

Subject: Statutory Consultation on Aquaculture Licence Applications in in Ballylongford and Bunaclogga Bays, north County Kerry within the Lower Shannon Estuary.

Dear All,

Please see letter attached for your attention regarding the statutory consultation phase for aquaculture licence applications in Ballylongford and Bunaclogga Bays, north County Kerry within the Lower Shannon Estuary. There is also a live web link below to the Department's website for details of the licence applications and all other relevant documentation.

<https://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquacultureforeshorelicenceapplications/kerry/>

I would be grateful for any observations you wish to make on the above proposals which must be submitted **within six weeks** from the date of notification. As this correspondence is being sent by e-mail, the date of the e-mail is treated as the date of notification. In the event that objections are lodged in this matter by you, the applicants will be given an opportunity to comment thereon.

Regards
Brendan Farr

Brendan Farr
Aquaculture & Foreshore Management Division,
National Seafood Centre, Clonakilty, Co.Cork
P85 TX47, Phone: 023-8859514
[Email:Brendan.farr@agriculture.gov.ie](mailto:Brendan.farr@agriculture.gov.ie)

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An Roinn Talmhaíochta, Bia agus Mara

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amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scrios an t-ábhar ó do ríomhaire le do thoil.

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D'fhéadfaí go bhfuil an ríomhphost seo agus ceangaltáin ar bith atá in éineacht leis faoi rún agus iad beartaithe d'úsáid an duine a bhfuil a s(h)eoladh air amháin. Dearthaí nó tuairimí ar bith atá curtha in iúl ann, baineann siad leis an údar amháin, agus ní chaithfidh go n-aontaíonn Iascaigh Intíre Éireann leo. Mura tusa faighteoir beartaithe an ríomhphost seo, ná déan rud ar bith mar gheall ar an méid atá ann, ná é a chóipeáil ná é a thaispeáint do dhuine ar bith eile. Déan teagmháil leis an seoltóir, le do thoil, má chreideann tú go bhfuair tú an ríomhphost seo trí earráid.

Kelleher, Evan

From: Michael Kennelly [mkennelly@sfdc.ie]
Sent: 28 May 2018 10:11
To: Farr, Brendan
Subject: RE: Statutory Consultation on Aquaculture Licence Applications in in Ballylongford and Bunaclogga Bays, north County Kerry within the Lower Shannon Estuary.

Mr Farr

Good morning Brendan,

Many Thanks for the attached.

The proposed sites are all outside of the commercial shipping channel and anchorage areas.

Subject to the proposed sites being suitably marked, there are otherwise NIL observations from SFPC.

Many Thanks.

Regards,

Mick

M. KENNELLY

Harbour Master

SFPC

Tel: +353 69 73103

Mob: +353 86 2208422

From: Farr, Brendan [<mailto:Brendan.Farr@agriculture.gov.ie>]

Sent: 22 May 2018 16:00

To: 'Natural Environment Office'; 'dallaghan@bim.ie'; 'ocarroll@bim.ie'; 'murphym@bim.ie'; 'harry.duggan@irishlights.ie'; 'fem.dau@chg.gov.ie'; 'foreshore@housing.gov.ie'; 'planning@failteireland.ie'; 'mary.larkin@fisheriesireland.ie'; 'Terry McMahon'; 'mark.osullivan@kerrycoco.ie'; 'foh@udaras.ie'; Michael Kennelly

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Regards

Brendan Farr

[Brendan Farr](#)

Aquaculture & Foreshore Management Division,

National Seafood Centre, Clonakilty, Co.Cork

P85 TX47, Phone: 023-8859514

[Email:Brendan.farr@agriculture.gov.ie](mailto:Brendan.farr@agriculture.gov.ie)

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