**An Bord Achomharc Um Cheadúnais Dobharshaothraithe**

**Aquaculture Licences Appeals Board**

Marine Institute

Rinville

Oranmore

Co. Galway

Attn: CEO

4 February 2022

Our Ref: AP50/2019

Site Ref: T05/612A

**Re: Appeal against the decision by the Minister for Agriculture, Food and Marine to grant Aquaculture and Foreshore Licences to Wild Atlantic Sea Products Ltd. for the cultivation of seaweed using longlines.**

Dear Sir

I refer to the above Appeal.

Pursuant to **Section 47(1)(a)** of the Fisheries (Amendment) Act, 1997, as amended, ("the Act"), 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 a party requiring that party to submit to the Board such documents, particulars or other information as are specified in the Notice.

Having considered this appeal and the information provided to it, the Board has determined that further documents, particulars or information are necessary for the purposes of enabling the Board determine these Appeals.

We attach a copy of a submission made by an Appellant, Mr Denis O’Shea, dated 21st December 2021 in connection with this appeal. The Board seeks your observations and comments in relation to the statements by Mr O’Shea in that submission concerning the location of the shrimp and crab/lobster pots "at certain times of the year", as indicated on the map submitted. Specifically, the Board seeks to ascertain whether, given your knowledge of inshore fishing at Irish inshore locations and in the Bantry Bay area, the sites marked by Mr. O’Shea accurately represent the locations of Mr O'Shea's potting.

If you require further clarification of the Board's requirements, please contact the Board’s Technical Advisor, Dr Ciar O’Toole on 087-4097160 or [ciar.otoole@alab.ie](mailto:ciar.otoole@alab.ie).

In accordance with section 47 (1) (a) of the Act, the Board requires this information within **30 days** of receipt of this letter. Please note that if the documents, particulars or other information specified above are 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.

Please also note that a person who refuses or fails to comply with a requirement under section 47 (1)(a) shall be guilty of an offence.

Yours sincerely

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Antoinette Conroy

Secretary to the Board

**Memo**

**From**: Marine Institute

**To**: ALAB (Reference AP50/2019, Feb 4th 2022)

**Subject**: Observations on aquaculture licence application AP50-19 S47. Site reference T05/612A

**Date**: March 7th 2022

**Reply**

ALAB requested observations from the Marine Institute on an appeal made on the issuing of the above licence by Mr. Denis O’Shea on Feb 4th 2022

Shrimp or lobster/crab fishing are common on all coasts of Ireland including Bantry Bay. These species are the primary target species for the vast majority of the Irish inshore (under 12m) fleet. Lobster fishing typically occurs in shallow water on or close to reef habitat (usually marked R in admiralty charts). Target fishing for velvet crab occurs on similar habitat although this species is usually a by-catch of lobster fishing. Targeted fishing for brown crab occurs mainly on sedimentary habitats (marks including S or M on admiralty charts). Crab and lobster fishing can and does occur throughout the year. There is no seasonal restriction or closure. Fishing for shrimp occurs on mixed sediments and also on the edge of reef habitat. The location can vary seasonally due to migration of shrimp and relocation of shrimp according to weather patterns. The regulated open fishing season for shrimp is August 1st to March 15th (SI 592/2014). It is primarily a late autumn and winter fishery. The fishing tracks shown by Mr. O’Shea are in our view representative of habitats and locations where fishing for crab, lobster or shrimp could occur. Taking at face value the fishing locations provided by Mr’ O’Shea in his correspondence to ALAB some overlap between his fishing activity and the site T05/612A is likely to occur

Vessels targeting crab, lobster and shrimp are almost entirely under 12m in length. Vessels 10-12m in length report their catches in EU logbooks. The finest spatial resolution of these data is at ICES rectangle level. Vessels under 10m in length do not report catches or fishing location in logbooks. The primary record of their activity is in sales notes. There is no information on fishing location in these data. The Marine Institute do not hold any separate spatial data on fishing for crab, lobster or shrimp other than that provided in logbooks for vessels over 10m or at the fine scale required to evaluate the spatial overlap between site T05/612A and the fishing activity of Mr. Denis O’Shea or to evaluate in any quantitative sense what the impact may be on Mr. O’Shea’s business.

We make the following observations

1. The location of Mr O’Sheas fishing activity is likely to be disturbed to some degree if he has to fish outside the boundaries of the site
2. The effect may be more pronounced for lobster fishing as the seaward extent of reef (R) habitat seems limited in the location.
3. Although shrimp fishing may also be displaced precise fishing grounds for shrimp are less easy to define due to migration and weather related movement of shrimp. It would seem from Mr. O’Shea’s fishing tracks that a relatively minor displacement of shrimp fishing seaward of the site would still enable fishing to occur in the general location
4. Although we have no evidence there is a possibility that seaweed longlines may benefit shrimp recruitment in providing refuge habitat for shrimp. This offers an opportunity for some collaborative work between Wild Atlantic Sea Products Ltd and Mr. O’Shea which could include allowing fishing for shrimp within the site.