



An Roinn
Ealaíon, Oidhreacht agus Gaeltachta

Department of
Arts, Heritage and the Gaeltacht

Your Ref: -----

Our Ref: **G Pre00078/2015**

(Please quote in all related correspondence)

24 July 2015

Seafood Development & Governance Unit
Marine Agencies & Programmes Division
Department of Agriculture Food & Marine
FAO Damien Clarke
National Seafood Centre
Clonakilty
County Cork
Via email to: NSPA@agriculture.gov.ie

Re: Department of Agriculture, Food and the Marine's National Strategic Plan for Aquaculture

A chara

On behalf of the Department of Arts, Heritage and the Gaeltacht, I refer to the recent communication in connection with the above.

Outlined below are heritage-related observations/recommendations of the Department under the stated heading.

Nature Conservation

The Department of Arts, Heritage and the Gaeltacht would like to acknowledge the efforts undertaken by the Department of Agriculture, Food and the Marine in the preparation of the National Strategic Plan for Aquaculture (hereafter NSP) and its environmental assessments. There are numerous positive aspects to the Programme supporting the sustainable development of the aquaculture and fisheries sectors and dependent stakeholder communities. The Department particularly welcomes the opportunity to input to the development of the assessments and believes that this collaborative process has been very constructive.

Comments on the Draft National Strategic Plan for Aquaculture

With regard to the science-based approach (an NSP Guiding Principle), integrated marine spatial planning, constraint mapping and the environmental carrying capacity in Ireland mentioned under the Plan, it is important to note that gaps remain in the knowledge of

- the impacts of extensive bottom culture on the foraging habitats of species like Common Scoter and the potential impacts of aquaculture-related infrastructure over subtidal waters on the distribution of scoters and divers in an Irish context, and
- protected marine mammals ability to cope with anthropogenic pressures arising from coastal/marine aquaculture at various scales (*e.g.*, acoustic predator deterrence, displacement from habitat, disturbance due to noise or human presence).

Furthermore, it is important that key data used to inform the regulatory process remains contemporary and relevant. Therefore, the Department strongly recommends that the NSPA is particularly focused on ensuring that information gaps are filled and key data remain available to ensure the knowledge base available to the Regulatory Authorities is robust and doesn't again become a strategic constraint to the sustainable development of the sector.

It is unclear how the proposed *Commercial Aquaculture Development Scheme* and the *Business, Planning and Environmental Advisory Services Scheme* will work in practice in order to reduce the impact of aquaculture in its various forms on the environment. Thus, in the absence of any further detail, it remains unclear how these schemes can reasonably and rationally be assessed from an environmental perspective.

Comments on the Draft Appropriate Assessment of the NSP

It is the Department's view that its published Natura/European site-based conservation objectives for marine habitats and species reflect attributes and themes that should be to the fore of the Appropriate Assessment (commencing at the screening stage), in order to identify the potential effects/impacts of activities included within the Plan that may affect European sites (both SACs and SPAs). These should then be carried into the Natura Impact Assessment to identify at this strategic level which impacts may adversely affect the European sites and to identify all necessary mitigation to reduce and ameliorate the effects to the necessary level. For example, it would be useful if all Annex I habitats which occur in Irish waters, and particularly their constituent sensitive community types (*e.g.* maërl, *Zostera*, etc), were fully assessed in the context of their vulnerability to potential impact from certain aquaculture activities. Also, an examination of site-specific objectives for marine mammals will reveal clear priorities that could be incorporated into a strategic assessment. The Habitats Directive requires that Appropriate Assessments be undertaken in view of the conservation objectives for sites that may be affected, *i.e.* both SACs and SPAs (Article 6.3)

Two SACs of particular relevance to marine species are not included in this document, they are: Rockabill to Dalkey Island SAC and the West Connacht Coast SAC.

The information provided on Annex II cetaceans and seal species should be sufficiently detailed and reflect the best available science in relation to species' ecology in Irish coastal/marine waters or species' vulnerability to impact from aquaculture or associated activities (*e.g.* vessel traffic, noise disturbance and, in reference to seals in particular, human activity).

With regard to aquaculture using marine cages, it is considered that more significant attention and detail could usefully be provided concerning predation at marine cages, the risk of injury/entanglement of protected species in nets or cage materials and the potential interaction between protected marine mammal species and acoustic deterrent devices.

In relation to the use of acoustic deterrent or harassment devices, the NIS and AA should assess the current status of such device use in aquaculture operations in/adjacent to European 2000 sites

in Ireland, and review the associated impacts based on national and/or international scientific research. This issue is especially pertinent since the deterrence method is repeatedly listed for consideration as a mitigation/management measure under the Plan.

“Potential significant effects from aquaculture activities” should include collision with aquaculture-related vessels, structures or materials, permanent habitat loss, temporary habitat exclusion.

Given the highly intensive management activity required around inter-tidal oyster farming as described in the NIS, the potential for impacts on Harbour seal and Grey seal should not be overlooked, particularly since this aquaculture work takes place around low tides when seals of both species tend to prefer to haul out and rest ashore. There is some evidence internationally of the spatial displacement of seals from sites adjacent to such shellfish aquaculture operations. A review of the associated impacts based on national and/or international scientific research would be beneficial.

There appears to be no clear rationale presented as to why the “cultivation of novel aquaculture species” record an environmental effect of “not applicable”. This Department believes that a score of “0/-” is more meaningful and worthy of further consideration in the assessment.

In relation to trestle aquaculture and displaced waders, the assessment of the draft NSP appears to conclude that the overall effect of the measures at a strategic level is expected to be positive with the establishment of new aquaculture enterprises being the exception. In Table 2.6, the strategic effect of increased productivity from the existing aquaculture licence portfolio is labelled as “N/A”. However, the Gittings and O’Donoghue study of 2012 clearly identifies a subset of wader species (across various study sites) which can be displaced from areas of trestle aquaculture. Therefore, it remains somewhat unclear why the strategic effect for this activity is not scored at “0/-”.

In section 2.2.3 (Geographical Scope of the draft NSPA) a simple analysis of overlap is provided which concludes that the overall area covered by aquaculture licences represents less than one per cent of the total network of European sites. It goes on to estimate that 1.5% of the European sites are currently covered by aquaculture licences. This analysis is referred to again in section 4.0 (Conclusion of Assessment Process).

The draft NSP acknowledges that for several species of wading birds, intertidal trestle aquaculture activities displace individual birds from otherwise suitable habitat. It is acknowledged in the draft NSP that it is not known what proportion of the anticipated growth of 120% by 2023 from the baseline year will be borne by the trestle-based aquaculture sector predominately sited in the intertidal zone. Therefore, it would greatly inform the draft NSPA AA and deliver a more robust conclusion, as required by Irish and European Union jurisprudence, if an analysis is undertaken which examines the nature of the overlap of the current aquaculture licence footprint with the

- the national intertidal resource
- the intertidal resources occurring within the 35 SPAs that have been designated for wintering waterbirds where site specific conservation objectives have been produced
- the intertidal habitat favoured by those species of waders that the Gittings & O’Donoghue (2012) study showed recorded a negative response to trestle cultivation (i.e. Knot, Sanderling, Dunlin, Black-tailed Godwit and Bar-tailed Godwit and Ringed Plover) within the aforementioned 35 SPAs.

Such an analysis should then be used to develop necessary mitigation measures, to identify areas where the proposed increase in trestle aquaculture along with the renewal of existing operations would least effect the aforementioned subset of wading birds in the long term, to a level where European-site integrity will not be adversely affected.

Comments on the Draft Strategic Environmental Assessment of the NSP

The Department believes the baseline environmental description requires improvement concerning the level of detail considered and to use the best available science in relation to marine mammals.

The rationale underpinning the Article 12 assessment in relation to cetacean species requires more robust and transparent development.

All cetaceans and seals are protected wild animals under the Wildlife Acts. Under section 23, it is an offence *inter alia* to wilfully interfere with or destroy their breeding or resting places. Therefore, the Department believes that the Environmental Assessment within the SEA should usefully consider the likely effects of aquaculture on breeding and resting sites for seal species that fall outside of designated areas.

This section of the SEA should usefully be developed further and more comprehensively with regard to other key human activities taking place or planned in the strategic area covered by the Plan (*e.g.*, inshore fishing, marine tourism, leisure and recreational activity, infrastructure development) that together may act to increase pressure on the coastal/marine environment or create future environmental management issues.

You are requested to send the acknowledgement to this letter and any further correspondence to this Department's Development Applications Unit (DAU) at manager.dau@ahg.gov.ie (team monitored); if this is not possible, correspondence may alternatively be sent to:

The Manager
Development Applications Unit
Department of Arts, Heritage & the Gaeltacht
Newtown Road
Wexford

Is mise, le meas



Muiris Ó Conchúir
Development Applications Unit
Tel: 053-911 7387