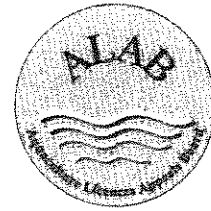


NOTICE OF APPEAL UNDER SECTION 40(1) OF FISHERIES (AMENDMENT) ACT 1997 (NO. 23)

9 JAN 2020



Appeal Form

Please note that this form will only be accepted by REGISTERED POST or handed in to the ALAB offices

Name of Appellant (block letters)		<i>Oceanic Organic Oysters. LTD.</i>	
Address of Appellant		<i>HARBOUR View, Greencastle Co. Donegal.</i>	
Phone:		Email:	
Mobile:		Fax:	

Fees		
Fees must be received by the closing date for receipt of appeals	Amount	Tick
Appeal by licence applicant	€380.92	✓ X 2
Appeal by any other individual or organisation	€152.37	
Request for an Oral Hearing * (fee payable in addition to appeal fee)	€76.18	
* In the event that the Board decides not to hold an Oral Hearing the fee will not be refunded.		
(Cheques Payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 1998 (S.I. No. 449 of 1998))		
Electronic Funds Transfer Details	IBAN: IE89AIBK93104704051067	BIC: AIBKIE2D

Subject Matter of the Appeal

*Licence Refusal of Sites T12/531A
T12/532A
See Enclosed letter.*

Site Reference Number:- (as allocated by the Department of Agriculture, Food and the Marine) 112/531A 112/532A

Appellant's particular interest in the outcome of the appeal:

I am interested in the outcome of the appeal because we need the extra space to continue in the business of oyster farming. The sites are unused at the moment and would be a valuable asset to us.

Outline the grounds of appeal (and, if necessary, on additional page(s) give full grounds of the appeal and the reasons, considerations and arguments on which they are based):

Please see attached letter.

Signed by appellant:

John McKinney

Date:

7th January 2020.

Please note that this form will only be accepted by REGISTERED POST or handed in to the ALAB offices

Fees must be received by the closing date for receipt of appeals

This notice should be completed under each heading and duly signed by the appellant and be accompanied by such documents, particulars or information relating to the appeal as the appellant considers necessary or appropriate and specifies in the Notice.

DATA PROTECTION – the data collected for this purpose will be held by ALAB only as long as there is a business need to do so and may include publication on the ALAB website

Please forward completed form to: Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co. Laois. Tel: (057) 8631912 Email: alab@alab.ie

1.

Harbour View,
Greencastle,
Co. Donegal.
9th Jan. 2020

To Whom it may concern.

I have been farming oysters in Trabreaga Bay since 1991 and at this stage believe I have at least some knowledge of how to manage an oyster site in this bay.

To prevent a build up of sand our policy is to lay out the frestles in double rows with the rows about 2 metres apart and a wide Road for the tractor between each double row

This has always minimised
P.T.O.

2.

the build up of Sand to the extent that silting has never been a problem for us.

At the end of each growing season our policy is to lift and move all the trestles and this eliminates the problem entirely. We will continue with this successful strategy on all our sites and on any new sites we are granted.

We are therefore confident that using this plan silting will not be a problem.

We can assure you that there will be no sinking or burying of trestles on any site Run by us as is the concern raised in Paragraph B. of Reason for Refusal.

We will not be "Subject to not infrequent sediment movements"

3.

which is the concern raised in Paragraph A of the Refusal because this would indicate "bad site management and poor farming practice".

It is stated in Paragraph A that the "substrate is unsuitable with areas of uneven profile".

This is not the case with the sites we are now applying for.

These are T12/531A and T12/532A.

If we thought any of the concerns raised would become problems we would not be interested in applying for the sites.

I would like to ask what if any scientific study has been done to prove any of the concerns raised in Paragraphs A B OR C.

P.T.O.

Lt.

As far as I can see from the map, sites have been granted before that are seaward of one another without causing any problem to growth.

In conclusion as a result of this letter I hope you can agree with my views on the matter and hopefully grant the licences.

Yours Respectfully

John M^c Kinney
for Oceanic Organic Oysters LTD.