

An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine



Our Refs: T01/066A, T01/074A2 & T01/082A

Emerald Mussels Ltd
Greencastle Road
Moville
Co Donegal

sent by registered post

09th December

**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)
NOTICE OF MINISTERIAL DECISION TO GRANT/REFUSE AQUACULTURE AND FORESHORE
LICENCES**

Dear Mr Hyland,

I would like to inform you that the Minister for Agriculture, Food and the Marine has approved the granting to you of **two 10-year Aquaculture Licences and accompanying Foreshore Licences** for the cultivation of mussels using bottom culture on sites **T01/066A & T01/074A2** (see attached information notes.)

I would also like to inform you that the Minister for Agriculture, Food and the Marine has refused your application for an Aquaculture Licences and Foreshore Licence for the cultivation of mussels using bottom culture on site **T01/082A**, (see attached information notes).

I enclose a copy of the public notice of the decisions which the **Department** has arranged to have published in the "Dundalk Democrat".

Any person aggrieved by the decisions may, in accordance with Section 41 of the Fisheries (Amendment) Act 1997, appeal against them in writing to the Aquaculture Licences Appeals Board. This appeal must be lodged within one month beginning on the date of the publication of the decision.

In addition, a person may question the validity of the Foreshore Licence determinations by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>

The Licences for sites **T01/066A & T01/074A2** will be issued to you as soon as possible after the end of the period of one month from the date of publication of the notice in the "Dundalk Democrat", if there is no appeal.



Please also find enclosed the conditions that will apply to any Aquaculture Licence(s) that may be issued by the Minister.

Yours sincerely,

A handwritten signature in blue ink that reads "Sheila Kelleher".

Sheila Kelleher
Aquaculture & Foreshore Management Division



**S.12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(NO.23)
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULATION 18 OF THE
AQUACULTURE (LICENCE APPLICATION) REGULATIONS 1998**

REFERENCE NO's: T01/066A & T01/074A2

APPLICANT: Emerald Mussels Limited

**AQUACULTURE TO WHICH
DECISION RELATES:** Cultivation of mussels using bottom culture on sites T01/066A
& T01/074A2 on the foreshore in Carlingford Lough, Co. Louth.

NATURE OF DECISION: Grant of Aquaculture Licences.

DATE OF DECISION: 06th December 2019

CONDITIONS OF LICENCE: See attached.

DURATION OF LICENCE: 10 years

ISSUE OF LICENCE: The licences will be dated and issued as soon as practicable
after the end of the period of one month from the date of
publication of a notice in a newspaper circulating in the
vicinity of the aquaculture, if no appeal is made to the
Aquaculture Licences Appeals Board within that period, under
Section 40 and 41 of the Fisheries (Amendment) Act, 1997.

Note: It has been decided to grant the applicant separate Foreshore Licences under the
Foreshore Act, 1933 (No.12), contemporaneous with the Aquaculture Licences, subject to
standard conditions applicable to Foreshore Licences.



**S.12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(NO.23)
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULATION 18 OF THE
AQUACULTURE (LICENCE APPLICATION) REGULATIONS 1998**

REFERENCE NO's:	T01/082A
APPLICANT:	Emerald Mussels Ltd
AQUACULTURE TO WHICH DECISION RELATES:	Cultivation of mussels using bottom culture on site T01/082A on the foreshore in Carlingford Lough, Co. Louth.
NATURE OF DECISION:	Refusal of Aquaculture Licence
DATE OF DECISION:	06th December 2019
REASON FOR REFUSAL:	<p>The Minister for Agriculture, Food and the Marine has determined that it is not in the public interest to grant the licence sought. In making his determination the Minister considered those matters which by virtue of the Fisheries (Amendment) Act 1997, and other relevant legislation, he was required to have regard. Such matters include any submissions and observations received in accordance with the statutory provisions. In particular, the Minister had regard to the Marine Engineering Report regarding the unsuitability of the site for the cultivation of mussels using bottom culture. The following are the reasons and considerations for the Minister's determination to refuse the licence sought:</p> <p>Proximity of the proposed site to-</p> <ol style="list-style-type: none">1. The Omeath Sewage Outfall2. The Navigation Channel"



To be inserted in "Dundalk Democrat".

FISHERIES (AMENDMENT) ACT, 1997 (NO. 23) FORESHORE ACT, 1933 (NO. 12) NOTICE OF DECISION TO GRANT/REFUSE AQUACULTURE AND FORESHORE LICENCES.

The Minister for Agriculture, Food and the Marine has decided to grant/refuse Aquaculture and Foreshore Licences to the applicants listed in the table below for sites in Carlingford Lough, Co. Louth;

Site Ref	Applicant	Location	Species & Cultivation	Grant/ Refuse
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
T01/066A	Emerald Mussels Limited	Carlingford Lough	Mussels – Bottom Culture	Grant
T01/074A2	Emerald Mussels Limited	Carlingford Lough	Mussels – Bottom Culture	Grant
T01/082A	Emerald Mussels Limited	Carlingford Lough	Mussels – Bottom Culture	Refuse
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



The reasons for these decisions are elaborated on the Department's website at:

<https://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquaculturelicencedecisions/louth/>

An appeal against the Aquaculture Licence decisions may be made in writing, within one month of the date of its publication, to THE AQUACULTURE LICENCES APPEALS BOARD, Kilminchy Court, Portlaoise, Co. Laois, by completing the Notice of Appeal Application Form available from the Board, phone 057 86 31912, e-mail info@alab.ie or website at <http://www.alab.ie/>

A person may question the validity of the Foreshore Licence determinations by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>



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FORESHORE ACT, 1933 NOTICE OF DECISION TO GRANT/REFUSE FORESHORE LICENCES

The Minister for Agriculture, Food and the Marine has decided to grant/refuse Foreshore Licences to the applicants listed in the table below for sites in Carlingford Lough, Co. Louth;

Site Ref	Applicant	Location	Species & Cultivation	Grant/ Refuse
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
T01/066A	Emerald Mussels Limited	Carlingford Lough	Mussels – Bottom Culture	Grant
T01/074A2	Emerald Mussels Limited	Carlingford Lough	Mussels – Bottom Culture	Grant
T01/082A	Emerald Mussels Limited	Carlingford Lough	Mussels – Bottom Culture	Refuse
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

A person may question the validity of the Foreshore Licence determinations by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of



1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>

The documentation upon which the Minister determined the applications may be inspected free of charge at the Department's Offices in Clonakilty, Co. Cork, by contacting the Aquaculture & Foreshore Management Division on 023 8859500.