

David Lyons,
National Parks and Wildlife
Service,
Custom House,
Flood Street,
Galway.

30th August 2023

Margaret Conlon,
Aquaculture Licences Appeals Board,
Kilminchy Court,
Dublin Road,
Portlaoise,
County Laois.

Re: Appeal to aquaculture licences in Ballyness Bay, Co Donegal
ALAB Ref: AP3/2020
NPWS ref: DG-DAFFDL-A190308-0032

National Parks and Wildlife Service welcomes the circulation of documents related to the appeal against licencing of aquaculture in Ballyness Bay, Co Donegal and the opportunity to make a submission on the proposed works in the vicinity.

It is noted that as part of a bay wide consideration of aquaculture licences the Minister for Agriculture, Food and the Marine determined on the 4th of December 2019 that it was in the public interest to grant a number of the licences 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 and approved T12/516; T12/515; T12/514; T12/510; T12/500; and T12/441 as per the areas and metiers sought. He required modifications to T12/455 & T12/502 to reduce area. He determined that it was not in the public interest to grant consent to the development of T12/441d; T12/508; T12/509; and T12/519.

As part of the original statutory consultation completed within NPWS on the 15th of April 2019 on the application for aquaculture licences in Ballyness Bay the following observations were submitted:

1. It is noted that “Fixed coastal dunes with herbaceous vegetation [2130]” is an Annex I priority habitat. This Department recommends that access routes should avoid this habitat.
2. The Appropriate Assessment screens out a number of SPAs on the basis of no spatial overlap. However the following SPAs - Falcarragh to Meenlaragh SPA (site code 004149), Inishbofin, Inishdooley and Inishbeg SPA (site code 004083) and Horn Head to Fanad Head SPA (site code 004194) lie within the 15km zone of impact (DEHLG, 2010) of Ballyness Bay. No rationale is given as to how or why potential detrimental interactions between the conservation features of these SPAs and aquaculture activities within Ballyness Bay were ruled out. It is therefore recommended that a

more thorough and complete consideration of these SPAs and their conservation features be documented in order to complete this appropriate assessment process.

There has been no additional correspondence or updates as part of the statutory consultation process in intervening period and no further information has been circulated to NPWS.

Yours sincerely,

David Lyons