

## Leonard, Brona

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**From:** David Lyons (Housing) [REDACTED]  
**Sent:** Wednesday 13 March 2024 14:05  
**To:** Alab, Info  
**Subject:** RE: S46 Notice  
**Attachments:** AP3 2020 Ballyness Bay Co Donegal.docx

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Dear Brona  
See attached submission from NPWS.

Kind regards  
David

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**From:** Alab, Info <[Info@alab.ie](mailto:Info@alab.ie)>  
**Sent:** Monday 12 February 2024 16:17  
**To:** David Lyons (Housing) [REDACTED]  
**Cc:** Andy Bleasdale (Housing) [REDACTED]  
**Subject:** S46 Notice

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Hi

Please see attached correspondence for your information and attention.

Regards  
Brona Leonard



Brona Leonard, Clerical Officer

**An Bord Achomhairc Um Cheadúnais Dobharshaothraithe**  
*Aquaculture Licences Appeals Board*  
**Cúirt Choill Mhinsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5**  
*Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5*

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

13<sup>th</sup> March 2024

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

**Re: Appeal by Save Ballyness Bay S.A.0 Action Group against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Mr Joseph Coll for authorisation to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site reference T12/407B in Ballyness Bay, County Donegal**

**ALAB Ref: AP3/20**

**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 and the opportunity to make a submission on the proposed works in the vicinity.

It is noted that Aquaculture Licensing Appeal Board are considering **T12/407B**.

As part of the original statutory consultation notified to NPWS by the Competent Authority on the 8<sup>th</sup> March 2019, NPWS noted that Fixed coastal dunes with herbaceous vegetation [2130] are an Annex I priority habitat. This Department recommended that access routes should avoid this habitat. The Appropriate Assessment screened out a number of SPAs on the basis of no spatial overlap. However the following SPAs - Falcarragh to Meenlaragh SPA (site code 004149), Inishbofin, Inishdooyey 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 was 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 was 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.

No further information has been circulated to NPWS that would change the content of the previous submission to ALAB dated the 30<sup>th</sup> of August 2023.

Consultation within NPWS has not provided a significant body of data for seals within Ballyness Bay. We have conducted some work on identifying seal haul-outs in Donegal which can be downloaded

from: <https://www.npws.ie/sites/default/files/publications/pdf/IWM111.pdf>. I was hoping there was further information that we could supply but I've received confirmation from the local Conservation Ranger this morning that survey effort in that area hasn't been recently undertaken. It should be noted that it is the intention to repeat the survey work outlined in this Irish Wildlife Manual but we can't confirm that it will be within the timeframe you require for deliberation.

Yours sincerely,

David Lyons