

Dr Elaine McGoff
An Taisce
Tailors Hall
Back Lane
Dublin 8

07 June 2024

Our Ref: AP3/2020, AP4/1-2/2020, AP6/2020, AP7/2020, AP8/2020, AP9/2020,
AP10/2020, AP11/2020, AP12/2020, AP15/2020, AP16/1-2/2020
Site Ref: T12/407B, T12/409A, T12/441A, T12/441B, T12/441C, T12/455A, T12/455B,
T12/500A, T12/502A, T12/515A, T12/516A

Re: Appeals against the decisions of the Minister for Agriculture, Food and the Marine to grant Aquaculture Licences to carry out aquaculture activities the above-mentioned sites on the inter-tidal/sub-tidal foreshore in Ballyness Bay, County Donegal

Dear Dr McGoff,

I refer to the Notice of Appeals regarding the above decisions of the Minister for Agriculture, Food and the Marine.

The Aquaculture Licences Appeals Board (“the Board”) has concluded its determinations of the above appeals and has determined, pursuant to Section 40 (4) (a) of the Fisheries (Amendment) Act 1997 (as amended), to **confirm** the decision of the Minister to grant a licence to the following sites:

Appeal Ref	Site Ref Number	ALAB’s Determination
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The reasons for the Board's determination are set out in detail in the Determination dated 22 May 2024, a copy of this Determination and the Board's Technical Advisor's report referred to in the Determination is available on the Aquaculture Licences Appeals Board (ALAB) website at www.ALAB.ie

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Yours sincerely



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Site Ref: T12/510A, T12/514A

Re: Appeals against the decisions of the Minister for Agriculture, Food and the Marine to grant Aquaculture Licences to carry out aquaculture activities at the above-mentioned sites on the inter-tidal/sub-tidal foreshore in Ballyness Bay, County Donegal

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Re: Appeal by Save Ballyness Bay S.A.C Action Group against the decision of the Minister for Agriculture, Food and the Marine to grant with variation an Aquaculture Licence to Edward & Paul O'Brien to cultivate Pacific Oysters using bags and trestles & Clams on wooden trays under mesh on the inter-tidal/sub-tidal foreshore on Site Ref T12/409B in Ballyness Bay, County Donegal.

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Margaret Carton

Secretary to the Board

Ms Caroline Bocquel CEO
An Bord Iascaigh Mhara
Crofton Road
Dun Laoghaire
Co. Dublin
A96 ESA0

07 June 2024

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Re: Appeals against the decisions of the Minister for Agriculture, Food and the Marine to grant Aquaculture Licences to carry out aquaculture activities at the above-mentioned sites on the inter-tidal/sub-tidal foreshore in Ballyness Bay, County Donegal

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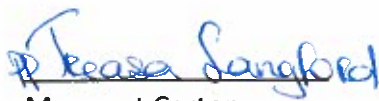
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07 June 2024

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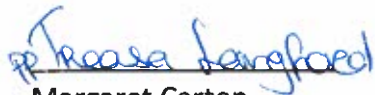
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Mr. David Friel
Water and Environment Section
Donegal County Council
Mailin Road
Carndonagh
Co. Donegal
F93 YV1N

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Our Ref: AP3/2020, AP4/1-2/2020, AP6/2020, AP7/2020, AP8/2020, AP9/2020, AP10/2020, AP11/2020, AP12/2020, AP15/2020, AP16/1-2/2020
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Re: Appeal by Save Ballyness Bay S.A.C Action Group against the decision of the Minister for Agriculture, Food and the Marine to grant with variation an Aquaculture Licence to Edward & Paul O'Brien to cultivate Pacific Oysters using bags and trestles & Clams on wooden trays under mesh on the inter-tidal/sub-tidal foreshore on Site Ref T12/409B in Ballyness Bay, County Donegal.

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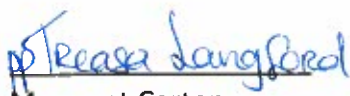
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Head of Marine Habitats and Species
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Custom House
Druid Lane
Flood Street
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H91 XV2C

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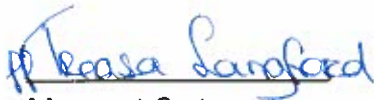
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Dr. Rick Officer, CEO
Marine Institute
Rinville
Oranmore
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H91 R673

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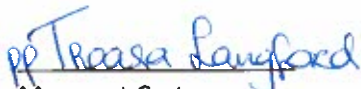
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AP15/2020	T12/515A	Confirm the decision of the Minister to Grant Licence
AP16/1-2/2020	T12/516A	Confirm the decision of the Minister to Grant Licence

The reasons for the Board’s determination are set out in detail in the Determination dated 22 May 2024, a copy of this Determination and the Board’s Technical Advisor’s report referred to in the Determination is available on the Aquaculture Licences Appeals Board (ALAB) website at www.ALAB.ie

A person wishing to challenge the validity of a decision or determination of the Board may do so by way of judicial review only. An application for leave to apply for judicial review must be made within the period of three months commencing on the date on which the decision or determination was made. Section 73 of the Fisheries (Amendment) Act 1997, as amended, contain the relevant provision in relation to challenges to the validity of a decision or determination of the Board.

Yours sincerely


Margaret Carton
Secretary to the Board

Dr. Rick Officer, CEO
Marine Institute
Rinville
Oranmore
Co. Galway
H91 R673

07 June 2024

Our Ref: AP13/1-3/2020, AP14/2020
Site Ref: T12/510A, T12/514A

Re: Appeals against the decisions of the Minister for Agriculture, Food and the Marine to grant Aquaculture Licences to carry out aquaculture activities at the above-mentioned sites on the inter-tidal/sub-tidal foreshore in Ballyness Bay, County Donegal

Dear Dr Officer,

I refer to the Notice of Appeal regarding the above decision of the Minister for Agriculture, Food and the Marine.

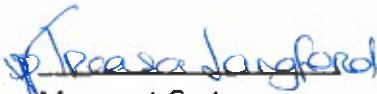
The Aquaculture Licences Appeals Board (“the Board”) has concluded its determinations of the above appeals and has determined, pursuant to Section 40 (4) (b) of the Fisheries (Amendment) Act 1997 (as amended), to **annul** the decisions of the Minister and to refuse a licence to the following sites:

Appeal Ref	Site Ref Number	ALAB’s Determination
AP13/1-3/2020	T12/510A	Annul the decision of the Minister and Refuse Licence
AP14/2020	T12/514A	Annul the decision of the Minister and Refuse Licence

The reasons for the Board’s determination are set out in detail in the Determination dated 22 May 2024, a copy of this Determination and the Board’s Technical Advisor’s report referred to in the Determination is available on the Aquaculture Licences Appeals Board (ALAB) website at www.ALAB.ie

A person wishing to challenge the validity of a decision or determination of the Board may do so by way of judicial review only. An application for leave to apply for judicial review must be made within the period of three months commencing on the date on which the decision or determination was made. Section 73 of the Fisheries (Amendment) Act 1997, as amended, contain the relevant provision in relation to challenges to the validity of a decision or determination of the Board.

Yours sincerely



Margaret Carton
Secretary to the Board

Dr. Rick Officer, CEO
Marine Institute
Rinville
Oranmore
Co. Galway
H91 R673

07 June 2024

Our Ref: AP5/2020
Site Ref: T12/409B

Re: Appeal by Save Ballyness Bay S.A.C Action Group against the decision of the Minister for Agriculture, Food and the Marine to grant with variation an Aquaculture Licence to Edward & Paul O'Brien to cultivate Pacific Oysters using bags and trestles & Clams on wooden trays under mesh on the inter-tidal/sub-tidal foreshore on Site Ref T12/409B in Ballyness Bay, County Donegal.

Dear Dr Officer,

I refer to the Notice of Appeal regarding the above decision of the Minister for Agriculture, Food and the Marine.


The Aquaculture Licences Appeals Board ("the Board") has concluded its determination of the above appeal and has determined, pursuant to Section 40 (4) (c) of the Fisheries (Amendment) Act 1997 (as amended), to **amend** the decision of the Minister and **granting with variation** a licence for the above site.

The reasons for the Board's determination are set out in detail in the Determination dated 22 May 2024, a copy of this Determination and the Board's Technical Advisor's report referred to in the Determination is available on the Aquaculture Licences Appeals Board (ALAB) website at www.ALAB.ie

A person wishing to challenge the validity of a decision or determination of the Board may do so by way of judicial review only. An application for leave to apply for judicial review must be

made within the period of three months commencing on the date on which the decision or determination was made. Section 73 of the Fisheries (Amendment) Act 1997, as amended, contain the relevant provision in relation to challenges to the validity of a decision or determination of the Board.

Yours sincerely



Margaret Carton
Secretary to the Board