

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Bord Iascaigh Mhara
Crofton Road
Dun Laoghaire
Co Dublin

For the attention of Mr Joe O'Toole CEO

10 November 2020

Our Refs: AP5/2019, AP6/2019, AP7/2019, AP8/2019 and AP9/2019
Site Refs: T9/508, T9/509, T9/510, T9/511, T9/477

Re: Appeals against the decisions of the Minister for Agriculture, Food and the Marine to refuse to grant Aquaculture and Foreshore Licences for the cultivation of mussels using longlines on the foreshore on Site refs T9/508, T9/509, T9/510, T9/511, T9/477 Killary Harbour Co Galway

Dear Mr O'Toole

I refer to Appeals received by Aquaculture Licences Appeals Board (**Board**) against the decisions of the Minister for Agriculture, Food and the Marine (**the Minister**) being Appeal References AP5/2019, AP6/2019, AP7/2019, AP8/2019 and AP9/2019 (**Appeals**) accessible via the following link:

<http://alab.ie/boarddeterminations/2019/>

Pursuant to Section 47(1)(a) of the Fisheries (Amendment) Act, 1997, as amended, ("the Act"), where the Board is of the opinion that any document, particulars or other information is or are necessary for the purposes of enabling the Board determine the Appeal, it may serve a notice on a party requiring that party to submit to the Board such documents, particulars or other information as are specified in the Notice.

Having considered the appeals and the information provided to it, the Board has determined that further documents are necessary for the purposes of enabling the Board determine the Appeals.

All of the Appeals are from decisions of the Minister to refuse to grant Aquaculture Licences for the cultivation of mussels using longlines on the foreshore in Killary Harbour.

As part of its consideration of the Appeals the Board is seeking the most up to date information available in relation to the carrying capacity of Killary Harbour for the cultivation of mussels on longlines, particularly in relation to the food resource available. To assist the Board in this regard the Board seeks following:

- 1) Details of the overall production volumes of mussels from Killary Harbour for the past 20 years;
- 2) Details of the tonnages of mussels harvested by from individual sites (and not just the sites under appeal) within Killary Harbour for the past 20 years;

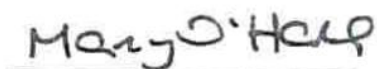
Cúirt Choill Mhinsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

- 3) Any additional information on the food resource, carrying capacity and any modelling carried out by or on behalf of, or available to, BIM subsequent to the Uisce Report for Department of Agriculture, Fisheries and Food on Killary Harbour 2010.

In accordance with section 47 (1) (a) of the Act, the Board requires this information within **30 days** of receipt of this letter. Please note that if the documents, particulars or other information specified above are not received before the expiration of the period specified above, or such later period as may be agreed by the Board, the Board will, without further reference to you, determine the appeal.

Please also note that a person who refuses or fails to comply with a requirement under section 47 (1)(a) shall be guilty of an offence.

Yours sincerely



Mary O'Hara
Secretary to the Board