

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Marine Institute,
Rinville,
Oranmore,
Co. Galway

Attention: The CEO

1 October 2021

Our Ref: AP11/2019

Site Ref: T08/106 B,C&D

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse to grant a Licence to Moyasta Oysters for authorisation to cultivate Pacific Oysters using bags and trestles/hanging baskets and trestles on sites T08/106 B, C&D at Querrin, Poulnasherry Bay and Cammoge South, Shannon Estuary, Co Clare

Dear Sir,

I refer to the above Appeal.

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 appeal and the information provided to it, the Board has determined that further documents, particulars or information are necessary for the purposes of enabling the Board determine these Appeals.

The Board understands the Marine Institute have received updated bird survey data reports for Poulnasherry Bay submitted to them in 2021 which contain data on bird surveys up to

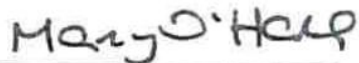
and including those conducted during the winter of 2020/2021. The Board requests copies of these reports to aid it in determining their appeal. A copy of this request has also been sent to the Department of Agriculture, Food and the Marine.

If you require further clarification of the Board's requirements, please contact the Board's Technical Advisor, Dr Ciar O'Toole on 087-4097160 or ciar.otoole@alab.ie.

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



October 8th, 2021

Aquaculture Licences Appeals Board
Kilminchy Court
Dublin Road
Portlaoise
Co. Laois

Attention: Mary O'Hara

RE: ALAB Ref:AP11/2019 - Poulnasherry Bay bird survey report 2021 Section 47(1)(a) of Fisheries (Amendment) Act 1997 request.

Dear Mary,

Your communication to our CEO was passed onto me. I am happy to provide you with the 2020/2021 Poulnasherry Bird monitoring report, as requested. We also have reports for the previous two winters at the Poulnasherry site and I have included these with this communication.

Please do not hesitate to contact me if you require any further information.

Best wishes,

Francis O'Beirn
Section Manager
Licensing and Policy Advice
(fobeirn@marine.ie)