AP2-15-26

ALAB
An Bord Achomhairc Um Chead\u00fanais Dobharshaothraithe
Aquaculture Licences Appeals Board

Notice of Appeal Under Section 40(1) of Fisheries (Amendment) Act 1997 (No.23)
APPEAL FORM

Please note that in accordance with Section 40(2) of the 1997 Act this form will only be accepted if delivered by **REGISTERED POST or by hand** to the ALAB offices at the following address: **Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co. Laois, R32 DTW5**

Name of Appellant (Block Letters)*	An Taisce
Address of Appellant	[redacted]
Eircode	[redacted]
Phone No.	[redacted]
Mobile No.	[redacted]

AQUACULTURE LICENCES APPEALS BOARD
28 SEP 2026
RECEIVED

* For administrative reasons, please provide one prima[redacted] relation to the appeal will be sent. Please note if there is any change to the details given above, the onus is on the appellant to ensure that ALAB is notified accordingly.

FEES

Fees must be received by the closing date for receipt of appeals	Amount	Tick
An appeal by an applicant for a licence against a decision by the Minister in respect of that application	€380	
An appeal by the holder of a licence against the revocation or amendment of that licence by the Minister	€380	
An appeal by any other individual or organisation	€150	✓
Request for an Oral Hearing* (fee payable in addition to appeal fee) *In the event that the Board decides not to hold an Oral Hearing the fee will not be refunded	€75	

Fees can be paid by way of Cheque or Electronic Funds Transfer — Funds Transferred

Cheques are payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 2021 (S.I. No. 771 of 2021)

Electronic Funds Transfer Details	IBAN: IE89AIBK93104704051067	BIC: AIBKIE2D

Please note the following:

1. Failure to submit the appropriate fee with your appeal will result in your appeal being deemed invalid.
2. Payment of the correct fees **must be received on or before** the closing date for receipt of appeals, otherwise the appeal will not be accepted.
3. The appropriate fee (or a request for an oral hearing) must be submitted against each determination being appealed.
4. The joinder of Appeals 42 (1) does not give rise to an entitlement to a refund of any fee paid to ALAB.(Appendix 1)

ALAB
An Bord Achomhairc Um Cheadunais Dobharshaothraithe
Aquaculture Licences Appeals Board

The Legislation governing the appeals is set out at Appendix 1 below.

SUBJECT MATTER OF THE APPEAL
appeal pursuant to S. 40 of the Fisheries (amendment) Act 1997 on T06/202 Silver King Seafoods Ltd. for the cultivation of salmon at Deenish Island. Co. Kerry
Site Reference Number: - **(as allocated by the Department of Agriculture, Food, and the Marine)** — T06/202
APPELLANT'S PARTICULAR INTEREST **Briefly outline your particular interest in the outcome of the appeal:**
an Taisce is an eNGO & prescribed body for aquaculture licencing.
GROUNDS OF APPEAL **State in full the grounds of appeal and the reasons, considerations, and arguments on which they are based) (if necessary, on additional page(s)):**
see attached Document.

ALAB
An Bord Achomhairc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board

CONFIRMATION NOTICE ON EIA PORTAL (If required)

In accordance with Section 41(1) f of the Fisheries (Amendment) Act 1997, where an Environmental Impact Assessment (EIA) is required for the project in question, please provide a copy of the confirmation notice, or other evidence (such as the Portal ID Number) that the proposed aquaculture the subject of this appeal is included on the portal established under Section 172A of the Planning and Development Act 2000. (See Explanatory Note at Appendix 2 below for further information).

Please tick the relevant box below:

EIA Portal Confirmation Notice is enclosed with this Notice of Appeal	2021027
Other evidence of Project's inclusion on EIA Portal is enclosed or set out below (such as the Portal ID Number)	-see attached screenshot
An EIA was not completed in the Application stage/the Project does not appear on the EIA Portal	

Details of other evidence			
Signed by the Appellant	[signature]	Date	26.09.26

Please note that this form will only be accepted by REGISTERED POST or handed in to the ALAB offices

Payment of fees must be received on or before the closing date for receipt of appeals, otherwise the appeal will be deemed invalid.

This Notice of Appeal should be completed under each heading, including all the documents, particulars, or information as specified in the notice and duly signed by the appellant, and may include such additional documents, particulars, or information relating to the appeal as the appellant considers necessary or appropriate."

DATA PROTECTION – The data collected for this purpose will be held by ALAB only as long as there is a business need to do so. Legal requirements in respect of transparency may necessitate the publication of appeal and appellant details may be included in an online list of appeals.



An Taisce
The National Trust for Ireland

[redacted]

Aquaculture Licences Appeals Board,
Kilminchy Court,
Dublin Road,
Portlaoise,
Co Laois.
R32 DTW5.

Hand Delivered and emailed to: info@alab.ie

28/09/2026

Appeal pursuant to Section 40 of the Fisheries (Amendment) Act 1997 T06/202, Silver King Seafoods Limited, Aquaculture & Foreshore Licence application for the cultivation of Salmon at a site east of Deenish Island, between Ballinskelligs Bay and Kenmare Bay, Co. Kerry

To Whom It May Concern:

Matters under appeal:

An Taisce is making this appeal against the decision to grant approval for T06/202, Silver King Seafoods Limited, Aquaculture & Foreshore Licence application for the cultivation of Salmon at a site east of Deenish Island, between Ballinskelligs Bay and Kenmare Bay, Co. Kerry. We wish to raise the following issues. The EIA portal number for this application is 2021027 (see attached screenshot in Annex I for additional detail)

1. Preliminary issues - renewal application

[redacted]

At the outset, we would highlight again, as we did in our original submission on this licence application to DAFM, that it is our understanding that this licence is not a renewal, it should rather be classified as a new licence. We understand that in 2019 the Minister of Agriculture at that time revoked the licence which was provided to Silver King Seafoods Limited, trading as Mowi Ireland, as a result of an alleged gross overstocking of the salmon farm. The Minister wrote[1] to Mowi Ireland on the 12th April 2019 to inform them of the revocation, and to specifically highlight that Section 19(A)(4) of the regulations did not apply. It is our understanding that Mowi has continued to operate the salmon farm since, and appealed the decision of the Minister to ALAB. While ALAB reversed the Minister's decision, that ALAB decision was subsequently judicially reviewed, and ALAB conceded in court. No court orders have issued as yet on this case, and as such the status of the licence remains unclear. It is our view that Section 19(A)(4) does not apply, and as such, this licence was incorrectly classified as a renewal application.

Confusingly, while the application is framed as a request to renew and review the licence, the Minister has purported to act under section 7 of the Fisheries (Amendment) Act 1997, rather than section 19 which is the provision applicable to applications for renewal.

The Minister could be forgiven for his confusion as to what exactly he was being asked to decide, given that he had concluded seven years earlier the licence he was now being asked to "renew and review" ceased to continue in force. It is for this reason that An Taisce submitted, as they still do, that this is in substance an application for a new licence rather than an application to renew an existing licence.

However, that does not absolve the Minister of the requirement to determine the application before him. MOWI have asked the Minister to renew and review a licence that the Minister has concluded no longer exists. The Minister should have rejected the application outright. ALAB should do the same.

Instead of doing this, the Minister has made a patently premature decision. The judicial review proceedings have not reached a conclusion. ALAB have conceded in those proceedings, to which the Minister is a party, that its decision on that appeal should be quashed. That the formal order quashing the decision has not been made does not permit the Minister to shut his eyes to the fact that it is imminent.

Once ALAB's decision is quashed, we will be left with a situation where a Minister has reached two diametrically opposed conclusions: that MOWI's licence was breached and therefore cannot benefit from section 19A(4), and that MOWI is entitled to a renewal and amendment of that same, apparently non-existent licence.

It is submitted that the situation that persists cannot be allowed to continue. It is unacceptable from the perspective of good public administration, rule of law and protection of the environment.

To remedy this situation, ALAB must exercise its power under section 58 of the Fisheries Amendment Act 1997 to refer questions of law to the High Court: namely:

1. Whether, as a matter of law, the Minister was correct in his view expressed in 2019 that MOWI's breach of its licence had the effect that it ceased to benefit from section 19A(4)?

2. If the answer to question 1 is yes, was MOWI entitled to make the present application for renewal and amendment of the licence?

Clearly, if the answer to question 2 is no, ALAB must refuse the application.

If ALAB proceeds to determine these issues itself without seeking guidance from the High Court, it is likely to result in further judicial review proceedings, further delay and further confusion. These are questions of law that must be determined by the High Court.

2. Obligation to Remedy

Notwithstanding our comments on the validity of the application being a renewal, it is An Taisce's position that any grant of a renewal of this licence would be contrary to EU law. We raised this point in our submission to DAFM, but from our review of the decision files, at no point does this legal issue appear to have been addressed or clarified. This, in our view, was a gross oversight.

This obligation to remedy arises from the remedial obligation placed on State authorities to undo the unlawful consequences of a breach of EU law, in this case the EIA and Habitats Directives. The Fisheries (Amendment) Act 1997 (as amended) under which this licence application is to be determined, does not give effect to the decision of the Court of Justice in Case C-215/06 *Commission v Ireland*, which concerned the then provisions of the Planning and Development Act 2000 (as amended) and how under said provisions it was possible to grant retention planning permission for development which had been carried out in breach of EU law. Following the decision of the Court of Justice in that case, Part XA of the 2000 Act was introduced to provide for the system of what is known as 'Substitute Consent', whereby development regulated under

the 2000 Act, but which has been carried out in breach of the EIA and Habitats Directives, can apply for a form of planning permission which includes remedial environmental assessments.

An Taisce notes that the 1997 Act was not amended to give effect to the decision of the Court of Justice in Case C-215/06 to provide for an equivalent system for the regularisation of aquaculture operations.

It is An Taisce's position that the decision to grant a licence in this case was unlawful, having regard to the material which was before the Minister concerning the failure of Silver King Seafoods, trading as Mowi Ireland, to comply with the terms of their existing licence, as well as a failure to carry out the relevant assessments of environmental impact of the fish farming already carried out in contravention of EU law. Furthermore, the failure of the State to give proper effect to EU law in the field of aquaculture licencing does not absolve the State from its duty to comply with EU law in relation to this appeal before ALAB, where the original Licence and the activity which it purported to regulate has been carried out to date in breach of EU law.

In that regard, and notwithstanding that the 1997 Act has not been amended to give effect to the decision in Case C-215/06, there is an autonomous obligation on ALAB to give effect to EU law in determining this licence application.

We refer ALAB to the decision of the Court of Justice in Case -378/17 *The Minister for Justice and Equality and The Commissioner of An Garda Síochána and the Workplace Relations Commission,* where the Court ruled that the duty to apply EU law extends not only to national courts but to all other organs of the State called upon in carrying out their functions to apply EU law. This includes ALAB in their role in relation to assessing this licence appeal before it. The Court held:

> *"As the Court has repeatedly held, that duty to disapply national legislation that is contrary to EU law is owed not only by national courts, but also by all organs of the State — including administrative authorities — called upon, within the exercise of their respective powers, to apply EU law (see, to that effect, judgments of 22 June 1989, Costanzo, 103/88, EU:C:1989:256, paragraph 31; of 9 September 2003, CIF, C-198/01, EU:C:2003:430, paragraph 49; of 12 January 2010, Petersen, C-341/08, EU:C:2010:4, paragraph 80; and of 14 September 2017, The Trustees of the BT Pension Scheme, C-628/15, EU:C:2017:687, paragraph 54).*
>
> *It follows that the principle of primacy of EU law requires not only the courts but all the bodies of the Member States to give full effect to EU rule"*

The Court found that the effectiveness of EU law, in that case employment law, would be undermined if authorities called upon to comply with EU law could not of their own motion disapply conflicting provisions of national law. The fact that in Ireland someone may have recourse to Judicial Review to challenge the legality of a decision taken contrary to EU law does not absolve the primary decision maker from their obligation to comply with EU law. The Court held at para 50:

> *"It follows from the principle of primacy of EU law, as interpreted by the Court in the case-law referred to in paragraphs 35 to 38 of the present judgment, that bodies called upon, within the exercise of their respective powers, to apply EU law are obliged to adopt all the measures necessary to ensure that EU law is fully effective, disapplying if need be any national provisions or national case-law that are contrary to EU law. This means that those bodies, in order to ensure that EU law is fully effective, must neither request nor await the prior setting aside of such a provision or such case-law by legislative or other constitutional means.*
>
> *Consequently, the fact, highlighted by the referring court, that in the present instance national law permits individuals to bring an action before the High Court founded on the alleged incompatibility of a national provision with Directive 2000/78 and allows the High Court, if it upholds the action, to disapply the national provision at issue is not capable of calling the above conclusion into question.*
>
> *In the light of the foregoing considerations, the answer to the question referred is that EU law, in particular the principle of primacy of EU law, must be interpreted as precluding national legislation, such as that at issue in the main proceedings, under which a national body established by law in order to ensure enforcement of EU law in a particular area lacks jurisdiction to decide to disapply a rule of national law that is contrary to EU law."*

We will set out below in more detail An Taisce's position as to how the grant of a licence in this case would be contrary to EU law. In that regard, first of all it is clear that the failure of Silver King Seafoods to comply with their licence was 'significant'. At section 18 of the internal Departmental submission to the Minister prior to withdrawing the Licence in 2019, the breach of the licence identified was described as 'a very significant breach'.

Furthermore, the submission from Inland Fisheries Ireland of 7 June 2019 stated that the Deenish Island fish farm during the period in which it was in breach of its licence there had been a significant decline in sea trout numbers on the Curran fishery. Concerns were expressed as to the impact that the fish farm was having on the SAC designed for Atlantic salmon.

Silver King Seafoods were granted the previous licence on the basis of environmental assessments. However, it is clear that the subsequent fish farming was carried out in breach of licence and thus EU law.

Furthermore, the Licence limited the production of salmon to 500 tonnes per annum, based on the (presumed) absorption capacity of the marine environment for the waste produced by the salmon farm. However, Silverking Seafoods were found to be producing more than 120% of their allowable production of salmon, and therefore presumably the equivalent in terms of emissions of waste to the marine environment.

Additionally, recent evidence indicates that the operator appears to have been overstocking fish more recently. The previous licence, under which the operator is purporting to operate, had an annual harvest restriction of 500 tonnes and an allowable input of 400,000 fish. However, data received via an AIE request by FP Logue Solicitors (Figure 1) indicates that in 2025 the farm was stocked with 406,550 salmon with an additional 42,718 lumpsucker and wrasse, bringing the total fish moved into the Deenish site in 2025 to 449,268 fish. This is 49,268 fish more than the licence allows for. Additionally, 406,450 salmon were moved into the farm in early 2025, with an average weight of 2155g. This corresponds to 875.9 metric tonnes of salmon on the farm in early 2025. It is our understanding from records obtained relating to fish farm inspections that the farm was fallow shortly after this, and no salmon are listed as being moved off the farm. As such, it appears that the 500 tonnes harvest weight is highly likely to have been breached for 2025, once again in breach of the licence limit.

Deenish Movement Approvals | 17/05/2023 to 17/05/2026

MI Ref.	Origin Site Name	Destination Site Name	Movement Start Date	Movement End Date	Species	Category	Avg. Weight (g)	Qty (Num)
MOV-7191	Kenmare Bay - Wild Wrasse Fishing	Deenish	19/06/2025	17/07/2025	Wrasse (Wild origin)	Adult	50	4718
IMP-6075	UK (Great Britain)	Deenish	24/04/2025	02/05/2025	Wrasse (Farm origin)	Juvenile	90	18000
MOV-7064	Bantry Marine Research Station	Deenish	12/03/2025	14/03/2025	Lumpsucker (Farm origin)	Juvenile	15	20000
MOV-6994	Inishfinnard	Deenish	11/02/2025	01/03/2025	Atlantic salmon	Grower	2155	406450
MOV-6401	Bantry Marine Research Station	Deenish	07/03/2024	20/03/2024	Lumpsucker (Farm origin)	Juvenile	15	10000
MOV-6303	Bantry Marine Research Station	Deenish	24/01/2024	10/02/2024	Lumpsucker (Farm origin)	Juvenile	15	30000
MOV-6144	Bantry Marine Research Station	Deenish	31/10/2023	25/11/2023	Lumpsucker (Farm origin)	Juvenile	15	16000
MOV-6053	Kenmare Bay - Wild Wrasse Fishing	Deenish	15/08/2023	08/09/2023	Wrasse (Wild origin)	Adult	50	23378
MOV-6025	Kenmare Bay - Wild Wrasse Fishing	Deenish	13/07/2023	04/08/2023	Wrasse (Wild origin)	Adult	50	7648
MOV-5996	Kenmare Bay - Wild Wrasse Fishing	Deenish	19/06/2023	07/07/2023	Wrasse (Wild origin)	Adult	50	4588

Figure 1: Data received under AIE from the Marine Institute in June of 2026

The licence application is expressed to be a renewal to the existing licence. It is clear, therefore, that this is an application for a renewal of a licence, in circumstances where the original licence has been carried out in breach of the EIA and Habitats Directives, in that the effects on the environment arising from the production of significantly more waste than was permitted have not been assessed in accordance with those Directives as required.

There is no material supplied by the proposed licensee in the EIAR and the Natura Impact Statement, or in any of the supplemental reports which provides the necessary information on the environmental effects of the fish farm when it was being carried out in contravention of EU law, both as a consequence of purporting to operate under Section 19(A)(4), and as such operating with no prior environmental assessment, compounded by the operations continuing to intermittently be in breach of what had been agreed and assessed for the previous, now quashed, licence.

Neither the EIA Directive nor the Habitats Directive specify what action should be taken in the event of infringement of the obligations laid down by those directives. However, in Case C-201/02 *Wells*, the Court of Justice found that where there was a failure to conduct an EIA there was an obligation on the State authorities to revoke or suspend a consent. This obligation falls upon all organs of the Member State. The Court held:

"It is clear from settled case-law that under the principle of cooperation in good faith laid down in Article 10 EC the Member States are required to nullify the unlawful consequences of a breach of Community law (see, in particular, Case 6/60 Humblet [1960] ECR 559, at 569, and Joined Cases C-6/90 and C-9/90 Francovich and Others [1991] ECR I-5357, paragraph 36). Such an obligation is owed, within the sphere of its competence, by every organ of the Member State concerned (see, to this effect, Case C-8/88 Germany v Commission [1990] ECR I-2321, paragraph 13).

Thus, it is for the competent authorities of a Member State to take, within the sphere of their competence, all the general or particular measures necessary to ensure that projects are examined in order to determine whether they are likely to have significant effects on the environment and, if so, to ensure that they are subject to an impact assessment (see, to this effect, Case C-72/95 Kraaijeveld and Others [1996] ECR I-5403, paragraph 61, and WWF and Others, cited above, paragraph 70). Such particular measures include, subject to the limits laid down by the principle of procedural autonomy of the Member States, the revocation or suspension of a consent already granted, in order to carry out an assessment of the environmental effects of the project in question as provided for by Directive 85/337."

In C-196/16, *Comune di Corridonia and Others,* the Court of Justice held that EU law does not preclude national rules which, in certain cases, permit the regularisation of operations or measures which are unlawful in the light of EU law. However, such a possible regularisation would have to be subject to the condition that it does not offer the parties concerned the opportunity to circumvent the rules of EU law or to refrain from applying them, and should remain the exception. The Court held:

"In the event of failure to carry out an environmental impact assessment required under Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, EU law, on the one hand, requires Member States to nullify the unlawful consequences of that failure and, on the other hand, does not preclude regularisation through the conducting of an impact assessment, after the plant concerned has been constructed and has entered into operation, on condition that:

- *national rules allowing for that regularisation do not provide the parties concerned with an opportunity to circumvent the rules of EU law or to dispense with applying them, and*

- *an assessment carried out for regularisation purposes is not conducted solely in respect of the plant's future environmental impact, but must also take into account its environmental impact from the time of its completion."*

In C-411/17 *Inter-Environnement Wallonie and Bond Beter Leefmilieu Vlaanderen* the Court of Justice held that such regularisation permitted under the EIA Directive also applies in relation to the Habitats Directive:

> *"By analogy, it must be held that EU law does not preclude such regularisation, subject to the same conditions, in the event of failure to conduct a prior impact assessment of the effects of the project concerned on a protected site, as required by Article 6(3) of the Habitats Directive."*

It is clear that legal consequences flow from the decision of the Minister to discontinue the statutory entitlement of Silver King Seafoods to carry out aquaculture operations in 2019. As the Court of Justice found in Case C-278/21 *AquaPri,* which was a Danish case involving a fish farm which had been authorised on foot of an Appropriate Assessment which was not in compliance with the Habitats Directive:

> *"In the second place, it must nevertheless be observed that, since the Member States are required to comply with Article 6(3) of Directive 92/43 and, more specifically, the assessment obligation laid down in the first sentence of that provision, it cannot be accepted that a legal consequence may not be drawn from the infringement of that obligation in the event that such an infringement is found, in a final decision, by the competent national authority or court.*
>
> *On the contrary, as the Court has stated with regard to the similar assessment obligation established by Directive 85/337, even where the authorisation of a project which has been adopted in breach of that obligation is definitive, that project cannot, however, be regarded as having been lawfully authorised with regard to that obligation, such that the Member State concerned is required, under the principle of sincere cooperation provided for in Article 4(3) TEU, to eliminate the unlawful consequences of the breach which it has committed by taking all measures necessary within the sphere of its competence to remedy it (see, to that effect, judgment of 12 November 2019, Commission v Ireland (Derrybrien Wind Farm), C-261/18, EU:C:2019:955, paragraphs 71, 75, 80 and 90 and the case-law cited).*

In particular, as the Advocate General noted, in essence, in points 29 and 30 of her Opinion, where a project has been authorised following an assessment which does not comply with the requirements of the first sentence of Article 6(3) of Directive 92/43, the competent national authority must carry out a subsequent review of the effects of the implementation of that project on the site concerned, on the basis of Article 6(2) of that directive, if that review constitutes the only appropriate measure for avoiding that implementation from leading to deterioration or disturbance that could have had a significant effect on the site concerned. (see, to this effect, judgment of 14 January 2016, Grüne Liga Sachsenand Others, C-399/14 EU:C:2016:10, paragraph 46).

However, such a subsequent review, based on Article 6(2) of Directive 92/43, is not the only appropriate measure that the competent national authority may, in a situation such as that at issue in the main proceedings, be called upon to adopt.

In fact, as is apparent from the case-law of the Court, EU law does not preclude that authority from revoking or suspending the authorisation already granted in order to carry out a new assessment in accordance with the applicable requirements, provided that those measures take place within a reasonable period of time and that account is taken of the extent to which the person concerned may have been able to rely on the lawfulness of that authorisation, or even, in certain exceptional cases provided for by the applicable rules of national law, for the authority to regularise the situation, which must then not only comply with those requirements, but also take place under conditions which exclude any risk of circumvention or non-application of the rules of EU law (see, to that effect, judgment of 12 November 2019, Commission v Ireland (Derrybrien Wind Farm), C-261/18, EU:C:2019:955, paragraphs 75 to 77 and 92 and the case-law cited)."

It is noted that the licence applied for by Silver King Seafoods is not a mere continuation of the licence which it currently holds. The proposed licence provides for increased production at the site, the area occupied by the farm will be increased from approximately 14.5ha to 33.5ha if the licence is upheld, with 650,000 smolts, maximum biomass of approximately 2,177 tonnes and total harvest of approximately 2,672 tonnes. The previous licence imposed an annual harvest restriction of 500 tonnes and was half the geographical size, so this new operation is significantly larger and, therefore, the operation conditions are changed.

However, the fact that the Licence application has been made, now poses according to the decision of the Court of Justice in *AquaPri,* concurrent obligations on ALAB under both Article 6(2) and 6(3) of the Habitats Directive. Commenting on the decision in *AquaPri,* Braaksma and

Haugsted stated in *Unlawfully Authorised Projects under the Habitats Directive: Remediation at All Costs?, Comment on the CJEU Judgment of 10 November 2022 in Case C-278/21 AquaPri*', Journal for European Environmental & Planning Law 20(1), 95-113:

> *"That an unlawful authorisation has become final does not mean, however, that the project concerned can be regarded as having been lawfully authorised under Article 6(3). The obligation on the national authorities to remedy the failure to carry out an assessment does not go away as a result of the finality of the permit. Instead, it remains a contingent liability for the national authorities. As the Court pointed out in AquaPri, this means that if a national authority gets the opportunity to rectify the failure to carry out an appropriate assessment in the context of a later consent procedure, the authority is obliged to do so. Or as the Court put it: 'where a Member State has provided, either in a measure of general scope, or in a measure of individual scope, that the continuation of an activity already authorised must be the subject of a new authorisation, the competent national authority is required to make that authorisation subject to a new assessment in accordance with the requirements of the first sentence of Article 6(3), where it appears that that activity has not yet been the subject of such a compliant assessment.*
>
> *This was the case in the main proceedings in AquaPri. As required by Danish legislation as well as the 2006 permit, the fish farm concerned was required to apply for a new authorisation, by the latest in 2014. Before granting this new authorisation, the Danish authorities were therefore obliged to carry out an appropriate assessment even though the mere continuation of the activity under unchanged conditions did not constitute a 'project' within the meaning of Article 6(3). As is apparent, this remediation measure is also dependent on national law which has to provide for the renewal or reconsideration of existing permits. However, it is not unthinkable that the duty to rectify a failure to carry out an assessment at a later stage might also 'awake' under other circumstances than in AquaPri. This could, for example, be the case if the operator wishes to make amendments to the existing project requiring approval."*

The High Court per Mr Justice Humphreys found in *Carrownagowan Concern Group and Ors v An Bord Pleanála [2023] IEHC 579,* summarised *AquaPri* at para 92:

> *"Thus, if EU law assessments were not carried out properly in relation to an original permission, and the developer (or someone benefitting from a previous consent) seeks an extension of the consent, or an amendment of it, the remedial obligation may have*

the consequence that the body giving consent to such subsequent application is obliged to rectify the failure to conduct a correct assessment originally. If such rectification is not put in place, then a given applicant can challenge the subsequent consent on that basis. This does not extend to a retrospective challenge to the original consent."

The Court found that it was necessary at least in respect of judicial review proceedings taken under the Planning and Development Act 2000 alleging a failure of a competent authority to comply with the remedial obligation under EU law, for the applicant to have raised the issue of the requirement to carry out a remedial environmental assessment with the relevant competent authority prior to raising that point in subsequent judicial review proceedings.

For the avoidance of doubt, An Taisce is hereby raising with ALAB, as we previously did with the Minister, the obligation to carry out a remedial environmental assessment of the Silver King operations at Deenish Island, prior to the granting of any licence to continue aquaculture operations.

It is An Taisce's position that the licence must in fact be refused, as Silver King Seafoods have not submitted the relevant information to address the impacts of their aquaculture operations at Deenish Island which have been carried out in breach of the EIA and Habitats Directives. The only course of action, An Taisce submits, which is lawfully open to the ALAB in this case, is quash the approval of the licence.

3. Article 10(A) EIA Directive points about proportionate and persuasive sanctions

Article 10(A) EIA Directive provides - *'Member States shall lay down rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive. The penalties thus provided for shall be effective, proportionate and dissuasive.'*

In this instance, the operator of the fish farm had their licence revoked by the Minister in 2019, on foot of overstocking in breach of their licence. Despite this, they continued to operate, purporting to be relying on Section 19(A)(4) of the Fisheries Act, during which time they would appear to have continued to overstock the farm. Despite this, the Department has, nevertheless, now granted them a new licence, double in size to the quashed licence, as of August 2026, with no apparent consequence for the operator for being found to be in breach of their licence requirements in terms of stocking density, and indeed for continuing to operate when the validity of their reliance on Section 19(A)(4) is legally dubious (as outlined above). By no measure could

this be considered to be a dissuasive penalty. In effect, the Ministerial revocation of their licence in 2019 appears to have had no meaningful impact on their ability to continue to operate.

4. Public Participation

We note that after the public consultation in early 2024, no further information was sent to An Taisce until August of 2026 when the notification came through regarding the grant of licence. However, we note that multiple environmental reports have been produced in the intervening months, and have been relied upon by the decision maker. These include the Water Framework Directive Compliance Report of the Intensive Finfish Aquaculture Licence Application dated December 2025; the Appropriate Assessment Report, dated January of 2026, and Report supporting the Environmental Impact Assessment of the intensive finfish aquaculture licence application T06-202 at Deenish Island, Co. Kerry, dated June of 2026.

Article 6(4) of the EIA Directive provides:

> *'The public concerned shall be given early and effective opportunities to participate in the environmental decision- making procedures referred to in Article 2(2) and shall, for that purpose, be entitled to express comments and opinions when all options are open to the competent authority or authorities before the decision on the request for development consent is taken.'*

Additionally, Article 6(2)(E) provides:

> *'The public shall be informed, whether by public notices or by other appropriate means such as electronic media where available, of the following matters early in the environmental decision-making procedures referred to in Article 2(2) and, at the latest, as soon as information can reasonably be provided:*
>
> *...*
>
> *(e) an indication of the availability of the information gathered pursuant to Article 5;'*

The Report Supporting the EIA outlines its purpose thus:

> *'The purpose of this report is to inform a reasoned conclusion, to be integrated into the decision of the regulatory authority (Department of Agriculture Food and the Marine-DAFM), regarding the suitability to consent this licence application, based on environmental sustainability and performance (significant effects on the environment),*

informed by the EIAR documentation supplied with the application and observations from the consultation processes, and, where appropriate, any supplementary information.'

However, the report subsequently provides consequential additional environmental information, as described below:

'The document should provide a description of any features and measures envisaged to avoid, prevent or reduce and, if possible, offset significant adverse effects on the environment ('mitigation measures'); and monitoring measures, where appropriate.'

4.1 Water Framework Directive Assessment

An Taisce highlighted the adequate lack of WFD assessment in our submission to the Department, as quoted below:

'we would argue that although the EIAR does address elements of water quality, it does not actually carry out a WFD assessment, as required by law. Water chemistry is just one of a number of quality elements which must be assessed under the Water Framework Directive. The assessment in the EIAR does not consider the WFD requirements holistically, rather it looks at specific things like nitrate pollution and Biological Oxygen Demand. According to the judgment in the Weser case, where any single quality element is reduced in class, even if it doesn't amount to an overall decline in the status of a WFD waterbody, that must be still considered a deterioration. We submit that no such assessment has been provided by the application. The decision maker must ensure that the point source responsible for discharges of nutrients and therapeutants does not lead to a deterioration in any of the quality elements in the surrounding waterbodies.'

As clarified in Nordrhein Westfalen case (C-535/18), and relied upon in Ryan v ABP & Analog[2] in para 223:

'Article 6 of the EIA Directive requires that the information made public in the development consent process by the developer must include the data necessary to assess the effects of the project on water, in light of Article 4 WFD and within the limits of what a developer may reasonable be required to compile.

That information must allow the public an accurate impression of the impact of the project on the status of the water bodies so the public can verify compliance with, inter alia, Article 4 WFD'

A WFD assessment was subsequently drafted in December 2025, and relied upon by the Department. The report itself describes its purpose as follows:

'The purpose of this WFD compliance report is to determine whether specific components or activities associated with the Deenish aquaculture licensable activity (T06-202) will compromise WFD objectives or result in a deterioration or prevent the improvement of the status of any waterbodies in the vicinity of the proposed aquaculture site. This assessment will determine the waterbodies with the potential to be impacted, describe any proposed mitigation measures, and determine if the project is in compliance with the objectives of the WFD.'

As clarified in Nordrhein Westfalen case (C-535/18), and relied upon in Ryan v ABP & Analog[3] in para 223:

'Whether a project may have an adverse effect on water – whether Article 4 WFD requirements to prevent status deterioration are met- ***must be established before the project is permitted'*** [our emphasis]

However, at no point, as far as we are aware, did that WFD compliance report undergo public consultation. This does not allow the public to verify compliance with the WFD ahead of the decision being made, in contravention of the requirements of Article 6 of the EIA Directive, and as clarified in Nordrhein Westfalen case (C-535/18). As such, we are of the view that the requirements for public participation in regard to WFD have not been complied with by the Department, and as such this decision was not lawfully made in line with fair procedures, and should be overturned.

5. Lice Modelling

In our submission An Taisce raised concerns regarding the lice modelling, and lice impacts on wild salmonids, and potentially knock on impacts of Freshwater Pearl Mussel in nearby SACs. Inland Fisheries Ireland presented a detailed critique of the model being relied upon by the applicant in their submission. While the applicant sought to dismiss their concerns, we note in

the supplementary material and commentary provided by the Marine Institute in the EIA, they state the following:

> *'Whilst TELEMAC is a widely used and recognised numerical model and an application of its 3D version is appropriate in this region, it should be noted that validation plots for the currents are not presented in the EIA. The above Figures included in the response by the applicant concern a different model domain, namely the Bantry Bay. There is no guarantee that the TELEMAC model of Kenmare Bay used in this EIA represents currents equally well. Reference is made to previous surveys carried out in 1990 and 1997 and statements are made that the model agrees reasonably well with the findings from those surveys. However, this statement is not supported by any figures comparing the observed currents and modelled currents at specific locations and specific stages of the tide or weather conditions.* ***It is thus difficult to verify to what extent the modelled currents agree with those observed.*** *'*[our emphasis]

The MI then continue:

> *'The hydrodynamic model and Page 85 dispersion modelling that underly Section 8.2 Impacts on Water Quality lack wind forcing, which is an important component. It is therefore important to include wind forcing in the numerical modelling study in this area. The coastal waters in the southwest of Ireland is a region known for upwelling events. In the neighbouring Bantry Bay we do observe upwelling and downwelling events, whereby near-bed and surface waters, respectively, are transported into the bay. These events are wind-driven and* ***the lack of wind forcing in the model is considered a serious shortcoming****.'* [our emphasis]

And additionally:

> *'as regards far field effects e.g. sea lice dispersion, then the lack of wind forcing is a shortcoming. For example, under sustained wind, a plume of water containing sea lice can be quickly transported over a large distance if sea lice are present at the surface. However, one can only speculate on the distance without measuring or modelling it. The applicant states that "the dominant influence on hydrodynamics will be meteorological conditions in respect to variable wind forcing" and then surprisingly do not account for it in the model.* ***This is deemed as a serious shortcoming,*** *as the presented model may not represent hydrodynamics well. We are not presented with any validation figures that would suggest that the presented model without the wind forcing is acceptable and raises questions regarding the accuracy of the model.*

Models are used to provide an estimate of risk in order for the regulators to come to a decision on the acceptability, or not, of that risk. Models therefore need to provide a close representation of the observations of the underlying processes at play and their interactions. While we conclude that it is deemed reasonable to assume that planktonic lice stages are positively buoyant (Section 3.6.1.2.2), in areas without strong haloclines, we also conclude that wind forcing then becomes a more important factor which should be included. Wind-forced surface currents could potentially transport planktonic sea lice stages over relatively large distances (i.e. compared to tide only) and while it may tend to disperse them over a larger area and so dilute the density in the water column, ***we cannot rule out the possibility of it also concentrating them at near-shore areas such as the mouths of rivers and putting them into contact with migrating salmonids.*** [Our emphasis]

The MI then conclude in Section 3.6.1.2.1 of the EIAR:

'However maintaining salmon lice levels at near zero would negate this as there would be few or no larval stages to disperse. Given the effective sea lice management on site there is no evidence to suggest that sea lice emanating from the site pose a risk to wild salmonids.'

However, the level of sea lice is not zero. While they remain below trigger levels, with the levels of ovigerous female salmon lice since 2010 have been below 0.5 per fish (Figure 2), the licence proposed to allow for 650,000 smolts, which, at an average of 0.5 lice per fish would be circa 325,000 lice potentially on the salmon farm.

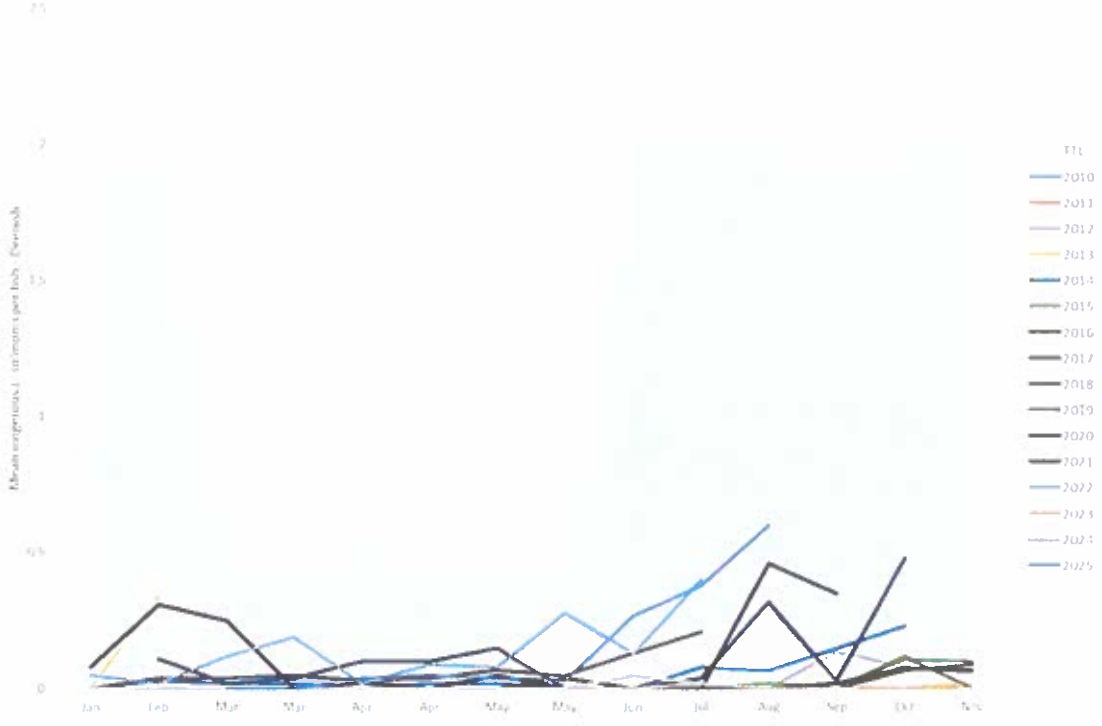


Figure 2-2 Mean ovigerous *L. salmonis* levels per fish at the Deenish site (2010 – 2025). Data taken from the national sea lice monitoring programme and trigger levels (TTL) are indicated by the shaded area.

Figure 2: Lice levels as outlined in EIAR

Additionally, along with the standard seas lice Lepeophtheirus salmonis, there is another species present at this location, Caligus elongatus. Marine Institute sea lice monitoring for 2025 would indicate that there was upwards of 2, almost 3, female egg bearing Caligus lice per fish in May, June and July of 2025, which would give an estimated >1,000,000 Caligus lice on the farm (based on 406,450 fish from Figure 1) . The impact of Caligus is discounted based on them being a generalist ecoparasite, not relying solely on salmon as hosts, and having less severe impacts on the host. However, while that may lessen their impact somewhat, given the relatively high levels reported over the years, it is incumbent on the decision maker to consider the potential impact of this parasitic species on wild salmonids. It cannot merely be discounted in the assessment because it's not as damaging as another species of sea lice.

The impact of all both species of lice on wild salmon, and potentially on Freshwater Pearl Mussel in nearby SACs is a significant concern for An Taisce, and one which we raised substantively in our submission at the initial licencing stage. IFI and others raised very similar concerns. The supplemental AA report provides the following in Section 5.2.4.2.1:

'In order to assess the threat posed to wild salmonids by lice infestations on the farm, 3D hydrodynamic simulation modelling was undertaken to determine the transport and dispersion of salmon lice larvae from the farm'

But in the excerpts we have pasted above with commentary from the MI, from the Report supporting the Environmental Impact Assessment, this modelling was clearly deficient and incapable of adequately assessing the threat. Nor can the model be relied upon to '*rule out the possibility of it also concentrating them at near-shore areas such as the mouths of rivers and putting them into contact with migrating salmonids.*'. Yet the MI subsequently seek to do so by claiming that lice levels would be near zero. This is demonstrably untrue, and while the levels are low and trigger levels have not been breached in recent years, given the volume of fish and mean level of lice per fish, this still amounts to a sizeable population of lice within the fish farm, which would be potentially available to infect wild fish. This is not a negligible threat. This is compounded by the relatively high levels of Caligus lice, in addition to L. salmonis, and given the modelling is not adequate to enumerate that threat, as demonstrated by commentary from both Inland Fisheries Ireland and the Marine Institute, it is our view that risks to wild salmonids, and knock on impacts on qualifying interests of nearby SACs, such as Salmon and Freshwater Pearl Mussel cannot be ruled out beyond reasonable scientific doubt.

In Kelly v An Bord Pleanála & Ors. [2013 No 802 J.R.], with reference to Commission v Spain c-404/09, the High Court held in para. 36 that the competent authority must carry out an AA for a plan or project in light of the best scientific knowledge in the field and that the final determination of the competent authority must include complete, precise and definitive findings. The case repeated the conclusion of the CJEU at para. 44 in Case C-258/11, namely that an AA:

"cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt."

This test has not only been established in Irish law but further developed in recent case law, with reference to the Kelly judgement, in Connelly v ABP [2018] IESC 31 (paras. 8.15 & 8.16) and Foley v EPA & Ors and Hayes v EPA & Ors [2022] IEHC 470 (para. 118).

It is our view that without robust and reliable modelling data, which accounts for the weaknesses, gaps and flaws indicated by both Inland Fisheries Ireland and the Marine Institute, this licence cannot lawfully be granted in compliance with Article 6(3) of the Habitats Directive.

6. Benthic Communities

In our submission to the Department we raised concerns about impacts on QI communities underneath the salmon pens. The applicant, in their NIS, dismissed any potential thus:

> *"For the practical purpose of management of habitats, a 15% threshold of overlap between a disturbing activity and a habitat is given in the NPWS guidance. Below this threshold, which was used by Marine Institute in the AA of aquaculture activity in Kenmare River SAC (Marine Institute, 2017, 2019) (see Appendix 1), disturbance is deemed to be non-significant. In all cases the percentage of the community overlapped by the proposed licenced area and/ or the sedimentation footprint was below the 15% threshold for a disturbing activity identified in NPWS guidance (NPWS 2013)."*

The source of this 15% threshold is unknown. The Commission framework on which it is allegedly based has not been included in the application documents, and it has not been possible to examine it. More fundamentally, it is not referred to in Article 17 of the Habitats Directive. It is also not referred to in Article 6(3) of the Habitats Directive which sets out the obligation for Appropriate Assessment. And it is not anywhere referred to in the case law of the EU Court of Justice. On the contrary, several judgements of the Court of Justice clearly set out very specific requirements in relation to site specific considerations and the thresholds of scientific certainty required for each of the different tests required to be addressed under Article 6(3), as clarified by the CJEU. The court's interpretation of the case specific context for how effects need to be assessed relies largely on specific ecological considerations at issue for the habitat or species, and the nature of impacts.

For example, in Case C258/11 Sweetman, the loss of approximately 1% of the protected habitat was considered to be an adverse effect on the integrity of the site. Furthermore, in assessing the potential effects of a plan or project, their significance must be established in light, inter alia, of the characteristics and specific environmental conditions of the site concerned by that plan or project as clarified by the CJEU in case c-127/02 Waddenzee. Consequently, both the project and site characteristics are required to be considered which is quite opposite to the very generic approach proposed with this 15% rule by the NPWS. As such we submit that this is an unlawful approach to risk assessment under the Habitats Directive, and percentage overlap should not be relied upon when drawing conclusions for Appropriate Assessment.

Despite this, the Marine Institute in the AA report in Section 5.2.1.3.4, reiterates this assumption of non-significance based on percentage overlap:

'The MCT Coarse sediment dominated by polychaetes community complex is recorded extensively in the western extreme of the SAC and into the bay along both shores, at depths of between 4m and 68m. This is the predominant community type beneath the aquaculture site. The predominant pressure on this community from the activity is likely to be organic enrichment due to settleable solids and fish waste discharged. The total disturbance from the proposed activity on this MCT is a direct footprint of 21.34 ha, and a modelled footprint of 42.09 ha. There represent, respectively, 0.26% and 0.51% of the total area of the community type in the SAC. This disturbance can be considered continuous and on-going, although it will be variable and there will be a fallow period in each 2-year production cycle which will facilitate some element of recovery. As this community type is considered not sensitive to this pressure, and the disturbance is to less than 0.5% of the mapped community type, it is not considered significant.'

We note that as outlined in Table 5.5 of the AA report from the MI, the sensitivity of this community to 'Changes to sediment composition increased fine sediment proportion' is medium-low, with a low confidence interval. As such, to deem it to be 'not sensitive to this pressure' is not entirely accurate, nor founded on robust evidence. In addition, supplemental information provided by the MI in the EIA report in Section 2.3.2.3 outlines that the sediment underneath the salmon pen is currently being impacted:

'There is evidence, from the benthic reports submitted, of bioturbation of the sediment at most of the sample locations. As the impacts are localised, disturbance experienced will be temporary with the species characterising the community types recovering to pre-disturbed state following cessation of activities'

In regard to the claim that the impact will be temporary, we would highlight the statement by the MI in the AA report in Section 5.2.1.3.4, which highlights the ongoing nature of this farming, in contrast to the EIA report statement that it is temporary:

'This disturbance can be considered continuous and on-going, although it will be variable and there will be a fallow period in each 2-year production cycle which will facilitate some element of recovery.'

Further detail in the EIA report at Section 2.3.2.3 highlights failures by the applicant to comply with benthic audits for Deenish, with 2 failures noted in the past 5 years:

'A review of the available historical benthic surveys for the site (T06-202A) demonstrates that this site has complied with assessed environmental standards on all sampled occasions since 2010, with the exception of 2021 and 2025 (Figure 2-1). The site lay fallow in 2007, 2008 and 2009.

The contributing factor to the not acceptable status in 2021 was the presence of bacterial mat (due to organic enrichment) which was greater than 50% of the (sampled) area under and close to the pens. In the 2025 survey, bacterial mat was greater than 50% of the (sampled) area under and close to the pens - excess feed under and at the edge of the cage was also reported. The overall assessment in 2025 concluded 'Not acceptable' due to the presence of excess feed and bacterial mat >50% under and at the edge of the cage. Organic matter (measured as % Loss On Ignition (LOI), inside and outside the AZE was above the acceptable thresholds. Bacterial mats are a visual indicator of organic enrichment at the location.'

It is clear, based on the evidence, that to date, Deenish farm has resulted in organic enrichment of the benthos directly below and adjacent to the farm, in 2 instances in the last 5 years being above the acceptable threshold, with over half the area sampled comprising a bacterial mat. This would inevitably impact on the QI habitat over which the Deenish farm sits. What's more, the new licence is looking to both intensify in terms of the number of animals farmed and increase its area, which would exacerbate the existing impacts on this legally protected habitat and community.

The MI seek to discount this impact thus:

'The organic material identified in these samples is a result of excess feed found on the seafloor. This would suggest that the impacts were likely a result of a transient issue, possibly husbandry or food quality related, rather than a more chronic event.'

However, no evidence is submitted to underpin this assumption of the transitory nature of the issue, and as outlined above, elsewhere the MI referred to the pressure as 'continuous and on-going'. The MI EIA report continues:

'Accumulation of food pellets on the seabed contributes to the organic pressures and should be avoided – it is recommended that operators have procedures in place to ensure the responsible utilisation of feed products to minimise wastage and excess organic pressures on the external environment. At the time of writing of this document, a remediation plan (BAP) is in place to address the Not acceptable status in 2025.'

This remediation plan does not appear to have been provided, nor its adequacy critiqued for the purposes of complying with EU legal requirements for certainty of lack of impact. In their conclusion on this point, the MI in Section 2.3.2.3 of the EIA report state the following:

> *'Feed accumulation on the seabed contributes to the organic pressures and should be avoided – it is recommended that, should the proposal be consented, that the operators have procedures in place to ensure the responsible utilisation of feed products to minimise wastage and excess organic pressures on the external environment.'*

This introduces uncertainty into the process. In order to conclude that this will have no impact on the QI communities, the decision maker must know, ahead of time, beyond reasonable scientific doubt, that there will be no adverse impact on the integrity of the SAC. The requirement for certainty when carrying out an Appropriate Assessment has been clearly fleshed out in case law. It is now very well established in law that approval can only be granted for plans and projects when it has been established beyond all reasonable scientific doubt that the subject proposal will not adversely impact any Natura 2000 sites. In Case C 258/11, Sweetman & Others v An Bord Pleanála & Others, the CJEU held that:

> *"authorisation for a plan or project ....may therefore be given only on condition that the competent authorities ....are certain that the plan or project will not have lasting adverse effects on the integrity of the site. That is so where no reasonable scientific doubt remains as to the absence of such effects"*.

In this case, the drafting of a procedure to prevent feed accumulation after the approval has been granted amounts to post content. In respect of points of detail conditions and environmental impact assessment ('EIA') or appropriate assessment ('AA'), the decision of the CJEU in Case C-461/17 Holohan is instructive. Where points of detail conditions permit matters to be agreed where the proposed development involves possible adverse effects on the environment, they are subject to the limitations as set out by the CJEU in Holohan and decisions such as Sliabh Luachra Against Ballydesmond Windfarm Committee v An Bord Pleanála [2019] IEHC 888 and Donnelly v An Bord Pleanála [2021] IEHC 834. In Donnelly, it was affirmed that post-consent details remain possible provided that the parameters of the detail guarantee that the development will not have adverse effects on a European site.

In this case, there has been a demonstrable impact on the sediment in very recent years, on foot of the previous licenced activity. This new licence will be both more intensive and spread over a larger area. While the EIA report recommends that the operators have procedures in place to ensure the responsible and efficient utilisation of feed products to minimise wastage

and excess organic pressures on the external environment, these are not specified, nor conditioned. They also require compliance with Monitoring Protocol No. 1 for Offshore Finfish Sites - Benthic Monitoring, which has been breached twice in just the last 5 years. There are no specific parameters provided for by way of mitigation, and as such, parameters of the detail cannot guarantee that the development will not have adverse effects on a European site.

In conclusion, we submit that the potential pressure on the legally protected sedimentary habitats has not been adequately identified in the NIS or the supplemental AA report, the reliance on a 15% threshold is not lawful, and impact on habitats and communities has been established at a licenced level far below what is sought for the new licence, and as such the impacts can reasonably be anticipated to exacerbate this situation. To further compound this, the mitigation measures provided for benthic monitoring and organic build up amount to post consent conditions, which cannot guarantee that the development will not have an adverse effect on a European site.

In light of the above points, it is our considered opinion that ALAB does not have the necessary evidence in front of them to make a legally robust decision in favour of this licence under appeal. We submit that granting of this licence would be a clear and blatant non-compliance with EU law, and will leave ALAB open to legal proceedings should they grant a licence for this site.

Is mise le meas,



Dr. Elaine McGoff,

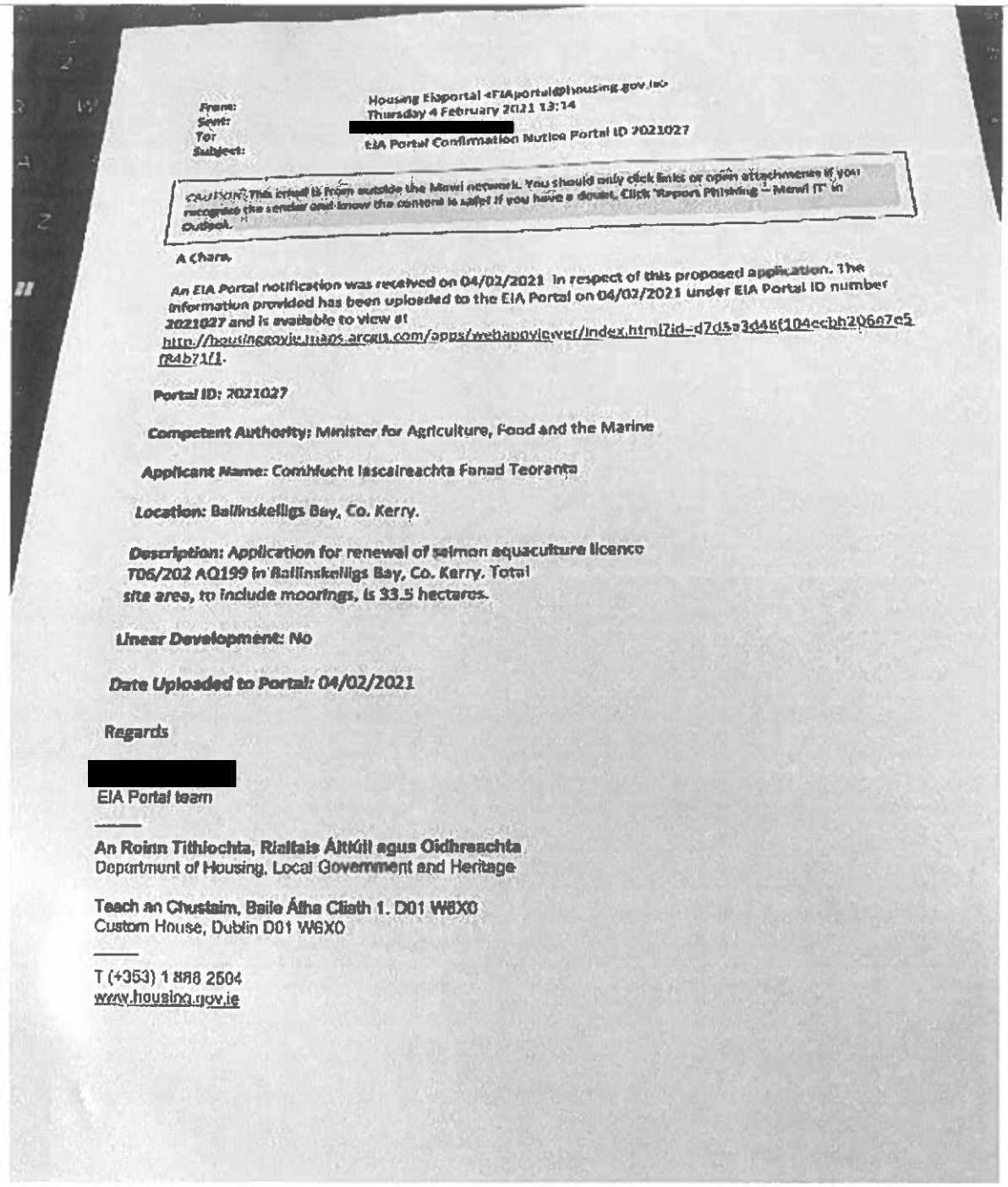
Head of Advocacy

An Taisce – The National Trust for Ireland

Annex I

Document accessed from this link:

https://assets.gov.ie/static/documents/20210204-eia-portal-confirmation-notice-portal-id-2021027-0e64d8c0-9611-46ef-94ae-4e7f.pdf



From: Housing Eisportal <EIAportal@housing.gov.ie>
Sent: Thursday 4 February 2021 13:14
To: [redacted]
Subject: EIA Portal Confirmation Notice Portal ID 2021027

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A Chara,

An EIA Portal notification was received on 04/02/2021 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 04/02/2021 under EIA Portal ID number 2021027 and is available to view at http://housingeoxie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb2066e7e5ff84b71f1.

Portal ID: 2021027

Competent Authority: Minister for Agriculture, Food and the Marine

Applicant Name: Comhlucht Iascaireachta Fanad Teoranta

Location: Ballinskelligs Bay, Co. Kerry.

Description: Application for renewal of salmon aquaculture licence T06/202 AQ199 in Ballinskelligs Bay, Co. Kerry. Total site area, to include moorings, is 33.5 hectares.

Linear Development: No

Date Uploaded to Portal: 04/02/2021

Regards

[redacted]
EIA Portal team

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage

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