Hand delivered 28-9-26

APP 2-3-26

ALAB
An Bord Achomhairc Um Cheadunais 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)*	Cuirreac Fisheries Ltd. c/o Kevin O'Sullivan
Address of Appellant	[redacted]
Eircode	[redacted]
Phone No.	
Email address (enter below)	
Mobile No.	[redacted]

AQUACULTURE LICENCES APPEALS BOARD
28 SEP 2026
RECEIVED

* For administrative reasons, please provide one primary contact per appeal to which all correspondence in 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 — Cheque enclosed previously.

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)

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

SUBJECT MATTER OF THE APPEAL	
Determination of Aquaculture Licensing Application 106-202	
Site Reference Number: - (as allocated by the Department of Agriculture, Food, and the Marine)	106 - 202

APPELLANT'S PARTICULAR INTEREST

Briefly outline your particular interest in the outcome of the appeal:

Cussane Fishers is a not-for-profit community group in Waterville adjacent to the proposed Project.

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)):

Please see enclosed submission.

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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	✓
Other evidence of Project's inclusion on EIA Portal is enclosed or set out below (such as the Portal ID Number)	✓
An EIA was not completed in the Application stage/the Project does not appear on the EIA Portal	

Details of other evidence	Portal ID Number: 2021027 Notice Enclosed.		
Signed by the Appellant		Date	26/9/26

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.

Appendix 1.

Extract from the Fisheries (Amendment) Act 1997 (No.23)

40. (1) A person aggrieved by a decision of the Minister on an application for an aquaculture licence or by the revocation or amendment of an aquaculture licence may, before the expiration of a period of one month beginning on the date of publication in accordance with this Act of that decision, or the notification to the person of the revocation or amendment, appeal to the Board against the decision, revocation or amendment, by serving on the Board a notice of appeal.

(2) A notice of appeal shall be served—

(a) by sending it by **registered post** to the Board,

(b) by **leaving it at the office of the Board**, during normal office hours, with a person who is apparently an employee of the Board, or

(c) by such other means as may be prescribed.

(3) The Board shall not consider an appeal notice of which is received by it later than the expiration of the period referred to in subsection (1)

41. (1) For an appeal under section 40 to be valid, the notice of appeal shall—

(a) be in writing,

(b) state the name and address of the appellant,

(c) state the subject matter of the appeal,

(d) state the appellant's particular interest in the outcome of the appeal,

(e) state in full the grounds of the appeal and the reasons, considerations and arguments on which they are based, and

(f) where an environmental impact assessment is required under Regulation 3 of the Aquaculture Appeals (Environmental Impact Assessment) Regulations 2012 (SI No 468 of 2012), include evidence of compliance with paragraph (3A) of the said Regulation 3, and

(g) **be accompanied by such fee**, if any, as may be payable in respect of such an appeal in accordance with regulations under *section 63*, and shall be accompanied by such documents, particulars or other information relating to the appeal as the appellant considers necessary or appropriate.

42. (1) The Board may, in its discretion, treat two or more appeals as, and the appellants as parties to, a single appeal and may at any time separate such appeals.

**Please contact the ALAB offices in advance to confirm office opening hours.

Appendix 2.

Explanatory Note: EIA Portal Confirmation Notice/Portal ID number

The EIA Portal is provided by the Department of Housing, Local Government and Heritage as an electronic notification to the public of requests for development consent that are accompanied by an Environmental Impact Assessment Report (EIA Applications). The purpose of the portal is to provide information necessary for facilitating early and effective opportunities to participate in environmental decision-making procedures.

The portal contains information on EIA applications made since 16 May 2017, including the competent authority(ies) to which they are submitted, the name of the applicant, a description of the project, as well as the location on a GIS map, as well as the Portal ID number. The portal is searchable by these metrics and can be accessed at:
https://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1

Section 41(1)(f) of the Fisheries (Amendment) Act 1997 requires that "*where an environmental impact assessment is required*" the notice of appeal shall show compliance with Regulation 3A of the Aquaculture Appeals (Environmental Impact Assessment) Regulations 2012 (S.I. 468/2012), as amended by the Aquaculture Appeals (Environmental Impact Assessment) (Amendment) Regulations 2019 (S.I. 279/2019) (The EIA Regulations)

Regulation 3A of the EIA Regulations requires that, in cases where an EIA is required because (i) the proposed aquaculture is of a class specified in Regulation 5(1)(a)(b)(c) or (d) of the Aquaculture (Licence Application) Regulations 1998 as amended – listed below, or (ii) the Minister has determined that an EIA was required as part of their consideration of an application for intensive fish farming, an appellant (that is, the party submitting the appeal to ALAB, including a third party appellant as the case may be) must provide evidence that the proposed aquaculture project that is the subject of the appeal is included on the EIA portal.

If you are a third-party appellant (that is, not the original applicant) and you are unsure if an EIA was carried out, or if you cannot find the relevant Portal ID number on the EIA portal at the link provided, please contact the Department of Housing, Local Government and Heritage for assistance before submitting your appeal form.

The Classes of aquaculture that are required to undergo an EIA specified in Regulation 5(1)(a)(b)(c) and (d) of the Aquaculture (Licence Application) Regulations 1998 S.I. 236 of 1998 as amended are:

a) Marine based intensive fish farm (other than for trial or research purposes where the output would not exceed 50 tonnes);
b) All fish breeding installations consisting of cage rearing in lakes;
c) All fish breeding installations upstream of drinking water intakes;
d) Other fresh-water fish breeding installations which would exceed 1 million smolts and with less than 1 cubic metre per second per 1 million smolts low flow diluting waters.

In addition, under Regulation 5(1) (e) of the 1998 Regulations, the Minister may, as part of his or her consideration of an application for intensive fish farming, make a determination under Regulation 4A that an EIA is required.

example, such evidence may include a copy EIA Portal confirmation notice or the EIA Portal ID Number.

Should you wish to resubmit the Appeal Notice, 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.*

Regards

[redacted]

[redacted]

[redacted]

Láithreán Gréasáin / Website: www.alab.ie

An Bord Achomhairc Um Cheadúnais

Dobharshaothraithe

Cúirt Choill Mhinsí, Bóthar Bhaile Átha Cliath

Port Laoise, Contae Laoise, R32 DTW5

ALAB
An Bord Achomhairc Um Cheadunais Dobharshaothraithe
Aquaculture Licences Appeals Board

Aquaculture Licences Appeals Board

Kilminchy Court, Dublin Road, Portlaoise

County Laois, R32 DTW5

26/9/26.

Enclosed resubmitted Appeal Notice.
Note cheque €223 submitted previously with Appeal Notice referred to in this email.

Portal ID Number: 202/027.

Outlook

Fwd: Kevin O'Sullivan Appeal Notice dated 21 September 2026 - Validity under Section 41(1) of the Fisheries (Amendment) Act 1997

From Kevin O'Sullivan [redacted]
Date Fri 25 Sep 2026 5:44 PM
To [redacted]

---------- Forwarded message ---------
From: **Alab, Info** <Info@alab.ie>
Date: Fri 25 Sep 2026 at 5:25 p.m.
Subject: Kevin O'Sullivan Appeal Notice dated 21 September 2026 - Validity under Section 41(1) of the Fisheries (Amendment) Act 1997
To: [redacted]

Dear Mr O'Sullivan

We refer to the Appeal Notice dated 21 September 2026 submitted by you (the "Appeal Notice").

In order for an appeal to be valid, under Section 41(1) of the Act it must:

1. Be in writing
2. State the name and address of the appellant
3. State the subject matter of the appeal
4. State the appellants particular interest in the outcome of the appeal
5. State in full the grounds of the appeal and the reasons, considerations and arguments on which they are based,
6. Where an EIA is required, include evidence of compliance with para. 3A of the 2012 Regulations and
7. Be accompanied by the relevant fee.

An EIA is required in respect of the proposed aquaculture activities and as such, any appeal must include evidence of compliance with para. 3A of the 2012 Regulations. The Appeal Notice did not include evidence of same. As such, your Appeal Notice has been invalidated and the relevant fee will be refunded.

Should you wish to resubmit the Appeal Notice, please do so before close of business on **Monday the 28th of September 2026** and include evidence of compliance with para. 3A of the 2012 Regulations. By way of

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

CAUTION: This email is from outside the Mowi network. You should only click links or open attachments if you recognize the sender and know the content is safe! If you have a doubt, Click 'Report Phishing -- Mowi IT' in Outlook.

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://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1.

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

Teach an Chustaim, Baile Átha Cliath 1. D01 W6X0
Custom House, Dublin D01 W6X0

T (+353) 1 888 2504
www.housing.gov.ie

21st September 2026

currane fisheries

Appeal against the Determination of Aquaculture license T06-202 Silver King Seafoods Ltd Aquaculture/Foreshore Licence application, east of Deenish Island, Co. Kerry Licence Site Ref: T06/202

Introduction

Currane Fisheries Ltd. is a not-for-profit community group run by local volunteers in the Waterville area adjacent to this proposed development. We run fisheries in the upper lakes in the Waterville/Currane catchment including lakes Derriana, Cloonaughlin, Namona and the river Cummeragh and Inny. We have also operated a small salmon hatchery to help sustain salmon numbers to the Currane catchment. In particular we wish to make clear the economic impact of the existing and proposed salmon farm operation on the local community in Waterville. We would request an oral hearing and reserve the right to make arguments and contest the Report Supporting the EIA (2026).

Background

Angling in the Currane system has collapsed since the opening of the salmon farm at Deenish in 1990. What was once a fully sustainable fishery and important tourism attraction has almost disappeared. While the fishery was important for spring salmon fishing it was as a seatrout fishery it was famous due both to the large population and also the large size of the seatrout. Waterville seatrout are now known as genetically unique in that they are long lived and can spawn a number of times. They are understood to be a relict species originating before the last ice age. In our opinion they are deserving of a high conservation status.

There was a marked recovery in seatrout stocks in the years 2005-2010 which coincided with the years when there was no salmon aquaculture in the Kenmare bay area. This was accompanied by a Ministerial Order in August 30th 2011 to allow an extension of the seatrout season to te 12th October from 30th September, repealing an earlier conservation measure. It is incorrectly stated on a number of occasions in the Report Supporting the EIA (2026) that the site was fallow for the period 2007-2010 when the site was actually fallow for five years from 2005. However, since 2011 and the

Currane Fisheries, Ellagarroon, Waterville, Co Kerry. Email: [illegible]

resuming of stocking at the Deenish site there has once more been a complete collapse of stocks to the Currane fishery. Specimen seatrout (>6lb wt.) have disappeared and catch and release for seatrout was introduced in 2019.

Angling tourism in the Waterville catchment was a substantial driver of economic activity in the localised and regional economy. This economic importance has been systematically eroded caused principally by salmon farming activities in Kenmare Bay and Ballinskelligs Bay. These farms have caused a significant reduction of wild salmon stocks and the virtual extinction of seatrout stocks. It is the seatrout fishery that is the major driver of the tourism industry and the extreme impact of the salmon farm has almost extinguished a viable sustainable local tourism industry.

The fish counter statistics and angling returns demonstrate a substantial decline since 2011 with the tourist angling industry now functionally extinct. This should be no surprise as without exception seatrout stocks have collapsed in every jurisdiction and area where salmon farming exists. The Marine Institute runs the salmonid index system at Burishoole in County Mayo but in the Report Supporting the EIA (2026) but they have totally ignored their own census data concerning sea trout which have been extinguished by adjacent salmon farming in Clew Bay. There is no scientific argument defending the significant catastrophic impact of salmon farming on seatrout.

Conditions under the existing licence.

When the current licence was proposed there was considerable anxiety in the Waterville area concerning the impact of Deenish salmon farm on the local angling economy. There were reassurances given in public meetings to the community that in the event of the salmon farm impacting the important seatrout angling fishery that conditions would be included in the licence to protect this. The following conditions were included-

"This licence will remain subject to ongoing review in light of continued monitoring of, and research into, the two marine sites and neighbouring sea trout fisheries which may be undertaken by the Salmon Research Agency and/or the Fisheries Research Centre."

"In the event of proven contra-indications for sea trout stocks causatively linked to the fish farming operations permitted under this licence, the Minister may exercise his discretion to take any necessary protective measures ranging from reduction in permitted production levels to revocation of the licence and harvesting of all stock".

However there was no monitoring of seatrout stocks undertaken despite this condition. If this had taken place the recovery of seatrout stocks in the period 2005-10 would have been recorded followed by the inevitable crash following recommencement of the salmon farm. We would urge ALAB to abide by the latter condition to refuse the licence.

Economic Impact of a Healthy Angling Fishery

A Waterville Angler Survey, compiled by Inland Fisheries Ireland, NUI Galway, the Economic & Social Research Institute & the Waterville Lakes and Rivers Trust September in 2016 examined the economic impact of angling to Waterville. (Waterville Angling Survey Summary) .The report noted –

The fisheries of Waterville and Ballinskelligs bay are of significant tourism, environmental and heritage value and they should be promoted and protected as such by the angling and tourism stakeholders in the area. Any loss or reduction in stocks of the major angling species of sea trout, salmon and sea bass could potentially have a drastic knock-on effect which would severely impact on tourism service providers and household incomes in the Waterville and Ballinskelligs bay area.

The report noted the value of the angling visitor to the Waterville area @ €1,027 per trip per overseas angler; with many making a number of trips. The full impact of the resumption of the salmon farm were only beginning to be felt when the report was published and sadly the overseas angling tourist is now a thing of the past.

This has to put alongside the proposed 10 jobs suggested by the applicant in the Report Supporting the EIA (2026). The reality is that there are approximately 5 posts associated with the operation. This holds no comparison to the revenue generated to the locality by a previously healthy fishery.

As stated initially the intention of this appeal is to highlight the catastrophic economic consequences of granting LicenceT06/202 on the Waterville community. We are deliberately dwelling on the impact on seatrout as this is the facet of the Waterville fishery that is unique and makes it special as an angling destination. In particular we would contend that the Report Supporting the EIA (2026) is dismissive of the clear impact on seatrout and is deficient in giving a true portrayal of the disastrous effects of salmon aquaculture on seatrout. In addition the Minister's "Determination of Aquaculture Licensing application –T06-202' lists a number of reasons and considerations for his determination. Notwithstanding the validity or otherwise of any of these we would draw attention to item c - *The proposed development should have a positive effect on the economy of the local area* and item f - *No significant effects arise regarding wild fisheries.* We would contend in light of our experience that these are completely bogus assertions.

We urge the Board to deny this licence application.