

Woodstown Bay Shellfish Limited



Email: 

23 December 2025

Our Ref: AP1/1-147/2025

Site Ref: T05-472A

Re: Appeals against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Woodstown Bay Shellfish Limited for bottom-culture mussel farming on site T05/472A at Kinsale Harbour, Kinsale, County Cork. (the "Appeal")

Dear Sirs,

I refer to the above Appeals submitted to the Aquaculture Licences Appeals Board (the "Board")

Pursuant to Section 47(1) of the Fisheries (Amendment) Act 1997, as amended, (the "Act"), where the Board is of the opinion that any document, particular or other information is or are necessary for the purposes of enabling the Board to determine the Appeals, 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.

Accordingly, pursuant to section 47(1)(a), the Board requires the following information:

1. Annex 4 Risk Assessment Status Report (ARASR)

ARASR to ascertain if any Annex IV species are likely to be impacted by the proposed project and if so an assessment of appropriate measures to address such impacts shall be carried out. To the extent the Applicant concludes that Annex IV species are likely to be impacted the Applicant must apply to the National Parks and Wildlife Service (NPWS) for a derogation licence, having regard to the NPWS July 2025 new guidance and updated derogation application form. The ARASR must conclude that either, the risk of disturbance to Annex IV species has been ruled out or a derogation licence has been obtained.

2. Water Framework Directive Report (WFDR)

WFDR to provide information on the current hydromorphological, ecological and chemical status of the transitional and coastal waterbodies together with an assessment of the impacts that the proposed project is likely to have on the Water Framework Directive status of these waterbodies, to include:

- a. Details on the effect, if any, of the proposed project on the prospect of a waterbody achieving good ecological and chemical status or causing a deterioration in the current WFD status of a waterbody,
- b. Identification of any areas with extra legal protections likely to be impacted by the proposed project and provide details on the effect, if any, of the proposed project on any relevant protected area.

3. Marine Strategy Framework Directive Report (MSFDR)

MSFDR to provide sufficient information to address the consistency of the proposed project with the objectives of the Marine Strategy Framework Directive, and Ireland's Marine Strategy under the Directive to include:

- a. Information on the status of the proposed project with respect to the 11 MSFD Descriptors of Good Environmental Status and with reference to MSFD Targets and Indicators as set out in Ireland's Marine Strategy Framework Directive Marine Strategy.
- b. An assessment of the effect, if any, of the proposed project on achievement of the relevant Targets for the 11 Descriptors.

4. Overarching statement documents

Statements of consistency with the National Maritime Planning Framework (NMPF), (the Applicant must provide sufficient information to demonstrate that the proposed project is consistent with the overarching environmental, economic and social objectives and policies and the sector-specific objectives and policies of the NMPF), the National Biodiversity Action Plan, UNCLOS and Climate Action objectives.

5. Additional information requests

The applicant must provide:

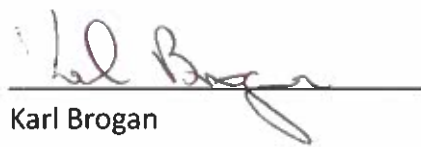
- a. Planned input volume of mussel seed in tonnes per annum and the maximum volume of mussels both juvenal and adult on site at any given time (total biomass).
- b. Details of any potential impact from the proposed activity on leisure activities in the Harbour and in the vicinity of the Jarley's Cove amenity area and how any such impacts are to be mitigated.
- c. Details of any potential fouling impact due to the proposed project particularly regarding the potential infiltration of mussel larvae into marine engine systems and how any such impacts are to be mitigated.
- d. Details of any potential impact from the proposed activity on existing fisheries and fish stocks in the vicinity of the proposed project and how any such impacts are to be mitigated.
- e. Details of any potential impact to the local economy and tourism.
- f. Details of any impacts from dredging due to the potential presence of heavy metals and hydrocarbons and how any such impacts are to be mitigated.
- g. Details of any impact on public health due to shellfish contamination arising from the proximity of wastewater treatment facilities and how any such impacts are to be mitigated.
- h. Details in both written and map format of the proposed loading and unloading locations, the vessel transportation route from the proposed site to the loading and unloading locations and whether the applicant envisages any further proposed land-based project interactions and if so, details of same.
- i. Details of any impact to marine navigation including but not limited to any impacts on the shipping channel due to sedimentation/siltation and how any such impacts are to be mitigated. Applicant to confirm that no navigable inter-tidal channels or slips/piers are to be impeded, that the proposed project will not result in obstructions of any kind above the seabed and that no moorings or marker buoys will be placed on the site.

- j. A detailed Invasive Species Contingency Plan which shall identify methods for the removal from the environment of any invasive non-native species introduced due to the proposed project.
- k. A detailed Protocol for Archaeological Discoveries to mitigate impacts in the event of any unexpected archaeological discoveries made during the operation of the proposed project.

In accordance with section 47(1)(a) of the Act the Board requires this information no later than **08 May 2026**. In the event that the Board does not receive the requested information by this date, it shall, after the expiration of that period and without further notice 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 faithfully



Karl Brogan
Secretary to the Board