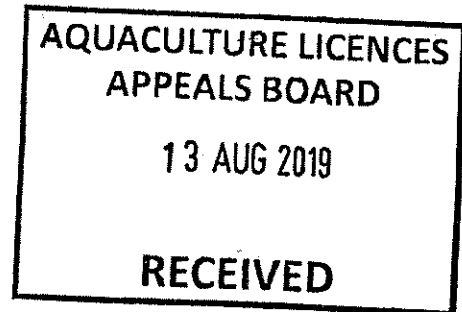


Aquaculture Licences  
Appeals Board  
Kilminchy Court  
Portlaoise  
Co Laois  
R32 DTW5

Charlie McHugh and Vincent Gavigan  
Castledoherty  
Ardara  
Co Donegal

07<sup>th</sup> August 2019

Your Ref: AP10/18  
Site Ref: T12/431



**Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse to grant an Aquaculture and foreshore Licence to Mr Charles McHugh for the cultivation of Pacific Oysters using bags and trestles on the eastern portion of Loughros Beg Bay, Co Donegal on site T12/431.**

Dear Sirs,

In response to your correspondence dated 26<sup>th</sup> July 2019 regarding the observations received from Sheila McFerran and the inspection carried out by ALAB's Technical Advisor I am writing to inform you that although previously trestles had been placed outside of the current licenced area **this is now no longer the case and that all trestles and oyster cultivation is taking place within the licenced area stated above where possible.**

As you may be aware, the eastern portion of Loughros Beg Bay is subject to strong tidal currents and is exposed to the prevailing Westerly/South Westerly winds which at certain times of year cause the topography of the shore and related channels to shift and/or alter course. As a result of this it was necessary for the continuation of our business to move some of the trestles to different areas outside of the above site, hence the above observations by the named parties.

Shifting soft sand and complete submersion of some of our trestles would have made the cultivation of oysters both impractical and a potential danger to employees and machinery operation and as a result it was felt that moving equipment outside of the licenced area was a necessity for the continuation of our business and to provide ongoing employment to local people whilst an extension to the above area was sought.

The existing licenced area is considered to be of an insufficient size to support the safe operation of our business and also to provide enough work to supply desperately needed employment in a local area that has little to offer in this continued climate, however, we appreciate that the observations and objections raised by local residents and holiday makers regarding the size of the applied for area are concerning to them.

**At a meeting held in the local school on Loughros Point in 2018 the Chairman of the meeting at that time raised a point with respect to the size of the applied for area and it was agreed by all present that if the existing farm (including the area where trestles were placed outside of the licenced area for the reasons stated above) were maintained, nobody would have any objections to our business continuing.**

**It is with this in mind that we would be prepared to reduce the current applied for area in order to meet with this agreement.**

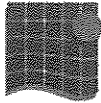
We therefore submit that our extension to the licenced area be looked on favourably and hope that we are able to continue with a business that has been providing income and employment for the local economy for years to come.

Should you need further clarification on any of the above matters, please do not hesitate to contact me.

Yours truly,

A handwritten signature in cursive script that reads "Charles McHugh". The signature is written in dark ink and is positioned below the typed name.

**Charles McHugh and Vincent Gavigan**



*Marine Institute*  
Foras na Mara

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Deborah Cheslett  
Fish Health Unit  
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Oranmore  
Co. Galway

AQUACULTURE LICENCES  
APPEALS BOARD

13 AUG 2019

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Friday 9 August 2019

To Whom it may concern

The FHU of the Marine Institute are the NRL for Molluscan diseases and as such are responsible for the investigation of abnormal mortality events in molluscs. At present there are two diseases impacting the *C gigas* aquaculture industry nationally Ostreid herpes Virus-1 and *Vibrio aestuarianus*. Mortality associated with both diseases is heavily influenced by environmental and husbandry factors which has been the subject of several studies since their emergence. Mortality associated with these two diseases has been observed regularly at the aquaculture site in Loughreas beg over the last decade. Evidence gathered in the course of the investigations suggests that when oysters are grown in the deep channel which runs through the site at Loughreas they undergo significantly higher mortality than those growing outside the channel. Similar observations have been made in other oyster growing bays where oysters where notable channels run through the sites.

Regards

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Deborah Cheslett  
Shellfish Health Manager