

An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine



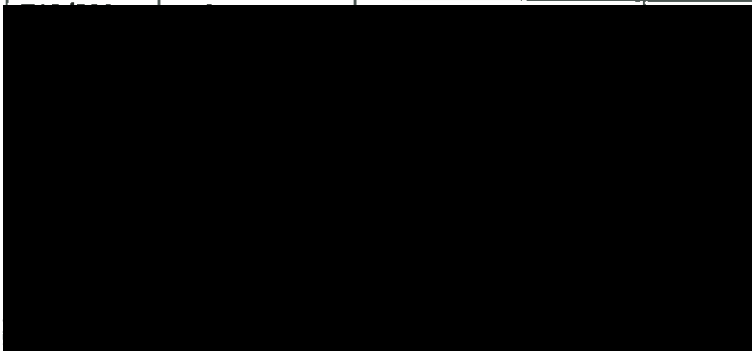
Ref:T12/531, [REDACTED]
Oceanic Organic Oysters
Harbour View
Greencastle
Co. Donegal

**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)
NOTICE OF MINISTERIAL DECISION TO REFUSE/GRANT WITH A VARIATION
AQUACULTURE LICENCES AND FORESHORE LICENCES.**

Dear Mr McKinney,

I would like to inform you of the Minister for Agriculture, Food and the Marine Decision on the following aquaculture and accompanying Foreshore Licence applications (see attached information notes and draft aquaculture licences):-

Site Reference Number	Ministerial Decision	Species & Method	Licence Term
T12/531A	Refuse to Grant Licence	Pacific Oysters using bags and trestles	-



I enclose an extract from the public notice of the decision which the Department has arranged to have published in "Donegal Democrat".

Any person aggrieved by the decision may, in accordance with Section 41 of the Fisheries (Amendment) Act 1997, appeal against it in writing to the Aquaculture Licences Appeals Board. This appeal must be lodged within one month beginning on the date of the publication of the decision.

In addition, a person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>

The Licences will be issued to you as soon as possible after the end of the period of one month from the date of publication of the notice in "Donegal Democrat", if there is no appeal.

Please also find enclosed the conditions that will apply to any Aquaculture Licence that may be issued by the Minister.

Yours sincerely

**Aquaculture and Foreshore Management Division
05th December 2019**

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Department of Agriculture,
Food and the Marine



**S. 12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(No.23)
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULATION 18
OF THE AQUACULTURE (LICENCE APPLICATION) REGULATIONS 1998**

REFERENCE NO: T12/531

APPLICANT: Oceanic Organic Oysters Ltd

AQUACULTURE TO WHICH DECISION RELATES: Cultivation of Pacific Oysters using bags and trestles on sites T12/531A, on the foreshore in Trawbreaga Bay, Co. Donegal.

NATURE OF DECISION: Refusal of Licence.

DATE OF DECISION: 29th November 2019

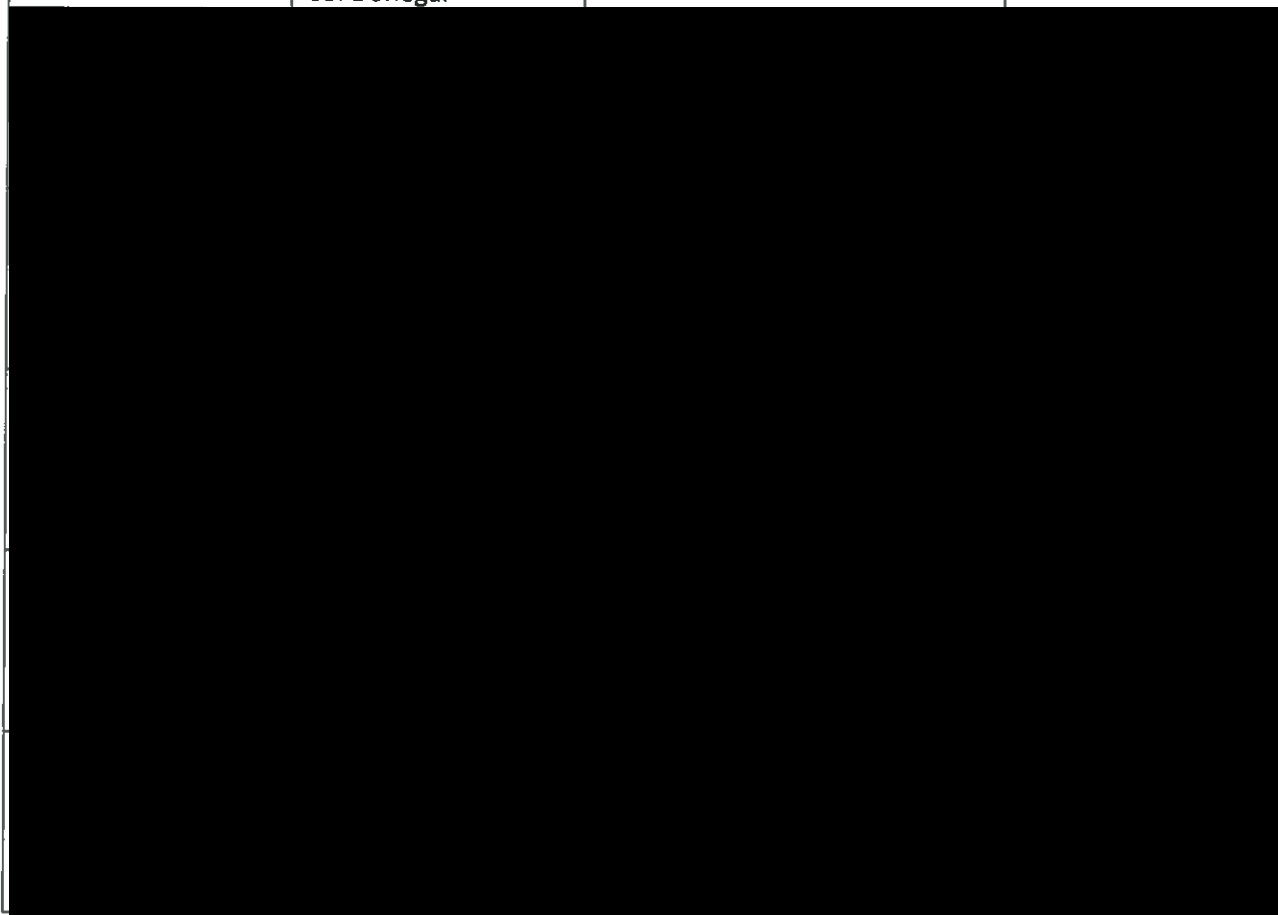
REASON FOR REFUSAL:

- A) The site substrate is unsuitable with areas of uneven profile and areas exposed to strong hydrodynamic action that would be subject to not infrequent sediment movements.
- B) Trestle placement on or close to this area of mobile sand would result in sinking or burial of trestles placed and would also be very likely to negatively affect hydrodynamics in the area.
- C) Development of this site would have negative impacts on the operations of existing oyster farms causing reduced growth and having a hydrodynamic impact with a potential for sedimentation pattern change, and rerouting of currents in the area.

**FISHERIES (AMENDMENT) ACT, 1997 (NO. 23) FORESHORE ACT, 1933 (NO. 12)
NOTICE OF DECISIONS IN RELATION TO AQUACULTURE AND FORESHORE
LICENCES**

The Minister for Agriculture, Food and the Marine has decided to grant/grant a variation/
refuse to grant Aquaculture Licences and Foreshore Licences as set out in the table below in
Trawbreaga Bay, Co. Donegal:-

Site Reference Number	Name	Species & Method	Decision
T12/531A	Oceanic Organic Oysters Harbour View Greencastle Co. Donegal	Pacific Oysters using bags and trestles	Refuse to Grant Licence



The reasons for this decision are elaborated on the Department's website at:

<http://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquaculturelicencedecisions/donegal>

An appeal against an Aquaculture Licence decision may be made in writing, within one month of the date of its publication, to THE AQUACULTURE LICENCES APPEALS BOARD, Kilminchy Court, Portlaoise, Co. Laois, by completing the Notice of Appeal Application Form available from the Board, phone 057 86 31912, e-mail info@alab.ie or website at <http://www.alab.ie/>

A person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at:

<http://www.citizensinformation.ie/>