

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



Ref: [REDACTED] T12/532, [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
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
T12/532A	Refuse to Grant Licence	Pacific Oysters using bags and trestles	-
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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**

An Láiríonad Bia Mara Náisiúnta, An Cloichín, Cloich na Coillte, Corcaigh, P85 TX47
National Seafood Centre, Clogheen, Clonakilty, Co. Cork P85 TX47
T +353 (0)23 8859505 EileenM.Maher@agriculture.gov.ie
www.agriculture.gov.ie

**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: T12/532

APPLICANT: Oceanic Organic Oysters Ltd

**AQUACULTURE TO WHICH
DECISION RELATES:** Cultivation of Pacific Oysters using bags and
trestles on site T12/532A 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.

