

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



FAO: Dr. Micheal Gilhooly
CEO Marine Institute
Rinville
Oranmore
Co Galway

1 August 2023

Our Ref: AP3/2020 to AP 16/1-2/2020

Site Ref: T12/407B, T12/409A, T12/409B, T12/441A, T12/441B, T12/441C, T12/455A,
T12/455B, T12/500A, T12/502A, T12/510A, T12/514A, T12/515A, T12/516A

Re: Appeals against decisions of the Minister for Agriculture, Food and the Marine to grant Aquaculture Licences for the cultivation of Pacific Oysters in Ballyness Bay, County Donegal.

Dear Dr. Gilhooly,

I refer to the Marine Institute's response dated 5 April and received on 11 April 2023 to the Section 47 Notices issued by the Aquaculture Licence Appeals Board on 24 March 2023 in respect of Appeal Refs: AP3/2020 to AP 16/1-2/2020.

As set out in the Section 47 Notices, the Board considers that certain information is necessary to enable it to determine whether the proposed activities the subject of the appeals would adversely affect the integrity of the relevant European Sites.

In circumstances where the Marine Institute had prepared the underlying AA Report in respect of these activities, the Board considered it appropriate to issue the request to the Marine Institute in the first instance.

In the interests of clarity, the Board was not requesting the Marine Institute to carry out or complete an AA screening or AA in respect of the proposed activities. Rather it was requesting information and data to enable the Board to do so in accordance with its statutory functions.

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The Board notes that the Marine Institute states it does not hold any of the information sought and considers that it is not in a position to respond to the request. The Board is accordingly assessing the appropriate next steps in the processing of the appeals.

Yours sincerely,

Margaret Carton
Secretary to the Board