

Ms Catherine McManus CEO
MOWI Ireland



19 November 2025

Our Ref: AP12/1-14/2025

Site Ref: T05/555

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Bradán Fanad Teo t/a Marine Harvest Ireland, Kindrum, Fanad, Letterkenny, Co. Donegal on site Ref: T05/555 for the cultivation of Atlantic Salmon; Salmo Salar on a site on the foreshore at Shot Head, Bantry Bay, Co Cork

Dear Ms McManus,

I refer to the above Appeal received by Aquaculture Licences Appeals Board against the decisions of the Minister for Agriculture, Food and the Marine being Appeal Reference AP12/1-14/2025. Further details relating to this appeal can be found on the website at:

<https://alab.ie/activeappeals/>

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

In accordance with the provisions of section 47(1)(a) of the Act, the Board requires the following information:

1. Confirmation of the Aquaculture Licence area co-ordinates, GIS shapefiles, and updated specification drawings.

2. Environmental Reports

Updates of the May 2011 Watermark EIS (volumes 1 to 3), the 12 June 2015 Department EIS, the November 2015 RPS Bantry Bay Water Quality Modelling Report and the April 2018 Watermark Supplementary EIS to take account of changes in the baseline environment, scientific knowledge and technical advances in the industry in the intervening period. Without prejudice to the generality of the foregoing the following are to be addressed in the updated reports:

- a. a description in sufficient detail of all proposed equipment and infrastructure including the layout, specification and structural integrity of the proposed cage installations to facilitate a detailed assessment of the structural integrity of the proposed installation having regard to the prevailing environmental conditions at the site,
- b. the reports should include a detailed assessment of the risk of fish escapes taking account of the proposed structural design of the proposed installation, the prevailing environmental conditions at the site, damage from predatory activity and having regard to all relevant publicly available reports relating to fish escapes including the 09 June 2014 Cronin Millar Murphys Irish Seafood Inspection and Assessment Report, the 16 July 2014 Marine Institute Murphy's Irish Seafood Farm Incident Report and the 17 July 2014 Marine Engineering Division Storm Damage to Murphy's Irish Seafood Salmon Farm Report,
- c. where acoustic deterrent equipment is proposed as a mitigation measure, the number of devices, make/model and acoustic characteristics must be specified; where no acoustic deterrent equipment is proposed this should be confirmed,
- d. the updated reports should take account of any updates made to the Department's Marine Finfish protocols and or any guidance documents available on the Aquaculture and Foreshore Management Publications page,
- e. the reports should include the results of benthic surveys carried out to generate an up to date and scientifically robust baseline dataset.

3. Water Framework Directive Report (WFDR)

A WFDR to provide information on the current hydromorphological, ecological and chemical status of the transitional and coastal waterbodies together with an assessment of 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; specifically concluding that the proposed project will not lead to a breach of WFD limits as to Dissolved Inorganic Nitrogen.
- 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.

4. Marine Strategy Framework Directive Report (MSFDR)

A 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.

5. Annex IV Risk Assessment Status Report (ARASR)

An Annex IV Risk Assessment Status Report 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. To the extent the Applicant concludes that Annex IV species are likely to be impacted the Applicant must apply to the NPWS for a derogation licence; having regard to the NPWS July 2025 new guidance and updated derogation application form¹ 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.

6. Overarching Statement Documents

- a. Statements of consistency with the National Maritime Planning Framework (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.

In accordance with section 47 (1) (a) of the Act, the Board requires this information within **4 months of receipt of this notice (18 March 2026)**. Please note that if the documents, particulars or other information specified above are not received before the expiration of the period specified above, or such later period as may be agreed by the Board, the Board will, without further reference 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 sincerely



Karl Brogan

Secretary to the Board

¹ <https://www.npws.ie/licensesandconsents/disturbance/application-for-derogation>

