

AP3/2014

Site T5/547A

Appeal

Determination

AQUACULTURE LICENCES APPEALS BOARD

FISHERIES (AMENDMENT) ACT 1997 (AS AMENDED AND SUBSTITUTED)

Appeals Reference Number: AP3/2014

DETERMINATION

WHEREAS an appeal having been made to the Aquaculture Licences Appeals Board (hereinafter referred to as "the Board") pursuant to Section 40 of the Fisheries (Amendment) Act, 1997 (as amended) by Mr Ian Stretch on behalf of the Seefin Group against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence (and companion Foreshore Licence) to Mr Daithi O'Murchu Marine Research Station Limited (hereinafter also referred to as the Applicant), Ref T05/547A, for the cultivation of native indigenous macro-algae on a site in Bantry, County Cork

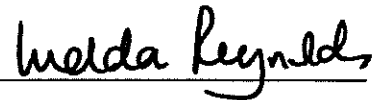
AND WHEREAS the Board in considering the appeal took account of the appeal file, the report of the Board's technical adviser and the matters set out at Section 61 of the Fisheries (Amendment) Act, 1997 (as amended and substituted), including the following:

- (a) the suitability of the site in which the proposed aquaculture is to be carried out;
- (b) existing and potential beneficial uses including tourism, fishing, and harvesting activities;
- (c) the statutory status of the site;
- (d) the economic effects of the proposed aquaculture initiative;
- (e) the ecological impact of the proposed aquaculture initiative on wild fisheries, designated sites, natural habitats, and flora and fauna in the area;
- (f) the general economic consequences of the proposal; and,
- (g) the implications for man-made heritage in the area of the proposed development.

The Board considered the appeal at its meeting on the 4 December 2014 and determined, under Section 40 (4) (a) of the Fisheries (Amendment) Act, 1997 (as amended) to **UPHOLD** the granting of an aquaculture licence to the Applicant, subject to the conditions of the licence as granted by the Minister for Agriculture, Food and the Marine on 28 May 2014. This Determination is being made for the following reasons and considerations:

1. the Site under appeal is considered suitable for the cultivation of native indigenous macroalgae;
2. the species to be farmed, (*Ulva lactuca*) is a native species of macroalgae to Ireland;
and
3. the Licence for the proposed site poses no significant impact on other users of the area, the particular statutory status of the place or waters, the economy of the area, the environment generally in the vicinity of the place or water or in the foreshore, or on the man-made environment or heritage in the vicinity.

Dated this 12th day of January, 2015

A handwritten signature in black ink, reading "Imelda Reynolds", written over a horizontal line.

Imelda Reynolds

Chairperson

AQUACULTURE LICENCES APPEALS BOARD