"Determination of Aquaculture/ Foreshore Licensing application –T09/499

PJ Martyn has applied for authorisation to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on a 2.0 hectare site (T09/499A) in Kinvarra Bay, Co. Galway.

The Minister for Agriculture, Food and the Marine has determined that it is not in the public interest to grant the licences sought. In making his determination the Minister considered those matters which by virtue of the Fisheries (Amendment) Act 1997, and other relevant legislation, he was required to have regard. Such matters include any submissions and observations received in accordance with the statutory provisions. The Minister also had regard to the findings of the Departments advisors and the Appropriate Assessment Conclusion Statement. The following are the reasons and considerations for the Minister's determination to refuse the licences sought: -

a. Taking account of the recommendations from the Appropriate Assessment process, the proposed aquaculture activities are not consistent with the Conservation Objectives for the SAC and could result in significant disturbances to the Annex II species harbour seals at the proposed site location within the bay.

b. Site T09/499A specifically is not suitable for licensing due to the fact that it would block potential egress routes available to seals and the proposed levels of activity at the site would be disturbing.

c. The potential risks from licensing the proposed aquaculture activities at this site, on the integrity of the Natura 2000 site cannot be discounted.