

20 June 2019

Mr. Michael Creed T.D.
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin
DO2 WK12

Dear Minister

I write in relation to the proposed aquaculture development in Ballyness Bay Special Area of Conservation, Co. Donegal. Cloughaneely Angling Association, on foot of a legal agreement with Inland Fisheries Ireland, manages recreational angling in the bay and its freshwater catchment area. We are also a lead agency locally in promoting the protection and enhancement of the physical environment in the catchment area, working with other local groups to that end.

We have the most serious concerns about the damaging consequences of any such development. We would have raised these concerns at a much earlier stage, but the way in which the statutory public consultation was carried out meant that the matter came to our attention only recently. The notice regarding public submissions was placed in the Donegal Democrat. This publication deals with news items relating to the South of the county and, while available here in the North of the county, is little read in these parts. The paper which relates to this area is the Donegal News which is widely read locally, but the notice was not placed in this publication. This means that the public consultation process to date has been deeply flawed and inadequate. It cannot be considered to have fulfilled the intent of the regulations governing public consultation. This is reinforced by the fact that other local bodies active in relation to environmental issues were also totally unaware of the proposed development until we brought it to their attention. We therefore submit our views in the expectation that they will be given full consideration in the process of reaching a determination on the proposed development. We base that expectation also on our partnership with IFI, a statutory consultee, which confers on us an enhanced right to be heard.

The freshwater element of the Cloughaneely fishery is intimately linked to the health of the environment in Ballyness bay. This is a refined and delicate ecosystem and a site of European importance. Any proposal to materially intrude on that fine balance must be approached with the greatest circumspection and is subject to appropriate assessment of its implications for the

site in view of the site's conservation objectives as required in sub-Article 6(3) of the Habitats Directive. In that regard, we note the Marine Institute Report supporting Appropriate Assessment of Aquaculture in Ballyness Bay SAC. We find this document disturbingly inadequate and submit that it cannot form the basis for any legally compliant determination in relation to potential impacts on the conservation interests of the site. Our initial observations on this, prepared under time constraint, are set out in the attached document.

We do not know if a formal determination has been made in relation to this proposal. If so, then we request a copy of same or direction to the link where it has been posted. We also request copies of any written submissions or observations made to the department in relation to the proposed development and an indication of how any such observations were addressed.

We will be pleased to respond to any questions you may have, arising from our views here submitted and we request that our observations be given full consideration as part of the consultation process.

Yours sincerely

Colm Gallagher
Chairman, Cloughaneely Angling Association