Submission AGR 00875-26: Appropriate Assessment Screening Determination for Extensive Aquaculture in Killary Harbour, Co. Galway

TO: Minister of State
STATUS: Completed
PURPOSE: Approval

AUTHOR: Lanigan, Aoife
OWNER: Lanigan, Aoife
REVIEWERS: McLoughlin, PatrickM (Aquaculture)
Batt, Brian
McSherry, Sinead
Meenan, Edel

DIVISION: Aquaculture and Foreshore Management Division
DECISION BY:

Final comment

Minister Dooley's Signature has been provided.

Action required

Ministerial determination on the Appropriate Assessment Screening for Extensive Aquaculture in Killary Harbour and signing of 44 Appropriate Assessment Screening Determination Statements.

Executive summary

43 renew and review and 1 new aquaculture and foreshore applications for the cultivation of blue mussel for sites in Killary Harbour, Co. Galway are being processed.

As part of the assessment of the applications the Minister is required to make a Screening for Appropriate Assessment determination in accordance with Article 6(3) of the EU Habitats Directive and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended.

Having considered all relevant materials, it is recommended that the Minister adopts the 'Appropriate Assessment Screening Report for renewal, review and new aquaculture and foreshore licence applications in Killary Harbour, Co. Galway' prepared by Environmental Facilitation Ltd and reaches the determination that an **appropriate assessment is not required** in accordance with Regulation 42(7) as the applications are not directly connected with or necessary to the management of the site as a European Site and it can be excluded, on the basis of objective scientific information following screening, that the applications, individually or in combination with other plans or projects, will have a significant effect on a European Site as outlined in the detailed information section below.

Detailed information

Under Section 10 of the Fisheries (Amendment) Act, 1997 (as amended) and under the Foreshore Act 1993 (as amended) the following aquaculture and foreshore licence applications were submitted:

SITE REFERENCE NO	APPLICANT NAME	SPECIES TO BE CULTIVATED	SITE SIZE AS APPLIED FOR (Ha)
T09-051A	*Brid Kavanagh*	*Blue Mussel*	*4*
T09-051B	*Brid Kavanagh*	*Blue Mussel*	*1.4*
T09-076A	*Cluggam Mussels Ltd*	*Blue Mussel*	*3*
T09-076B	*Kevin & Michael Lydon*	*Blue Mussel*	*2*
T09-135	*Kevin & Michael Lydon*	*Blue Mussel*	*1*
T09-171A	*Pat Lydon*	*Blue Mussel*	*6.15*
T09-171B	*Lettergesh Mussels Ltd*	*Blue Mussel*	*1*
T09-175B	*Killary Fjord Shellfish Ltd*	*Blue Mussel*	*1.1*
T09-184B	*Kevin Lydon*	*Blue Mussel*	*1*

T09-199A	*Killary Fish Farming Co-op Society Ltd*	*Blue Mussel*	*5*
T09-199B	*Killary Fish Farming Co-op Society Ltd*	*Blue Mussel*	*2*
T09-296A	*Online Mussels Ltd*	*Blue Mussel*	*3.25*
T09-308A	*Kevin & Michael Lydon*	*Blue Mussel*	*7.5*
T09-308B	*Kevin & Michael Lydon*	*Blue Mussel*	*3*
T09-313A	*Online Mussels Ltd*	*Blue Mussel*	*3.17*
T09-313B	*Online Mussels Ltd*	*Blue Mussel*	*2*
T09-317A	*Purple Spade Ltd*	*Blue Mussel*	*3.08*
T09-317B	*Purple Spade Ltd*	*Blue Mussel*	*1*
T09-341A	*Cluggam Mussels Ltd*	*Blue Mussel*	*5*
T09-361A	*Jim O'Malley*	*Blue Mussel*	*3.15*
T09-361B	*Jim O'Malley*	*Blue Mussel*	*1*
T09-363	*Eddie Nee*	*Blue Mussel*	*1*
T09-366	*Purple Spade Ltd*	*Blue Mussel*	*4.25*
T09-372A	*Bartley O'Malley*	*Blue Mussel*	*3.04*
T09-372B	*Bartley O'Malley*	*Blue Mussel*	*1*
T09-385A	*Purple Spade Ltd*	*Blue Mussel*	*2.95*
T09-385B	*Purple Spade Ltd*	*Blue Mussel*	*1.25*
T09-388A	*Peter Nee*	*Blue Mussel*	*2.19*
T09-388B	*Peter Nee*	*Blue Mussel*	*1*
T09-389A	*Black Pearl Shellfish Ltd*	*Blue Mussel*	*2.1*
T09-389B	*Black Pearl Shellfish Ltd*	*Blue Mussel*	*1.23*
T09-391A	*Ciaran Coyne*	*Blue Mussel*	*3.5*
T09-392A	*Black Pearl Shellfish Ltd*	*Blue Mussel*	*3.36*
T09-392B	*Black Pearl Shellfish Ltd*	*Blue Mussel*	*1.2*
T09-394A	*Edward Nee Junior*	*Blue Mussel*	*1.95*
T09-394B	*Edward Nee Junior*	*Blue Mussel*	*1.25*
T09-396B	*Brian Spellman*	*Blue Mussel*	*1*
T09-397A	*Online Mussels Ltd*	*Blue Mussel*	*4.63*
T09-399	*Black Pearl Shellfish Ltd*	*Blue Mussel*	*3.37*
T09-400	*Liam Gerard Laffey*	*Blue Mussel*	*3*
T09-401A	*Black Pearl Shellfish Ltd*	*Blue Mussel*	*3.3*
T09-401B	*Black Pearl Shellfish Ltd*	*Blue Mussel*	*1*
T09-507A	*Killary Fjord Shellfish Ltd*	*Blue Mussel*	*12.69*
T09-1019	*Black Pearl Shellfish Ltd*	*Blue Mussel*	*1*

Environmental Assessment

Annex IV Risk Assessment

Environmental Facilitation Ltd has carried out a Risk Assessment for Annex IV Species **(TAB A)**. Following this assessment it was concluded that it is unlikely that any of the identified Annex IV species will be disturbed, injured or killed as a result of the proposed works.

The report notes the following recommended mitigation measure:

"*Operators shall maintain taut backbone, droppers and mooring systems at all times and shall implement procedures for the inspection and prompt removal or repair of damaged, detached or storm-displaced infrastructure in order to minimise entanglement rick to protected species.*" (p.25). This requirement will be catered for by licence condition in the aquaculture licences if granted for these sites.

The report conclusion states:

"Following a risk assessment of the aquaculture and foreshore licence applications (renewal and review applications for 43 aquaculture sites, and one new application; with the recommended mitigation implemented, it is concluded that the described activities pose no risk:

- *of deliberate disturbance*
- *of damage or destruction of breeding sites or resting places*
- *to ecological functionality of breeding/resting sites*
- *to the survival of the population*
- *to the species' natural range.*

With implementation of the recommended mitigation measures, residual risk to Annex IV species is considered negligible."

Having considered the applications and the Risk Assessment of Annex IV Species report, AFMD agree with and accept the Report and its conclusions. It should be noted that this risk assessment is not part of the Article 6.3 assessment and therefore identification and inclusion of mitigation measures within the risk assessment is appropriate at this stage.

Screening for Appropriate Assessment

As part of the assessment of the aquaculture and foreshore licence applications, Environmental Facilitation Ltd has undertaken a Screening for Appropriate Assessment (AA) to assess, in view of best scientific knowledge and the conservation objectives of relevant European sites, if the proposed activities, individually or in combination with other plans or projects, would be likely to have a significant effects on a European site **(TAB B)**.

The report notes that *"best practice utilising a 2:1 ratio of rope and the mid-line buoy (to ensure a tight mooring system) shall mitigate against entanglement"* (p.48). This will be addressed as set out above under the Annex IV Risk Assessment.

The screening assessment has determined, in light of best available scientific data, that the proposed activities are not likely to have a significant effect on the conservation features of Natura 2000 sites. All potential adverse effects on conservation features of Natura 2000 sites can be screened out.

In accordance with Regulation 42(7) of the European Communities (Birds and Natural Habitats) Regulations 2011 SI 477, as amended, it is recommended that the Minister adopts the Appropriate Assessment Screening Report and reaches the following Appropriate Assessment Screening Determination:

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended ('The Regulations'), the Department of Agriculture, Food and the Marine has undertaken Screening for Appropriate Assessment (AA) to assess, in view of best scientific knowledge and the conservation objectives of relevant European sites, if the proposed projects at Killary Harbour, Co. Galway (sites as referenced above), individually or in combination with other plans or projects would be likely to have a significant effect on a European site

In accordance with Regulation 42(7) of the EC (Birds and Natural habitats) Regulations 2011, SI 477, as amended, the Minister of State at the Department of Agriculture Food and the Marine has made a determination following screening that **an Appropriate Assessment is not required** as the projects individually or in-combination with other plans or projects **are not likely to have a significant effect on any European sites.** The risk of likely significant effects on European sites can be excluded on the basis of objective evidence. This determination is based on the location, scale, extent and duration of the proposed project, including temporary works, and has not taken account of measures intended to avoid or reduce significant effects on European sites.

A determination is required for each application assessed in the report. A draft of each Ministerial determination is attached for signature, if approved **(TAB C).** These will be published on the Department's website, if approved.

Related submissions

There are no related submissions.

Comments

Lanigan, Aoife - 06/07/2026 15:16
It is recommended that the Minister adopts the 'Appropriate Assessment Screening Report for renewal, review and new aquaculture

and foreshore licence applications in Killary Harbour, Co. Galway' and determines that an Appropriate Assessment is not required for the applications. 44 determinations are attached for the Minister's signature, if approved.

Lanigan, Aoife - 09/07/2026 10:51
Updates complete, for review and onward submission.

McLoughlin, PatrickM (Aquaculture) - 09/07/2026 12:01
I agree with the recommendation as set out in the submission that the Minister adopts the AA Screening Report and determines that an Appropriate Assessment is required for the applications listed. Draft Determinations are attached for the Minister's signature, if approved.

Batt, Brian - 09/07/2026 14:32
Sinéad, I agree with the recommendation that the Minister of State adopts the 'Appropriate Assessment Screening Report for renewal, review and new aquaculture and foreshore licence applications in Killary Harbour, Co. Galway' and determines that an Appropriate Assessment is not required for the applications. 44 draft determinations are attached for the Minister's signature, if approved. Regards, Brian

McSherry, Sinead - 16/07/2026 19:19
It is recommended that the Minister adopt the AA Screening Report as set out in the submission. Please note the requirement to sign 44 draft determinations arising from the report if adopted.

Meenan, Edel - 20/07/2026 09:53
Approved for submission to the Minister of State by the Secretary General

Deegan, Craig - 04/08/2026 12:52
Minister Dooley's Signature has been provided.

User details

INVOLVED:	Lanigan, Aoife McLoughlin, PatrickM (Aquaculture) Batt, Brian McSherry, Sinead Sub Sec Gens Office eSub Sec Gen eSub MOS Office
READ RECEIPT:	Lanigan, Aoife McLoughlin, PatrickM (Aquaculture) Batt, Brian McSherry, Sinead Moran, Jacqueline Meenan, Edel Deegan, Craig Hanrahan, Simon