Submission AGR 01041-26: Appropriate Assessment Screening Determination for Aquaculture and Foreshore licence application T32-028A, Arklow Bay, Co. Wicklow

TO:	Minister of State	AUTHOR:	Naughton, Maria
STATUS:	Completed	OWNER:	Naughton, Maria
PURPOSE:	Approval	REVIEWERS:	Barry, Karen McLoughlin, PatrickM (Aquaculture) Batt, Brian Byrne, Joyce Meenan, Edel
DIVISION:	Aquaculture and Foreshore Management Division		
DECISION BY:			

Final comment

Signature provided by Minister Timmy Dooley.

Action required

Ministerial determination on the Appropriate Assessment Screening and signing of an Appropriate Assessment Screening Determination statement for T32-028A

Executive summary

One new aquaculture and foreshore application for Irish Wakame (*Alaria esculenta*), Northern European kelp (Digitata) (*Laminaria digitata*), Dulse (*Palmaria palmata*), Sugar kelp (*Saccharina latissima*), Sea thong (*Himanthalia elongata*), Nori (*Porphyra umbilicalis*), Harpoon weed (*Asparagopsis armata)*, for a site in Arklow Bay, Co. Wicklow is being processed.

As part of the assessment of the application 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 Aquaculture and foreshore licence application T32-028A, Arklow Bay, Co. Wicklow*' prepared by the Environmental Facilitation Ltd and reaches the determination that an **appropriate assessment is not required** in accordance with Regulation 42(7) as the application is 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 application, 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 1933 (as amended) Wicklow Seaweed Company Ltd has submitted an aquaculture and foreshore licence application for the cultivation of Irish Wakame (*Alaria esculenta*), Northern European kelp (Digitata) (*Laminaria digitata*), Dulse (*Palmaria palmata*), Sugar kelp (*Saccharina latissima*), Sea thong (*Himanthalia elongata*), Nori (*Porphyra umbilicalis*), Harpoon weed (*Asparagopsis armata)*, at a site in Arklow Bay, Co. Wicklow (T32-028A).

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.

Having considered the application 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.

The report conclusion states;

"Following a risk assessment of the licence application for an aquaculture and foreshore licence (under licence application T32-028A) for an intertidal aquaculture project, it is concluded that the described activities pose no reasonably foreseeable 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.*

Final conclusion: Negligible risk to Annex IV species. This conclusion is not dependent on the application of mitigation."

Screening for Appropriate Assessment

As part of the assessment of the aquaculture and foreshore licence application(s), 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 effect(s) on a European site(s) **(TAB B)**.

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 project at Arklow Bay, Co. Wicklow T32-028A, 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 project individually or in-combination with other plans or projects **is 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 development, 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 the application assessed in the report. A draft of the Ministerial determination is attached for signature, if approved. **(TAB C)** This will be published on the Department's website.

Related submissions

There are no related submissions.

Comments

Barry, Karen - 21/08/2026 16:06
It is recommended that the Minister makes a determination that an appropriate assessment is not required. For your review and onward transmission, please.

McLoughlin, PatrickM (Aquaculture) - 25/08/2026 14:10
I agree with the recommendation as set out in the submission that the Minister adopts the Appropriate Assessment Screening Report and determines that an Appropriate Assessment is not required for the application listed. A draft Determination is attached for the Minister's signature, if approved.

Batt, Brian - 26/08/2026 12:17
Joyce, In ASG McSherry's absence, this submission is cleared by me for SG approval. I agree with the recommendation as set out in the submission that the Minister of State determines that an Appropriate Assessment is not required for the application listed. A draft Determination is attached for the Minister's signature, if approved. Regards, Brian

Meenan, Edel - 28/08/2026 09:13
Approved for submission to the Minister of State by Secretary General

Deegan, Craig - 31/08/2026 15:34
Signature provided by Minister Timmy Dooley.

User details

INVOLVED:	Naughton, Maria Barry, Karen McLoughlin, PatrickM (Aquaculture) Batt, Brian Byrne, Joyce Sub Sec Gens Office eSub Sec Gen eSub MOS Office
READ RECEIPT:	Naughton, Maria Barry, Karen McLoughlin, PatrickM (Aquaculture) Batt, Brian Byrne, Joyce Moran, Jacqueline Meenan, Edel Deegan, Craig