Submission AGR 00502-26: Appropriate Assessment Screening Determination for Application Reference T09-155

TO:	Minister of State	AUTHOR:	[redacted]
STATUS:	Completed	OWNER:	[redacted]
PURPOSE:	Approval	REVIEWERS:	[redacted]
DIVISION:	Aquaculture and Foreshore Management Division		
DECISION BY:			

Final comment

Minister Timmy Dooley has provided his signature.

Action required

Appropriate Assessment Screening Determination Approval for application reference T09-155

Executive summary

An appropriate assessment screening determination is requested following screening carried out by the Marine Institute on behalf of the Department 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.

It is recommended that a determination that an appropriate assessment is required is made in accordance with Regulation 42(6) as the application is not directly connected with or necessary to the management of the site as a European Site and it cannot 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

Ardbear Salmon Ltd., under Section 10 of the Fisheries (Amendment) Act, 1997 (as amended), has submitted an aquaculture licence application for the cultivation of salmon at a site in Bertraghboy Bay, Co. Galway (T09/155).
As part of the assessment of the aquaculture licence application, the Marine Institute 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 project, individually or in combination with other plans or projects, would be likely to have a significant effect(s) on a European site(s) **(TAB 1)**.

In addition to Screening for Appropriate Assessment, the Marine Institute has carried out a Risk Assessment for Annex IV species **(TAB 2)**. Following this assessment it was concluded that it is unlikely that any of the identified Annex IV species, namely dolphins, whales, porpoises, and otters will be disturbed, injured or killed as a result of the proposed works. Having considered the application by Ardbear Salmon Ltd. and the Risk Assessment of Annex IV species report, AFMD recommend that the Minister 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.

It is recommended that the Minister adopts the Screening for Appropriate Assessment Report and reaches the following 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 Bertraghboy Bay, Co. Galway, individually or in

combination with other plans or projects would be likely to have a significant effect on a European site.

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(6) of the EC (Birds and Natural habitats) Regulations 2011, as amended, the Minister of State at the Department of Agriculture Food & the Marine has determined following screening that an Appropriate Assessment is required as the project individually or in combination with other plans or projects is likely to have a significant effect on European sites. The risk of likely significant effects on European sites cannot be excluded on the basis of objective evidence. This determination is based on the location, scale, extent and duration of the proposed project and has not taken account of measures intended to avoid or reduce significant effects on European sites. **(TAB 3)**

Related submissions

There are no related submissions.

User details

INVOLVED: [redacted]

Sub Sec Gens Office
eSub Sec Gen
eSub MOS Office

READ RECEIPT: [redacted]