Submission AGR 00117-25: Appropriate Assessment Screening Determination for 19 Applications for Extensive Aquaculture in Carlingford Shore SAC and Carlingford Lough SPA

TO: Minister
STATUS: Completed
PURPOSE: Approval

AUTHOR: Naughton, Maria
OWNER: Naughton, Maria
REVIEWERS: Barry, Karen
McLoughlin, PatrickM (Aquaculture)
Batt, Brian
McSherry, Sinead
Byrne, Hanagh

DIVISION: Aquaculture and Foreshore Management Division
DECISION BY:

Final comment

Approved by the Minister

Action required

Ministerial determination on the Appropriate Assessment Screening for Extensive Aquaculture in Carlingford Shore SAC and Carlingford Lough SPA and signing of 19 New and Renewal Appropriate Assessment Screening Determination Statements.

Executive summary

Seventeen new and two renewal aquaculture and foreshore licence applications for the cultivation of pacific oysters for sites in Carlingford Lough, Co. Louth 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 *'Report supporting the Appropriate Assessment Screening of Extensive Aquaculture in Carlingford Shore SAC and Carlingford Lough SPA, Co. Louth'* prepared by the Marine Institute and reaches the determination that an **appropriate assessment is required** in accordance with Regulation 42(6) as the applications are 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 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
T01-043B	Charm Louet-Feisser	Pacific Oyster	1.81
T01-043C	Charm Louet-Feisser	Pacific Oyster	1.89
T01-094A	Cooley Oysters Ltd	Pacific Oyster	15.04
T01-097A	Kian Louet-Feisser	Pacific Oyster	1.9
T01-107A	Cooley Oysters Ltd	Pacific Oyster	6.24
T01-108A	Cooley Oysters Ltd	Pacific Oyster	0.89
T01-109A	Cooley Oysters Ltd	Pacific Oyster	0.69
T01-118A	Keenan Oysters Ltd	Pacific Oyster	5.00
T01-125A	Gary Lamph/Charm Louet Feisser	Pacific Oyster	4.18

T01-126A	Kieron O'Connor	Pacific Oyster	1.99
T01-1012	Kian Louet-Feisser	Pacific Oyster	1.55
T01-1013	Kian Louet-Feisser	Pacific Oyster	1.41
T01-1014	Kian Louet- Feisser	Pacific Oyster	2.46
T01-1015	Carlingford Oyster Company Ltd	Pacific Oyster	0.78
T01-1016	Carlingford Oyster Company Ltd	Pacific Oyster	6.29
T01-1017	Carlingford Oyster Company Ltd	Pacific Oyster	2.28
T01-1018	Carlingford Oyster Company Ltd	Pacific Oyster	5.72
T01-1019	Carlingford Oyster Company Ltd	Pacific Oyster	8.29
T01-1020	Charm Louet-Feisser & Gary Lamph	Pacific Oyster	1.03

Environmental Assessment

Annex IV Risk Assessment

The Marine Institute 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 conclusion states:

"Following a risk assessment of the proposed extensive aquaculture licence applications in Carlingford Shore SAC and Carlingford Lough SPA the activities pose no risk to the number of individuals to breed successfully, nor to the survival of the population, and the species natural range is secure and will not be reduced, for the Annex IV species which occur in Ireland and its waters."

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 appropriated at this stage.

Screening for Appropriate Assessment

As part of the assessment of the aquaculture and foreshore licence applications, 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 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 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 cannot be screened out.

In accordance with Regulation 42(6) 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 Carlingford Lough, Co. Louth (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 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 for 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 projects 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 of the Ministerial determinations is attached for signature **(TAB C)**. These will be published on the Department website.

Related submissions

There are no related submissions.

Comments

Barry, Karen - 13/02/2025 14:39
Submission for Ministerial approval of 19x screening determinations for Carlingford Lough.

Barry, Karen - 10/03/2025 15:39
Submission for Ministerial approval of 19x screening determinations for Carlingford Lough.

McLoughlin, PatrickM (Aquaculture) - 18/03/2025 12:58
I agree with the recommendation that the Minister adopts the Report supporting the Appropriate Assessment Screening of Extensive Aquaculture in Carlingford Shore SAC and Carlingford Lough SPA, Co. Louth' and determines that an Appropriate Assessment is required for the applications listed. A determination for each application is attached for the Minister's signature, if approved.

Batt, Brian - 21/03/2025 10:40
Sinéad, I agree with the recommendation that the Minister adopts the Report supporting the Appropriate Assessment Screening and determines that an Appropriate Assessment is required for the applications listed. A determination for each application is attached for the Minister's signature, if approved. Regards, Brian

McSherry, Sinead - 26/03/2025 11:46
it is recommended that the Minister adopts the Report supporting the Appropriate Assessment Screening and determines that an Appropriate Assessment is required for the applications listed for Carlingford Lough.

Byrne, Hanagh - 26/03/2025 13:16
Cleared by SG

Rigney, Maria - 22/05/2025 15:50
Approved by the Minister

User details

INVOLVED:
Naughton, Maria
Barry, Karen
McLoughlin, PatrickM (Aquaculture)
Batt, Brian
McSherry, Sinead
Sub Sec Gens Office
eSub Sec Gen
eSub Ministers Office
eSub Minister

READ RECEIPT:
Naughton, Maria
Barry, Karen
McLoughlin, PatrickM (Aquaculture)
Batt, Brian
McSherry, Sinead
Byrne, Hanagh
Rigney, Maria