Submission AGR 00934-26: Appropriate Assessment Screening Determination for thirty-seven Applications for Extensive Aquaculture in Bantry Bay, Co. Cork.

TO: Minister of State
STATUS: Completed
PURPOSE: Approval

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

DIVISION: Aquaculture and Foreshore Management Division
DECISION BY:

Final comment

Signature provided by Minister Timmy Dooley.

Action required

Appropriate Assessment Screening for Extensive Aquaculture in Bantry Bay, Co. Cork and signing of thirty-seven Appropriate Assessment Screening Determination Statements.

Executive summary

Five new, ten renewals, twenty renewal and review and two review aquaculture and foreshore applications for the cultivation of Blue Mussels (*Mytilus Edulis*), Pacific Oyster (*Magallana gigas*), Native Oyster (*Ostrea Edulis*) and seaweeds for sites in Bantry Bay, Co. Cork 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 Bantry Bay"* 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 APPLIED FOR
T05-1010	John Murphy	Pacific Oyster (*Magallana gigas*), Native Oyster (*Ostrea Edulis*)	9.66
T05-1011	Bantry Marine Research Station	Irish Wakame (*Alaria esculenta*), Sea Lettuce (*Ulva lactuca*), Dulse (*Palmaria palmata*), Sugar Kelp (*Saccharina latissima*), North European Kelp (Digitata) (*Laminaria digitata*), Toothed wrack (*Fucus serratus*), Harpoon weed (*Asparagopsis armata*)	6.01
T05-1023	Rodeen Fish Farms	Blue Mussel (Mytilus Edulis)	12.26
T05-1024	Glenwave Seafoods Ltd	Blue Mussel (*Mytilus Edulis*)	3.67

T05-641A	John Murphy	Pacific Oyster (*Magallana gigas*), European flat oyster (*Ostrea edulis*), Irish Wakame (*Alaria Esculenta*), Sugar Kelp (*Saccharina latissima*), North European Kelp (Digitata) (*Laminaria Digitata*), Dulse (*Palmaria palmata*), Bladderwrack (*Fucus vesiculosus*), North European Kelp (*Laminaria Hyperborea*), Knotted wrack (*Ascophyllum nodosum*), Sea Lettuce (*Ulva Lactuca*), Sea thong (*Himanthalia elongata*), Harpoon Weed (*Asparagopsis armata*)	19.56
T05-053N1	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	13.12
T05-053N6	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	17.05
T05-058N4	Seal Harbour Enterprises Ltd	Blue Mussel (*Mytilus Edulis*)	13.37
T05-058N5	Seal Harbour Enterprises Ltd	Blue Mussel (*Mytilus Edulis*)	4.63
T05-060N1	Bantry Harbour Mussels Ltd	Blue Mussel (*Mytilus Edulis*)	7.42
T05-060N2	Bantry Harbour Mussels Ltd	Blue Mussel (*Mytilus Edulis*)	5.00
T05-060N3	Bantry Harbour Mussels Ltd	Blue Mussel (*Mytilus Edulis*)	5.03
T05-060N4	Bantry Harbour Mussels Ltd	Blue Mussel (*Mytilus Edulis*)	0.87
T05-060N5	Bantry Harbour Mussels Ltd	Blue Mussel (*Mytilus Edulis*)	36.09
T05-067N1	Southward Ltd	Blue Mussel (*Mytilus Edulis*)	0.67
T05-067N2	Southward Ltd	Blue Mussel (*Mytilus Edulis*)	4.12
T05-067N4	Southward Ltd	Blue Mussel (*Mytilus Edulis*)	8.60
T05-067N6	Southward Ltd	Blue Mussel (*Mytilus Edulis*)	9.92
T05-069N1	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	17.2
T05-069N4	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	8.37
T05-069N5	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	22.7
T05-125N1	Bantry Harbour Mussels Ltd	Blue Mussel (*Mytilus Edulis*)	2.04
T05-214N1	Fundy Shellfish Ltd	Blue Mussel (*Mytilus Edulis*)	4.64
T05-214N2	Fundy Shellfish Ltd	Blue Mussel (*Mytilus Edulis*)	1.65
T05-577N1	Dean Murphy	Pacific Oyster (*Magallana Gigas*)	3.34
T05-069N2	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	14.2
T05-214N3	Fundy Shellfish Ltd	Blue Mussel (*Mytilus Edulis*)	6.00
T05-069N3	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	5.4
T05-053N4	West Cork Seafoods Ltd	Blue Mussel (*Mytilus Edulis*)	2.56
T05-547A	Bantry Marine Research Station	Irish Wakame (*Alaria esculenta*),Sea Lettuce (*Ulva lactuca*), Dulse (*Palmaria palmata*), Sugar Kelp (*Saccharina latissima*), North European Kelp (Digitata) (*Laminaria digitata*), Toothed wrack (*Fucus serratus*), Harpoon weed (*Asparagopsis armata*)	5.99

T05-067N5	Southward Ltd	Blue Mussel (*Mytilus Edulis*)	9.00
T05-125N2	Bantry Harbour Mussels Ltd	Blue Mussel (*Mytilus Edulis*)	7.10
T05-060N6	Bantry Harbour Mussels Ltd	Blue Mussel (*Mytilus Edulis*)	4.54
T05-069N6	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	6.49
T05-069N7	Saltspray Mussel Technology Ltd	Blue Mussel (*Mytilus Edulis*)	2.20
T05-591A	Wild Atlantic Sea Products	Blue Mussel (*Mytilus Edulis*)	18.46
T05-430A	West Cork Seafoods Ltd	Blue Mussel (*Mytilus Edulis*), Irish Wakame (*Alaria esculenta*), North European Kelp (Digitata) (*Laminaria digitata*), Dulse (*Palmaria palmata*), Nori (*Porphyra umbilicalis*), Bladder wrack (*Fucus vesiculosus*), Sugar Kelp (*Saccharina latissima*), North European Kelp (Hyperborea) (*Laminaria hyperborea*), Knotted Wrack (*Ascophyllum nodosum*), Sea Lettuce (*Ulva Lactuca*), Sea Thong (*Himanthalia elongata*), Harpoon Weed (*Asparagopsis armata)*.	24.22

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 Bantry Bay, Co. Cork, 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 appropriate 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 Bantry Bay, Co. Cork (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 of State at the Department of Agriculture Food and 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 if approved **(TAB C)**. These will be published on the Department's website.

Related submissions

There are no related submissions.

Comments

Barry, Karen - 17/08/2026 14:07
It is recommended that the Minister of State makes a determination that an appropriate assessment is required for Bantry Bay. For your review and onward transmission, please.

McLoughlin, PatrickM (Aquaculture) - 18/08/2026 16:39
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 required for the applications listed. Draft Determinations are attached for the Minister's signature, if approved.

Batt, Brian - 19/08/2026 09:32
Joyce, in ASG McSherry's absence, this eSub is cleared by me for onward submission to SG's office. Thanks, Brian

Deegan, Craig - 31/08/2026 15:14
Signature provided by Minister Timmy Dooley.

User details

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