

**Appropriate Assessment Conclusion Statement by Licensing Authority (i.e. Minister for Agriculture, Food and the Marine) for aquaculture activities in Valentia Harbour/Portmagee Channel Special Area of Conservation (SAC) (Natura site)**

This Conclusion Statement outlines how it is proposed to licence and manage aquaculture activities in the above Natura site in compliance with the EU Habitats Directive. Aquaculture licence application, if approved, will be licensed in accordance with the standard licence terms and conditions as set out in the aquaculture licence templates. These are available for inspection at: <http://www.agriculture.gov.ie/fisheries/aquacultureforeshoremanagement/aquaculturelicensing/>. The licences will incorporate specific conditions to accommodate Natura requirements, as appropriate, in accordance with the principles set out in this document.

An Article 6 (Habitats) Assessment of Aquaculture and Fisheries in Valentia Harbour/Portmagee Channel has been carried out by the Marine Institute on behalf of the Department of Agriculture, Food and the Marine. This includes an Appropriate Assessment (Article 6 (3)) of aquaculture and a Risk Assessment (Article 6 (2)) of wild fisheries. The Appropriate Assessment assessed the potential ecological impacts of aquaculture activities and fishing in and adjacent to Valentia Harbour/Portmagee Channel SAC. From an aquaculture perspective, the information upon which this assessment is based is the definitive list of applications and extant licences for aquaculture available at the time of assessment.

**Description of the aquaculture projects**

The projects involve the renewal of existing aquaculture activity and the licensing of new aquaculture activity within Valentia Harbour/Portmagee Channel SAC. Aquaculture is practised in a number of locations within the SAC with oysters being the main species cultivated. The Pacific oyster is cultured on trestles in the intertidal area (there are also proposals for clam and abalone culture). While there is a large area licensed for scallop culture the extent of culture in this area is considered low.

**Description of Ecological and Environmental issues including Conservation Objectives for the SAC:**

Valentia Harbour/Portmagee Channel SAC comprises the entirety of the waters inside Valentia Island encompassing islands at the northern (Doolus Bay) and southern (Bray Head) opening to the ocean. The site is comprised of a wide range of intertidal and subtidal habitats. In particular, the SAC is designated for the following habitats (NPWS 2012a), as listed in Annex I and II of the Habitats Directive:

- 1140 : Mudflats and sandflats not covered by seawater at low tide
- 1160 : Large shallow inlets and bays
- 1170 : Reefs

The Conservation Objectives for the qualifying features were identified by NPWS. They stated that the natural condition of the designated features should be preserved with respect to their area, extent, distribution and community distribution. Habitat availability should be maintained for designated species and human disturbance should not adversely affect such species.

Of particular importance is the presence of 3 highly sensitive community types within the feature Large Shallow Inlet and Bay. Two communities 'Maerl- and *Zostera*-dominated', are considered of

high biodiversity value. The third community type, '*Edwardsia delapiae* associated community' is not only important for being the type location of this species; it also harbours a rich infaunal community.

#### **Article 6 Assessment of Valentia Harbour/Portmagee Channel SAC**

The function of the Appropriate Assessment and Risk Assessment is to determine if the ongoing and proposed aquaculture and fisheries activities are consistent with the Conservation Objectives for the Natura site or if such activities will lead to deterioration in the attributes of the habitats and species over time and in relation to the scale, frequency and intensity of the activities. NPWS (2012a) provide guidance on interpretation of the Conservation Objectives which are, in effect, management targets for habitats and species in the Harbour. This guidance is scaled relative to the anticipated sensitivity of habitats and species to disturbance by the proposed activities. Some activities are deemed to be wholly inconsistent with long term maintenance of certain sensitive habitats while other habitats can tolerate a range of activities. For the practical purpose of management of sedimentary habitats a 15% threshold of overlap between a disturbing activity and a habitat is given in the NPWS guidance. Below this threshold disturbance is deemed to be non-significant. Disturbance is defined as that which leads to a change in the characterising species of the habitat (which may also indicate change in structure and function).

#### **Screening of adjacent Natura sites for ex-situ effects**

There is one other Natura site (Iveragh Peninsula SPA) which is proximate to the proposed aquaculture activities. All likely interactions between aquaculture with qualifying features in Iveragh Peninsula SPA will likely screen out on the basis that:

- (i) there is no direct overlap between the features and aquaculture activities (within the SAC), and
- (ii) *ex-situ* effects are considered non-impacting, in that the bird species identified will feed primarily offshore or on land.

#### **Findings and Recommendations of the Article 6(3) Appropriate Assessment**

The Appropriate Assessment finds that the majority of activities, at the current and proposed or likely future scale and frequency of activity are consistent with the Conservation Objectives.

One exception is:

**Proximity of activities to sensitive habitat** – the risk of disturbance caused by scallop culture on four marine community types (*Edwardsia delapiae* associated community, *Zostera*-dominated community, Maerl-dominated community and Maerl-dominated community/*Zostera*-dominated community) cannot be discounted. On that basis the AA recommends that either:

- (i) the scallop licence boundary be revised to exclude these four habitat types or,
- (ii) if sensitive areas are to be retained within the existing culture area, that these areas be used as broodstock areas only and be excluded from any dredging activities.

#### **Mitigation Measures**

The Licensing Authority, taking account of the recommendations of the Appropriate Assessment, is implementing the following measures in licensing aquaculture in this Natura site:-

- (i) protecting the four marine community types mentioned above by revising the scallop licence boundary to exclude these four habitat types; and

- (ii) licensing of abalone will be subject to additional assessment dictated by Council Regulation (EC) No 708/2007 concerning the use of alien and locally absent species in aquaculture.

## **Conclusion**

The Licensing Authority is satisfied that, given the conclusions and recommendations of the Appropriate Assessment process, along with implementation of measures that will mitigate certain pressures on Natura features, the proposed licensed activities are not likely to have a significant effect on the integrity of Valentia Harbour/Portmagee Channel SAC.