

**Determination of Aquaculture/Foreshore Licensing Application –T04/14/1A**

***James Harty has applied for further authorisation for the cultivation of Pacific Oysters using trestles and bags in the inter-tidal part of the foreshore on a 3.375 hectare site (T04/14 1A) in Dungarvan Harbour, Co. Waterford.***

***The Minister for Agriculture, Food and the Marine has determined that it is in the public interest to grant the licences sought. In making his determination, the Minister considered those matters which by virtue of the Fisheries (Amendment) Act 1997, and other relevant legislation, he was required to have regard. Such matters include any submissions and observations received in accordance with statutory provisions. The following are the reasons and considerations for the Minister's determination to grant the licences sought:-***

- a) Scientific advice is to the effect that the waters are suitable;***
- b) Public access to recreational and other activities can be accommodated by this project;***
- c) The site is located within Dungarvan Harbour Shellfish Designated Waters;***
- d) The renewal will have positive effects on the local economy;***
- e) An EIA screening assessment was carried out and it concluded that the environmental effects from the proposed activity will not be significant;***
- f) No significant effects arose regarding wild fisheries;***
- g) The site is located within a Natura area (i.e. in a Special Protected Area). An Article 6 Assessment has been carried out in relation to aquaculture activities in Dungarvan Harbour, including consideration of the two adjacent SPAs, Helvick Head to Ballyquin SPA and the Mid-Waterford Coast SPA because of their close proximity to Dungarvan Harbour. The Licensing Authority's Appropriate Assessment Conclusion Statement outlines how aquaculture activities in this Natura area will be licensed and managed in compliance with the EU Birds Directive. This application is being licensed taking account of the conclusions and recommendations of the Appropriate Assessment process;***
- h) The reduction or removal of trestles could have a negative impact on the Light-bellied Brent Goose due to evidence of grazing on the attached algae. There could also be a similar negative impact on the Oystercatcher.***