

## **Ministerial Determination in relation to EIS requirements for Shellfish Aquaculture Licensing in Galway Bay Complex SAC and Inner Galway Bay SPA.**

I, Simon Coveney, Minister for Agriculture, Food and the Marine in accordance with the requirement of Regulation 5(2) of the Aquaculture (Licence Application) Regulations, 1998 have considered whether the individual Aquaculture Licence applications (listed in the attached table) to culture shellfish in Galway Bay Complex SAC and Inner Galway Bay SPA are likely to have a significant effect on the environment and would require the submission of an Environmental Impact Statement (EIS).

I have considered each of the proposed aquaculture activities, individually, as listed in the attached table and determined that they are not likely to have significant effects on the environment and that an EIS is not required in relation to the applications listed therein for the reasons outlined below.

### **REASONS AND CONSIDERATIONS**

I had regard to the provisions of:

- i. Regulation 5 of the Aquaculture (Licence Application) Regulations, 1998;
- ii. EIA Directives (codified by Council Directive 2011/92/EU);
- iii. The criteria specified in Annex III of Directive 2011/92/EU;
- iv. The guidance contained in the European Commission document entitled "Guidance on EIA, Screening" - June 2001;
- v. The Appropriate Assessment in respect of the Galway Bay Complex SAC and the Inner Galway Bay SPA.

and also, among other things, to the report and recommendations of the Department's EIA Screening Group with particular reference to:

- a) the nature and scale of the proposed aquaculture activity relative to the body of coastal water within which it is located;
- b) the limited magnitude and extent of the direct impacts arising from the activity;
- c) the impact on tourism and marine leisure will not be significant;
- d) public access for recreation or other purposes can be accommodated;
- e) the visual impact of the activity will be reduced by the appropriate deployment of structures within the sites;
- f) the operation of a group or individual marking scheme providing a safe system of navigation for all marine users;
- g) the development can be considered as minor and reversible as all structures can be removed;

- h) the absence of any protected structures in the area except in the case of application T9/464 where an archaeological assessment will be required ;
- i) the non-use of toxic or hazardous substances;
- j) the risk of on-site accidents is considered minor;
- k) the findings of the Appropriate Assessment in respect of the Galway Bay Complex SAC and the Inner Galway Bay SPA in relation to impacts on protected habitats/species.

<b>File Ref. No.</b>	<b>Applicant</b>	<b>Species</b>
	<b>Galway Bay</b>	
	<b>Oysters</b>	
T8/16	Fergal Langley Sheshia Bellharbour Co. Clare	Oysters
T8/63	Pouldoody Aquaculture Ltd. c/o Fergal Langley Sheshia Bellharbour Co. Clare	Oysters
T8/74	James Simons and Adrian Kerns Bellharbour Co.Clare	Oysters
T8/84	Dolphin Sea Farms Ltd, Muckinish East, Bellharbour, Co. Clare	Oysters
T8/103	Patrick Mullins Knocknaghough Ballyvaughan Co. Clare	Oysters
T9/332	Brian Martyn Mullrock Ballindereen Co. Galway	Oysters
T9/346	David Krause Ballyleara Kinvara, Co. Galway	Oysters
T9/374	Michael Irwin Parkmore House Maree Oranmore Co. Galway	Oysters

T9/375	De Burca Oysters Limited Prospect Hill Maree Oranmore Co. Galway	Oysters
T9/376	Keane's Seafood Limited Maree Cross Maree Oranmore Co. Galway	Oysters
T9/377	Michael Harty and Marion Harty Tawin, Oranmore Co. Galway	Oysters
T9/393	Mattie Joe Larkin Killeeneran Kilcolgan Co. Galway	Oysters
T9/414	Thomas Connolly Moy Road Kinvara Co. Galway	Oysters
T9/463	Mattie Joe Larkin Killeeneran Kilcolgan Co. Galway	Oysters
T9/464	Tony McInerney 36, Windfield Garden Clyban Road Salthill Co. Galway	Oysters
T9/470	Patrick J. Martyn Mulrock Kilcolgan Co. Galway	Oysters
T9/482	James Linnane Ballycleary Kinvara Co. Galway	Oysters
T9/483	Oliver Fawl Mulrock Kilcolgan Co. Galway	Oysters
	<b>Mussels</b>	
T8/36	Eamon Chesser Muckinish East Belharbour Co. Clare	Mussels

T9/20	Rainer Krause Dungora Kinvara Co. Galway	Mussels
T9/387	James Curtin, Tarrea Kilcolgan Co. Galway	Mussels
T9/424	Rainer Krause Dungora Kinvara Co. Galway.	Mussels
T9/474 (A and B)	Irfish Limited The Harbour Dunmore East Co. Waterford	Mussels
	<b>Clams</b>	
T9/491	Galway Shellfish Ltd. Beech Grove House Oranmore Co. Galway	Clams