

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



EIA Screening

Assessment

T12/343

Cúirt Choill Mhinsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

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EIA SCREENING ASSESSMENT T12/343

1. Applicant Details

Name
Address

Alan O'Sullivan
103 Ballymacool Wood
Letterkenny
Co. Donegal

2. Characteristics of Project

- Species cultivation proposed
- Method
- Production in intertidal zone
- Production beyond intertidal zone
- Source of seed/spat etc

Pacific Oysters
trestles culture
Yes
No

Seasalter UK

Yes. With the exception of Article 3 and 4,
Regulation EC 708/2007 does not apply to the
production of C. Gigas.

Year 1 0 tonnes
Year 2 0 tonnes
Year 3 10 tonnes
Year 4 40 tonnes

- Is a non-native species to be cultivated?
- Annual Production Estimates - Tonnes

3. Location of Project

- File No.
- No. of sites
- Location
- Hectares
- Shellfish Waters Designation

T12/343
1 site T12/343A
Lough Swilly
6 ha
Yes

- Shellfish Waters Designation
- If yes, identify area as per S.I. 268 of 2006/S.I. 55 of 2009
- If yes, Name of designated area - Map No. & Date of Map
- Natura 2000 site

SI 55 of 2009
Lough Swilly - Map 28 August 2008
Yes
Lough Swilly SAC 2287 & Lough Swilly SPA
4075

If yes, identify site and type

4. Development Plan

- County Development Plan

Yes Donegal County Development Plan

If yes, identify relevant sections

Chapter 8. Tourism and Marine. The Council will support the sustainable
development of the aquaculture sector to maximise its contribution to economic

- If yes, period covered
- b) Local Area Plan
- If yes, identify relevant sections
- c) Other
- If yes, please specify and identify relevant sections

growth within the county. In particular, the Council acknowledge the development and expansion of the oyster farming industry in the county and its potential in terms of employment and product export.	
2012-2018	
No	
No	

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EIA SCREENING CHECKLIST			
Is it an ANNEX II project?	YES		
Is the project located on or adjacent to a Natura 2000 area?	YES Lough Swilly SAC (SAC002287), Lough Swilly SPA (SPA 004075)-		
If yes, has the appropriate assessment been carried out?	YES- Appropriate Assessment of Aquaculture and Fisheries in Lough Swilly carried out by Marine Institute- published May 2013		
1. CHARACTERISTICS OF THE PROJECT - ANNEX III (1)	Yes/No - Briefly describe		Is this likely to result in a significant effect? Yes/No? - Why
(a) Size of project			
Will the project be out of scale with the existing environment?	No. The development is small (6 Ha) in scale relative to the body of coastal water within which it is located.		
Will it lead to further consequential development or works (e.g. new roads, landing facilities, provision of new water supply)?	No. Existing infrastructure will be used and no additional infrastructure developments are needed.		
(b) Cumulation with other development			
Are there potential cumulative impacts with existing aquaculture projects or with other licensed aquaculture projects but which have not yet begun?	Yes. There are potential navigational, visual and benthic impacts. There are other aquaculture projects in the bay involving the cultivation of oysters.		The impact on the benthos will be localised and limited to the area directly beneath the trestles. The overall area involved is considered to be small. There will be no significant impact on other sensitive receptors e.g. air, water, cultural heritage, visual amenity. Oyster suspended culture type of aquaculture activity is deemed disturbing in the case of one of the community types found within the qualifying interests of Lough Swilly SAC i.e.

		<i>Ostrea edulis</i> dominated community.
Are there potential cumulative impacts with existing foreshore projects or with foreshore projects licensed but which have not yet begun? T12/343	No.	
1. CHARACTERISTICS OF THE PROJECT - ANNEX III (1) cont'd	Yes/No - Briefly describe	Is this likely to result in a significant effect? Yes/No? - Why
(b) Cumulation with other development		
Should the application for this project be regarded as an integral part of a more substantial project? If so, can related projects which are subject to separate applications proceed independently?	No.	
(c) Use of natural resources Will installation or operation of the project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply? • land (especially undeveloped or agricultural land)? • water? • energy including electricity and fuels? • any other resources?		No. High levels of plankton occur naturally at the location and shellfish cultivation at this scale will not result in limiting plankton growth or abundance.
(d) Production of waste Will the project produce wastes during installation or operation or decommissioning? • municipal waste (household and/or commercial)? • surplus product? • construction or demolition wastes? • redundant machinery or equipment? • any other solid wastes? • liquid or solid wastes in suspension?	Yes. The cultivation of shellfish will produce faeces and pseudofaeces. Grading and removal of mortalities will result in shells being discarded. Trestles, bags, associated with the growing process may need to be replaced.	No. The amount of produced faeces and pseudofaeces will be small and the impacted area will be limited to the area directly beneath the trestles. The site is well flushed and build up of excess organic matter on site will not be permitted. Discarding of damaged old bags, trestles or other material into the sea or on the foreshore will not be permitted.

T12/343			Is this likely to result in a significant effect? Yes/No? - Why
1. CHARACTERISTICS OF THE PROJECT - ANNEX III (1) cont'd			
(e) Pollution and nuisances Will the project release pollutants or any hazardous, toxic, or noxious substances to air? Emissions from: • combustion of fossil fuels from stationary or mobile sources? • Construction activities including plant & equipment? • any other sources.	Yes. There will be emissions associated with husbandry and harvesting of shellfish from tractors or other machinery. There will be no release to the air of other hazardous, toxic or noxious pollutants.	No. The emissions levels will not be significant.	
Will the project cause noise and vibration or release of light? • from operation of equipment e.g. engines? • from blasting or piling? • from construction or operational traffic? • from lighting or other systems? • from any other sources?	Yes. There will be noise associated with husbandry and harvesting of shellfish from tractor and other noise.	No. Noise levels will not be significant.	
(f) Risk of accidents, having regard in particular to substances or technologies used			
Will there be any risk of accidents during installation or operation of the project which could affect human health or the environment?	Yes. There may be a minimal risk of physical injury while working onsite but no risk to human health. There is minor risk to the environment from vehicle breakdown or accidents.	No. There is minor risk to the environment from onsite accidents.	
Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No. No chemicals or hazardous substances will be used during the production process.		
Will the project involve use, storage, transport, handling or production of substances or materials which could be harmful to people or the environment (flora, fauna, water supplies)? • use of hazardous or toxic substances?	No. Cultivation of oysters depends on naturally occurring marine resources. No harmful substances or materials will be used.		

• potential changes in occurrence of disease or effect on disease carriers (e.g. insect or water borne diseases)		
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1. CHARACTERISTICS OF THE PROJECT - ANNEX III (1) cont'd	Yes/No - Briefly describe	Is this likely to result in a significant effect? Yes/No? - Why
(g) WHI Installation, operation or decommissioning of the project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc)? • dredging? • coastal structures (seawalls, piers)? • offshore structures? • facilities for storage of goods or materials? • facilities for treatment or disposal of solid wastes or liquid effluents? • new road, rail or sea traffic during construction or operation? • new road, rail, air, waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc? • closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements? • new or diverted transmission lines or pipelines? • transport of personnel or materials for construction, operation or decommissioning? • decommissioning or restoration works? • introduction of alien species? • loss of native species or genetic diversity? • any other changes?	Yes. Trestles will be placed on the foreshore.	No. The disturbance of the sea bed will be minimal. The development can be considered as minor and reversible as all structures can be removed and no new infrastructure is required.
	Yes. <i>Crassostrea Gigas</i>. With the exception of Article 3 and 4, Regulation EC 708/2007 does not apply to the production of <i>C. Gigas</i>.	Triploid stock only to be used for suspended culture of <i>C. Gigas</i>— No bottom culture of <i>C. Gigas</i> is likely to be permitted in Lough Swilly in future.

	A feature of the conservation objectives for Lough Swilly is to maintain favourable conservation conditions of the <i>Ostrea edulis</i> dominated community.	The proposed area of this site overlaps with the <i>Ostrea edulis</i> dominated community. The AA concluded that no aquaculture activities should be carried out in " <i>Ostrea edulis</i> dominated community", as they are all considered disturbing to this habitat type.
(h) Inherent social changes		
Will the project result in social changes, for example, in demography, traditional lifestyles, employment?	It is anticipated that job opportunities would result from this project.	No. The impact will be locally beneficial but not significant
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2. LOCATION OF THE PROJECT - ANNEX III (2)		
(a) Existing land use		
Are there existing land uses on or around the location which could be affected by the project, e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, water catchments, functional floodplains, mining or quarrying?	No. Terrestrial land use will not be affected and there is no spatial overlap with other users of the inter-tidal foreshore.	Is this likely to result in a significant effect? Yes/No? - Why
Are there any areas on or around the location which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities, which could be affected?	No.	
Is the project located in a previously undeveloped area?	No. There is other shellfish production in the bay.	
(b) Relative abundance, quality and regenerative capacity of natural resources in the area		
Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the project? • groundwater resources • surface waters	Yes, Fisheries.	Yes. This site overlaps with the <i>Ostrea edulis</i> dominated community.

• fisheries • tourism			
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2. LOCATION OF THE PROJECT - ANNEX III (2) cont'd.		Yes/No - Briefly describe	Is this likely to result in a significant effect? Yes/No? - Why
(c) Absorption capacity of the natural environment cont'd			
Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the project?	Yes. Sites located in Lough Swilly SAC (SAC002287), Lough Swilly SPA (SPA 004075)	The AA concluded that Oyster suspended culture type aquaculture activity overlaps with five of the community types found within the qualifying interest of Lough Swilly SAC and is deemed disturbing in the case of one of the community types i.e <i>Ostrea edulis</i> dominated community. The proposed area of this site overlaps with the <i>Ostrea edulis</i> dominated community. The AA concluded that no aquaculture activities should be carried out in "<i>Ostrea edulis</i> dominated community", as they are all considered disturbing to this habitat type.	
Are there any other areas on or around the location which are important or sensitive for reasons of their ecology? • wetlands, watercourses or other waterbodies? • the coastal zone? • mountains, forests or woodlands? • nature reserves and parks?	Yes. The wetlands habitats contained within the Lough Swilly SPA (004075) are of conservation importance for the waterbirds that use this resource	The AA concluded that none of the activities assessed will cause any change to the extent of subtidal, intertidal, supratidal and lagoon habitats. Therefore it is not likely to have any significant impacts on any wetlands in the area.	
Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering,	Yes. Lough Swilly SPA (004075) is designated for breeding populations of Black-headed Gull, Common Tern and Sandwich Tern and also non-breeding populations of	The Whooper Swan, Greenland White-fronted Goose, Greylag Goose and Coot were screened out as they do not have any significant spatial overlap with any of the	

migration, which could be affected?	Whooper Swan, Greenland White-fronted Goose, Greylag Goose, Shelduck, Wigeon, Teal, Mallard, Shoveler, Scaup, Goldeneye, Red-breasted Merganser, Great Crested Greebe, Grey Heron, Coot, Oystercatcher, Knot, Dunlin, Curlew, Greenshank, Redshank, and Common Gull.	activities being assessed. The AA concluded that no potentially significant impacts from existing and proposed suspended oyster culture have been identified in this assessment.
Are there any inland, coastal, marine or underground waters on or around the location which could be affected?	No.	
Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources?	No.	
Are there any areas or features of high landscape or scenic value on or around the location which could be affected?	No.	
Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected?	No. Public access to recreational and other activities will not be impacted by the project.	
Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected?	No. Given the scale of production the amount of additional traffic generated will not be significant.	
Is the project in a location where it is likely to be highly visible to many people?	No. Population density in the area is low. Sites not visible from public viewing points or roads.	

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2. LOCATION OF THE PROJECT - ANNEX III (2) cont'd	Yes/No - Briefly describe	Is this likely to result in a significant effect? Yes/No? - Why	
(c) Absorption capacity of the natural environment cont'd			
Are there any areas or features of historic, cultural or archaeological importance on or around the location which could be affected?	No. No protected structures as per County Development Plan. Underwater Archaeology issue will be addressed in statutory consultation with the relevant body.		
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected?	No. Results of monitoring under the Shellfish Waters Directive do not indicate water quality issues in the vicinity of the proposed shellfish production area. Oysters in this area currently have a "B" classification under Annex II of EU Regulation 854/2004.		
Is the area densely populated?	No. Population density in the area is low		
Is the location of the project susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?	No.		

Having considered the likelihood of the proposed aquaculture having significant effects on the environment the consensus of the Screening Group is that an Environmental Impact Statement is not required for this project. As part of a separate process, an Appropriate Assessment was carried out under Article 6(3) of the Habitats Directive which concluded that it was likely that the proposed activity, alone or in combination with other aquaculture activities, would have impacts on the Conservation Objectives of the Lough Swilly SAC/SPA. The conclusions of the Appropriate Assessment need to be fully considered prior to any licence determination being made.		
EIA SCREENING GROUP NAMES		
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NAME IN BLOCK CAPITALS - BATT WHELTON		DATE 13th Oct 2015

