ALAB
An Bord Achomhairc Um
Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board

Screening for Appropriate Assessment Report
Ballyness Bay Aquaculture Licence Site T12/409A

ALAB Appeal Ref Nos. AP3/1/2025 & AP3/2/2025
(previously AP4/1&2/2020)

Appeal description:

Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant with variation an Aquaculture licence in November 2019, for the cultivation of clams on wooden trays under mesh at Aquaculture Licence site T12/409A in Ballyness Bay, County Donegal.

Step 1 - Description of the project, purpose of this document and local site characteristics

Brief description of the project

Edward and Paul O'Brien (the Applicants) applied for an Aquaculture Licence for a 20-hectare site in Ballyness Bay for the cultivation of oysters and clams on 01 March 2010 (T12/409).

The Applicants subsequently applied for an 8.961-hectare site for the cultivation of clams only in 2019.

The Department's Marine Engineering Division (MED) determined on the 15 February 2019 that substantial negative visual impact would arise from a proposed 8.961-hectare site and recommended a reduced area of 2.2119 hectares.

The minister decided to grant Edward and Paul O'Brien a variation aquaculture licence for T12/409A a 2.2119-hectare site, for the cultivation of clams on wooden trays and under mesh on 25 November 2019.

While the November 2019 licence decision is for to the cultivation of clams on wooden trays under mesh the Marine Institute's February 2019 report supporting Appropriate Assessment of Aquaculture in Ballyness Bay SAC[1] and the MED's Landscape and visual impact assessment report of February 2019[1] outline how clam seed will be sown directly onto the intertidal mudflats & sandflats and covered with a mesh.

The MI report refers to mesh buried to 10cm whereby clams remain buried and grow naturally in the sediment for around 3 years until they reach harvest size. The MED's report states that the mesh will require regular cleaning by tractor drawn brush assemblies and will remain visible during the production cycle as weed growth on the mesh is suppressed.

The Aquafact September 2023 Screening for AA and NIS report[1] also outline how the intertidal clam cultivation application consists of clams placed under netting on the seabed in the intertidal zone and describes how netting is buried in the substrate to 10 cm and is kept in place with rope that is stapled around the edges with steel hooks. The report states that netting is usually changed once in the 3-year cycle when the mesh size is also increased. Harvesting is then carried out by tractors with modified dredges (to which sieves are attached).

The proposed access to the site is from Magheraroarty Pier and Ballyness Pier, using tractors and trailers.

The November 2019 T12/409A licence decision was for clams on wooden trays under mesh. This screening for AA report assesses the later project description of seed sown directly onto

[1] The Marine Institute's February 2019 report supporting Appropriate Assessment of Aquaculture in Ballyness Bay SAC, the Marine Engineering Division's February 2019 Landscape and visual impact assessment report and the Aquafact September 2023 Screening for AA and NIS report are available on the ALAB website at Aquaculture Licences Appeals Board

intertidal mudflats & sandflats and covered with a mesh. To note the conclusions of this report remain the same irrespective of which of the two project descriptions are assessed.

The current draft aquaculture licence for Site T12/409A prepared by the Minister in November 2019 contains a number of conditions related to the use of tractors (or other vehicles) accessing, leaving and operating on site. In particular, that all vehicles must adhere to the strictly approved access and egress routes and that the licensees shall organise operations in consultation with other licensed operators to ensure that the total number of vehicles and harvesting machines on the foreshore on any one day is kept to the minimum necessary.

Brief description of the site characteristics

The proposed project is located in Ballyness Bay, which is situated in north-west Donegal adjacent to the towns of Gortahork and Falcarragh.

Ballyness Bay is a large and very shallow estuarine complex, with extensive areas of sandflats which are exposed at low tide. The Dooey Peninsula stretches across the mouth of this well-sheltered bay, leaving only a narrow strait to the open sea.

Site T12/409A is located in the southwestern side of Ballyness Bay; the site lies within 200m of the High-water mark.

There are currently no licenced aquaculture sites in Ballyness Bay. Two previous aquaculture licenced sites were in operation in the 1990's, both for the cultivation of Pacific oysters using the bags and trestles, however the last of these licences lapsed in 1999.

The Bay is currently not a Designated Shellfish Area nor a Classified Bivalve Mollusc Production Area.

The proposed aquaculture licence site T12/409A lies within the Ballyness Bay SAC and is 0.4 km from the Falcarragh to Meenlaragh SPA.

Purpose of this document

This report is the Screening for Appropriate Assessment for the proposed aquaculture licence site T12/409A and has been prepared in order to enable the Board to make a formal screening determination for the purposes of Regulation 42 of European Communities (Birds and Natural Habitats) Regulations 2011 as amended, and to confirm the European Sites which should be brought forward to a Stage 2 Appropriate Assessment, prior to carrying out a public consultation under the 2011 Regulations.

Step 2 - Identification of relevant Natura 2000 sites using Source-Pathway-Receptor Model and compilation of information on qualifying interests and conservation objectives.

The Qualifying Interests (QI's) highlighted in **bold text** are deemed to have a source-pathway-receptor link and as such the relevant European sites have been screened in. Distances are measured as straight-line distances in open water, or along-shore coastal distances, depending on the site and QI's being considered and are measured from the closest point of the proposed licence boundary that is the subject of this appeal. SPA Qualifying Interests are assessed based on behavioural characteristics and foraging range.

Table 1: List of protected sites and their Qualifying Interests

European Site Code	Distance from the Proposed Project (km)	List of Qualifying Interests	Site Specific Conservation Objectives (Maintain/Restore favourable conservation condition)	Connections (Source-Pathway-Receptor link)	Qualifying Interests considered further in Screening Y/N	European Site Screening in for stage 2 Appropriate Assessment
Ballyness Bay SAC (Site code 001090)	0	Estuaries [1130] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Humid dune slacks [2190] Vertigo geyeri (Geyer's Whorl Snail) [1013] **Mudflats and sandflats not covered by seawater at low tide [1140]**	Maintain Maintain Maintain Maintain Maintain Maintain	No (no source-pathway-receptor link) Yes – location of project overlaps with 1140 Mudflats and sandflats not covered by seawater at low tide	No (no source-pathway-receptor link) Yes – possible physical disturbance and habitat loss	Yes

		Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]	Restore	Yes – project located 223m from 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)	Yes – possible physical disturbance and habitat loss	
Gweedore Bay and Islands SAC (Site code 001141)	3.3	Coastal lagoons [1150] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230][2] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330][2] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Decalcified fixed dunes with Empetrum nigrum [2140] Atlantic decalcified fixed dunes (Calluno-Ulicetea) [2150] Dunes with Salix repens ssp. argentea (Salicion arenariae) [2170] Humid dune slacks [2190] Machairs (in Ireland) [21A0] Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea	Restore Maintain Maintain Maintain Maintain Maintain Restore Maintain Maintain Maintain Maintain Restore	No (no source-pathway-receptor link)	No	Yes

[2] No Site-Specific Conservation Objectives at time of writing and as such the habitat/species conservation objectives from the nearest applicable site has been used.

		uniflorae and/or Isoeto-Nanojuncetea [3130][2] European dry heaths [4030] Alpine and Boreal heaths [4060] Juniperus communis formations on heaths or calcareous grasslands [5130] Euphydryas aurinia (Marsh Fritillary) [1065][2] Phocoena phocoena (Harbour Porpoise) [1351][2] Petalophyllum ralfsii (Petalwort) [1395] Najas flexilis (Slender Naiad) [1833] **Lutra lutra (Otter) [1355]**	Maintain Maintain Restore Maintain Maintain Maintain	Yes – project within 1355 Otter foraging range	Yes – possible visual disturbance & above water noise disturbance	
Horn Head and Rinclevan SAC (Site code 000147)	6.5	Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Dunes with Salix repens ssp. argentea (Salicion arenariae) [2170] Humid dune slacks [2190] Machairs (in Ireland) [21A0] Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]	Maintain Maintain Maintain Restore Maintain Restore Maintain	No (No source-pathway-receptor link)	No	Yes

		Vertigo geyeri (Geyer's Whorl Snail) [1013] Petalophyllum ralfsii (Petalwort) [1395] Najas flexilis (Slender Naiad) [1833] **Halichoerus grypus (Grey Seal) [1364]**	Maintain Maintain Maintain Maintain	yes (Project located 1,253m from MI identified seal haul out site.[3])	Yes – possible visual disturbance & above water noise disturbance	
Cloghernagore Bog and Glenveagh National Park SAC (site code 02047)	7.5	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation [3260] Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] Blanket bogs (if active bog) [7130] Depressions on peat substrates of the Rhynchosporion [7150]	Maintain Maintain Restore Maintain Restore Maintain Restore Restore	No (No source-pathway-receptor link)	No	

[3] The Marine Institute's February 2019 report supporting Appropriate Assessment of Aquaculture in Ballyness Bay SAC concluded that in relation to interactions between aquaculture operations and seal use of the site [Ballyness Bay SAC], the risk of disturbance cannot be discounted and that based upon local observations it appears that seals are faithful to this one identified haul out location [identified sand bank in northwest of Bay]. The report further concluded that careful consideration should be given to licencing the site which shares the sandbank with the observed seal haul out. The DAFM Mitigation Summary subsequently states that "Proposed sites where there is proximity to seal sites will be reduced where possible or not licensed to maintain a buffer between the aquaculture sites and the seal areas." Licence decisions for affected sites were refused/granted with variations based on a 200m buffer zone around the identified seal haul out location.

		Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029] Vandenboschia speciosa (Killarney Fern) [6985] **Lutra lutra (Otter) [1355]** **Salmo salar (Salmon) [1106]**	Maintain Restore Maintain Maintain Maintain	 Yes – project within 1355 Otter foraging range Yes – project within 1106 Atlantic Salmon migratory route	Yes – possible visual disturbance & above water noise disturbance Yes – possible physical disturbance due to increased macroalgal levels along 1106 Atlantic Salmon migratory route	Yes
Muckish Mountain SAC (site code 001179)	8.05	Alpine and Boreal heaths [4060] Siliceous rocky slopes with chasmophytic vegetation [8220]	Maintain Maintain	No (No source-pathway-receptor link)	No	No
Fawnboy Bog/Lough Nacung SAC (site code 000140)	8.5	Northern Atlantic wet heaths with Erica tetralix [4010] Blanket bogs (if active bog) [7130] Depressions on peat substrates of the Rhynchosporion [7150] Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]	Restore Restore Restore Restore	No (No source-pathway-receptor link)	No	No

Tory Island SAC (site code: 002259)	10.9	Coastal lagoons [1150] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Submerged or partially submerged sea caves [8330][2]	Restore Maintain Maintain Maintain	No (No source-pathway-receptor link)	No	No
Sessiagh Lough SAC (site code 000185)	13.6	Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130] Najas flexilis (Slender Naiad) [1833]	Restore Restore	No (No source-pathway-receptor link)	No	No
Sheephaven SAC (site code 001190)	14.9	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210][2] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230][2] Salicornia and other annuals colonising mud and sand [1310][2] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110][2] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190][2] Machairs (in Ireland) [21A0] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	Maintain Restore Maintain Restore Restore Maintain	No (No source-pathway-receptor link)	No	No

		Euphydryas aurinia (Marsh Fritillary) [1065][2] Petalophyllum ralfsii (Petalwort) [1395]	Maintain Maintain			
Tranarossan and Melmore Lough SAC (site code 000194)	19.3	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Decalcified fixed dunes with Empetrum nigrum [2140] Dunes with Salix repens ssp. argentea (Salicion arenariae) [2170] Humid dune slacks [2190] Machairs (in Ireland) [21A0] Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140] European dry heaths [4030] Alpine and Boreal heaths [4060] Petalophyllum ralfsii (Petalwort) [1395]	Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain	No (No source-pathway-receptor link)	No	No
Falcarragh to Meenlaragh SPA (site code 004149)	0.4	Corncrake (Crex crex) [A122]	Restore	No (No source-pathway-receptor link. Purely terrestrial species)	No	No

Inishbofin, Inishdooey and Inishbeg SPA (site code 004083)	2.6	Barnacle Goose (Branta leucopsis) [A045] Corncrake (Crex crex) [A122] **Common Gull (Larus canus) [A182]** **Lesser Black-backed Gull (Larus fuscus) [A183]** **Arctic Tern (Sterna paradisaea) [A194]**	Maintain Maintain Restore Restore Restore	No (No source-pathway-receptor link) Yes – Project within these coastal species foraging ranges	No Yes - possible visual disturbance & above water noise disturbance	Yes
Derryveagh and Glendowan Mountains SPA (site code 4039)	7.6	Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103] **Red-throated Diver (Gavia stellata) [A001]** **Golden Plover (Pluvialis apricaria) [A140]** **Dunlin (Calidris alpina schinzii) [A466]**	Maintain Restore Maintain Maintain Maintain	No (No source-pathway-receptor link) Yes – Project within these coastal species foraging ranges	No Yes - possible visual disturbance & above water noise disturbance	Yes
Horn Head to Fanad Head SPA (site code 09194)	7.7	Fulmar (Fulmarus glacialis) [A009] Barnacle Goose (Branta leucopsis) [A045] Kittiwake (Rissa tridactyla) [A188] Guillemot (Uria aalge) [A199] Razorbill (Alca torda) [A200] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Peregrine (Falco peregrinus) [A103] Chough (Pyrrhocorax pyrrhocorax) [A346] **Cormorant (Phalacrocorax carbo) [A017]** **Shag (Phalacrocorax aristotelis) [A018]**	Restore Maintain Restore Maintain Maintain Restore Maintain Restore Restore Restore	No (No source-pathway-receptor link) Yes – Project within these coastal species foraging ranges	No Yes - possible visual disturbance & above water noise disturbance	Yes
West Donegal SPA (site code 04150)	9.8	Fulmar (Fulmarus glacialis) [A009] Kittiwake (Rissa tridactyla) [A188] Razorbill (Alca torda) [A200] Peregrine (Falco peregrinus) [A103]	Restore Restore Restore Maintain	No (No source-pathway-receptor link)	No	

		Chough (Pyrrhocorax pyrrhocorax) [A346] **Cormorant (Phalacrocorax carbo) [A017]** **Shag (Phalacrocorax aristotelis) [A018]** **Herring Gull (Larus argentatus) [A184]**	Restore Restore Maintain Restore	Yes – Project within these coastal species foraging ranges	Yes - possible visual disturbance & above water noise disturbance	Yes
West Donegal Islands SPA (site code 04230)	10.6	Barnacle Goose (Branta leucopsis) [A045] Corncrake (Crex crex) [A122] **Shag (Phalacrocorax aristotelis) [A018]** **Common Gull (Larus canus) [A182]** **Herring Gull (Larus argentatus) [A184]**	Restore Restore Maintain Restore Maintain	No (No source-pathway-receptor link) Yes – Project within these coastal species foraging ranges	No Yes - possible visual disturbance & above water noise disturbance	Yes
Tory island SPA (site code 004073)	12.3	Fulmar (Fulmarus glacialis) [A009] Corncrake (Crex crex) [A122] Razorbill (Alca torda) [A200] Puffin (Fratercula arctica) [A204]	Maintain Maintain Maintain Restore	No (No source-pathway-receptor link)	No	No
Lough Fern SPA (site code 004060)	19.4	Pochard (Aythya ferina) [A059] Wetland and Waterbirds [A999]	Restore Maintain	No (No source-pathway-receptor link)	No	No
Greers Isle SPA (site code 004082)	28.8	Black-headed Gull (Chroicocephalus ridibundus) [A179] Sandwich Tern (Thalasseus sandvicensis) [A863] **Common Gull (Larus canus) [A182]**	Restore Restore Restore	No (No source-pathway-receptor link) Yes – Project within these coastal species foraging ranges	No Yes - possible visual disturbance & above water noise disturbance	Yes

Illancrone and Inishkeeragh SPA (site code 004132)	29.4	Barnacle Goose (Branta leucopsis) [A045] Common Tern (Sterna hirundo) [A193] Little Tern (Sterna albifrons) [A195] **Arctic Tern (Sterna paradisaea) [A194]**	Restore Restore Maintain Restore	No (No source-pathway-receptor link) Yes – Project within these coastal species foraging ranges	No Yes - possible visual disturbance & above water noise disturbance	Yes
Lough Swilly SPA (site code 004075)	34.4	Great Crested Grebe (Podiceps cristatus) [A005] Grey Heron (Ardea cinerea) [A028] Whooper Swan (Cygnus cygnus) [A038] Greylag Goose (Anser anser) [A043] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Mallard (Anas platyrhynchos) [A053] Scaup (Aythya marila) [A062] Goldeneye (Bucephala clangula) [A067] Red-breasted Merganser (Mergus serrator) [A069] Coot (Fulica atra) [A125] Oystercatcher (Haematopus ostralegus) [A130] Knot (Calidris canutus) [A143] Dunlin (Calidris alpina) [A149] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Greenshank (Tringa nebularia) [A164] Black-headed Gull (Chroicocephalus ridibundus) [A179][4] Common Tern (Sterna hirundo) [A193]	Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain	No (No source-pathway-receptor link)	No	

		Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wigeon (Mareca penelope) [A855] Shoveler (Spatula clypeata) [A857] Sandwich Tern (Thalasseus sandvicensis) [A863][4] Wetland and Waterbirds [A999] **Common Gull (Larus canus) [A182]**	Maintain Maintain Maintain Maintain Maintain	Yes – Project within this coastal species foraging ranges	Yes - possible visual disturbance & above water noise disturbance	Yes
Inishkeel SPA (site code 004116)	37.2	Barnacle Goose (Branta leucopsis) [A045]	Restore	No (No source-pathway-receptor link)	No	No
Roaninish SPA (site code 004121)	38.1	Barnacle Goose (Branta leucopsis) [A045] **Herring Gull (Larus argentatus) [A184]**	Restore Restore	No (No source-pathway-receptor link) Yes – Project within this coastal species foraging ranges	No Yes - possible visual disturbance & above water noise disturbance	Yes
Lough Nillan Bog SPA (site code 004110)	40	Merlin (Falco columbarius) [A098] Golden Plover (Pluvialis apricaria) [A140] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Dunlin (Calidris alpina schinzii) [A466]	Maintain Restore Restore Restore	No (No source-pathway-receptor link)	No	No

Sheskinmore Lough SPA (site code 004090)	41	Greenland White-fronted Goose (Anser albifrons flavirostris) [A395]	Restore	No (No source-pathway-receptor link)	No	No
Trawbreaga Bay SPA (site code 004034)	53	Barnacle Goose (Branta leucopsis) [A045] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Chough (Pyrrhocorax pyrrhocorax) [A346] Wetland and Waterbirds [A999]	Maintain Maintain Maintain Maintain	No (No source-pathway-receptor link)	No	No
Donegal Bay SPA (site code 004151)	54	Great Northern Diver (Gavia immer) [A003] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Common Scoter (Melanitta nigra) [A065] Sanderling (Calidris alba) [A144] Wetland and Waterbirds [A999]	Maintain Maintain Maintain Maintain Maintain	No (No source-pathway-receptor link)	No	No
Lough Foyle SPA (site code 004087)	57	Red-throated Diver (Gavia stellata) [A001] Great Crested Grebe (Podiceps cristatus) [A005] Bewick's Swan (Cygnus columbianus bewickii) [A037] Whooper Swan (Cygnus cygnus) [A038] Greylag Goose (Anser anser) [A043] Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Mallard (Anas platyrhynchos) [A053] Eider (Somateria mollissima) [A063] Red-breasted Merganser (Mergus serrator) [A069] Oystercatcher (Haematopus ostralegus) [A130]	Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain	No (No source-pathway-receptor link)	No	

		Golden Plover (Pluvialis apricaria) [A140] Lapwing (Vanellus vanellus) [A142] Knot (Calidris canutus) [A143] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Black-headed Gull (Chroicocephalus ridibundus) [A179] Wigeon (Mareca penelope) [A855] Wetland and Waterbirds [A999] **Common Gull (Larus canus) [A182]** **Herring Gull (Larus argentatus) [A184]**	Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain Maintain	Yes – Project within these coastal species foraging ranges	Yes - possible visual disturbance & above water noise disturbance	Yes

Step 3 Assessment of likely significant effects

Table 2: List of all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project.

Impacts	Possible Significance of Impacts (duration, magnitude etc.)
Physical disturbance and habitat loss	Possible direct impacts on 1140 Mudflats and sandflats not covered by seawater at low tide & 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)
Visual disturbance and above water noise disturbance	Possible indirect impacts on bird species identified in table 1 Possible temporal indirect impacts on 1355 Otter Possible indirect impacts on 1364 Grey Seal
Physical disturbance	Possible indirect impacts on 1106 Atlantic Salmon

In-Combination Effects

Following a search of relevant databases undertaken on the 17 October 2025 and having regard to the European Commission's *Assessment of plans and projects in relation to Natura 2000 sites*[4] Guidance document and the Office of the Planning Regulator's *Appropriate Assessment Screening for Development Management*[5], the below project(s) have been identified as potential in-combination projects.

Table 3: List of potential in-combination projects

Application reference(s)	Project description	Distance to aquaculture licence site T12/409A (km)	Project status
T12/407B	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the inter-tidal foreshore on site ref T12/407B in Ballyness Bay, Co. Donegal.	0.46	Decision to grant issued by Minister
T12/409B1 and T12/409B2	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles and cultivation of clams (Ruditapes philippinarum) on wooden trays under mesh on the inter-tidal/sub-tidal foreshore on site ref	0.64 (to 409B1) and 0.85 (to 409B2)	Decision to grant with variation issued by Minister

[4] Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC 2021/C 437/01(Commission notice C/2021/6913. Dated 28.10.2021).

[5] OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

	T12/409B in Ballyness Bay, Co. Donegal.		
T12/441A	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the foreshore on site ref T12/441B in Ballyness Bay, Co. Donegal.	0.27	Decision to grant issued by Minister
T12/441B	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the foreshore on site ref T12/441B in Ballyness Bay, Co. Donegal.	1.13	Decision to grant issued by Minister
T12/441C	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the foreshore on site ref T12/441C in Ballyness Bay, Co. Donegal.	1.13	Decision to grant issued by Minister
T12/500A	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the inter-tidal foreshore on site ref T12/500A in Ballyness Bay, Co. Donegal.	0.59	Decision to grant issued by Minister
T12/502A	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the inter-tidal foreshore on site ref T12/502A in Ballyness Bay, Co. Donegal.	0.02	Decision to grant issued by Minister
T12/514A	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the inter-tidal foreshore on site ref T12/514A in Ballyness Bay, Co. Donegal.	1.41	Decision to grant issued by Minister
T12/515A	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the inter-tidal foreshore on site ref T12/515A in Ballyness Bay, Co. Donegal.	0.59	Decision to grant issued by Minister
T12/516A	Cultivation of Pacific Oysters (Crassostrea gigas) using bags and trestles on the inter-tidal foreshore on site ref T12/516A in Ballyness Bay, Co. Donegal.	1.43	Decision to grant issued by Minister
T12/455A	cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/455A in Ballyness Bay, Co. Donegal	1.57	Decision to grant with variation issued by Minister
T12/455B	cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/455B in Ballyness Bay, Co. Donegal	1.24	Decision to grant with variation issued by Minister
T12/510A	cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/510A in Ballyness Bay, Co. Donegal	2.21	Decision to grant with variation issued by Minister

The following plans, related to the development of the maritime environment were also identified:

- The Climate Action Plan 2025
- River Basin Management Plans 2022-2027 (RBMP)
- Donegal County Development plan 2024 - 2030
- National Biodiversity Action Plan 2023 - 2030

It cannot be excluded on the basis of objective scientific information that the proposed aquaculture project in combination with the above listed projects and plans, will have a significant effect on Ballyness Bay SAC, Gweedore Bay and Islands SAC, Horn Head and Rinclevan SAC, Cloghernagore Bog and Glenveagh National Park SAC, Inishbofin, Inishdooey and Inishbeg SPA, Derryveagh and Glendowan Mountains SPA, Horn Head to Fanad Head SPA, West Donegal SPA, West Donegal Islands SPA, Greers Isle SPA, Illancrone & Inishkeeragh SPA, Lough Swilly SPA, Roaninish SPA and Lough Foyle SPA particularly in relation to those projects which could potentially cause increased physical disturbance or habitat loss (such as other aquaculture licensed activities increasing the potential for habitat loss or increased organic material) and increased visual disturbance & above water noise disturbance.

Were mitigation measures considered during the screening process? No

Step 4 Screening Determination Statement

The assessment of significant effects:

On the basis of the information on file, and having regard to:

- The nature and scale of the proposed development
- The distance to the nearest European sites
- The potential for in-combination effects with other plans and projects
- Physical disturbance
- Physical disturbance and habitat loss
- Visual disturbance & above water noise disturbance

Having considered the legal framework applicable to Appropriate Assessment, **it was concluded that the project the subject of the proposed Aquaculture Licence for the cultivation of clams on site T12/409A in Ballyness Bay, County Donegal will require Stage 2 Appropriate Assessment as it cannot be excluded on the basis of objective scientific information following screening that the proposed project, individually or in combination with other plans or projects, will have a significant effect on a European Site.**

Conclusion		
	Tick as appropriate	Recommendation
(i) The possibility of significant effects on a European site can be excluded		
(ii) The possibility of significant effects on a European site cannot be excluded	✓	Proceed to Stage 2 Appropriate Assessment
Senior Technical Advisor Signature and Date	 Mary Hegarty 15 April 2026	

Appendix 1:

T12/409A Aquaculture Licence Map