

PUBLIC NOTICE

NOTICE OF AN APPROPRIATE ASSESSMENT AS REFERRED TO IN ARTICLE 6(3) OF COUNCIL DIRECTIVE 92/43/EEC OF 21 MAY 1992 ON THE CONSERVATION OF NATURAL HABITATS AND OF WILD FAUNA AND FLORA IN CONNECTION WITH APPEALS OF AN APPLICATION FOR AN AQUACULTURE LICENCE UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)

NOTICE IS HEREBY GIVEN that the Aquaculture Licences Appeals Board is determining appeals (references AP2/1-14/2015) against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Bradán Fanad Teoranta t/a Mowi Ireland (formerly trading as Marine Harvest Ireland), Kindrum, Fanad, Letterkenny, Co. Donegal for the cultivation of Atlantic Salmon; *Salmo salar* on a site (numbered T5/555A) in Bantry Bay, Co. Cork.

Pursuant to Regulation 42(8) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the Aquaculture Licences Appeals Board determined that an Appropriate Assessment, as referred to in Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (as amended), is required for the project the subject of these appeals for the reasons set out below.

Independent Appropriate Assessment screening commissioned by the Aquaculture Licences Appeals Board concluded that, based on a preliminary assessment and objective criteria, it is not possible to rule out potential significant adverse impacts resulting from the installation of the proposed salmon farm in respect of selected nearby Special Protection Areas (SPAs) and their associated bird species of conservation interest (SCI). The specific SCIs and SPAs of concern are: Fulmar (Beara Peninsula SPA, Iveragh Peninsula SPA, Deenish Island and Scariff Island SPA), Gannet (The Bull and The Cow Rocks SPA and Skelligs SPA) and Guillemot (Iveragh Peninsula SPA). The Appropriate Assessment screening report determined that:

1. the proposed development of aquaculture sites within Bantry Bay will result in the loss of 42.5 hectares of inshore habitat that could potentially be used by the abovementioned SCIs for feeding, and
2. cumulative impacts have been identified that may, in combination with the above development, exacerbate further the impacts on the SCIs. They include additional fish farms in the area (elsewhere in Bantry Bay) and associated levels of disturbance.

The Applicant provided a Natura Impact Statement (NIS) to the Aquaculture Licences Appeals Board in July 2020.

The Aquaculture Licences Appeals Board commissioned a report for purposes of its Appropriate Assessment which was completed on 11 September 2020.

The NIS and the report will be taken into account by the Aquaculture Licences Appeals Board in carrying out its Appropriate Assessment.

Pursuant to Regulation 42(13) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the Aquaculture Licences Appeals Board **HEREBY INVITES** the opinion of the general public for the purposes of conducting its Appropriate Assessment. For that purpose, the following documents are now available on the Aquaculture Licences Appeals Board website, www.alab.ie at the following link:

<http://www.alab.ie/boarddeterminations/2015/scheduleofdocuments/>

1. The Natura Impact Statement provided to the Aquaculture Licences Appeals Board in July 2020.
2. The report commissioned by the Aquaculture Licences Appeals Board for purposes of its Appropriate Assessment which was completed on 11 September 2020

Hard copies of the above documents are available on request by contacting: The Secretary, Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co Laois. R32 DTW5. Email: info@alab.ie. Phone: 0578631912

The documents relating to the appeals generally are available on the Aquaculture Licences Appeals Board website: <http://www.alab.ie/boarddeterminations/2015/scheduleofdocuments/>

Any person may make written submissions or observations to Aquaculture Licences Appeals Board in relation to its Appropriate Assessment. Any such submissions or observations should be furnished to The Secretary, Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co Laois. R32 DTW5, or by email to info@alab.ie on or before **Monday 16 November 2020**.

All submissions or observations received on foot of public notice procedures will be made available to the Applicant for comment and will also be made generally available for inspection by the public.

Please note that if any such submissions or observations are not received on or before the date specified above the Aquaculture Licences Appeals Board may, without further notice, complete its Appropriate Assessment and determine the appeals.