

Marine Institute Trawbreaga Bay SPA (004034) - Appropriate Assessment of Aquaculture July 2019 ("the AA") and adopted same.

## DETERMINATION

The Board determined the appeal on the basis of the following:

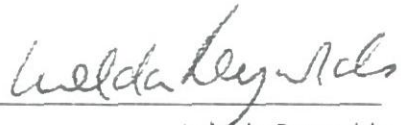
- (a) The Site is suitable for the intended purpose. The Board determined that the location of the Site within Trawbreaga Bay ("**the Bay**") does not extend further out into the main channel of the Bay more significantly than other licenced sites in the Bay and is at no greater risk of sand mobility than those other licensed sites. The Board also determined that the Site will not impact on orderly aquaculture development in the Bay.
- (b) There would be no significant impact on other beneficial uses, existing or potential, of the place or waters concerned. The Applicant/Appellant is the licensee of sites on the inside of the Site and therefore licensing the Site would not impact significantly on other aquaculture users in the Bay.
- (c) The Site will have not a significant impact on the statutory status of the area. The Board noted that with reference to the SPA, the AA stated that the risk of negative impacts on Light-bellied Brent Geese cannot be completely discounted. The Board noted the mitigation measures proposed in the AA of "*a clear Code of Practice, close consultation with NPWS and continuation of annual monitoring of Light-bellied Brent geese is recommended to identify and address any disturbance issues that may arise*". The Board agreed that a condition be included in the licence requiring the Applicant to comply with any Code of Practice developed in agreement with NPWS and that the imposition of this condition would give practical effect to the mitigation measure proposed in the AA.

- (d) The Site is likely to have a non-significant positive effect on the local economy of the area;
- (e) The Site is not likely to have a significant negative impact on the designated sites or significant ecological effects. In this regard the Board determined that a condition be included in the Licence to the effect that the access route over the intertidal habitat must be strictly adhered to, in order to minimize habitat disturbance;
- (f) The granting of an aquaculture license for the Site will not cause significant negative environmental impacts. In this regard the Board determined that a condition be included in the Licence to the effect that only Triploid stock be used on the Site; that the source of seed, where applicable, must be approved by the Department of Agriculture, Food and the Marine ("**the Department**") and any change to the source of seed must be approved in advance by the Department. The Board further determined that prior to commencement of operations at the Site the Applicant is required to prepare a contingency plan for the approval of the Department which shall identify, *inter alia*, the methods for the removal from the environment of any invasive non-native species introduced as a result of operations at the Site, and if such an event occurs the contingency plan shall be implemented immediately; and
- (g) licensing the Site is unlikely to give rise to significant impacts on the man-made heritage of the area.

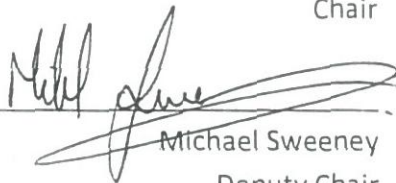
Having considered all the foregoing, the Board determined at its meeting on 29 April 2021 pursuant to Section 40 (4) (b) of the Act, to determine the appeal by determining the application for a licence as if the application had been made to the Board in the first instance and to **GRANT** an Aquaculture Licence to the Applicant for the Site.

Dated this 29<sup>th</sup> day of June 2021

The affixing of the Seal of the  
**AQUACULTURE LICENCES APPEALS BOARD**  
was authenticated by: -



Imelda Reynolds  
Chair



Michael Sweeney  
Deputy Chair