

SCREENING FOR EIA TECHNICAL REVIEW

FS007084 Donegal County Council Dredging and Beach Nourishment at
Magheraroarty Pier, Co Donegal

MGE0778RP0014
Screening for EIA Technical
Review FS007084
F01
30 August 2021

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A01	Draft for Client Approval				03/08/2021
F01	Final				30/08/2021

Approval for issue

30 August 2021

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1 INTRODUCTION

1.1 Project Overview

Donegal County Council have submitted a foreshore license application for the annual dredging and beach nourishment of Magheraroarty Pier (Dooley Strand), Gortahork, Co. Donegal. The project involves the relocation of sand material from the area of accretion (Magheraroarty Harbour) to an intertidal area on the strand which experiences natural erosion from wave, wind and longshore drift action. Magheraroarty Harbour is located within a Natura 2000 designated site, Ballyness SAC (001090), and adjacent to Falcarragh to Meenlaragh SPA (004149). Over the winter months sand continues to be transported along Dooley Strand and deposited along the berthing face of the pier.

A maximum of 20,000 tonnes of deposited sand will be removed from the harbour and dumped onto an intertidal area of 12.7 ha. Annual maintenance dredging of Magheraroarty Harbour is required to maintain navigational depth to -2.5m Chart Datum (CD) for the Tory Island ferry, commercial fishing boats and charter boats in the local area.

The dredging is scheduled to take place at low tide over a 5-6 day period during the equinoctial spring tides in March/April each year. Completing the dredging work over the spring tide will allow access to the entire berthing area. The sand is to be excavated by 360-degree tracked excavators which worked at low tide and loaded on articulated dumpers. The sand will be brought to the adjacent beach, where it will be spread evenly using a 360-degree low bearing tracked excavator. The beach nourishment area and haulage route will be mapped out in advance. The work is restricted by the tide therefore there will be no build-up of sediment along Dooley Strand during the 5-6-day period of works.

No plant or equipment will be parked on the beach overnight or outside working hours. Access to the beach will be restricted during the works at the deposition site usually 4 hours per day over the 5-6-days period. Works will be advertised on the local radio and signs will be posted to notify users.

Prior to the commencement of works an Ecological Clerk of Works is to be consulted to ensure that environmental protection measures are adhered to, all haulage routes and nourishment area is clearly delineated.

1.2 Application Documents

The applicant submitted the following documents as part of the application:

Foreshore Application

Shore Based Dredging and Beach Nourishment at Magheraroarty Harbour Details & Methodology

Marine Sediment Characterisation Magheraroarty Pier Dredging and Disposal - includes sediment sampling and analysis

Marine Intertidal Survey to inform Appropriate Assessment

Screening Report for Appropriate Assessment,

Natura Impact Statement,

Correspondence with Marine Institute re "Sampling/analysis requirements for Dredged sediments (see Appendix 1 of the 'Marine Sediment Characterisation Report')

Correspondence with NPWS (ref correspondence dated 20/12/2020) in relation to requirements to prepare an NIS and a brief outline on issues to be addressed.

EPA Dumping at Sea Application Material Analysis Report form data

Drawings/Maps as follows:

- Drawing No 001 'Magheraroarty Harbour Location Map' at scale 1:20000 on A3
- Drawing No 002 Rev 1 'Magheraroarty Harbour Dredging, Traffic and Nourishment Locations' at Scale 1:5000 on A3

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- Drawing No 200a Rev 1 “Magheraroarty Harbour Dredging Location” at scale 1: 2000 on A3 (dredge area delineated in red outline)
- Drawing No 003 “Magheraroarty Admiralty Map” NTS
- Drawing No 004 “ Foreshore Licence Map” at Scale 1:5000 on A3 (with proposed dredge and nourishment areas delineated in red outline)
- Photographs (ref Plates 1-15 in the “Marine Intertidal Survey document)

The above documents were considered as part of this technical review in addition to observations from prescribed bodies (see **Section 2.2** below).

2 TECHNICAL REVIEW: SCREENING FOR EIA

2.1 Legislation and Guidance used in the Technical Review

The purpose of this report is to review and assess on behalf of the Department of Housing, Local Government and Heritage (DHLGH), the content provided by Donegal County Council, and ascertain whether an Environmental Impact Assessment (EIA) is required.

This technical review and assessment have been undertaken regarding the relevant legislation, guidance and departmental circulars.

2.2 Consultation

Observations were received from the following prescribed bodies: Engineering Inspector of the DHLGH, Inland Fisheries Ireland (IFI), the Marine Survey Office, the Environmental Protection Agency (EPA), Marine Institute, the Sea Fisheries Protection Authority (SFPA), Underwater and Archaeology Unit/National Parks and Wildlife Services (NPWS), and the Department of Agriculture, Food and the Marine (DAFM).

Engineering Division of the DHLGH were satisfied that subject to the mitigation and harbour management measures proposed there should be minimal impact to fisheries, navigation or the environment.

The IFI requested that all refuelling of machines and equipment must take place well away from the shoreline, and all fuels, lubricants and hydraulic fuels must be kept in secure bunded areas away from the shoreline. IFI also requested that the local Environmental Officer is informed 5 days in advance of the commencement of works each year.

The Marine Survey Office had no objection to the proposed works in the application referenced in the subject line from a navigational safety perspective. However, a local Marine Notice should be published for the information of all local maritime users detailing the proposed dredging campaign and any associated hazards to navigation arising for the duration of the license period.

The EPA was satisfied that a Dumping at Sea (DAS) Permit for any deliberate disposal of material in the maritime area, under the provisions of the DAS Act 1996 as amended, is not required. The Agency further advised: "That the proposed activity shall not result in a contravention of the Water Framework Directive 2000/60/EC, Habitats Directive 92/43/EEC, Marine Strategy Framework Directive 2008/56/EC, Bathing Water Directive 73/160/EEC or Environmental Liabilities Directive 2004/35/EC".

The Marine institute had no objection to a Foreshore License being granted.

The SFPA confirmed that the application should not cause any issues under its remit.

The Underwater and Archaeology Unit/NPWS had no comment to make on this application.

The DAFM had no objections to this application by Donegal County Council.

No public submissions were received during this consultation.

3 METHODOLOGY

3.1 EIA and Screening of Projects

In accordance with Directive 2011/92/EU, as amended by Directive 2014/52/EU (hereafter, the EIA Directive), projects that are likely to have significant effects on the environment by virtue, inter alia, of their nature, size or location must be subject to an EIA.

Article 4 of the EIA Directive requires that projects listed under Annex I must always have an EIA while projects listed under Annex II shall be subject to an EIA if (i) determined on a case-by-case basis or (ii) they exceed certain thresholds set by each Member State. Thresholds have been set for Annex II projects in Irish legislation, however, projects which do not meet the threshold may still require an EIA if the project is likely to have significant effects on the environment. Annex I and Annex II projects have been transposed into Section 5 (Parts 1 and 2) of the Planning and Development Regulations 2001, as amended.

Section 13A(1)(b)(i) of The Foreshore Act 1933, as amended, requires that an EIA be carried out for all developments of a class specified in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations where the development exceeds the relevant quantity, area or other limit specified in that Part, or where no quantity, area or other limit is specified. Section 13A(1)(b)(ii) of the Foreshore Act states that an EIA shall be carried out when a development is of a class specified in Part 2 of Schedule 5, but does not exceed the relevant threshold (i.e. sub-threshold) and the Minister determines that the proposed development would be likely to have significant effects on the environment. Therefore, it is necessary to examine such projects on a case-by case basis.

In the case of Annex II projects that are determined on a case-by-case basis, or sub-threshold, an EIA screening is required to determine if the project will have significant effects on the environment. Under Article 4(4) the developer (applicant) is required to submit information on the characteristics of the project and its likely significant effects on the environment. The developer may also provide a description of any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment. Subsequently, in accordance with Article 4(5), the Competent Authority is required to make a determination, which shall be made public, that:

1. Where it is decided that an EIA is required, states the main reasons for requiring such assessment with reference to the relevant criteria listed in Annex III of the EIA Directive; or
2. Where it is decided that an EIA is not required, states the main reasons for not requiring such assessment with reference to the relevant criteria listed in Annex III of the EIA Directive, and, where proposed by the developer, states any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

The following section determines whether an EIA is required and whether a determination of significant effects on the environment is required.

3.2 Is a Mandatory EIA Required?

For the purposes of this technical review, it is first necessary to determine if an EIA is required automatically by virtue of the project falling within the list of projects in Annex I of the EIA Directive or above the thresholds for Annex II projects. **Table 3-1** provides the EIA checklist against the requirements of Annex I and Annex II.

Table 3-1 EIA Checklist against Annex I and Annex II

No.	Question	Response
1	Is the project listed on Annex I of the EIA Directive? Yes = EIA required No = Go to next question	No.
2	Is the project listed on Annex II of the EIA Directive? Yes = EIA may be required. Further assessment necessary. No = The project is either: Exempt from EIA; or Considered on a case-by-case basis.	<p>Maintenance dredging appears to be exempted development under Schedule 2, Part 1 Class 24(b), and is not within any class of development referred to in either Parts 1 or 2 of the 5th Schedule to the Planning and Development Regulations, 2001 (as amended), in relation to developments requiring EIA. However, Section 4(4) of the Planning and Development Act 2000 (as amended) states:</p> <p><i>4(4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.</i></p> <p>The current dredging project requires an appropriate assessment, therefore, on a precautionary basis, it has not been treated as an exempted development and has been considered on a case-by-case basis to determine whether there are likely to be significant effects on the environment, and therefore whether an EIA is required.</p>

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Table 3.2 EIA Directive Annex II Checklist

Screening Questions	Has the information been submitted by the applicant? (Yes / No – Why?)
3. A description of the project, including in particular	
(a) a description of the physical characteristics of the whole project and, where relevant, of demolition works.	Yes, this information has been submitted. A description of the physical characteristics of the project (both dredging and beach nourishment) is detailed in Section 3.0 'Methodology' of the document 'Shore Based Dredging and Beach Nourishment at Magheraroarty Harbour Details & Methodology' dated January 2021.
(b) a description of the location of the project, with particular regard to the environmental sensitivity of geographical areas likely to be affected.	Yes, this information has been provided. The location of the project is illustrated in Drawing No 001 'Magheraroarty Harbour Location Map' at scale 1:20000 on A3 2) and environmental sensitivities including European sites, are described in Sections 4.0 and 5.0 of the Screening for Appropriate Assessment and Section 3.0 of the NIS.
A description of the aspects of the environment likely to be significantly affected by the project	
(a) a description of the aspects and their significance.	Yes. Detailed information about the receiving environment is provided in Chapter 5 of the NIS, informed by walkover surveys carried out by Greentrack Consultants between February and March 2020 and a marine intertidal survey carried out by Ecofact Consultants in June 2020. A desk study by Greentrack provides a description of the hydrology and sediment transport at the project site.
A description of any likely significant effects, to the extent of the information available on such effects, of the project on the environment resulting from:	
(a) the expected residues and emissions and the production of waste, where relevant;	<p>Yes, Section 4 of the NIS provides sediment characterisation results from analysis carried out by Aquafact in February 2020. The Aquafact report is also provided. These results show that three locations sampled within the dredge area were classified as 'brown clean sand' and were below the lower action limits for metals, organochlorines, total extractable hydrocarbons, organotin and Sigma 16 Polycyclic Aromatic Hydrocarbons (PAHs). As such, it can be concluded that the sediment to be dredged is uncontaminated.</p> <p>While not outlined as a particular significant effect, the project description states that all plant will be checked and monitored for leakage of oil-based substances and that all refuelling will be carried out in the car park adjacent to the beach with spill kits available.</p>
(b) the use of natural resources, in particular soil, land, water and biodiversity.	Yes. The 'Details & Methodology' document and Section 4 of the NIS adequately describe the use of natural resources. Marine sediment (clean brown sand) will be removed from the seabed adjacent to Magheraroarty Harbour and placed onto an eroded section of Dooley Strand. Fuel will be used by the excavators and dump trucks.

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Screening Questions

Has the information been submitted by the applicant? (Yes / No – Why?)

The criteria of Annex III shall be taken into account, where relevant, when compiling the information in accordance with points 1 to 3.

Have the criteria of Annex III been fully considered? Yes. Refer to the following section for details.

Table 3.3 EIA Directive Annex III Checklist: Characteristics of the Proposed Project

Screening Questions	Summary	Is this likely to result in a significant impact? (Yes / No – Why?)
The characteristics of projects must be considered, with particular regard to:		
(a) the size and design of the whole project;	The size and design of the whole project is outlined in several documents including the 'Details & Methodology' document, the application form and the NIS. An area of 0.62 ha is to be dredged to maintain a navigable depth of -2.5 Chart Datum. A maximum of 20,000 tonnes of sediment will be removed annually. The sediment will be transported to Dooley Strand and spread evenly over an area of 12.7 ha to a height of no more than 200mm.	No, it is unlikely there will be any significant impact due to the size and design of the project.
(b) cumulation with other existing development and/or approved projects;	Cumulative impacts are addressed in Section 6.2 of the AA Screening report.	No, cumulative impacts are not expected.
(c) the use of natural resources, in particular land, soil, water and biodiversity,	Due to the nature of the dredging works, sediment will be removed from the seabed and spread evenly onto the intertidal area that has experienced erosion due to wind and wave action and longshore drift on Dooley Strand.	No, the use of natural resources in this case is unlikely to lead to a significant effect as the sediment being removed will be kept within the same coastal system.
(d) the production of waste;	No waste production is anticipated. Sediment excavated will be reused for beach nourishment within the same coastal system.	No, due to the nature and scale of works no significant impacts due to waste are expected.

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Screening Questions	Summary	Is this likely to result in a significant impact? (Yes / No – Why?)
(e) pollution and nuisances;	<p>Noise nuisance is discussed in Table 7.1 “<i>Mitigation Measures</i>” of the NIS report. It is noted that mobile plant used at the site must have noise emission levels that comply with the EC Directive 86/662/EEC and subsequent amendments. Mufflers will be applied to all machinery and machinery used intermittently must be shut down when not in use to minimise noise levels.</p> <p>Sediment samples from the area to be dredged have been analysed for contaminants and found to be below the Irish lower Action Levels 1 (AL) for metals, organochlorines, total extractable hydrocarbons, organotin and Sigma 16 Polycyclic Aromatic Hydrocarbons (PAHs).</p> <p>The project description states that all plant will be checked and monitored for leakage of oil-based substances and that all refuelling will be carried out in the car park adjacent to the beach with spill kits available.</p>	<p>No, the material to be dredged has been analysed and found to be uncontaminated, therefore significant impacts of this nature are not expected. With adherence to mitigation measures as outlined, significant effects from noise and fuel/oil pollution are unlikely.</p>
(f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;	<p>The risk of major accidents relevant to the project is not addressed, however, due to the small-scale nature, temporary duration and location of the project, there is unlikely to a risk of major accidents or disasters.</p>	<p>No. An accidental pollution event is possible; however, fuel management measures will be put in place to ensure no significant effects will occur. It is unlikely that a major disaster would lead to significant impacts as a result of the project, due to its temporary and limited nature.</p>
(g) the risks to human health (for example, due to water contamination or air pollution).	<p>The applicant’s ‘Details & Methodology’ document outlines measures included in the project description intended to safeguard members of the public using the beach. These measures include cordoning off the entire work area, signage to notify public and sentries will patrol the beach. Sediments to be dredged and deposited on the beach have been analysed and found to be uncontaminated, therefore, it is highly unlikely that contaminants will be released into bathing water. Given the limited number of plant to be used (2 excavators and dump trucks), air pollution beyond typical background levels is not expected.</p>	<p>No. An accidental pollution event is possible; however, fuel management measures will be put in place to ensure no significant effects will occur.</p>

Table 3.4 EIA Directive Annex III Checklist: Location of the Proposed Project

Screening Questions	Summary	Is this likely to result in a significant impact? (Yes / No – Why?)
The environmental sensitivity of geographical areas likely to be affected by projects, with particular regard to:		
(a) the existing and approved land use;	The existing and approved land use for the dredging location is Magheraroarty Harbour. The beach nourishment site is an intertidal area of Dooley Strand.	No, it is unlikely there will be any significant impacts from the proposed project with regards to existing land use.
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;	Sediment will be removed from the seabed, leading to a temporary loss of intertidal sand habitat, however, the benthic survey determined that there was limited biodiversity both at the dredging area by the pier and on the shore at the proposed nourishment area. As a result, it is considered that sediments at the dredge site will recover quickly.	No, it is unlikely there will be any significant impacts.
(c) the absorption capacity of the natural environment, paying particular attention to the following areas: (i) wetlands, riparian areas, river mouths; (ii) coastal zones and the marine environment; (iii) mountain and forest areas; (iv) nature reserves and parks; (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC; (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure; (vii) densely populated areas; (viii) landscapes and sites of historical, cultural or archaeological significance.	Items (i), (iii), (vi), (vii) and (viii) are not relevant to the proposed project. Items (ii), (iv) and (v) are relevant. The project will be conducted within coastal zones and the marine environment. The baseline environment is described in terms of geology, bathymetry, sediments and benthic ecology in the NIS Section 5 (5.3 – 5.6). Likely significant effects to European sites are assessed in applicant’s AA Screening (2019 and 2020 within the NIS). Likely significant effects could not be excluded for habitat qualifying interests of Ballyness Bay SAC (001090), and therefore this site was brought forward to Stage 2 Appropriate Assessment (AA) to ascertain whether or not there will be an adverse effect on the integrity of the site.	No, with the implementation of appropriate mitigation measures, it is unlikely there will be any significant impacts from an EIA perspective to the coastal/marine environment or European sites. Effects on European sites are fully considered in the accompanying Screening for AA and AA Technical Review reports.

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Table 3.5 EIA Directive Annex III Checklist: Types and Characteristics of Potential Impacts

Screening Questions	Art. 3(1) Factors Assessed? Yes/ No	Art. 3(1) Factors ^{Note 1} Comment
<p>The likely significant effects on the environment of projects must be considered in relation to criteria set out under paragraphs 1 and 2 (of Annex III), with regard to the impact of the project on the factors specified in Article 3(1), taking into account</p>		
(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);	Yes	<p>The geographical areas where sediment is to be dredged and deposited are clearly displayed in Drawing No 200a Rev 1 and Drawing No 004. The extent of the dredge area is given in multiple application documents as 0.62ha and the beach nourishment area as 12.7 ha. While the magnitude of impacts is not explicitly assessed in the application documents, enough information is provided to determine the magnitude of potential impacts.</p>
(b) the nature of the impact;	Yes	<p>While all Article 3(1) factors are not assessed within the documents provided by the applicant, sufficient information has been provided to determine that there will be no likely significant effects in relation to these factors with the implementation of mitigation measures, where necessary.</p> <p>Biodiversity impacts are assessed within the Screening for AA and NIS section 6; this focuses on potential impacts to the integrity of European sites. It is concluded in the accompanying Screening for AA and AA Technical Review that, in the absence of mitigation, the following significant effects are likely:</p> <ul style="list-style-type: none"> • Mechanical erosion of mudflat and sandflat habitat, • Changes to sand dune morphology. <p>With the implementation of mitigation measures, including careful route planning for movement of trucks across the beach, use of low-profile tyres to reduce the pressure on the habitat underneath) and careful consideration of placement of the beach nourishment material there will be no likely significant effects in relation to the factors specified in Article 3(1).</p> <p>Although it is possible that there could be water quality impacts due to increased suspended solids or an accidental oil spill, the project design ensures that no water quality impacts will occur. Similarly, the potential for noise impacts is reduced due to project design measures including use of mufflers and noise management as part of the project design.</p>
(c) the transboundary nature of the impact;	Yes	<p>Transboundary impacts are not expected.</p> <p>The likely nature and footprint of effects described above are regarded to be localised in extent, minor in a regional context, and are not regarded to pose a risk of transboundary effects to UK waters.</p>

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Screening Questions	Art. 3(1) Factors Assessed? Yes/ No	Comment
(d) the intensity and complexity of the impact;	Yes	No direct details on the intensity or complexity of the project, but from Section 1 (1.1.1) of the NIS report the project description details the size of the project, volume of sand (up to a maximum of 20,000 tonnes per year) to be removed from the harbour and duration of works, Methodology (Method Statement) –ref Section 3.0 of Application Document dated Jan 2021 refers to the methods during the project.
(e) the probability of the impact;	Yes	Based on the information provided on the nature and duration of the project, it is not considered that there is a probability of any significant impact in relation to the factors specified in Article 3(1).
(f) the expected onset, duration, frequency and reversibility of the impact;	Yes	<p>The application documents state that the proposed project is for annual dredging of Magheraroarty Harbour for a further 5 years, with dredging occurring during the equinoctial Spring Tides in March/April and deposited back on Dooley Strand as beach nourishment. The work is carried out during low tide over 5-6-day period.</p> <p>Impacts to biodiversity in the form of habitat loss and alteration and species disturbance are considered temporary and reversible.</p> <p>With appropriate mitigation in place to protect material assets and biodiversity there will be no likely significant effects in relation to the factors specified in Article 3(1).</p>
(g) the cumulation of the impact with the impact of other existing and/or approved projects;	Yes	Cumulative impacts are addressed in section 6.2 of the NIS. It is not anticipated that there will be any cumulative impacts.
(h) the possibility of effectively reducing the impact.	Yes	Mitigation measures have been outlined in Table 7.1 of the NIS, which will avoid or reduce impacts to Article 3(1) factors, therefore no significant impacts are expected to occur.

Note 1: The Article 3(1) factors are as follows:

- Population and Human Health;
- Biodiversity;
- Land, Soil, Water, Air & Climate;
- Material Assets, Cultural Heritage and Landscape; and

The interaction between the factors above.

4 CONCLUSIONS AND RECOMENDATIONS

All documents submitted by the applicants were considered in this review (see Section 1.2).

Having regard to the scale and nature of the project, the mitigation measures to be implemented and based on a considered assessment taking account of the available information, the overall probability of significant impacts on the receiving environment arising from the project is considered to be low.

It is the opinion of RPS that sufficient evidence has been provided in the application documentation and it can be determined that the project will have no likely significant effects on the environment. Therefore, an EIA of the project is not required. This conclusion has been made by reference to the Annex II and Annex III criteria as set out in the EIA Directive.

It is noted that formal determination of whether an EIA is required will be made by the Minister for the DHLGH. The determination will not be prejudiced by this review.

4.1 Recommendations

4.1.1 Recommended Licence Conditions

1. The Licensee shall use that part of the Foreshore the subject matter of this licence for the purposes as outlined in the application and for no other purposes whatsoever.
2. The Licensee shall notify the Department of the Housing Local Government and Heritage at least 14 days in advance of the commencement of the works on the foreshore.
3. The Licensee shall carry out the works in conformance to the "Methodology" as outlined in Section 3.0 of the Application Document dated January 2021 unless otherwise varied or directed by other condition in this Licence.
4. This licence permits the dredging of a maximum of 20000 tonnes annually, for a period of 5-years, from 2021 to 2025, of dredged spoil from Magheraroarty Harbour using a rubber tyred or tracked excavator.
5. During the works the working area shall be secured from unauthorised public access or encroachment by means of suitable barriers and signage and the applicant shall comply with all relevant safety legislation in this regard.
6. During the works public access onto and along the adjacent foreshore shall be maintained.
7. No refuelling of equipment, machinery or plant shall take place on the foreshore.
8. No storage of machinery or plant shall take place on the foreshore.
9. Appropriate methods of operation shall be adopted to ensure that no spillages of fuel or other leakages occur during the works.
10. During the works the Applicants shall ensure that:
 - (a) All necessary precautions are put in place to protect the public in accordance with relevant Health and Safety Legislation.
 - (b) Existing public access arrangements to the general foreshore area are not impeded by any vessels, plant or materials used in connection with the dredging and beach nourishment operations, and where relevant this access should be made safe and guaranteed by the provision of appropriate signage/notices/barriers etc. to the satisfaction of the Department of Housing Local Government and Heritage
 - (c) Procedures are adopted to ensure that the dredging and beach nourishment operations are not injurious to fishing, navigation, adjacent lands or the public interests.
11. Where applicable, the Licensee shall furnish the names/registered number of all vessels involved in the operation to the Marine Survey Office Department of Transport Tourism and Sport in Dublin to ensure compliance with respect to Irish Load line and other relevant vessel certification.

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12. The Licensee shall arrange the publication of a Marine Notice through the Maritime Safety Directorate Department of Transport Tourism and Sport Leeson Lane Dublin 2, giving general description of operations and approximate dates of commencement and completion.
13. The Licensee shall notify the local Environment Officer for Inland Fisheries Ireland five days in advance of the commencement of works every year.
14. The Licensee shall keep and maintain, for inspection on demand by the Minister, records of all dredging operations, including quantities of material dredged and placed at the agreed site on Dooley Strand. These records shall be produced by the Licensee on demand by the Minister and in any event not later than 24 hours from the making of that demand.
15. The Licensee shall ensure that the material is spread evenly and as thinly as possible at the agreed site on Dooley Strand and in any event spread at a depth of less than 100 mm with well graded sides. Signage explaining the activity shall be provided and additional safety signage shall be erected while work is ongoing.
16. A beach survey shall be undertaken prior to the dumping operation and a post dumping survey should be undertaken two months after dumping has ceased in order to determine the fate of the material. The beach should be surveyed in cross sections at regular distances to the satisfaction of DHLGH. Should the fate of material be such that the location of deposition needs to be altered the next year then the beach should be resurveyed at bi-monthly intervals post dumping, continuing for 6 months' post dredging, which can be reduced in time subject to the agreement of DHLGH if the fate of the deposition material is clearly re-established.
17. The Licensee shall ensure that the proposed Mitigation Measures as set out in Table 7.1 of the "Natura Impact Statement" dated December 2020, are implemented in full.
18. The following biosecurity measures are proposed:
 - a. All equipment intended for use at the site shall be clean, dry and free from debris prior to being brought to the site
 - b. If drying is not feasible: either power steam washed at a temperature of a minimum of 65°C or disinfected with an approved disinfectant (e.g. iodine based) correctly following all the manufacturers' instructions.
 - c. If equipment is moved off site during the project to be used on a different location/project the equipment is to be cleaned and disinfected prior to its reuse.
19. Members of the public shall be protected at all times during the course of the works and the Licensee shall give due consideration, if necessary, to closing the pier during the course of dredging operation.
20. The continued operation of the Tory Island Ferry service shall not be compromised during the dredging campaign at the Harbour and appropriate measures shall be adopted in order to allow for its continued safe operation during the works.
21. The Dredging and beach nourishment operations shall be undertaken within the months of March and April for each year for which this Licence remains valid except for the initial year (2021) for which a later date in that year may be allowed subject to advance notice of at least 3 weeks being provided to the Licensor to allow for subsequent consideration, agreement and approval in this regard.