

[REDACTED]
Foreshore Unit,
Department of Housing, Local Government and Heritage,
Newtown Road,
Co. Wexford
28/09/2021

Environmental Report and Statutory Declarations

Re: Foreshore Licence Application for the maintenance dredging within the commercial estuary of the River Boyne and disposal of material at sea. FS007028.

Applicant: Drogheda Port Company

I have reviewed the application and all the environmental documents associated with the Foreshore Application FS007028 by Drogheda Port Company for the maintenance dredging within the commercial estuary of the River Boyne and disposal of material at sea. My comments on, and recommendations for, this application are as follows:

Independent Environmental Consultant (IEC): The Department engaged **Ove Arup & Partners Ireland Ltd** as an IEC to provide assistance with regard to the statutory and non-statutory environmental assessments of this Foreshore Licence application. The IEC has conducted independent assessments of the information provided by the Applicant, having regard to the Habitats Directive, EIA Directive, and the public and prescribed bodies' consultations.

Environmental Impact Assessment Regulations: The proposed project does not fall within the classes defined under Annex I or Annex II of the EIA Directive. However the Consent Authority (DHLGH) must complete an EIA Pre-Screening Declaration as part of their obligations under the EIA Directive, this declaration document is attached.

Article 6(3) of Directive (92/43/EEC) (as amended) (Habitats Directive): Following a review of the proposed project, the IEC assessed and endorsed the applicant's **Appropriate Assessment Screening and Appropriate Assessment** which concluded that likely significant effects could not be ruled out for a number of SACs that lie within the Zone of Influence. Therefore a Stage 2 Appropriate Assessment was required.

Having considered the application by Drogheda Port Company and the IEC's for Appropriate Assessment Screening and Appropriate Assessment Report I agree with and accept the Screening for Appropriate Assessment and its conclusions. Please find attached my signed Recommending Officer's **Screening for Appropriate Assessment Determination**, this requires the signature of the Minister as part of the decision-makers obligations under the Habitats Directive.

As a result of the outcome of the Screening for Appropriate Assessment, the IEC carried out a review of the applicant's **Stage 2 Appropriate Assessment**. Mitigation measures for the impacts of pollution were considered. The measures identified are appropriate mitigation to avoid significant effects on the conservation objectives of Natura 2000 sites within the Zone of Influence.

Appropriate Assessment Conclusions and Determination - The IEC concludes that the proposed development, individually or in-combination with other plans or projects, will not adversely affect the integrity of European sites, in view of the said sites' conservation objectives.

Having considered the application by Drogheda Port Company, the submissions from the public and prescribed bodies' consultations and the IEC's Appropriate Assessment Screening and Appropriate Assessment Report dated May 2021, I agree with and accept the Appropriate Assessment Determination. Please find attached my signed Recommending Officer's **Appropriate Assessment**

Conclusions and Determination, this requires the signature of the Minister as part of the decision-makers obligations under the Habitats Directive.

Under the Habitats Directive 92/43/EEC those **species** listed in **Annex IV** require strict protection wherever they occur. I agree with and adopt the IEC's conclusion that this project will not give rise to significant impacts to Annex IV species.

Request for Further Information

No requests for further information was made during the decision making process.

Conclusion/recommendations:

Having considered the information submitted in support of the application, I have no objection to the granting of a Section 3 Licence subject to the following conditions:

1. Mitigation measures as outlined in Section 6 of the Natura Impact Statement shall be strictly adhered to.

Signature and Date of Recommending Officer



8th September 2021