

## **Marine Advisor's Environmental Assessment and Determinations Report**

Hi Jessica,

I reviewed the application and all the environmental documents associated with the Foreshore Application FS006970 for the dredging at the pier in Glengarriff, Co. Cork

Please find attached the AA Conclusion Statement which are part of the Department's Statutory Obligations. My comments are as follows:

***Environmental Impact Assessment (EIA) Regulations:*** The proposed project does not fall within the classes defined under Annex I or Annex II of the EIA Directive. I refer you to my Environmental Report with Statutory Declarations Report of the 24<sup>th</sup> of May 2022 which contains the **Examination for EIA**. This examination is required to be carried out by the Consent Authority (DHLGH) as part of their obligations under the EIA Directive.

***Article 6(3) of Directive (92/43/EEC) (as amended) (Habitats Directive):*** I refer you to my Environmental Report with Statutory Declarations Report of the 24<sup>th</sup> of May 2022 where the Department's Environment Marine Advisor agreed with and accepted the IEC's conclusion that the risk of likely significant effects on European sites as a result of the proposed project, either individually or in combination with other plans or projects, could not be excluded. Therefore a stage 2 Appropriate Assessment was required.

The IEC completed an Appropriate Assessment and identified the mitigation measures required to ensure that the proposed project, either individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site. I agree with and accept the IEC's Appropriate Assessment Report and its recommendations. My Appropriate Assessment Conclusion Statement is attached.

***Article 12 of Directive (92/43/EEC) (as amended) (Habitats Directive):*** Risk Assessment for Annex IV species likely to occur in Irish waters was carried out by the applicant and reviewed by the IEC. Assessment determined that as a result of the underwater noise generated during the project injury or death to cetaceans could not be ruled out. Disturbance to otters was also identified as a risk as a result of the proposed works. Mitigation measures were identified in the NIS and with strict implementation of these measures there is no risk injury to these species and no risk of destruction of the breeding or resting sites of otters. I agree with and accept this report.

### ***Conclusion/recommendations:***

Having considered the information submitted in support of the application, I have no objection to the granting of this application subject to the following condition:

1. There is strict adherence to the mitigation measures set out in section 6 of the Natura Impact Statement (December 2020).
2. Strict adherence to the *Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters* (DHAG 2014).
3. Strict adherence to *Guidelines for Treatment of Otters Prior to the Construction of National Road Schemes*. (NRA 2008).
4. The licensee shall ensure that vessels used in the survey vessels are free of invasive marine species on their hulls and in their ballast water. Method statement to that effect should be submitted to the competent authority.