

Notice of Ministerial consideration and determination of the requirement for an Environmental Impact Assessment Report (EIAR) in respect of a Foreshore Licence application by Donegal County Council for the repair and refurbishment of the viaduct and pierhead in Rathmullan Pier, Rathmullan, Co. Donegal FC.15.30

I, Charlie McConaglogue, Minister for Agriculture, Food and the Marine in accordance with the provisions of the Foreshore Act 1933 (as amended) have considered whether the Foreshore License application listed above proposed for the repair and refurbishment of the viaduct and pierhead in Rathmullan Pier, Co. Donegal is likely to have significant effects on the environment and would require the submission of an Environmental Impact Assessment Report.

I have considered the application and determined that it is not likely to have significant effects on the environment and that an EIAR is not required in relation to the application listed therein.

REASONS AND CONSIDERATIONS

Having regard to the provisions of:

- i. The Foreshore Act 1933 (as amended)
- ii. EIA Directives (codified by Council Directive 2011/92/EU and amended by Council Directive 2014/52/EU);
- iii. The criteria specified in Annex III of Directive 2011/92/EU;
- iv. The guidance contained in the European Commission document entitled "Guidance on EIA Screening"- June 2001 and the "Interpretation of definitions of project categories of Annex I and Annex II of the EIA Directive" -2015.

And having regard to the report and recommendations of the Department's Screening Group with particular regard to:

- a) The nature and scale of the proposed Foreshore activity which would take place within the area described in the application.
- b) The limited magnitude and extent of the direct impacts arising from the proposed Foreshore activity.
- c) The absence of any protected structures or recorded monuments in the area of the proposed Foreshore activity.
- d) The population density of the surrounding area.
- e) The minor risk of accidents occurring as a result of the proposed Foreshore activity.
- f) The project is in two Natura 2000 sites: Lough Swilly SAC (002287) and Lough Swilly SPA (004075).

It is considered that the proposed Foreshore activities listed above are not likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not required.

Charlie McConaglogue TD

Minister for Agriculture, Food and the Marine

