



## FÓGRA POIBLÍ

### IARRATAS AR CHEADÚNAS IMEALL TRÁ AGUS CUIREADH LE HAGHAIDH AIGHNEACHTAÍ POIBLÍ NÓ TUAIRIMÍ MAIDIR LE MEASÚNACHT CHUÍ

D'iarr Comhairle Contae Dhún na nGall ar an Aire Talmhaíochta, Bia agus Mara Ceadúnas Imeall Trá a thabhairt faoi Alt 3 den Acht Imeall Trágha, 1933, arna leasú, chun críocha limistéir imeall trá a áitiú chun pontún a sholáthar le taobh na cé sa Bhun Beag, Co Dhún na nGall.

#### Comhairliúchán Poiblí – Ceadúnas Imeall Trá

Tugtar fógra leis seo maidir le hiarratas ar Cheadúnas Imeall Trá faoin Acht Imeall Trágha 1933, arna leasú chun críocha limistéir imeall trá a áitiú chun pontún a sholáthar le taobh na cé sa Bhun Beag, Co Dhún na nGall.

I ndáil leis sin, cuirtear fáilte roimh aighneachtaí poiblí ar na hiarratais bheartaithe.

#### Cuireadh le haghaidh Aighneachtaí Poiblí nó Tuairimí maidir le Measúnacht Chuí

Tugtar fógra leis seo i gcomhréir le Rialachán 42 de I.R. 477/2011 – Rialachán na gComhphobal Eorpach (Éin agus Gnáthóga Nádúrtha), 2011, arna leasú, gur chinn an tAire Talmhaíochta, Bia agus Mara, le linn dó breithniú a dhéanamh at iarratas ar Cheadúnas Imeall Trá faoin Acht Imeall Trágha 1933, arna leasú, agus ar cibé an mbeadh nó nach mbeadh tionchar suntasach ag an tionscadal ar láithreán Eorpach go háirithe, go bhfuil gá le Measúnacht Chuí.

Tá cóip den Scagadh le haghaidh Measúnachta Cuí ar fáil ag:

<https://www.gov.ie/en/collection/24edb-aquacultureforeshore-licence-applications-donegal/#anBunBeag>

Agus breithniú á dhéanamh aige ar an ábhar seo, thug an tAire aird ar na nithe seo a leanas:

1. An t-iarratas ar Cheadúnas Imeall Trá agus an doiciméadacht atá i gceangal leis.
2. An Scagadh le haghaidh Measúnachta Cuí arna ullmhú ag Foras na Mara.
3. An fhaisnéis uile ábhartha eile a cuireadh isteach i dtaca leis an iarratas sin.

Déanfaidh an tAire cinneadh i dtaobh an ndéanfadh nó nach ndéanfadh an tionscadal atá beartaithe dochar do shláine láithreáin Eorpaigh i gcomhréir le Rialachán 42(11) de Rialachán na gComhphobal Eorpach (Éin agus Gnáthóga Nádúrtha), 2011, arna leasú, agus, ar an dóigh sin, beidh aird aige ar na hábhair a bhaineann le Rialachán 42(12).

I ndáil leis seo, i gcomhréir le Rialachán 42(13), d'fhéadfadh aon duine aighneacht a dhéanamh chuig an Aire nó tuairim a thabhairt dó maidir leis an tionscadal atá beartaithe laistigh de 30 lá ó dháta an Fhógra seo. Tabharfaidh an tAire sin aird ar aon aighneachtaí a gheofar le linn an chomhairliúcháin poiblí.

Beidh cóip den iarratas agus doiciméadacht ábhartha eile ar fáil lena n-íniúchadh ar feadh 30 lá, idir 12/10/2023 agus 11/11/2023, saor in aisce ag:

- **Stáisiún Gardaí Stáisiún Gardaí an Bhuna Bhig** – ar Oscailt ó 10am go 2pm.
- **Stáisiún Gardaí an Bhuna Bhig Bhaile na nGallóglach** – ar Oscailt 24 uair an chloig.

Tá an doiciméadacht agus an fhaisnéis ar fáil freisin ar shuíomh gréasáin na Roinne ag:

<https://www.gov.ie/en/collection/24edb-aquacultureforeshore-licence-applications-donegal/#anBunBeag>

Ní mór do dhaoine den phobal ar mian leo aighneacht a dhéanamh nó tuairim a thabhairt i scríbhinn i dtaca leis an tionscadal atá beartaithe é sin a dhéanamh laistigh de 30 lá ó dháta an Fhógra seo chuig an Aire Talmhaíochta, Bia agus Mara, an Rannán um Bainistíocht Dobharshaothraithe agus Imeall Trá, an tIonad Náisiúnta Bia Mara, An Cloichín, Cloich na Coillte, Co Corcaigh, P85 TX47 nó chuig [apc@agriculture.gov.ie](mailto:apc@agriculture.gov.ie). Ní mór ainm agus seoladh an duine a bhfuil an aighneacht á dhéanamh acu a bheith ar aighneacht bhaill.

Bíodh seo ina fhógra go bhfoillseofar an t-ábhar a mbeidh aird ag an Aire air agus cinneadh á dhéanamh aige ar shuíomh gréasáin na Roinne.

#### Nós Imeachta Athbhreithnithe

Tá nós imeachta athbhreithnithe ar fáil os comhair na hArd-Chúirte ina bhféadfar dlíthiúlacht shubstainteach nó dlíthiúlacht ghnásúil chinneadh an Aire maidir le Scagadh le haghaidh Measúnachta Cuí ar an iarratas Imeall Trá a agóid. Tá feidhmiú an nós imeachta athbhreithnithe faoi rialú ag Ordú 84 de Rialacha na nUaschúirteanna, 1986 (IR 15 de 1986). Ní mór do dhuine ar mian leo leas a bhaint as an nós imeachta athbhreithnithe (i) ráiteas ar na forais; agus (ii) mionscríbhinn fhíoraithe, a chomhdú i bPríomh-Oifig na hArd-Chúirte ar dtús. Tá sé riachtanach ansin iarratas a dhéanamh ar chead chun iarratas a dhéanamh chun na hArd-Chúirte.

Déanfar iarratas ar chead chun iarratas a dhéanamh ar Athbhreithniú Breithiúnach laistigh de thrí mhí ó dháta eascartha foras don iarratas a chéaduaire faoi Alt 21(1) d'Ordú 84 de Rialacha na nUaschúirteanna arna leasú le IR 691 de 2011. Tosófar an teorainn ama le haghaidh athbhreithniú den sórt sin ó Dháta Foilsithe an Fhógra seo. Is féidir faisnéis phraiticiúil ar shásra athbhreithnithe a fháil ón suíomh gréasáin um Fhaisnéis do Shaoránaigh ag [citizensinformation.ie](http://citizensinformation.ie)

Foilsithe 12/10/2023.

## PUBLIC NOTICE

### APPLICATION FOR A FORESHORE LICENCE AND INVITATION FOR PUBLIC SUBMISSIONS OR OBSERVATIONS ON APPROPRIATE ASSESSMENT

Donegal County Council has applied to the Minister for Agriculture, Food and the Marine for a Foreshore Licence under Section 3 of the Foreshore Act 1933, as amended, for the purposes of occupying an area of foreshore to provide pontoons along the pier at Bunbeg, Co Donegal.

#### Public Consultation – Foreshore Licence

Notice is hereby given for a Foreshore Licence application under the Foreshore Act 1933, as amended for the purposes of occupying an area of foreshore to provide pontoons along the pier at Bunbeg, Co Donegal.

In this regard, public submissions are invited on the proposed applications.

#### Invitation for Public Submissions or Observations on Appropriate Assessment

Notice is hereby given in accordance with Regulation 42 of SI 477/2011 – European Communities (Birds and Natural Habitats) Regulations 2011, as amended, that the Minister for Agriculture, Food and the Marine in considering an application a Foreshore Licence under the Foreshore Act 1933, as amended, and in particular whether or not the project would have a significant impact on a European Site, has determined that an Appropriate Assessment is required.

A copy of the Screening for Appropriate Assessment decision is available at:

<https://www.gov.ie/en/collection/24edb-aquacultureforeshore-licence-applications-donegal/#Bunbeg>

In considering this matter, the Minister had regard to the following:

1. The application for a Foreshore Licence and the documentation appended thereto.
2. The Screening for Appropriate Assessment prepared by the Marine Institute.
3. All other relevant information submitted in relation to this application.

The Minister will make a determination as to whether or not the proposed project would adversely affect the integrity of a European site in accordance with Regulation 42(11) of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, and, in doing so, shall have regard to the matters in Regulation 42(12).

In this regard, in accordance with Regulation 42(13), any person may make a submission or observation to the Minister concerning the proposed project within 30 days of the date of this Notice. This Minister shall have regard to any submissions received during the public consultation.

A copy of the application and other relevant documentation are available for inspection for 30 days, between 12/10/2023 and 11/11/2023, free of charge at:

- **Bunbeg Garda Station** – Open 10am to 2pm.
- **Milford Garda Station** – Open 24 Hours.

The documentation and information is also available on the Department's website at:

<https://www.gov.ie/en/collection/24edb-aquacultureforeshore-licence-applications-donegal/#Bunbeg>

Members of the public who wish to make a submission or observation in writing concerning the proposed project may do so within 30 days of the date of this Notice to the Minister for Agriculture, Food and the Marine, Aquaculture and Foreshore Management Division, National Seafood Centre, Clogheen, Clonakilty, Co. Cork, P85 TX47 or [apc@agriculture.gov.ie](mailto:apc@agriculture.gov.ie). A valid submission must contain the name and address of the person making the submission.

Take notice that material to which the Minister shall have regard in making a determination will be published on the Department's website.

#### Review Procedure

A review procedure is available before the High Court whereby the substantive or procedural legality of the Minister's Screening for Appropriate Assessment determination of the Foreshore Application may be challenged. The review procedure is governed by Order 84 of the Rules of the Superior Courts, 1986 (SI 15 of 1986). A person wishing to avail of the review procedure must first file (i) a statement of grounds; and (ii) a verifying affidavit, in the Central Office of the High Court. It is then necessary to make an application for leave to apply to the High Court.

An application for leave to apply for Judicial Review shall be made within three months from the date when grounds for the application first arose under Section 21(1) of the Order 84 of the Rules of the Superior Court as amended by SI 691 of 2011. The time limit for such review commences from the Date of Publication of this Notice. Practical information on the review mechanism can be obtained from the Citizen's Information's website at [citizensinformation.ie](http://citizensinformation.ie)

On this 12/10/2023 date of publication.