

This project includes sites T12/359 and T12/363

**Ministerial Determination in relation to EIS requirements for 2
Aquaculture Licence applications for the cultivation of shellfish by
Bell's Isle Seafoods Ltd in Trawbreaga Bay,
Co. Donegal**

I, Michael Creed, Minister for Agriculture, Food and the Marine in accordance with the requirement of Regulation 5(2) of the Aquaculture (Licence Application) Regulations, 1998 have considered whether these Aquaculture Licence applications to culture shellfish are likely to have significant effects on the environment and would require the submission of an Environmental Impact Statement (EIS). Bell's Isle Seafoods Ltd aquaculture licence renewal applications are being treated as a project for Environmental Impact Assessment (EIA) screening purposes.

I have considered the proposed aquaculture activity and determined that it is not likely to have significant effects on the environment and that an EIS is not required in relation to these applications for the reasons outlined below.

REASONS AND CONSIDERATIONS

I had regard to the provisions of:

- i. Regulation 5 of the Aquaculture (Licence Application) Regulations, 1998;
- ii. EIA Directives (codified by Council Directive 2011/92/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
 - i. The Article 6 Assessment of Aquaculture and Fisheries in North Inishowen Coast Special Area of Conservation (SAC), Trawbreaga Bay Special Protection Areas (SPA) (Natura 2000 sites)

and also to the report and recommendations of the Department's Screening Group (attached) with particular reference to:

- a) the nature and scale of the proposed aquaculture activity - the development (1.277 Ha for two sites) is not out of scale relative to the body of coastal water in which it is located

- b) Cumulative visual impact will be of moderate significance (moderate sensitivity coupled with a moderate cumulative magnitude of change – moderate magnitude of change due to the large number of licensed oysters sites in operation along the northern bank of the channel which are also in partial view at low water from the public road (R242)).
- c) the absence of any protected structures or recorded monuments in the area of the proposed aquaculture activity per the Donegal County Development Plan
- d) the low population density of the surrounding area
- e) Visual impact caused by development is slight – moderate sensitivity low magnitude of change - as the sites are some 750m distance from R242 public road/views and partly screened from view by roadside hedging.
- f) the non-use of toxic or hazardous substances as part of the proposed aquaculture activity
- g) the minor risk of accidents occurring as result of the proposed aquaculture activity
- h) the impacts on navigation will be mitigated by appropriate navigational marking
- i) no significant impact on recreational use of the adjoining foreshore
- j) the findings of the Appropriate Assessment in relation to impacts on protected habitats and species.

DATED: 4th April 2017