

## **Ministerial Determination in relation to EIS requirements for 2 applications by Michael Kilbane for Aquaculture Licences for cultivation of shellfish in Achill North, Co Mayo.**

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 the Aquaculture Licence applications to cultivate shellfish are likely to have a significant effect on the environment and would require the submission of an Environmental Impact Statement.

I have considered the proposed aquaculture activities, and determined that they are 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

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

- a) the nature and scale of the proposed aquaculture activities – cultivation of Pacific Oysters and native Oysters using bags and trestles, hardening crates with plastic, holding cradles for transitioning in and out, nursery boxes, bottom bags for growth retarding on 2 sites totalling 11.5 hectares;
- b) the limited magnitude and extent of the direct impacts arising from the proposed aquaculture activities
- c) the absence of any protected structures or recorded monuments in the area of the proposed aquaculture activities
- d) the low population density of the surrounding area
- e) no significant visual impact of the proposed aquaculture activities
- f) the non-use of toxic or hazardous substances as part of the proposed aquaculture activities
- g) the minor risk of accidents occurring as result of the proposed aquaculture activities
- h) the low risk of impacts on navigational safety
- i) no significant impact on recreational use of the adjoining foreshore

8<sup>th</sup> November 2016