

**Notice of Ministerial consideration and determination of the requirement for an Environmental Impact Statement (EIS) in respect of an Aquaculture Licence Renewal application by Murphy's Irish Seafood Ltd, Gearhies, Bantry, Co Cork at Borlin Hatchery, Coomhola River, Derrynafinchin, Bantry, Co Cork.**

**T05/213**

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 application listed above for the cultivation of Atlantic Salmon Smolts at Borlin Hatchery, Coomhola River, Derrynafinchin, Bantry, Co Cork, is likely to have significant effects 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 the application listed therein.

**REASONS AND CONSIDERATIONS**

Having 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 and amended by Council Directive 2014/52/EU);
- iii. The criteria specified in Annex III of Directive 2011/92/EU;
- iv. As the screening for this application commenced before the 16<sup>th</sup> of May, 2017 (date for Member States implementation of the 2014 Directive), it is being carried out in accordance with the provisions of the 2011 Directive;
- v. 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 land 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 aquaculture activity which would take place within the existing land-take and visual envelope of the site.
- b) The limited magnitude and extent of the direct impacts arising from the proposed aquaculture activity.
- c) The absence of any protected structures or recorded monuments in the area of the proposed aquaculture activity.
- d) The low population density of the surrounding area.
- e) The non-use of toxic or hazardous substances as part of the proposed aquaculture activity.

- f) The minor risk of accidents occurring as a result of the proposed aquaculture activity.
- g) The location of the development is adjacent to the Derryclogher Knockboy Bog SAC (Site code 001873). It is 20.7km from Killarney National Park SPA (Site Code 004038) and 24 km from Mullaghanish to Musheramore Mountains SPA (Site Code 004162).

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

5<sup>th</sup> March 2018