

**Ministerial Determination in relation to EIS requirements for an  
Aquaculture Licence application for the cultivation of shellfish by Mr  
Brendan Boyle(T12/461) in Braade Strand, Gweedore 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 this Aquaculture Licence application to culture shellfish is likely to have significant effects on the environment and would require the submission of an Environmental Impact Statement (EIS).

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 this application 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
- v. The Appropriate Assessment of Aquaculture in Gweedore Bay and Islands SAC

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 activity (oysters on bags and trestles on one site covering 4.194ha) is not out of scale relative to the body of coastal water in which it is located
- 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 per the Donegal County Development Plan
- d) the surrounding area is not densely populated
- e) medium visual or landscape impact, this site has very limited visibility from public road R266, viewpoint sensitivity is low
- 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 impact on navigation will be mitigated by appropriate navigational markings on the boundaries of the site
- 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**