



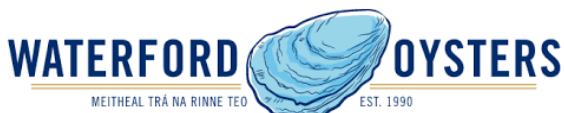
ENVIRONMENTAL BALANCE IN DESIGN AND CONSTRUCTION

MEITHEAL TRÁ NA RINNE TEO.

APPLICATION FOR SUBSTITUTE CONSENT - MEITHEAL TRÁ NA RINNE TEO, DUNGARVAN, CO. WATERFORD

EIA SCREENING ASSESSMENT

OCTOBER 2019



EIA SCREENING ASSESSMENT FOR MEITHEAL TRÁ NA RINNE TEO, DUNGARVAN, CO. WATERFORD

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Abstract: This report comprises an Environmental Impact Assessment Screening of unregulated development at an Oyster Processing Facility at An Rinn, Dungarvan, Co. Waterford. The development comprises coastal defences and extensions to the processing plant consented under planning ref. 92/20.

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1 INTRODUCTION

Fehily Timoney and Company (FT) have been engaged by Meitheal Trá Na Rinne Teo to undertake an Environmental Impact Assessment (EIA) Screening of unregulated development at an Oyster Processing Facility at Móta, An Rinn, Dungarvan, Co. Waterford. This document is intended to support an application for Substitute Consent.

Meitheal Trá Na Rinne Teo are seeking Substitute Consent for the development at their facility comprising coastal defences and extensions to the Oyster Processing Facility. The development is located within the jurisdiction of Waterford City & County Council and consists of works within the facility's yard and at the shoreline of the property.

The facility is long-established in the area operating since the early 1990s. The facility was permitted by Waterford County Council in January 1992 pursuant to planning reference 92/20 for the construction of an Oyster Harvesting Plant. A discharge licence was granted to Meitheal Trá na Rinne Teo (reference number WPW/01/92) in January 1996.

The unregulated development which is the subject of this report includes the following:

- A rock revetment for the protection of the facility's lower yard from coastal erosion;
- A canopy/open ended structure for storage and sheltered loading/unloading of produce; and
- An extension to the facility to accommodate storage, packing and purification area.

Construction of the unregulated developments occurred between 1997 and 2016. It was the subject of an application for retention in 2017 and 2018 but was refused due to the site's proximity to the Dungarvan Bay SPA. The Planning Authority stated the following grounds for refusal:

"The Planning Authority is not satisfied based on the information provided to it, that the impacts associated with the subject development in combination with the other unauthorised development on the Dungarvan Harbour SPA were not and are not significant. Therefore, in accordance with Section 34(12B) of the Planning and Development Act, 2000, as amended, the application is being returned."

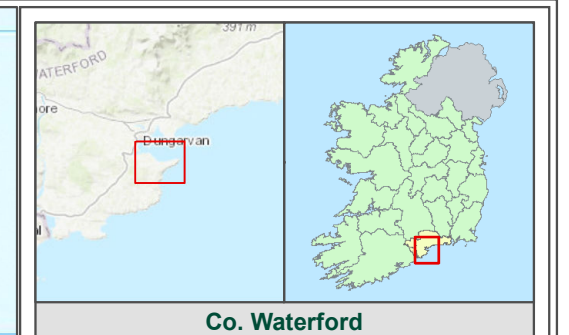
With an aim to regularise all development at the applicant's facility, and due to the requirement of retrospective Appropriate Assessment, the applicant submitted an application for leave to apply for Substitute Consent, which was granted 17th July 2019 (ABP-303535-19).

Further to the requirement of Appropriate Assessment, the An Bord Pleanála Inspector's Report for the application for leave to apply for Substitute Consent states the following:

"I am of the opinion that the likelihood of significant effects on the environment cannot be excluded by the Board and that an environmental impact assessment or determination as to whether an environmental impact assessment is required, is necessary in this case for all areas seeking retention. The Board's determination must be confined solely to the retention elements of the development."

In light of the Inspector's determination, FT has been engaged to assess whether the unregulated constructed elements of the development, which are the subject of this application for Substitute Consent, have a significant effect on the environment and therefore require a full (remedial) Environmental Impact Assessment Report (EIAR).

The location of the subject development is illustrated in figure 1.1.



Legend

- Oyster Plant

Figure Title	Site Location
Figure No.	1.1
Project	Application for Substitute Consent
Client	Waterford Oysters
Scale	1:25,000
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2 DESCRIPTION OF THE SUBJECT DEVELOPMENT AND SITE

2.1 Permitted Development

The permitted Oyster Processing Plant was granted consent on the 15th of January 1992 pursuant to planning reference 92/20 and consists of a building of approximately 250 square meters, a forecourt, yard and parking area, a pumping chamber with associated pipe and power line and associated works. The planning consent was subject to 12 no. planning conditions and 14 no. conditions set out by the chief medical officer.

The facility is one storey and measures approximately 5m in height. The main structure is approximately 235sqm measuring 24.9m on its east to west elevation and 9.47m on its north to south elevation. This structure accommodates two store areas, and office space and a processing area. A structure with an area of approximately 15sqm meters extends north of the building which accommodates bathroom facilities.

Discharge from the permitted facility is sea water only and is discharged to the Maoil an Chronaigh stream under licenced from Waterford City and County Council. Run-off from the facility's yard and other surfaces is channelled through silt, oil and grease traps before discharge to the Maoil an Chronaigh stream. Sewerage waste is discharged separately into the public sewerage system.

2.2 Subject Development

2.2.1 Covered Area

A canopy/open ended structure for storage and to facilitate the sheltered loading/unloading of produce was constructed on the southern side of the permitted building in 1997. This area is approximately 180 square meters. Consent was not sought for this element of the development.

The structure consists of a closed storage area of approximately 41sqm at the western end of the development. An open canopy element measuring approximately 130sqm extends from the closed store element and connects to the southern elevation of the permitted structure. No additional infrastructure was required for the construction of this element.

2.2.2 Rock Revetment

Prior to the construction of the permitted facility, a yard existed on the shoreline to the north of the facility adjacent to a slipway. This was utilised by oyster farmers prior to the facility's construction. Since its use in the early 1990s, the lower yard to the north of the facility has been slowly eroding due to coastal processes and severe storms.

Considering the importance of the yard to the local oyster industry, emergency protective works were carried out in 2002/2003 to protect the area from erosion. These works proved to be insufficient, therefore further emergency rock armour was put in place in 2007 following severe storms. Maintenance and upgrade works to the rock armour was again carried out in 2009 following further severe storms.

The rock revetment is approximately 80m in length, covering approximately 70m of coastline and has been successful to date in protecting the yard from erosion. Consent was not sought for this element of the project.

2.2.3 Storage, Packing and Purification Area

A storage, packing and purification structure was constructed at the northern elevation of the permitted structure. The structure measures approximately 130 square metres and has a height of 6.9 meters at its highest point. The extension was built within the facility's yard, previously used for storage. The development is designed to house a large tank for the storage of oysters in seawater for purification purposes. The area is also used for clean packaging and clean storage of materials for sanitary reasons.

The height of the building accommodates a hoist required to lift oysters in and out of the purification tank at up to 5 meters. The development includes sea water intake from the permitted water pump. Discharge from the development is seawater only which is discharged to the nearby Maoil an Chroaigh stream at Móta, under licence (WPW/01/92). The material used for the development consist of Kingspan cladding panels fixed to steel beams on the roof and to steel columns as per engineer’s specifications. The addition of this structure accommodates a change in the method of oyster processing and has no bearing on the volume of oysters possessed at the facility. Consent was not sought for this element of the project.

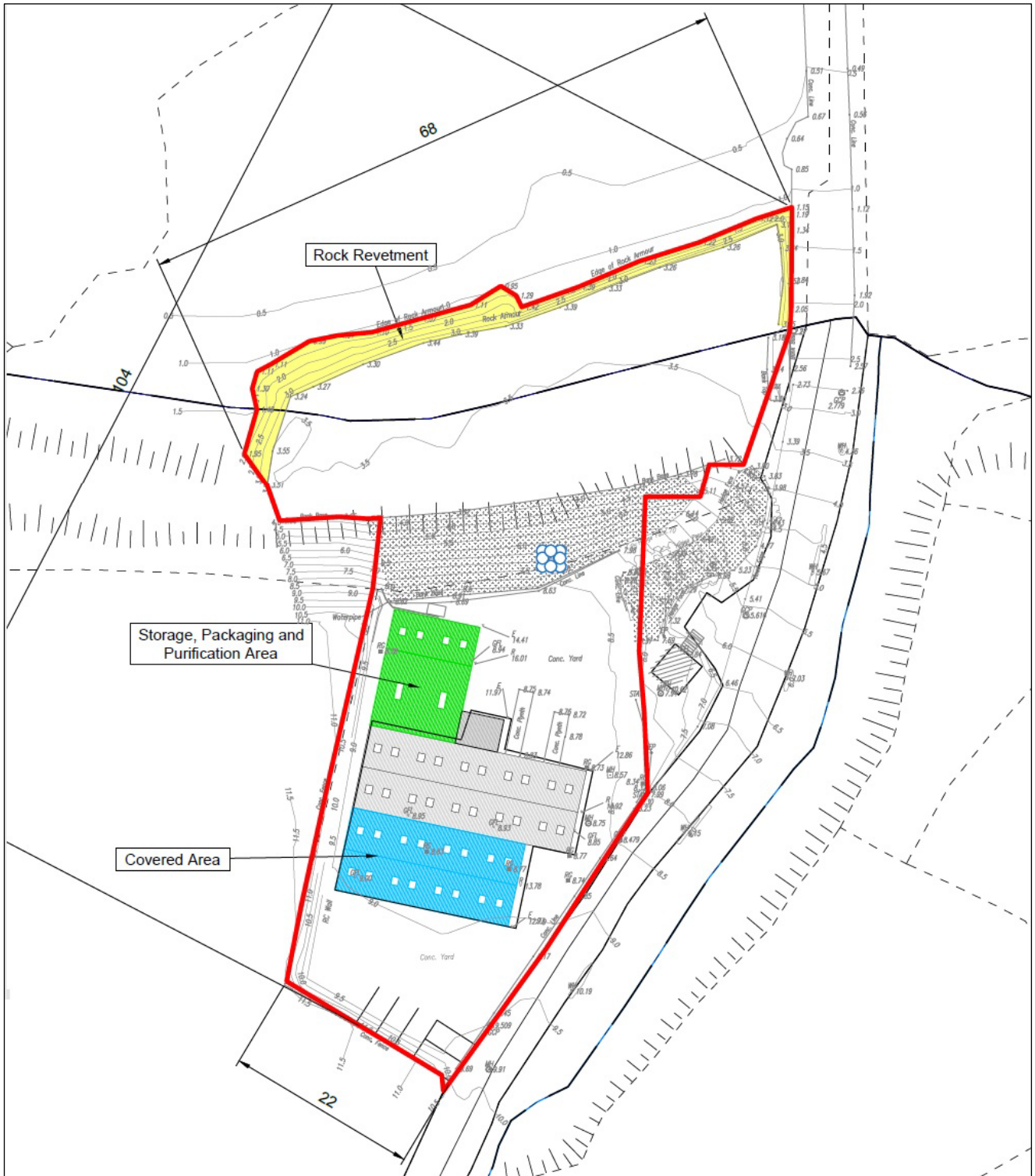


Figure 2.1: Site Layout

2.3 Development Site

The Oyster processing facility is located on a sloping site. The concrete yard where the structures are located ranges from 9.5 meters above sea level at the southern extent, to approximately 8.5 meters above sea level at the northern extent. A steep slope is located to the north of the concrete yard which gives way to the lower yard, located at the shore of Dungarvan Harbour. The lower yard is used by the local oyster farming community. The yard has a slipway to the east and is surrounded by rock armour, as detailed previously.

The Maoil an Chronaigh stream runs adjacent to the east of the development where it meets Dungarven Harbour. The site is accessed from the R674 regional route by a local access road. This access road is a cul-de-sac which is also used to access the slipway and sea shore. 7 no. dwellings are located along this cul-de-sac, the closest located approximately 100m south of the facility. There are no protected monuments or listed buildings in proximity to the facility.

Three European sites lie in relatively close proximity. Dungarvan Bay SPA (004032) is located adjacent to the site area; Helvick Head to Ballyquin SPA (004192) is located c.1.1 km to the south-east, and Helvick Head SAC (000665) c.1.4 km to the south-east. The facility is connected hydrologically to Dungarvan Bay SPA (004032) via Maoil an Chronaigh stream; the plant is licensed to discharge water arising from the process of washing oysters to this stream.

3 EIA SCREENING

3.1 Requirement for EIA Screening

In coming to a conclusion for the determination for leave to apply for substitute consent (ABP-303535-19), the board's inspector considered whether an EIA was required for the subject development. The inspector's report states the following in *Section 7.5: Requirement for EIA*:

"Schedule 5, Part 2, Class 10 (k) of the Planning and Development Regulations 2001 (as amended) states that an EIAR is only required for coastal works that exceed 1km in length. It reads as follows:

(k) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dikes, moles, jetties and other sea defence works, where the length of coastline on which works would take place would exceed 1 kilometre but excluding the maintenance and reconstruction of such works or works required for emergency purposes.

The rock armour which was installed to combat coastal erosion is approx. 80m in length and is significantly below the threshold of 1km. I accept therefore that in the first instance that the development is sub-threshold.

The storage, packing and purification structure and covered area do not fall within Schedule 5 Part 1 or Part 2, and therefore an EIA is not required."

However, section 7.5.8 of the inspector's report states the following:

"I note that an EIS was not submitted with the original planning application or any of the subsequent applications for retention, but at the very least a determination as to whether an environmental impact assessment is required."

It is therefore considered appropriate to assess the subject development in terms of requirement for EIA, in order to maintain a comprehensive application for substitute consent.

3.2 EIA Project Types

The European Union Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment, requires member states to ensure that a competent authority carries out an assessment of the environmental impacts of certain types of project, as listed in the Directive, prior to development consent being given for the project.

The EIA Directive requires that, *"in order to ensure a high level of protection of the environment and human health, screening procedures and EIA assessments should take account of the impact of the whole project in question, including where relevant, its subsurface and underground, during the construction, operational and, where relevant demolition phases"*.

The Requirement for the EIA of various types of development are transposed into Irish legislation under the Planning and Development Act and the Planning and Development (Amendment) Regulations 2001-2018. Schedule 5, Part 1 of the Planning Regulations includes a list of projects which are subject to EIA based on their type. Part 2 of the same schedule includes a list of projects which by reason of scale also fall into the EIA category for example, wind farms with more than 5 no. turbines or having a total output greater than 5 megawatts or waste handling facilities that handle in excess of 25,000 tonnes of waste per annum all fall into Part 2. Schedule 5 also includes a section on extensions or changes to developments for example, any change or extension to existing projects which would result in the development being of a class listed in Schedule 5 or result in an increase in size greater than 25% or 50% of the appropriate thresholds would fall into Schedule 5 and thus require an EIA.

The EIA criteria above is quite clear and prescriptive however in addition to the above Schedule 5 also includes a section relating to 'sub threshold' (discretionary) EIA. This is where any project listed in Schedule 5 Part 2 which does not exceed a quantity, area or other limit specified in respect of the relevant class of development (e.g. waste facility handling 20,000 tonnes per year or two turbines having an output less than 5 megawatts) should be subject to EIA where the project would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7 of the Regulations.

The subject development does not fall into a class of development set out in Schedule 5, Part 1 and 2 and therefore, the requirements for a mandatory EIA can be screened out.

The Draft EPA 2017 Guidelines on Information to be contained in an Environmental Impact Assessment Reports notes that even where a proposed project is not a type that is included in the statutory EIA project list, the determination of sub-threshold EIA Screening is an increasingly complex issue and should not be decided on without full consideration of the 2014 EIA Directives 'wide scope and broad purpose', as set out in the EU Documents of Interpretation of definitions of project categories of Annex I and Annex II of the EIA Directive 2008.

3.3 Sub-Threshold EIA Screening

This section of this report screens the project in the context of the criteria set out in Schedule 7 and Annex III of the EIA Directive. The screening demonstrates that there have been no significant impacts associated with the subject development on the receiving environment in isolation or cumulatively with other projects or proposals in the area. This EIA Screening considers the 'whole project' including all secondary ancillary/subsidiary elements essential to the operation of the oyster processing facility.

Annex III of the EIA Directive details the criteria to be used to determine whether a project should be subject to EIA. Schedule 7 of the Planning and Development Regulations 2001-2018 implements this Directive in Ireland.

The requirements are as follows:

1. Characteristics of the proposed development

The characteristics of proposed development, in particular:

- *The size and design of the whole of the proposed development*
- *Cumulation with other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment.*
- *The nature of any associated demolition works*
- *The use of natural resources in particular land, soil, water and biodiversity;*
- *The production of waste;*
- *Pollution and nuisances;*
- *The risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge; and*
- *The risks to human health (for example due to water contamination or air pollution).*

2. Location of Projects

The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:

- *The existing and approved land use;*
- *The relative abundance, quality and regeneration capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;*

- *The absorption capacity of the natural environment, paying particular attention to the following area:*
 - *Wetlands, riparian areas, river mouths;*
 - *Coastal zones and marine environment;*
 - *Mountain and forest area;*
 - *Nature reserves and parks;*
 - *Areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive*
 - *Areas in which there has already been a failure to meet the environmental quality standards, laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;*
 - *Densely populated areas;*
 - *Landscapes and sites of historical, cultural or archaeological significance.*

3. Characteristics of potential impacts

The potential significant effects on the environments of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in the definition of 'environmental impact assessment report' and taking into account-

- *The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);*
- *The nature of the impact;*
- *The transboundary nature of the impact;*
- *The intensity and complexity of the impact;*
- *The probability of the impact;*
- *The expected onset, duration, frequency and reversibility of the impact;*
- *The cumulation of the impact with the impact of other existing and/or approved projects;*
- *The possibility of effectively reducing the impact.*

This assessment utilises the Screening Checklist as detailed in the EU Guidelines to screen the proposed development with regard to EIA requirements. This checklist encompasses the details required under Annex III of the EIA Directive and in Schedule 7 of the 2018 EIA Regulations – refer to Table 3.1. Any potential impacts are then assessed with regard to their characteristics.

The assessment considers the potential impacts that may have occurred during construction of the subject development, taking each of the three elements of the project as a single development. The impact which the subject development currently has on the receiving environment during the facility's operation is considered, and the decommissioning of the subject development is also considered. The elements of the subject development and associated elements are referred to as follows:

- Covered Area (CA)
- Rock Revetment (RR)
- Storage, Packing and Purification Area (SPPA)
- The building permitted under planning ref. 92/20 (permitted building)
- The yard located at the shoreline for which the Rock Revetment was built to protect (lower yard).

Table 3-1: Screening Checklist

Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
1. Will construction, operation, decommissioning or demolition works of the Project involve actions that will cause physical changes in the locality (topography, land use, changes in waterbodies, etc.)?	The introduction of the RR visually altered the shoreline of the lower yard. Similarly, the construction of the SPPA visually altered the setting of the facility due to its taller roof which extends 1.95 meters above the permitted building.	No, this has not produced a significant visual impact due to the relatively small area involved. The RR is approximately 80m in length and covers approximately 70m of coastline, and the SPPA structure measures 130sqm and has a height of 6.9m.
2. Will construction or the operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or are in short supply?	Natural resources were used in the form of construction materials. Energy was used to power construction machinery. The CA and SPPA use minor amounts of electricity. Sea water is pumped into the facility for processing purposes to allow oysters to stand for 2-4 days.	No, this did not likely result in a significant impact and is in line with existing trends in terms of development. The sea water used for processing is held in a tank and comes in contact with oysters only. This is discharged under licence back into the sea.
3. Will the Project involve the use, storage, transport, handling or production of substances or materials which could be harmful to human health, to the environment or raise concerns about actual or perceived risks to human health?	The purpose of the subject development is to facilitate the farming and processing of oysters for human consumption. Best practice health and safety measures are followed within the facility which is monitored by Food Safety Authority of Ireland.	No. Following the health and safety protocols required to run such a facility, the use, storage, transport, handling and production of oysters will not cause harm to human health.
4. Will the Project produce solid wastes during construction or operation or decommissioning?	Solid waste was produced during the construction phase of the CA and SPPA in the form of construction material packaging. Similarly, the operation of the facility produces packaging waste and the subject development, if decommissioned, would produce solid waste.	No likely significant impact. All waste materials produced at construction stage and operational stage have been disposed of in a proper and sustainable manor.
5. Will the Project release pollutants or any hazardous, toxic or noxious substances to air or lead to exceeding Ambient Air Quality standards in Directives 2008/50/EC and 2004/107/EC?	Construction machinery likely caused release of pollutants in the form of exhaust emissions. Similarly, vehicular transport associated with the facility causes exhaust emissions.	No likely impact. Vehicular transport associated with construction and operational phase of the facility produces negligible impact to air quality and does not exceed Ambient Air Quality standards in Directives 2008/50/EC and 2004/107/EC.

Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
6. Will the Project cause noise and vibration or the releasing of light, heat energy or electromagnetic radiation?	Noise was produced by construction activities during the construction phase of the subject development. Day to day activities at the facility caused noise such as vehicular access and loading/unloading.	No significant impact was caused by the construction of the subject development as the three elements were constructed at different times and did not require excessive construction works or materials. Day to day activities at the facility do not produce significant noise emissions. The closest residential receptor is located approximately 100m from the facility and is not likely to experience significant noise nuisance.
7. Will the Project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	The subject development discharges sea water under licence from Waterford City and County Council. This sea water is used for the sole purpose of the purification of oysters and does not come in contact with any other substances. Minor increase in run-off is likely due to the presence of the CA and SPPA structures.	Run-off from the facility's yard and other surfaces is channelled through silt, oil and grease traps before discharge to the Maoil an Chronaigh stream. Significant impact due to discharge is not likely.
8. Will there be any risk of accidents during construction or operation of the Project that could affect human health or the environment?	Yes. With all construction projects comes risks of injury and fatality. The construction of the subject development was conducted by licenced contractors who maintained quality health and safety standards.	No accidents occurred or were likely to occur during the construction of the subject development. No significant impacts are likely to occur during the operation of the facility.
9. Will the Project result in environmentally related social changes, for example, in demography, traditional lifestyles, employment?	The project maintains 3 no. jobs in marketing and quality control and supports 32 no people in 4 no. associated oyster farms in Dungarvan Bay.	The subject development helps support local jobs, having a positive impact on the local rural economy.
10. Are there any other factors that should be considered such as consequential development which could lead to environmental impacts or the potential for cumulative impacts with other existing or planned activities in the locality?	There are no foreseeable factors which may lead to future environmental impacts as a result of the subject development. No major developments are planned in the subject area.	No significant impacts are likely.
11. Is the Project located within or close to any areas which are protected under international, EU or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the Project?	Dungarvan Bay SPA (004032) is located adjacent to the site area; Helvick Head to Ballyquin SPA (004192) is located c.1.1 km to the south-east, and Helvick Head SAC (000665) c.1.4 km to the south-east.	An appropriate assessment was conducted by FT which accompanies this document. The NIS concludes: whilst it has been acknowledged that there is the potential for the development works, to have significant indirect impacts on one European site due to proximity (Dungarvan Bay SPA).

Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
	The facility is connected hydrologically to Dungarvan Bay SPA (004032) via Maoil an Chronaigh stream	It is concluded beyond reasonable scientific doubt that there was no significant impact to any European sites during the construction phase and it is not envisaged that there will be a significant impact during operational phase of the project.
12. Are there any other areas on or around the location that are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, that could be affected by the Project	There are 4no. pNHAs located within 10km of the site and 5 no. additional European sites located within 15km of the site.	The subject development is not likely to impact on these designated sites.
13. Are there any areas on or around the location that are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the Project?	Yes. Dungarvan SPA is located adjacent to the development site. The conservation objectives of which are to maintain or restore the favourable conservation condition of the bird species, assemblages, and wetland habitats.	The accompanying NIS states: whilst it has been acknowledged that there is the potential for the development works, to have significant indirect impacts on one European site due to proximity (Dungarvan Bay SPA), it is concluded beyond reasonable scientific doubt that there was no significant impact to any European sites during the construction phase and it is not envisaged that there will be a significant impact during operational phase of the project.
14. Are there any inland, coastal, marine or underground waters (or features of the marine environment) on or around the location that could be affected by the Project?	Dungarvan Bay is located directly adjacent to the development site.	It is unlikely that Dungarvan Bay was impacted by the construction of the subject development and it is unlikely that the operations of the subject development will significantly impact on these waters.
15. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the Project?	The scenic landscape evaluation of the Waterford County Development Plan 2011-2017 (as extended) designates the shoreline of the development site as visually vulnerable due to its location on the coast. The development plan maps zoning objectives for Maoil a'Choirne which includes the subject site within the map. Scenic views are indicated on the map but are not orientated towards the subject site.	The RR is associated with a long-established yard and slipway which is a prominent feature of the coast. The CA and SPPA are extensions to a permitted and long-established facility. It is therefore likely that the subject development had a slight/imperceptible impact on the visual characteristics of the area.

Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
16. Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the Project?	The public use the shoreline for recreational use and access it from the adjacent slipway, often utilising the access road associated with the facility.	The subject development does not impede on access to the shoreline or impact on the recreational amenity of the shoreline.
17. Are there any transport routes on or around the location that are susceptible to congestion or which cause environmental problems, which could be affected by the Project?	The facility is located on a local road at the end of a cul-de-sac. It is possible that this road could become congested due to members of the public accessing the shoreline.	The subject development has not contributed to the intensification of use of the site and has not encouraged additional vehicular trips.
18. Is the Project in a location in which it is likely to be highly visible to many people?	No. The subject development is visible in proximity to its location, in particular when walking along the shoreline. The development is indistinguishable when viewed from Dungarvan town and coastal areas located on the opposite side of Dungarvan Bay.	The subject development is not in a location that is likely to be viewed by many people.
19. Are there any areas or features of historic or cultural importance on or around the location that could be affected by the Project?	<p>The following entries on the Record of Monuments and Places are located within 500m of the subject site: A Mound (WA036-006) is located c. 100m south west of the facility. A Ritual Site (WA036-007) is located c. 140m south west of the site. A Graveyard (WA036-008002) and Church (WA036-008001) are located c. 250m south west of the site.</p> <p>Two entries to the National Inventory of Architectural Heritage are located within 500m of the subject site. A house (22824004) located in Knockanpower, Ringville, is located c. 130m south of the subject site. A graveyard (22824005) is located c. 250m south west of the subject site.</p>	The subject development is an appropriate distance from the existing listed monuments and buildings as to not interfere with the amenity and setting of the listed sites.

Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
20. Is the Project located in a previously undeveloped area where there will be a loss of greenfield land?	No. The CA and SPPA were developed within the existing yard of the facility. The RR was placed on the shoreline at the existing lower yard.	There is no likely impact on undeveloped lands.
21. Are there existing land uses within or around the location e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying that could be affected by the Project?	The subject development is located adjacent agricultural lands to the east and west. Dungarvan Bay is located directly to the north where aquaculture takes place in the form of oyster cultivation. A cluster of dwellings are located to the south of the facility, the closes is located c. 100m from the site boundary.	The subjected development, an extension to the long established facility and protective measures on the lower yard, are not likely to cause negative impact on the existing land uses surrounding the facility.
22. Are there any plans for future land uses within or around the location that could be affected by the Project?	There are no known plans for future land uses in the surrounding area of the subject development.	No significant impact is likely.
23. Are there areas within or around the location which are densely populated or built-up, that could be affected by the Project?	A cluster of dwellings are located south of the subject site at Ring, approximately 37 no. dwellings within 500m of the oyster processing facility.	The subject development is not likely to impact negatively on the local population
24. Are there any areas within or around the location which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities, that could be affected by the Project?	3 no. schools are located within a kilometre of the subject development. A Church is located c. 650m south west of the subject development.	It is not likely that the subject development will impact negatively on these sensitive uses.
25. Are there any areas within or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, that could be Affected by the Project?	Dungarvan Harbour has unique conditions which allow the cultivation of quality oysters. This resource contributes to the gastro-tourism industry and provides local employment and rural diversification.	The subject development impacts this unique resource positively in facilitating the cultivation of oysters within the harbour, providing employment and contributing to tourism industry of the area.
26. Are there any areas within or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, that could be affected by the Project?	The subject development does not contribute to emissions and does not discharge harmful materials. Therefore, it could not act cumulatively with other projects.	The project will not result in emissions or discharge which could cause pollution.

Checklist Questions	Yes/No/Briefly describe	Is this likely to result in a significant impact? Yes/No/Why?
27. Is the Project location susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the Project to present environmental problems?	The project location is susceptible to coastal erosion due to its location.	The RR element of the subject development aims to aid the natural process of erosion and therefore positively impacts on this environmental constraint. Other elements of the subject development are not subject to similar environmental constraints.

3.4 Impact Characterisation

The subject development is located in a rural area with agricultural lands to the east and west. Dungarvan Bay is located to the north. Aquaculture takes place on the mudflats of the bay where oysters are cultivated. Approximately 100m to the south of the subject site is a cluster of houses. Existing land uses and nearby sensitive land uses are not expected to be impacted by the operation of the subject development. The subject development will continue to support the oyster cultivation industry of Dungarvan Bay, providing and supporting rural employment and contributing to the gastro-tourism industry of the area.

Construction of the subject development is not likely to have had a significant impact on the receiving environment. Each element of the project, the rock revetment, covered area, and storage, packaging and purification area, were constructed during different periods and therefore would not have produced a cumulative impact during construction. Air quality and noise from construction machinery and activities may have impacted on amenity of the shoreline during construction of each of the elements of the subject development. However, access to the slip way at the lower yard was not impacted upon.

Dungarvan Bay SPA (004032) is located adjacent to the site area; Helvick Head to Ballyquin SPA (004192) is located c.1.1 km to the south-east, and Helvick Head SAC (000665) c.1.4 km to the south-east. The facility is connected hydrologically to Dungarvan Bay SPA (004032) via the Maoil an Chronaigh stream.

Operation of the subject development will not lead to contamination of lands or waters, especially with regard to the nearby designated sites. The only discharge from the subject development is sea water used for the purification of oysters. This sea water comes in contact with oysters only and is discharged under license to the Maoil and Chronaigh Stream, which then enters the Dungarvan Bay SPA. Sewage from the permitted facility is discharged to mains and runoff from the yard and other surfaces is channelled through silt, oil and grease traps before discharge to the Maoil an Chronaigh Stream. It is unlikely that runoff and discharge from the development will impact negatively on the Dungarvan SPA.

The subject development has not contributed to the intensification of use at the oyster processing facility. The subject development has no foreseeable impacts or cumulative impacts as a result of other planned or potential development in the area. The development is an appropriate distance from existing listed buildings and protected monuments as to not interfere with their character or amenity.

The subject development has had a slight/imperceptible visual impact on the landscape of the area. The coastline of County Waterford is designated as visually vulnerable; however, the subject development is not considered to have a significant impact on the visual vulnerability of the area, is not visible to many people and does not impact on designated scenic views.

4 CONCLUSION

The subject development of a rock revetment, covered area, and storage, packaging and purification area does not individually or cumulatively fall into a class of development set out in Schedule 5, Part 1 and 2 of the Planning and Development Regulations 2001-2018 and therefore, the requirements for a mandatory EIA can be screened out.

However, sub-threshold EIA may be required where the project would be likely to have significant effects on the environment. Criteria for the consideration of sub-threshold EIA is set out in Schedule 7 and Schedule 7A of the Planning and Development Regulations 2001-2018. These criteria have been set out within this document with respect to the subject development.

Potential impacts to the receiving environment during construction and impacts as a result of the operations of the subject development have been set out. Minor impacts were likely during the construction of the project which are associated with air quality and noise, as a result of construction machinery and activities. These impacts were not cumulative as the subject development was constructed at different stages.

It is unlikely that the operational life of the subject development has had or will have a negative impact on the receiving environment including residential amenity, human safety, and with particular regard to the adjacent Dungarvan Bay SPA. Significant emissions do not occur as a result of the operation of the facility. Discharge is in the form of sea water only which is discharged under licence from Waterford City and County Council. The sea water comes in contact with oysters only and is therefore not contaminated at discharge.

Minor visual impact as a result of the subject development is apparent, however, the impact is not considered significant with regard to the visual vulnerability of the area, is not visible to many people and does not impact on designated scenic views.

It is therefore submitted that sub-threshold EIA is not required for the subject development of a rock revetment, covered area, and storage, packaging and purification area due to the project's limited impact on the receiving environment with respect to Schedule 7 of the Planning and Development Regulations 2001-2018, Annex III of the EIA Directive and the screening checklist provided in the EC guidance document for EIA Screening, as set out in this document.