

**Section 117(5)(a) of the Maritime Area Planning Act, 2021, as amended.**

**Consideration of Schedules 5 and 7 of the Planning and Development Regulations, 2001, to determine whether it is necessary to carry out a screening for environmental impact assessment for a proposed maritime usage the subject of a licence application.**

<b>Maritime Usage Licence Application Number:</b>	MUL240023
<b>Date:</b>	23/01/2024
<b>Name of Applicant:</b>	Irish Rail
<b>Description of Proposed Maritime Usage:</b>	Iarnród Éireann (IÉ) are proposing a Geotechnical Investigation (GI), Geophysical site investigation surveys, ecology and marine archaeology surveys (hereafter referred to as Proposed Survey Works) to inform design options for the proposed East Coast Rail Infrastructure Protection Projects (ECRIPP).
<b>Type of maritime usage activity in accordance with Schedule 7 of the Maritime Area Planning Act, 2021):</b>	<i>Schedule 7, Section 110 (3): Marine Environmental Surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000.</i>

**Part A - Consideration of schedule 5 of the Planning and Development Regulations 2001**

**Question 1: Is the proposed maritime usage a project of a type listed in Schedule 5 Part 1, of the Planning and Development Regulations 2001?**

If Yes, EIA screening is required.

If No, proceed to question 2.

**Answer: No**

**Question 2: Is the proposed maritime usage a project of a type listed in Schedule 5 Part 2, of the Planning and Development Regulations 2001?**

If Yes, proceed to question 3.

If No, EIA screening is not required.

**Answer: No**

**Question 3: Is the proposed maritime usage a project of a type listed in Schedule 5 Part 2, of the Planning and Development Regulations 2001 and does it meet/exceed the referenced thresholds?**

If Yes, EIA screening is required.

If No, EIA screening is not required.

**Answer: No**

## **Part B Consideration of Schedule 7 to the Planning & Development Regulations 2001**

Characteristics, location and the types & characteristics of the potential impacts of the proposed maritime usage comprising a project:

While boreholes are being undertaken for the proposed maritime usage they are shallow in nature (as per the European Commission Guidance Document *Interpretation of definitions of project categories of Annex I and II of the EIA Directive (2015)* these boreholes are under general thresholds beyond which drilling is considered deep) and are therefore exempt under Part 2 of Schedule 5 of the Planning and Development Regulations 2001

I conclude, that after having regard to schedules 5 and 7 of the Planning and Development Regulations 2001 in the context of the above referenced proposed maritime usage, it is not necessary to carry out a screening for environmental impact assessment.

---

Dr Ciar O'Toole  
Senior Marine Advisor