

S.I. No. 101/1996 — European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1996.

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EUROPEAN COMMUNITIES (ENVIRONMENTAL IMPACT ASSESSMENT)
(AMENDMENT) REGULATIONS, 1996.

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The Minister for the Environment, in exercise of the powers conferred on him by section 3 of the European Communities Act, 1972 (No. 27 of 1972) and for the purpose of giving effect to the Council Directive of 27 June, 1985 (No. 85/337/EEC, O.J. No. L175/40, 5 July, 1985), hereby makes the following Regulations:—

Citation.

1. (1) These Regulations may be cited as the European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1996.

(2) These Regulations, the European Communities (Environmental Impact Assessment) Regulations, 1989 (S.I. No. 349 of 1989) and the European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1994 (S.I. No. 84 of 1994) shall be construed as one and may be collectively cited as the European Communities (Environmental Impact Assessment) Regulations, 1989 to 1996.

Commencement.

2. These Regulations shall come into operation on the 1st day of October, 1996.

Amendment of European Communities (EIA) Regulations, 1989.

3. Part II of the First Schedule to the European Communities (Environmental Impact Assessment) Regulations, 1989 is hereby amended by the substitution for subparagraph (c) of paragraph 1 thereof of the following subparagraph:

"(c) (i) Initial afforestation where the area involved, either on its own or taken together with any adjacent area planted by or on behalf of the applicant within the previous three years, would result in a total area planted exceeding 70 hectares and for the purposes of this subparagraph an area, other than an area planted before the 1st day of October, 1996 shall be deemed to be adjacent if its nearest point lies within 500 metres of any part of the area involved.

(ii) Replacement of broadleaf high forest by conifer species, where the area involved would exceed 10 hectares.

(iii) Land reclamation for the purposes of conversion to another type of land use, where the area involved would be greater than 100 hectares."

GIVEN under the Official Seal of the Minister for the Environment,

this 10th day of April, 1996.

BRENDAN HOWLIN,

Minister for the Environment.

EXPLANATORY NOTE.

These Regulations amend the European Communities (Environmental Impact Assessment) Regulations, 1989 (S.I. No. 349 of 1989) by reducing the threshold at which afforestation requires Environmental Impact Assessment from 200 hectares to 70 hectares. A corresponding change has been made in the Local Government (Planning and Development) Regulations, 1996 (S.I. No. 100 of 1996) in relation to the threshold at which afforestation requires planning permission.