



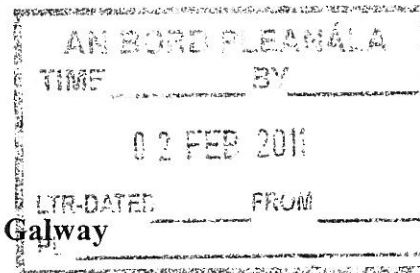
Ár dTag / Our Ref:

Do Thag / Your Ref:

TC/CP/AC

Your Ref.: PL. 61.PS0004

**Mr. Kieran Doherty,
Executive Officer,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.**



RE - Proposed Harbour Extension at Galway Harbour, Galway

Dear Kieran,

The following are the observations of Galway City Council in relation to the information to be contained in the environmental impact statement with respect to the proposed harbour extension in Galway. This represents the reply of the Council in accordance with article 95 (2) of the Planning & Development Regulations 2001 and to your letter dated 23rd December 2010.

It is acknowledged that the information lodged by the prospective applicant covers many of the issues raised. This response is not intended to reiterate the list submitted but to emphasise on where the Planning Authority consider significant focus is required.

It is also noted however that the response should not prejudice the Planning Authority from raising any additional issues consequent on a full application.

Opinion on Information to be contained in an Environmental Impact Statement.

Information to be contained in an EIA:

a) A description of the proposed development comprising information on the site, size, design, phasing of the proposed development. It is considered that although the SID application is for the supporting works for a Harbour extension the description should include for the likely form and nature of commercial structures (warehousing, offices, fencing, lighting, Ro-ro, Lo-lo berthage, container stacking full and empty, lighting masts etc) and associated form and height of typical plant and machinery that will ultimately be part of the working Harbour.

Cuirfeair fáilte roimh chomhfhreagras i nGaeilge / Correspondence in the Irish Language is welcomed

Fáiltiú/Reception (091) 536400	Oifig an Airgid/Cash Office 536439	Tithíocht Ghinearálta/Housing General 536825	Pleanáil/Planning 536507
Faics/Fax (091) 567493	Maoir Pobail/Community Wardens 536520	Cothú Tithíochta/Housing Maintenance 536849	Bruscar/Refuse 536511
Rphost/Email customerservice@galwaycity.ie	Comhshaol/Environment 536595	Rúnaí an Mhéara/Mayor's Secretary 536446	Trácht/Traffic 536530

This is to facilitate a full impact assessment of the development, in particular with regard to visual, traffic, viability sustainability. Without this description and associated details the development proposal would have to be assessed in a vacuum.

In addition taking the context of the economy and unpredictable timing of recovery the EIS should include for an indication of how each stage can be proofed to be economically viable, contribute a significant public amenity element and ensure against any negative visual impact of as a result of prolonged construction periods.

(b) The data required identifying and assessing the main effects, which the proposed development is likely to have on the environment.

(c) A description of all the measures envisaged avoiding, reducing or possibly remedying adverse effects on the environment, amenity of the city including traffic and visual impact issues.

(d) An outline of the main alternatives studied by the developer and an indication of the main reasons for the choice indicating the principles on which the choice was predicated which should include for the taking into account the effects on the natural environment, urban environment, and general planning issues, port economy aspects and engineering / maritime issues.

In addition clarity of how the proposed project has been proofed against relevant local, regional, national and international policies, plans and strategies. Show the context of the proposed development within overall national strategies for development including economic, spatial and ports policy. Economic viability and sustainability of the proposal need to be demonstrated in the context of recent ports studies, strategies including its context within the national context of ports investment and the future prospect for sea trade expansion in Ireland (both North and South).

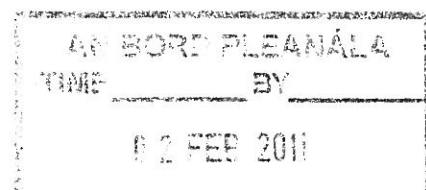
Further information to the above is also required on the following matters:

(a) (i) A description of the physical characteristics of the whole proposed development and the land-use requirements indicating locations required during the construction and operational phases.

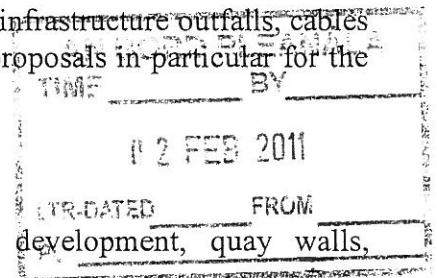
(ii) A description of the main characteristics of the associated construction processes and the dredging processes. For instance, nature and quantity of the materials used in the construction;

- In particular the proposed fill techniques to be used in the land reclamation, the materials proposed, quantity, configuration and constitution and also material to be used in quay wall. Details regarding the material to be used as fill from seabed to claim land. Details regarding additional fill materials indicating likely source, quantum and transportation method.

(b) A description of the aspects of the environment likely to be affected by the proposed development, in particular human beings, fauna and flora, including the impacts on the existing national and international designations including cSAC, SPA and pNHA, species of conservation importance and Salmonoid river. The significant implications the project has on marine and inter-tidal and sub tidal environments needs to be assessed. This would include both construction and operation stage and should include for the impacts of all associated dredging. This includes the following:

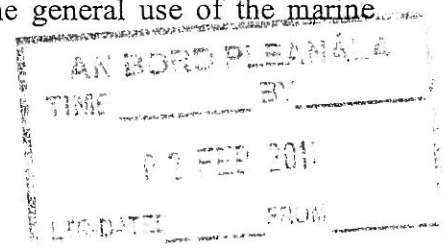


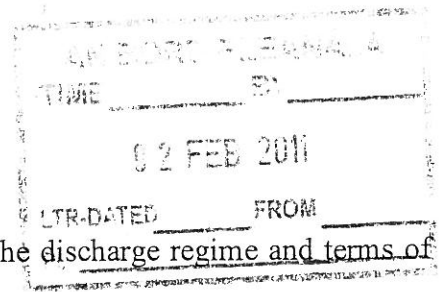
- Separate assessment should be prepared for the different environments/habitats/ significant species that will be impacted upon by this proposal including terrestrial marine/sub littoral and littoral environments.
- Impacts on habitats, flora and fauna, ecology and fisheries by the proposed development is to be assessed including specific seasonal impacts and where considered necessary or feasible, mitigation measures are to be proposed to lessen the impact of the development.
- Impact on human activities such as fishing, general recreation both water and on – shore, boating activities and water sports in the bay area, River Corrib/City Canal system and Lough Atalia.
- Impact on fauna including bird species, given the SPA status of the area and impact on migration patterns, nesting positions and habitats and similar for mammals present in the Bay.
- Impact on aquatic ecology within the bay, River Corrib and city canal/waterways and Lough Atalia.
- Coastal processes - assessment is required of the impact of the proposed development on the existing coastal processes, tidal system, wave refraction and movements, erosion and deposition and sediment movements, transport and deposition within the Galway Bay area. Modelling of all coastal processes of the tidal system, sediment transportation regime and deposition indicating the impact of the proposed development on the coastal processes of the bay is required. In this regard the EIS should fully assess this issue for all stages and all parts of the proposed development. Any alteration to the existing tidal system and wave refraction and movements should be modelled and examined in the bay area with an assessment of the implications for other coastal protection works, coastal and marine infrastructure outfalls, cables etc., sea walls, beaches and recreational facilities. Noting current proposals in particular for the Silverstrand area and historical coastal protection works in the city.
- A Flood Risk Assessment should also be a consideration.
- Details of any additional protection measures proposed for development, quay walls, breakwaters and reclaimed lands should be presented.
- Soil, water, air, climatic factors and the landscape, including the impact on the quality of the human environment and experience thereof exclusive of general environment impacts.
- The impact of the development in landscape terms taking into consideration the fully operational extended harbour. This impact should be assessed in the context of a fully working Harbour as requested for in the description of the proposal above and not just the facilitating infrastructure. Assessment should be on the different inter-related aspects - the perceived character of the area, the existing views both protected by the City Plan and those not protected, its recreational and visual amenity and the wider context of the coastal setting should be assessed. Assessment should also be made to determine if there is a landscape impact within Galway County Council area, if so this would require consideration. The impact of the scale of the project in particular in relation to the visual envelope of the city centre and any likely change in this character and cultural image. Assessment should be made of the impact of the proposal on the human experience of the city. This section should assess the impact of this proportion of reclaimed land on the visual character and the visual amenity of the city. It is appreciated that there is reference



in documentation to photomontages and 3-D modelling – all of these should factor in the impact of the anticipated full working Harbour extension, allowing for different scenarios such as if/when bulk goods are stocked piled, large plant/machinery in operation, lighting masts on /off - any feature or operation that is likely to impact on the views over a period of time.

- Associated with the visual and environmental impact will be the requirement to scope the amenity and landscape needs. The proposal includes for a significant reclamation of an area traditionally open and in public ownership. The proposal will change this to be predominantly in use for private enterprise purposes. It is acknowledged that there is likely to be a significant benefit to the local economy and an enhancement to the Gateway status of the City. In order to balance benefits it will be necessary to demonstrate that the project is designed to extend the amenity network in the city and result in an high quality environment encouraging and receptive to a range of passive and active recreational activities.
- Included would be the achievement of a critical link on the Oranmore – Barna Greenway. The EIS should be able to demonstrate how an unimpeded walking and cycling route can be achieved as suggested in addition to a receptive, high quality, safe environment for such an amenity link. This will inevitably require addressing the current poor state of the visual environment at the existing Enterprise Park.
- It will also require a suitably rehabilitated address to the old Harbour area to facilitate re-development here, which is an element of the planning gain suggested by the Harbour Board as a result of land reclamation works.
- In addition to the above, the EIS for the new Harbour area should include for mitigation in the form of a site specific Landscape and Amenity Master Plan, identified for each stage of development and ensuring a significant independently functional amenity for each stage too. The issue of public rights of way / access should be clarified for each stage to help establish shared spaces and places unsuitable for public access in view of public safety. This Master Plan should be set in the context of linkage and integration into the City and in the context of best visual and climatic conditions. This should acknowledge the original obligation of the existing Enterprise Park to provide for amenity and public linkage.
- In this regard also it should be clarified if the Marina aspect can be frontloaded to an earlier stage. This is a critical element of the overall project and leaving it to the last stage may render it a causality of the economy. The EIS should scope the balance of deliverables at each stage ensuring that the level of amenity provided correlates with the enterprise opportunities. In addition method of investment / development in the proposed Marina should be teased out to ensure feasibility, interest and the incorporation of a municipal element.
- Impact on local bedrock geology and soils and surface geology from any drilling, boring and extraction associated with the project.
- Impact on the sub-surface ground water aquifers during and post construction works.
- Impact on water quality, fisheries (both commercial and leisure), hydrogeology including the impact on the River Corrib system and waterways/canals and Lough Atalia and the impact on the amenity value of beaches in the bay area. The impact on the general use of the marine environment and other uses of the sea.

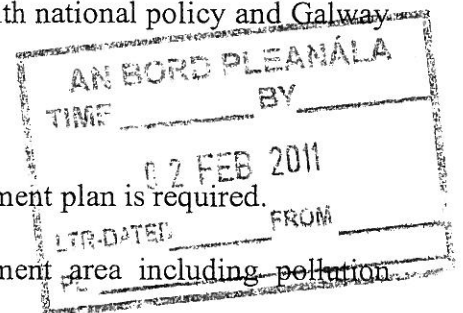




- Impact on River Corrib as a designated Salmonid River.
- Impact on Mutton Island Treatment plant and causeway and the discharge regime and terms of the prevailing EPA discharge licence.
- Impact on the natural processes of siltation throughout the bay with particular reference to the River Corrib, Lough Atalia.
- Impact on marine infrastructure including outfalls, cables and pipelines and monitoring stations.
- Material assets, including the architectural and archaeological heritage and the cultural heritage. Noting proposed works under the railway bridge will require advanced works and associated consents to determine foundation of pier supports to ascertain if their will be an impact. Noting also the existence of Forthill Cemetery and the impact of road proposals.
- Non-agricultural material assets should be assessed including archaeological heritage, tradition/history, architecture/settlements, monuments/features, designated landscape, natural resources of economic value, buildings and structures and infrastructure.
- Material assets of human origin that should be assessed includes transport infrastructure, water services/drainage, public utilities and services, recreational facilities/amenities and the impact of this proposal on the city centre.
- Material assets of a natural origin that should be assessed include geological resources and natural amenities, air quality and climate.
- The proposed development represents a significant industrial extension to a city, which has a more service and tourism related image and economic and physical base. The impact of the project regarding the latter, given the site's close proximity to the city centre.
- The economic sustainability of the proposal needs assessment and qualification which should be assessed in the national context acknowledging the nature and scale of port operations elsewhere. Also showing the economic viability relative to the significant reclamation costs.
- Archaeology – assessment should be broken down into surface, intertidal and underwater assessment comprising of a desk-top study and field assessment including underwater dive survey.
- With regards to infrastructure all aspects and stages of the proposal pre-construction, construction and post construction and operations stages should be assessed in the context of the road network, modes of transportation, traffic impact study, water services, drainage and other utilities.
- Impact on the transportation environment should use recognisable and appropriate baseline modelling systems that will allow for compatibility of analysis with systems available to Galway City Council taking different scenarios into consideration such as completion/not of the GCOB. The estimated increase in traffic generated by the Enterprise Park will be required to be assessed in a scientific manner related to the nature and intensity of the business anticipated and the associated traffic that is likely to generate as established by appropriate modelling. (This will have a link with the Business Case presented.) This will allow for an extrapolation of likely

tonnage/freight volumes and traffic movements. It is considered that this is a mandatory element of the EIS. An estimate of an increase in traffic based on historical patterns of the existing enterprise park, which supports a number of non-harbour related activities would not be satisfactory to assess impact.

- Impacts on all of the road junctions in the city should be a consideration of the transport assessment and the EIS should not in advance of assessment confine the examination of the transport effects of the proposal to a restricted number of junctions.
- While the NRA “*Traffic and Transport assessment Guidelines*” should be consulted when preparing the Transport section of the EIS, this should not preclude the assessment of junctions which fall outside the scope of the guidance given in these guidelines
- Impact on the whole city network transportation environment should be the baseline instead of looking solely at impact on the road and traffic environment. In this regard the policy of Smarter Travel both nationally and locally including for sustainable transport measures should be a consideration. In mitigation where Transport Mobility Management Frameworks/Plans are recommended they should be in line with the aforementioned policies. In addition means of implementing/enforcing such measures as a mitigation should be elaborated on where third parties such as tenants / other private parties will be involved.
- The specific transportation modes e.g. HGVs, bus usage associated with cruise line tourism, employee traffic, boat movements must all be accounted for noting their specific characteristics in the traffic impact.
- Clarification of vehicle parking including staffing requirements, queuing lanes, land access and transport management within the site.
- Clarification of ultimate function of port - rail connection in relation to likely quantum of freight to be carried, pattern of movements with respect to destinations. This will have some cross over with the business case.
- Road infrastructure should show due regard to sustainable modes – e.g. walking, cycling and be designed having regard to sustainable transport policies and strategies including “The Draft National Cycling Design Guidelines” should be used when designing any new road infrastructure and improvements to existing.
- Sustainable modes of transport should receive emphasis in line with national policy and Galway City Council policy.
- Accessibility issues associated with the proposed development.
- A construction management plan and construction traffic management plan is required.
- Proposals regarding surface water drainage from the development area including pollution mitigation and treatment measures and interceptors.
- Noise and vibration – when considering a development of this nature and scale, the short-term impact of the construction phase and the longer-term impact of the operational phase must be



assessed. The impact on neighbouring sensitive locations should be included for at both stages. The City Council Noise Plan should also be consulted in this regard.

- Air pollution, road traffic air pollution, dust minimisation and odours – the likely impact on air quality and climate associated with the proposed development must be presented.
- Water conservation management plan.
- Clarify if other consents required / received Foreshore, Waste permits IPC licences etc.
- Risk Assessment associated with E.U. Directive (96/82 EC) on the control of Major accident Hazards, known as the SEVESO II Directive.
- The inter-relationship between the above factors.

(c) A description of the likely significant effects this includes for direct, indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative of the proposed development on the environment resulting from:

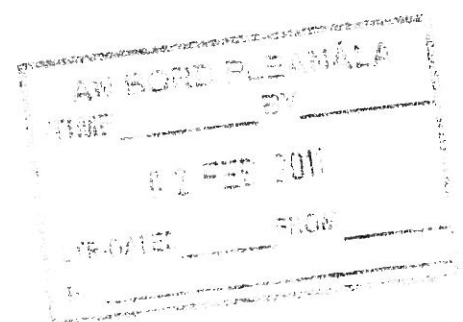
- the existence of the proposed development,
- the use of natural resources,
- the emission of pollutant, the creation of nuisances and the elimination of wastes,
- Description of the forecasting methods used to assess the effects on the environment.

(d) In view of port locations in Ireland north and south, likely expansions, the prevailing economy and the scale and likely significant impact of the proposed development an economic justification for the demand for the extent of reclamation and consequent development is required.

(e) An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the developer in compiling the required information.

In addition to the above points, it is also advised that the planning authority should be informed of what other legislation the proposed development needs to comply with at a national and international level. It is apparent at this stage that there will be obligations to comply with the requirements of Article 6 of the Habitats Directive in particular to consider Appropriate Assessment and the in-combination affects.

For all stages of the development including construction, all activities, methods and mitigation measures must utilise BAT/ BATNEEC, the best currently available technologies. In the identification of BAT emphasis should be placed in sustainability, pollution prevention techniques including cleaner technologies and waste minimisation

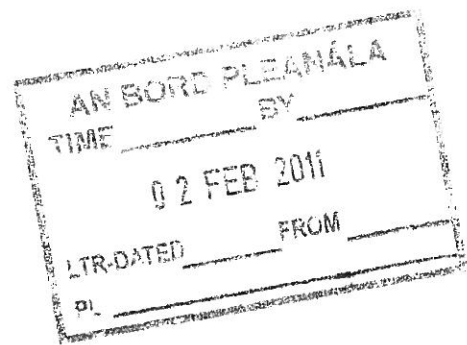


I would be much obliged if you could acknowledge receipt of same

Yours sincerely,

H. Noone

Helena Martyn,
Administrative Officer,
Planning, Economic Development, Community,
Culture & Corporate Services Directorate.





Comhairle Chontae na Gaillimne
Galway County Council

Your Reference 61.PS0004

10th January 2011

Mr Kieran Doherty
Executive Planner
An Bord Pleanála
64 Marlborough Street
Dublin 1

Re:- Proposed harbour Extension to Galway Harbour, Galway.

Dear Sir

Thank you for your letter of the 23rd December 2010 in regards to the proposed Environmental impact Statement related to the abovementioned project. The following points listed below are some of the important criteria that we feel should be thoroughly examined in the planning process.

1. As this proposed development is located in an area of SAC, serious consideration should be given this highly sensitive environment and alternative options and locations should be examined.
2. Considering the existing depth of the foreshore and the proposed design depths of the new Harbour. An in depth study of the Littoral Process of Galway Bay should be undertaken. Specific attention should be given to the issue of maintenance dredging considering the significant differences between the existing depths and the proposed design depths; also the flow of waters from Lough Corrib. The long lead into a newly formed channel should be investigated further in terms of the volumes to be dredged and the issue of maintenance dredging.
3. The idea of a large Commercial Harbour within an large urban city should be considered in terms of existing and future development plans.
4. A detailed Business Plan should be prepared to support the development of such a large Harbour. What is the Business Plan developed around containerisation/ bulk carriers, what are the financial drivers of this project, what is the customer focus, etc.
5. What will be the visual impact that such a large development will have on an area of outstanding beauty. What are the potential future developments considered for such a commercial Harbour.
6. The idea of a recreational amenity or development is a positive concept. The potential to create a leisure/ residential amenity appears much more appropriate at this moment and time.
7. Access from this Commercial Harbour onto our major national road network should be assessed in detail particularly its potential impact on an already congested city.

At the risk of this note sounding negative we would like to emphasize that the development of this area is certainly welcomed and such infrastructure will bring much needed employment to the area. However, the direction been taken to increase the commercial activity in such a highly sensitive area may not be the best approach at this time.

Is mise le meas,

Kevin Finn
Roads & Transportation Unit

Cc Evan Molloy Senior Engineer - GCC
Planning Department Galway County Council

Óras an Chontae
Inoc na Ríochtaí Gaillimh
Óras an Chontae
Respect Hill, Galway

Phone: (091) 509 000
Fax: (091) 509 010
Web: www.galway.ie
www.gaillimh.ie

Seachtai/Deontais Tithíochta
Housing Loans/Grants
(091) 509 301
housing@galwaycoco.ie

Seachtai Tithíochta
Housing Applications
(091) 509 300
housing@galwaycoco.ie

Seachtai & Tréidiachta
Environment & Veterinary
(091) 476 402
environment@galwaycoco.ie

Seachtai & Iompar
Roads & Transportation
(091) 509 309
roads@galwaycoco.ie

Seachtai Daonna
Human Resources
(091) 509 303
hr@galwaycoco.ie

Seachtai Tóir
Motor Taxation
(091) 509 099
motortax@galwaycoco.ie

Seachtai Tiomána
Licensing Licences
(091) 509 305
motortax@galwaycoco.ie

Seachtai na dToghthóirí
Register of Electors
(091) 509 310
electors@galwaycoco.ie

Seachtai Uisce
Water Services
(091) 476 401
water@galwaycoco.ie

Seachtai & Frontar
Community & Enterprise
(091) 746 860
community@galwaycoco.ie

Seachtai Pleanála
Planning
(091) 509 308
planning@galwaycoco.ie

Seachtai Ard Oideachais
Higher Education Grants
(091) 509 310
education@galwaycoco.ie

Seachtai Leabharlann
Library
(091) 562 471
info@galwaylibrary.ie

An Bord Pleanála
64 Marlborough Street
Dublin 1

Attention: Mr Kieran Doherty, Executive Officer

31st January 2011

Your ref: 61.PS0004

My ref: 3rd/O/65

Re: Proposed Harbour Extension at Galway Harbour, Galway

Dear Sir/Madam

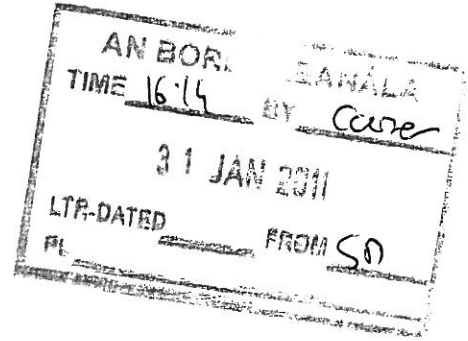
I refer to your letter to Iarnród Éireann, Heuston Station dated 23rd December 2010 concerning the development of an Environmental Impact Statement for the proposed Harbour Extension at Galway Harbour.

It is acknowledged some communications have taken place between Galway Harbour Company and their consultants Tobin with CIE, owners of railway property and the operating railway company Iarnród Éireann.

On the basis of the conceptual design information for the proposed Harbour Extension made available to CIE/Iarnród Éireann the following are the potential impacts on the safety, operations and business of the railway:

1. The new rail link and spur connecting the Harbour Extension with the Athlone to Galway Line

Iarnród Éireann specialise in train load point to point freight transport and this is an area of business for which the economies of scale of rail transport are particularly suited.



Iarnród Éireann acknowledge that a deep water port would have rail freight potential but there is insufficient information made available for Iarnród Éireann to access the scale of this business or its commercial viability.

Iarnród Éireann have no objection to the inclusion of a rail link on the Harbour Extensions lands for planning purposes but the feasibility of the rail link being brought into operational use is dependent on the development of the design to demonstrate its commercial viability and mitigation of all associated risks to railway infrastructure, safety and operations.

A business case for the rail link is required to address such matters as the potential for rail freight business, identification of potential freight destinations at halts, sidings and depots on the railway network, upgrading works required to existing railway infrastructure and signalling, the identification of available paths within priority passenger services and the availability and investment by Iarnród Éireann to provide and operate rolling stock.

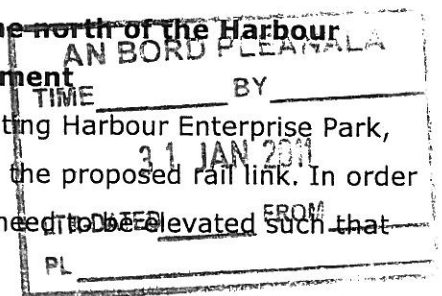
In the interest of railway safety and operational continuity, Iarnród Éireann would maintain and operate the rail link.

As part of Iarnród Éireann design processes and statutory compliance, a Railway Order will be required to operate the rail link subsequent to CIE and Iarnród Éireann Board Approvals. Updating of Iarnród Éireann Safety Case will require the approval of the Railway Safety Commission.

Iarnród Éireann expect that the Environmental Impact Statement will adequately develop the business case and significant impacts on the railway infrastructure, safety and operations.

2. **The development of the road infrastructure at the north of the Harbour Extension adjacent the existing railway embankment**

The north end of Eastern Road linking in with the existing Harbour Enterprise Park, shown on Tobin drawing no 2139-1121 Rev A crosses the proposed rail link. In order to link in with the elevated mainline, the rail link will need to be elevated such that Eastern Road will pass under the new rail link.



The most northerly part of Eastern Road approaches the mainline embankment and appears to link in with railway underpass UBG169. Any intention for Third Parties and the public to use UBG169 by pedestrians and cyclists must be stated and, if so, agreement with CIE & Iarnród Éireann on any upgrading works to UBG169 to accommodate Third Parties and the public should be included.

Iarnród Éireann have been advised by Tobins Consulting Engineers of a potential new road infrastructure link to the City north of the railway line. A link from this road into the Harbour Extension was envisaged by a road crossing under the railway line. Any future requirement for a new railway underbridge is acceptable in principle provided the works are carried out within non disruptive possessions.

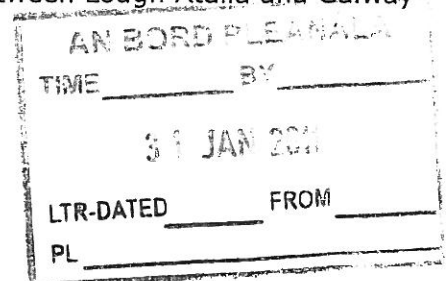
3. The lowering of Lough Atalia Road under the existing railway underbridge

While Iarnród Éireann have no objection in principle to the lowering of Lough Atalia Road under UBG171 arising from the road realignment, Iarnród Éireann have yet to be satisfied with the feasibility of the structural proposals for the road lowering during construction and in the completed state to ensure that the safety of the railway bridge UBG171 is not compromised. It is noted that Galway Harbour Company are due shortly to carry out further site investigations to assist in demonstrating the feasibility of the proposals. The form of construction of the temporary works to ensure railway safety may have a significant impact on the traffic operations on Lough Atalia Road. Depending on the extent of the temporary works, the construction works under railway bridge UBG171 may have to be carried out under night time railway possessions.

4. Land reclamation and Sea Bed Dredging and effects on railway viaduct UBG170

Iarnród Éireann are concerned about the extensive land reclamation and significant dredging in Galway Bay adjacent Lough Atalia and its potential effects on the scour of railway viaduct UBG170.

The hydrological assessment and study of the overall new Harbour Extension shall be extended to include for the hydrodynamic effects between Lough Atalia and Galway Bay impacting on the existing railway Viaduct.



It is noted that Iarnród Éireann have been in discussions with the Harbour Company's consultants Tobins regarding a proposed new footbridge immediately south of the railway viaduct UBG170. There does not appear to be any reference to this footbridge in the scoping document. If the footbridge is still intended to be part of the Harbour development, Iarnród Éireann's initial requirements for such a footbridge shall be:

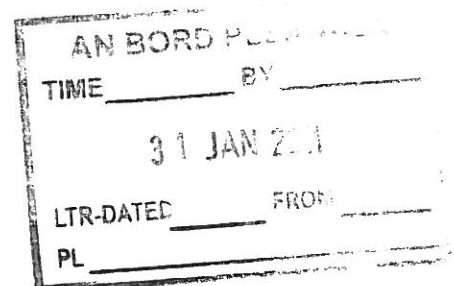
- The footbridge superstructure and sub-structure shall be independent of the viaduct UBG170.
- The effects of the footbridge substructure on the existing viaduct foundations shall be investigated for potential scour.

Iarnród Éireann will facilitate Galway Harbour Company and their consultants in the development of the Environmental Impact Statement to include for railway impacts.

Yours sincerely



Michael West
Third Party Co-ordinator



**Mr. Kieran Doherty,
Executive Officer,
An Bord Pleanála,
64 Marlborough St.,
Dublin 1.**

Teach Naomh Máirtín / Bóthar Waterloo / Baile Átha Cliath 4
St. Martin's House / Waterloo Road / Dublin 4
Teil: / Tel: + 353 1 660 2511 Facs: / Fax: + 353 1 668 0009

Dáta | Date

Ár dTag. | Our Ref.

Bhur dTag. | Your Ref.

31 January 2011

NRA10-81169

Re: EIS Scoping for Proposed Harbour Extension at Galway Harbour

Dear Mr. Doherty,

Further to the notification of your request for EIA consultation with regard to a harbour development at Galway Harbour, the Authority provides the following EIS Scoping observations;

It is noted that Road Infrastructure & Traffic is a proposed topic of the EIS, section 8.4 of the EIS Scoping document refers. Topics proposed to be included in this section of the EIS, as outlined in the EIS Scoping document referred, include Road Network Analysis, Saturn Model, Galway City Council Policy, Junction Upgrade Measures, Lough Atalia Bridge, Pedestrian and Cyclist Links.

At the outset, the Authority recommends that any Transport Assessment undertaken in relation to the proposed development would be consistent with the requirements of the NRA Traffic and Transport Assessment Guidelines (2007).

While it is indicated that the Saturn Traffic Model will outline the impact of the proposed development on the surrounding road network, particularly the Moneenageisha Junction, the Authority recommends that the impact on the wider national road network in the area should be assessed and a clear understanding of interactions between the national and non-national road network and associated junctions should be developed. Such assessments should include the N6 and associated junctions with the N59, N84, N17, M6, R339 and R338 and the cumulative impact of other development planned, permitted or proposed at the junctions concerned.

While it is noted that the EIS Scoping document referred identifies improvements required to the local road network at the Harbour Access Junction and at Lough Atalia Bridge the Scoping document does not appear to identify at what stage of development (phase) the necessary road improvements would be constructed. The proposed stages of development are outlined in section 3 of the EIS Scoping document.

The Authority advises that any interventions or improvements required on the national road network shall be incorporated into the phasing of the proposed development and shall be subject to the agreement of the National Roads Authority. The costs associated with any such works shall be borne by the Council or applicant/developer.

In relation to Galway City Council policy, it is noted that it is stated that a traffic assessment scenario will be developed based on the implementation of Smarter Travel, Public Transport and Walking and Cycling Strategies identified by the City Council. The Authority would recommend that the assessment scenario would clearly identify what measures are proposed to be incorporated into the assessment scenario, the Council's time line for delivery of such works and relationship to the applicant/developers phasing plan.

While the issuing of this correspondence is provided as best practice guidance only, it does not prejudice the NRA's statutory right to make any observations, requests for further information, objections or appeals following the examination of any valid planning application referred.

The approach to be adopted by the Authority in making such submissions or comments will seek to uphold official policy and guidelines as outlined in NRA Circular 6/2006 "*Policy Statement on Development Management and Access to National Roads*" and other relevant circulars, (available at www.nra.ie). Regard should also be had to the Department of Environment, Heritage and Local Government *Spatial Planning and National Roads (Consultation Draft) Guidelines for Planning Authorities*. The Authority expects that Galway City Council and/or An Bord Pleanála will have due regard to said official policy and guidelines in the first instance.

With respect to EIS scoping issues, the recommendations indicated below provide only general guidance for the preparation of EIS, which may affect the National Roads Network.

The developer should have regard, *inter alia*, to the following:


- The Authority would be specifically concerned as to potential significant impacts the development would have on any national roads, as outlined in the foregoing.
- The developer should have regard to any Environmental Impact Statement and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should in particular have regard to any potential cumulative impacts.
- It would be important that a Traffic and Transport Assessment be carried out in accordance with relevant guidelines and best practice, noting traffic volumes attending the site and traffic routes to/from the site with reference to impacts on the national road network and junctions of lower category roads with national roads. The Authority's Traffic and Transport Assessment Guidelines (2007) should be referred to in this regard.
- The developer, in conducting Environmental Impact Assessment, should have regard to the NRA DMRB and the NRA Manual of Contract Documents for Road Works.

- The developer, in conducting Environmental Impact Assessment, should have regard to the NRA's Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006).
- The EIS should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* National Roads Authority, 2004 as amended).
- The designers are asked to consult the National Roads Authority's *Road Safety Audit Guidelines* (NRA HD 19/09) to determine whether a Road Safety Audit is required.
- The developer should assess visual impacts from the existing national roads.

Notwithstanding, any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practise.

I hope that the above comments are of assistance in your scoping process.

Yours sincerely,


Michael McCormack,
Policy Advisor (Planning).



Comhshaol, Oidhreacht agus Rialtas Áitiúil
Environment, Heritage and Local Government



31st January 2011

Your Ref: 61.PS0004
Our Ref: G2011/14

The Secretary,
c/o Kieran Doherty,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1

Re: Proposed Harbour Extension at Galway Harbour, Galway

A Chara,

I refer to your recent notification with respect to the above proposed development application. Outlined below are the natural heritage observations and recommendations of the Department of the Environment, Heritage and Local Government.

In the event that intrusive pre-construction works or surveys are planned, the necessary licences or consents should be secured in advance for any potentially damaging activities within legally protected sites.

General

1. In undertaking Environmental Impact Assessment (EIA), and in preparing the EIS, there should be due regard to the following guidance and reports:
 - *Guidelines on Information to be Contained in Environmental Impact Statements* (EPA, 2002);
 - *Advice Notes on Current Practice (on the preparation of Environmental Impact Statements)* (EPA, 2003);
2. In general, the EIS should include sufficient details so that the full nature and extent of all aspects of the project and its likely impacts are clear at construction and operational stages. In addition to the main footprint of the project itself, this should include site access, works areas, site compounds, storage and disposal/recovery sites, drainage, surface water management, lighting, landscaping, and services connections.

Ecology, flora and fauna

3. The proposed development is located within Galway Bay Complex cSAC (site code 000268) and Inner Galway Bay SPA (site code 004031), both of which are Natura 2000 sites. The River Corrib upstream of Wolfe Tone Bridge is within Lough Corrib cSAC (site code 000297). The likely effects on these sites must be assessed as part of the EIS.
4. The applicant should note the following legal requirements in relation to nature conservation within and adjacent to the proposed development:

EU Habitats Directive- Article 6(3) assessment

Article 6(3) of Council Directive 92/43/EC (*the Habitats Directive*) states that “Any plan or project not directly connected with or necessary to the management of the [Natura] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives”. This is transposed into national legislation by Regulation 31 of the European Communities (Natural Habitats) Regulations 1997.

The proposed development would require such an assessment as the works would occur within or adjacent to designated Natura sites and this should be presented in a Natura Impact Statement.

The Department’s ‘*Appropriate Assessment of Plans and Projects in Ireland: Guidance for Local Authorities*’ (revision 10/02/10) should be followed in this regard. This is available to download on: <http://www.npws.ie/en/WildlifePlanningtheLaw/AppropriateAssessment/>

Further guidance on this process can also be found within “Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC” published by the European Commission in 2001.

As the proposed development entails land claim of several hectares within a European site, it is also advised that the developers brief themselves on issues relating to Article 6.4 of the Habitats Directive.

EU Habitats Directive- Article 12

It must be noted that all cetaceans are listed under Annex IV (including those in Annex II) of Council Directive 92/43/EEC (*the Habitats Directive*). Accordingly, under Article 12 of that Directive, it is an offence to deliberately capture, disturb or kill a cetacean or take actions that result in deterioration or destruction of their breeding sites or resting places. This has been transposed into Irish Law by Regulation 23 of European Communities (Natural Habitats) Regulations (SI 94/1997). Introduction of certain sound sources into the marine environment, as may result from construction (*e.g.* pile driving, dredging or blasting) over the foreshore, have the potential to cause injury and possibly mortality in these species.

Guidance in relation to strict protection under Article 12 of the Habitats Directive was provided by the European Commission in its document “Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC.”

Wildlife Act 1976 and amendments

All whales, dolphins, porpoises and seals are protected wild animals under the Fifth Schedule, which includes all cetacean and seal species, of the Wildlife Act (39 of 1976) and Amendments. Under Section 23 (as amended in 2000), it is an offence to kill, injure or wilfully interfere with or destroy the breeding place or resting place of any protected wild animal.

Information on sites with nature conservation designations, including site synopses and qualifying interests for SACs, is available from www.npws.ie.

5. Among other things, Galway Bay Complex cSAC has been selected for the conservation of the following terrestrial and coastal Annex I habitats:
 - Large shallow inlets and bays,
 - Mudflats and sandflats not covered by seawater at low tide

- Reefs
- *Coastal lagoons (note Lough Atalia is a lagoon (Oliver 2007¹))
- Perennial vegetation of stony banks
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- Mediterranean salt meadows (*Juncetalia maritimi*)
- Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco Brometalia*) (*important orchid sites)

Those habitats denoted by '*' are Annex I priority habitats.

Inner Galway Bay SPA is listed for several wintering waterbird species and breeding seabirds that use both terrestrial and marine areas (both intertidal and sub tidal areas) of this SPA.

Galway Bay Complex cSAC has also been selected for Otter and Harbour Seal. This site was proposed during 2001. Details of the boundaries are available on <http://www.npws.ie>

Lough Corrib cSAC has been selected *inter alia* for Sea Lamprey, Brook Lamprey and Salmon (in freshwater only), in addition to Otter.

6. The ecology/flora/fauna section of the EIS should include assessment (survey, description and evaluation) of the following:
 - Habitats of the receiving environment, including a habitat map with the footprint of all parts of the development overlain. A standard scheme such as Fossitt² (2000) should be used for habitat nomenclature, except in the case of any Habitats Directive Annex I habitats which should be clearly mapped, described and evaluated, including in terms of the vegetation communities, flora and fauna they support;
 - Flora of the receiving environment, including any rare or protected plants;
 - Mammals that use the site or surrounding areas, with particular emphasis on rare, protected or annexed (Habitats Directive) species: Otter and bat surveys should be undertaken by suitably qualified specialists at appropriate times of the year;
 - Birds that use the site or surrounding areas (both terrestrial and marine, including intertidal areas), with particular emphasis on the special conservation interests for Inner Galway Bay SPA, and any rare³, Annex I (Birds Directive) or migratory species: breeding and wintering bird surveys should be undertaken by a suitably qualified specialist. It is important that the use of both the proposed development area and the surrounding waters are assessed for their relative and overall importance (through direct survey and literature review);
 - Other terrestrial and aquatic fauna (e.g. invertebrates, fish), as appropriate, and with particular emphasis on rare, protected or annexed (Habitats Directive) species.

The receiving environment should be defined to include all areas that will be impacted directly and indirectly by the proposed development.

The likely impacts on terrestrial and aquatic habitats and species should be assessed in the light of all aspects of project development at construction and operation stages, and should take into account direct, indirect and cumulative impacts, as appropriate. Impacts should be qualified and quantified, where possible.

Full details of all necessary mitigation measures to avoid, reduce or offset negative impacts should be provided in the EIS.

¹ Oliver, G. (2007). *Conservation status assessment report: Coastal Lagoons (1150)*. Available from www.npws.ie

² Fossitt, J.A. (2000). *A guide to habitats in Ireland*. Heritage Council, Kilkenny.

³ To include red or amber listed species in the current list of Birds of Conservation Concern in Ireland

7. Habitat mapping is available for Galway City and was undertaken in 2005 as part of the Galway City Habitat Inventory. This study identified Local Biodiversity Areas and ecological networks in the city. Potential impacts on these areas and networks should also be taken into consideration in the EIS.

Further Technical Considerations

8. In order to fulfil the nature conservation requirements, the Department recommends the technical information outlined below should accompany the application for the proposed development.

(1) Description of Proposed Development

- (1.1) A full description of the proposed construction and operational methodology including the likely timing and duration of construction works.
- (1.2) A detailed description of the likely arrangements to be put in place for biological and industrial waste (e.g., construction materials, dredge spoil, etc.) generated during construction of the proposed facility should be detailed. Details concerning dredging and dumping at sea related to the construction and operation/maintenance of the proposed development should also be provided.
- (1.3) Sufficient details in relation to sound (above and below water) associated with the construction and operation of the proposed development should be provided. Underwater sound characteristics at source (*i.e.*, sound pressure levels, sound exposure levels, frequency, bandwidth, duration of exposures) and information concerning propagation in air/water for relevant activities during the construction phase should be included. Clear information concerning likely changes in vessel routes and intensification of vessel activities during construction and operation should also be provided.

(2) Baseline Description

- (2.1) A description of the existing hydrodynamic environment in which the proposed development will take place should be provided using a hydrodynamic model. This model must have sufficient resolution to assess the potential changes relative to the direct scale of the development and cSAC.
- (2.2) Detail must be provided of the sedimentary environment over which the activity will impact to include particle size analysis, sediment organic carbon and sediment chemistry (heavy metals, persistent organic compounds, etc).
- (2.3) A description of the biological environment over which the activity will impact (as derived from hydrodynamic modelling) including the marine flora and fauna (infauna, epifauna, etc) must be included. This should include an infaunal benthic survey. The data collection exercise should be sufficiently intensive to adequately assess the expected habitat interaction.
- (2.4) A baseline description of the distribution of Harbour Seals within the zone of impact⁴ (direct and indirect) must be provided. Within the vicinity of the proposed development, Harbour Seals are known to use Rabbit Island, Oranmore Bay, St. Brendan's Island-Earl's Rock (near Ardfry Point), a small skerry near Rinville, Tawin Island and Deer Island as haul-out sites. Given its location and habitat, there is also the potential for haul-out use of Hare Island by this species. Harbour Seals also occupy coastal waters in this area. There are sightings from the lower River Corrib, its entry into the bay adjacent to the Claddagh and Docks areas, and occasionally from Lough Atalia. Haul-out records and detail concerning habitat use are limited however. Within the immediate area concerned, monitoring by this Department has focused on Oranmore Bay during the annual moult only (*i.e.*, Aug- Sept). In order to describe the distribution

⁴ This will be determined by the nature of the receptor and the source of disturbance

of seals, daytime visual surveys of potential seal haul-out sites within the zone of impact (direct and indirect) in Galway Bay Complex cSAC should be undertaken only in good weather conditions (i.e., no precipitation, Beaufort Force 4 or less) and within 2 hours of Low Water. Such visual surveys should be undertaken monthly over a 12 month period.

- (2.5) A baseline description of the distribution of Grey Seals and Cetacea within the zone of impact (direct and indirect) must be provided. Grey Seals occur in inner Galway Bay in small numbers and on Deer Island and are occasionally recorded at or near haul-out sites during Harbour Seal monitoring counts. A number of cetacean species have previously been recorded in Inner Galway Bay. However, insufficient information is available to ascertain species (including small cetacean) occurrence and distribution within the zone of impact (direct and indirect). The Department recommends that monthly visual surveys of seal/cetacean occurrence in the waters within the zone of impact (direct and indirect) be undertaken only in very good weather conditions (i.e., no precipitation, Beaufort Force/Sea State 3 or less) in conjunction with passive acoustic monitoring for small cetaceans using appropriate technology (e.g., C-PODs). Visual surveys should be undertaken on a monthly basis over a 12 month period and the acoustic survey should be deployed continuously over the 12 month period.

(3) Assessment of Likely Significance

- (3.1) Consideration should be given to whether the likely construction/operation would result in permanent loss to Annex I habitats (*Large shallow inlets and bays, Mudflats and sandflats not covered by seawater at low tide* and *Reefs*) or the habitat of Annex II species (Harbour Seal). Likely permanent losses to these habitats (either from direct or indirect processes) should be accurately quantified and their significance assessed.
- (3.2) An assessment of the likely significance of changes that may occur to seafloor communities and Annex I habitats within the cSAC as a result of (i) proposed modifications to the hydrodynamic regime.
- (3.3) A description of the likely disturbance arising from the proposed construction/operation of the development on the physical and biological structure and function of Annex I habitats (*Large shallow inlets and bays, Mudflats and sandflats not covered by seawater at low tide, Coastal lagoons* and *Reefs*) or the habitats of Annex II species (Harbour Seal) in the cSAC should be provided. An assessment of the likely significance of any such disturbance should also be undertaken giving due consideration to likely intensity and duration.
- (3.4) A description by a marine mammal ecologist of the likely disturbance arising from the proposed construction/operation of the development on the Annex II species Harbour Seal for which the site is proposed for designation. An assessment of the likely significance of any such disturbance to the population of Harbour Seal in Galway Bay Complex cSAC should also be undertaken. Such an assessment should consider
- 3.4.1. the risk of collision;
 - 3.4.2. direct disturbance or injury due to sound, and intensified motorised vessel/plant/construction activities ;
 - 3.4.3. potential disruption of a critical period in the life cycle of the species;
 - 3.4.4. secondary impacts due to localised disruption of normal ecological activity.
- (3.5) A description by a marine mammal ecologist of the likely disturbance arising from the proposed construction/operation of the development on Grey Seals and all cetaceans. An assessment of the likely significance of any such disturbance should also be undertaken. Such an assessment should consider

- 3.5.1. the risk of collision;
- 3.5.2. direct disturbance or injury due to sound, and intensified motorised vessel/plant/construction activities ;
- 3.5.3. potential disruption of a critical period in the life cycle of the species;
- 3.5.4. secondary impacts due to localised disruption of normal ecological activity.

(3.6) A clear assessment of the likely impact of the proposed development on Annex I habitats and Annex II species in combination with existing operations/activities should be undertaken. This should include cumulative assessments of inter alia permanent area loss within the SAC including those related to previous developments within the Harbour.

(4) Mitigation and Monitoring

- (4.1) Proposed mitigation and monitoring should be clearly described.
- (4.2) Detailed management arrangements (including training, monitoring, spill contingencies) should be provided where it is proposed to use chemical products that present a risk to the marine environment (e.g., oil spill contingency plan).

The Department retains some survey data and information that may be of use to the applicants and the Department is available to provide further clarification and/or information (e.g., species survey methodologies) upon request.

Kindly forward any further information received, or in the event of a decision being made a copy of same should be forwarded to the following address as soon as it issues:

The Manager,
Development Applications Unit,
Department of Environment, Heritage and Local Government,
Newtown Road,
Wexford

Alternatively, documentation associated with the above can be referred electronically to the DAU at the following address:

manager.dau@environ.ie

In addition, please acknowledge receipt of these observations by return.

Is mise le meas,



Paul McMahon,
Development Applications Unit
Tel: (053) 911 7381
E-mail: paul.mcmahon@environ.ie