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Donegal County Council Piers & Harbours – Glengad Pier

Appropriate Assessment Screening Report

Donegal County Council

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Glossary of Terms and Abbreviations

AA	Appropriate Assessment
AASS	Appropriate Assessment Screening Statement
CIEEM	Chartered Institute of Ecology and Environmental Management
CO	Conservation Objectives
European Sites	Appropriate assessment tests whether a plan or a project is likely to have a significant negative impact on any Special Protection Areas, Special Areas of Conservation, and/or Ramsar sites. Jointly, these are called 'European sites'.
EU	European Union
EC	European Commission
IROPI	Imperative Reasons of Overriding Public Interest
km	Kilometre
mm	Millimetres
NPWS	National Parks and Wildlife Service
Natura 2000	Natura 2000 is a network of core breeding and resting sites for rare and threatened species, and some rare natural habitat types which are protected in their own right. It stretches across all 27 EU countries, both on land and at sea.
NIS	Natura Impact Statement
SAC	Special Area of Conservation
SCIs	Special Conservation Interests
SPA	Special Protected Area
QIs	Qualifying Interests
Zone of Influence	The area where potential environmental changes may potentially impact upon sensitive environmental receptors, considering the spatial scope of the proposed scheme.

1 Introduction

1.1 Project background

ByrneLooby has been commissioned to undertake an Appropriate Assessment Screening Assessment for a proposal to carry out refurbishment/repair work at Glengad Pier, Culkeeney (Figure 1.1). It is envisaged the works will include breaking out areas of undermined concrete, removal of seabed material and installation of reinforced concrete structures to support the pier wall.

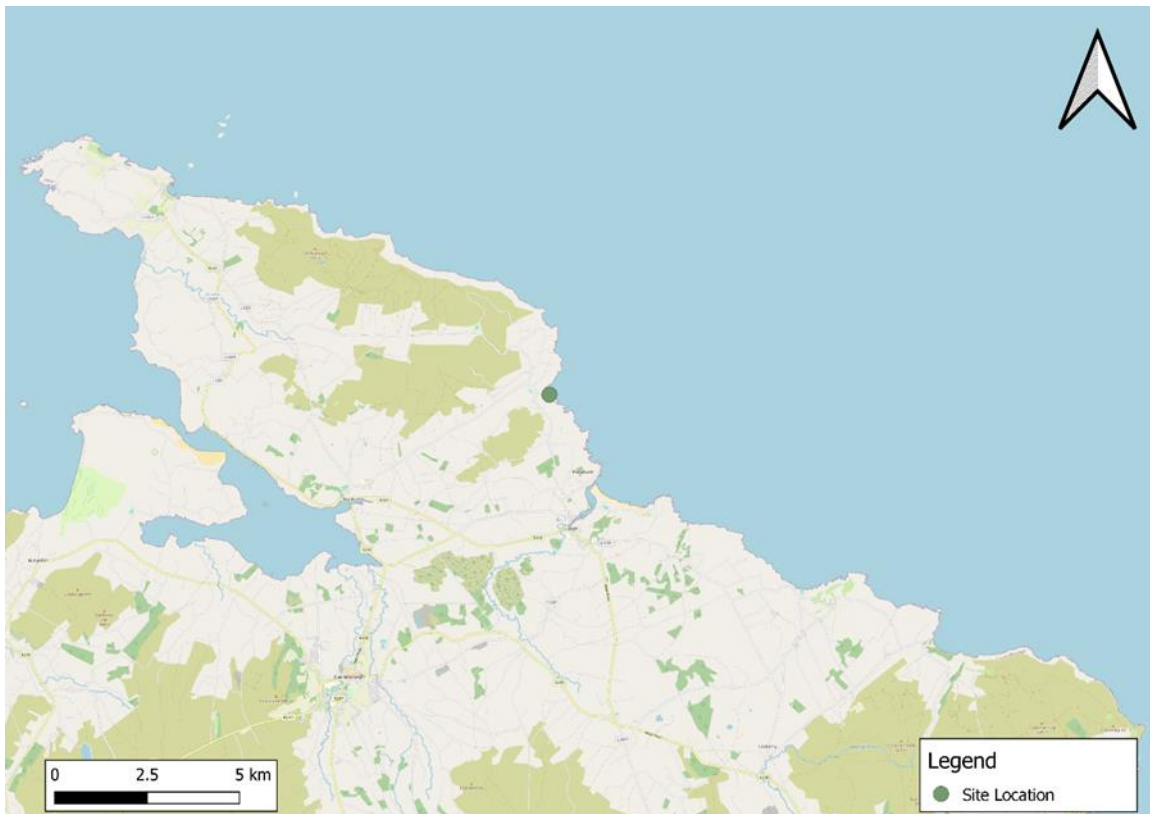


Figure 1.1. Site Location

1.2 Purpose of this report

This screening for Appropriate Assessment forms Stage 1 of the Appropriate Assessment process and has been undertaken in order to comply with Article 6(3) of the EU Habitats Directive¹.

This report is intended to aid the competent authority in determining whether the proposed project is likely (alone or in combination with other projects) to result in significant effects to European Sites. Further steps are to be determined by the findings of the screening assessment.

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

1.3 Roles and Qualifications

Table 1.1 provides a summary of the staff involved in the reporting.

Table 1.1. ByrneLooby Team

Title	Name	Role	Qualifications	Years experience
Ecologist	Daniel Black	Survey, Report Preparation	BSc (Marine Biology) MSc (Ecological Management and Conservation Biology) QCIEEM	<1
Environmental Director	Fiona Symes	Report Approval	BSc (Marine Geography) MSc (EIA, Auditing and Management Systems) Chartered Environmentalist	20+

Daniel has experience in planning and conducting protected species surveys and ecological report writing in both voluntary and professional capacities.

Fiona Symes has over 20 years' experience working in the ecological and environmental fields. She has planned and completed numerous ecological surveys, including habitat mapping and protected species surveys, across the UK and Ireland. She has authored many ecological reports, EclAs and EIAs for a variety of projects over the duration of her career.

2 Legislative Background and Guidance Documents

2.1 International Legislation

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as the “Habitats Directive” (EC, 1992), provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/ECC) as codified by Directive 2009/147/EC (EC, 2009).

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to have a significant effect on or to adversely affect the integrity of European Sites (Annex 1.1). Article 6(3) establishes the requirement for AA:

“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

Article 6(4) states:

“If, in spite of a negative assessment of the implications for the [European] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 sites is protected. It shall inform the Commission of the compensatory measures adopted.”

2.2 The requirement for AA Screening

Section 42 (1) of S.I. No. 477 of 2011, the European Communities (Birds and Natural Habitats) Regulations 2011 states (ISB, 2011):

“A screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.”

Where the screening process cannot exclude the possibility that a plan or project, individually or in combination with other plans or projects, could have a significant effect on a European site, there is a requirement under Article 42 (9) of these Regulations for the preparation of a Natura Impact Statement to inform the Appropriate Assessment process.

2.3 Screening Determination

In accordance with Regulation 42(7) of the Birds and Natural Habitats Regulations 2011 (S.I. No. 477/2011) as amended (ISB, 2011):

“The public authority shall determine that an Appropriate Assessment of a plan or project is not required where the plan or project is not directly connected with or necessary to the management of the site as a European Site and if it can be excluded on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site.”

Further, under Regulation 42(8):

“(a)Where, in relation to a plan or project for which an application for consent has been received, a public authority makes a determination that an Appropriate Assessment is required, the public authority shall give notice of the determination, including reasons for the determination of the public authority, to the following—

- i. the applicant,*
- ii. if appropriate, any person who made submissions or observations in relation to the application to the public authority, or*
- iii. if appropriate, any party to an appeal or referral.*

(b) Where a public authority has determined that an Appropriate Assessment is required in respect of a proposed development it may direct in the notice issued under subparagraph (a) that a Natura Impact Statement is required.”

2.4 National Legislation

The Habitats Directive has been transposed into Irish law by Part XAB of the Planning and Development Act, 2000 – 2015 (Law Reform Commission, 2010) and the European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011) as amended (ISB, 2011).

2.5 Guidance Documents on Appropriate Assessment

Where an AA is necessary, the AA requirements of Article 6(3) of the Habitats Directive 92/43/EEC (EC, 1992) follow a sequential approach as outlined in the following guidance documents:

- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 and PSSP 2/10 (NPWS, 2010).
- Appropriate Assessment of Plans and Projects in Ireland – guidance for Planning Authorities. Revised 2010. (DEHLG, 2009).
- Guidelines for Good Practice Appropriate Assessment of Plans Under Article 6(3) Habitats Directive (International Workshop on Assessment of Plans under the Habitats Directive, 2011).
- Managing Natura 2000 Sites: The provisions of Article 6 of the Habitat’s Directive 92/43/EEC Commission Notice (EC, 2018).
- Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2021a).
- ANNEX to the Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EC, 2021b).

3 Project Description

3.1 Project Location and Description

Glengad quay is in the Portaleen locality in County Donegal. Portaleen is situated nearby to Portnalong, and northwest of Claggan (see figure 1.1). The project consists of reconstructing existing quay wall due to undermining and deterioration of existing quay wall (see figure 3.1).

The quay wall along the entire pier requires refurbishment/replacement due to abrasion/erosion and scaling due to poor quality of concrete. The quay wall was originally founded on and spanned rock outcrops, however erosion between outcrops has resulted in loss of fill material behind the quay wall and undermining of the quay wall itself.

It is proposed to construct a new reinforced concrete pier wall offset from the existing pier wall, backfill behind the proposed wall and extend the pier deck slab to tie into the proposed wall.



Figure 3.1. Existing quay wall

The foreshore licence area (see appendix A) is located at the site of an existing pier. There is an existing marine supply store and street view imagery suggests that the area sees a considerable amount of boating activity (see figure 1.2 and 1.3). Figure 1.4 shows the presence of raised ground provides a natural barrier to noise between the pier and a nearby area of sea cliffs.

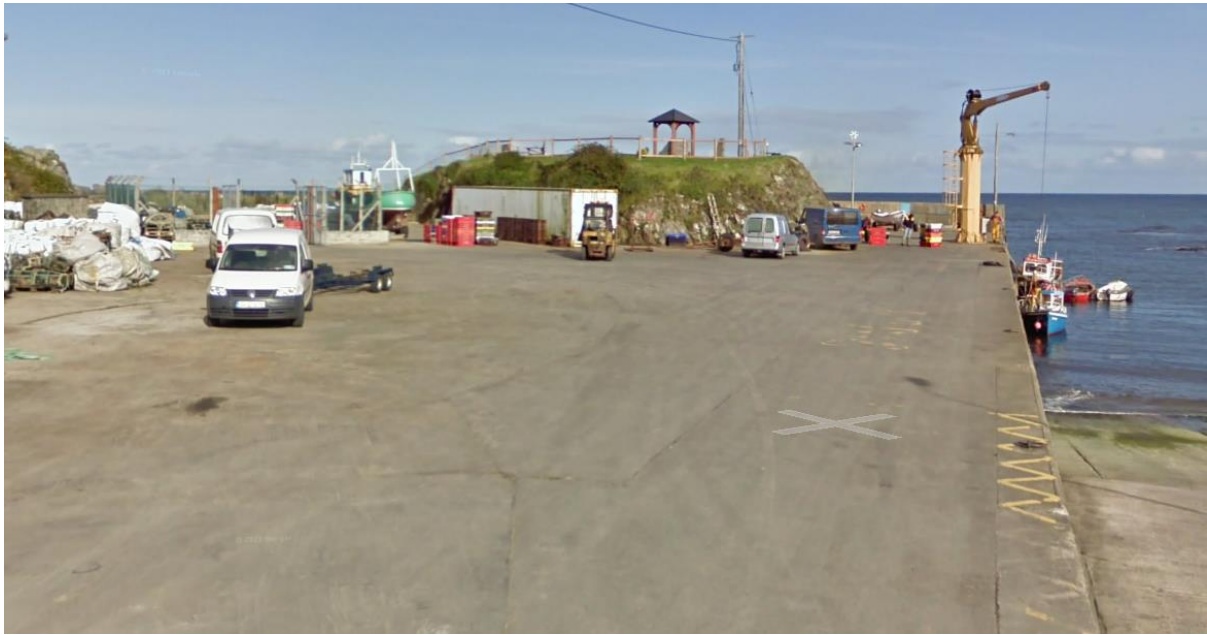


Figure 3.2. Google Street view imagery of Glengad Pier, Culkeeney (1/2)



Figure 3.3: Google Street view imagery of Glengad Pier, Culkeeney (2/2)

3.2 Outline Construction Method Statement

The Construction Method Statement is included under Appendix B.

Traffic management will be set up and the worksite separated from the public. The pier will remain operational, however, berthing and usage will be restricted.

Due to the presence of rock, it is proposed to construct precast wall units alongside the existing deteriorating quay wall, below low water level and these will be lifted into place using a crane.

The cavity between the proposed precast wall units and the existing quay wall will be filled with concrete with the concrete placed by using the tremie pipe method.

This method eliminates segregation of the concrete and maintains its durability; however, this also significantly reduces the amount of cement/aggregate that can escape into the water column. Anti-wash admixture will also be added to maintain the strength of the concrete in marine conditions.

Above the water mark the concrete wall will be cast in situ using standard formwork. The precast units will include exposed rebar to tie into the proposed cast in situ sections of wall.

3.2.1 Phases and Programme of Works

Construction Period March 2023 – November 2023

The working hours will be in daylight hours- 08:00-17:00 tide dependant. There will be 10 people on site at any time.

Piling will be undertaken during the winter to avoid the tourism season.

3.2.2 Construction Area / Zone / Layout

Contractor shall provide a portaloo and agree location with DCC, prior to works, to ensure there is no risk of contamination. All construction sites and storage areas shall be barriered off in accordance with construction protocols.

All refuelling of Machinery/Plant/Vehicles will be confined to a refuelling area to be agreed on site at a minimum distance of 50m from the coastline. Spill kits will be included in this area and all liquids will be stored in a bunding spill tray.

Generators will not be required on site as there are power sources available on the pier.

3.2.3 Machinery & Plant Requirements

The following machinery/plant will be required on site:

- 13 tonne Excavator including compacting plate attachment
- Crane
- 32 Tonne Tipper Lorry
- Concrete Lorry
- 6 tonne dumper

All equipment will be checked daily and to have maintenance records to reduce excess noise generation and the potential for malfunction.

3.2.4 Material Requirements & Anticipated Wastes

No waste dredging spoil will be generated as a result of the proposed works.

Materials - precast concrete units, engineered granular fill material, steel reinforcement, cast in situ concrete for the retaining wall and slipway deck.

4 Overview of Methodology for Appropriate Assessment

4.1 Overview of the stages of Appropriate Assessment

The AA process is a sequential process consisting of four potential stages. If at the first stage in the process it is determined that there will be no significant effect on a European Site, the process is effectively completed. The four stages are as follows:

- Stage 1 – Screening of the proposed plan or project for AA (current stage);
- Stage 2 – An AA of the proposed plan or project;
- Stage 3 – Assessment of alternative solutions; and
- Stage 4 – Imperative Reasons of Overriding Public Interest (IROPI)/ Derogation.

Stage 1 relates to Regulation 42 of the Birds and Natural Habitats Regulations (ISB, 2011); and Stage 2 relates to Article 6(3) of the Habitats Directive; and Stages 3 and 4 to Article 6(4) of the Habitats Directive (EC, 1992).

4.1.1 Stage 1: Screening (current stage)

The aim of screening is to assess if the plan or project is directly connected with or necessary to the management of European Site(s); or in view of best scientific knowledge, if the plan or project, individually or in combination with other plans or projects, is likely to have a significant effect on a European site. This is done by examining the proposed plan or project and the conservation objectives of any European Sites that might potentially be affected. If screening determines that there are likely to be significant effects, or the significance of effects are uncertain or unknown then it will be recommended that a project is brought forward to full AA.

4.1.2 Stage 2: Appropriate Assessment

The aim of Stage 2 of the AA process is to identify any adverse impacts that the plan or project might have on the integrity of relevant European Sites. As part of the assessment, a key consideration is ‘in combination’ effects with other plans or projects. Where adverse impacts are identified, mitigation measures can be proposed that would avoid, reduce or remedy any such negative impacts and the plan or project should then be amended accordingly, thereby avoiding the need to progress to Stage 3.

4.1.3 Stage 3: Assessment of Alternative Solutions

If it is not possible during the stage 2 to reduce impacts to acceptable, non-significant levels by avoidance and/or mitigation, stage 3 of the process must be undertaken which is to objectively assess whether alternative solutions exist by which the objectives of the plan or project can be achieved. Explicitly, this means alternative solutions that do not have significant negative impacts on the integrity of a European Site. It should also be noted that EU guidance on this stage of the

process states that, 'other assessment criteria, such as economic criteria, cannot be seen as overruling ecological criteria' (EC, 2002). In other words, if alternative solutions exist that do not have negative impacts on European Sites; they should be adopted regardless of economic considerations.

4.1.4 Stage 4: Imperative Reasons of Overriding Public Interest (IROPI)/Derogation

This stage of the AA process is undertaken when it has been determined that negative impacts on the integrity of a European Site will result from a plan or project, but that no alternatives exist. At this stage of the AA process, it is the characteristics of the plan or project itself that will determine whether the competent authority can allow the plan or project to progress. This is the determination of 'over-riding public interest'. It is important to note that in the case of European Sites that include in their qualifying features 'priority' habitats or species, as defined in Annex I and II of the Directive, the demonstration of 'overriding public interest' is not sufficient and it must be demonstrated that the plan or project is necessary for 'human health or safety considerations'. Where plans or projects meet these criteria, they can be allowed, provided adequate compensatory measures are proposed. Stage 4 of the process defines and describes these compensation measures.

5 Detailed Methodology for Stage 1: AA Screening

5.1 Methodology

This AA screening report has been completed in the following logical order:

- Definition of the zone of influence for the proposed works;
- Identification of the European Sites that are situated (in their entirety or partially) within the zone of influence of the proposed works;
- Identification of the most up-to-date Qualifying Interests (QIs) for each European Site occurring either wholly or partially within the zone of influence;
- Identification of the environmental conditions that maintain the QIs at the desired target of Favourable Conservation Status;
- Identification of the threats/impacts – actual or potential that could negatively impact the environmental conditions of the QIs within the European Sites;
- Highlighting the activities of the proposed works that could give rise to significant negative impacts; and
- Identification of other plans or projects, for which In-combination impacts would likely have significant effects.

The following issues have been considered:

- The nature and quality of habitats within the site of the proposed development;
- Information relating to the ecology of the Natura 2000 site;
- The relevant conservation status and objectives for these species of Qualifying Interests of the Natura 2000 site (Annex I habitats and Annex II species of the EU Habitats Directive);
- The key structural and functional relationships maintaining the integrity of the Natura 2000 site;
- The status of other annexed habitats and species occurring in proximity to the site of the proposed development; and
- The scale and nature of the aspects of the project in relation to the Natura 2000 site.

5.2 Information Consulted for this Report

Sources of data reviewed as part of the Screening process for this project included:

- 2019 Spatial data for breeding distributions and ranges of bird species protected under Article 12 of the Bird Directive (79/409/ECC) (NPWS, 2019a).

- 2019 Spatial data for habitats (Annex I) and species (Annexes II, IV and V) protected under Article 17 of the Habitats Directive (92/43/EEC) (NPWS, 2019b).
- North Inishowen Coast SAC - Site Synopsis (NPWS, 2014a)
- North Inishowen Coast SAC - Conservation Objectives (NPWS, 2014b).
- Trawbreaga Bay SPA - Site Synopsis (NPWS, 2015a)
- Trawbreaga Bay SPA - Conservation Objectives (NPWS, 2014c).
- Inishtrahull SPA - Site Synopsis (NPWS, 2015b) and Conservation Objectives (NPWS, 2022a).
- Malin Head SPA - Site Synopsis (NPWS, 2014d) and Conservation Objectives (NPWS, 2022b).

5.3 Cumulative and In-combination Impacts

It is a requirement of Appropriate Assessment that the cumulative or in-combination effects of the proposed development together with other plans or projects are assessed. Cumulative impacts can be defined as a project/plan/programme likely to have a significant effect thereon, either individually or in combination with other plans or projects.

5.3.1 Methodology

In accordance with EC Article 6 Guidance Document (EC 2018), in order to ensure all impacts upon the site are identified, including those direct and indirect impacts that are a result of cumulative impacts, the following steps were completed:

- Identify all projects/ plans which might act in combination: Identify all possible sources of effects from the project or plan under consideration, together with all other sources in the existing environment and any other effects likely to arise from other proposed projects or plans.
- Impacts identification: Identify the types of impacts that are likely to affect aspects of the structure and functions of the site vulnerable to change.
- Define the boundaries for assessment: define boundaries for examination of cumulative effects which will be different for different types of impact and may include remote locations.
- Pathway identification: Identify potential cumulative pathways (e.g. via water, air etc.; accumulations of effects in time or space).
- Prediction: Prediction of magnitude/extent of identified likely cumulative effects.
- Assessment: Comment on whether or not the potential cumulative impacts are likely to be significant.

6 Preliminary Screening Assessment of European Sites

6.1 Introduction

This chapter provides a Preliminary Screening Assessment to identify Qualifying Interests (QIs) of SACs and Special Conservation Interests (SCIs) of SPAs to be assessed fully in the Screening of Potential Impacts (Section 7).

6.2 Zone of Influence

In accordance with the European Commission Methodological Guidance (EC, 2018), a list of Natura 2000 sites that can be potentially affected by the proposed development has been compiled. All sites within a 15km radius of the proposed development have been identified as a precautionary measure. It should be noted that impacts at this distance from the proposed development are highly unlikely in the absence of significant aqueous or air emissions.

The following Natura 2000 Sites occur within this range (see Figure 6.1):

1. Inishtrahull SAC
2. Magheradrumman Bog SAC
3. North Inishowen Coast SAC
4. Hempton's Turbot Bank SAC
5. Trawbreaga Bay SPA
6. Inishtrahull SPA
7. Malin Head SPA

Table 6.1 provides details on the relationship between the project site and the European Sites and identifies potential source-pathway receptor links between them. Where a source-pathway-receptor link exists and there is a potential negative impact, further assessment is required. This further, detailed assessment is reported in Section 7 of this report.

Table 6.1. Natura 2000 Sites within 15km of the Project Site

Type	Site Code	Site Name	County and distance from scheme area	Potential for source-pathway-receptor links
SAC	000154	Inishtrahull SAC	Co. Donegal ~12.5 km (direct and fluvial)	There is no direct physical link. Contaminants from accidental spillages from the proposed works may discharge into open ocean, to which this SAC is connected. However, considering the very low likelihood of spillages occurring, the large distance from the proposed works

Type	Site Code	Site Name	County and distance from scheme area	Potential for source-pathway-receptor links
				(~12.5km) and the dilution factor, it is considered highly unlikely that significant effects to this SAC could occur, thus the site is screened out at this stage and will not be discussed any further.
SAC	000168	Magheradrumman Bog SAC	Co. Donegal ~10 km (direct)	There is no direct physical link or hydrological link. There is therefore no likelihood of significant effects on this SAC, thus the site is screened out at this stage and will not be discussed any further.
SAC	002012	North Inishowen Coast SAC	Co. Donegal 0.0 km (direct)	Proposed works will take place within this SAC thus the site is screened in at this stage. This will be discussed further in Section 7.
SAC	002999	Hempton's Turbot Bank SAC	Co. Donegal ~10km (direct and fluvial)	There is no direct physical link. Contaminants from accidental spillages from the proposed works may discharge into open ocean, to which this SAC is connected. However, considering the very low likelihood of spillages occurring, the large distance from the proposed works (~10km) and the dilution factor it is considered highly unlikely that significant effects to this SAC could occur, thus the site is screened out at this stage and will not be discussed any further.
SPA	004034	Trawbreaga Bay SPA	Co. Donegal ~5.5km (direct)	SPAs are designated for birds, which are migratory and use different areas/habitat for different phases of their life cycle. It cannot be screened out for significant effects based solely on hydrological connectivity. This will be discussed further in Section 7.
SPA	004100	Inishtrahull SPA	Co. Donegal ~12km (direct)	SPAs are designated for birds, which are migratory and use different areas/habitat for different phases of their life cycle. It cannot be screened out for significant effects based solely on hydrological connectivity. This will be discussed further in Section 7.
SPA	004146	Malin Head SPA	Co. Donegal ~10 km (direct)	SPAs are designated for birds, which are migratory and use different areas/habitat for different phases of their life cycle. It cannot be screened out for significant effects based solely on hydrological connectivity. This will be discussed further in Section 7.

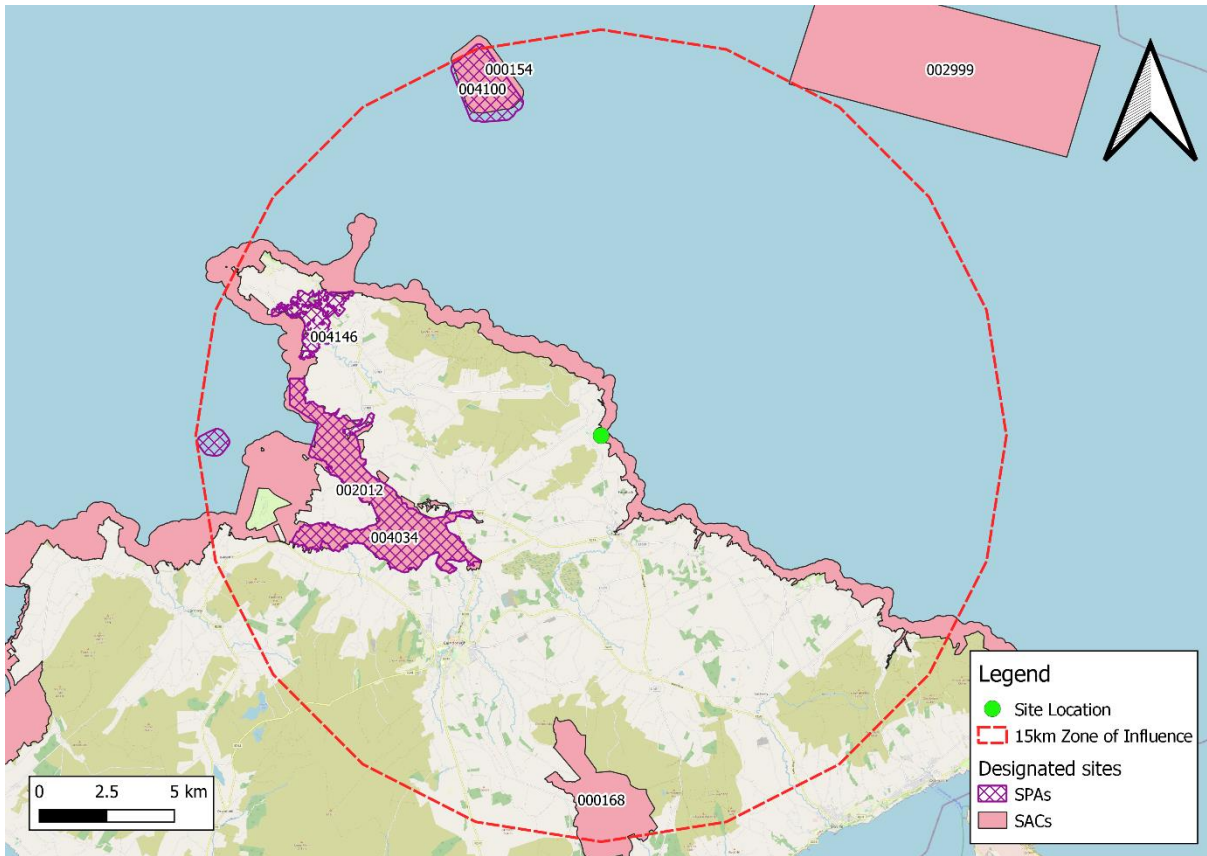


Figure 6.1. Natura 2000 sites within the 15km Zone of Influence

7 Screening of Likely Significant Effects to European Sites

As described in Section 3 of this report, this project involves the reconstruction of an existing quay wall at Glengad Pier, Culkeeny. Following on from the information presented in Table 6.1, this section will consider the likelihood of significant effects on the following European site:

1. North Inishowen Coast SAC
2. Trawbreaga Bay SPA
3. Inishtrahull SPA
4. Malin Head SPA

7.1 Assessment of Likelihood of Significant Effects

Table 7.1 provides a summary of the potential impacts of the proposed works. Each QI/SCI brought forward to screening is assessed. In assessing the likelihood of the occurrence of significant effects, the logic is as follows:

1. The conditions necessary for a significant effect are considered, and
2. The likelihood of that effect is assessed, considering the process/emission magnitude, duration, timing and frequency, as well as the connectivity with the proposed project site and the sensitivity of the QI/SCI to the process/emission in question.

The below definitions are relevant at this stage:

- Likely Significant Effect - Where a plan or project is likely to undermine any of the site's conservation objectives.
- Possible Significant Effect - Where a plan or project has an indicated potential to undermine any of the site's conservation objectives, but where doubt exists about the risk of a significant effect in the current context. Nevertheless, where doubt exists about the risk of a significant effect, use of the precautionary principle requires this effect to be considered appropriately within the Article 6 assessment process.

It should be noted that this report has taken account of the 2017 ECJ ruling (C-323/17 - People Over Wind and Peter Sweetman v Coillte): "Article 6(3) of the Habitats Directive must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site."

7.2 Potential Environmental Impacts

Considering the nature of the proposed works described in section 3, potential impacts from the proposed development are listed below:

1. Release of sediment into open waterbodies;
2. Release of hydrocarbons into open waterbodies; and
3. Elevated noise emissions.

7.2.1 Sediment contamination

No waste dredging spoil will be generated as a result of the proposed works.

There is some potential for discharge of silt, concrete or other materials into the water column during works, however in this instance the use of precast wall units significantly reduces the amount of cement/aggregate that can escape into the water column.

Due to the small of amounts of sediment contamination likely as a result of the proposed works and the dilution factor (any accidentally spilled contaminants will discharge into the open ocean), sediment contamination is not considered likely to cause significant effects to any of the European Sites listed in Section 7.

7.2.2 Hydrocarbon contamination

The potential for hydrological contamination is considered negligible as vehicles and plant machinery on site will be maintained and checked daily, as standard construction practise, to limit potential for accidental hydrocarbon spill.

In addition refuelling will be completed on site at a minimum distance of 50m from the coastline, spill kits will be located within the refuelling area and all liquids will be stored in a bunded spill tray. These measures are considered at any construction site, regardless of location and presence of Natura 2000 sites.

7.2.3 Noise impacts

The de facto daytime noise limit, as recommended by most local authorities in Ireland, is a sound pressure level (SPL) of 55 decibels (dB).

In calculating a zone of influence (ZOI) for noise emissions, British Standard BS 5228:2009+A1:2014 was consulted. According to guidance (Table C.1-12), the 'loudest' machine on site will be the '13 tonne Excavator including compacting plate attachment' which will emit a SPL of 79 dB, measured at a distance of 10 metres. The zone of influence will be the distance between the source of noise and the point at which the SPL is 55 dB.

This distance was calculated by using the sound attenuation formula, as described below:

$$SPL_2 = SPL_1 - 20 * \log (R_2 / R_1)$$

- SPL_1 is the Sound Pressure Level at point 1 (79 dB)
- SPL_2 is the Sound Pressure Level at point 2 (55 dB)
- R_1 is the distance from the sound source to point 1 (10 m); and
- R_2 is the distance from the sound source to point 2 (Zone of Influence).

$R_2 = 158.55$ metres.

The ZOI for noise emissions is therefore 158.55 metres, in all directions.

As general rule, noise impacts are considered to have a negligible effect on birds which may forage within the ZOI for noise impacts. The exception to this rule being wading species, which have small window of opportunity for feeding at low tide. Potential disturbance to birds which may utilize habitats within the ZOI for breeding purposes would be considered significant as elevated noise levels could lead to decreased reproductive success through abandonment of existing nests or decreases in clutch size (Halfwerk *et al.*, 2011, Mullholland *et al.*, 2018). It is noted that an area of raised ground exists between the site and the sea cliff habitat, acting as a natural noise attenuation barrier (see figure 7.1)

Aerial imagery (see figure 7.2) suggests that the habitats (Fossitts, 2000) within the ZOI for noise impacts include Buildings and Artificial Surfaces (Fossitts code: BL3), Sea walls, piers and jetties (CC1), Rocky sea cliffs (CS1), Improved Agricultural Grassland (GA1), Dense Bracken (HD1), Exposed rocky shores (LR1), Open marine water (MW1), Hedgerows (WL1), Treelines (WL2) and Scrub (WS1).

In addition, spatial data for the known extant mapped areas of 47² Annex I habitats (92/43/EEC) found in Ireland was consulted (NPWS, 2019b). Of these habitats Vegetated sea cliffs of the Atlantic and Baltic Coasts are known to occur within the ZOI for noise impacts (see Appendix C).

² Detailed mapping data was unavailable for 12 of the 59 Annex I habitats found in Ireland.



Figure 72. Raised ground providing a natural barrier to noise between the pier and a nearby area of sea cliffs.



Figure 7.1. Aerial view of lands within the Zone of influence for noise impacts

Records from NPWS 2019 spatial data suggest that Otter (*Lutra lutra*) may use riparian habitats (Portaleen and Carthage streams) which overlap with ZOI for noise impacts (see figure 7.3).



Figure 7.3. Otter Records (NPWS, 2019a) in the vicinity of the proposed works

7.3 North Inishowen Coast SAC

Table 7.1 comments on the likelihood of significant negative impacts on the favourable conservation condition of QIs of North Inishowen Coast SAC and gives a rationale for each case.

Table 7.1 Likelihood of Significant Effects on Qualifying Interests - North Inishowen Coast SAC

Qualifying Interests [Natura 2000 Code]	Comments	Significant Effect Likely
Species		
Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>) [1014]	Known distribution within SAC over 20km from the Foreshore license areas and thus outside the ZOI for noise impacts (see appendix C).	No
Otter (<i>Lutra lutra</i>) [1355]	<ul style="list-style-type: none"> Extent of terrestrial, freshwater and coastal habitat within the SAC will be unaffected (no habitat loss envisaged). Foreshore license area within Otter Commuting 250m high water mark (HWM) buffer (see appendix C). Noise from the proposed works could create a barrier to connectivity, although in the context of the existing activities on site (marine yard), it is considered unlikely. 	No

Qualifying Interests [Natura 2000 Code]	Comments	Significant Effect Likely
	<ul style="list-style-type: none"> Potentially suitable habitat (Portaleen stream/Carthage stream, (see figure 7.2) for holts within ZOI for noise impacts. The immediate work area (marine yard), does not contain suitable habitat for breeding. Otters are a nocturnal/crepuscular species, and as such are unlikely to be significantly affected by noise impacts during the day. There is also evidence to suggest that otters that forage at the coast may have flexible foraging times linked to the tides. At low tide otters hunt in the exposed rock pools and seaweed covered rocks for fish and invertebrate prey (Vincent Wildlife Trust, 2022). 	
Habitats		
Mudflats and sandflats not covered by seawater at low tide [1140]	Foreshore license area is the site of existing pier (CC1). Thus, the permanent area occupied by these habitats will not be impacted by the proposed works.	No
Perennial vegetation of stony banks [1220]		
Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]		
Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]		
Machairs (* in Ireland) [21A0]		
European dry heaths [4030]		

Based on the above information, it is concluded that the proposed project alone is unlikely to cause significant effects to North Inishowen Coast SAC in the absence of mitigation.

7.4 Trawbreaga Bay SPA

Table 7.2 comments on the likelihood of significant negative impacts on the favourable conservation condition of SCIs of Trawbreaga Bay SPA and gives a rationale for each case.

Table 7.2. Likelihood of Significant Effects on Special Conservation Interests – Trawbreaga Bay SPA

Special Conservation Interests [Natura 2000 Code]	Comments	Significant Effect Likely
Species		

Special Conservation Interests [Natura 2000 Code]	Comments	Significant Effect Likely
Barnacle Goose (<i>Branta leucopsis</i>) [A045]	Wintering resident in Republic of Ireland (ROI), not known to breed here (Rodewald & Shumar, 2014).	No
Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]	Wintering resident in Republic of Ireland (ROI), not known to breed here (Rodewald & Shumar, 2014).	No
Chough (<i>Pyrrhocorax pyrrhocorax</i>) [A346]	<ul style="list-style-type: none"> Suitable breeding habitat i.e., sea cliffs (see appendix C) present within ZOI for noise impacts thus there is potential for disturbance to breeding individuals. However, the quayside and pier are adjacent to an existing marine supply store and yard. It is therefore considered that existing background noise levels would be comparable to noise generated by the proposed works. In addition, the suitable habitat (sea cliffs) is located behind the proposed works area, beyond an area of raised ground provides a natural barrier to noise transmission (see figure 1.4). ZOI is outside known breeding distribution in Ireland (NPWS, 2019a). 	No
Habitats		
Wetland and Waterbirds [A999]	Foreshore license area is the site of existing pier. Thus, the permanent area occupied by these habitats will not be impacted by the proposed works.	No

Based on the above information, it is concluded that the proposed project alone is not likely to cause significant effects to Trawbreaga Bay SPA in the absence of mitigation.

7.5 Inishtrahull SPA

Table 7.3 comments on the likelihood of significant negative impacts on the favourable conservation condition of SCIs of Inishtrahull SPA and gives a rationale for each case.

Table 7.3. Likelihood of Significant Effects on Special Conservation Interests – Inishtrahull SPA

Special Conservation Interests [Natura 2000 Code]	Comments	Significant Effect Likely
Species		

Special Conservation Interests [Natura 2000 Code]	Comments	Significant Effect Likely
Shag (<i>Phalacrocorax aristotelis</i>) [A018]	Suitable breeding habitat i.e., sea cliffs (see appendix C) present within ZOI for noise impacts thus there is potential for disturbance to breeding individuals. However, the quayside and pier are adjacent to an existing marine supply store and yard. It is therefore considered that existing background noise levels would be comparable to noise generated by the proposed works. . In addition, the suitable habitat (sea cliffs) is located behind the proposed works area, beyond an area of raised ground provides a natural barrier to noise transmission (see figure 1.4).	No
Barnacle Goose (<i>Branta leucopsis</i>) [A045]	Wintering resident in Republic of Ireland (ROI), not known to breed here (Rodewald & Shumar, 2014).	No
Common Gull (<i>Larus canus</i>) [A182]	Suitable breeding habitat i.e., sea cliffs (see appendix C) present within ZOI for noise impacts thus there is potential for disturbance to breeding individuals. However, the quayside and pier are adjacent to an existing marine supply store and yard. It is therefore considered that existing background noise levels would be comparable to noise generated by the proposed works. . In addition, the suitable habitat (sea cliffs) are located behind the proposed works area, beyond an area of raised ground provides a natural barrier to noise transmission (see figure 1.4).	No

Based on the above information, it is concluded that the proposed project alone is unlikely to cause significant effects to Inishtrahull SPA in the absence of mitigation.

7.6 Malin Head SPA

Table 7.4 comments on the likelihood of significant negative impacts on the favourable conservation condition of SCIs of Malin Head SPA and gives a rationale for each case.

Table 7.4. Likelihood of Significant Effects on Special Conservation Interests – Malin Head SPA

Special Conservation Interests [Natura 2000 Code]	Comments	Significant Effect Likely
Species		
Corncrake (<i>Crex crex</i>) [A122]	Typically nests on the ground in tall vegetation (particularly hay fields). Aerial imagery suggests that his habitat is likely absent from the ZOI for noise impacts.	No

Special Conservation Interests [Natura 2000 Code]	Comments	Significant Effect Likely
	Furthermore, the ZOI is outside known breeding distribution in Ireland (NPWS, 2019a).	

Based on the above information, it is concluded that the proposed project alone is not likely to cause significant effects to Malin Head SPA in the absence of mitigation.

7.7 Cumulative and In-Combination Effects

It is a requirement of Appropriate Assessment that the cumulative or in-combination effects of the proposed development together with other plans or projects are assessed. Cumulative impacts can be defined as a project/plan/programme likely to have a significant effect on a European Site, either individually or in combination with other plans or projects. Considering the information presented in section 7, any project/plan/programme which may generate noise within the ZOI (158m) identified in section 7.1.3 is considered to have potential to interact with the proposed development to cause significant effects to European sites.

The following sources were consulted in order to determine if there were any other plans or projects in the area which could result in cumulative impacts.

- Donegal County Development Plan 2018-2028 (DCC, 2018);
- GeoHive Map Viewer – Irish Planning Applications (OSI, 2021); and
- EIA Portal (DEHLG, 2020).

Recently granted planning applications in the vicinity of the foreshore license area primarily relate to the construction, demolition or extension of dwellings. the majority of which are at distance from the proposed development which is outside the ZOI for noise impacts.

The table in appendix D provides a list of the plans/projects in the immediate vicinity of the proposed GI works, which have the potential to interact. Each plan/project is assessed in terms of the likelihood for in-combination impacts to lead to significant negative effects on Natura 2000 sites.

In summary, significant cumulative or in-combination effects are not considered likely.

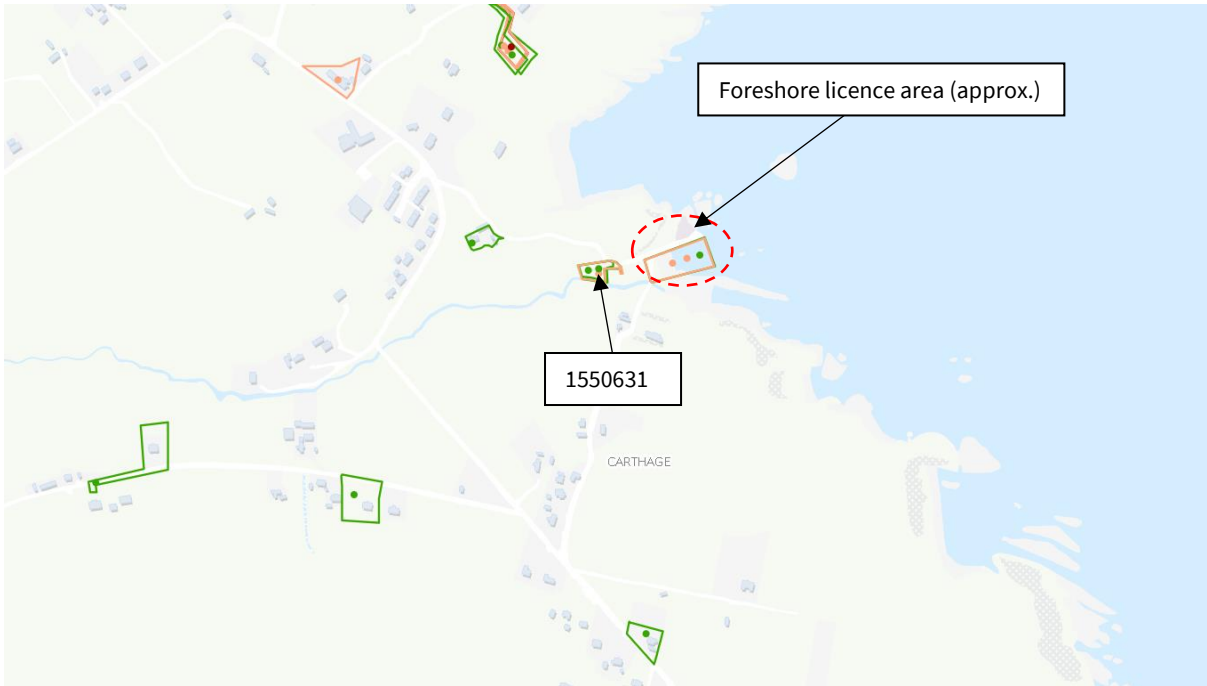


Figure 7.2. Planning applications in the vicinity of the foreshore licence area

8 Screening Statement

The Screening exercise was completed in compliance with the relevant EC and national guidelines. Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011 states that: *“The public authority shall determine that an Appropriate Assessment of a plan or project is not required [...] if it can be excluded on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site.”*

The potential impacts from the construction and post-construction stages of the project site have been considered in the context of the European Sites potentially affected and their Qualifying Interests/Special Conservation Interests.

It has been concluded beyond reasonable scientific doubt that significant effects to three out of the seven sites within the zone of influence are highly unlikely, alone or in combination with other plans or projects.

Given that the proposed works are within the North Inishowen Coast SAC, a more detailed screening for this site was completed.

Three SPA sites also required a more detailed screening assessment on the basis that noise impacts from construction could disturb breeding SCI avifauna. However, the quayside and pier are adjacent to an existing marine supply store and yard. It is therefore considered that existing background noise levels would be comparable to noise generated by the proposed works. In addition, the suitable habitat (sea cliffs) are located behind the proposed works area, beyond an area of raised ground provides a natural barrier to noise transmission.

As significant effects on European Sites by virtue of the proposal have been deemed unlikely, it is therefore determined that Appropriate Assessment is not required.

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Appendix A – Foreshore Licence Area

Appendix B – Construction Method Statement

Glengad Method Statement

1.1 Project Location and Description

Glengad- quay is in the portaleen locality in County Donegal. Portaleen is situated nearby to Portnalong, and northwest of Claggan as shown below in Figure 1 The project consists of reconstructing existing quay wall due to undermining and deterioration of existing quay wall. The quay wall along the entire pier requires refurbishment/replacement due to abrasion/erosion and scaling due to poor quality of concrete. The quay wall was originally founded on and spanned rock outcrops, however erosion between outcrops has resulted in loss of fill material behind the quay wall and undermining of the quay wall itself.

It is proposed to construct a new reinforced concrete pier wall offset from the existing pier wall, backfill behind the proposed wall and extend the pier deck slab to tie into the proposed wall.

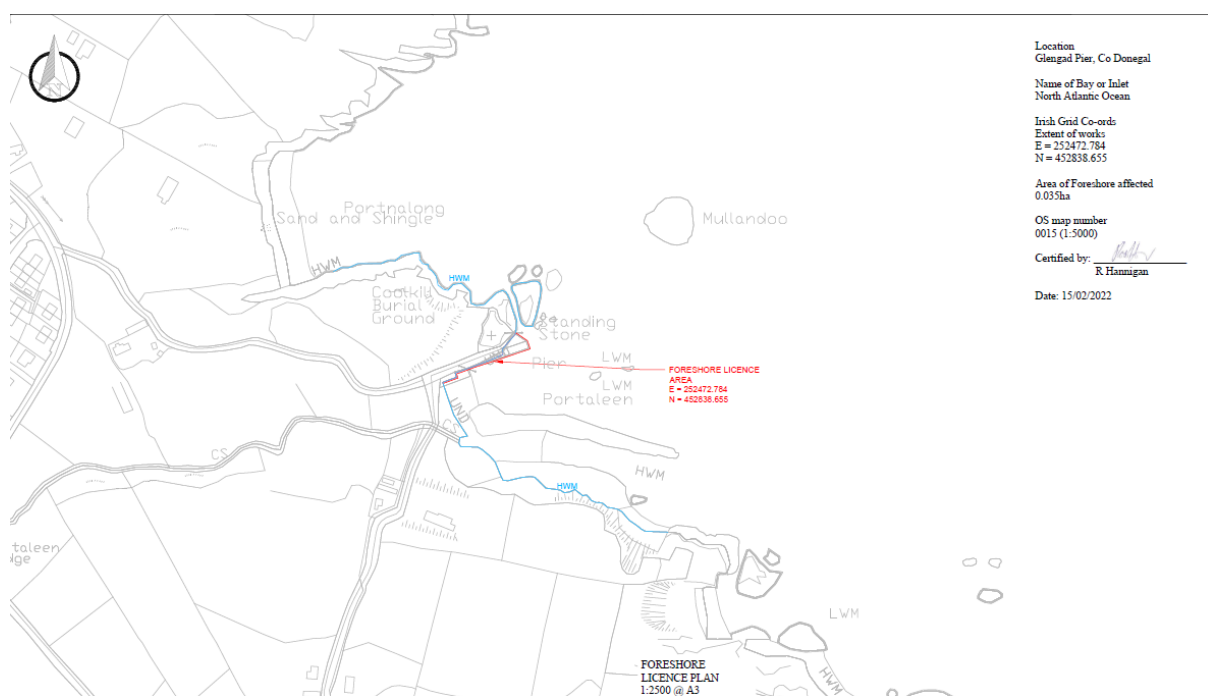


Figure 1- Glengad Quay, Portaleen

1.2 Outline Construction Method Statement

Traffic management will be set up and the worksite separated from the public. The pier will remain operational, however, berthing and usage will be restricted.

Due to the presence of rock, it is proposed to construct precast wall units alongside the existing deteriorating quay wall, below low water level and these will be lifted into place using a crane. The cavity between the proposed precast wall units and the existing quay wall will be filled with concrete with the concrete placed by using the tremie pipe method. This method eliminates segregation of the concrete and maintains its durability, however, this also significantly reduces the amount of cement/aggregate that can escape into the water column. Anti-wash admixture will also be added to maintain the strength of the concrete in marine conditions. Above the water mark the concrete wall will be cast in situ using standard formwork. The precast units will include exposed rebar to tie into the proposed cast in situ sections of wall.

1.2.1 Phases and Programme of Works

Construction Period March 2023 – November 2023

The working hours on all of these works will be in daylight hours- 08:00-17:00 tide dependant. There will be 10 people on site at any time.

1.2.2 Construction Area / Zone / Layout

Contractor shall provide a portaloo and agree location with DCC, prior to works, to ensure there is no risk of contamination. All construction sites and storage areas shall be barrier off in Accordance with Chapter 8, temporary traffic management guidelines.

Refuelling area to be agreed on site at a minimum distance of 50m from the coastiline.

Generators will not be required on site as there is power sources available on the pier.

All work to avail of the public lighting on site. If the lighting is inadequate, work shall proceed during daylight.

1.2.3 Machinery & Plant Requirements

13 tonne Excavator including compacting plate attachment, Crane, 32 Tonne Tipper Lorry, Concrete Lorry, 6 tonne dumper.

1.2.4 Material Requirements & Anticipated Wastes

No waste dredging spoil generated

Materials - precast concrete units, engineered granular fill material, steel reinforcement, cast in situ concrete for the retaining wall and slipway deck.

1.2.5 Environmental Considerations

Noise

Precast units to alleviate potential for water contamination.

All equipment to be checked daily and to have maintenance records to reduce excess noise generation.

Light

Excess light pollution to be avoided with the use of lighting towers.

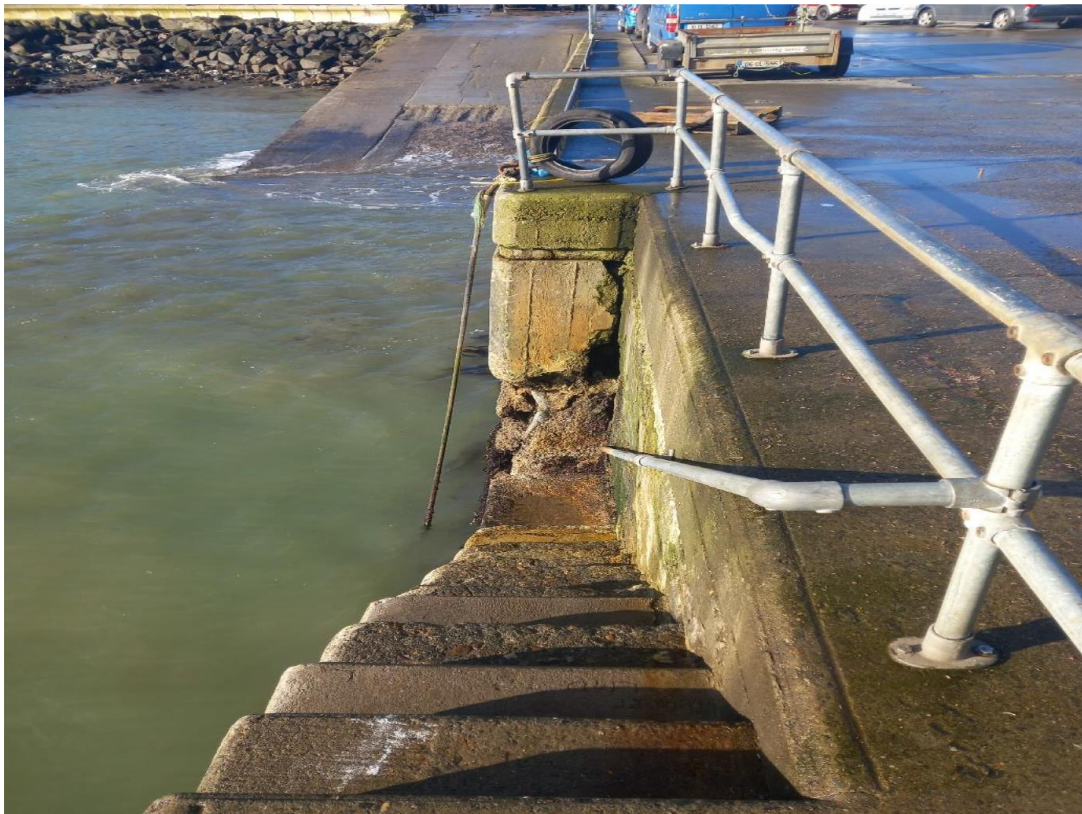
Contamination

Precast units used in all possible situations.

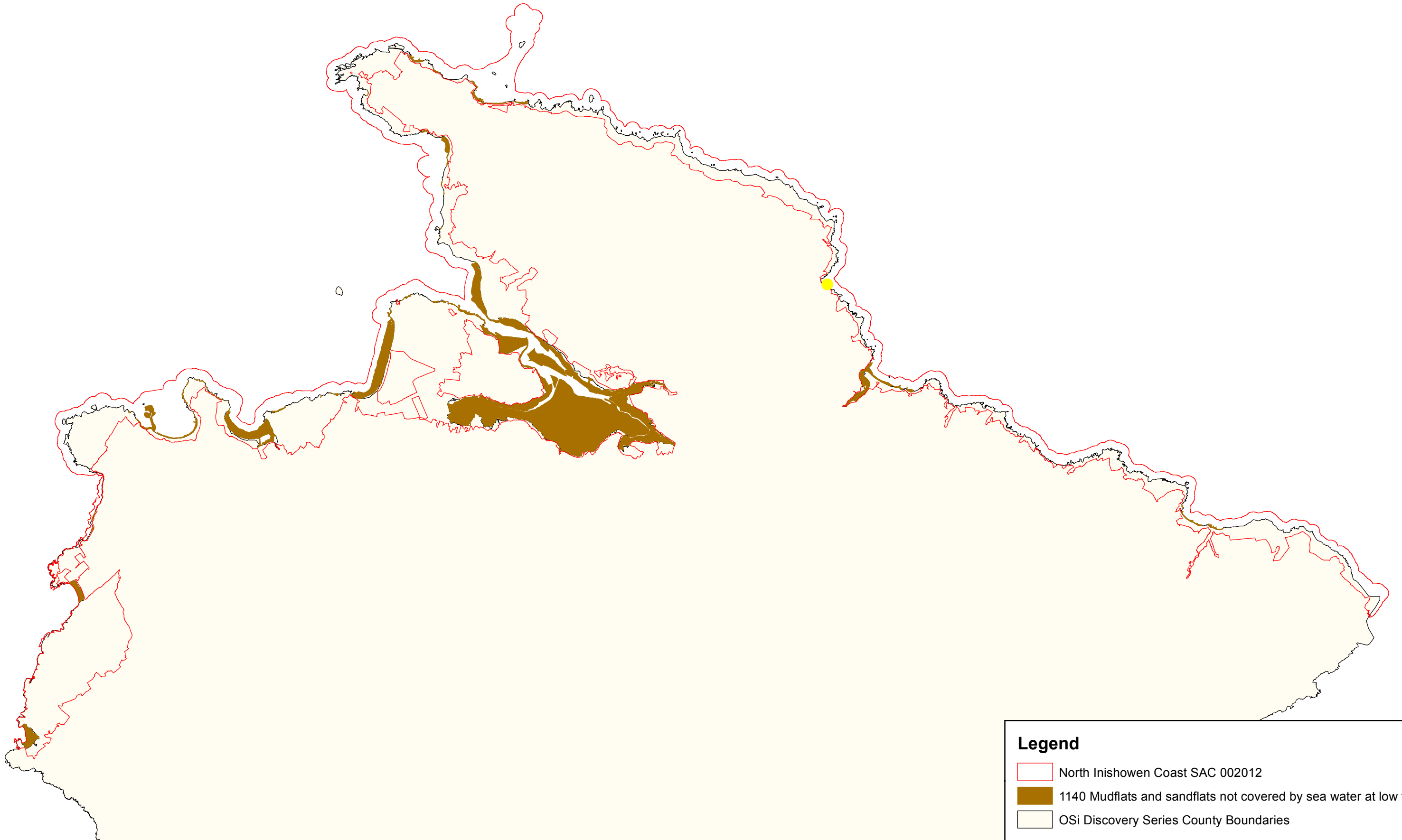
Fuelling station to be located away from the water and to have spill kits.

All liquids to be stored in a bunding spill tray

1.3 Photographs

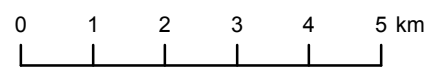


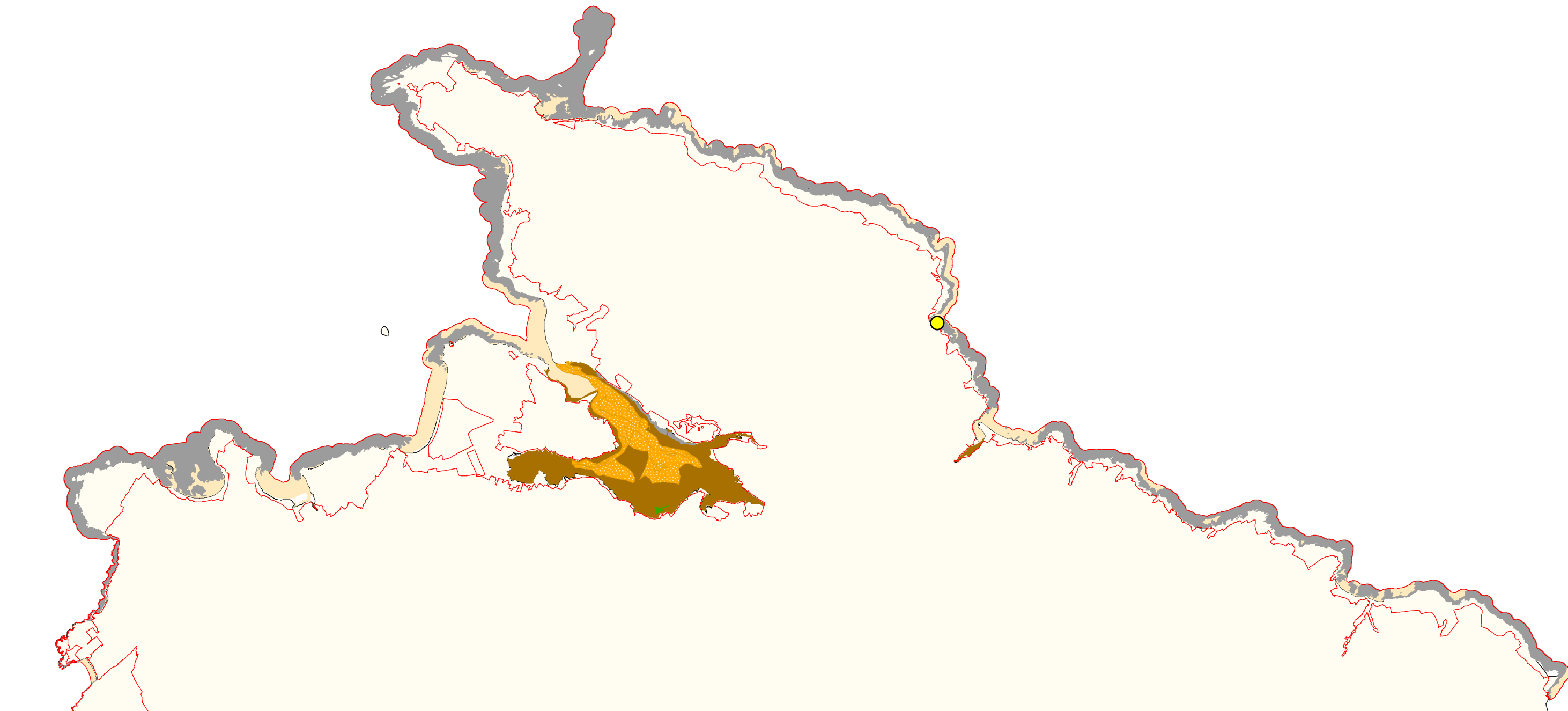
Appendix C – Maps of QI Habitats/Species within North Inishowen Coast SAC
(Approximate Location of Proposed Works Area is Marked with a Yellow Dot) (NPWS,
2014b)



Legend

- North Inishowen Coast SAC 002012
- 1140 Mudflats and sandflats not covered by sea water at low tide
- OSi Discovery Series County Boundaries



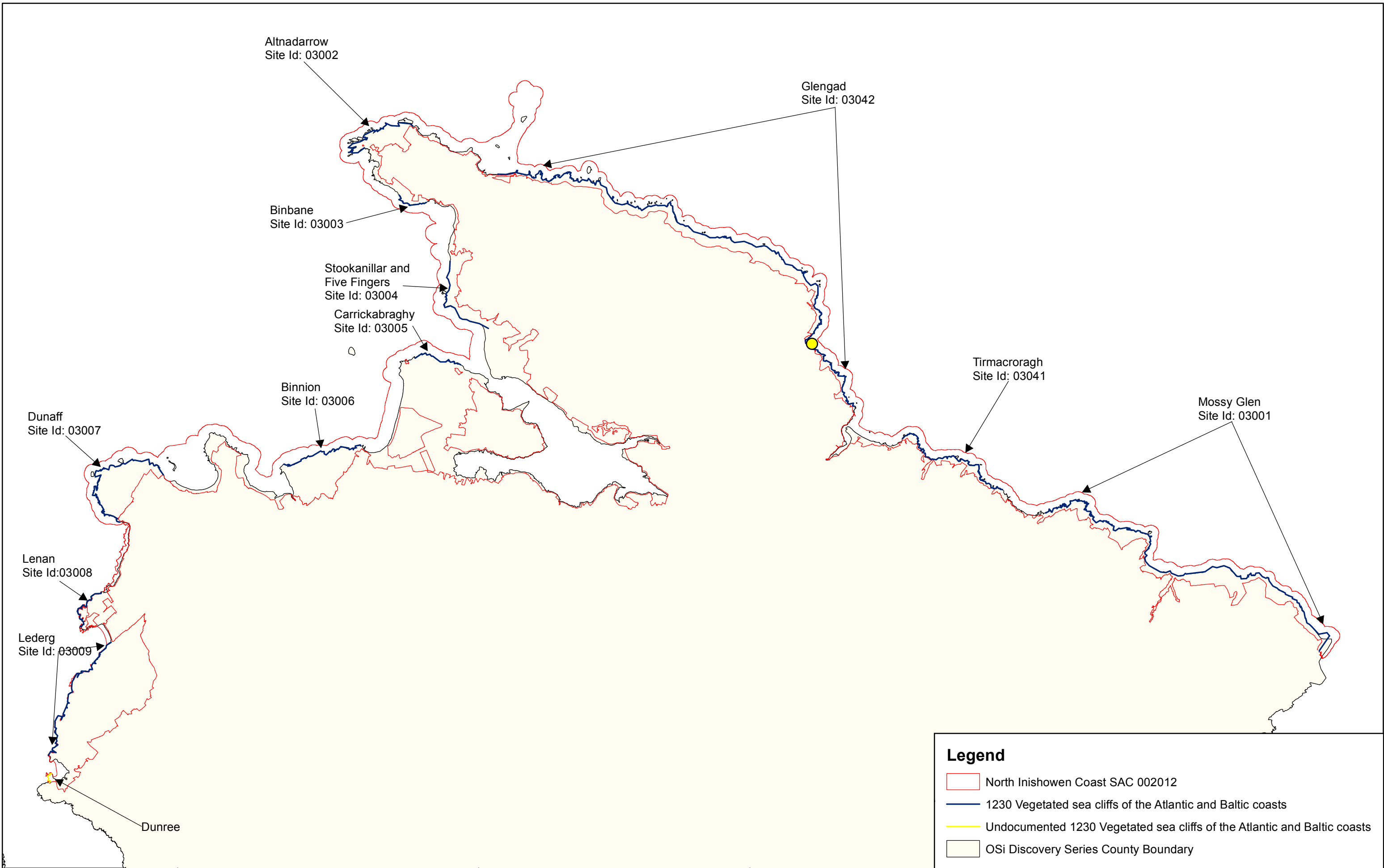


Legend

- North Inishowen Coast SAC 002012
- OSi Discovery Series County Boundaries

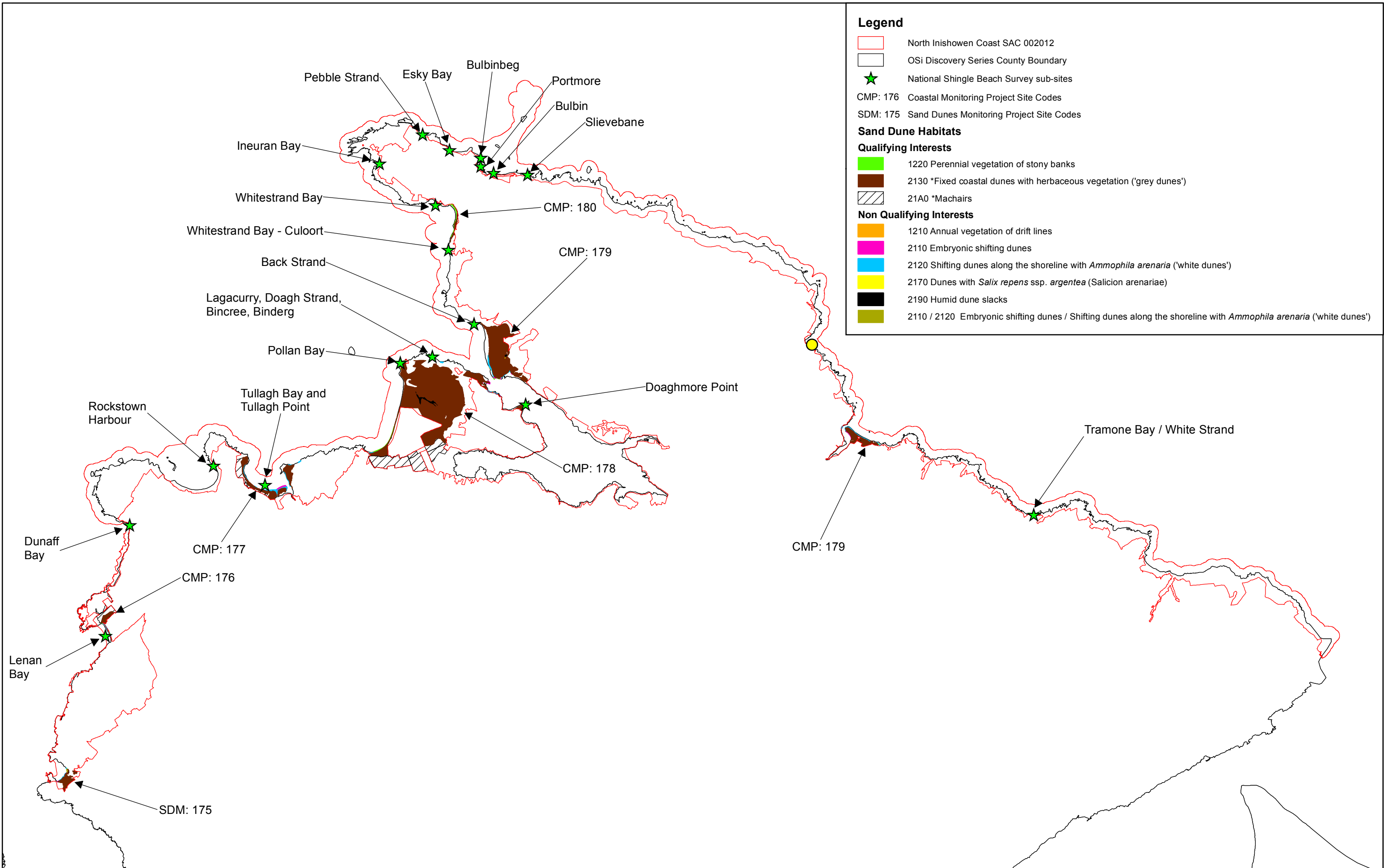
Marine Community Types

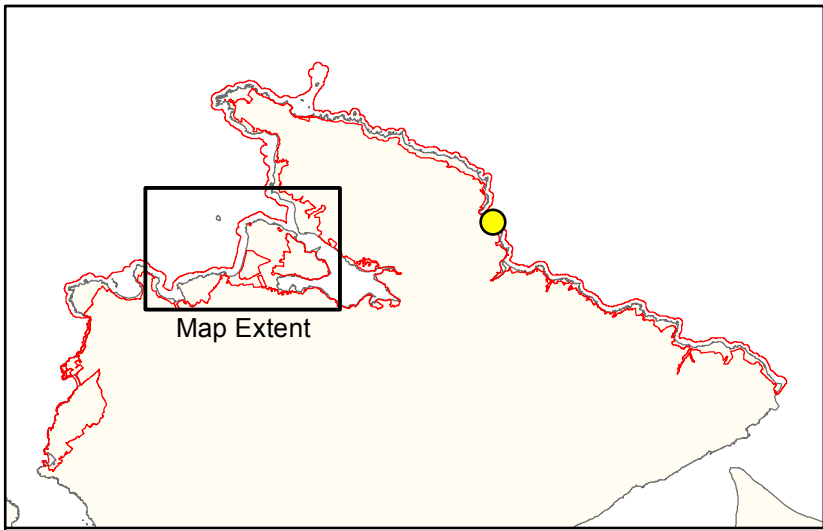
- Fine to medium sand with *Eurydice pulchra* community complex
- Muddy sand to coarse sediment with *Pygospio elegans* community complex
- Reef community complex
- Sand with *Angulus tenuis* and *Scoloplos (Scoloplos) armiger* community complex
- Zostera*-dominated community



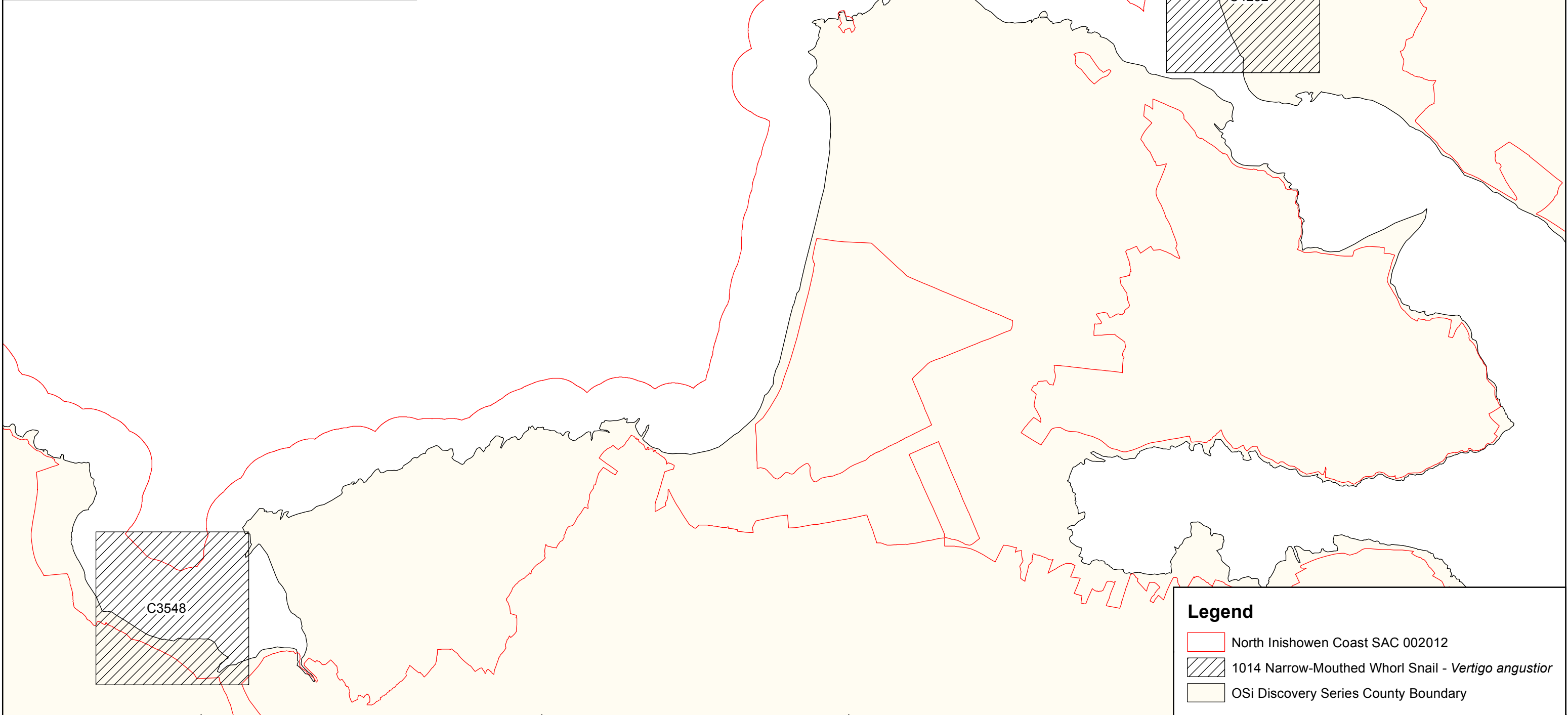
Legend

- North Inishowen Coast SAC 002012
- 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts
- Undocumented 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts
- OSi Discovery Series County Boundary



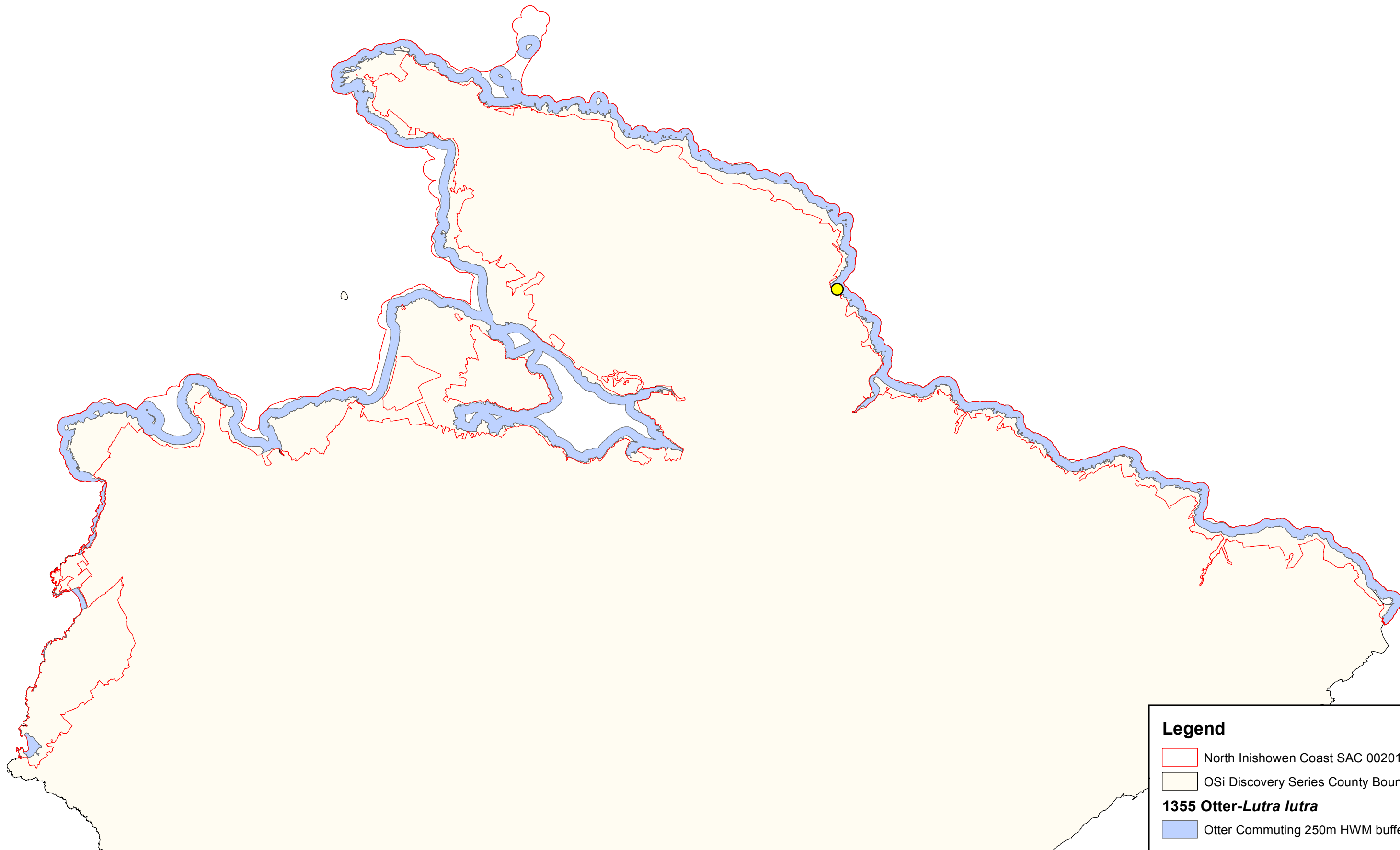


Map Extent



Legend

- North Inishowen Coast SAC 002012
- 1014 Narrow-Mouthed Whorl Snail - *Vertigo angustior*
- OSi Discovery Series County Boundary



Legend

- North Inishowen Coast SAC 002012
- OSi Discovery Series County Boundaries

1355 Otter-*Lutra lutra*

- Otter Commuting 250m HWM buffer

Appendix D – Assessment of In-combination Effects

Plan/Project	Overview	Status (date)	Potential significant effects from plan/project	Potential in-combination effects
National				
Ireland 2040 - Our Plan, the National Planning Framework (and associated National Development Plan)	The National Planning Framework is the Government's high-level strategic plan for shaping the future growth and development of to the year 2040. It is a framework to guide public and private investment, to create and promote opportunities for people, and to protect and enhance the environment – from villages to cities, and everything around and in between.	Published (18/01/2019)	Potential in-combination effect may arise where there is a requirement to provide for new infrastructure or where new development occurs.	This Framework was subject to SEA and AA that incorporated robust mitigation measures to minimise effects. Until project-specific plans are drafted for new development, there is no scope for assessment of in-combination effects.
Grid 25	Grid25 is a high-level strategy outlining how EirGrid intends to undertake the development of the electricity transmission grid in the short, medium and longer terms, to support a long-term sustainable and reliable electricity supply.	Published (2011)	Potential in-combination effect may arise where there is a requirement to provide for new infrastructure or where new development occurs.	This Framework was subject to SEA and AA that incorporated robust mitigation measures to minimise effects. Until project-specific plans are drafted for new development, there is no scope for assessment of in-combination effects.
Energy Policy framework 2007-2020, Governments White Paper	This policy states that the Government is committed to delivering a significant growth in renewable energy as a contribution to fuel diversity in power generation with a 2020 target of 33% electricity consumption.	Published (2007)	Potential in-combination effect may arise where there is a requirement to provide for new infrastructure or where new development occurs.	This Framework was subject to SEA and AA that incorporated robust mitigation measures to minimise effects. Until project-specific plans are drafted for new development, there is no scope for assessment of in-combination effects.

Plan/Project	Overview	Status (date)	Potential significant effects from plan/project	Potential in-combination effects
Irish Water's Water Services Strategic Plan 2015 and associated Proposed Capital Investment Plan 2020-2024	This Water Services Strategic Plan sets out strategic objectives for the delivery of water services over the next 25 years up to 2040. It details current and future challenges that affect the provision of water services and identifies the priorities to be tackled in the short and medium term.	Published (2015 and 2014)	Meeting additional potable water demands and wastewater treatment demands arising from the proposed increase in population has the potential to adversely affect, in the case of abstractions from and effluent discharges to surface waters, the ecological status of surface waters and, in the case of groundwater abstractions, the quantitative status of groundwaters.	This Framework was subject to SEA and AA that incorporated robust mitigation measures to minimise effects. Until project-specific plans are drafted for new development, there is no scope for assessment of in-combination effects.
Regional				
Regional Spatial and Economic Strategy (RSES) 2020-2032	The RSES provides a long-term regional level strategic planning and economic framework in support of the implementation of the National Planning Framework.	Published (2020)	Potential in-combination effect may arise where there is a requirement to provide for new infrastructure or where new development occurs.	This strategy was subject to SEA and AA that incorporated robust mitigation measures to minimise effects. Until project-specific plans are drafted for new development, there is no scope for assessment of in-combination effects.
County/Local				
Donegal County Development Plan 2018-2024	Overall strategies for the proper planning and sustainable development of the administrative area of Donegal County Council.	Published (2018)	Potential in-combination effect may arise where there is a requirement to provide for new infrastructure or where new development occurs.	Appropriate assessment of the Draft County Donegal Development Plan 2018–2024 concluded a finding of no significant effects following the completion of Stage 2 of the process in relation to the proposed material alterations (DCC, 2018).

Plan/Project	Overview	Status (date)	Potential significant effects from plan/project	Potential in-combination effects
Planning Applications				
Planning Ref. 1851859	Storage yard for fishing equipment.	Grant Date March 6, 2019 Expiry Date March 5, 2024	In the absence of information on the nature of noise generated by these developments the precautionary principle is applied, and it is considered that these projects will interact with the proposed development to cause significant effects to the European sites.	Significant in-combination effects are not considered likely.
Foreshore Licence Applications				
There are no recently granted plans or projects requiring EIA within the vicinity of the Foreshore license area.				
EIA Portal				
There are no recently granted plans or projects requiring EIA within the vicinity of the Foreshore license area.				



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