

Date: 2nd November 2011
Your Ref: \NI1328/Article 6 EIA Regs
Our Ref: P/2011/0918/PREAPP
(Please quote at all times)



Aideen McCabe
Associate Director
RPS Planning and Environment
Elmwood House
74 Boucher Road
Belfast
BT12 6RZ

Southern Area Planning Office,
Local Planning Division,
Department of the Environment,
Marlborough House,
Central Way,
Craigavon
BT64 1AD

Please contact: Trudy Chapman
Direct Dial: 101

Dear Aideen,

Location: Vehicle ferry across Carlingford Lough, between Greenore in Co Louth and Greencastle in Co Down

Proposal: Construction of a slipway, berthing facility, a ticket office and off-road queuing area

I refer your letter dated 20.10.2011 and accompanying plans and information requesting an opinion under Regulation 6 (1) (b) of the EIA Regulations as to the information to be provided in the Environmental Statement to be submitted with an application in respect of the above proposal.

The Department has now consulted:

- DRD Roads Service
- NIEA Natural Heritage
- NIEA Protecting Historic Monuments
- NIEA Protecting Historic Buildings
- NIEA Water Management Unit
- Loughs Agency – Foyle, Carlingford and Irish Lights Commission
- Newry and Mourne District Council – Environmental Health Department.
- DARDNI – Fisheries Division
- Crown Commissioners
- Planning – Newry and Mourne Development Plan Team
- DFP – CPD Structural Engineering Branch
- DCAL – Inland Fisheries Group
- NI Water

As I have already advised you the Department will formally respond within 6 weeks of the date of determination on the requirement to provide an Environmental Statement.

Yours faithfully

SIMON KIRK
Area Planning Manager

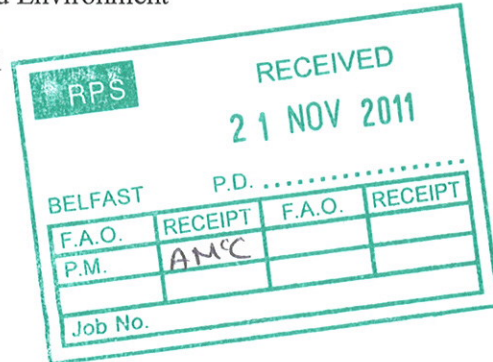
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P.M.	AMCC		
Job No.			

Date: 16th November 2011
Your Ref:
Our Ref: P/2011/0918/PREAPP
(Please quote at all times)



Aideen McCabe
Associate Director
RPS Planning and Environment
Elmwood House
74 Boucher Road
Belfast
BT12 6RZ

Southern Area Planning Office,
Local Planning Division,
Department of the Environment,
Marlborough House,
Central Way,
Craigavon
BT64 1AD



Please contact: Trudy Chapman
Direct Dial: 101

Dear Aideen,

Location: Vehicle ferry across Carlingford Lough, between Greenore in Co Louth and Greencastle in Co Down

Proposal: Construction of a slipway, berthing facility, a ticket office and off-road queuing area

I refer to your correspondence dated 17th October 2011 and received by this office on 20th October 2011 regarding the above proposal.

The Department formally determines under Part 2 Regulations 6 (1) (a) of the above regulations (the EIA regulations) that a planning application for the shore based elements – construction of a slipway, berthing facility, a ticket office and off-road queuing area – would be EIA development.

The proposal is Schedule 2 development as listed and described in column 1 of schedule 2 of the EIA regulations, namely category 10 (g) 'Infrastructure Projects' - construction of harbours and port installations. The site you have identified falls within a sensitive area as defined by regulation 2 of the EIA regulations. It is within a designated Area of Outstanding Natural Beauty, the Carlingford Lough Area of Special Scientific interest, Special Area of Conservation, Special Protection Area and RAMSAR Site. Having regard to the selection criteria set out in Schedule 3 of the EIA regulations the Department considers the proposal, as described, has the potential to generate significant environmental impacts both during the construction and operational stages of the project.

Any application for planning permission for the proposal, if submitted, will therefore be required to be accompanied by an Environmental Statement and the Department is not permitted to grant planning permission unless it has taken environmental information into consideration, including an Environment Statement.

If you wish to proceed with the development you should notify the Department whether or not you accept this determination. If you do not accept the determination you may seek a hearing before the Planning Appeals Commission. Notification must be received by the Department within 4 weeks from the date of this letter.

The Department will formally respond to your request under Regulation 6 (1) (b) to identify the information to be provided in the Environmental Statement within 6 weeks of the issue of this determination as required by Regulation 6 (8).

Yours faithfully

A handwritten signature in black ink, appearing to read "Simon K. D.", written in a cursive style.

Authorised Officer

Date: 10th February 2012
Your Ref: NI1328/EIA
Our Ref: P/2011/0918/PREAPP
(Please quote at all times)



RPS Planning and Environment
Elmwood House
74 Boucher Road
Belfast
BT12 6RZ



Southern Area Planning Office,
Local Planning Division,
Department of the Environment,
Marlborough House,
Central Way,
Craigavon
BT64 1AD

Please contact: Trudy Chapman
Direct Dial: 0300 200 7830

Dear Aideen McCabe

Location: Vehicle ferry across Carlingford Lough, between Greenore in Co Louth and Greencastle in Co Down

Proposal: Construction of a slipway, berthing facility, a ticket office and off-road queuing area

I refer your letter dated 20th October 2011 and accompanying plans and information requesting an opinion under Regulation 6 (1) (b) of the EIA Regulations as to the information to be provided in the Environmental Statement to be submitted with an application in respect of the above proposal.

The Department has now consulted:

- DOE – Banbridge/Newry and Mourne Development Plan Team
- DARDNI – Fisheries Division
- DCAL – Inland Fisheries
- DFP – CPD Structural Engineering Branch
- Newry and Mourne District Council – Environmental Health
- Foyle, Carlingford and Irish Lights Commission
- NIEA – Natural Heritage
- NI Water
- NIEA – Protecting Historic Buildings
- Rivers Agency
- Roads Service (Downpatrick Office)
- UK Crown Bodies – Crown Commissioners
- NIEA – Water Management Unit.

and had regard to Schedule 4 to the Regulations which sets out in general terms the matters for inclusion in an Environmental Statement.

In addition: -

- a. the specific characteristics of your proposal
- b. the specific characteristics of the type of development proposed and
- c. the environmental features likely to be affected by your proposal.

have been taken into account and the Department's opinion is that the following information should be provided in the Environmental Statement to accompany a planning application for your proposal: -

- Impact on the shellfish fisheries in the area (including marine ecology)
- Impact on coastal processes (including water and sediment quality)
- Marine Mammals
- Birds
- Designated sites
- Habitat survey
- Flora and fauna
- Landscape
- Water and Hydrology
- Hydrogeology
- Treatment
- Site management / pollution prevention
- Mitigation measures
- Environmental management plan
- Transport assessment.

Southern Area Planning Office, Local Planning Division, Department of the Environment, Marlborough House, Central Way, Craigavon, BT64 1AD, Newry and Mourne District Council and the above statutory bodies; have been notified of your proposal and that they have a duty under Article 8 (1) of the EIA Regulations to make available to you any relevant information in their possession, and for your convenience I have enclosed copies of the consultation replies provided as part of the scoping process.

You should note that this opinion does not preclude the Department from requiring further information over and above that set out above.

Yours faithfully



Authorised Officer

Enc



COMHAIRLE CONTAE LÚ • LOUTH COUNTY COUNCIL

Our Ref

RPS Planning & Environment,
 Elmwood House,
 74 Boucher Road,
 Belfast,
 BT12 6RZ
 Northern Ireland

PL EIA Ferry

22nd December, 2011

F.T.A.O. Ms. Aideen McCabe

RPS		RECEIVED	
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Job No.			

Your Reference Number: \NI1328/Section 173 Request EIA

Re: Location: Lands at Shore Road, Greenore, fronting onto the beach
Proposal: Vehicle ferry across Carlingford Lough, between Greenore in Co. Louth and Greencastle in Co. Down, comprising the construction of a slipway, berthing facility, a ticket office and an off-road queuing area.

Dear Ms McCabe

Further to your request under Section 173(2) of the Planning & Development Act 2000 (as amended) you are advised that in the first instance the planning authority has considered the nature and extent of the proposal in the context of Schedule 7 of the Planning and Development Regulations. The proposed development adjoins Natura 2000 sites [SPA Ref. 452 Carlingford Louth & SAC Carlingford Shore] and the proposed Natural Heritage Area (pNHA) of Carlingford Lough. It is considered having regard to the location of the development, together with the potential impact of the proposed development at both construction and operational stage that the proposal should be subject of an Environmental Impact Assessment, prepared in accordance with the regulations and having regard to the EPA guidelines on same. As such any forthcoming application should, in the opinion of the planning authority, be accompanied by an Environmental Impact Statement.

In respect of your query under Article 95 of the Planning and Development Regulations, 2001 you are advised that the planning authority has requested submissions/observations from the relevant prescribed bodies (see table below with list of prescribed bodies) and have indicated a deadline of 27th January, 2012 for submission/observations to be made.

Comhairle Contae Lú
 Halla an Chontae
 Ionad na Milaoise
 Dún Dealgan
 Contae Lú

Louth County Council
 County Hall
 Millenium Building
 Dundalk
 County Louth

Local 1800 202303
 Page 1 of 2
 T +353 42 9335457
 F + 353 42 9334549
 E info@louthcoco.ie
 W www.louthcoco.ie



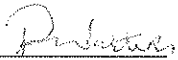
Prescribed Bodies Consulted with in respect of EIS Scoping include:

- Arts Council
- Fáilte Ireland
- An Taisce
- Heritage Council
- DoEHLG Applications Unit
- National Parks & Wildlife Services (Maurice Eakin, Navan)
- Minister for Environment
- Inland Fisheries of Ireland
- Waterways Ireland
- EPA
- Minister Communications Energy & Natural Resources
- Minister Agriculture Fisheries & Food

On receipt of same pursuant to Article 94(4) the planning authority will revert to you, the applicant, within three weeks with the planning authority's written opinion.

I trust the above clarifies the planning authority's position.

Yours sincerely,



Pauline Watters
Planning Section.



Ms Aideen McCabe
RPS Planning & Environment
Elmwood House
74 Boucher Road
Belfast BT12 6RZ
Northern Ireland

S February 2013

Ref: 2012/45682/JC HO

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P.M.	<i>AME</i>	EIA	<i>[Signature]</i>
Job No. N1328			

Dear Ms McCabe

I refer to your correspondence addressed to the Minister for Agriculture, Food and the Marine, Simon Coveney, TD regarding the preparation of an Environmental Impact Statement (EIS) by RPS relating to the construction of shore based facilities associated with the provision of a vehicle ferry across Carlingford Lough between Greenore, Co Louth and Greencastle, Co Down.

The Department has been requested to identify, from its perspective, the following:

- (i) information held that may be relevant to the preparation of an EIS
- (ii) issues that should be addressed in the EIS.

In respect of (i) above the Department of Agriculture, Food and the Marine (DAFM) have aquaculture licence information on GIS database for all shellfish farms licensed on the Co. Louth side of Carlingford Lough and this can be made available on written request.

In respect of (ii) above the Department requests that the following items should be addressed in any Environmental Impact Statement prepared in respect of this project:

- A full and detailed description of the scale, nature and extent of all aspects of the development, a schedule of works including timescales and phasing arrangements. The sediment movement implications of building a solid slipway on the Greenore side should be considered.
- An outline of the main alternative locations studied and alternative forms of development design, scale and construction methodologies considered prior to the selection of the preferred development option.
- Details of the construction methods and materials that would be used to construct the proposed development.
- Consideration of alternative orientations or locations focusing more on the existing commercial port area - There are licensed shellfish farms located within 400 to 500 metres of proposed slip development location. These would need to be fully taken account of in assessing possible impacts of the proposal and the design of mitigation measures. It is

noted that the orientation of the proposed slipway is likely to introduce more vessel movement to the southeast of Greenore than would have been the case heretofore. It is queried whether it is appropriate to be significantly widening the zone of direct influence of vessel movements in this way and in this direction.

- Information on the flora and fauna (including fisheries) in the receiving environment and surrounding area and details on their conservation status and ecological importance.
- An assessment of the impact on human activities, including fishing and aquaculture activities, during the construction and operational phases of the development. The question should be addressed as to whether the development has potential to introduce new or additional discharges to the local marine environment - use of antifoulants, potential for waste generation from on board vessel toilets, potential for oil spillage, runoff from deck and slipway etc. should be considered
- A clear description of the measures envisaged in order to avoid, reduce and, if possible, remedy any significant adverse effects identified. Shellfish aquaculture is an important and well established beneficial usage of the waters on the south side of Carlingford Lough – with suspended oyster farming being particularly important in the southeast of the Lough. The proximity of the proposed development to licensed and active shellfish farms to east and west of Greenore would need to be fully taken account of in assessing possible impacts of the proposal and the design of mitigation measures.

Any further correspondence relating to this project can be forwarded directly to Foreshore Co-ordination Unit, Aquaculture & Foreshore Management Division, National Seafood Centre, Clonakilty, Co Cork.

Yours sincerely

7P 

Kevin Galligan
Private Secretary



An Roinn
Ealaíon, Oidhreachta agus Gaeltachta

Department of
Arts, Heritage and the Gaeltacht

27th January 2012

Director of Services – Planning,
Louth County Council
County Hall,
Millennium Building,
Dundalk,
Co. Louth

Your Ref: PL EIA Ferry

Our Ref: G Pre0006/2012

Re: EIS scoping for Vehicle ferry from Greenore, slipway, berthing facilities, ticket office and off-road queuing area.

A Chara,

I refer to your letter of 22nd December seeking consultation in relation to the above proposal. Please find hereunder the recommendations of the Department of Arts, Heritage and the Gaeltacht (National Parks and Wildlife Service (NPWS) – ecology/nature conservation and National Monuments Service - archaeology)

Archaeology

Ireland has a long and varied maritime history with extensive records for shipwrecks along its coast, rivers, lakes and offshore waters. The Underwater Archaeology Unit (UAU) is in the process of compiling an inventory of shipwrecks for the coastal waters of Ireland, the records from which are stored in a shipwreck inventory database and housed in the UAU archive. The Shipwreck Database is accessible through the Archive Unit of the National Monuments Service. Over 12,000 wrecks have been recorded to date with over 120 shipwrecks listed for the Carlingford Lough area with a dense concentration recorded in or near Carlingford Bar and its approaches. Though earlier sources have been included where obtainable, the Inventory is largely based on documentary sources available from after 1700AD. As such, previously unrecorded shipwreck sites, including those dating to earlier periods, may await discovery in or around Greenore. Other forms of maritime archaeology may survive in the tidal waters of the Lough in the form of abandoned vernacular craft, ports, harbours, piers and jetties, coastal habitations, fortifications, anchors, fish traps, shell middens, kelp grids and the material traces of any activities in the past that involved the exploitation of the coastal and maritime resource.

Many of these site types are protected and can be identified from the Record of Monuments and Places for the relevant county and in the relevant Urban Archaeology Survey. Similarly, previously unrecorded archaeological sites other than wrecks may also lie undiscovered at Greenore Port.

The 1987 and 1994 (Amendment) Acts of the National Monuments Act 1930 – 2004 specifically address the protection of underwater archaeology. All wrecks over 100 years old and archaeological objects underwater are protected under the legislation and significant wrecks less than one hundred years old can be designated by Underwater Heritage Order on account of their historical, archaeological or artistic importance. Under the legislation diving on protected wreck sites or with the intention of searching for archaeological material underwater is subject to licensing requirements. Likewise, the use of detection devices, such as hand held metal detectors,

geophysical surveying equipment, video or other camera equipment with locational devices attached, on protected sites underwater or for the purpose of prospecting for archaeology requires a specific detection device licence. Under the National Monuments Act it is obligatory to report all discoveries of archaeological objects and wrecks over 100 years old within 4 days of discovery. Dive and detection device licence application forms are available through the Department's web site (www.archaeology.ie).

The works proposed for this development have the potential to negatively impact on known or potential submerged or buried archaeology and there will be a need for an appropriate level of archaeological assessment of the proposed construction works. It is therefore recommended that a full Underwater Archaeological Impact Assessment be carried out as part of the Environmental Impact Assessment with the results of the assessment forwarded to this office for review. This will enable the Department to make an informed archaeological recommendation before a planning decision is made. The overall policies set out in the Framework and Principles for the Protection of the Archaeological Heritage (www.archaeology.ie) are applicable to the type of development under consideration here and should form the basis for dealing with its archaeological implications.

Underwater Archaeological Impact Assessment shall be compiled as follows;

1. The applicant is required to engage the services of a suitably qualified archaeologist to carry out an underwater archaeological assessment of the potential impacts of the development/proposed works on known or potential archaeology.
2. The assessment shall comprise of a detailed desktop study, with the archaeologist carrying out any relevant documentary research including consulting with the Shipwreck Inventory of Ireland, the Record of Monuments and Places and the Ports and Harbours Archive, all of which are held by the Department of Arts, Heritage and the Gaeltacht. Local sources and the Topographical Files held by the National Museum of Ireland shall also be consulted.
3. The archaeologist should carry out an intertidal survey and dive survey (if necessary) of the proposed works. The intertidal and dive surveys should be licensed under the National Monuments Acts 1930-2004. The licence should be applied for by an archaeologist suitably qualified in maritime archaeology.
4. Having completed the assessment, the report shall be included as part of the EIA. The report shall put forward definitive recommendations to mitigate against impacts on identified or potential archaeological remains. Such an assessment will need to consider not just known sites but also areas of archaeological potential.
5. Where archaeological material/features are shown to be present, preservation *in situ*/avoidance or further archaeological mitigation (e.g. excavation and/or monitoring) may be required.

Nature Conservation

With regard to the EIA for this proposed development an ecological survey should be carried out of the proposed development site to survey the habitats and species present. Such surveys should be carried out by suitably qualified persons at an appropriate time of the year depending on the species being surveyed for. The EIS should include the results of the surveys. With regard to any existing records the data of the National Parks and Wildlife Service (NPWS) should be consulted at www.npws.ie and the data of the National Biodiversity Data Centre at <http://www.biodiversityireland.ie/>.

Birdwatch Ireland may also have data from local sources relating to this site. Reference should be made in the EIS to the National Biodiversity Plan and any County Biodiversity Plans. The EIS should also address the issue of invasive alien species, such as Japanese Knotweed, and detail the methods required to ensure they are not accidentally introduced or spread during construction.

The impact of the development on the flora, fauna and habitats present should be assessed. In particular the impact of the proposed development should be assessed with regard to:

- Natura 2000 sites, i.e. Special Areas of Conservation (SAC) designated under the EC Habitats Directive (Council Directive 92/42/EEC) and Special Protection Areas designated under the EC Birds Directive (Council Directive 79/409 EEC),
- Other designated sites, or sites proposed for designation, such as Natural Heritage Areas, Nature Reserves and Refuges for Fauna or Flora, designated under the Wildlife Acts of 1976 and 2000,
- Habitats listed on annex I of the Habitats Directive,
- Species listed on Annexes II and IV of the Habitats Directive,
- Habitats important for birds,
- Birds listed on Annex I of the EC Birds Directive,
- Species protected under the Wildlife Acts including protected flora,
- Habitats that can be considered to be corridors or stepping stones for the purpose of article 10 of the Habitats Directive,
- Red data book species,
- and biodiversity in general.

In order to assess the above impacts it may be necessary to obtain hydrological and/or geological data. The EIA should assess cumulative impacts with other plans or projects if applicable. In particular the assessment of cumulative impacts should include developments such as aquaculture and jet skiing and a proposed extension to Greenore Port. Where negative impacts are identified suitable mitigation measures should be detailed if appropriate.

Where there are impacts on protected species and their habitats, resting or breeding places, licenses may be required under the Wildlife Acts or derogations under the Habitats Regulations. In particular the methodology for the construction of the pier and any dredging necessary should be outlined and the impact on marine mammals should be assessed. Further information on protected marine species and habitats and licenses required can be found at www.npws.ie/marine/.

With regard to Carlingford Lough SPA we understand you have already been in contact with Dr. Tierney re survey requirements for birds.

With regard to the onshore portion of the works you should note that bats and otters are strictly protected under annex IV of the Habitats Directive and a copy of Circular Letter NPWS 2/07 entitled "Guidance on Compliance with Regulation 23 of the Habitats Regulations 1997 – strict protection of certain species/applications for derogation licences" can be found on our web site at <http://www.npws.ie/planning/appropriateassessment/>. In addition licenses will be required if there are any impacts on other protected species and their breeding and resting places such as on protected plants, badgers and their setts, otters and their holts or birds and their nests. Where possible hedges and trees should not be removed during the nesting season (i.e. March 1st to August 31st). Bird's nests can only be intentionally destroyed under licence issued under the Wildlife Acts of 1976 and 2000. In order to apply for any such licenses or derogations as mentioned above a detailed survey should be submitted to NPWS which should have been carried out by appropriately qualified person/s.

Because this project has the potential to impact on Natura 2000 sites, particularly Carlingford Shore candidate cSAC (site code 002306) and Carlingford Lough SPA (site code 004078), in accordance with article 6.3 of the Habitats Directive, this project should be subject to appropriate assessment screening of its implications for the site in view of the sites conservation objectives. We refer you to the Departmental guidance document on Appropriate Assessment, which was launched by the Minister on 10th December 2009 and since revised. It is available on the NPWS web site at <http://www.npws.ie/media/npws/publications/codesofpractice/AA%20Guidance%2010-12-09.pdf>.

We also refer you to the EU Commission guidance entitled "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"

which can be downloaded from

http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf.

In order to carry out the appropriate assessment you will need to collect information about the relevant Natura 2000 sites including their conservation objectives. Details of designated sites and species can be found on www.npws.ie while conservation objectives, if not yet available on our web site, can be obtained by requesting them by completing the data request form on our website at <http://www.npws.ie/media/npws/publications/Data%20request%20form.doc>.

We recommend that you consult with the relevant Local Authorities to determine if there are any projects or plans which alone or in combination could impact on any Natura sites

Kindly forward any further information to the following address (*NB change of address for your records & for future written communications*):

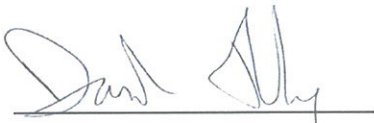
The Manager,
Development Applications Unit,
Department of Arts, Heritage and the Gaeltacht,
Newtown Road,
Wexford.

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

manager.dau@ahg.gov.ie

In addition, please acknowledge receipt of these observations by return to the above email address, entering G Pre0006/2012 in the 'Subject' cell.

Mise le meas,



David Tuohy,
Development Applications Unit
Department of Arts, Heritage and the Gaeltacht
Newtown Road
Wexford
Tel: (053) 911 7380



Office of the Minister for Agriculture, Food and the Marine, Dublin 2.

Oifig an Aire Talmhaíochta, Bia agus Mara, Baile Átha Cliath 2.

21 December 2012

Ms Aideen McCabe
RPS Planning & Environment
Elmwood House
74 Boucher Road
Belfast BT12 6RZ
Northern Ireland

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		07 JAN 2013	
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Job No.			

PLEASE QUOTE REF NUMBER ON ALL CORRESPONDENCE.

Our Ref: 2012/45682N /JC HO

Dear Ms McCabe

I wish to acknowledge receipt of your recent correspondence addressed to the Minister for Agriculture, Food and the Marine, Simon Coveney, TD concerning Vehicle Ferry across Carlingford Lough between Greenore in Co Louth & Greencastle, Co Down comprising the construction of a slipway, berthing facility, ticket office and off-road queuing area.

I will undertake to bring your correspondence to the Minister's attention at the next practical juncture and will make relevant enquiries in the interim.

Yours sincerely,

Kevin Galligan
Private Secretary



10 December 2012

Ms Aideen McCabe
Associate Director
RPS Planning & Environment
Elmwood House
74 Boucher Road
Belfast
BT12 6RZ

Re: Your Ref: NI 1328

Dear Mr McMahon

On behalf of Mr Pat Rabbitte, T.D., Minister for Communications, Energy and Natural Resources, I wish to acknowledge receipt of your recent letter, the contents of which will be brought to the Minister's attention.

Yours sincerely

Stephanie Redmond
Stephanie Redmond
Minister Pat Rabbitte's Office

RPS		RECEIVED	
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Pauline Watters

From: Philip Donovan - (DECLG) [Philip.Donovan@environ.ie]
Sent: 27 January 2012 14:03
To: Pauline Watters
Cc: Shelley Whelan - (DECLG); Paul Dunne - (DECLG)
Subject: RE: PEIA Ferry
Ms. Watters,

In relation to your invitation to submit observations concerning the EIS scoping document relating to the Greenore Car Ferry development proposal, please find attached amended observations in respect of Water Quality and Foreshore Sections of the Department of Environment, Community and Local Government. A map showing the shellfish relevant designated shellfish waters and aquaculture licence areas is also associated.

Submitted for consideration please.

Philip Donovan
Water Quality Section
Newtown Road
Wexford

Ph: 053-9117494
email: philip.donovan@environ.ie

27/01/2012

Submission on behalf of the Department of Environment, Community and Local Government in relation to proposed car ferry development at Greenore Co. Louth.

EIS SCOPING

In terms of Scoping for this EIS in relation to the proposed development, the following issues (among others) need to be addressed where applicable:

EIS TOPICS (GENERAL)

The EIS should conform to the requirements of S.I.349 of 1980 and by extension S.I.83 of 1999.

The EIS should be undertaken in accordance with the Format and Guidelines as specifically set out in the following EPA Publications:

- (i) Guidelines on the Information to be contained in Environmental Impact Statements (dated March 2002),*
- and*
- (ii) Advice Notes on Current Practice (on the preparation of Environmental Impact Statements)-latest EPA Edition*

ALTERNATIVES

Alternative designs should be considered for the proposed works. Consideration should be given to the likely impact any proposed structure would have on existing marine environment/coastal protection processes and in particular the impacts likely to arise from any alterations to the existing erosion/deposition regime on the coastline in the vicinity of the proposed development. Alterations to site location and development orientation may need to be assessed as part of this process

CONSTRUCTION PHASE

-Archaeological and ecological surveys and appraisals of all areas where dredging or disposal of dredged material is proposed should be undertaken

A quantitative and qualitative assessment of dredged material and an assessment of the environmental effects of its disposal should be undertaken

An estimate of the quantity of material to be transported to and from the site (including materials to be used in the construction of the slipway and berthing

facility) should be undertaken and this should include an assessment of the environmental effects of the transport of these materials.

An assessment of the likely effects on the marine environment due to silt and sediment generation and transport should be undertaken. Measures proposed to prevent marine pollution arising from construction activities should be identified and this should include measures to minimise any impact to the designated shellfish growing area and all fishing and aquacultural activity in the vicinity of the proposed development.

An assessment of the likely effects on the Carlingford Lough SAC in accordance with the Habitats Directive should be undertaken.

The likely impacts on human beings and fauna arising from noise generated during construction activities should be identified and mitigation measures proposed where considered necessary. Potential impact arising from coastal flooding should also be evaluated and mitigation measures if necessary put forward to address this

The likely impact to other users of the foreshore in the vicinity of the proposed development should be assessed including its potential impact to any existing marine leisure pursuits, bathing, walking, angling, fishing, and the ongoing operations of Greenore Port Co

The likely impacts arising from construction activities, on the operation of local moorings, should be identified and mitigating measures proposed where considered necessary.

During the construction phase, cognisance should be taken of all public health and safety matters in relation to any other potential users of the foreshore (mitigation measures should be put forward to address this).

The likely impacts on the amenity value of the area arising from construction activities should be identified and mitigating measures proposed where considered necessary.

The potential impact on marine navigation during the construction phase should also be assessed in accordance with the requirements of the Department of Transport (Marine Survey Office).

OPERATIONAL PHASE

Information and an assessment of the water pollution potential of the completed development, including proposals for the treatment/disposal of wastewater likely to be generated by the development.

The long term impact of the development on flora and fauna of significance in the area, including bird nesting and/or wintering areas and in particular on any areas designated or proposed to be designated under the EU Habitats Directive. Legislation should be assessed. Identification of sites or areas of archaeological interest likely to be impacted upon and an assessment of the impact of the development on such areas should be undertaken. The assessment should cover terrestrial and aquatic areas

Information on existing commercial/amenity uses of the area including fishing/angling, aquaculture activity and the operations of Greenore Port Co. should be provided and an assessment of the likely impact of the development on these existing uses should be undertaken.

An assessment of the noise levels on residential and amenity uses in the vicinity should be undertaken.

In terms of the Ferry operation the potential impact to marine navigation in Carlingford Lough needs to be examined. This should include for any potential impact on existing navigational activities of Greenore Port Co, Warranpoint H.C. and Dundalk Port Co and also in connection with any local fishing and aquaculture operations and any other legitimate navigational uses of Carlingford Lough. It should be noted that Marine notice, lighting and markings should conform to the requirements of the Maritime Safety Directorate, Department of Transport, Leeson Lane, Dublin 2.

Identification of the areas of visual influence of the proposed development and an assessment of the impact of the development on the landscape and on the visual/amenity character of the area needs to be undertaken. This assessment should have regard to the impact of the development on views of significant amenity value and the likely short and long term impact of the development on the amenity character of Greenore. The effects of the development on views from various viewpoints on the approaches to Greenore both by sea and by land should be considered. The long term impact of the development on the character and physical fabric of Greenore and in particular the region of Carlingford Lough in the vicinity of the proposed development area (including the impact on protected structures and their settings), should be assessed.

The potential impact on marine tourism should be assessed.

WATER QUALITY and SHELLFISH DESIGNATED AREAS

The potential impact on water quality during both the construction and operation phases needs to be evaluated and in terms of the construction phase mitigation

measures should be proposed to protect water quality from any spillage of fuels, hydrocarbons, cement suspended solids or other contaminated matter to the marine environment. (e.g the provision of silt control traps, booms, interceptors, bunding, refuelling to be undertaken remote from the foreshore, etc)

In terms of potential impacts to water quality and the protection of the designated Carlingford Lough shellfish growing area and existing fishing and aquaculture activity cognisance should be taken of the following constraints and mitigation measures should be put forward where necessary in order to comply fully with protection of the water quality associated with these:

- Shellfish Growing Areas as designated under the "Quality of Shellfish Waters Regulations (S.I. No 268 of 2006)(as amended)", (the site encroaches onto the Carlingford L. designated shellfish growing area)
- River Basin Management Plans and associated Programme of Measures in compliance with the requirements of the E.C.(Water Policy)Regulations(SI No722 of 2003)(amended in 2005 and 2008)
- Baiting Waters/Green Coast/Blue Flag status (compliance with the Baiting Water Directives 76/160/E.C and new Directive (2006/7/EC).
- Proximity to nearest aquaculture production areas (including licensed sites).
- Proximity to designated SAC 'S, SPA's NHA's and any other ecologically designated area.

CONSULTATION

The following, among others, should be consulted from this Department's perspective where applicable:

- Inland Fisheries Ireland-relevant River Basin District. (can advise on fishing/angling activities in the area)
- Any local Angling Clubs (IFI can advise)
- Any local boating/yachting/sailing or other local water sport leisure or recreational interest groups (where relevant).

- *Sea Fisheries Protection Authority (can advise on sea fishing areas, sensitive fishing grounds, aquaculture activities etc).*
- *Department of Agriculture Fisheries and Food (can advise Aquaculture including locations of licensed sites).*
- *EPA (re Water quality issues, WFD implications)*
- *NPWS and Underwater Archaeology Units (Development Applications Unit-re impacts on ecological designations, archaeology etc)*
- *Faite Ireland (re Tourism issues)*
- *Department of Transport (Marine Survey Office) re Navigational issues, marine notices, marking, lighting requirements and notification requirements in relation to mapping the structure onto appropriate Admiralty Charts etc).*
- *The Locks Agency/B.I.M (re Aquaculture operations).*
- *Greenore Port Co.*
- *Warrenpoint HC*
- *Dundaik Port Co*
- *Local/Regional Municipal Authority in Northern Ireland in whose functional area the town of Greencastle is located*

As Louth County Council is a prescribed public body as defined in Schedule 1 of the European Communities (Quality of Shellfish Waters) Regulations 2006 (SI No. 268 of 2006, the Department of Environment, Community and Local Government wishes to point out the obligations of a public authority under Section 4 of the same SI, namely:

General duty of public authorities

4. Every public authority that has functions the performance of which may affect shellfish waters shall perform those functions in a manner that will, as far as practicable, promote compliance with the Shellfish Waters Directive and these Regulations and, in particular, shall—

(a) ensure that, as far as practicable, those shellfish waters comply with

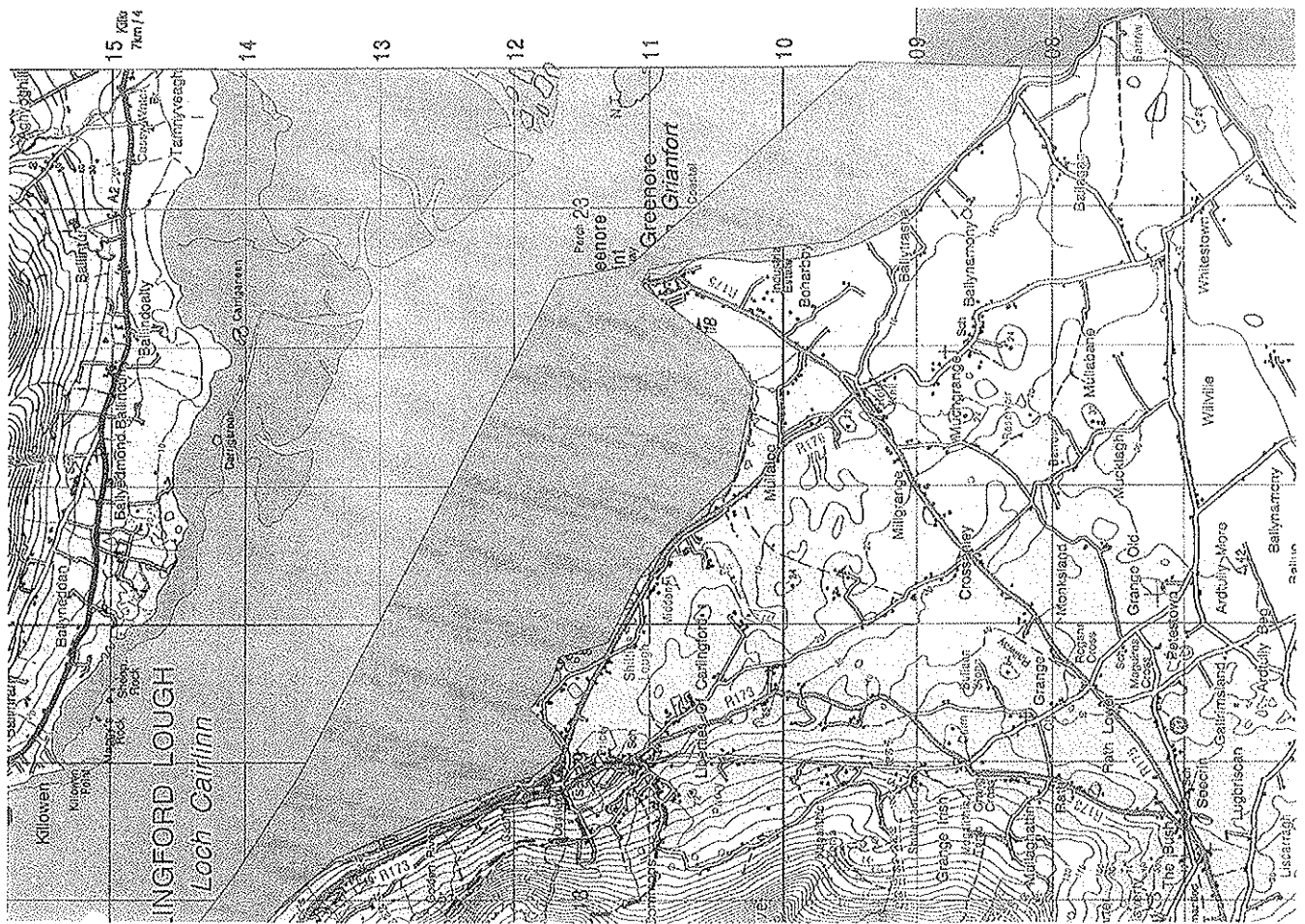
the quality standards specified in the Schedule 2, and

(b) take such action, consistent with the performance of its functions, as will secure compliance with that Directive and these Regulations and with any programme established by the Minister in accordance with Regulation 6, and

(c) consult, co-operate and liaise with other public authorities and with competent authorities established in Northern Ireland in such a manner and to such extent as is necessary to co-ordinate compliance with these Regulations or that Directive, and

(d) if any other public authority, or any competent authority established in Northern Ireland, asks for information that it reasonably needs in order to perform its functions with respect to compliance with these Regulations or that Directive, provide the authority with that information.

Given that the proposed development is sited in an area designated under SI No. 268 of 2006 European Communities (Quality of Shellfish Waters) Regulations 2006, we would seek assurances that any licenses or guidance issued by the Louth County Council pertaining to the proposed development, will observe the terms of the SI and thus provide adequate protection for this important industry.



Pauline Watters

From: Pauline Watters
Sent: 27 January 2012 10:26
To: 'Philip Donovan - (DECLG)'
Subject: RE: PL EIA Ferry

Philip,

Submission received (by email) from the DECLG on 26th January, will be withdrawn. However, I understand that an amended submission will be submitted and it should be noted that today is the last day. We will accept same by email with a hard copy sent in the post.

Regards,
Pauline.

-----Original Message-----
From: Philip Donovan - (DECLG) [mailto:Philip.Donovan@environ.ie]
Sent: 27 January 2012 09:58
To: Pauline Watters
Cc: Paul Dunne - (DECLG); Shelley Whelan - (DECLG)
Subject: RE: PL EIA Ferry

Pauline,

I would be grateful if you would withdraw the submission which we sent yesterday on behalf of the dept. environment, community and local government.

An amended submission will issue by close of business today.

Apologies for any confusion caused.

-----Original Message-----
From: Pauline Watters [mailto:Pauline.Watters@louthcooco.ie]
Sent: 26 January 2012 14:18
To: Philip Donovan - (DECLG)
Subject: RE: PL EIA Ferry

Mr. Donovan,

Your submission has been received in connection with the above.

Regards,
Pauline Watters

-----Original Message-----
From: Philip Donovan - (DECLG) [mailto:Philip.Donovan@environ.ie]
Sent: 26 January 2012 13:11
To: Pauline Watters
Cc: Bernard Nolan - (DECLG); Shelley Whelan - (DECLG)
Subject: PL EIA Ferry

Ms, Watters,

In relation to your invitation to submit observations concerning the EIS scoping document relating to the Greenore Car Ferry development proposal, please find attached observations in respect of Water Quality and Foreshore Sections of the Department of Environment, Community and Local Government. A map showing the shellfish relevant designated shellfish waters and aquaculture licence areas is also associated.

Submitted for consideration please.

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Baineann an teachtaireacht seo le úsáid an duine (an faighteoir ceaptha) a bhfuil sé dírithe chuige amháin. Féadfaid eolas a bheith inti, a bhfuil pribhléide agus rúnda lastigh de míniú an dli is infheidhme. Mura seolaí thú, cuir an seoltóir ar an eolas chomh luath is féidir, le do thoil. Ní gá gurbh ionann na tuairimí sa cumarsáid seo agus na tuairimí atá ag Chomhairle Chontae Lúghal. Seiceáil scanachán-vírisí aon cheangaltán agus ba dhéigh go bhfuil said glan. Áirithigh, le do thoil, go raibh gach teachtaireacht seiceáilte agat chomh maith, de gheasa nach glacann Comhairle Chontae Lúghal aon fhreagracht do cillíú nó damáiste ar do chóras.

Cuirfear fáilte roimh chomhfhreagras Gaeilge

Is faoi rún agus chun úsáide an té nó an aonán atá luaite leis, a sheoltar an ríomphost seo agus aon comhad atá nasctha leis. Má bhfuair tú an ríomphost seo trí earráid, déan teagmháil le bhainisteoir an chórais.

Beimnítear leis an bhfo-nóta seo freisin go bhfuil an teachtaireacht ríomphost seo scuabtha le bogearraí frithvíreais chun víreais ríomhaire a aimsiú.

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