



An
Bord
Pleanála

Inspector's Report ABP-318178-23

Development

River Maintenance Works

Location

Ros a Mhíl, County Galway

Local Authority

Galway County Council

Type of Application

Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment)

Prescribed Bodies

Department of Housing, Local Government and Heritage

Observers

None

Date of Site Inspection

21st May 2024

Inspector

Susan Clarke

Contents

1.0 Introduction	3
2.0 Site Location and Description	3
3.0 Proposed Development	4
4.0 Planning History.....	5
5.0 Legislative and Policy Context.....	6
6.0 Policy Context.....	8
7.0 The Natura Impact Statement.....	10
8.0 Consultations	10
9.0 EIA Screening.....	11
10.0 Further Information	12
11.0 Assessment.....	14
12.0 Recommendation	31
13.0 Reasons and Considerations.....	31
14.0 Appendix	37

1.0 Introduction

- 1.1. Galway County Council is seeking approval from An Bord Pleanála to undertake river maintenance works at Rós an Mhíl, Co. Galway. The proposed works will involve the removal of vegetation and blockages along the Rossaveel Stream adjacent to Rossaveel GAA playing grounds. Works are also proposed to the lower parts of a drainage ditch that runs along the southern boundary of the sports pitch into Rossaveel Stream. The works area along the waterbodies is c. 770m. The subject site is approx. 320m upstream of the Connemara Bog Complex SAC (site code: 0002034). A Natura Impact Statement (NIS) and application under Section 177AE was lodged by the Local Authority based on the proposed development's likely significant effect on European sites.
- 1.2. Section 177AE of the Planning and Development Act 2000 (as amended) requires that where an appropriate assessment is required in respect of development by a local authority, the authority shall prepare a NIS and the development shall not be carried out unless the Board has approved the development with or without modifications. Furthermore, Section 177V of the Planning and Development Act 2000 (as amended) requires that the appropriate assessment shall include a determination by the Board as to whether or not the proposed development would adversely affect the integrity of a European site and the appropriate assessment shall be carried out by the Board before consent is given for the proposed development.

2.0 Site Location and Description

- 2.1. The subject site is located adjacent to the Rossaveel GAA pitch in the townlands of Ros an Mhíl and Derrough South, Co. Galway. It is approx. 1.7km from the Aran Island Ferries terminal in south Connemara and approx. 30km west of Galway City. The surrounding area comprises a mix of peatlands, agricultural fields, farm buildings recreational and residential uses. The immediate environs are characterised by riparian vegetation with peatlands and the playing field and agricultural fields beyond. The riverbanks are heavily overgrown with gorse on either side.
- 2.2. The proposed works will involve the removal of vegetation and blockages along the Rossaveel Stream (also known as the Cashla River), which is part of the CASHLA 010 river waterbody. The Derrough South and Loch an Iolra waterbodies merge 150m

upstream of the sports pitch, before flowing adjacent to the sports grounds and travelling under the Rossaveel Bridge on the R372. At this point, the stream continues to travel through the Connemara Bog Complex SAC (site code: 002034) before entering Cashla/Clynagh Bay and ultimately discharges to Kilkieran Islands and Bay SAC.

- 2.3. Photographs & maps accompanying this Report describe the site & surroundings in more detail.

3.0 Proposed Development

- 3.1. The proposed development involves regrading and cleaning with the removal of vegetation and blockages along the Rossaveel Stream which runs adjacent to the sports pitch. The total length of the works is stated to be approximately 770m. In addition, the lower parts of a drainage ditch which runs along the southern boundary of the sports pitch and into the stream will also require some vegetation clearance works. The Applicant highlights that a section of the stream has become completely overgrown downstream of the sports grounds resulting in water backing up the stream and flooding the pitch.
- 3.1.1. The applicant outlines that the following measures will be implemented prior to the commencement of removing the vegetation and blockages along the Stream:
- Two barrier fences and floating booms will be set up across the waterway; one situated north of the GAA pitch, approximately 5m passed the end section of the vegetation clearance area, and the second in the water directly adjacent to the edge of the car park/northeastern corner of the playing field.
 - Boom tails will be weighted down with chains and weights.
 - Downstream of the floating beams, two Sedimats will be set up to capture any silt/solids pushed under the floating boom.
 - Along the floating booms, silt fencing with straw bales at the base will be installed to prevent any contamination or slippage of material.
- 3.1.2. Subsequent to the implementation of above measures, a 14ton wide track excavator will be used to remove the vegetation from the northern banks of the river before being mulched and pulled back from the edge of the watercourse. General operatives will

remove the vegetation from the southern banks with chainsaws and strimmers and a mini tracked mulcher.

- 3.1.3. The applicant highlights that in case of low flowing water or excess sediment, a stop/start method will be utilised where 1-2 hours of excavation will be followed by 30 minutes settlement. On completion of the works all plant and equipment will be washed down with Virkon Aquatic. The applicant states that once the watercourse is running clear the slit curtain and straw bales are to be removed and disposed off at a licensed facility. The works are expected to be completed in a few days.

3.2. **Accompanying documents:**

- 3.2.1. The application is accompanied by the following documents:

- Cover Letter (6th October 2023)
- Application Report (September 2023)
- Natura Impact Statement with Appropriate Assessment Screening Report attached as Appendix 1 (both dated 7th July 2023)
- Statutory Notice (Newspaper, dated 6th October 2023)
- A list of Prescribed Bodies and copies of public notices.

Subsequent to a Request for Further Information, the following documentation was submitted:

- Cover Letter (3rd May 2024)
- Natura Impact Statement with Appropriate Assessment Screening Report attached as Appendix 1 (both dated 7th July 2023)¹;

4.0 **Planning History**

There is no recently recorded history for this site. There are several planning cases in the wider vicinity of the subject site, none of which are relevant to the project.

¹ I note this Report has the same date as the original NIS submitted to the Board, however there is additional information supplied with the later report.

I highlight that the Board approved bridge repair works at Doiriu Bridge to the east of Rossaveel, upstream from the subject development along the Cashla River in May 2024 (ABP Ref. 315773).

5.0 Legislative and Policy Context

5.1. The EU Habitats Directive (92/43/EEC)

- 5.1.1. This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

5.2. European Communities (Birds and Natural Habitats) Regulations 2011

- 5.2.1. These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

5.3. National Nature Conservation Designations

- 5.3.1. The Department of Housing, Local Government and Heritage and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.
- 5.3.2. The proposal is c.320m upstream of the Connemara Bog Complex SAC (site code: 002034). Other European sites in the wider area include:
- Connemara Bog Complex SPA (Site code: 004181)

- Kilkieran Bay & Islands SAC (Site code: 002111)
- Inishmore Island SAC (Site code: 000213)

5.4. Planning and Development Act 2000 (as amended)

5.4.1. Part XAB of the Planning and Development Act 2000, as amended, sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.

- 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
- Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura impact statement in respect of the proposed development.
- Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.
- Section 177(AE) (3) states that where a Natura Impact Statement has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.
- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Board shall consider the NIS, any submissions or observations received and any other information relating to:
 - The likely effects on the environment.
 - The likely consequences for the proper planning and sustainable development of the area.
 - The likely significant effects on a European site.

5.5. **Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities**

- 5.5.1. Guidance is provided for the competent authority to assess any plan or project. The impact of any plan or project alone or in combination with other projects on the integrity of the Natura 2000 site is considered with respect to the conservation objectives of the site and the structure and function.

6.0 **Policy Context**

- 6.1.1. **National Planning Framework:** Project Ireland 2040 outlines the obligations upon public authorities to take appropriate steps to avoid the deterioration of natural habitats and the requirements relating to appropriate assessment. In addition, the NPF seeks to ensure flood risk management in accordance with best practice.
- 6.1.2. **National Development Plan, 2018-2027:** This Plan underpins the National Planning Framework 2018-2040. It contains several priorities which include investment in regional growth potential and increasing investment in national, regional and local roads.
- 6.1.3. **Climate Action Plan, 2024:** This plan provides a roadmap of actions to halve Ireland's emissions by 2030 and reach net zero by no later than 2050, as committed to in the Climate Action and Low Carbon Development (Amendment) Act 2021.
- 6.1.4. **Biodiversity Action Plan:** The Plan sets out actions through which a range of government, civil and private sectors will undertake to achieve Ireland's 'Vision for Biodiversity' and follows on from the work of the first and second National Biodiversity Action Plans. It contains 119 x targeted actions which are underpinned by 7 x strategic objectives.
- 6.1.5. **The Planning System and Flood Risk Management, 2009:** These Guidelines seek to avoid inappropriate development in areas at risk of flooding and avoid new developments increasing flood risk elsewhere and they advocate a sequential approach to risk assessment and a justification test.
- 6.1.6. **Regional Planning Guidelines:** The Regional Spatial and Economic Strategy for the Northern and Western Regions 2020-2032 sets out a strategic vision and policy objectives for urban and rural areas, people, the economy, the environment,

connectivity, amenities and utilities. It includes RPO 5.5 requiring the conservation and protection of designated areas and natural heritage areas, European sites and their integrity.

6.1.7. **Galway County Development Plan 2022-2028:** The site and surrounding lands are located within a rural area to the west of Galway City and east of Rossaveel which are covered by the policies and objectives contained in the current Galway County Development Plan. Chapter 4 deals with rural living, Chapter 7 deals with infrastructure, Chapter 8 deals with the landscape and Chapter 10 deals with natural heritage and biodiversity.

6.1.8. The following policies are relevant:

- NHB 1 to 11: seek to protect natural heritage, biodiversity and designated sites, habitats and species.
- NHB 5: seeks to support the protection & enhancement of biodiversity and ecological connectivity in non-designated sites (incl. rivers & streams).
- WR 1: seeks to protect water resources (incl. rivers & streams).
- P 1: seeks to ensure that designated peatland areas are conserved.
- IS 1&2: seek to support measures for the prevention and eradication of invasive species and to require IS Management Plans.
- WS 7 (Water Quality): Require that new development proposals would ensure that there would not be an unacceptable impact on water quality and quantity including surface water, ground water, designated source protection areas, river corridors and associated wetlands.
- DM Standard 50: Environmental Assessments:
 - a) Appropriate Assessment Screening for Appropriate Assessment and/or Appropriate Assessment will be required with all applications where it is considered that the proposed development may impact (directly and indirectly), or in combination with other projects, on a Natura 2000 designated site i.e., a Special Area of Conservation (SAC) or a Special Protection Area (SPA), to inform decision making. The appropriate assessment shall be carried out in

accordance with Article 6 of the Habitats Directive the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), as relevant.

7.0 The Natura Impact Statement

- 7.1. Galway County Council's application for the proposed development was accompanied by an Appropriate Assessment Screening Report and Natura Impact Statement (NIS), which scientifically examined the proposed development and the European sites. The NIS identified and characterised the possible implications of the proposed development on the European sites, in view of the sites' conservation objectives, and provided information to enable the Board to carry out an appropriate assessment of the proposed works.
- 7.2. The submitted report set out an Appropriate Assessment Screening and Natura Impact Statement for the project. In summary, this concludes that the proposed development, individually or in combination with other plans or projects, will not have an adverse effect or pose a risk of likely significant effects on the Connemara Bog Complex SAC (site code: 002034).

8.0 Consultations

- 8.1. The application was circulated to the following bodies:
- Fáilte Ireland
 - An Chomhairle Ealíon
 - An Taisce
 - The Minister for Tourism, Culture, Arts, Gaeltacht, Sports and Media
 - Inland Fisheries
 - Department of Environment, Climate and Communications
 - Úduras Na Gaeltacht.

8.1.1. A response was received from the Department of Housing, Local Government & Heritage:

- The NIS does not fully characterise the proposed works and there is ambiguity with regards to the potential indirect effects on the Connemara Bog Complex SAC, particularly in relation to sedimentation.
- It is not clear how the overhanging gorse will be removed. Should it be removed by digger there is potential for impacts on water quality for salmon.
- Clarity required regarding the mitigation measures to be relied on for sedimentation.
- Highlights that the Wreck Inventory of Ireland Database (WIID) contains records of historic wrecking events in Galway Bay and its environs. Also notes that the proposed development is located within an area where there are a number of recorded monuments. Recommends that a programme of pre-development groundworks including underwater archaeological impact assessment are undertaken. Recommend archaeological conditions.

8.2. Public Submissions

There are no public submissions on file.

9.0 EIA Screening

- 9.1. The proposed development relates to flood relief works which include the removal of vegetation and blockages for a distance of c.770m.
- 9.2. Class 10(f)(ii) Part 2, Schedule 5 of the Planning and Development Regulations, 2001 (as amended) details those infrastructure projects which require an EIAR with the canalisation and flood relief works, where the immediate contributing sub-catchment of the proposed works (i.e. the difference between the contributing catchments at the upper and lower extent of the works) would exceed 100 hectares or where more than 2 hectares of wetland would be affected or where the length of river channel on which works are proposed would be greater than 2 kilometres. Whilst the development would constitute sub-threshold development the proposal is significantly below these thresholds.

- 9.3. Having regard to the nature and extent of the works, I do not consider they are likely to have a significant effect on the environment including the biodiversity of the site or surrounding area. In coming to this conclusion, I have had regard to the criteria set out under Schedule 7 of the Planning and Development Regulations, 2001 (as amended). I refer to Form Nos. 1 and 2 Preliminary Examination Appended to this report and conclude that there is no real likelihood of significant effects on the environment and that EIA is not required.

10.0 Further Information

10.1. Request & Response

Request 1 – Provide a Response to the Department of Housing, Local Government & Heritage’s Submission

Submit a comprehensive response to the Department’s concerns including the details of the various mitigation measures proposed to mitigate against sedimentation/dilution impacts on the Stream.

Response 1

A revised NIS was submitted which includes additional information regarding the proposed site operations and site set-up including environmental and containment measures. Furthermore, it is advised in a Cover Letter that due to the works not being permissible during the bird breeding season (1st March – 31st August) and in-stream works only being permissible in June to September, the proposed works will be carried out in September. In addition, the applicant states that the proposed methodology has been issued to the IFI for review and that the Local Authority will continue to engage with IFI should the works progress to site.

Request 2 – Provision of an Outline Construction Environmental Plan and Drawings

Provide an outline construction environmental plan and drawings at an appropriate scale clearly illustrating the full extent of the proposed works along the Stream.

Response 2

The applicant has not provided a bespoke outline construction environmental plan however, as outlined above the revised NIS outlines the proposed site operations and site set-up including environmental and containment measures.

In addition, no drawings have been provided illustrating the proposed works however annotated aerial images of the site have been included in the revised NIS showing the extent of the works along the river.

Request 3 – Otter

Provide details of the otter surveys undertaken, including a map of the extent of otter surveys and the date these surveys were undertaken.

Response 3

The applicant states in a Cover Letter that a search of the NBDC database was carried out for records of otter in hectad L92. In addition, it is stated that an otter survey was undertaken at the site. Furthermore, it is stated that a pre-commencement otter survey will be undertaken prior to the commencement of the works.

Request 4 – Cultural Heritage

The Department states that there may be features of cultural heritage for example ship wrecks, historic bridges, fording points present in the area, and an area where there are a number of recorded monuments. The Department recommends that a desktop assessment that addresses the underwater cultural heritage of the proposed development area including a licenced wade/dive assessment. The Department states the results of the assessment shall be submitted to the National Monuments Services.

The Board requests that the Department's concerns are addressed in this regard. However, should it be considered that an underwater archaeological impact assessment is not required, justification for same should be provided.

Response 4

The applicant provides a map of all SMRs, Zones of Notification, NIAH sites, RPS and NPWS Designated sites. The applicant contends that an underwater archaeological impact assessment is not required due to the nature and scale of the proposed works taking into consideration the proximity of nearby recorded cultural heritage assets.

10.2. Further Consultation

10.2.1. It was determined that the further information received was not significant (Memo dated 22nd May 2024) and therefore did not need to be readvertised.

11.0 Assessment

11.1. Under the provisions of Section 177AE (6) of the Planning and Development Act, 2000 (as amended), the Board is required to consider the following in respect of this type of application:

- The likely consequences for the proper planning and sustainable development of the area;
- The likely effects on the environment; and,
- The likely impact on any European sites.

11.2. The Likely Consequences for the Proper Planning and Sustainable Development of the Area:

11.2.1. As outlined above, approval is sought by Galway County Council for regrading and cleaning with the removal of vegetation and blockages along the Rossaveel Stream which runs adjacent to the sports pitch. In addition, the lower parts of a drainage ditch which runs along the southern boundary of the sports pitch and into the stream will also require some vegetation clearance works. The Applicant explains that the rationale for the proposed development is to prevent flooding on the adjacent Rossaveel GAA grounds. The proposed works will remove barriers to the flow of the river. I highlight that the site or immediate surrounding area has not been identified as a flood risk area on the CFRAM mapping. Whilst there is no specific policy in the CDP relating to the proposed development, I consider that the applicant's justification for the proposal is reasonable and adequate.

11.3. The Likely Effects on the Environment

11.3.1. Having regard to the scale and extent of the proposed development, I consider the primary potential impacts on the environment relate to water quality and the spread of invasive species. These matters are considered in more detail below. There is limited potential for significant effects on other environmental media (population/human

health, air/climate, land, soil, landscape, and, material assets) due to the nature, scale and location of the proposed works in the rural area.

11.3.2. In terms of cultural heritage, the DAU notes that the proposed development is located within an area where there are a number of recorded monuments. The Department recommends that a programme of pre-development groundworks including underwater archaeological impact assessment are undertaken. As outlined earlier, the applicant provides a map of all SMRs, Zones of Notification, NIAH sites, RPS and NPWS Designated sites (see Figure 1 of the Cover Letter). The applicant contends that an underwater archaeological impact assessment is not required due to the nature and scale of the proposed works taking into consideration the proximity of nearby recorded cultural heritage assets.

11.3.3. I note that the DAU states that the Wreck Inventory of Ireland Database contains records of history wrecking events in Galway Bay and its environs. However, I highlight that there are no records in Cashla Bay. Furthermore, I highlight that the site is located approximately c.900m (as-the-crow-flies) inland from the shores of the bay. The closest recorded monument to the site is Cill Treasa Naomhta [Catholic Church of Saint Thérèse of the Child Jesus] church/chapel (NIAH:30409102), located c.420m northwest of the subject site. Having regard to the limited number of recorded cultural heritage features in the area, the nature and scale of the proposed development, I do not consider that an underwater archaeological impact assessment is necessary.

11.3.4. In summary, the proposed development would not adversely affect the character or setting of any Recorded Monuments, Protected Structures, NIAH features or ACAs in the area. However, it is possible that the surrounding environment may contain historical artefacts that may be uncovered during the works, and archaeological monitoring should be required. As such, I recommend that should the Board approve the proposed development, the works should be monitored by a suitably experienced maritime/riverine archaeologist.

11.4. **The likely significant effects on a European site:**

The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- The Natura Impact Statement

- Appropriate Assessment.

11.5. Compliance with Articles 6(3) of the EU Habitats Directive

- 11.5.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site.
- 11.5.2. The proposed development is not directly connected to or necessary to the management of any European site and is therefore subject to the provisions of Article 6(3).

11.6. Screening the Need for Appropriate Assessment

- 11.6.1. The first test of Article 6(3) is to establish if the proposed development could result in likely significant effects to a European site. This is considered Stage 1 of the appropriate assessment process i.e., screening. The screening stage is intended to be a preliminary examination. If the possibility of significant effects cannot be excluded on the basis of objective information, without extensive investigation or the application of mitigation, a plan or project should be considered to have a likely significant effect and Appropriate Assessment carried out.
- 11.6.2. The applicant carried out an appropriate assessment screening exercise, which accompanies the Natura Impact Statement submitted with the application. The screening report identifies four European sites within the zone of influence of the proposed development: Kilkieran Bay and Islands SAC (site code: 002111), Connemara Bog Complex SPA (site code: 004181), Inishmore Island SAC (site code: 000213), and Connemara Bog Complex SAC (site code: 002034).

Table 1: European sites considered for Stage 1 Screening:

European site (SAC/SPA)	Qualifying Interests	Connections (Source, pathway, receptor)	Considered further in screening. Y/N
Connemara Bog Complex SAC	Coastal lagoons [1150]	The subject site is located approx. 320 upstream of the European Site. The	Yes

<p>(site code: 002034)</p>	<p>Reefs [1170]</p> <p>Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130]</p> <p>Natural dystrophic lakes and ponds [3160]</p> <p>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation [3260]</p> <p>Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</p> <p>European dry heaths [4030]</p> <p><i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</p> <p>Blanket bogs (* if active bog) [7130]</p> <p>Transition mires and quaking bogs [7140]</p> <p>Depressions on peat substrates of the <i>Rhynchosporion</i> [7150]</p> <p>Alkaline fens [7230]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p><i>Euphydryas aurinia</i> (Marsh Fritillary) [1065]</p> <p><i>Salmo salar</i> (Salmon) [1106]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p> <p><i>Najas flexilis</i> (Slender Naiad) [1833]</p>	<p>Rossaveel Stream flows through the SAC before entering the Bay.</p>	
<p>Kilkieran Bay and Islands SAC (site code: 002111)</p>	<p>1140 Mudflats and sandflats not covered by seawater at low tide 1150 Coastal lagoons 1160 Large shallow inlets and bays</p>	<p>The proposed works are separated from the SAC by Cashla Bay and the sea. Whilst there is a hydrological connection between the subject site</p>	<p>No.</p>

	1170 Reefs 1330 Atlantic salt meadows (Glaucopuccinellietalia maritima) 1410 Mediterranean salt meadows (Juncetalia maritimi) 21A0 Machairs (* in Ireland) 3130 Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoetes-Nanojuncetalia 6510 Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) 1351 Harbour Porpoise Phocoena phocoena 1355 Otter Lutra lutra 1365 Harbour Seal Phoca vitulina 1833 Slender Naiad Najas flexilis	and the European Site, it is considered very weak due to the separation distance (c4.5km as-the-crow-flies) and the intervening landscape and seascape. Having regard to the lack of a substantive linkage or ecological connectivity between the European Site and the subject site, nature and extent of the works, the applicable QI, no further examination is required.	
Connemara Bog Complex SPA (site code: 004181)	Cormorant (Phalacrocorax carbo) [A017] Merlin (Falco columbarius) [A098] Golden Plover (Pluvialis apricaria) [A140] Common Gull (Larus canus) [A182]	The European Site is located approx. 4.8 from the subject site. Having regard to the nature and extent of the works, the lack of suitable supporting habitat at the site for the applicable QI, and the separation distance, there is no potential for significant effects on the European Site. As such, no further examination is required.	No
Inishmore Island SAC (site code: 000213)	Coastal lagoons [1150] Reefs [1170] Perennial vegetation of stony banks [1220] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Dunes with Salix repens ssp. argentea (Salicion arenariae) [2170] Humid dune slacks [2190] Machairs (* in Ireland) [21A0] European dry heaths [4030] Alpine and Boreal heaths [4060]	The proposed works are separated from the SAC by Cashla Bay and the sea. Whilst there is a hydrological connection between the subject site and the European Site, it is considered very weak due to the separation distance (c14km as-the-crow-flies) and the intervening landscape and seascape. Having regard to the lack of a substantive linkage or ecological connectivity between the European Site and the subject site, nature and extent of the works, the applicable QI, no further examination is required.	No

	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis) [6510] Limestone pavements [8240] Submerged or partially submerged sea caves [8330] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Phocoena phocoena (Harbour Porpoise) [1351]		
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- 11.6.3. Based on my examination of the NIS report and supporting information, the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distances and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I would conclude that a Stage 2 Appropriate Assessment is required for the Connemara Bog Complex SAC (Site code 002034) as the possibility of significant effects cannot be ruled out.
- 11.6.4. The remaining sites can be screened out from further assessment because of the lack of a substantive hydrological links or ecological connectivity between the proposed works and the European sites. It is therefore reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site Nos: Kilkieran Bay and Islands SAC (site code: 002111), Connemara Bog Complex SPA (site code: 004181), Inishmore Island SAC (site code: 000213) in view of the sites conservation objectives and a Stage 2 Appropriate Assessment is not therefore required for these sites.
- 11.6.5. No measures designed or intended to avoid or reduce any harmful effects on a European Site have been relied upon in this screening exercise.

11.7. Natura Impact Statement

- 11.7.1. The Stage 1 Screening Assessment concluded that a Stage 2 Appropriate Assessment (NIS) was required as significant effects on Connemara Bog Complex SAC (Site code 002034) could not be ruled out.
- 11.7.2. The NIS, in addition to providing a detailed scope of works, outlines the methodologies employed in the study, the legislative context and the existing environment. Section 4 contains the conclusions of the screening exercise which concluded that a Stage 2 Appropriate Assessment was required for the Connemara Bog Complex SAC. I note that a number of the QI's which are significantly remote from the subject site are screened out at Stage 1. While I acknowledge the rationale for doing this, I propose to address the QI's within the appropriate assessment itself.
- 11.7.3. The NIS predicts the potential impacts for the site and its conservation objectives and suggests mitigation measures and assesses in-combination effects/cumulative assessment) with other plans and projects.
- 11.7.4. The NIS was informed by the following studies and surveys:
- A desk top study undertaken
 - A multi-disciplinary walkover survey of the site, including an otter survey for 150m upstream and downstream of the proposed works area.
- 11.7.5. Having reviewed the NIS and the supporting documentation, I am satisfied that it provides adequate information in respect of the baseline conditions, clearly identifies the potential impacts, and uses best scientific information and knowledge. Details of mitigation measures are provided and they are summarised in Section 5.2 of the NIS. I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development (see further analysis below).

11.8. Appropriate Assessment of Relevant European Sites

- 11.8.1. The Connemara Bog Complex SAC encompasses a large area of relatively undamaged lowland Atlantic blanket bog of high conservation significance both in Ireland and at a European level. The site also contains good examples of at least 13 other habitats listed on Annex I of the E.U. Habitats Directive, as well as four species listed in Annex II. Further, the site supports a number of threatened and protected plant species. The site is internationally important for Cormorant and nationally

important for Greenland White-fronted Goose, and contains nesting sites for Golden Plover. The Conservation Objectives and Qualifying Interests, including any relevant attributes and targets for the site, are considered in the following sections.

11.8.2. The qualifying interests for this site are outlined below. I have grouped them into QI's that are outside the zone of influence of the site and those which are within the zone of influence in the following tables.

Outside Zone of Influence

Qualifying Interest	Map Ref**	Conservation Objective	Rationale
Coastal lagoons [1150]	3	Maintain favourable condition	The closest habitat of this type is mapped at a significant distance (>12km as-the-crow flies) from the subject site. Having regard to the scale and nature of the works, therefore no impact likely given distance.
Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110]	6	Maintain favourable condition	This habitat has been recorded a very significant distance downstream of the site (see map 6) and therefore no impact likely given distance.
Reefs [1170]	4/5	Maintain favourable condition	This habitat has been recorded a very significant distance downstream of the site (see maps 4 and 5) and therefore no impact likely given distance.
Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130]	6	Maintain favourable condition	Not present in the vicinity of the subject site and as such outside zone of influence.
Natural dystrophic lakes and ponds [3160]	6	Maintain favourable condition	Not present in the vicinity of the subject site and as such outside zone of influence.
<i>Najas flexilis</i> (Slender Naiad) [1833]	9	Maintain favourable condition	This habitat has been recorded a very significant distance from the

			site (see map 9) and therefore no impact likely given distance.
Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]		Restore favourable condition	This habitat has not been mapped in detail in the SAC. It has also not been recorded in the vicinity of the site as confirmed by the applicant's survey and as such outside zone of influence.
European dry heaths [4030]		Restore favourable condition	This habitat has not been mapped in detail in the SAC. It has also not been recorded in the vicinity of the site as confirmed by the applicant's survey and as such outside zone of influence.
Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]		Maintain favourable condition	This habitat has not been mapped in detail in the SAC. It has also not been recorded in the vicinity of the site as confirmed by the applicant's survey and as such outside zone of influence.
Blanket bogs (* if active bog) [7130]		Restore favourable condition	This habitat has not been mapped in detail in the SAC. It has also not been recorded in the vicinity of the site as confirmed by the applicant's survey and as such outside zone of influence.
Transition mires and quaking bogs [7140]		Restore favourable condition	This habitat has not been mapped in detail in the SAC. It has also not been recorded in the vicinity of the site as confirmed by the applicant's survey and as such outside zone of influence.
Depressions on peat substrates of the <i>Rhynchosporion</i> [7150]		Restore favourable condition	This habitat has not been mapped in detail in the SAC. It has also not been recorded in the vicinity of the site as confirmed by

			the applicant's survey and as such outside zone of influence.
Alkaline fens [7230]		Restore favourable condition	This habitat has not been mapped in detail in the SAC. It has also not been recorded in the vicinity of the site as confirmed by the applicant's survey and as such outside zone of influence.
Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	8	Maintain favourable condition	This habitat has been recorded a very significant distance from the subject site (see map 8) and therefore no impact likely given distance.
Marsh Fritillary [1065]		Maintain favourable condition	This habitat has not been mapped in detail in the SAC. However, the applicant notes that small area's of Devil's Bit Scabious, which is a food source for marsh fritillary, was recorded adjacent to the works area. The applicant notes that the river is prone to flooding and as such the Devil's Bit Scabious is unlikely to provide optimal habitat for marsh fritillary.

**not all QI's are mapped

11.8.3. Having regard to the rationale outlined above, it is considered that the qualifying interests outlined in the table above do not require further assessment.

Qualifying Interests within Zone of Influence

11.8.4. The following section of this assessment provides an assessment of the remaining qualifying interests as follows which it is proposed to consider further:

Qualifying Interest	Map Ref**	Conservation Objective	Rationale for Further Assessment
Salmo salar (Salmon) [1106]		Restore favourable condition	The SCI notes that the habitat for salmon is good in the Cashla

			catchments. There are no barriers to migration on the Cashla system. The applicant states that while there is no gravel areas suitable for spawning salmonids, it is possible salmon migrate further upstream of the subject works.
Lutra lutra (Otter) [1355]		Maintain favourable condition	This species has not been mapped in detail in the SAC. However, the proposed works may be within a commuting/foraging area for Otter. No holts, or couching sites were recorded by the applicant.
Water courses of plain to montane levels with the Ranunculus fluitans and Callitriche-Batrachion vegetation [3260]	7	Maintain favourable condition	This habitat is recorded along the Rossaveel Stream (see map 7)

**not all QI's are mapped

Types of Impacts which could lead to Adverse Affects

Potential Direct Impacts

- 11.8.5. No direct impacts are predicted to the relevant QI's above as there are no resting places for otter within the site boundary and no habitat suitable for the mobile QI's and the habitat QI is not present within the works area.

Potential Indirect Impacts during Construction

- 11.8.6. The Rossaveel Stream is part of the CASHLA 010 river waterbody, which has a WFD 'Good' status and a risk rating 'At risk'. The WFD requires waterbodies to reach good status and that the status in all waters does not deteriorate. The nearest EPA water quality sampling point is located at Cashla Bridge downstream of the subject site. I note from LAWPRO's Cashla Desktop Assessment Western Region (AFA0043) that there is no arterial drainage schemes in the Cashla_010 sub basin. However sediment is noted due to extractive industry, forestry and anthropogenic pressures.

- 11.8.7. Given the nature and scale of the proposed project – that being the removal of a small area of vegetation overhanging parts of the Stream and any vegetation or obstructions in the channel over a short period of time (a few days), - the potential for the generation of silt laden runoff is limited. Nonetheless, while the risk of significant negative impacts to water quality are low, mitigation measures to prevent the escape of silt laden waters downstream are considered necessary.
- 11.8.8. Furthermore, there is the potential for the accidental release of polluting matter, e.g. hydrocarbons and oils, from equipment and machinery. However, all machinery and equipment will be located on the riverbank and therefore a potential accidental release of pollutants is limited. To remove any risk to the river appropriate mitigation measures are set out below.
- 11.8.9. There are no otter holts or couches recorded in the immediate environs of the proposed works area but the river does, however, provide suitable commuting and foraging habitat for otter along its length and so it is considered likely that Otter use the river. There is potential for indirect disturbance/displacement to otter that may forage or commute along this section of the river due to the presence of personnel and machinery. However, given the scale of the works, their localised nature and short construction period, this potential impact is anticipated to be temporary and minor in nature. As such, likely significant effects on Otter are not anticipated.
- 11.8.10. As stated above, the river at this location does not support suitable spawning habitat for salmonids. Nonetheless, as outlined above, it is possible that salmon migrate along the river. As such, the proposed works could cause disturbance/displacement to salmon should the works be carried out when the species is migrating upstream or downstream.
- 11.8.11. The applicant advises that all habitats within the site were surveyed and categorised in accordance with A Guide to Habitats in Ireland (Fossitt, 2000). The following habitats were recorded Depositing/lowland rivers (FW2), Eroding/upland rivers (FW1), Scrub (WS1), Amenity grassland (GA2), Dry health (HH1), Wet health (HHH3), and Drainage ditches (FW4). The applicant highlights that a number of small Rhododendron plants were recorded adjacent to the stream. I note from my site visit that the invasive species, whilst not always dense, is widely present both upstream and downstream in the wider area including as garden ornamental plants.

Notwithstanding that only small pockets were recorded along the works area, the proposed development could exacerbate the presence of the plant. As outlined by the applicant this could result in excessive shading of the river channel or the destabilisation of the riparian habitat leading to increased siltation. Whilst a standalone invasive species management plan has not been prepared, a suite of mitigation measures to prevent the spread of the species are included in the NIS.

11.9. Mitigation Measures

Qualifying Interests where Mitigation Required

11.9.1. The NIS acknowledges in its consideration of the potential for adverse effects that there is the potential for adverse effects on a number of the qualifying interests in the absence of mitigation, these are as follows:

- *Salmo salar* (Salmon) [1106]
- *Lutra lutra* (Otter) [1355]
- Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation [3260]

Section 5.2 of the NIS outlines the various mitigation measures proposed as part of the proposed development to mitigate against the identified potential impacts.

Water Quality

- The contractor will assign a member of staff as the environmental officer who will be responsible for ensuring that all mitigation measures will be implemented in full.
- A barrier fence and floating boom will first be set up across the waterway at the far north end (approx. 5m passed the end section of the vegetation clearance). Boom tails will be weighed down with chain and weights to ensure maximum capture of debris on top and/ or silt below. Downstream of the floating boom, a Sedimat will be set up to capture any silt/ solids pushed under the floating boom. Silt fences (with straw bales to the base) are to be installed to prevent any contamination or slippage of material towards watercourse. These measures will also be installed at the edge of the car park to maximise capture of upstream works of heavy vegetation.

- At all times the watercourse will be monitored.
- In case of low flowing water or excess sediment, a stop/start method will be utilised where 1-2 hours of excavation will be followed by 30 minutes settlement as required. The excavation time may need reducing if deemed necessary due to excess silt.
- There will be a 12 hour settlement period between the works being completed in Sections A and B.
- On completion of the works, all plant and equipment will be washed down with Virkon Aquatic, and demobilise all plant & equipment.
- The construction compound will be established a minimum of 50m from the watercourse on the GAA grounds. The compound will be secured and all fuels, machinery and materials will be stored on this area.
- Any material taken out of the river will be removed from the site and no stockpiles of material will be made within 50m of the watercourse.
- A suitably sized excavator will be used for the work.
- Refuelling will only be undertaken by dedicated trained and competent personnel and within the site compound.
- Fuels, oils and lubricants will be stored in the bunded area.
- Plant will be inspected daily for leaks and emissions.
- Spill-kits and drip trays will be kept on-site at all times.
- Waste oil and hydraulic fluids will be collected in leak-proof containers and removed from the site for licenced disposal or recycling.

Disturbance/Displacement

- A pre-commencement otter survey will be undertaken in accordance with the guidelines set out in the NRA/TII (2008) Guidelines for the Treatment of Otters Prior to the Construction of National Road Schemes. A derogation licence will be required from the NPWS should a holt be found.

- All construction plant and equipment to be used on-site will be modern equipment and will comply with the European Communities (Construction Plant and Equipment) (Permissible Noise Levels) Regulations, 1988 (As Amended).
- Regular maintenance of plant will be carried out in order to minimise noise emissions.
- Machines will be turned off during periods when they are not in use.
- Work hours will be confined to daylight hours.
- Inland Fisheries Ireland will be notified prior to the commencement of works. The timing of instream works will be restricted to July to September inclusive.

Spread of Invasive Species

In addition to the mitigation measures proposed to protect water quality, the following are proposed to prevent the spread of invasive species:

- Prior to the commencement of works, a suitably qualified ecologist will mark where Rhododendron plants occur along the channel with marking tape and these areas will be made known to the contractor.
- Areas where Rhododendron occurs will be avoided by machinery. If this is not possible the stems will be cut back close to the ground.
- Cut material will be stacked away from the river in the sports facility car park.
- The remaining stumps and root balls should be dug out using an excavator removing all viable roots with the excavator or manually and brought to the sports facility car park.
- As much soil as possible should be knocked off the root system and the roots should be turned upside down to expose the roots to the air and to allow rain to wash off remaining soil.
- Stumps should then be removed from the site to be burnt or left in situ upside down.
- Good construction site hygiene will be employed to prevent the introduction and spread of problematic invasive alien plant species (e.g. Rhododendron etc.) by thoroughly washing vehicles prior to entering and leaving any site.

- Once the watercourse is running clear the silt curtain & straw bales are to be removed and disposed of at a licensed facility.

Mitigation of Potential Adverse Effects

11.9.2. As outlined above, the main effects from the proposed development in respect of the qualifying interests relate to the construction phase and the potential for the proposal to negatively affect water quality, disturbance/disruption to species and the spread of an invasive species. Having regard to the nature and scale of the development which is to be completed over a few days, I consider that the mitigation measures outlined are comprehensive, appropriately detailed and satisfactory to ensure that the proposed development would not adversely affect the integrity of the Connemara Bog Complex SAC in view of its conservation objectives. Notwithstanding this, in the interest of clarity, I do recommend that standard construction techniques should be conditioned.

Mitigation Post Works

11.9.3. No mitigation is considered necessary post construction.

11.10. Potential In-combination Effects

11.10.1. The potential for in-combination effects with other plans and projects is considered in Section 6 of the NIS. Reference is made to a number of applications made to the Planning Authority, the majority of which are minor in nature. In my opinion, they would not give rise to in-combination effects. In addition, reference is made to the Galway County Development Plan 2022-2028. The CDP was subject to SEA which concluded that significant environmental effects are not likely to arise from the adopted development scenario. Having reviewed the National Planning Application Database and An Bord Pleanála's file mapping system, I do not consider that any planning permissions which, in combination with the project, would be likely to have a potential in-combination effect.

In conclusion, I consider that with the implementation of specific environmental protection and control measures as outlined above to avoid/negate any potential adverse impacts, there will be no cumulative impacts arising in combination with any other plans or projects which would be of significance in respect to impacts affecting the conservation objectives of integrity of the Connemara Bog Complex SAC.

11.11. Residual Effects

- 11.11.1. No residual impacts on any of the species or habitats where identified. I am satisfied that those mitigation measures proposed will protect the aquatic species and habitats which have the potential to be impacted.

11.1. NIS Omissions

- 11.1.1. None noted.

11.1. Suggested Related Conditions

- 11.1.1. A number of measures are proposed which can be implemented by way of condition, should the Board decide to approve the proposed development, and are set out in full in section 5.2 of the NIS. As stated above, it is proposed that a member of staff as the environmental officer who will be responsible for ensuring that all mitigation measures will be implemented full. Noting the site's proximity to the Connemara Bog Complex SAC and the nature of the proposed works, I consider it appropriate to require the appointment of a qualified ecologist to oversee the construction works.

11.2. Conclusion on Connemara Bog Complex SAC (002034)

- 11.2.1. I consider that the potential direct and indirect effects on the qualifying interests identified as having the potential to be affected have been satisfactorily identified. The mitigation measures outlined are comprehensive and address the potential direct and indirect effects appropriately.
- 11.2.2. I am satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of this European site in light of its conservation objectives subject to the implementation of mitigation measures outlined above.

11.3. Appropriate Assessment Conclusions

- 11.3.1. Having carried out screening for Appropriate Assessment of the project, it was concluded that the proposed development may have a significant effect on the following European site;
- Connemara Bog Complex SAC (site code: 002034)
- 11.3.2. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying interests of this site in light of its conservation objectives.

11.3.3. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Connemara Bog Complex SAC (site code: 002034) or any other European site, in view of the site's Conservation Objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

11.3.4. This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures.
- Detailed assessment of in combination effects with other plans and projects including existing, permitted and proposed projects and plans.
- The lack of reasonable scientific doubt as to the absence of adverse effects on the integrity of the Connemara Bog Complex SAC (site code: 002034).

12.0 Recommendation

12.1.1. On the basis of the above assessment, I recommend that the Board approve the proposed development subject to the reasons and considerations below and subject to conditions including requiring compliance with the submitted details and with the mitigation measures as set out in the NIS.

13.0 Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- (a) the EU Habitats Directive (92/43/EEC),
- (b) the European Union (Birds and Natural Habitats) Regulations 2011-2015,
- (c) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European Site,
- (d) the conservation objectives, qualifying interests and special conservation interests for the Connemara Bog Complex SAC (site code: 002034),

- (e) the policies and objectives of the Galway County Development Plan 2022-2028,
- (f) the nature and extent of the proposed works as set out in the application for approval,
- (g) the information submitted in relation to the potential impacts on habitats, flora and fauna, including the revised Natura Impact Statement,
- (h) the submissions received in relation to the proposed development, and
- (i) the report and recommendation of the person appointed by the Board to make a report and recommendation on the matter.

Appropriate Assessment

The Board agreed with and adopted the screening assessment and conclusion carried out in the inspector's report that the Connemara Bog Complex SAC (site code: 002034) is the European site for which there is a likelihood of significant effects.

The Board considered the Natura Impact Statement and the revision to same and all other relevant submissions and carried out an appropriate assessment of the implications of the proposal for the Connemara Bog Complex SAC (site code: 002034), in view of the site's Conservation Objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment.

In completing the assessment, the Board considered, in particular, the

- (i) Likely direct and indirect impacts arising from the proposal both individually or in combination with other plans or projects, specifically upon Connemara Bog Complex SAC (site code: 002034).
- (ii) Mitigation measures which are included as part of the current proposal, and
- (iii) Conservation Objective for these European Sites,

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Site, having regard to its conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site, in view of the site's conservation objectives.

Proper Planning and Sustainable Development/Likely effects on the environment:

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not seriously injure the amenities of property in the vicinity, would not adversely impact on the cultural, archaeological and built heritage of the area, and would not interfere with the existing land uses in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and additional plans and particulars submitted on 3rd May 2024, except as may otherwise be required in order to comply with the following conditions. Where any mitigation measures set out in the Natura Impact Statement or any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The mitigation measures and monitoring commitments identified in the revised Natura Impact Statement submitted to the Board on the 3rd May 2024, and other plans and particulars submitted with the application shall be carried out in full except as may otherwise be required in order to comply with other conditions.

Reason: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

3. A suitably qualified ecologist shall be appointed by the County Council to oversee the site set-up and undertaking of the proposed works on site. Upon

completion of works, an audit report of the site works shall be prepared by the appointed ecologist and submitted to the County Council to be kept on record.

Reason: In the interest of nature conservation, to prevent adverse impacts on the European sites and to ensure the protection of the Annex 1 habitats and Annex 11 species and their Qualifying Interests/Special Conservation Interests for which the sites were designated.

4. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the project ecologist and relevant statutory agencies, a detailed Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natura Impact Statement. The CEMP shall include:
 - a) all mitigation measures indicated in the Natura Impact Statement;
 - b) Identification of the area within the car park where it is proposed to store the invasive species Rhododendron.
 - c) Specific proposals as to how the measures outlined in the CEMP will be measured and monitored for effectiveness.
 - d) methods to avoid pollution of Rossaveel Stream.

Reason: In the interest of protecting the environment and the European Sites.

5. The following nature conservation requirements shall be complied with:
 - (a) The works shall be carried out in compliance with the Inland Fisheries Ireland document "Guidelines on protection of fisheries during construction works in and adjacent to waters."
 - (b) No in-stream works shall be undertaken without prior consultation with Inland Fisheries Ireland, and the works shall only be undertaken between July to September (inclusive).
 - (c) The free passage of fish shall be fully accommodated.
 - (d) In-stream works shall take place during periods of low water flows.
 - (e) No riparian vegetation removal shall take place during the period 1st March to 31st August (inclusive).

(f) Any riparian zones damaged by machinery or equipment shall be fully re-instated.

(g) A pre-construction otter survey by a suitably qualified ecologist shall be carried out before works commence, any destruction of otter holts or relocation of otter species shall be carried out by a suitably qualified ecologist under a Derogation Licence granted by the Minister for Housing, Local Government and Heritage.

(h) Prevention measures shall be put in place to prevent the introduction or spread of Zebra mussel in the watercourse.

Reason: In the interest of biodiversity and nature conservation.

6. The County Council and any agent acting on its behalf shall ensure that all plant and machinery used during the works should be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

Reason: In the interest of the proper planning and sustainable development of the area and to ensure the protection of the European sites.

7. The County Council and any agent acting on its behalf shall facilitate the preservation, recording, protection or removal of archaeological materials or features that may exist within the site. A suitably experienced maritime/riverine archaeologist shall be appointed by the County Council and the archaeologist shall be present on site during the removal works. A report shall be compiled on same with and a report on same shall be kept on record.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Ms Susan Clarke
Senior Planning Inspector

24th May 2024

14.0 Appendix

Form 1 EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-318178-23		
Proposed Development Summary	River maintenance works		
Development Address	Ros a Mhíl, Co. Galway		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			
No	✓		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No		N/A	
Yes	✓	Class 10 of Part 2 of Schedule 5, (f) (ii) Canalisation and flood relief works, where the immediate contributing sub-catchment of the proposed works (i.e. the difference	Proceed to Q.4

		between the contributing catchments at the upper and lower extent of the works) would exceed 100 hectares or where more than 2 hectares of wetland would be affected or where the length of river channel on which works are proposed would be greater than 2 kilometres.		
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4. Has Schedule 7A information been submitted?		
No	✓	Preliminary Examination required
Yes		Screening Determination required

Form 2: EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-318178-23	
Proposed Development Summary	River maintenance works	
Development Address	Ros a Mhíl, Co. Galway	
<p>The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The proposed development relates to flood relief works which include the removal of vegetation and blockages for a distance of c.770m primarily along the Rossaveel Stream.</p> <p>Having regard to the scale and nature of the proposed development it is not proposed that there will be a significant waste, or air emissions or pollutants generated from the works.</p>	No
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing</p>	<p>The scale of development is not exceptional in the context of surrounding development. The works will occur the Stream for a distance of c.770m and is significantly below the threshold set out in Part 2 of Schedule 5.</p> <p>It is not considered that there is any likelihood of significant cumulative effects with other existing or permitted developments in the area.</p>	No

and/or permitted projects?		
<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The site is located approx. 320m upstream of the Connemara Bog Complex SAC (site code:002034). The NIS and my assessment above note the use of mitigation measures to control contaminant from construction activities. Having regard to the nature and scale of the works it is not considered the proposal would have any significant effects on the environment.</p> <p>There are a number recorded monuments in the wider area of the subject site. Having regard to the nature and scale of the works it is not considered the proposal would have any significant effects on any sensitive cultural heritage sites.</p>	No
Conclusion		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		

Inspector: ____Susan Clarke____

Date: ____24/05/2024____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)