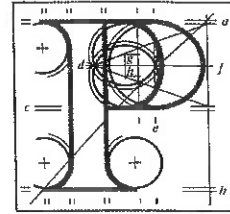


Our Case Number: ABP-306146-19



An
Bord
Pleanála

Ian Gilvarry
Clonshire Beg
Adare
Co. Limerick
V94 V3KA

Date: 11th December 2020

Re: Foynes to Limerick Road (including the Adare Bypass) including all ancillary and consequential works.
Shanagolden, Craggs, Askeaton West, Lismakeery, Nantian, Riddlestown, Rathkeale Rural, Rathkeale Urban, Dromard, Croagh, Adare North, Adare South, Clarina and Patrickswell, Co. Limerick.

Dear Sir,

I have been asked by An Bord Pleanála to refer to your submission on the significant further information response which was received by the Board on the 1st December, 2020 in relation to the above-mentioned proposed road development.

As you had made a previous submission on this particular case, and paid the appropriate fee of €50, there was no requirement for a repeat fee of €50. A fee refund in the amount of €50 will issue to you shortly under separate cover.

Your submission will be considered by the Board as part of its assessment of the proposed road development.

If you have any queries in relation to this matter please contact the undersigned officer of the Board.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Kieran Somers
Executive Officer
Direct Line: 01-8737250

HA05

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Clonshire Beg,
Adare,
Co. Limerick,
V94 V3KA.

AN BORD PLEANÁLA	
LDG-	<u>033218-20</u>
ABP-	_____
01 DEC 2020	
Fee: €	<u>50</u>
Type:	<u>Cheque</u>
Time:	_____
By:	<u>Post</u>

29 Nov 2020

An Bord Pleanála,
Strategic Infrastructure Development Section,
64 Marlborough Street,
Dublin 1,
D01 V902.

Re: Submission for Foynes to Limerick Road (including Adare bypass) – Case ABP-306146-19

Dear Sirs,

I refer to the public notice¹ by Limerick City & County council concerning the above proposed scheme for the Foynes to Limerick Road (including Adare Bypass). This public notice advises that significant additional data has been provided by Limerick City & County council, and that submissions or observations on this data can be forwarded to An Bord Pleanála.

Please see below my submissions/observations, using the grouping of items in An Bord Pleanála's Request for Further Information dated 15 Jul 2020, and in response by Limerick City & County council dated 30 Sep 2020:

ITEM 0: INTRODUCTION

The response provided by Limerick City & County in point 0.6 states that *"These economic and social objectives are supported by Planning Policies at European, National, Regional and Local levels."*

However, the Planning Policies have not been itemized in the response. Therefore, what are these policies and where can they be referenced?

¹ [Newspaper Notice 22nd October 2020](#)

ITEM 1: SITE INSPECTIONS FOR SOILS & GEOLOGY

An Bord Pleanála requested the applicant provide the records associated with having performed “*several site inspections along the length of the proposed road development*”.

The response provided by Limerick City & County confirms in point 1.0 that “*site reconnaissance visits took place on numerous occasions over a 5-year period*”.

The response also confirms in point 1.1 that “*Numerous design team members partook in these inspections to various extents, including the Project Director, the Project Manager, road designers, drainage designers, geotechnical engineers, and various environmental specialists*”.

However, the response admits in point 1.2 that “*Formal records were not prepared during these inspections*”.

It seems extraordinary for a project of this magnitude, with an associated budget cost in the region of €450 million, that formal records for such inspections were not prepared. Given that, for example, it is confirmed the *Project Manager* attended those site inspections, what was his/her duties as site records were not prepared?

Although, not being proficient specifically in road construction projects, I have contributed to many other projects of behalf of technology companies I have been employed with in my career. These projects did not extend to those with a budget cost of €450M, however, there was a basic requirement for all those projects that associated project meetings had minutes recorded along with agreed actions, and those minutes were then accessible at any time over the lifetime of the project, while being developed.

This lack of attention to a basic requirement is similar in impact to an issue referred to in my previous letter to An Bord Pleanála, dated 12 Feb 2020. This issue is identified as “*3. Mapping of Motorway during design phase:*” and is stated as “*At the outset the Foynes to Limerick Motorway (including Adare bypass) design project had four route options selected by the Mid-West National Road Design Office however the routing options chosen were based on maps that were out of date...*”. This letter then proceeded to describe how maps were exhibited to the public by the Mid-West National Road Design Office during the design phase of the road, but those maps omitted houses that were constructed in recent years prior to the design phase, including mine, and those of my neighbours in Clonshire, and those in the adjoining townland of Gortnagrour.

The fact that site inspection meetings were not minuted, and that maps used were out of date implies that the project identified as “*Foynes to Limerick Road (including Adare bypass) – Case ABP-306146-19*” is fundamentally flawed.

ITEM 6: DEWATERING

An Bord Pleanála had requested the applicant to “*identify the locations where dewatering occur*” The response provided by Limerick City & County refers to “*section 9.2.4 of the EIAR*”.

However, section 9.2.4 does not identify locations. Instead, section 9.2.4 states “*Field surveys were carried out to assess the hydrogeological aspects of the proposed road development. Detailed site walkovers were made at any key areas of concern. At sensitive locations, water supply springs, wells and / or boreholes were visited and assessed in respect to use, well characteristics, yield and recharge area*”.

Therefore, this implies the following questions:

- What criteria was used to determine “*sensitive locations*”?
- Where were the “*field surveys*”, “*detailed site walkovers*”, and inspection of “*sensitive locations*” performed?
- When were the “*field surveys*”, “*detailed site walkovers*”, and inspection of “*sensitive locations*” performed?
- Where are the records of those “*field surveys*”, “*detailed site walkovers*”, and inspection of “*sensitive locations*”?

ITEM 11: CLIMATE

The response provided by Limerick City & County council includes reference at point 11.19 to “*Alternatives Considered*”. Furthermore, the EIAR refers at point 3.6 to the “*Public Consultation*” that took place including “*hundreds of individual meetings with people affected by the proposed road development,*”

Please note, I attended multiple meetings with Limerick City & County about this project extending back to the first meeting that I had with Mr. David Leahy, Senior Executive Engineer, at the Mid-West National Road Design Office on 24 Mar 2015. However, at none of these meetings was I successful in altering any aspect of the project. A copy of all associated correspondence generated by me, along with responses received from Limerick City & County is available to An Bord Pleanála upon request. This will provide proof of reasonable attempts I made.

ITEM 12: CLIMATE ACTION PLAN 2019

The response provided by Limerick City & County council includes reference at point 12.22 to a *Local Cycling Network* consisting of “*Clear directional signs*”

More expansive thinking would see the benefit of a greenway to be developed in parallel to the Foynes-Limerick road project. There is huge scope here for local voices all the way between the two locations to be

heard. Properly done, it would be transformative. It could be a tremendous asset for anyone involved in active travel and a magnet for tourism, similar to how the Greenway projects in Co. Mayo and in Co. Waterford have proven themselves in those regions, in a relatively short timeframe.

ITEM 13: SEA LAMPREY

The response provided by Limerick City & County council confirms that “*Sea Lamprey have been confirmed as present in the River Maigue in the vicinity of Adare*”. The response also confirms the previously provided Natura Impact Statement (NIS) had “*presented an assessment and mitigation proposals in relation to the related River Lamprey*”.

However, there are in fact three species of lamprey that occur in Ireland; the brook lamprey *Lampetra planeri*, is the third species in addition to the river lamprey *Lampetra fluviatilis* and the sea lamprey *Petromyzon marinus*. The three Irish lamprey species are of high conservation value and are all listed under Annex II of the European Union [Habitats Directive](#). All three lamprey species are also listed on Appendix III of the Bern Convention (1979).

Furthermore, Lampreys are an important element in river ecosystems. The key importance of lampreys is the fact that, together with the hagfishes, they are the sole survivors of the agnathan (jawless) stage in vertebrate evolution. Lampreys have left a poor fossil record but it is known that they have been present since [at least since the Devonian period](#) (400 million years ago). Lampreys are of high ecological value and can play an important role in processing nutrients, nutrient storage, and nutrient cycling in streams. Moreover, they also constitute a food source for other animals and can act as a buffer for salmon from predators in areas where they are abundant. They are considered to be ‘[ecosystem engineers](#)’ and their nest-building activities can shape river channels and create habitats for other species – including maintaining and extending spawning habitats for salmon and trout (which use these areas in the winter months). **On rivers like the Shannon, lampreys have been severely impacted on by dams and weirs, river regulation, channelization, canalisation, flood schemes and water quality decline.**

In Ireland, we need to move away from ‘fisheries development’ to ‘river restoration’ to benefit all the ecological interests in a river channel. Despite a [€1.75m EU LIFE project](#) on the River Mulkear, Co Limerick, which had a stated aim to restore the [lower River Shannon Special Area of Conservation](#), little progress was made in relation to assisting lampreys in this catchment. While there is still much to be learned about lamprey distribution and abundance, the need for conservation of lampreys is evident. Until recently, lampreys were widely distributed in aquatic systems throughout much of Europe but a considerable decline in lamprey populations has been observed in recent decades. Ireland still retains extensive lamprey populations and could play an important role in the conservation of these species in Europe but they require to be cared for properly.

ITEM 14: IFI RECOMMENDATION

The response provided by Limerick City & County council states *“On request from Inland Fisheries Ireland, it is agreed that 12 months of monthly samples will be undertaken prior to construction to account for seasonal variations”*.

However, the response provided does not commit to Limerick City & County council being held accountable for the publishing of results of those samples to the general public so as to be transparent. In fact, the response provided does not state at all how data associated with the samples taken will be made available, to which parties, and under what conditions.

ITEM 15: IRISH WATER DRINKING WATER SOURCE

The response provided by Limerick City & County council simply refers An Bord Pleanála to various sections of the previously provided EIAR.

Presumably, An Bord Pleanála had already referenced these sections of the EIAR anyway before the Request for Further Information was raised. Therefore, it appears, at least disingenuous, that Limerick City & County refers to the EIAR again in this way. The Applicant’s Response is dismissive and implies *“Read what was written in the EIAR”*.

I enclose €50 fee payment in respect of making this submission and would be obliged if you could forward receipt for same to the above address. I trust that An Bord Pleanála will inform me when a decision is made, or if a request for further information is required, which I am ready to respond to.

Sincerely



Ian Gilvarry

