FEHILY TIMONEY

DESIGNING AND DELIVERING
A SUSTAINABLE FUTURE

JOHN STREET GRAIN STORE, NEW ROSS

Natura Impact Statement (NIS)

Prepared for:

Wexford County Council

Comhairle Contae Loch Garman
Wexford County Council

Date: **December 2025**

Document No:

P24228-FT-EGN-XX-RP-EN-0004

Core House, Pouladuff Road, Cork, T12 D773, Ireland

T: +353 1 658 3500 | E: info@ftco.ie

CORK | DUBLIN | CARLOW

www.fehilytimoney.ie

NATURA IMPACT STATEMENT

REVISION CONTROL TABLE, CLIENT, KEYWORDS AND ABSTRACT

User is responsible for Checking the Revision Status of This Document

Rev. No.	Description of Changes	Prepared by:	Checked by:	Approved by:	Date:
01	Final	SB/NSC/RMD	SJT	SJT	03/12/2025

Client: Wexford County Council

Keywords: Appropriate Assessment (AA), Natura Impact Statement, Article 6(3) of the Habitats Directive, European (Natura 2000) sites, John Street Grain Store, New Ross

Abstract: Fehily Timoney and Company is pleased to submit this Natura Impact Statement to Wexford County Council for John Street Grain Store.

TABLE OF CONTENTS

LIST OF TABLES

1. INTRODUCTION

Fehily Timoney and Company (FT) was commissioned by Wexford County Council ('the Applicant') to prepare a Natura Impact Statement (NIS) for the proposed improvements to lands at the rear of the Grain Store at John Street, New Ross, Co. Wexford, hereafter referred to as the 'Proposed Development', with associated lands referred to as the 'Proposed Site'.

The Proposed Development has been screened for Appropriate Assessment (AA) (see Appropriate Assessment Screening Report, submitted separately), in which it was determined that significant effects to River Barrow and River Nore SAC, and Lower River Suir SAC, could not be ruled out. The Proposed Development is therefore deemed to require Appropriate Assessment by the Competent Authority. To this end, FT has prepared this NIS to inform the Competent Authority in its assessment.

1.1 Legislative Context

Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive) provides the principal legal framework for the protection of habitats and species of European importance. Its overall objective is to maintain or restore the 'favourable conservation status' of habitats and species of Community interest. These habitats and species are listed under the Habitats Directive and the Birds Directive (Council Directive 2009/147/EC on the Conservation of Wild Birds).

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are designated under these Directives to protect habitats and species of European importance. Together, they form a network of protected sites known as 'European sites' or the Natura 2000 Network.

The Directives are transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended. Regulation 42 of these Regulations gives effect to Article 6(3) of the Habitats Directive, which provides 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. In light of the conclusions of that assessment, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."*

Accordingly, an AA must be undertaken for any plan or project that could, alone or in combination with other plans or projects, have significant effects on a European site. The purpose of AA is to assess whether the plan or project will adversely affect the integrity of any European site, having regard to its conservation objectives.

Under Regulation 42(6) and (9) of S.I. No. 477 of 2011:

> *(6) The public authority shall determine that an Appropriate Assessment of a plan or project is required where the plan or project is not directly connected with or necessary to the management of the site as a European Site and if it cannot be excluded, on the basis of objective scientific information following screening under this Regulation, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site.*
> *(9) Where a public authority is required to conduct an Appropriate Assessment pursuant to paragraph (6) in relation to a plan or project that it proposes to undertake or adopt, it shall:*
>
> a) *Prepare a Natura Impact Statement;*
> b) *Compile any other evidence including, but not limited to, scientific evidence that is required for the purposes of the Appropriate Assessment; and*
> c) *Submit a Natura Impact Statement together with evidence compiled under subparagraph (b) to the Minister not later than six weeks before it proposes to adopt or undertake the plan or project to which the Natura Impact Statement and evidence relates.*

1.2 Statement of Authority

This report was drafted by Shannon Burke. Shannon holds a B.Sc. (Hons) in Plant Biology and a Ph.D. in Environmental Biology from University College Dublin. She has been working in ecological consultancy for over a year, during which she has carried out surveys and prepared AA reports for a variety of projects in several industrial sectors.

This report was reviewed by Steven Tooher ACIEEM. Steven holds a B.Sc. (Hons) in Zoology and a M.Sc. in Environmental Resource Management, and has 10 years' experience in ecological consultancy. He has coordinated the delivery of ecological surveys and reporting for large-scale projects across various industries in Ireland and the UK.

2. METHODOLOGY

This NIS investigates the impacts of the potential significant effects identified in the AA Screening Report, in relation to the potential for significant adverse effects on the integrity of River Barrow and River Nore SAC, and Lower River Suir SAC, considering their conservation objectives.

2.1.1 Conservation Status

Conservation objectives refer to whether the conservation status of a QI is 'favourable'. According to the NPWS (2012):

The favourable conservation status of a habitat is achieved when:

- Its natural range, and area it covers within that range, are stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future; and
- The conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future; and
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

3. ASSESSMENT OF ADVERSE EFFECTS ON SITE INTEGRITY (AESI)

The screening process concluded that the Proposed Development has the potential to result in the following significant effects on River Barrow and River Nore SAC, and Lower River Suir SAC as a result of unmitigated surface water runoff during the construction phase:

River Barrow and River Nore SAC

- Estuaries;
- Mudflats and sandflats not covered by seawater at low tide;
- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation;
- Sea Lamprey;
- River Lamprey;
- Brook Lamprey;
- Twaite Shad;
- Salmon; and
- Otter.

Lower River Suir SAC

- Sea Lamprey;
- River Lamprey;
- Brook Lamprey;
- Twaite Shad;
- Salmon; and
- Otter.

With reference to the above, the potential significant effects and the qualifying interests to which these effects apply, are presented in Table 3-1 alongside their respective conservation objectives. The assessment considers the potential for the Proposed Development to undermine the European site's conservation objectives (and thereby adversely affect site integrity).

Table 3-1: Assessment of Adverse Effects on Site Integrity

Potential Impacts	Potential Effects on QIs	Assessment of Adverse Effects on Site Integrity	AESI (Y/N)
River Barrow and River Nore SAC (002162)			
Estuaries		Conservation Objective: To maintain the favourable conservation condition of estuaries in the River Barrow and River Nore SAC.	
Surface water quality perturbations Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Deterioration of optimal physico-chemical conditions (e.g. eutrophication and/or pH fluctuations); and • Alterations to substrate composition.	Of particular note for Estuaries is the 'muddy estuarine community complex', which is mapped as far north as New Ross (NPWS, 2011b) and comprises a distinctive species assemblage of bivalves, amphipods, polychaetes and oligochaetes (NPWS, 2011a). Deterioration of water quality, or substantial alterations to substrate composition could affect the ability of this community to persist immediately downstream of the Proposed Site, such that its area coverage is reduced. The reduction in coverage of this community complex equates to a reduction in the natural range of this QI habitat, which would undermine favourable conservation status. It is therefore considered an adverse effect on site integrity.	Y
Mudflats and sandflats not covered by seawater at low tide		Conservation Objective: To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in the River Barrow and River Nore SAC.	
Surface water quality perturbations Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and	• Deterioration of optimal physico-chemical conditions (e.g. eutrophication and/or pH fluctuations); and • Alterations to substrate composition.	The 'muddy estuarine community complex', as described above, is equally important for Mudflats and sandflats (NPWS, 2011b) and comprises a distinctive species assemblage of bivalves, amphipods, polychaetes and oligochaetes (NPWS, 2011a).	Y

Potential Impacts	Potential Effects on QIs	Assessment of Adverse Effects on Site Integrity	AESI (Y/N)
• Ingress of cementitious materials into the watercourse.		Deterioration of water quality, or substantial alterations to substrate composition could affect the ability of this community to persist immediately downstream of the Proposed Site, such that its area coverage is reduced. The reduction in coverage of this community complex equates to a reduction in the natural range of this QI habitat, which would undermine favourable conservation status. It is therefore considered an adverse effect on site integrity.	
Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation		<u>Conservation Objective:</u> To maintain the favourable conservation condition of Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation in the River Barrow and River Nore SAC.	
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Deterioration of optimal physico-chemical conditions (e.g. eutrophication); and • Alterations to substrate composition.	Changes in physico-chemical conditions could lead to changes in floral composition, such that an area no longer conforms to Annex I criteria, effectively meaning that overall coverage of this habitat is reduced. Similarly, accumulation of fine sediment has been identified as a driver of degradation of this habitat (NPWS, 2019). The reduction in coverage of this habitat would undermine favourable conservation status, and is therefore considered an adverse effect on site integrity.	Y

Potential Impacts	Potential Effects on QIs	Assessment of Adverse Effects on Site Integrity	AESI (Y/N)
Otter		<u>Conservation Objectives:</u> To restore the favourable conservation condition of otter in the River Barrow and River Nore SAC.	
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Reduction in prey availability; • Ingestion of contaminated prey and associated biomagnification.	A reduction in prey availability, and/or morbidity associated with ingestion of contaminants, would contribute to a decline in SAC populations of otter. A population decline would undermine favourable conservation status, and is therefore considered an adverse effect on site integrity.	Y
Salmon, Twaite Shad and Lamprey		<u>Conservation Objectives</u> Salmon: To restore the favourable conservation condition of salmon in the River Barrow and River Nore SAC. Twaite shad: To restore the favourable conservation condition of Twaite shad in the River Barrow and River Nore SAC.. Sea lamprey: To restore the favourable conservation condition of sea lamprey in the River Barrow and River Nore SAC. Brook lamprey: To restore the favourable conservation condition of sea lamprey in the River Barrow and River Nore SAC. River lamprey: To restore the favourable conservation condition of sea lamprey in the River Barrow and River Nore SAC.	
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Ingestion of contaminants; • Deterioration of optimal physico-chemical conditions (e.g. O2 concentrations); and • Reduction in prey availability.	A reduction in prey availability, morbidity associated with ingestion of contaminants and/or deterioration of water quality would contribute to a decline in SAC populations of salmon and lamprey. A population decline would undermine favourable conservation status, and is therefore considered an adverse effect on site integrity.	Y

Potential Impacts	Potential Effects on QIs	Assessment of Adverse Effects on Site Integrity	AESI (Y/N)
Lower River Suir SAC (002137)			
Otter		Conservation Objectives: To maintain the favourable conservation condition of otter in the Lower River Suir SAC.	
Surface water quality perturbations Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Reduction in prey availability; • Ingestion of contaminated prey and associated biomagnification.	A reduction in prey availability, and/or morbidity associated with ingestion of contaminants, would contribute to a decline in SAC populations of otter. A population decline would undermine favourable conservation status, and is therefore considered an adverse effect on site integrity.	Y
Salmon, Twaite Shad and Lamprey		Conservation Objectives Salmon: To restore the favourable conservation condition of salmon in the Lower River Suir SAC. Twaite shad: restore the favourable conservation condition of twaite shad in the Lower River Suir SAC Sea lamprey: To restore the favourable conservation condition of sea lamprey in the Lower River Suir SAC. Brook lamprey: To restore the favourable conservation condition of sea lamprey in the Lower River Suir SAC. River lamprey: To restore the favourable conservation condition of sea lamprey in the Lower River Suir SAC.	

Potential Impacts	Potential Effects on QIs	Assessment of Adverse Effects on Site Integrity	AESI (Y/N)
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Ingestion of contaminants; • Deterioration of optimal physico-chemical conditions (e.g. O2 concentrations); and • Reduction in prey availability.	A reduction in prey availability, morbidity associated with ingestion of contaminants and/or deterioration of water quality would contribute to a decline in SAC populations of salmon and lamprey. A population decline would undermine favourable conservation status, and is therefore considered an adverse effect on site integrity.	Y

3.1 Conclusion – Assessment of Adverse Effects on Site Integrity

This assessment has concluded that, in light of the precautionary principle, adverse effects to the integrity of River Barrow and River Nore SAC, and Lower River Suir SAC, as a result of the Proposed Development, cannot be ruled out.

4. MITIGATION

In light of the potential adverse effects on site integrity that have been identified, mitigation measures are proposed in this section, whose aim is to avoid, reduce, and / or offset such effects. All mitigation measures are reflected in the Construction Environmental Management Plan (CEMP), submitted separately.

4.1 Surface Water Quality Perturbations

4.1.1 Construction Phase Surface Water Management

Measures to reduce potential impacts during the construction phase are outlined below.

- The existing drainage infrastructure at the Proposed Site will be blocked off in advance of works, with sandbags or similar, to remove the pollutant pathway to the River Barrow.
- Stockpiles will be compacted appropriately to prevent sediment runoff.
- Weather forecasts will be reviewed daily, and earthworks will not be undertaken during periods of heavy rainfall.
- Temporary silt fences will be installed around soil stockpiles.
- Refuelling of plant/machinery during construction will only be carried out offsite.
- Any diesel, fuel, hydraulic oils, cementitious material or any other hazardous material stored on site will be stored in bunded areas at least 50m from the river. The bund will have a volume of at least 110 % of the volume of all materials stored.
- Spill kits will be kept within the construction area and in each item of plant to deal with any accidental spillage.
- Portaloo's and/or containerised toilets and welfare units will be used to provide toilet facilities for site personnel. Sanitary waste will be removed from site by an appropriately-authorised waste disposal contractor.
- The Contractor carrying out the works will be required to provide temporary works to prevent soil being carried out onto the local road. In addition, the Contractor will be required to provide backup provision by way of a road sweeper to clean up fines as may be present.

5. ASSESSMENT OF RESIDUAL EFFECTS

This section assesses whether, following the implementation of the mitigation proposed, adverse effects remain to the integrity of River Barrow and River Nore SAC, and Lower River Suir SAC. The assessment is presented in Table 5-1.

It should be noted that the assessment of residual effects includes in-combination effects, because the elimination of adverse effects from the Proposed Development eliminates the possibility of acting in combination with effects from other plans or projects.

5.1 Conclusion – Assessment of Residual Effects

Following the implementation of mitigation measures as proposed, it has been concluded that the Proposed Development will not result in adverse effects on site integrity in the case of River Barrow and River Nore SAC, and Lower River Suir SAC.

Table 5-1: Assessment of Residual Effects

Potential Impacts	Potential AESIs	Mitigation	Residual Effects (Y/N)
River Barrow and River Nore SAC (002162)			
Estuaries			
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Deterioration of optimal physico-chemical conditions (e.g. eutrophication and/or pH fluctuations); and • Alterations to substrate composition.	Suite of construction phase surface water mitigation measures, as outlined in Section 4.1.1	N
Mudflats and sandflats not covered by seawater at low tide			
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Deterioration of optimal physico-chemical conditions (e.g. eutrophication and/or pH fluctuations); and • Alterations to substrate composition.	Suite of construction phase surface water mitigation measures, as outlined in Section 4.1.1	N

Potential Impacts	Potential AESIs	Mitigation	Residual Effects (Y/N)
Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation			
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Deterioration of optimal physico-chemical conditions (e.g. eutrophication); and • Alterations to substrate composition.	Suite of construction phase surface water mitigation measures, as outlined in Section 4.1.1	N
Otter			
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Reduction in prey availability; • Ingestion of contaminated prey and associated biomagnification.	Suite of construction phase surface water mitigation measures, as outlined in Section 4.1.1	N
Salmon, Twaite Shad and Lamprey			
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Ingestion of contaminants; • Deterioration of optimal physico-chemical conditions (e.g. O2 concentrations); and • Reduction in prey availability.	Suite of construction phase surface water mitigation measures, as outlined in Section 4.1.1	N

Potential Impacts	Potential AESIs	Mitigation	Residual Effects (Y/N)
Lower River Suir SAC (002137)			
Otter			
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Reduction in prey availability; • Ingestion of contaminated prey and associated biomagnification.	Suite of construction phase surface water mitigation measures, as outlined in Section 4.1.1	N
Salmon, Twaite Shad and Lamprey			
<u>Surface water quality perturbations</u> Unmitigated surface water runoff during the construction phase may give rise to: • Sediment mobilisation; • Ingress of petrochemicals into the watercourse; and • Ingress of cementitious materials into the watercourse.	• Ingestion of contaminants; • Deterioration of optimal physico-chemical conditions (e.g. O2 concentrations); and • Reduction in prey availability.	Suite of construction phase surface water mitigation measures, as outlined in Section 4.1.1	N

6. CONCLUSION - NATURA IMPACT STATEMENT

For the reasons set out in detail in this NIS, in light of the best scientific knowledge in the field, all aspects of the Proposed Development in isolation, or in combination with other plans or projects, which may affect the relevant European Sites (River Barrow and River Nore SAC and Lower River Suir SAC) have been considered.

Specific mitigation has been proposed in response to the potential for significant effects to occur. With the incorporation of site-specific mitigation measures, the Proposed Development alone will have no adverse effect on site integrity, in respect of the SACs' Conservation Objectives. This includes any potential interaction with other plans or projects leading to in-combination effects.

The NIS contains information which the competent authority may consider in making its own complete, precise and definitive findings and conclusions. This NIS is intended to be used by the competent authority to determine that all reasonable scientific doubt has been removed as to the effects of the Proposed Development on the integrity of the relevant European sites.

Therefore, it can be concluded beyond reasonable scientific doubt that there will no adverse effects on the integrity of European sites as a result of the Proposed Development, either alone, or in combination with other plans or projects.

7. REFERENCES

Department of the Environment, Heritage and Local Government (DoEHLG, 2010). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin (2009, updated 2010).

Environmental Protection Agency (EPA) - https://gis.epa.ie/EPAMaps/ (accessed (20/02/24)

European Commission (2002). 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. European Communities.

European Commission (2013). Interpretation Manual of European Union Habitats. EUR 28.

European Commission (2019). Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC. (2019/C 33/01). Brussels.

European Commission (2021). "Commission notice- Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC."

NPWS (2011a). River Barrow and River Nore SAC - Conservation objectives supporting document - marine habitats. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. Dublin: NPWS.

NPWS. (2011b). Conservation Objectives: River Barrow and River Nore SAC 002162. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. Dublin: NPWS.

NPWS (2017). Conservation Objectives: Lower River Suir SAC 002137. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2019). The Status of EU Protected Habitats and Species in Ireland. Volume 1: Summary Overview. Unpublished NPWS Report.

Office of the Planning Regulator (2021). OPR Practice Note PN01. Appropriate Assessment Screening for Development Management.

FEHILY TIMONEY

DESIGNING AND DELIVERING
A SUSTAINABLE FUTURE

www.fehilytimoney.ie