Our Case Number: ACP-324610-26

An Coimisiún Pleanála

Michael Hickey
Kippinstown, Ballykeeran
Athlone
Co. Westmeath

Date: 23 October 2026

Re: Hodson Bay Waterfront Park Project
Hodson Bay, Townland of Barrymore, Co. Roscommon

Dear Sir / Madam,

An Coimisiún Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter. Please accept this letter as a receipt for the fee of €50 that you have paid.

Please note that the proposed development shall not be carried out unless the Commission has approved it or approved it with conditions.

If you have any queries in relation to the matter please do not hesitate to contact the undersigned officer of the Commission at laps@pleanala.ie

Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,

Kevin McGettigan
Executive Officer
Direct Line: 01-8737263

JA02

To: The Secretary, An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, D01 V902.

Regarding: Proposed "Hodson Bay Waterfront Park" and Marina Development,

Barrymore, Co. Roscommon.

Applicant: Roscommon County Council.

Statutory Authority: Sections 175 & 177AE of the Planning and Development Act 2000

(as amended).

Date: 13th October 2026

AN COIMISIUN PLEANÁLA
LDG- 09663-26
ACP-
15 OCT 2026
Fee: € Type:
Time: 9:15 By: POST

Objector Details:

- **Name:** Michael Hickey
- **Address:** Kippinstown , Ballykeeran , Athlone, Co Westmeath

Dear Sir/Madam,

I wish to make the following submission and objection, regarding the proposed €30 million waterfront park and marina development at Hodson Bay, Barrymore, Co. Roscommon. The scale of the proposed water sports pavilion expansion, marina footprint increase, and associated intensification of in-lake activities pose severe, unmitigable threats to the **Lough Ree Special Area of Conservation (SAC)** and **Lough Ree Special Protection Area (SPA)**.

Approving this development would cause a direct, substantive breach of **Article 6(3) of the EU Habitats Directive**, as transposed into Irish law under the European Communities (Birds and Natural Habitats) Regulations 2011.

Failure to Meet the Substantive Test of Article 6(3) of Habitats Directive

Article 6(3) dictates that a competent authority may only agree to a plan or project after having ascertained that it will not adversely affect the integrity of the European site concerned. If reasonable scientific doubt remains as to the absence of adverse effects, permission **must be refused** under the Precautionary Principle.

The Natura Impact Statement (NIS) submitted with this application cannot rule out adverse effects with the absolute scientific certainty required by European and national

case law. I have set out the evidence in this submission / objection which supports this position.

. THE IMPLICATIONS OF THE PROPOSED DEVELOPMENT, IF CARRIED OUT, FOR PROPER PLANNING AND SUSTAINABLE DEVELOPMENT IN THE AREA CONCERNED

I have serious concerns regarding its potential effects on the highly sensitive environment at Hodson Bay and Lough Ree, including the European Sites in the area. Hodson Bay forms part of the Lough Ree landscape and is located in an area of significantecological sensitivity. Roscommon County Council's own Constraints Study recognises that the area is **highly sensitive environmentally and protected at European level** and specifically identifies the need for evidence-based development supported by sufficient baseline information, including bird surveys. It is an established fact that lake and wetland birds in Ireland are experiencing **significant declines**. Human and dog recreation put added pressure on fragile populations.

The objection is principally concerned with:

1. the implications of the proposed development for proper planning and sustainable development.
2. Discharge of pollutants into the lake.
3. the likely effects of the development on the environment.
4. the likely significant effects on European Sites, particularly Lough Ree SAC and Lough Ree SPA.
5. disturbance to wintering, breeding / resident waterbirds.
6. the adequacy and timing of the bird surveys;
7. discrepancies between the BirdWatch Ireland/I-WeBS information and the MKO NIS survey;
8. the potential adverse effects of increased visitor numbers and recreational activity;
9. adverse effects on otter and other protected species;
10. adverse effects extending beyond the physical footprint of the development; and
11. cumulative effects arising from the existing and expanding recreational development at Hodson Bay.

The proposed Waterfront Park must be considered within the context of the existing intensity of recreational use including developments at the Yew Peninsula SAC, rather than as an isolated development.

The Council's own Constraints Study identifies a number of existing issues, including pressure on the waterfront, traffic, tranquillity and environmental sensitivity. It also recognises that the existing watersports attraction can at times compromise other aspects of the area, including tranquillity and access.

This is particularly important because the proposed development would result in substantially increased visitor use.

The anticipated increase in visitors from approximately **80,000 to approximately 168,000 visitors** represents a very substantial increase in human activity within an environmentally sensitive lakeshore environment. This increase in visitors could well be a conservative figure given an investment of €30 million proposed spend on infrastructure and the known increased popularity for home and foreign visitors for family recreational activity in a Summer location that is not exposed to extreme heat like the usual European tourist locations due to climate change . More travellers are booking trips to cooler northern regions or opting for staycations to escape dangerous heat. Shift to Ireland – Places with temperate climates like Ireland are seeing a surge in "coolcation" visitors seeking refuge from scorching mediterranean midsummer temperatures.

That increase cannot properly be considered simply as an economic or tourism benefit. It must also be assessed in terms of:

- increased pedestrian activity;
- increased noise;
- increased recreational activity;
- increased boating and watersports activity;
- increased disturbance of birds;
- increased disturbance of otter;
- increased pressure on habitats;
- increased traffic;
- increased lighting and evening activity;
- increased activity along the shoreline; and
- the cumulative effect of existing recreational facilities.

The Council's own preferred-options report identifies the environmental sensitivity of the area and states that development should be evidence-based.

Recent developments at Hodson Bay

Yew Point (often referred to as the Yew Peninsula) at Hodson Bay, Athlone, on the shores of Lough Ree is a special area of conservation . It is a protected and ecologically sensitive headland set within a **Special Area of Conservation .**The peninsula juts into Lough Ree, part of the wider River Shannon basin, providing critical freshwater, wetland, and shoreline ecosystems.
The 145-acre site features unspoiled natural meadows, ancient and regenerating woodlands, and important wildlife corridors.

Roscommon County Council granted planning permission for 36 timber eco – cabins and grass- crete surfaced car park with 48 spaces in 2024.

Planning permission was also granted in 2024 for new facilities at the existing water park .

2. THE LIKELY EFFECTS ON THE ENVIRONMENT OF THE PROPOSED DEVELOPMENT, IF CARRIED OUT

Effects on Key Ecological Features of Hodson Bay

Shoreline Habitats: The Hodson Bay shoreline predominantly supports *Natural eutrophic lake vegetation* . The damp edge soils are heavily populated by native wet woodland species, including thick stands of alder, willow, and ash.

Terrestrial Transition: Moving inland along the Yew peninsula, the habitat transitions to semi-natural dry grasslands, thick hazel scrubs, and localized fen wet grasslands that flood entirely during the winter.

Avian Importance: Because Hodson Bay overlaps directly with the Lough Ree Special Protection Area (SPA), these specific reedbeds and seasonal floodlands provide vital foraging and roosting grounds for nationally protected waterbirds.

Native Varieties: Alongside the thick starry stonewort beds, native delicate stonewort (*Chara* species) is also recorded as frequently growing throughout the bay's shallow aquatic ecosystems. According to the council's own Aquatic Macrophyte Survey Report (Appendix 6-2 of the EIAR), dense, semi-continuous charophyte beds are actively present at shallow depths (up to 1.85m) directly in the littoral zone of the project area. Any degradation or reduction of the charophyte meadows will result in a negative cascade effect on the local food chain. This directly compromises the conservation objectives of the overlapping **Lough Ree Special Protection Area (SPA)**, which protects migratory and wintering waterbirds.

The sheltered, limestone-influenced environment of Hodson Bay provides the exact shallow, calcium-rich conditions these macro-algae need to form extensive underwater carpets.

Stoneworts (charophytes) are considered highly sensitive bioindicators. They require exceptionally clear, undisturbed, and low-nutrient (oligotrophic to mesotrophic) conditions to survive.

Benthic Shading and Annex I Habitat Degradation ; Large floating water park structures and inflatable courses block out critical sunlight. Because stoneworts are photosynthetic algae, a lack of light prevents them from growing, creating dead zones directly beneath the structures. The footprint of the expanded water sports zone and in-lake anchoring structures (the big slide at the existing waterpark is 21 feet high from the water to the top of the slide and 41 feet to the top of the entire inflatable structure) cause significant benthic shading. This threatens the long-term survival of Submerged Aquatic Vegetation (SAV)—specifically *Chara* form formations (stoneworts)—which are qualifying interests of the Lough Ree SAC.

Suffocating Light Access: The resulting turbid (cloudy) water cuts off light penetration. When light becomes limited, stoneworts can no longer compete and will rapidly decline or face local extinction.

Smothering Spores: Churned-up silt settles back down over the stonewort carpets, physically smothering their reproductive spores (oospores) and preventing new growth.

Mechanical Damage: Heavy foot traffic from swimmers, wading, and anchoring mooring lines breaks the fragile, brittle stems of the algae.

Sediment Resuspension (Turbidity)-Muddying the Water: Constant splashing, swimming, and foot movement in shallow waters churns up the lakebed sediment.

The expansion of the marina and shoreline promenade will cause unacceptable, irreversible damage to the sensitive charophyte (chara) beds. These benthic meadows are a critical component of the Lough Ree Special Area of Conservation (SAC). The applicant has failed to adequately demonstrate that increased turbidity, localized dredging, and a doubling of motorized boat wake will not result in the permanent deterioration and smothering of these highly sensitive, protected habitats."

Regrettably approximately 24 meters of large continuous reedbeds have been removed which is a lose to the birds that rely on this vital habitat for cover. However there are still a lot remaining at this site and it is important that it does not come under further threat.

Microbial and Chemical Overloading:

The concentration of large crowds directly inside the water column will increase, pollutant loading. This alters the local hydrodynamics, directly degrading the water quality metrics required to maintain the SAC's favourable conservation status.

Water Pollution & Environmental Impact :Anthropogenic Pollutants (User-Introduced): Thousands of daily visitors will introduce chemical pollutants directly into the lake. This includes sunscreens, UV filters, body lotions, cosmetics, and residual pharmaceuticals.

Biological Contamination: Elevated coliform bacteria (such as *E. coli*) and intestinal enterococci from large crowds swimming and playing in an enclosed or slow-moving freshwater body.

Eutrophication (Nutrient Loading): Increased human activity and accidental waste releases introduce nitrogen and phosphorus. In inland lakes, this accelerates nutrient loading, leading to toxic harmful algal blooms or blue-green algae.

Sediment Disturbance: High volumes of users walking, splashing, and interacting with waterpark structures will disturb the lakebed. This resuspends legacy nutrients and heavy metals trapped in the sediment, permanently reducing water clarity and quality.

Inadequacy of Treatment: Unlike a swimming pool, an open inland lake cannot be chemically chlorinated or filtered mechanically to neutralize human-introduced pollutants without destroying the existing ecosystem.

The construction and operation of a large commercial water park in a sheltered location like Hodson Bay—which already faces community concerns over severe algal blooms poses several direct threats to this delicate habitat.

Habitat Directive

Article 11 (Surveillance Obligation): Under Article 11 of the Habitats Directive, EU member states are legally obligated to continually monitor and undertake surveillance on the conservation status of the habitats and species listed in the Annexes. The State must actively manage SACs to maintain or restore Annex I habitats to a stable, healthy condition known as " favourable Conservation Statue"

Annex I Habitats

Habitat 3140: Hard oligo-mesotrophic waters with benthic vegetation of *Chara spp.*

- *Chara beds*

Habitat 3150: Natural eutrophic lakes with *Magnopotamion* or *Hydrocharition*-type vegetation.

Habitat 91EO: Alluvial forests with Alnus glutinosa and Fraxinus excelsior (black alder and common ash and various willow species.

The primary Annex I classification of the water and shoreline around **Hodson Bay** is:

Habitat 3140 is an EU Habitats Directive Annex I Natural habitat formally designated as Hard oligo – mesotropic waters with benthic vegetation o Chara spp.

Natural Eutrophic Lakes (EU Habitat Code 3150): Lough Ree is classified as a prime example of a natural, nutrient-rich lake system. This protects the specific aquatic plant communities (*Magnopotamion* or *Hydrocharition* type vegetation) growing in **Hodson Bay**.

Alluvial Forests (EU Habitat Code 91E0 - *Priority Habitat*): The wet woodlands and shorelines around **Hodson Bay and the Yew Point peninsula** contain protected

alluvial forests (dominated by Alder and Ash). Because this is a "Priority" habitat, it has the highest tier of legal protection under the directive.

Annex II Species (The Otter):

The Otter is the primary Annex II qualifying species for the Lough Ree SAC. The quiet, wooded bays around Hodson Bay provide critical breeding, foraging, and resting territory for otters. Under Annex II, local activities or marine developments cannot cause deterioration or significant disturbance to their holts or habitats.

The State must ensure that the populations and supporting habitats of these Annex II species are maintained or restored to a " favourable Conservation Status"

The proposed development coupled the existing developments directly contradicts the conservation objective to maintain or restore the favourable conservation condition of the lake's natural habitats.

SUMMARY OF RELEVANT ANNEXES REFERRED TO ABOVE

SAC Target Component	**Waterpark Conflict Vector**	**Legal / Scientific Vulnerability**
Annex I Habitats *(e.g., Chara beds, Eutrophic Lakes)*	Opaque PVC plastic modules block sunlight, causing immediate **benthic shading**.	Directly contradicts the conservation objective to **maintain or restore the favorable conservation condition** of the lake's natural habitats.
Annex II & IV Species *(e.g., Native Fish, Amphibians)*	Heavy crowd presence leads to localized **microbial spikes** and chemical sunscreen films.	Fails to protect the water quality metrics required to support the lifecycle of designated target species.
Protected Avifauna *(Lake Birds & Wading Birds)*	Anthropogenic noise (screaming,) causes a **zone of exclusion**, forcing birds to abandon nests.	Directly violates the strict legal prohibitions against the deliberate disturbance of protected species, especially during **breeding, rearing, and nesting seasons**.

CUMULATIVE EFFECTS ACROSS THE WIDER LOUGH REE ENVIROMENT

A development on a small part of a large Special Area of Conservation (SAC) lake is legally considered to affect the entire SAC.
Under **Article 6(3) of the EU Habitats Directive**, the legal threshold for an Appropriate Assessment (AA) does not look at the spatial percentage of the site being developed. Instead, it looks at whether the project will "**adversely affect the integrity of the site**" as a whole.

For an inland lake, localized impacts from a waterfront waterpark can easily compromise the conservation status of the wider ecosystem due to the interconnected nature of water bodies.

The Interconnected Water Environment: Lakes are dynamically connected systems. Eco-pressures introduced at a waterfront development—such as fuel spills from watercraft, wastewater runoff, sediment disruption during construction, or localized chemical pollution—do not stay localized. They dissipate throughout the water column, affecting water quality, fish spawning grounds, and macrophyte (aquatic plant) populations lake-wide.

Disturbance to Mobile Species: Even if the physical waterpark footprint is small relative to the lake (Yew peninsula consists of 145 acres and the proposed development consists of 22 acres), the resulting noise, human activity, and lighting can cause significant disturbance to mobile species (e.g., protected birds, otters, or specific fish species), forcing them to abandon larger portions of the lake. **The Cumulative "In-Combination" Test:** Article 6(3) explicitly mandates looking at the project **"either individually or in combination with other plans or projects".**

The Precautionary Principle & Scientific Doubt: An authority can only grant planning permission if they have ascertained that the project will not adversely affect the site, leaving **no reasonable scientific doubt** remaining. If the waterpark's environmental reports cannot definitively rule out lake-wide ecological impacts, permission must be refused.

Strict Prohibition on Habitats / Birds Directive (Lough Ree SPA)

Lough Ree is a designated Special Protection Area (SPA) for vulnerable migratory and nesting waterbirds. The intensification of anthropogenic activity and commercial watercraft traffic within the littoral zone creates a permanent "Zone of Exclusion" for wild waterbirds.

Disturbance to Breeding Annex I Avifauna: The additional noise and visual disturbance during the peak operating season directly conflict with the conservation objectives for protected species as set out in this submission. Sudden acoustic events and intense crowd presence trigger nest abandonment and expose eggs to heightened predation.

Destruction of Shoreline Micro-Habitats: Artificial wave action and wakes generated by increased support vessels and marina traffic physically erode the reedbeds, drowning low-lying floating nests.

Effects on wild birds

The adverse effects of the proposed development should not be assessed only by reference to birds physically occupying the development footprint. Planning permission

was granted in 2024 on the Yew Peninsula which is part of Lough Ree SAC for 36 eco cabins 48 car spaces Yew Point consists of approximately 145 acres. This development coupled with the proposed development is not an insignificant footprint. The existing water sports facility was granted planning permission in 2024 for upgrades and expansions to the water park features.

Birds using Lough Ree require areas for:

- feeding;
- roosting;
- resting;
- breeding;
- nesting;
- shelter;
- moulting;
- movement between feeding areas; and
- avoidance of predators and disturbance.

Consequently, a development occupying only part of the shoreline can affect birds using adjacent wider waters and habitats.

Effects beyond the physical footprint

The proposed development has the potential to adversely affect wild birds **adjacent to and beyond the footprint of the proposed development** because disturbance is not confined to the area where buildings, paths or other physical structures are constructed.

Noise, people, dogs, boating, watersports, increased pedestrian movement, lighting and visual disturbance, can extend into surrounding areas.

A bird does not have to be physically displaced from the development footprint for an adverse ecological effect to occur. Repeated disturbance may cause birds to avoid otherwise suitable feeding or roosting habitat, expend additional energy, alter feeding patterns, reduce resting time or move to less suitable areas.

This is particularly important in a lake such as Lough Ree where birds can move between different areas of the lake and where disturbance at one location may displace birds into another area.

The assessment should therefore adequately consider the **functional ecological area affected by disturbance**, rather than simply the area occupied by the physical works.

Effects of pollutants from a large waterpark on a large inland lake

As already referred to above pollutants from a large waterpark can severely degrade water quality, trigger toxic algae blooms, and disrupt aquatic ecosystems in a large inland lake.

Nutrient Loading (Eutrophication): High levels of phosphorus and nitrogen from sunscreens, human waste, enter the lake, causing algae blooms that block sunlight and suffocate fish.

Microplastics and Debris: Synthetic materials from swimwear, single-use plastics, and personal care products accumulate in sediments and can be ingested by aquatic life. Thousands of daily visitors introduce localised chemical pollution directly into the water. Sunscreens, insect repellents and personal care products wash off swimmers' skin. These chemicals contain UV filters and compounds that are easily absorbed by sensitive aquatic wildlife, such as amphibians , frequently causing development and reproductive harm .

Wintering birds and the importance of September

A particularly important issue is the timing of the bird surveys and the relationship between bird presence and recreational activity. Waterbirds are present during periods of passage such as April and September.

The wintering bird population is not necessarily absent until the conventional winter months. I accept that winter waterbird surveys focuses on surveying between October and March.

Many wintering birds begin arriving in Ireland during **September**, with numbers subsequently building during the autumn and winter.

This makes September an important month for assessing the interaction between:

(a) the arrival of wintering birds; and
(b) the continuation of current weekend recreational activity at Hodson Bay. – this weekend period could increase to weekdays if demand increased.

This is especially important because the recreational activity at the lake is highly seasonal.

The relevant pattern of recreational activity is approximately:

Period	**Recreational / water sports activity**
May–September	Principal period of recreational and water sports activity
September	Important overlap between recreational activity and arrival of wintering birds

Period	Recreational / water sports activity
October–April	Little or no comparable water sports activity

This creates an important ecological question.

If the majority of wintering birds arrive during September, then September represents the period in which **newly arriving wintering birds may first encounter recreational disturbance**.

BirdWatch Ireland / I-WeBS and MKO NIS discrepancy.

The information available from BirdWatch Ireland/I-WeBS indicates substantially greater numbers of certain species than those recorded in the MKO NIS survey.

The following table identifies the principal discrepancies .

Species	BirdWatch Ireland / I-WeBS figure	MKO NIS figure	Difference
Coot	541	208	333
Tufted Duck	66	153	NIS higher by 87
Whooper Swan	4	0	4
Wigeon	43	0	43
Golden Plover	100	0	100
Lapwing	300	0	300

All of the birds listed above are of qualifying interest of Lough Ree. These differences are material. They raise questions as to whether the MKO survey provides a sufficiently representative picture of the bird population using the area.

The NIS explanation that differences may arise from **natural inter-annual and inter-observer variability** does not, by itself, resolve the issue.

Where independent monitoring data record species in different numbers, or species not recorded at all during the NIS surveys, the appropriate question is whether the survey methodology, survey locations, survey dates and survey effort were capable of detecting those birds.

My understanding is that in environmental planning, the precautionary principal is generally applied. This means that if data shows a site can support a significant number of birds, higher numbers of birds are more heavily weighted.

The potential effects of the proposed development on birds should include both direct and disturbance effects.

The existing water sport has the following activates

- Inflatable Waterpark Sessions
- Boat Cruises:
    - Beam Island Cruise (10 minutes):
    - Hare Island Cruise (30 minutes):
    - Other islands (2.5 hour trips)
    - Athlone Town Cruise (1 hour):

High-powered passenger Rigid Inflatable Boats (RIBs), a replica Viking Boat and signature high-speed passenger are used for these cruises.

It is important to note that the islands of Lough Ree are critically important bird sanctuary and the last refuge for some species.

High powered motorboats cause environmental disturbances through physical wakes, underwater noise, and propeller turbulence that impact shorelines and aquatic life. They also cause **Wildlife and Habitat Disruption:** Turbulence pushes warm surface water down into cooler layers, harming fish spawning beds, washing away eggs, and disturbing nesting birds. Motor propellers can cause significant ecological and physical disturbances in a large lake, primarily through a subsurface phenomenon known as **propeller wash**. Even though a lake is large, these localized impacts can severely degrade the overall ecosystem, especially in shallow sections, bays, and near-shore environments including islands.

This table list the winter birds and the adverse effects from the proposed development:

Bird / bird group	Potential use of Hodson Bay / Lough Ree	Potential disturbance from development
Coot	Feeding, resting and wintering	Increased pedestrian activity, boating and watersports may cause displacement from feeding/resting areas
Tufted Duck	Wintering and potentially breeding/summer use	Increased human activity and water-based recreation may disturb feeding and nesting birds
Whooper Swan	Winter visitor	Noise, people, boats and watersports may cause avoidance of suitable habitat

Bird / bird group	Potential use of Hodson Bay / Lough Ree	Potential disturbance from development
Wigeon	Wintering waterbird	Disturbance may reduce feeding opportunities and cause displacement
Golden Plover	Wintering/migratory species	Increased activity may disturb feeding and roosting birds
Lapwing	Wintering/migratory species	Human activity, dogs and recreational pressure may cause repeated disturbance
Other waterbirds	Feeding, nesting, resting and movement	Cumulative disturbance from increased visitor and recreational activity
Breeding waterbirds	Nesting and raising young	Recreational activity during the breeding season may cause nest abandonment or reduced breeding success

The important point is that disturbance can be **repeated and cumulative**.

A single disturbance event may have little significance. Repeated disturbance over an entire recreational season can have a substantially different ecological adverse impact.

Summer breeding birds and the effects of the proposed development

The assessment should not focus exclusively on wintering birds.

There is also evidence of bird activity during the summer months.

Tufted Duck: This duck is present in Ireland all year round as both a resident breeding species and a winter visitor – when breeding in Ireland they show a strong preference for larger open lakes in lowland areas . Egg laying usually takes place in late May and ducklings hatch around June after a 25-day incubation period. Tufted ducks are highly susceptible to human and environmental disturbance.

Coot : The coot stays in Ireland all year round as a resident breeding species. Coots are susceptible to human and environmental disturbance particularly when it affects their feeding efficiency, habitat depth or breeding success. Disturbance from recreational activities, water sports force coots to abandon preferred shallow water feeding sites and move to deeper, sub-optimal areas where diving increases their energetic costs.

Lapwing : These birds are present in Ireland year-round but their population changes dramatically between seasons due to migration. A native resident population of lapwing stays in Ireland throughout the year to nest and breed. Lapwings regularly use inland lakes in Ireland, utilizing both their shorelines and surrounding wetlands during different stages of their life cycle. Lapwings are highly susceptible to disturbances, especially during their breeding and nesting season.

Mallard : This duck is present all year round. They are tolerant of human presence but remain susceptible to disturbance during critical activities like nesting.

Great Crested Grebe: This bird is a resident species and use Lough Ree as an important breeding and wintering site. They are susceptible to various forms of human and environmental disturbances particularly during breeding.

Redshank: This wader stays and breeds in Ireland throughout the year. Lough Ree is recognised as a premier location in Ireland for breeding Redshank and are highly susceptible to disturbance.

Mute Swan: These are a resident species – they are resilient to human disturbance, however during the rearing season they become highly sensitive to any perceived threats, particularly dogs.

Common Merganser: (known as the goosander in Ireland) is resident all year round and is one of Ireland's rarest breeding birds but is see quite regularly in the Hodson Bay area per the local fishermen. They are highly susceptible to human disturbance.

Cormorant: These birds are permanent residents with the local population increasing in winter by migrants birds . They are susceptible to disturbance particularly during the breeding and nesting season.

Grey Heron: This bird stays and breeds in Ireland throughout the year. They are a common sight in Lough Ree. They show measurable behavioural changes when exposed to loud disruptions causing the birds to take flight.

Little Grebe : (dinkey dapper diver) They dip in and out of the water and are a resident breeder – some pairs stay on their breeding territories while others display local movements. Lough Ree . They breed from April to July. I saw on of this bird.

Egrets: These birds have a resident breeding population around s on the western shore of the Yew peninsula this Summer . These birds are susceptible to human and habitat disturbances.

Common Tern: This bird is a summer visitor – they arrive in Ireland around March or April. They use inland lakes for feeding and breeding. Lough Ree supports nationally significant populations of breeding Common Terns (Annex I species) . They are very susceptible to human and environmental disturbance – when people off- lease dogs, of boats gets too close to a colony, adult terns fly off their nests.

Common Scoter: A very small resident population stays in Ireland throughout the year. Ireland supports a tiny critically threatened native breeding population located on a few freshwater lakes including Lough Ree. They are very sensitive to human disturbance during the breeding season.

The presence of summer waterbirds is relevant because the breeding season coincides with the period of greatest recreational activity.

The potential effects include:

- disturbance of adult birds
- disturbance of nests.
- disturbance of young birds.
- displacement from feeding areas.
- reduced feeding time.
- increased energetic expenditure.
- reduced breeding success.

This is particularly important because recreational activity is concentrated during the same period in which breeding birds may be using the shoreline and shallow-water areas.

Otter

The potential impact on **otter** requires particular consideration (Annex I species)

The NIS records evidence of otter activity, including **otter spraints on Goose Island in Hodson Bay**.

This is important evidence that otter are using the area.

Otter are highly mobile and use interconnected aquatic and terrestrial habitats. Their use of an area cannot therefore be assessed solely by examining the footprint of buildings.

Potential impacts include:

- disturbance from increased human activity.
- disturbance from boats and watersports;
- disturbance of resting places.
- disturbance of movement routes;
- lighting.
- increased noise;
- increased dogs and pedestrian activity.
- loss or degradation of shoreline habitat; and
- cumulative disturbance from increasing recreational use.

The presence of otter evidence on Goose Island is particularly relevant because it demonstrates that the wider Hodson Bay environment, rather than merely the construction footprint, forms part of the ecological setting used by the species.

Local wildlife monitoring regularly records otter pairs and active foraging directly adjacent to the Yew Peninsula.

This peninsula features extensive, undisturbed native woodland, ancient tree roots, and dense lakeside reedbeds. This landscape provides the exact natural criteria otters use to

construct their holts (underground dens) and chutes (belly-slides into the water). Furthermore, the clean water quality of Lough Ree ensures a rich diet of fish, eels, and crustaceans.

Increased visitor numbers

As set out above the proposed increase from approximately **80,000 visitors to approximately 168,000 visitors** is potentially one of the most significant adverse environmental changes associated with the proposal.

The effect should not be assessed merely as a doubling of visitor numbers.

The additional visitors may generate additional:

- pedestrian movement.
- dogs;
- noise;
- vehicle movements.
- boating;
- watersports;
- shoreline activity;
- litter;
- lighting;
- human presence around bird habitats; and
- pressure on existing habitats.

The environmental consequences could therefore be disproportionate to the simple numerical increase in visitors. As stated above the number of visitors could be greater than estimated.

3. THE LIKELY SIGNIFICANT EFFECTS OF THE PROPOSED DEVELOPMENT, IF CARRIED OUT, ON EUROPEAN SITES Lough Ree SAC and Lough Ree SPA

The proposed development must be considered in the context of the European Sites associated with Lough Ree. The location is environmentally sensitive and the Council's own documentation recognises European-level protection.

The relevant assessment must therefore address not only direct habitat loss but also:

- disturbance;
- displacement;
- changes in feeding behaviour;
- changes in roosting behaviour;

- effects on breeding;
- effects on otter;
- effects on water quality;
- effects arising from increased recreational activity; and
- cumulative effects.

Particular attention should be given to the BirdWatch Ireland/I-WeBS data, September bird arrival, breeding-season waterbirds, otter activity at Goose Island, the projected increase in visitor numbers, cumulative recreational disturbance and effects extending beyond the physical development footprint. Yew Peninsula consists of 145 acres and the proposed development consists of 22 acres so the footprint is not insignificant.

3.3 Watersports development Cumulative effects

The proposed Waterfront Park cannot reasonably be considered in isolation from the existing recreational development at Hodson Bay.

Yew Peninsula / Yew Point

The relationship with **Yew Peninsula/Yew Point**, including its SAC status, should also be carefully considered. The assessment should not treat European Sites as isolated geographical units where ecological processes and species movements operate across the wider Lough Ree environment. Birds and otter are mobile species.

Consequently, the potential effects of increased recreational activity should be considered in the context of the wider ecological network. The northern and western shores of the Yew Peninsula is a critically important habitat area for wildfowl due to the high concentration of reedbeds along its shoreline.

The existing watersports operation is already a major attraction. It has also been publicly described as having a very substantial visitor attraction, including the largest inflatable water park in Ireland and a major waterslide facility.

The cumulative environmental question is therefore:

What will be the combined effect of (1) the development on the Yew peninsula -described above (2) the existing watersports operation, its recent expansion and the proposed Waterfront Park with the resulting increase in visitors on the birds, otter and habitats of Lough Ree?

This is particularly important because the Council's own Constraints Study acknowledges that the existing watersports facility can affect tranquillity and other aspects of the area.

The cumulative effect of disturbance is particularly important.

The relevant question is not simply: "Will one visitor disturb one bird?" The more appropriate ecological question is whether the proposed development will result in a **substantial increase in the frequency, duration and geographical extent of disturbance**.

With visitor numbers potentially increasing from approximately 80,000 to approximately 160,000–168,000, the frequency of human presence will inevitably increase.

When combined with existing boating, watersports and recreational activities, this could create substantially greater pressure on birds and other protected species.

4. CONCERNS REGARDING THE NIS SURVEY FINDINGS

The differences between the independent BirdWatch Ireland/I-WeBS data and the MKO

Particular attention should be given to:

1. the precise dates of each survey.
2. survey locations.
3. survey duration.
4. weather conditions.
5. visibility.
6. survey effort.
7. observer experience.
8. was September adequately represented.
9. was peak wintering periods adequately represented.
10. Did the breeding-season surveys adequately capture summer waterbirds.
11. Did the surveys extend sufficiently into surrounding areas; and
12. did the surveys adequately assess disturbance caused by existing recreational activity.

The issue is not simply whether birds were observed on a particular survey date. The issue is whether the survey programme was sufficiently designed to identify the full range of species using the site and surrounding waters throughout the relevant seasons.

THE IMPORTANCE OF SEPTEMBER

As set out above September deserves particular attention – it is a transitional period for migrating birds . If wintering birds are arriving from September onwards, while recreational activity continues during September, there is a potentially important overlap between arrival of wintering birds and p recreational pressure.

The environmental assessment should therefore demonstrate that the September period was properly surveyed and that the potential effects of recreational disturbance on newly arriving wintering birds were considered.

September is particularly important because it represents a period in which birds arriving for the winter may encounter significant human activity.

EFFECTS BEYOND THE DEVELOPMENT FOOTPRINT

The environmental assessment should expressly consider the area surrounding the proposed development.

The potential disturbance footprint may extend considerably beyond the physical footprint because:

- people move along the shoreline.
- **boat trips beyond the immediate development area to the islands opening up the wider lake area .**
- noise travels over water.
- birds respond to approaching people and boats.
- dogs may range beyond designated paths.
- lighting may affect surrounding habitats; and
- displaced birds may move into neighbouring parts of Lough Ree.

There is no doubt that the proposed development will increase the number of cruises to the islands .The islands of Lough Ree are critically important for wildfowl, waders and other water birds . The islands act as essential sanctuaries for ground nesting and wading birds.

CONCLUSION

The proposed Hodson Bay Waterfront Park is located in an environmentally sensitive part of Lough Ree.The Council's own documentation recognises both the environmental sensitivity of the area and the need for evidence-based development supported by adequate baseline information.

The concerns raised in this objection are particularly significant because of:

- the European Site designations.
- Pollutants entering the water.
- the presence of wintering birds.
- the arrival of wintering birds during September.
- summer and breeding waterbirds.
- evidence of otter activity on Goose Island.
- discrepancies between BirdWatch Ireland/I-WeBS information and the MKO NIS survey.
- the concentration of recreational activity from May to September.
- the substantial projected increase in visitors.

- existing watersports activity.
- the expansion of existing recreational facilities;
- potential disturbance extending beyond the physical footprint; and
- cumulative effects across the wider Lough Ree environment.

The Cumulative "In-Combination" Test: Article 6(3) explicitly mandates looking at the project **"either individually or in combination with other plans or projects".**

An SAC inland lake is no place for a large waterpark. The current marina is well able to cater for the current cruiser traffic and caters for the tourist needs for this area. Cruisers are suitable for this area as they are slow moving and the tourists can enjoy the natural beauty of the Hodson Bay area. There is a permanent sign in front this marina – the message on this sign best describes the important of Hodson Bay and the wider lake to the birds :

"This **area is designated as a Special Protection Area (SPA) for 13 threatened /rare/migratory birds. The lake and callows are also home to 21 Red Listed species and 43 Amber listed species occurring throughout the year.**
During the bird breeding season, ground nesting birds can easily be frightened away from their nests leaving eggs or young vulnerable to the cold or natural predators. Disturbing breeding birds can be distressing for the adult birds, and they will often abandon the site. Practice vigilance for ground nesting birds on the islands and along the lake shore from April to July. Keep pets on leads and as always Leave no Trace".

This development if allowed would be the third for this part of the lake in recent years. If left alone without further development Hodson Bay would still retail much of it natural beauty There is still much to save. However, the scale of this is development if carried out would utterly change this landscape forever. For the Tuffed Duck and the other wild birds that depend on Hodson Bay "this is their spot" . They have been there for a long time and have a right to be left alone.

I ask, that in light of the clear conflicts with the statutory conservation objectives of Lough Ree SAC/SPA, and the presence of undeniable scientific doubt, shown above, regarding long-term ecological degradation, An Coimisiún Pleanála is legally compelled under Article 6(3) of the Habitats Directive to **refuse approval** for this development.
Please find enclosed the statutory fee of €50. Kindly acknowledge receipt of this submission and notify me of your final decision.

Yours faithfully,

Michael Hickey

Michael Hickey