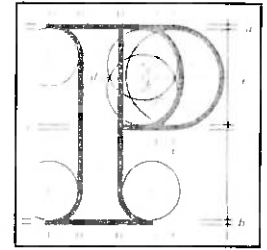


Our Ref: 61.PA0033

An Bord Pleanála

Your Ref: JPK 7476-04-04



John P. Kelly
Tobin Consulting Engineers
Fairgreen House
Fairgreen Road
Galway

21st April 2016

Re: Galway Harbour Extension
Renmore and Townparks Townlands, Galway

Dear Mr. Kelly,

Further to your letter of 1st April, 2016, to An Bord Pleanála, I have been asked by the Chairperson to respond to your queries, and would do so as outlined hereunder:

This application, as you are probably aware, is the first Imperative Reasons of Overriding Public Interest (IROPI) case to come before An Bord Pleanála, and is being processed as efficiently as is possible, having regard to the complexity of issues it raises and IROPI procedures which must be followed. It has to date and will continue to require a considerable amount of consultation and interaction with various State and EU bodies to ensure that the procedures and environmental considerations are followed as outlined in the legislation and in accordance with best practice.

An Bord Pleanála has been actively involved in the consideration of the case and assessment in principle of emerging proposals for compensatory measures since they were submitted to us on the 24th November, 2015.

An Bord Pleanála wrote to the National Parks and Wildlife Service (NPWS) on 2nd February, 2016, with a view to obtaining their views in relation to the acceptability in principle of the proposed compensatory measures submitted to An Bord Pleanála by the applicant, Galway Harbour Company, on the 24th November, 2015.

However, having regard to the complexity of issues relating to this case, and the assessment of acceptability of compensatory measures, the NPWS on the 30th March, 2016, sought an extension of time to respond to this request. An Bord Pleanála has agreed to this extension of time up to 24th May, 2016.

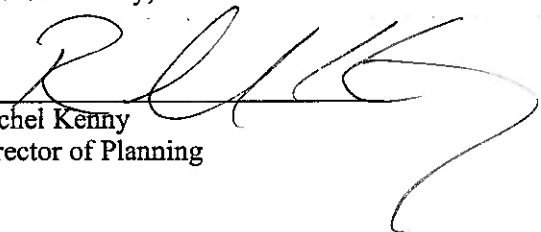
In the interim, representatives of An Bord Pleanála have been in contact with the NPWS to facilitate and assist in the advancement of the assessment at this preliminary stage. To this end, it is proposed that representatives of An Bord Pleanála would formally meet with the NPWS to discuss progressing this stage of the process, and thereafter tri-partite meeting(s) with representatives of An Bord Pleanála, the NPWS and yourselves and/or other representatives of the applicant would be set up.

It is the intention of An Bord Pleanála and the NPWS that, such meetings would take place prior to the 24th May, 2016, in An Bord Pleanála's offices. A formal record of these meetings would be kept, and would involve discussions with the applicant, the Natura 2000 authority (ie NPWS) and An Bord Pleanála. An Bord Pleanála will be in contact with you over the coming weeks to arrange the proposed tri-partite meeting.

After these meetings the NPWS would respond to An Bord Pleanála in writing in respect of emerging proposals on compensatory measures to address the impact of the integrity of the Galway Bay Complex SAC (as submitted to An Bord Pleanála on 24th November, 2015).

We trust the above, albeit describing the process to date in chronological sequence, assists and answers your queries.

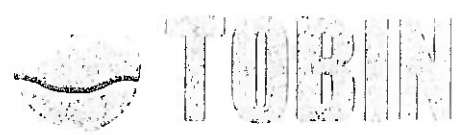
Yours sincerely,



Rachel Kenny
Director of Planning

PA0/AA003351.ahc

Copy to
Director of Planning
Deputy Chairperson



DoP to have
copy direct.

would like to see direct before issue

AKK
06/04

Consulting Engineers

Earlgreen House
Earlgreen Road
Galway
G91 AXKB
Tel: 01204 91111
Fax: 01204 91111

Block 101
Planetary Road
Dublin 15
D15 9PH
Tel: 01274 20400
Fax: 01274 20400

Market Square
Dublin
D02 R28
Tel: 01274 20400
Fax: 01274 20400

Dr. Eoin O'Riordan
Planning Director
Department of Planning
10, Merrion Street
Dublin 2, D2 2E2
Tel: 01274 20400
Email: eoin.oriordan@dop.gov.ie

Our Ref: JPK 7476-04-04

1st April 2016

The Chairperson
An Bord Pleanála
64 Marlborough Street
Dublin 1
Attn : Dr. Mary Kelly

**Re: Galway Harbour Extension
SID Planning Application Ref. 61.PA.0033**

Dear Sir,

We refer to the above SID Planning Application Ref. 61.PA.0033.

An Bord Pleanála letter dated 29/9/15 invites the applicant to provide a written request for any item which requires clarification.

As requested by that letter the Phase 1 Compensatory Report was formally submitted to an Bord Pleanála on 24/11/15. The Planning Application itself was first lodged on 10.01.14.

The Compensatory Report had been submitted in draft for discussion purposes to NPWS on 10/11/15 and final copy on 24/11/15.

We have had a number of correspondences with DAHG (NPWS) seeking a response to our submission and/or a meeting to discuss the report. We have not yet been afforded an opportunity to have our ecologists meet with theirs to discuss the report as submitted.

Our recent request to NPWS for "Feedback/interaction" on the submitted Compensatory Report elicited the following response from NPWS - "it would be appropriate for you to direct this question directly to the Board, as this process is being managed by them, rather than the Department, and the Department is not in a position to speak on their behalf".

- Directors: E. Wadhvani, Chairman; R.E. Tobin, Executive Director; D.J. Downes, M.F. Garrick, J.P. Kelly, D. Cahill, E. Connaughton, Company Secretary, M. McDonnell, C. McGovern, B. Mulligan
- Associate Directors: E. Cannon, P. Clonan, D. Comeran, G. Gallagher, B. Heaney, E. McPartlin, A. O'Riordan, C. Timoney

The clarifications that we require are therefore as follows :

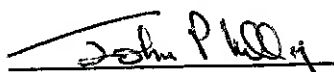
- 1) What is ABP's expected time frame to progress matters with DAHG with regard to the acceptability in principle of the emerging proposals, as submitted on 24/11/15?
- 2) When will we get feedback from you on the DAHG response to that submission?
- 3) Is the "tight co-operation" between the applicant, the Natura 2000 authorities, and the assessment authority meant to allow direct feedback/interaction between the applicant team and NPWS or will it all be directed through you?
- 4) Will you be able to assist in the arrangement of such direct feedback/interaction between the two parties, if deemed appropriate?
- 5) Will such feedback/interaction be limited to being in writing only?
- 6) What time frame will be applied to such responses? We ask this as DAHG have stated in their last response to us that "the Department intends to seek an extension to their proposed timeframe for a response in order to provide a more detailed response" to the GHC proposed compensatory measures, albeit that they have the Report for more than 4 months.
- 7) Will ABP copy us in the future correspondences between ABP and DAHG, so that we will have sight of the matters as they arise and of the time frames being proposed and adhered to?

It is now 20 weeks since the Phase 1 report was submitted to NPWS and 18 weeks since submission of the report to An Bord Pleanála.

We are very concerned that this project appears to be at a standstill with no apparent progress in over 4 months. The project has been deemed by an Bord Pleanála to be Strategic Infrastructure Development and is considered by our Client to be of critical importance.

We would be grateful therefore to receive an early response to our clarification requests above. We ask that An Bord Pleanála exercise tight control on the time frame for DAHG responses and co-operation as the project is of IROPI consequence to Galway Harbour and the Region.

Yours faithfully,



John P. Kelly
Project Director

CHAIRPERSON'S OFFICE
DATE RECEIVED
5 APR 2016