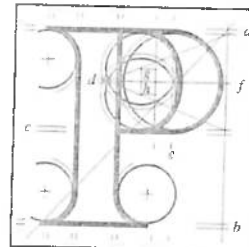


Our Ref: 61.PA0033  
P.A.Reg.Ref:

Your Ref: JPK 7476-04-04



An  
Bord  
Pleanála

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

13th October 2017

**Re:**  
Galway Harbour Extension  
Renmore and Townparks Townlands, Galway

Dear Sir,

I have been asked by An Bord Pleanála to refer to the above mentioned proposed development and in particular to compensatory measures as required under Article 6(4) of the Habitats Directive.

The Board has considered the report from the Galway Harbour Company entitled 'Proposed Compensatory Measures (Version 2.3B)' which was received by An Bord Pleanála on the 9th August, 2017.

The Board is satisfied that the emerging proposals appear to be capable of producing a meaningful set of conservation measures that could provide adequate compensation within Galway Bay Complex SAC for the potential loss of habitats associated with the Galway Harbour Extension.

Whereas An Bord Pleanála had identified a requirement to compensate solely in relation to identified habitats affected by the proposed Harbour Extension, it is noted that the Harbour Company has chosen to also include in the scope of the emerging compensatory proposals measures relating to the previously completed Galway Harbour Enterprise Park. This approach is considered acceptable.

With respect to the previous An Bord Pleanála letter of 29th September, 2015, the Harbour Company is now invited to proceed to Phase 2 of the preparation of 'compensatory measures' whereby a detailed proposal is to be prepared and submitted to An Bord Pleanála for consideration.

In developing the proposal, the Harbour Company is advised to have regard to the guidance available in the European Commission (DG Environment) Guidance Document entitled: "Guidance document on Article 6 (4) of the 'Habitats Directive' 92/43/EEC" (2007/2012), as may be updated. This document emphasises the need to achieve a practical and robust set of measures, including comprehensive consideration of implementation and long term management and monitoring.

Please find enclosed for your information the report by An Bord Pleanála consultant ecologist Daniel Basterri (of Marine Planning Matters Environment Consulting Ltd.), dated September 2017, in relation to your emerging proposals. This report is provided on a without prejudice basis bearing in mind the Board has not yet made any decision in relation to the final outcome in this case. Also enclosed is a copy of a letter received by An Bord Pleanála from the National Parks and Wildlife Service of the Department of Culture, Heritage and the Gaeltacht, which is dated 12th September, 2017.

The Harbour Company is now requested to respond to An Bord Pleanála within 3 weeks of the date of this letter outlining a draft programme for preparation of your detailed proposals. (i.e. **no later than 5:30pm on the 2nd November, 2017**) In this regard you are invited to include opportunities for further interim consultation meetings with An Bord Pleanála and the National Parks and Wildlife Service.

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An Roinn  
Cultúir, Oidhreachta agus Gaeltachta  
Department of  
Culture, Heritage and the Gaeltacht

Your Ref: 61.PA0033

12 September 2017

Kieran Doherty  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

Via email to [sids@pleanala.ie](mailto:sids@pleanala.ie)

Re: **Galway Harbour Extension, Renmore and Townparks Townlands, Galway**

Dear Mr Doherty,

The Department of Culture, Heritage and the Gaeltacht have received Galway Harbour Company's supplementary information in relation to the proposed Phase 1 approach to compensatory measures and have reviewed the documentation.

It is noted that An Bord Pleanála has determined in a communication dated 29<sup>th</sup> September 2015 that the proposed Galway Harbour Extension would result in the permanent loss of the following habitats:

- Reef
- Mudflat and sandflat not covered by seawater at low tide
- Perennial vegetation on stony bank
- Atlantic salt meadows (*Glaucopuccinellietalia maritima*)
- Mediterranean Salt meadows (*Juncetalia maritimi*)

All of the above habitats are listed as qualifying interests for Galway Bay Complex Special Area of Conservation. The permanent loss of these habitats is not reconcilable with the conservation objectives for this site and it was determined that the proponents may wish seek to compensate for this loss by developing options that would satisfy Article 6(4) of the Habitats Directive (92/43/EC). It is noted that the supplementary information submitted to this Department advises on the development of that strategy and seeks assurances that the proposals will be acceptable to this Department.

In the supplementary information, the proponents indicate that they have sought precedent for their proposed strategy with developments of a similar nature in other member states. They are confident that the approach they are taking is consistent with accepted practice across the community and Commission guidance. They indicate that they consider that the most advantageous solution for compensatory measures may be found at Tawin Island within Galway Bay. This site is within the existing boundary of Galway Bay Complex SAC but it is not in optimal condition due to a number of pressures operating in the vicinity. The proponents indicate a range of specific management measures that they are developing which would increase the conservation value of the site for marine and coastal habitats beyond the capacity of normal Natura management. In order to assure An Bord Pleanála that the compensatory measures are sufficient to replace the potentially lost habitats within the footprint of the Galway Harbour Extension they will complete quantitative biological surveys. They are developing a management plan which would

