

AN BORD PLEANALA
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AN BORD PLEANALA
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37 Ashe Road
Shantalla
Galway
Ireland
10th March 2014

Ref: 61.PA.0033

Our Association wishes An Bord Pleanala to take note of our serious concerns regarding the above referenced submission received from Galway Harbour Company under Section 37E of the Planning and Development Act, 2000.

The proposed development is planned for an area which is designated as a candidate Special Area of Conservation, Special Protection Area (Natura 2000 sites) and proposed National Heritage Area. The objectives of both the SPA and cSAC are to "maintain or restore the favourable conservation condition" of habitats, animal and bird species. The proposed development is completely at odds with these objectives. As our submission will show, it is doubtful if the proposal meets the legal "Imperative Reasons of Overriding Public Interest" (IROPI) requirement of the EU Habitats Directive for development with "significant negative impact" on a cSAC and an SPA. It will be recalled that Dublin Port's planned infill of 21 ha was refused by An Bord Pleanala in 2010 (PA0007) because it was planned within Dublin Bay's SPA. By the report's own submission "the permanent loss of 26.93 ha of cSAC and SPA and the associated loss of feeding and foraging area to seals, otters, some bird species "of which 5 [Common Tern, Great Northern Diver, Little Egret, Red-throated diver and Sandwich Tern]" and lamprey and salmon which are listed as Qualifying Interests for the cSAC and SPA is regarded as a significant negative impact on the conservation objectives for both Natura 2000 sites."

This area is of extreme importance to the local inshore commercial fishing fleet as it produces a significant volume of the annual shrimp (*Palaemon serratus*) harvest. It is also a recognized nursery area for juvenile shrimp during the Summer as well as an historical lobster fishing area. Our members have been actively involved in the responsible management of this resource and have deferred fishery opening dates in order to preserve this unique resource. Galway Bay shrimp are recognised as amongst the very top of European quality and many families now depend on this excellent fishery for their livelihood.

The Environmental Impact Statement, extraordinarily, states the following "There will be no significant socio-economic impacts as a result of the proposed development; therefore no socio-economic mitigation measures are required. Whilst the footprint of the Galway Harbour extension may encroach marginally on areas that may currently be fished, the level of encroachment is negligible." It needs to be clearly stated that at no stage was there any consultation with our Association which represents all of the inshore fishermen in Galway Bay. There was zero communication. Had there been any communication whatsoever, the Harbour Company would have been informed of the very significant damage their proposal would cause to the existing critically important fisheries. Confirmation of the local importance of these fisheries can be confirmed by both the Marine Institute and Bord

Iascaigh Mhara. The totally inaccurate statement from the Galway Harbour Company raises questions about the validity of a range of statements from the proposers.

Fishing quays are mentioned under "Facilities to be provided" and again under "Design considerations" but these are not evident on the accompanying site layout map. If a facility for inshore vessels is planned in the NE corner of the development then it is totally open to South Easterly winds as no evidence of a breakwater is provided. Small vessels could not be berthed safely at such a location. Clarification is required on precisely what facilities are planned for the inshore fleet which presently operate from the Lay-by outside Galway docks. Once again, we have had zero consultation on this issue.

Under the heading "Planning and Policy Context" it is stated that "the proposed Galway Harbour extension is consistent with the relevant planning policies and objectives". This is patently not the case. The National Ports Policy, 2013 (Dept. of Transport, Tourism and Sport) identifies Dublin, Shannon/ Foynes and Cork as Tier 1 ports in terms of future development. Galway does not feature in Tier 1 nor in Tier 2. It caters for 1% of national port traffic and derives over 50% of its revenue from non-core port activity. The report states that as a result of the extent to which Galway Harbour's "future plans are based on urban regeneration, marine leisure and tourism it is proposed to transfer the shareholder function and corporate governance oversight of the Harbour Company from the Department to a more appropriate local or regional structure". The planned major development is clearly at odds with central government policy. The 3 ports identified in Tier 1 are all only 2 to 4 hours away by road from Galway city and all are planning further development. The submission does not incorporate adequate consideration of these alternatives. Rossaveal Harbour, which is only 40 minutes West of Galway, has planning permission in place for a deep water pier and offers natural shelter. It also makes sense for cruise ships to stop here as less time is lost and less fuel burned travelling the length of the shallow Galway Bay. Many cruise ship visitors wish to see Connemara and it makes little sense to bus back to Connemara when Rossaveal offers an ideal port on it's doorstep.

A core difficulty which this association has with the proposal is that that it lacks all credibility. The need for the development, as outlined in local media, constantly changes. We are unaware of any serious cost/benefit analysis which demonstrates the need for this massive structure nor are we aware of any projections which demonstrate a proportional trade and financial gain to the community. One week the development is required for oil. The next week it is ocean energy. The following it is cruise liners. Then we are told "build it and they will come!" The reality is that Galway has no heavy industry. Many of it's factories manufacture small, high value items such as medical devices which are transported by road and air. We understand that when Galway Harbour was granted permission for the development of the land adjacent to the proposed new harbour area it was a condition of the planning permission that the businesses had to be of a maritime nature. Once permission was secured a change was sought and granted. Instead of maritime business we now have 2 large bus depots (Bus Eireann and Citylink) and a massive furniture warehouse (EZ Living). If there was a real need for marine business in the area this recent history could not have occurred. We do not now need additional land taken from infilled Natura sites and unique fishery areas to provide further warehousing and bus depots.

Lead and zinc ore were historically exported from Galway docks while Tynagh mines operated. At the time, there was a very inadequate knowledge of the effects of heavy metals on biological systems. As a result of this poor knowledge a very casual approach was evident in the handling of these substances. Spillages were common

and were even intentionally tipped into the dock. During dredging, this spoil was later disturbed, carried from the docks and dumped in the bay. When this occurred, the shrimp fishery collapsed locally and took some years to rebuild. This spoil, which we believe to be contaminated with heavy metals will again be disturbed if the construction proceeds. The implications for human health are significant and we believe that this subject requires further serious study.

The report states that a geophysical survey of the sea bed did not discover any definitive archaeological shipwrecks. The quality of this work is open to question as the more recent sinking of a pleasure yacht revealed. While retrieving the sunken yacht, the divers located the wreck of a timber vessel which was discovered to lie directly beneath the yacht. This had been completely missed by the survey. One of our members skippered the vessel employed during the archaeological survey and reported that the surveying equipment was not operating properly during significant periods of the survey. We consider this survey to be very incomplete and therefore invalid.

On the issue of traffic we ask is it appropriate to expand a commercial port and generate additional traffic into a city centre? There is no direct link for HGVs from the port entrance to either national primary roads or the motorway system. An Bord Pleanála refused permission in 2008 to the Port of Cork Company for a container terminal at Ringaskiddy on the grounds that it would "result in much of the port related traffic traversing the city road network which would adversely affect the carrying capacity of the strategic road network in and around Cork city." In this regard, we consider the proposal of a rail link to the proposed new port to be little more than a distraction from the additional road traffic likely to be generated. At present, the railway station is a very short distance from the harbour and we are unaware of any cargo whatsoever which is transported by both rail and sea to or from Galway. We request that the incline from the proposed pier level to the level of the railway track be examined as we are of the opinion that it may be too steep, in any case, to allow for a connection between the two levels.

Recent weather, in which we saw 30 depressions (of which in the region of 20 produced up to storm force winds) in succession hitting the West coast, have highlighted assumptions of Wave Climate and Flood Risk based on 200 year record tidal surges, albeit allowing for climate change. It is our opinion that the increased funnelling of the outflow of the Corrib freshwater plume during extreme weather events, including adverse wind conditions, will lead to increased flooding risk for Galway city centre.

In conclusion we believe that An Bord Pleanála should not grant permission to Galway Harbour Company for the proposed development as it would have a severely detrimental effect on the livelihoods of local fishing families, and it would be constructed within a cSAC, apNHA and a SPA. There is no demand for this facility other than from the Harbour company itself whose income in large part is generated from non port related activities. It is contrary to Government policy as outlined by the Department of Transport, Tourism and Sport. It would lead to further congestion of Galway city traffic. It is likely to further increase the risk of city centre flooding. It will produce a negative effect on the habitats of listed wildlife (seals, otters, lampreys, salmon and 5 bird species). The alternatives of Foynes/Shannon, Dublin, Cork and Rossaveal in conjunction with the improved road network are more than adequate for Galway's needs.

William Hamb
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