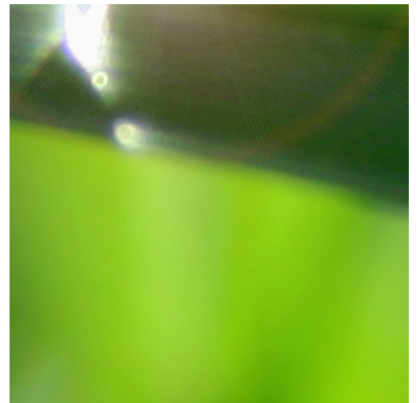
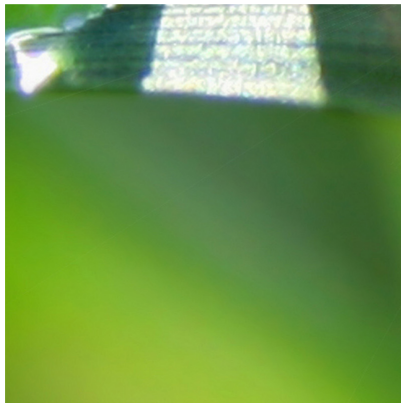
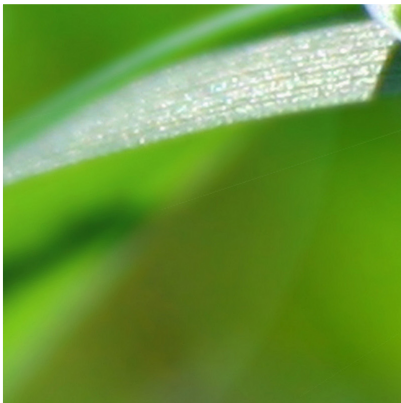
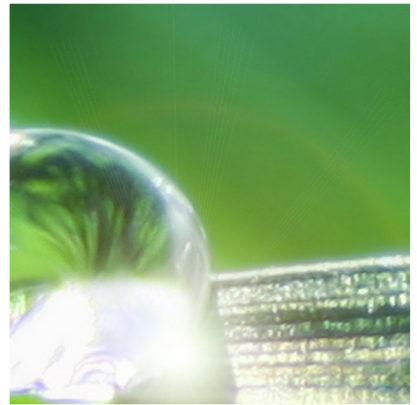
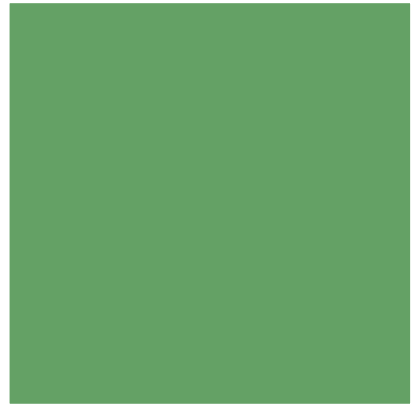
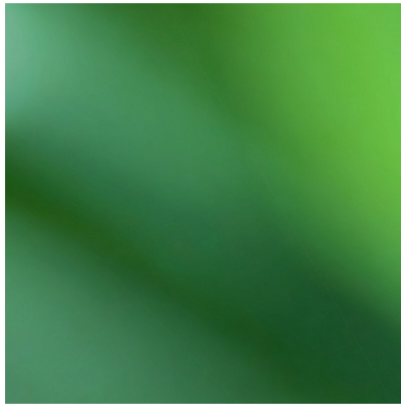
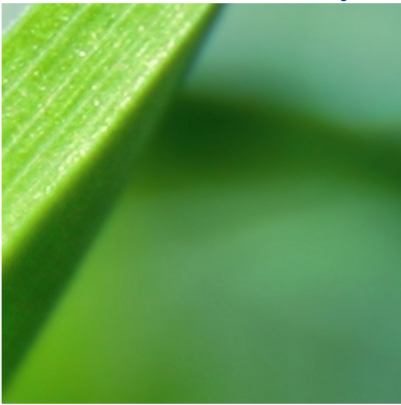


RPS

# Shannon Foynes Port Company

## Vision 2041 SEA Statement

IBE0720.00/February 2013





# Shannon Foynes Port Company Vision 2041 SEA Statement

## DOCUMENT CONTROL SHEET

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<b>Project Title:</b>	Shannon Foynes Port Company Vision 2041					
<b>Document Title:</b>	SEA Statement					
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## **APPENDICES**

### **APPENDIX A Environmental Submission**

## ABBREVIATIONS

<b>AA</b>	Appropriate Assessment
<b>CIS</b>	Common Implementation Strategy
<b>DAFM</b>	Department of Agriculture, Food and the Marine
<b>DAHG</b>	Department of Arts, Heritage and the Gealtacht
<b>DCENR</b>	Department of Communication, Energy and Natural Resources
<b>DECLG</b>	Department of Environment, Community and Local Government
<b>EC</b>	European Community
<b>EIA</b>	Environmental Impact Assessment
<b>EPA</b>	Environmental Protection Agency
<b>EU</b>	European Union
<b>GIS</b>	Geographic Information System
<b>HMWB</b>	Heavily Modified Waterbody
<b>NHA, pNHA</b>	Natural Heritage Area, proposed Natural Heritage Area
<b>NIR</b>	Natura Impact Report
<b>NPWS</b>	National Parks and Wildlife Service
<b>SAC</b>	Special Area of Conservation
<b>SEA</b>	Strategic Environmental Assessment
<b>SFPC</b>	Shannon Foynes Port Company
<b>SIFP</b>	Strategic Integrated Framework Plan
<b>SPA</b>	Special Protection Area
<b>WFD</b>	Water Framework Directive

***This SEA Statement was prepared by RPS on behalf of Shannon Foynes Port Company.***

## SUMMARY OF KEY FACTS

**Title of Report:** Shannon Foynes Port Company Vision 2041.

**Purpose:**

- ❖ Clarify SFPC's strategic planning and vision for medium to long term port development.
- ❖ Ensure that the port and its infrastructure requirements remain at the heart of national, regional and local planning policy
- ❖ Inform port users and the local community of the Port Development Strategy
- ❖ Establish a platform for future developments, which will reduce the lead time for individual projects; and
- ❖ Provide a clear understanding of the sensitive environment that comprises the Estuary.

**Competent Authority:** Shannon Foynes Port Company.

**What prompted the Vision:** Ireland's national ports policy (The Ports Policy Statement 2005 and the Ports Policy Review Consultation Document 2010) recognise the crucial role ports will play in facilitating future economic growth. The European Commission's Communication on a European Ports Policy notes that ports should be ruled by long term strategic vision and planning. Furthermore, port master planning is recognised in national ports policy as a transparent method of aiding the engagement of local communities in the long term planning of ports. Therefore, best practice would indicate that a strategic vision for ports should be prepared to frame and guide future port development. Within this context, SFPC has developed a thirty year strategic vision for the provision of port infrastructure and services for their operations on the Shannon Estuary.

**Period covered:** Vision 2041 looks at longer term time horizons to 2020 and 2040, it is a working document and hence it is imperative to undertake review of its contents.

**Frequency of updates:** Vision 2041 is intended to be a dynamic plan and periodic reviews will be facilitated in order for it to evolve in line with changing circumstances. Vision 2041 will be subject to regular monitoring and a formal review every six to ten years, which is likely to entail further public consultation.

**Study Area:** Vision 2041 encompasses the entire operational area of SFPC. This includes operational ports and other lands owned by or within the control of SFPC as well as the extent of the Shannon Estuary for which they also have responsibility for navigational safety.

**Key Objectives:** In addition to driving more added value activities across the Port, there are a number of key strategic business drivers within the period of Vision 2041, focused around three key objectives including expansion, promotion and management. These include:

- ◆ Significant expansion and infrastructural development in the deep water Port of Foynes

- ◆ Promoting non-core assets in Limerick docks for alternative port/non port related activities; and
- ◆ Managing the natural attributes of the Estuary and its destination as an Ocean Energy Hub.

**Status of Vision 2041  
and associated SEA ER**

The status of **Vision 2041** is essentially a **non statutory** document produced by SFPC. Vision 2041 is not subject to preparation and / or adoption by an authority at national, regional or local level, and is also not required for adoption through a legislative procedure by Government. On this basis, Vision 2041 is not defined as a plan or programme under the SEA Regulations and accordingly, does not fall within the remit of the SEA Regulations. The **SEA Environmental Report** is, therefore, a **non-statutory** voluntary assessment, which has been commissioned by SFPC. Notwithstanding this, the SEA Environmental Report has been prepared in accordance with the provisions of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 and the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (S.I. 200 of 2011). Strategic Environmental and Natura Impact Assessments were undertaken to assess at the earliest possible opportunity, the potential environmental consequences as a result of the Vision strategy, and to incorporate specific strategic environmental objectives into the Vision strategy and consequently, to influence any future site-specific projects undertaken.

**Date published:** 22<sup>nd</sup> February 2013

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# 1 INTRODUCTION

Strategic Environmental Assessment (SEA) is a process for evaluating, at the earliest possible stage, the likely environmental effects of implementing a Plan or other strategic action in order to ensure environmental considerations are appropriately addressed in the decision-making process, both during their preparation and prior to adoption of a Plan.

The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive) was transposed into national legislation by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435/2004), as amended by S.I. 200 of 2011 and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436/2004), as amended by S.I. 200 and 201 of 2011. The SFPC Vision 2041 (hereafter referred to as '*Vision 2041*') is not a statutory landuse document and therefore does not fall under the remit of S.I. 436/2004 or S.I. 200 or 201/2011. However, SFPC has considered it best practice to undertake such an assessment and to clarify SFPC's strategic planning and vision for medium to long term port development under the umbrella of the Strategic Integrated Framework Plan and its associated environmental assessments as the overarching planning document for the Shannon Estuary. (Please see [www.shannonestuariesifp.ie](http://www.shannonestuariesifp.ie) for further details)

SEA legislation requires that the Plan making authority (*SFPC are not a plan making authority per se and are not requesting planning permission on any elements of Vision 2041 at this stage*) make available a statement summarising information on the decision as required by Article 16 of the SEA Regulations (S.I. No. 435 of 2004). This should summarise the following:

- How environmental considerations have been integrated into the Plan;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;
- The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the Plan.

This statement is referred to as the SEA Statement.

This is the SEA Statement of the Shannon Foynes Port Company Vision 2041 Strategic Environmental Assessment. **Figure 1.1** shows SFPC Facilities Location Map within the wider Shannon Estuary and its current administrative boundary.

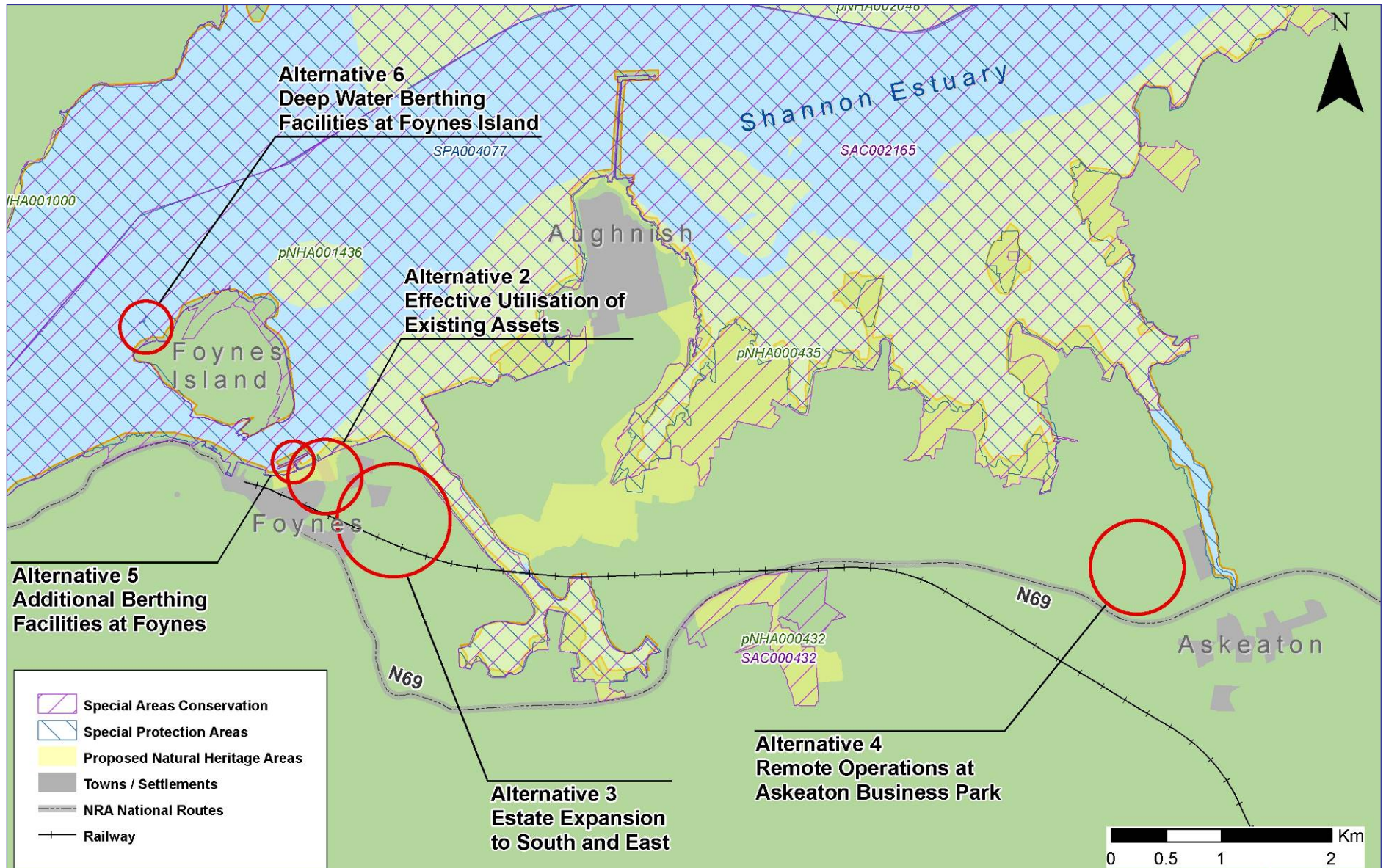
The SEA process comprises of four main steps and these have been followed for the SEA of Vision 2041 as outlined in **Table 1.1**. An illustration of the key steps in the SEA process is also shown in **Figure 1.2**.

**Table 1.1: Steps Followed in the SEA Process for SFPC Vision 2041**

Step	Requirement in relation to Vision 2041
<b>1 – Screening</b>	Screening determination letters with information on the SFPC Vision 2041 were issued to the Statutory Consultees on the 16 <sup>th</sup> July 2012 acknowledging that SFPC would undertake a SEA of Vision 2041. One response was received with regards to scoping of the project, from the EPA, and this is included in <b>Appendix A</b> .
<b>2 – Scoping</b>	Following consultations with the EPA together with the SIFP process for the Shannon Estuary it was determined that as Vision 2041 was taking place in parallel to the overarching SEA for the SIFP the findings of Vision 2041 would be closely aligned with the findings of the SIFP and its associated SEA. As SFPC are a key stakeholder on the SIFP (the jurisdiction of which covers the same geographical area as that of the Vision much of the information

	<p>arising from the SIFP and its associated Environmental Assessments would be directly applicable and therefore would be utilised for the assessment of the Vision in order to avoid duplication of effort. Under Article 6 of the SEA Directive, the competent authority (in this case SFPC) preparing the plan is required to consult with specific “environmental authorities” (statutory consultees) on the scope and level of detail of the information to be included in the Environmental Report. Statutory. The main objective of this scoping process was to identify key issues of concern that should be addressed in the assessment of the Vision and the appropriate level of detail to which they should be considered.</p>
<p><b>3 – Environmental Assessment and Environmental Report</b></p>	<p>The draft Vision, together with the SEA Environmental Report went on public display from the 4<sup>th</sup> of January 2013 to the 1<sup>st</sup> February 2013.</p> <p>Submissions received were reviewed and proposed amendments were made to the draft Vision and associated SEA and NIR. The changes to the draft Vision were documented in the Vision consultation report which is available from SFPC on request and are also summarised in <b>Tables 3.2 and 3.3</b>. Changes to the SEA Environmental Report are documented within the SEA Statement.</p>
<p><b>4 – SEA Statement</b></p>	<p>This SEA Statement reports on how environmental considerations and the consultations for this Vision have been integrated into the final Vision.</p>

Figure 1.1: SFPC Facilitates Location Map



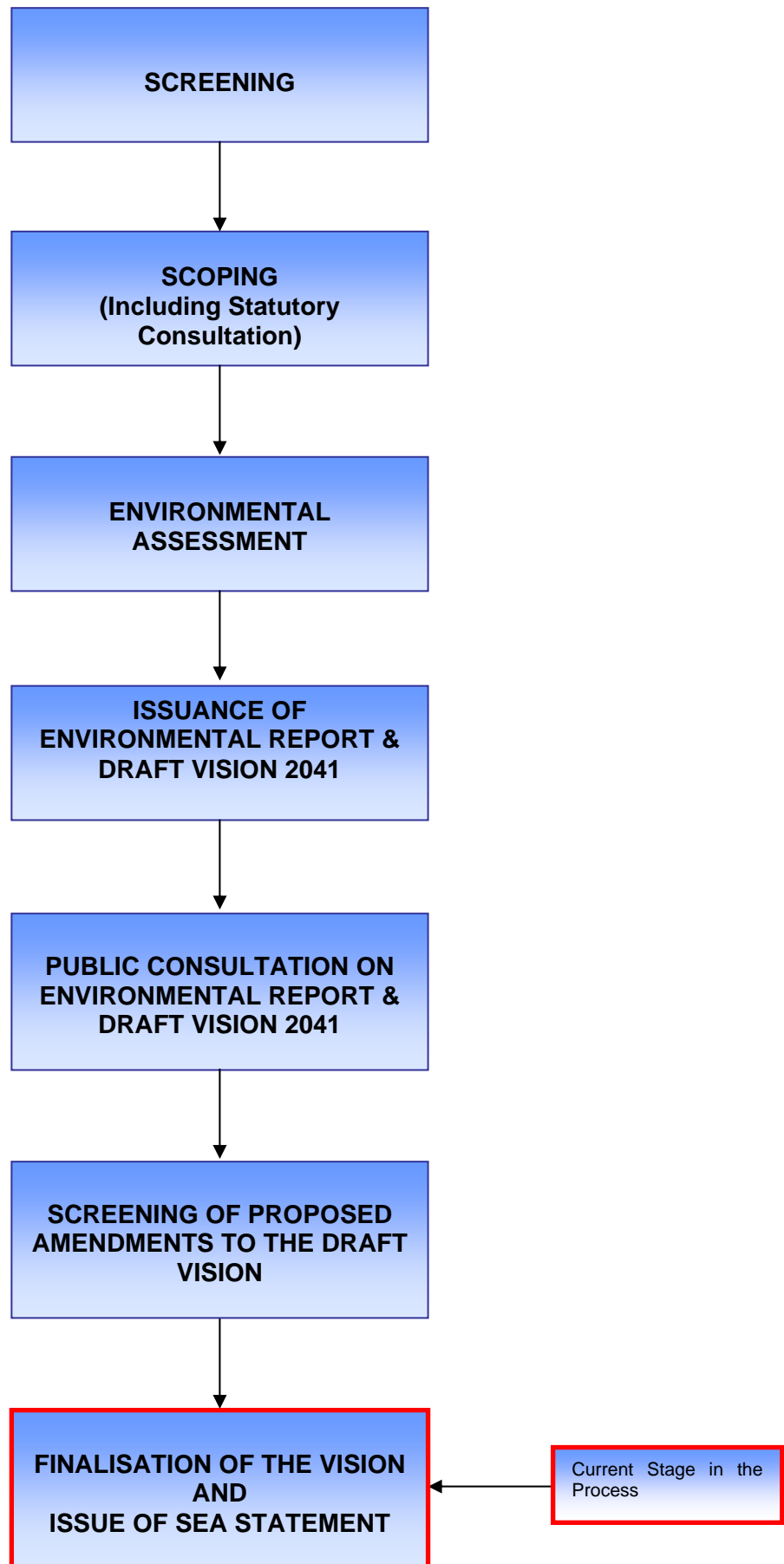


Figure 1.2: Overview of SEA Process

## 1.1 CONTENT OF THE SEA STATEMENT

The main purpose of the SEA Statement is to provide information on the decision-making process and to document how environmental considerations, the views of consultees and the recommendations of the Environmental Report have been taken into account in the final Vision document. It illustrates how decisions were taken, making the process more transparent. This statement will be made available to the public to accompany the final Vision 2041 and will also be circulated to the relevant environmental authorities consulted with during the SEA process.

SEA legislation requires that the Plan making authority (*SFPC are not a plan making authority per se and are not requesting planning permission on any elements of Vision 2041 at this stage*) make available a statement summarising information on the decision as required by Article 16 of the SEA Regulations (S.I. No. 435 of 2004). This should summarise the following:

- *How environmental considerations have been integrated into the Plan;*
- *How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;*
- *The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,*
- *The measures decided upon to monitor the significant environmental effects of implementation of the Plan.*

This SEA Statement summarises the above mentioned considerations and follows a similar format to that outlined above.

## 1.2 ENVIRONMENTAL ASSESSMENT OF VISION 2041

Ireland's national ports policy recognises the crucial role ports will play in facilitating future economic growth. While the most recent analysis pushes out the timeline within which substantial additional port capacity will actually be required, it is nationally recognised that new capacity will be required in the medium to long term, and this need to be planned now. National ports policy supports a market driven approach to port investment and acknowledges that commercial port operators are best placed to make decisions about such investments. Whilst the role of ports policy is to create an environment in which such investment is facilitated and encouraged, the ports policy encourages ports to generate viable port capacity projects to ensure the availability of adequate modern facilities and to promote competition between ports. The European Commission's Communication on a European Ports Policy notes that ports should be ruled by long term strategic vision and planning. Furthermore, port master

planning is recognised in national ports policy as a transparent method of aiding the engagement of local communities in the long term planning of ports.

The Vision has been prepared and developed against a backdrop of public consultations both during the early stages of the concept through to the publication of the draft Vision which was facilitated by meetings and written submissions. Vision 2041, provides a frame and guide to future port development by SFPC. Within this context, SFPC has developed a thirty year strategic vision for the provision of port infrastructure and services for their operations on the Shannon Estuary.

The Environmental Assessment involved assessing the potential impacts of elements proposed in the draft Vision. This was done by first gathering and assessing all available baseline information on indicators described in the SEA Directive i.e. biodiversity, flora and fauna, population, water, soil, climate change, material assets, cultural heritage and landscape. This baseline data gathering was largely based on the considerable baseline data collection which was carried out as part of the SIFP SEA process as both the Vision and the SIFP cover the same geographical extent.

The process involved a series of meetings/discussions attended by members of the RPS SEA and AA team and the HRA Planning team involved in the production of the Vision, together with various meetings with the client SFPC. The HRA planning team also facilitated numerous meetings with the planning section of Limerick County Council. There was continued discussion and liaison between the project teams to check on and improve the updates to the Vision.

## 2 HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN INTEGRATED INTO VISION 2041

### 2.1 INTRODUCTION

The main aim of SEA is to improve SFPC Vision 2041 in terms of sustainability and its impact on the environment. This section outlines how the Vision evolved and at what stages the SEA influenced the Vision.

### 2.2 BASELINE DATA COLLECTION

From the outset, a key aspect of the SEA (and AA) has been the collection of relevant environmental baseline data for the administrative area covered by SFPC. This was achieved largely through consultation with and review of various existing databases and data sets available through the SIFP process for which SFPC are a key stakeholder and are also active members of the steering group. Such existing databases or those which were created as part of the SIFP process were facilitated by organisations such as the EPA, National Parks and Wildlife Service and the Marine Institute.

Collection of this information and application to the Vision process has allowed the identification of key environmental sensitivities, sensitive areas and pressure points within and surrounding SFPC administrative area. GIS mapping has been used in the Environmental Report to illustrate the data, where possible, in order to allow easy visual recognition of pressures and sensitivities in and around the geographical extent under SFPC jurisdiction. Detailed consultation took place during the preparation and gathering of baseline data and GIS mapping preparation with those involved in the SIFP process to inform the SEA and AA.

The key environmental issues identified as a result of review of the baseline environment are set out in **Table 2.1** below. These environmental pressures have been used to inform the SEO's used to assess the alternatives put forward in the Vision and the draft objectives.

**Table 2.1: Existing Environmental Pressures**

Issue Area	Existing Environmental Pressures
Biodiversity, Flora and Fauna	<p>SFPC has port facilities at Foynes, Limerick Docks and Shannon Airport and commercial jurisdiction over marine activities on a 500 km<sup>2</sup> area on the Shannon Estuary. The Shannon Estuary has high quality ecological sites at an international, national and local level. In particular the River Shannon and River Fergus SPA/pSPA (SPA004077) and the Lower River Shannon cSAC (SAC02165) are the two main Natura 2000 sites within which SFPC facilities are located. These sites are therefore those most likely to be impacted upon by any future development, expansion or operations.</p> <p>Historical pressures in the estuary and the existence of a number of maritime industrial facilities along the coastline may have led to some loss of biodiversity flora and fauna in the past however the Shannon Estuary as a whole remains relatively undeveloped from a maritime shipping perspective.</p>

Issue Area	Existing Environmental Pressures
	<p>All operations within the estuary which have involved potential impact to habitats and species e.g. dredge spoil disposal have been subject to the relevant statutory processes with EIA and HDA carried out as appropriate in order to identify significant effects and to mitigate as appropriate.</p> <p>SFPC facilities lie within the Shannon International River Basin District. Some surface waters in the District have been substantially changed in character to allow certain uses such as navigation (for example ports), water storage, public supply, flood defence or land drainage. To recognise that the benefits from such modifications need to be retained, these waters are designated as heavily modified. As such, Limerick Dock and Foynes Harbour is currently designated as a Heavily Modified Waterbody under the Water Framework Directive and therefore has less stringent objectives than its surrounding water bodies. The Water Framework Directive (WFD) and the relevant Common Implementation Strategy (CIS) Guidance define Heavily Modified Water Bodies (HMWBs) as bodies of water which, as a result of physical alterations by human activity, are substantially changed in character and cannot, therefore, meet “good ecological status” (GES). Instead of “good ecological status” the environmental objective for HMWB and is good ecological potential (GEP), which has to be achieved by 2015.</p> <p>Aquatic flora and fauna is vulnerable to pollution and the main transitional and coastal waterbodies within the estuary vary from good to moderate status therefore those at good status should be maintained and those at moderate status should aim to achieve at least good status by 2015. Further details on surface water quality can be found in <b>Section 4.3.3.3</b> of the ER. The River Basin Management Plans set out the measures being implemented to achieve the improvements to water quality. These include measures to control point source pollutants by reviewing IPPC licences and water pollution licences etc. These measures are co-ordinated through the TraC Action Plan for the Shannon.</p>
Population and Land Use	<p>All three counties associated with or having direct connectivity with the area of interest have relatively high populations with all counties experiencing an increasing from the 2006 census except for Limerick City which experienced a 5% drop from the 2006 census.</p> <p>From a review of the census data for each County within the area of interest, it demonstrates that during the inter-censal periods of 2002 to 2006 and 2006 to 2011, all counties experienced population increases except Limerick city. Within the study area there are approximately 211,600 inhabitants. The study area for this SEA overlaps very slightly into North Tipperary, however is very unlikely to have any impacts on this population, and therefore information from this area is not included in this assessment.</p> <p><b>Table 4.6 of the SEA ER</b> shows unemployment statistics for the study area by the Central Statistics Office Ireland. This table presents the percentage of unemployed people in the region and in Ireland as a whole, including first time job seekers aged 15 year and over. The table shows that all counties within the study area are around the national average, while Limerick City is experiencing relatively high levels of unemployment, at 28.6% of the employable population being out of work. In the recent census it was noted that out of 38 electoral divisions within Limerick City 17 of them are considered unemployment blackspots.</p> <p>While population targets are not set to increase in the immediate future any up-ward trend in the lifetime of the Vision would most likely result in the following environmental pressures/problems exist:</p> <ul style="list-style-type: none"> <li>• New housing to meet population projections with developed most likely to take place on greenfield lands which puts pressure on agricultural lands and open spaces;</li> <li>• Local services and social infrastructure will be required in tandem with growth in population, particularly in relation to schools and leisure facilities and are likely to be developed on greenfield lands (which puts pressure on these resources);</li> <li>• New population is likely to put pressure on utilities such as ESB and Broadband connections, and public services such as waste water and water supply resources; and</li> <li>• New development is likely to put increased pressure on the transportation network.</li> <li>• Increase in population figures will require most local jobs to be created.</li> </ul>
Water	<p>There are a number of sensitivities with regard to the status of surface and groundwater bodies within the study area. The assessment of the water quality status carried out as part of the SEA ER showed that there are 141 waterbodies (including rivers, lakes, transitional and</p>

Issue Area	Existing Environmental Pressures
	<p>coastal) which intersect the study area. Of these 40% are considered to be satisfactory (High or Good Status), 58% are considered less than satisfactory (Moderate, Poor or Bad) and 2% have currently no status determined, these have all been classified as part of the WFD monitoring programme. A summary <b>Table 4.8 can be found within the SEA ER</b> while <b>Figure 4.4</b> shows the location and status of these waterbodies.</p> <p>Changes in the occurrence of severe rainfall events as a result of climate change over the next 50 to 100 years would be likely to increase the frequency and severity of flooding events and inundation, which could result in damage and loss to infrastructure. These risks could be further exacerbated by: port related development increasing the speed and volume of run-off; and changes to geomorphological processes such as sediment transport, siltation and erosion. The flood risks within the Shannon are currently the subject of investigation as part of the OPW Shannon CFRAMS. The outputs and decisions arising from the CFRAMS will be taken into consideration at detailed design or project level as and when a technical assessment of options is carried out by SFPC. <a href="http://shannoncfрамstudy.ie/">http://shannoncfрамstudy.ie/</a></p>
Climate	<p>Potential effects of climate change on area of interest could result in an increase in the frequency and severity of flooding events from rainfall. Severe rainfall events as a result of climate change could adversely impact upon the populations located in the small towns and villages such as Foynes and Shannon together with Limerick City which are located within the immediate vicinity of the area of interest, its biodiversity and its local economy. In addition the potential effects of climate change are also raising increased concern for the security of future water supplies for the Greater Dublin Water Supply Area for which early proposals have suggested abstraction of water from the Shannon.</p> <p><a href="http://www.dublincity.ie/WATERWASTEENVIRONMENT/WATERPROJECTS/Pages/WaterSupplyProject-DublinRegion.aspx">http://www.dublincity.ie/WATERWASTEENVIRONMENT/WATERPROJECTS/Pages/WaterSupplyProject-DublinRegion.aspx</a></p>
Cultural Heritage	<p>The accommodation of further development in the Shannon Estuary should the markets necessitate it has the potential to cumulatively impact upon the heritage features of the Shannon Estuary. Development which involves material alterations or additions to protected structures can detract from the special character of the structure and its settings, and have the potential to result in the loss of features of architectural or historical interest. Development on sites adjoining protected monuments, places or structures can also impact the setting of these cultural heritage items. As individual projects are brought forward for further investigation and detailed design the impacts to the cultural heritage features and archaeology of the Shannon Estuary will be considered further and in more detail in line with the approach which has previously been adopted by SFPC in the undertaking of EIS for specific planning applications.</p>
Landscape	<p>A problem with regard to the environment component of landscape is the cumulative visual impact that occurs as a result of developments such a Port expansion or alteration in a number of locations along the estuary. Such developments which individually often do not have significant adverse impacts have the potential to cumulatively impact upon sensitive landscapes</p>

## 2.3 ENVIRONMENTAL ASSESSMENT OF THE VISION

The SEA Directive does not require objectives to be developed for the SEA itself, but these are widely used in SEAs to ensure that the appropriate level of consideration is achieved (ODPM, 2005). However, as this SEA for Vision 2041 is employing a baseline led assessment approach, SEA objectives were used to test the environmental effects of the Vision and to compare the effects of the alternatives.

SEA objectives, targets and indicators were developed for the SEA ER to of this environmental report to reflect the nature of the Vision. Targets set in this SEA must be attributable to the implementation of the Vision, and therefore reflect the positive and negative effects. Environmental indicators are used to track the progress in achieving the targets set in the SEA as well as the Vision itself. The indicators have been

selected bearing in mind the availability of data and the feasibility of making direct links between any changes in the environment and the implementation of the Vision.

Table 2.2: SEA Objectives, Targets and Indicators

SEA Topic	SEA Objective	SEA Target	SEA Indicators
<b>Biodiversity, Flora &amp; Fauna</b>	<p><b>Objective 1</b></p> <p>Prevent damage to terrestrial, aquatic and soil biodiversity, particularly EU and nationally designated habitats, sites and species. Improve local biodiversity if possible.</p>	<ul style="list-style-type: none"> <li>No deterioration of habitats or their associated species due to implementation of Vision 2041.</li> <li>No increased spread of Alien Species and their associated impact to the aquatic environment due to implementation of Vision 2041.</li> </ul>	<ul style="list-style-type: none"> <li>Status of EU Protected Habitats and Species and status of national Priority Species and Habitats.</li> <li>Geographical spread and number of Alien Species in the area.</li> <li>Condition of Selection Features in sites designated for nature conservation (SACs, SPAs and NHAs).</li> </ul>
<b>Population</b>	<p><b>Objective 2</b></p> <p>Provide an economic boost for the region and contribute to environmentally sustainable development.</p>	<ul style="list-style-type: none"> <li>Increased investment in the region.</li> <li>Increased tourism levels in the region.</li> <li>Increased employment opportunities in the region.</li> </ul>	<ul style="list-style-type: none"> <li>Number of new businesses established near to the SFPC facilities.</li> <li>Number of tourist visits to the region.</li> <li>Unemployment statistics in the region.</li> </ul>
<b>Human Health</b>	<p><b>Objective 3</b></p> <p>Prevent public nuisance dust, noise and odours emanating from port activities and provide safe working area with no risk to human health.</p>	<ul style="list-style-type: none"> <li>Increase if possible, numbers of cruise ships calling at Foynes Port.</li> <li>Prevent nuisance dust and odours emanating from port activities.</li> </ul>	<ul style="list-style-type: none"> <li>Number of tourist visits to the region.</li> <li>Number of accidents associated with SFPC facilities.</li> <li>Health issues and nuisance complaints associated with port activities.</li> </ul>
<b>Soils</b>	<p><b>Objective 4</b></p> <p>Avoid damage to the function and quality of the soil resource in the study area.</p>	<ul style="list-style-type: none"> <li>Avoid sterilisation of a usable or natural soil resource.</li> </ul>	<ul style="list-style-type: none"> <li>Area and zoning of land use from SFPC infrastructure.</li> <li>Encroachment into areas of non industrial / commercial land.</li> </ul>
<b>Water</b>	<p><b>Objective 5</b></p> <p>Development and operation of SFPC facilities not to cause deterioration in water status of any waterbodies.</p>	<ul style="list-style-type: none"> <li>No deterioration of water status up or downstream of SFPC facilities, due to development or operation.</li> </ul>	<ul style="list-style-type: none"> <li>WFD water status of surface and groundwaters in the area.</li> </ul>

SEA Topic	SEA Objective	SEA Target	SEA Indicators
<b>Air Quality</b>	<b>Objective 6</b> Minimise emissions to air as a result of development and operation of SFPC facilities.	<ul style="list-style-type: none"> <li>No exceedences of air quality standards due to SFPC facility development or operation.</li> <li>No significant increase in background air pollutant levels in the region of SFPC facilities, due to the implementation of the Plan.</li> <li>Compliance with odour and dust criteria to prevent deterioration in amenity.</li> </ul>	<ul style="list-style-type: none"> <li>Air quality/air pollutants levels at SFPC facilities and Zone D in general.</li> <li>Increased road and boat traffic in the area.</li> <li>Increase in number of odour and dust complaints, because of development or operation.</li> </ul>
<b>Climatic Factors</b>	<b>Objective 7</b> Minimise contribution to climate change by emission of greenhouse gasses associated with development and operation of SFPC facilities.	<ul style="list-style-type: none"> <li>Minimise GHG emissions from development and operation.</li> <li>No net loss of CO2 sequestering vegetation in the area.</li> <li>Employ BAT and renewable energy within development and operation of facilities where possible.</li> </ul>	<ul style="list-style-type: none"> <li>GHG emissions in the region.</li> <li>Use of “green energy” in the operation of SFPC facilities.</li> <li>Port energy use.</li> </ul>
<b>Material Assets</b>	<b>Objective 8</b> Develop SFPC facilities and provide vehicle for development of new sustainable infrastructure for the region.	<ul style="list-style-type: none"> <li>Develop SFPC facilities at Foynes and Limerick.</li> <li>Maintain operations at all SFPC facilities.</li> <li>Provide vehicle for investment in local infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>Number and extent of facilities at Foynes and Limerick.</li> <li>Capital invested in local infrastructure.</li> <li>Augmentation of local infrastructure, e.g. number of new roads built, old roads updated, treatment plants updated etc, due to Plan.</li> </ul>
<b>Cultural Heritage (inc. Architectural and Archaeological)</b>	<b>Objective 9</b> Avoid damage to cultural heritage features during development and operation of SFPC facilities.	<ul style="list-style-type: none"> <li>Restore port related cultural heritage features where required</li> <li>Provide public access to cultural heritage features within SFPC lands where appropriate.</li> <li>Avoid damage to any cultural heritage features in development and/or operation of SFPC facilities.</li> </ul>	<ul style="list-style-type: none"> <li>Number of heritage features restored as part of Vision 2041.</li> <li>Number of new heritage features discovered in the Vision 2041 timescale.</li> <li>Number of heritage features accessible to the public for educational purposes.</li> <li>Number of heritage features lost or destroyed due to the implementation of Vision 2041.</li> </ul>
<b>Landscape</b>	<b>Objective 10</b> Avoid damage to local landscape and vistas.	<ul style="list-style-type: none"> <li>No damage to local vistas and landscape in the area of SFPC facilities.</li> <li>Enhance the local vistas and landscape where possible, with sensitive and sustainable development practices.</li> </ul>	<ul style="list-style-type: none"> <li>Significant negative changes in land cover types.</li> <li>Percentage changes in land cover types in areas with a high sensitivity to change.</li> <li>Changes in landscape character definitions.</li> </ul>

## 2.4 INFLUENCE OF SEA DURING PREPARATION OF VISION AND ASSESSMENT OF ALTERNATIVES

The alternatives available to Vision 2041 take the form of various levels of development at the Port of Foynes and/or the Limerick Docks. The Vision does not go into any further detail on potential development of the facilities at Tarbert, Moneypoint, Aughinish and Shannon Airport. The development of these facilities is dependent on the Strategic Integrated Framework Plan for the Shannon Estuary as is outlined in the Vision. Each of the alternatives associated with the Port of Foynes and/or Limerick Docks have been assessed as a standalone alternative within the SEA ER, however if the Vision is implemented with a combination of these alternatives then there may also be cumulative impacts, which are assessed in **Section 8 of the SEA ER**. A stronger emphasis has been placed on the consideration of potential cumulative effects in the final version of the Vision through an amendment to **Chapter 10. Key Issues**

- Safeguard the integrity of all designated Natura 2000 sites, **including consideration of potential cumulative effects on such sites** in accordance with the *Habitats Directive*, other relevant EU Directives, associated legislation, regulations and guidance.

### Chapter 10. 10.2 Environmental Obligations

Vision 2041 has been further up-dated to include a statement on the requirement for review and implementation of necessary recommendations and mitigation measures identified in both the SEA ER and the NIR.

SFPC has thus undertaken a Strategic Environmental Assessment (SEA) Environmental Report and a Natura Impact Report (NIR) as part of the Vision 2041 process. The SEA Environmental Report and the Natura Impact Report have examined the potential for environmental effects of the development scenarios contained in Vision 2041 and should be read in conjunction with this document. The necessary recommendations and mitigation measures identified in both the SEA Environmental Report and NIR will be reviewed and implemented in the context of future development proposals within Vision 2041.

In addition **Section 10.2.1 Strategic Environmental Assessment** outlines how;

The findings and mitigation recommendations of the SEA process have influenced and guided this Vision strategy and where appropriate, have been incorporated within the approach and key-issues in this and other chapters. This approach demonstrates clear integration between both Vision 2041 and SIFP in terms of acknowledging the environmental resources of the estuary and seeking to minimise significant environmental effects.

and **Section 10.2.1 Natura Impact Report** also outlines;

The findings and mitigation recommendations of the Natura impact assessment have influenced and guided this Vision strategy and where appropriate, have been incorporated within the approach and key-issues in this and other chapters. This approach demonstrates clear integration between both Vision 2041 and SIFP in terms of acknowledging the environmental resources of the estuary and seeking to safeguard its ecological integrity.

**Chapter 11 – Implementation and Review** has also been updated to include a number of “Key Issues” which were raised as part of the consultation process on the SEA with the environmental authorities. In particular, the requirement for close aligned with the SIFP process. The following four key issues have therefore been added to Vision 2041.

- Implement relevant policies and objectives related to marine related development within the SIFP in so far as they affect and influence SFPC operations and business on the Estuary.
- Review and implement the necessary monitoring measures identified in both the SEA Environmental Report and the NIR and take appropriate corrective actions if adverse impacts are identified.
- Undertake a formal review of Vision 2041 every six to ten years and coordinate the review of Vision 2041 with any potential review of the SIFP in so far as is practicable.
- Continue to work closely with agencies and local authorities to ensure the importance of the ports and the maritime sector are fully enshrined within planning, transportation and marine policy both at national, regional and local levels.

### **Strategic Environment and Heritage Objectives**

Vision 2041 has been prepared to meet a number of strategic objectives identified by SFPC, its customers and other interest groups as necessary to facilitate the effective operation of the Port in the period to 2041. These strategic objectives have framed Vision 2041 and have clearly influenced the content and scope of each of the subsequent chapters. The Vision strategy has taken on board the findings of the SEA Environmental Report and the Natura Impact Report and incorporated a number of Strategic Environment and Heritage Objectives at the forefront of the Vision to take on board these findings. They include;

#### *Environment and Heritage*

- Ensure a development framework that is compatible with the adjoining areas with particular regard to areas on the Shannon Estuary which are designated under the Habitats Directive and the Birds Directive.
- Promote a balanced and sensitive approach to port development
- Integrate new development with the built and natural landscapes of the surrounding area.
- Secure the preservation of all Protected Structures within the Ports

There are 10 main Alternatives available within the Vision (See **Figure 2.1**), which are summarised as follows:

**Alternative 1** – This is the “Do Nothing” alternative, whereas the Masterplan is not implemented and there are no changes in workings or developments at the SFPC facilities.

**Alternative 2** – Effective Utilisation of Existing Assets, whereas SFPC use all the facilities to their full potential over the short, medium and long Term.

**Alternative 3** – Port of Foynes Estate Expansion. The Port of Foynes currently has 10ha of land spare for development and needs 127ha to accommodate anticipated growth (high growth scenario). Expansion would have to be landward to the south east. This would take place in the medium and long term.

**Alternative 4** – Port of Foynes Remote Operations. This alternative looks into the long term with many Port related activities being carried out remotely, with the most likely location being Askeaton Business Park.

**Alternative 5** – Port of Foynes – Additional Berthing Facilities at Foynes. Short term planning, followed by medium and long term development.

**Alternative 6** – Port of Foynes – Deep Water Berthage to accommodate Panamax Vessels at one of four potential locations, being Foynes Port Inner Harbour, Foynes Port Western Harbour, Foynes Island and Mount Trenchard. Foynes Island however is the only really suitable location. Short term planning, followed by medium and long term development.

**Alternative 7** – Limerick Docks – Future Use of Non Core Assets. Four sites have been highlighted for development throughout the medium and long term:

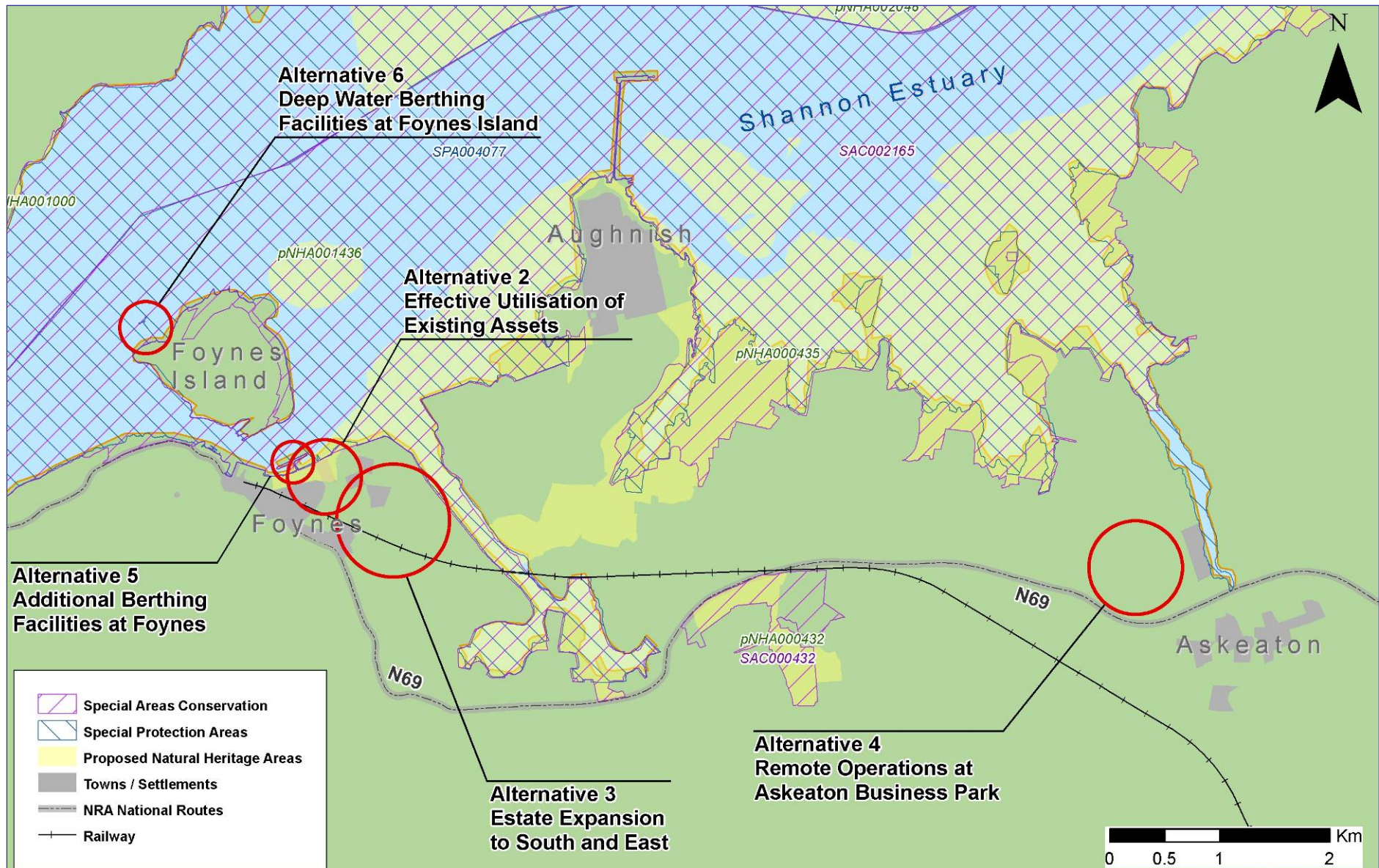
**Alternative 7a** – Site 1 – Corcanree Business Park

**Alternative 7b** – Site 2 – The Wishbone

**Alternative 7c** – Site 3 – Bannatyne Mill Site 4 – Sailors House

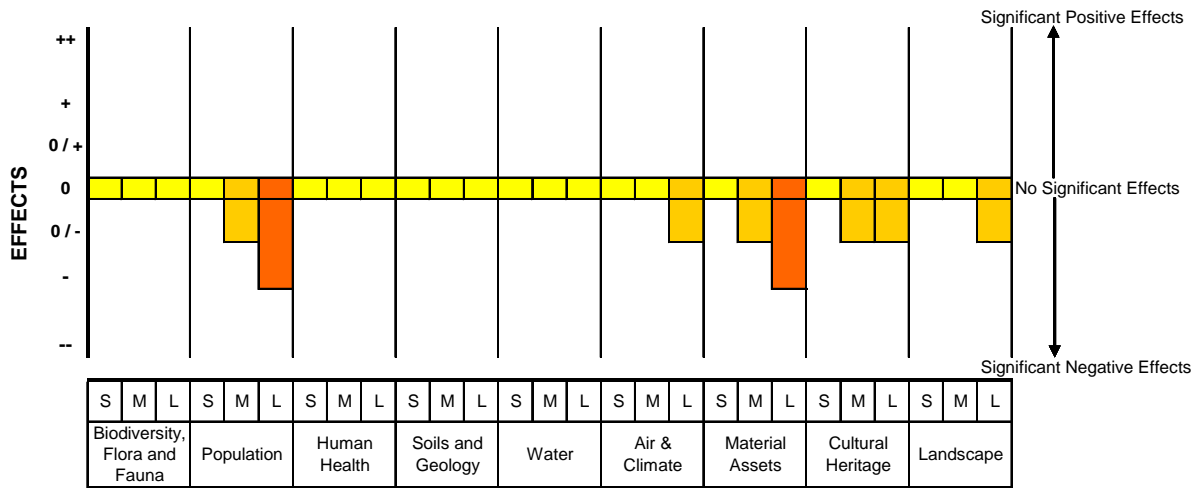
**Alternative 7d** – Site 3 – Sailors House

Figure 2.1: SFPC Map of Alternatives



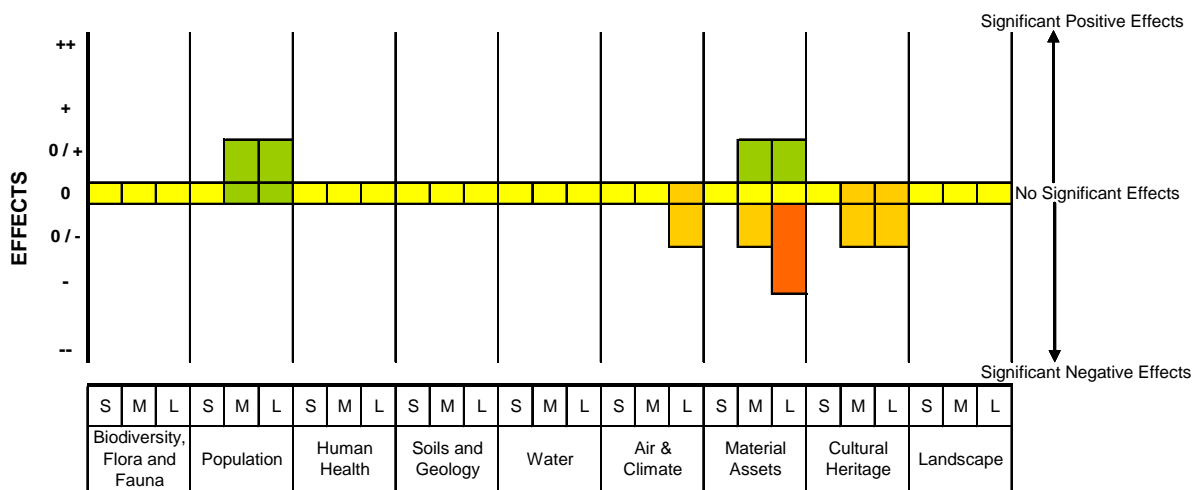
The assessments were carried out by environmental baseline categories and were assessed to give the positive and negative effects, their significance and permanence, any secondary, cumulative or synergistic effects, and any inter-relationship of effects. Each Alternative was given an impact summary table to provide a summary visual representation of the scale of potential positive and negative effects, as shown below:

**Assessment Alternative 1 – Do Nothing Option**



The main interrelationship of effects without the implementation of Vision 2041 would be between material assets and population, whereas the potential inability of the SFPC facilities to continue importing materials and to keep up with modern requirements will mean a lack of development in the region, losses of jobs and potential population shifts to other areas with more employment potential.

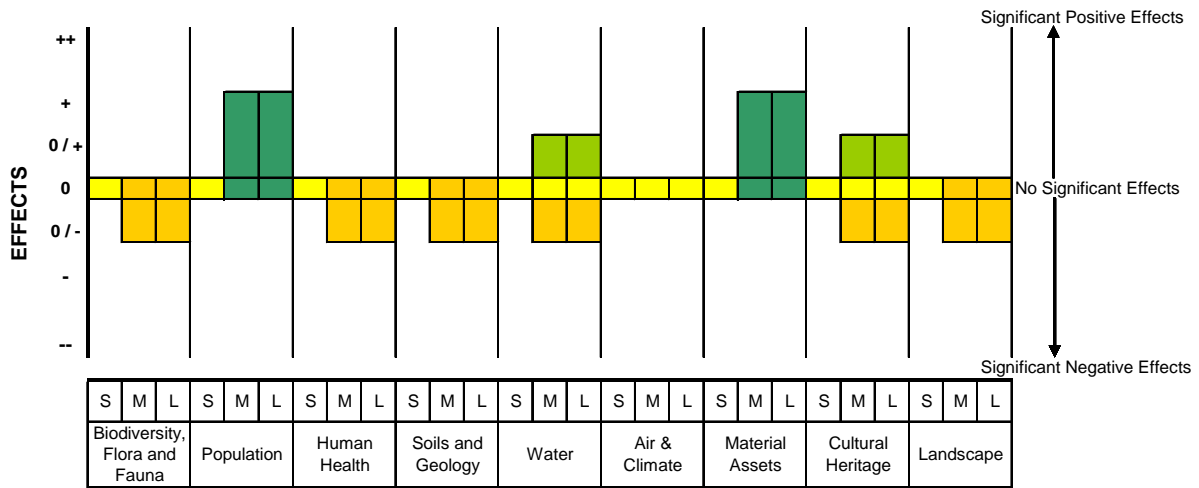
**Assessment Alternative 2 – Utilisation of Existing Assets**



The main interrelationship of effects by effective utilisation of existing assets would be between material assets and population, whereas the potential of the SFPC facilities to continue to operate at

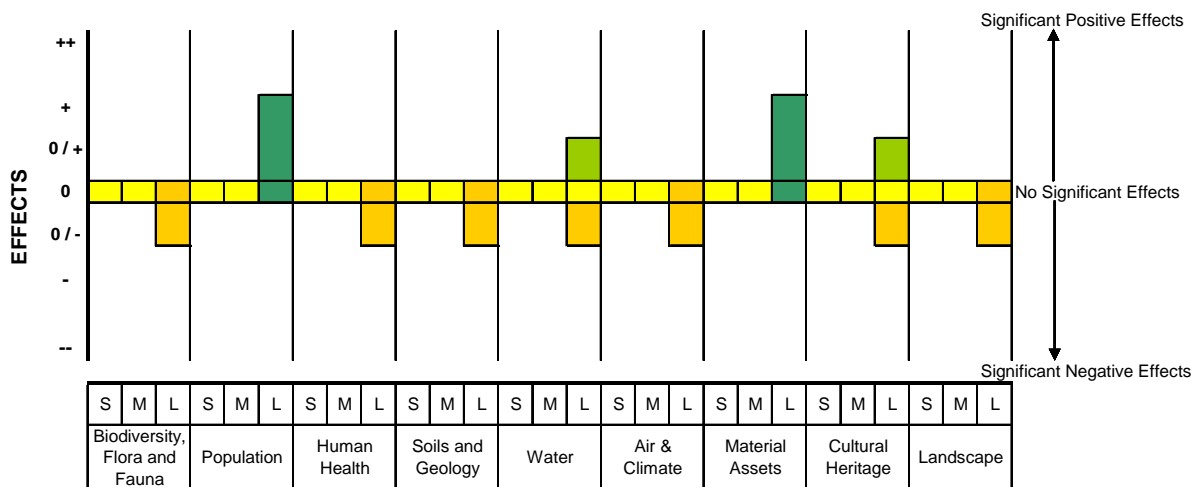
some capacity into the medium and long term by continuing to import materials and to keep up with modern requirements will mean there may be some new employment created and some new development in the region. However conversely, as the SFPC facilities may lose out on larger contracts to other similar facilities, which have a greater available capacity, there will be the potential for significant negative impacts in the long term.

**Assessment Alternative 3 – Port of Foynes Estate Expansion**



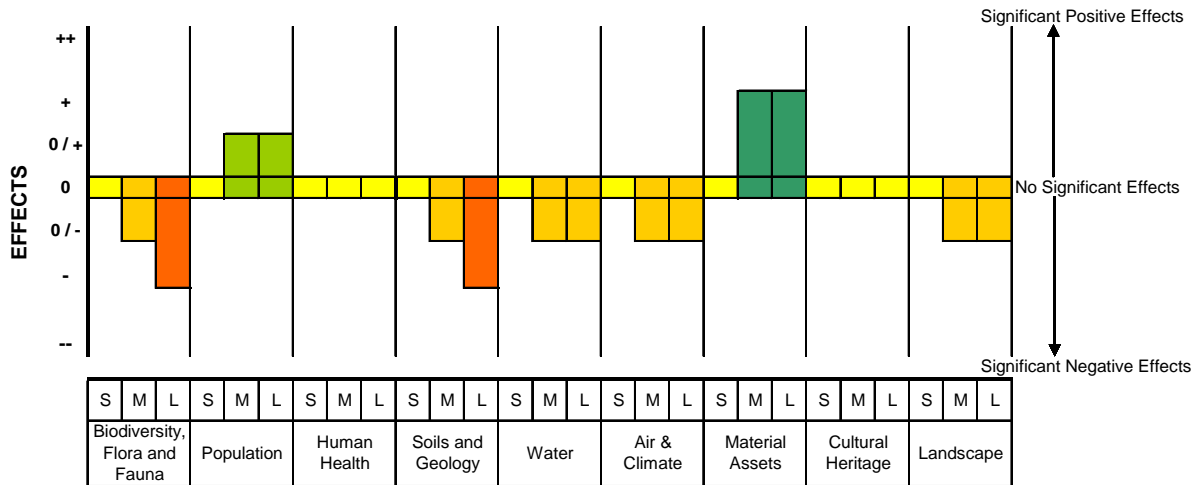
The main interrelationship of effects by expanding the Port of Foynes estate to the south east would be the positive relationship between material assets and population, whereas the development of new SFPC facilities into the medium and long term will create new employment in the region and encourage secondary indirect development. The expansion of the SFPC facilities onto greenfield sites, with a new development footprint, will cause the loss of soil as a growing medium and therefore will reduce biodiversity, flora and fauna in the study area.

**Assessment Alternative 4 – Port of Foynes Remote Operations**



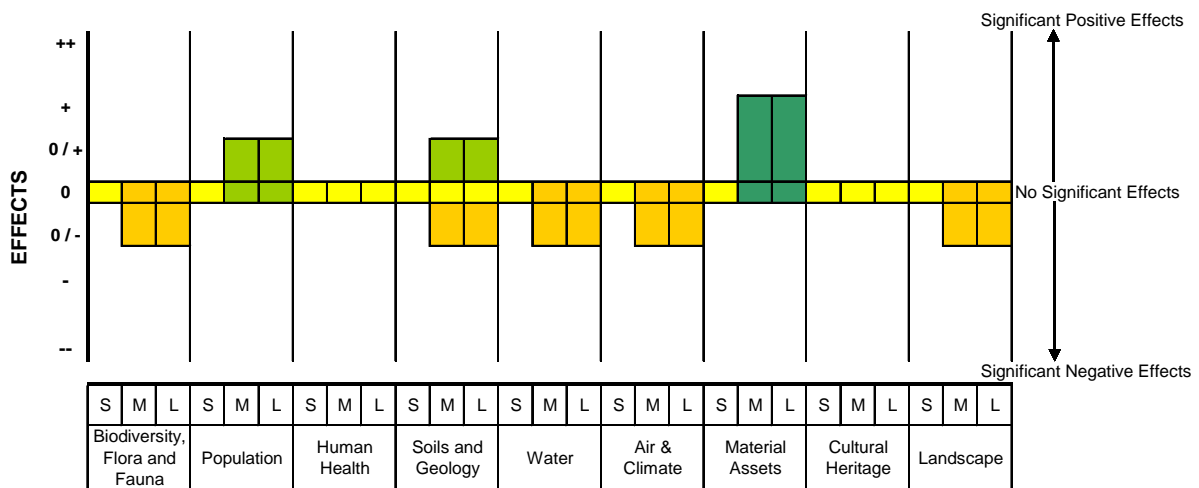
The main interrelationship of effects by developing the Port of Foynes Remote Operations expanding would be the positive relationship between material assets and population, whereas the development of new SFPC facilities in the long term will create new employment in the region and encourage secondary indirect development. The expansion of the SFPC facilities onto greenfield sites, with a new development footprint, will cause the loss of soil as a growing medium and therefore will reduce biodiversity, flora and fauna in the study area.

**Assessment Alternative 5 – Additional Berthing Facilities at the Port of Foynes**



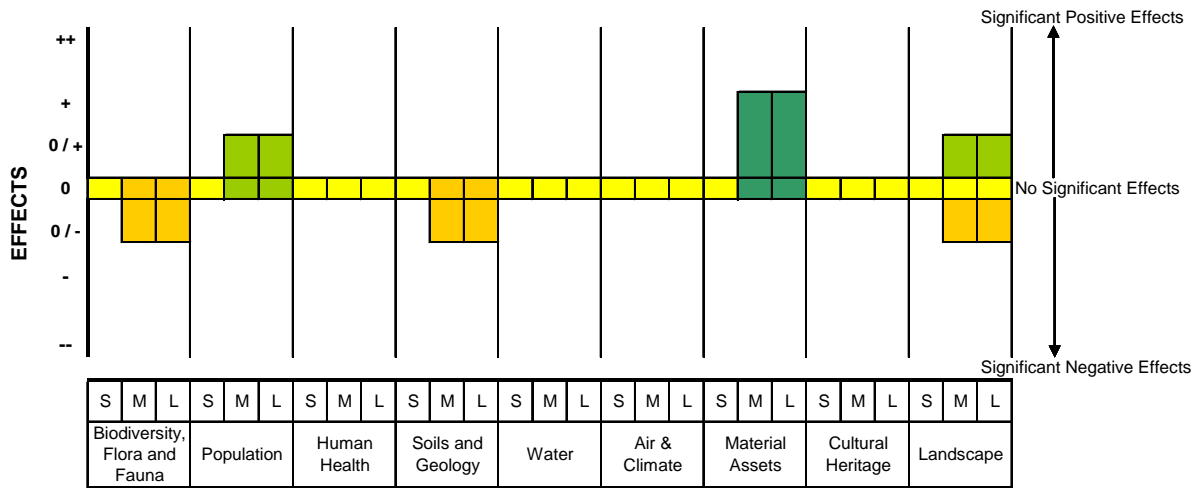
The main interrelationship of effects of adding additional berthing facilities at the Port of Foynes would be the positive relationship between material assets and population, whereas the development of new SFPC facilities into the medium and long term will create new employment in the region and encourage secondary indirect development. The medium and long term impacts on soil, geology and biodiversity, flora and fauna would need to be carefully considered.

**Assessment Alternative 6 – Deep Water Berthage at Foynes Island**



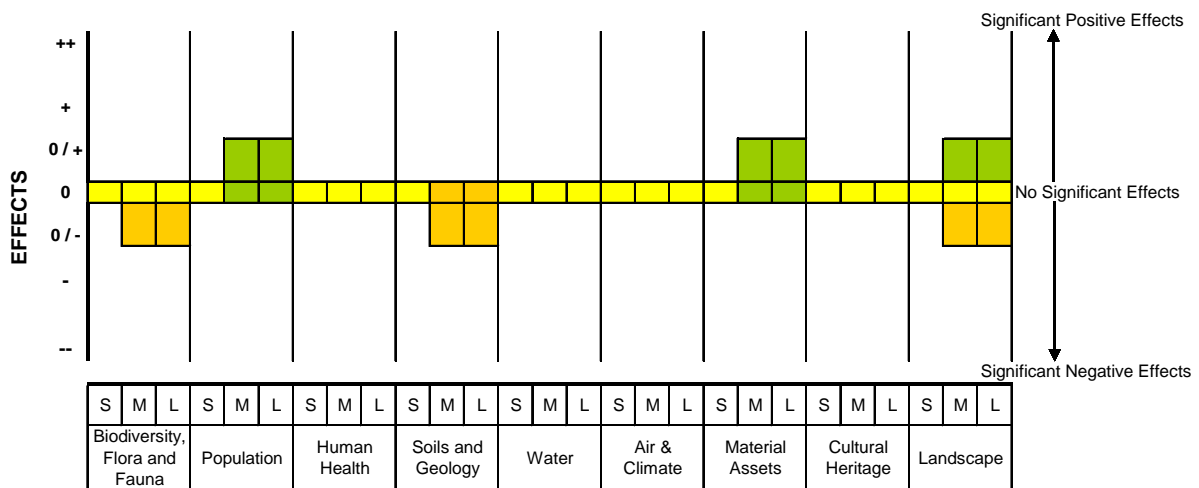
The main interrelationship of effects of adding Deep Water Berthage at Foynes Island would be the positive relationship between material assets and population, whereas the development of new SFPC facilities into the medium and long term will create new employment in the region and encourage secondary indirect development. The medium and long term negative impacts on water, air and climate, biodiversity and flora and fauna together with landscape are all interrelated.

**Assessment Alternative 7a – Limerick Docks Corcanree Business Park**



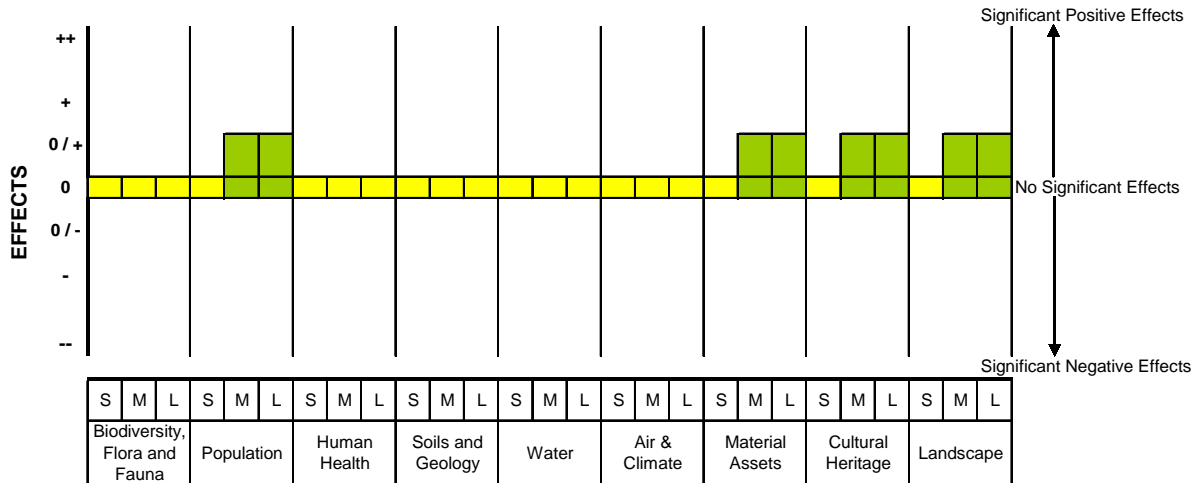
The main interrelationship of effects of developing Limerick Docks Corcanree Business Park would be the positive relationship between material assets and population, whereas the development of new SFPC facilities into the medium and long term will create new employment in the region and encourage secondary indirect development. The medium and long term negative impacts on landscape, soils and geology together with flora and fauna are also inter-related but not envisaged to be significantly negative.

**Assessment Alternative 7b – Limerick Docks The Wishbone**



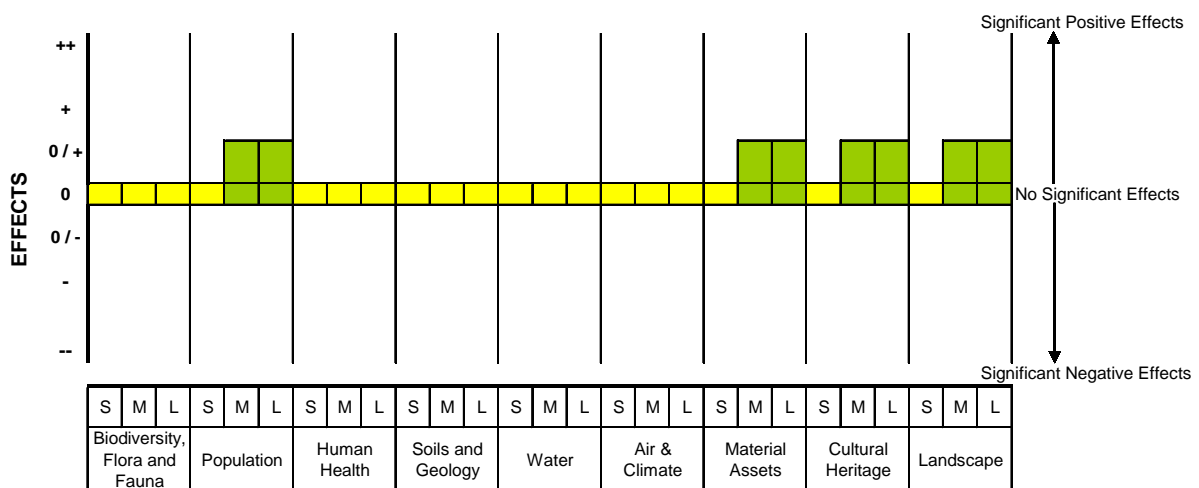
The main interrelationship of effects of developing the wishbone would be the positive relationship between material assets and population, and material assets and landscape. The loss of the soil resource as a growing medium will have a negative impact on biodiversity, flora and fauna. Overall, the negative impacts from this site are minimal and can be mitigated at the project level.

**Assessment Alternative 7c – Limerick Docks Bannatyne Mills**



Overall the development of this alternative option is deemed to have no significant negative effects. Interrelationships between cultural heritage, material assets and population could be significantly positive. Restoration of a heritage feature provides a new material asset and potential employment opportunities.

**Assessment Alternative 7d – Limerick Docks Sailors House**



Overall the development of this alternative option is deemed to have no significant negative effects. The effects are deemed to be neutral or positive. Interrelationships between cultural heritage, material assets and population will be significantly positive. Restoration of a heritage feature provides a new material asset and potential employment opportunities.

### **Findings from the SEA Environmental Report Assessment of Alternatives**

The joint implementation of various Vision 2041 alternatives at the Port of Foynes has the potential for positive and negative cumulative effects. The greater the number of alternatives implemented the greater the potential negative impacts on biodiversity, flora, fauna, water, soils air and climate, as the development footprints and operational footprints of SFPC facilities encroach more into greenfield sites and habitats. However, conversely the greater the number of alternatives implemented the greater the potential for positive impacts on material assets and population, as more SFPC facilities become available the greater the mutual benefit they have to one another, the more the indirect assets created and the greater the potential for employment opportunities.

The joint implementation of various Vision 2041 alternatives at the Limerick Docks is likely to have more positive cumulative impacts as the sites generally have a lower potential for negative environmental impacts and their implementation is more mutually beneficial. The distance between the Foynes and Limerick Docks facilities means there is unlikely to be significant positive or negative cumulative impacts between their respective alternatives.

In the assessment it can be seen that there may be significant positive impacts from development of both the Bannatyne Mill and Sailors House, however in reality there may not be the need to restore / re-use both of these facilities, which are slightly remote from one another.

While a quantitative assessment of the environmental implications of implementing each of the alternative options was undertaken in the SEA Environmental Report. The Natura Impact Report details how implementation of the Vision alternatives may impact upon the conservation objectives of the designated sites and species in the area, and it is predicted that all alternatives may have some impacts on the designated SAC features and SPA bird species; however, the severity of these impacts is unknown at the strategic level of the Vision. Following the publication of the Vision there is the requirement for comprehensive feasibility and detailed design studies, along with more detailed ecological surveys and environmental modelling to establish the true potential affects of implementing of any of the Vision alternatives. Any projects arising from this strategy need to be examined against a number of economic, environmental and business demand criteria and will also be subject to the normal statutory planning and environmental assessment and consents.

This work will also facilitate the development of mitigating measures to offset any negative impacts on the designated sites and the broader environment. **Table 2.3** outlines the mitigation measures which could be put in place to prevent potential environmental impacts resulting from the implementation of the Vision. These will be refined during the detailed design phase of this project. At this stage of the process in setting out SFPC framework or vision no options have been discounted as un-viable from the assessment of alternatives. Instead this process will be used to further inform the project level decisions on options.

The SIFP and its associated SEA and HDA form the over arching Plan and Environmental Assessments for the future development of the Shannon Estuary and for which Vision 2041 takes full cognisance of. The assessment process carried out as part of the SIFP in identifying strategic sites for future development carried out (as part of the process) a robust and thorough examination of the estuary including the identification of alternatives in order to bring forward the most suitable strategic sites. These strategic sites also under-went detailed appropriate assessment. SFPC Vision 2041 Port Development Strategy and the locations identified for future expansion or development (Alternatives) lie within a number of these strategic sites from the SIFP and therefore have already under gone significant assessment. As a result should future development take place at any of these locations for which SFPC have jurisdiction over the following mitigation measures as outlined in the SIFP Habitats Directive Assessment and Environmental Report will be taken into consideration and applied where appropriate as outlined in the SIFP;

**Volume 3 Part B Chapter 3** Appropriate Assessment Tables of Strategic Sites

**Volume 3 Part B Chapter 6** Overarching mitigation measures

**Volume 3 Part B Chapter 6** Section 6.3 General Mitigation Measures per theme

**Volume 3 Part A Chapter 11** SEA Mitigation Measures

**Table 2.3** gives a summary of the potential impacts/problems that could be encountered in the implementation of the Vision options and potential mitigation measures for these impacts. Some of these options will have permanent residual impacts, due to development footprint, that cannot be mitigated for unless SFPC create new areas of equal habitat for each area of habitat that is lost. However the potential for this is not included within the Vision.

**Table 3.3: Potential Impacts and Mitigation arising from the SEA Environmental Report**

Topic	Alternative	Impact / Problem	Mitigation
A / C	3, 4, 5, 6, 7a, 7b, 7c, 7d	During the short term construction period there may be additional air emissions (exhaust, dust etc) from plant and machinery.	These emissions can be kept to a minimum with appropriate construction site management and maintenance of equipment. General good working practices.
A / C	3, 4, 5, 6, 7a, 7b	Increased road traffic and emissions.	Good traffic planning will be required. However there would be expected to be continually improving engine technology, cleaner fuels and stricter emissions standards over the coming years (DMRB, 2007).
A / C	3, 4, 5, 6	Increase in boat numbers and boat sizes causes increased air pollution from emissions.	Good management of vessel movements in the estuary and around the berthing areas. Enforcement of cleaner fuel use while berthed as appropriate. New legislation on marine fuels and emissions, coupled with improvements in engine technology should lessen some of the potential impact. Siting of berthing areas away from sensitive receptors.
A / C	3, 4, 5, 6	Increased emissions from new port equipment.	Good site management to optimise crane and transport movements. Use of BAT with a view to reducing emissions.
BFF	3, 4, 5, 6, 7a, 7b	Temporary displacement of marine / estuarine / riverine fauna during the construction period.	Good planning and timing, prior to sensitive construction methods is essential. Potentially using NRA construction guidelines, e.g. <i>On Crossing of Watercourses, On Treatment of Otters</i> etc, and Eastern Fisheries Board <i>Requirements for the protection of fisheries habitat during construction and development works at river sites</i> .
BFF	3, 4, 5, 6, 7a, 7b	Temporary displacement of terrestrial fauna during the construction period.	Good planning and timing, prior to sensitive construction methods is essential. Retaining protected vegetation, potential roost/sett locations and hedgerows/wildlife corridors where possible. Detailed ecological assessment during planning and appropriate ecological monitoring during construction.
BFF	3, 4, 6, 7a, 7b	Permanent loss of terrestrial habitat from development footprint.	Design in green areas to the development where possible, such as the use of green roofs, ponds and scrub areas to maintain biodiversity and attract fauna. Maintain existing wildlife corridors, hedgerows and trees where possible in the development design.
BFF	5, 6	Potential for impacts to inquisitive marine mammals during construction.	Marine mammal spotter in operation during dredging and construction in the estuary. Stopping all works when marine mammals are present. Use of deterrent noises prior to and during construction, with "soft-start" to gently deter mammals from the area.
BFF	5, 6	Medium and long-term disturbance to marine / estuarine fauna in the area.	Strict environmental regulations on berthing/hotelling vessels. Low speed limits within the estuary. No spill or discharges to the estuary from vessels.
BFF	5, 6	Impact on Natura 2000 habitats and species from construction and maintenance dredge activities.	Good construction and management practices should be able to keep all impacts to a minimum. The mitigation measures as outlined in the NIR should be used to mitigate effects.
BFF	5, 6	Impact on Natura 2000 habitats and species from increased vessel numbers.	Adherence to the avoidance and mitigation measures which have been detailed under the Shipping and Navigation Sector and Marine Related Industry Sector of the NIR.
C / W	3, 4, 5, 6, 7a, 7b, 7c, 7d	Climatic change and climatic variability impacts on new infrastructure and facilities.	Ensure new SFPC facilities are designed and built with predicted climatic change in mind, e.g. greater potential for flooding, water level rises and increased rainfall duration and intensity.
CH	3, 4, 5, 6, 7a, 7b, 7c, 7d	Potential for loss of heritage features during construction activities.	Construction supervision by qualified archaeologists, combined with sensitive construction methods and restoration would mean this damage or destruction could be kept to a minimum. Heritage features discovered could be restored as an attraction.
CH	5, 6	Potential for underwater heritage sites to be impacted upon by construction dredging operations.	Interpretation of side-scan sonar and bathymetry information, along with supervision of construction dredging operations by qualified archaeologists will minimise any impacts or the possibility of destruction of underwater heritage features.
HH	3, 4, 5, 6, 7a,	Increased nuisance dust and noise emissions from construction	Disturbances and nuisance can be kept to a minimum with good working practices and planning.

Topic	Alternative	Impact / Problem	Mitigation
	7b, 7c, 7d	causing annoyance to Public.	
HH	3, 4, 5, 6	Nuisance dust and noise emissions from Port operations / Port traffic causing annoyance to Public.	Strict environmental regulation of the site. Strict adherence to the Port of Foynes Environmental Management Plan. Banning of contractors that contravene Port policy.
L	3, 4, 5, 6, 7a, 7b, 7c, 7d	New SFPC facilities spoiling landscape and vistas.	Ensure new SFPC facilities are designed to blend with the local environment and landscape context.
L	5, 6	Increased vessel numbers affecting views of the estuary. Vessels impacting on the natural setting.	Good management of vessel movements in the estuary and around the berthing areas.
L	3, 4, 5, 6, 7a, 7b, 7c, 7d	Extent and severity of short term negative impacts on landscape from construction.	Impacts could be kept to a minimum through good site practice and planning (eg. screened laydown areas and traffic management).
MA	3, 4, 5, 6, 7a, 7b, 7c, 7d	Loss of agricultural land.	Any loss of productive agricultural land will mitigated as appropriate in consultation with the landowner.
S	3, 4, 6, 7a, 7b	Permanent loss of soil resource due to development footprint.	Development on brownfield sites rather than greenfield sites. Re-use of soil material where possible on site and not importation of soils from other sites.
W	3, 4, 5, 6, 7a, 7b, 7c, 7d	Disturbances of water quality during the construction phase	Good management and planning to keep disturbance to a minimum. Any potential water quality issues from construction could be contained and treated to ensure no damage to natural waterbodies. Dredging and construction within or near natural waterbodies will have to be planned appropriately, using BAT at all times, to ensure water quality issues are kept to a minimum, with no significant adverse effects. Guidelines such as CIRIA Document C532 - Control of Water Pollution from Construction Sites and CIRIA documents C521 - SUDS - Design manual for Scotland and NI, and C523 - SUDS - Best Practice Manual to be adhered to.
W	5, 6	Potential for disturbance during maintenance dredging.	Using good planning, timing and BAT, there should be only minimal temporary disturbance to the local water quality.
W	5, 6	Increased vessel numbers in the estuary has the potential to increase pollution incidents.	Strict management and regulation of vessels accessing SFPC facilities. The provision of good facilities at Port of Foynes or Foynes Island could help prevent pollution incidents. Preparation of emergency response plans.

BFF- Biodiversity, Flora, Fauna. P – Population. HH - Human Health. S – Soils. W – Water. A – Air Quality. C – Climate. MA – Material Assets. CH – Cultural Heritage. L – Landscape

## 2.5 INFLUENCE OF AA ON THE VISION

The purpose of AA is to ensure that the SFPC Vision 2041 does not contain any objectives that could lead to negative impacts on the integrity of an EU designated site. The AA process was undertaken in parallel with the Vision making process and the SEA. The results of the AA were published in consultation with the SEA Environmental Report and the draft Vision.

An assessment of the draft Vision was carried out in parallel to the SEA process. The AA process ensured that environmental considerations, specifically focused on Natura 2000 sites, were integrated into the Vision as it was developed. Under the EU Habitats Directive, any plan or project not directly connected with or necessary to the management of Natura 2000 sites, namely, Special Areas of Conservation (SAC) or Special Protection Areas (SPA), but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to an AA of its implications for the site have the potential to impact on the site's conservation objectives.

Whilst it is the case that the majority of the elements of VISION 2041 are not connected with or necessary to the management of the Natura 2000 network through the undertaken of such a vision and associated environmental reports it is intended to ensure the protection of Natura 2000 sites. Therefore, it may be considered to be directly connected to the management of the sites. However, the determination that must be made here is whether or not the overall purpose of the vision as a whole is the management of Natura 2000 sites and in the case of the SFPC VISION 2041 it is clearly not.

The area under SFPC jurisdiction incorporates parts of the Lower River Shannon SAC (SAC02165) and River Shannon and Fergus Estuaries SPA (SPA004077).

It was felt that the SIFP process and in particular the associated environmental assessment would substantially inform the VISION 2041 together with the SEA and AA and therefore SFPC did not want to duplicate the work which was being undertaken by the SIFP in any way. In consultation with the EPA a decision was taken to commence and move directly to developing the SEA Environmental Report following consultation on the scoping stage.

Similarly, it was felt that through the SIFP process and the Habitats Directive Assessment which has been undertaken for the draft Plan, SFPC should proceed directly to undertaking full Appropriate Assessment (Stage 2) due to the following;

1. In terms of the planning hierarchy SFPC VISION 2041 comes under the SIFP process therefore it should serve to inform future development and the level of detail required by lower tiered plans.

2. As the SIFP process has already undertaken HDA Screening which incorporates existing facilities at Foynes Port and Limerick Dock together with other key facilities throughout the estuary alongside the development of future key strategic sites it is felt that the key elements of SFPC VISION 2041 are also covered by the SIFP screening process and therefore SFPC should proceed directly to undertaking full Appropriate Assessment in line with the findings of the SIFP HDA Screening.
3. While the SFPC VISION 2041 is not a plan per se it will however set out a development framework upon which development consent can be made therefore it would benefit from carrying out Stage 2 Appropriate Assessment.

Bearing this in mind, there was limited information available in terms of the detailed design, engineering elements, associated infrastructure and exact layout of the future needs identified by VISION 2041 to allow a full project level AA to be undertaken. However, a more strategic level assessment was undertaken which was informed by the SIFP process and which will serve to further inform the project level assessment as and when the need arises.

In the context of the Vision, mitigation measures as part of the appropriate assessment are put forward to prevent, reduce and, as fully as possible, offset any predicted significant adverse effects on the environment through implementation of the Vision. They are formulated based on impact assessment results and enable integrating SEA and AA findings into the proposal. Mitigation measures can generally be hierarchically divided into those that:

- Avoid the identified potential effects – which generally entail removing objectives that have an impact on the environment
- Reduce the magnitude, extent, probability or severity of potential effects – which commonly entails re-wording of the objectives
- Offset effects after they have occurred – which entail devising positive measures to compensate for biodiversity impacts deriving from unavoidable actions (this is often the case in light of a statement of case for IROPI). This option is considered, to some extent, a remedial action

Four tiers of mitigation have been adopted in the appropriate assessment process and documented in the Natura Impact Report as follows;

- The inclusion of appropriate assessment criteria at the forefront of the site selection process through the SIFP process which utilised Preliminary Screening Tables and Multi Criteria Analysis to ensure sites with the highest risk of impact to Natura 2000 sites were scored accordingly in terms of the potential for impact. Vision 2041 has taken on board the findings of this process with the key elements of the Port Development Strategy located within these strategic sites.

- Appropriate Assessment of the Strategic Sites from the SIFP as outlined in **Chapter 6 of the NIR** provides mitigation on the qualifying interest features specific to each Strategic Site which covers the locations under SFPC jurisdiction.
- Overarching mitigation measures arising from the appropriate assessment of the Vision in general as outlined in **Chapter 7 of the NIR**.
- General mitigation measures per sector as outlined in **Chapter 7 of the NIR**

This assessment aims to inform the future development in particular of Foynes Port as is outlined in the Vision, the Port of Foynes is the one facility on the Estuary most likely to experience significant change over the period of Vision 2041.

### 3 CONSULTATION PROCESS

#### 3.1 SCOPING

Two stages of consultation have taken place with respect to the Strategic Environmental Assessment and Appropriate Assessment of Vision 2041.

The first stage of consultation took place in July 2012 and related to the statutory scoping stage of consultation. A SEA screening determination letter was issued in July 2012 outlining the decision taken by SFPC to undertake an SEA Environmental Report and inviting comment in relation to the process. This was issued to the five statutory environmental authorities as prescribed under the Planning and Development (SEA) Regulations 20011 (as amended) including:

- Environmental Protection Agency (EPA);
- Department of Environment, Community and Local Government (DECLG);
- Department of Agriculture, Food and the Marine (DAFM);
- Department of Communications, Energy and Natural Resources (DCENR); and
- Department of Arts, Heritage and the Gaeltacht (DAHG).

Two written submissions were received at this stage of the consultation process. The EPA responded on 8<sup>th</sup> of August 2012. At this stage, the EPA provided a detailed submission, cover letter, copy of previous correspondence with SFPC and also included the EPA SEA Pack 2012 and SEA checklist. The Development Applications Unit section of the DAHG responded by email dated 10<sup>th</sup> August 2012.

These submissions related to the following:

- EU directives, national/regional legislation, guidelines and policies;
- Drinking water supply and conservation;
- Wastewater treatment and urban wastewater discharge licensing;
- Groundwater protection;
- Water Quality in relation to the WFD and the ShIRBD, Shellfish Water Directive,
- Flood prevention and management;
- Habitat mapping;
- Waste management;
- Air, noise and climatic factors;
- Alien species and noxious weeds
- Landscape character assessment;
- Energy conservation; and
- Transport, tourism and infrastructure;
- Human health and quality of life.

- Underwater archaeological assessment

These submissions informed the environmental issues which were included in the subsequent Environmental Report as well as the level of detail to which they were addressed. Submissions received were attached to the Environmental Report as published in January 2013.

### **3.2 DRAFT VISION AND SEA ENVIRONMENTAL REPORT PUBLIC CONSULTATION STAGE**

The second period of consultation took place between 4<sup>th</sup> of January 2013 and 1<sup>st</sup> of February 2013. At this stage, the draft Vision was placed on public display along with the SEA Environmental Report and associated Habitats Directive Assessment Natura Impact Report. A total of 16 no. submissions were received during this stage of the consultation process. Consultation responses included submissions from the environmental authorities as well as the public and other stakeholders.

Submissions and observations made in relation to the draft Vision, SEA Environmental Report and HDA Natura Impact Report broadly covered the following key topics:

Most of the submissions received related to specific aspects or elements of the draft Vision itself and did not relate specifically to the SEA Environmental Report and AA documents.

All submissions made to the draft Vision were reviewed by the SEA and HDA Team. A Consultation Report on the submissions/observations received during the public display period was prepared setting out the proposed amendments to the draft Vision. Each of the proposed amendments to the draft Vision were screened by the SEA and AA Team for potential effects.

No significant impacts as a result of implementing the proposed amendments were identified as part of this SEA and AA Screening process and therefore no mitigation measures were proposed on this basis.

**Table 3.1** summarises the submissions received and the broad changes to the draft Vision as a result.

**Table 3.1: Consultee Submission Details and Consultation Response from Vision**

Number	Submission	Matters Arising	Action
1.	Limerick Chamber of Commerce	<p>The Chamber welcomes and supports the overall thrust of Draft Vision 2041.</p> <p>It stresses the importance of greater connectivity within the region and whilst acknowledging the existing economic situation still continues to lobby for a spur road from the N69 to the national roads network. A copy of Limerick Chamber Connectivity Report submitted to Minister for Transport was attached (2008)</p> <p>The Chamber further supports the objectives in the plan seeking the reinstatement of the Foynes rail line and promotion of the Estuary as an Ocean Energy Hub.</p> <p>Finally it stresses the importance of aligning Vision 2041 with other plans and visions for the Mid West area</p>	<p>All the comments raised in the Chamber of Commerce submission have already been addressed in Vision 2041.</p> <p>No amendments necessary.</p>
2.	Limerick County Council	<p>The Council welcomes the publication of Draft Vision 2041 and notes that the document clearly sets out how it sits within the hierarchy of land use plans that exists in the area which assists the planning authority in addressing the effects of its proposals.</p> <p>It acknowledges that more detailed studies and assessments will be required in order to fully establish the suitability of proposals within Draft Vision 2041 when more detailed design elements are known.</p> <p>It notes that the importance of the rail connection to the port is correctly emphasised and requests that the possibility of the upgrade serving as the basis for more complete rail services in the future is also stressed.</p>	<p>The Plan already acknowledges that development proposals emanating from Vision 2041 will be subject to further detailed studies and assessments.</p> <p>No amendments necessary.</p>
3.	National Roads Authority	<p>The authority supports the preparation of Draft Vision 2041 and acknowledges that various schemes throughout the country will be delivered at a slower pace than has been possible previously. It confirms it has no plans to presently look at a link road from the N69 to the N21 but has the intention to continue to improve existing routes. It also notes the reference made to signage within the document.</p> <p>It states that any proposed Eastern Port Expansion would need to be addressed through the relevant County Development Plan process and</p>	<p>The NRA confirms the position of Vision 2041 from a transport and connectivity perspective. The issue regarding port expansion with potential road access onto the National Road Network will be dealt</p>

		<p>this is acknowledged in Draft Vision 2041.</p>	<p>with at detailed design stage but it is likely the existing internal port access route will be utilised.</p> <p>No amendments necessary.</p>
<p>4.</p>	<p>Mullock &amp; Sons</p>	<p>The submission highlights the importance of Limerick Docks and details that Vision 2041 should be actively managing Limerick Docks as opposed to simply managing the facility. The existing 4000 dwt ships currently using the facility will continue to operate for some time and will continue to need facilities such as Limerick Docks. It stresses the importance of maintaining Limerick Docks as a working port and whilst the Marine Energy concept is supported, it must be focused on other areas other than Ted Russell Dock.</p>	<p>Vision 2041 already acknowledged the importance of maintaining Ted Russell Dock as a working port.</p> <p>It is proposed to change and strengthen the language in Vision 2041 focusing on actively managing and promoting port activity at Limerick Docks.</p> <p>See proposed changes no's. 3, 4, 5, 6, 12, 13 &amp; 14</p>
<p>5.</p>	<p>Julian and Sylvia Reynolds</p>	<p>Advised they were not considered as 'key stakeholders' in the process and they should be as they have a house on Foynes Island. The consultation period is limited and inadequate. There is little mention in the Plan that Foynes Island is in third party ownership and there is no mention of existing access arrangements for Islanders to the Island.</p>	<p>It is proposed to clarify the ownership issue regarding Foynes Island in Vision</p>

		There is insufficient detail about proposed development and access to Foynes Island.	2041.  See proposed changes no's.8, 9 & 10
<b>6.</b>	Stephen O'Brien	No reference to the heritage and history of Foynes Island and inadequate reference that the island is in third party ownership. There is inadequate reference that there are two houses on the island. As key stakeholders they were never engaged in the process. There is no mention of existing access arrangements for Islanders to the Island. There is insufficient detail about proposed development and access to Foynes Island.	It is proposed to clarify the ownership issue regarding Foynes Island in Vision 2041.  See proposed changes no's.8, 9 & 10

<p>7.</p>	<p>Environmental Protection Agency</p>	<p>The lengthy submission considers Vision 2041 and the SEA Environmental Report in detail and requests slight modification and inclusion of environmental wording to many of the statements and objectives in the document.                  In addition to this text modification the submission also requests consideration that the expansion of the Port of Foynes is undertaken on a phased basis so that its environmental impacts can be assessed. It requests that finalisation of Vision 2041 accords with the timeline of SIFP and that a stronger commitment is given to incorporate the final recommendations of SIFP.                  It requests that the consideration of all development options is clearly set out in Vision 2041                  Other issues were raised specifically relating to the SEA Statement and incorporation of objectives into Vision 2041.</p>	<p>Identification of lands for port expansion at Foynes is not viable or realistically possible on a phased basis having regard to the scale and extent of marine related development projects which may be attracted in the future. For example an off shore renewable energy support site related development project could potentially accommodate 30 hectares of land (SEAI 2011 Report).</p> <p>See proposed changes no's, 1, 7, 9,11, 15, 16, 17, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32</p>
<p>8.</p>	<p>Healy &amp; Partners</p>	<p>They welcome the Plan and outline that they would be very interested in assisting with the preparation of some schematic ideas for the proposed Marine Energy Centre</p>	<p>No amendments necessary</p>
<p>9.</p>	<p>Edward Guiney, Foynes</p>	<p>He acknowledges the inclusion of some of his lands within the proposed expansion area for the Port of Foynes and suggests that additional land south of the N69 (4 hectares) should also be included as port expansion lands.</p>	<p>This submission would be more appropriate to the SIFP process and Mr. Guiney has been advised to submit in relation to that process.</p>

			No amendments necessary
10.	Clare County Council	<p>The Council welcomes the publication of Draft Vision 2041. It suggests that reference should be made to the SIFP in Chapter 11 Implementation and that the review of Vision 2041 and the SIFP should align as close as possible.</p> <p>It advises that the potential for alternative uses within the Estuary should be highlighted in Vision 2041 including tourism, leisure, energy and aquaculture.</p> <p>It makes reference to the vacant building at Cahiracon stating it is not on the Derelict Sites Register of the Council and therefore should not be referred to as derelict.</p>	<p>Reference to other alternative uses on the Shannon Estuary including tourism are detailed in Chapter 9.0.</p> <p>See proposed changes no's. 17, 30, 31 &amp; 32</p>
11.	Irish Cattle and Sheep Farmers Association	<p>The submission outlines Limericks ICESA's alternative Indicative Route Corridor Proposal to facilitate better connectivity to Foynes Port than that being offered by any of the indicative route corridor options currently proposed under the M21 Adare Bypass Scheme or under the M21 Adare to Abbeyfeale Dual Carriageway Scheme.</p>	<p>Vision 2041 concentrates heavily on promoting connectivity between the Ports on the Shannon Estuary and the national road network.</p> <p>No amendments necessary</p>
12.	Kerry County Council	<p>The Council welcomes and supports Draft Vision 2041. It considers the expansion of the Port of Foynes and Limerick Docks as critical to the overall development of the Estuary.</p>	

			No amendments necessary
<b>13.</b>	Enterprise Ireland	The agency supports the thrust of the proposals within Vision 2041 and acknowledges reference in the plan to increased export growth requiring strong linkages.	No amendments necessary
<b>14.</b>	Shannon Airport	The airport welcomes the publication of Draft Vision 2041 and reference within the report that Shannon Airport jetty is considered user specific.	No amendments necessary
<b>15.</b>	Shannon Ferries	They welcome the comprehensive and detailed plan for SFPC and requests that reference is made in the Plan to the vital transport link that Shannon Ferries provides between the communities North and South of the Estuary linking the N67 with the N69.	See proposed change no.2
<b>16.</b>	Alison O'Brien	Please refer to Table 3.2 Issue 108-110 for details on submission to SEA	See response 108-110 of Table 3.2

Details of the key issues raised from submissions relevant to the SEA and AA and how issues raised have been addressed are set out below in **Table 3.2**.

**Table 3.2: Consultee Submission Details and Consultation Response**

Issue Raised	Response
<p><b><u>EPA Submission</u></b></p> <ol style="list-style-type: none"> <li data-bbox="220 465 738 712">1. The submission refers RPS to Annex 1 of Directive 2001/42/EC (SEA Directive) and Schedule 2 of the European Communities (Certain Plans and Programmes) Regulations 2004 (S.I No. 435 of 2004) for <i>“Information to be contained in an environmental report”</i></li> <li data-bbox="220 741 738 958">2. The Submission states that it should be ensured that the Masterplan and the associated proposed development sites identified in Masterplan are consistent with and do not conflict with the recommendations and Policies/Objectives of the SIFP</li> <li data-bbox="220 1077 738 1234">3. In addition to Issue 2, the Agency will be making specific comments on the SIFP document which should also be taken into consideration in the finalisation of the SFPC Vision 2041.</li> </ol>	<p><b>Response:</b> Noted.</p> <p><b>Response:</b> Vision 2041 has been closely aligned with the preparation of the SIFP for the Shannon Estuary. The port development strategy identifies locations for further development within the Strategic Sites identified for Marine Related Industry (MRI) in the SIFP and will seek to implement relevant policies and objectives related to MRI within the SIFP in so far as they affect and influence SFPC operation and business.</p> <p><b>Response:</b> As already stated Vision 2041 has been closely aligned with the preparation of the SIFP for the Shannon Estuary. SFPC has played an active role in the formulation of the Vision as a key steering group member. The European Commission’s Communication on a European Ports Policy notes that ports should be ruled by long term strategic vision and planning. Furthermore, port master planning is recognised in national ports policy as a transparent method of aiding the engagement of local communities in the long term planning of ports. Therefore, best practise would indicate that a strategic vision for ports should be prepared to frame and guide future port development. Within this context, SFPC has developed a thirty year strategic vision for the provision of port infrastructure and services for their operations on the Shannon Estuary. SFPC were due to publish their Vision in 2012 however, due to delays in the publication of the draft SIFP have delayed the Vision process in order to take on board the findings of the SIFP. Whilst SFPC acknowledge the potential for policies and objectives in the SIFP to change over time and support the potential for such flexibility within the document, they also acknowledge the need for Vision 2041 to remain closely aligned with the adopted SIFP.</p>

Issue Raised	Response
<p>4. The Submission states the timescale of the Masterplan and SIFP should be closely aligned so that the review of the SIFP coincides with the review of the Masterplan, and reflects any further recommendations which may be made</p>	<p><b>Response:</b> Whilst SFPC acknowledge the potential for policies and objectives in the SIFP to change over time and support the potential for such flexibility within the document, they also acknowledge the need for Vision 2041 to remain closely aligned with the adopted SIFP.</p>
<p>5. It is acknowledged in subsection 1.5 Study area of the Masterplan that the recommendations of the SIFP have been incorporated into the Masterplan, but a stronger commitment should be given to incorporate the final recommendations of the SIFP upon its adoption in the Masterplan. This should be provided by means of a specific objective.</p>	<p><b>Response:</b> As per point 3 &amp; 4 above. Inclusion of additional objective rejected.</p>
<p>6. Consideration should also be given to providing a detailed summary of how the SEA/AA of the Masterplan, and other key influential Programmes including the Shannon International River Basin Management Plan and in due course the Shannon CFRAMS have been or will be integrated into the Masterplan.</p>	<p><b>Response:</b> Chapter 3 of Vision 2041 details the factors influencing the overall direction of Vision 2041 as it sets out relevant national, regional and local policy and guidance. S.3.3.8 details how a number of key influential programmes will influence and guide future development on the Estuary and these are also highlighted in S.3.3.3. Reference is also made to these influential programmes in Chapter 10 at S.10.3.7 and are further reinforced under the 'Key Issues' at the end of this chapter. To better integrate the findings of the SEA/AA into Vision 2041 additional reference has been made in the document regarding the SEA / AA process.</p>
<p>7. The submission considers that to avoid possible conflict between the Masterplan and the overarching SIFP, the Masterplan should only be finalised following the finalisation of the SIFP. This is relevant to any amendments made in the SIFP that may affect the Masterplan. It should be ensured that the final Masterplan adopted reflects the final SIFP adopted.</p>	<p><b>Response:</b> Vision 2041 will be subject to formal review every six to ten years, which is likely to entail further consultation. This will allow SFPC to take on board the outcomes of the Shannon CFRAMS and any significant alterations to the SIFP within this timeframe.</p>
<p>8. The submission states that while <i>Section 7 alternatives</i> of the Environmental Report lists the various proposed alternative development scenarios, it should be clarified which or whether any preferred alternatives have been selected. In <i>Section 8 Assessment</i> of the Environmental</p>	<p><b>Response:</b> While a quantitative assessment of the environmental implications of implementing each of the alternative options was undertaken in the SEA Environmental Report. Following the publication of the Vision there is the requirement for comprehensive feasibility and detailed design studies, along with more detailed ecological surveys</p>

Issue Raised	Response
<p>Report, a number of alternatives appear to have less potential for significant environmental effects than others. It is unclear however, whether any alternatives are to be rejected as viable options.</p>	<p>and environmental modelling to establish the true potential affects of implementing of any of the Vision alternatives. Any projects arising from this strategy need to be examined against a number of economic, environmental and business demand criteria and will also be subject to the normal statutory planning and environmental assessment and consents.</p>
<p>9. Submission reminds that it is a matter for SFPC to determine whether or not the implementation of the proposed Amendments would be likely to have significant effects on the environment. This assessment should take into account of the SEA Regulations Schedule 2 Criteria (S.I 435 of 2004) and should be subject to the same method of assessment as undertaken in the “environmental assessment” of the Draft Plan.</p>	<p><b>Response:</b> Noted</p>
<p>10. In relation to the SEA Statement, the Submission refers RPS to the requirement to prepare an SEA Statement outlining “Information on the Decision” as required by Article 16 of the SEA Regulations (S.I. No. 435 of 2004). This should summarise, 1. How environmental considerations have been integrated into the plan; 2. How the Environmental Report, submission, observations and consultations have been taken into account during the preparation of the plan; 3. The reasons for choosing the plan adopted in the light of other reasonable alternatives dealt with; and 4. The measures decided upon to monitor the significant environmental effects of implementation of the plan.</p>	<p><b>Response:</b> Noted</p>
<p>11. Submission outlines that there would be merits in including the relevant SEA mitigation measures and Strategic Environmental Objectives proposed in the SIFP, as the overarching Plan for the development of the Shannon Estuary. It should be ensured that the nature conservation protection objectives for Natura 2000 sites are not compromised by the implementation of the SFPC vision and the on-going operation of the Port and related activities.</p>	<p><b>Response:</b> The necessary recommendations and mitigation measures identified in both the SEA Environmental Report and NIR will be reviewed and implemented in the context of future development proposals within Vision 2041. The final Vision document has been altered to include a statement on this. The over arching SEA objectives from the SIFP have been incorporated in Chapter 11 of the Vision.</p>
<p>12. Submission states that the AA in particular, should reflect to a greater extent the detailed AA carried out for</p>	<p><b>Response:</b> The mitigation measures developed as part of the Vision process within the SEA and AA are largely</p>

Issue Raised	Response
<p>the SIFP and should be fully integrated into the masterplan and its associated SEA and AA. This is relevant to the mitigation measures proposed for specific strategic sites. The requirements of the recent European Communities Regulations 2011 should also be referred to and taken into account in the Masterplan. Other relevant legislation include the Wildlife Acts, the Environmental Liability Directive etc, In this regard, it should ensure that nationally designated sites (NHA's)/pNHA are also protected in implementing the Masterplan.</p>	<p>based on those which were developed as part of the SIFP process and have been incorporated into the Vision NIR per theme and per strategic site. The Vision document has been altered to refer the reader out to the relevant environmental assessments for further details on these mitigation measures.</p>
<p>13. Submission highlights in Chapter 3 and 5 that there is a need for 127 ha of lands for the expansion of Foynes Port in particular. This requirement reflects the “high” growth most optimistic scenario. Given the existing economic conditions, consideration should be given to promoting a more medium term growth model rather than the high growth scenario.</p>	<p><b>Response:</b> Identification of lands for port expansion at Foynes is not viable or realistically possible on a phased basis having regard to the scale and extent of marine related development projects which may be attracted in the future. For example an off shore renewable energy support site related development project could potentially accommodate 30 hectares of land (SEAI 2011 Report).</p>
<p>14. Submission points out that in Chapter 3 trends and policies that the water quality may be affected during the implementation of the Masterplan. It should be confirmed that the mitigation measures are appropriate to protect water quality in any projects arising from the Masterplan. This is to ensure compliance with the Shannon International River Basin Management Plan and associated Programmes of Measures, as relevant and appropriate.</p>	<p><b>Response:</b> Mitigation measures as identified through the SEA ER and the HDA NIR ensure the protection of water quality and the achievement of Good Ecological Status in all waterbodies in the vicinity of SFPC facilities and associated with the Shannon River Basin Management Plan.</p>
<p>15. Submission states that although an Estuary Anti-Pollution Response Team is in place, consideration should be given to establishing an Integrated Environment Management Plan for the Masterplan area which establishes procedures. This will provide a mechanism for implementing the relevant mitigation measures required as identified in the SEA, as part of operations within the Masterplan area to ensure environmental sensitivities/vulnerabilities identified in the SEA are managed appropriately</p>	<p><b>Response:</b> It is considered that existing proposals within Vision 2041 are adequate to ensure implementation of relevant mitigation measures required as identified in the SEA. The ‘Key Issues’ attached to Chapter 10 clearly detail that it will be necessary to “Review and implement the necessary objectives and mitigation measures identified in both the SEA Environmental Report and the NIR in the context of future development proposals within Vision 2041”. It is considered that this statement along with other environmental objectives and statements adequately address this issue.</p>
<p>16. Additionally the Masterplan should include a commitment to ensure the</p>	<p><b>Response:</b> Requirements for EIA, AA and Flood Risk</p>

Issue Raised	Response
<p>implementation of the requirements of the EIA, AA and Floods Directives as relevant and where appropriate.</p> <p>17. Submission suggests consideration should be given to linking the monitoring of the Masterplan with the SEA related monitoring. This will facilitate on-going appraisal of the environmental performance of the Masterplan against the relevant Environmental Objectives, Targets and Indicators. Consideration should also be given to linking the formal Masterplan review (every 6-10 years) to the review of the adjacent County Development Plans, Regional Planning Guidelines, SIFP, Shannon CFRAMS and the Shannon RBMP. This will ensure the proposed development and zoning of lands takes place in a coordinated fashion.</p> <p>18. Submission states that it should be confirmed that an EMS for Limerick Docks and Foynes Port will occur within the lifetime of the Masterplan. The ongoing review of the Masterplan should also incorporate the review of the EMS to ensure that it is sufficiently robust enough to address and manage issues as they arise in the implementation of the Masterplan over its 30 year lifetime, including taking into account future environmental legislation, etc.</p> <p>19. Submission states that <i>Section 10.3 Environmental Considerations</i> provides a useful summary of the key issues identified within the associated SEA,AA and relevant aspects of the Shannon CFRAMS.</p> <p>20. Submission suggests the vision statement as described on page iv, could be strengthened as follows “...to position Shannon Foynes Port as a key sustainable economic driver by enhancing and leveraging its asset base to accommodate offshore and onshore investment within and adjacent to its harbour..”</p>	<p>Assessment as required by the Floods Directive are addressed in both the SEA and AA. The Vision documents outlines as future development proposals are brought forward arising from the Vision they will take into consideration the recommendations and mitigations measures identified in the SEA and AA.</p> <p><b>Response:</b> Chapter 11 Monitoring and Review of Vision 2041 has been altered to take on board these suggested amendments.</p> <p><b>Response:</b> This has already been addressed in Vision 2041 under the Key Issues attached to Chapter 10. See Key Issue no.2.</p> <p><b>Response:</b> Noted</p> <p><b>Response:</b> The Vision Statement is framed around a number of key issues identified in Chapter 6.0 of the document. S.6.4 specifically refers to Achieving the Vision and highlights that “the implementation of all objectives will occur within a holistic ecosystem approach where port demands and requirements will be balanced with environmental considerations responsive to the natural environment”. This is considered adequate and it is not considered</p>

Issue Raised	Response
<p>21. It also suggested that in Section 1.3 Purpose, consideration should be given to amending the first bullet point as follows <i>“clarify SFPC’s strategic planning and vision for medium to long term port development in an environmentally sustainable manner”</i></p> <p>22. Additionally in Section 1.3, submission suggests the sixth bullet point should be amended also to provide a stronger commitment to protecting environmental vulnerabilities as follows <i>“provide a clear understanding of and commitment to protect the sensitive environment that comprises the Estuary”</i></p> <p>23. Submission suggests that in Section 1.8, consideration should be given to amending the second Strategic Objective under “Environment and Heritage” as follows <i>“promote a balanced, sensitive and environmentally sustainable approach to port development”</i>. The adopted Shannon IRBMP and the Draft Shannon CFRAMS should also be appropriately integrated into the Masterplan to protect water quality and address flood risk aspects into the Masterplan where relevant.</p> <p>24. Submission states that on page 31, in the fifth bullet point, it could be amended to <i>“striking a balance between conservation of biodiversity, protection of water quality and economic development if of key importance...”</i>. In the 8<sup>th</sup> bullet point which refers to utilising the status of the Port as part of the EU TEN-T in helping projects in addressing the restrictive environmental considerations and in qualifying projects as being of overriding public interest, should carried out in consultation with the Department of Arts, Heritage and the Gaeltacht and in line with the requirements of the</p>	<p>necessary to amend the overall Vision.</p> <p><b>Response:</b> The last bullet point of S.1.3 seeks “to provide a clear understanding of the sensitive environment that comprises the Estuary’. It is considered that Vision 2041 does this and that there are adequate objectives and issues throughout the document to ensure that activities are undertaken in an environmentally sensitive manner.</p> <p><b>Response:</b> As per response to item no.21</p> <p><b>Response:</b> It is considered that the wording ‘balanced and sensitive approach’ is adequate in that it encompasses the environmentally sustainable approach advocated along with other economic, social and technical approached. Similar to the response to item 6 previously, Chapter 3 of Vision 2041 details the factors influencing the overall direction of Vision 2041 as it sets out relevant national, regional and local policy and guidance. S.3.3.8 details how a number of key influential programmes will influence and guide future development on the Estuary and these are also highlighted in S.3.3.3. Reference is also made to these influential programmes (Shannon RBMP and CFRAMS) in Chapter 10 at S.10.3.7 and are further reinforced under the ‘Key Issues’ at the end of this chapter. These are considered adequate.</p> <p><b>Response:</b> Ensuring the protection of water quality is dealt with in Chapter 10 under ‘Key Issues’ (last bullet point) where a clear statement is provided. The whole ethos of the Plan is focused on working together in partnership with relevant bodies and governmental departments (see Chapter 11) and therefore it is not considered necessary to restate in this instance.</p>

Issue Raised	Response
<p>Habitats and Water Framework Directives. The emphasis should be on avoidance of conflict with environmental sensitivities in the first instance</p> <p>25. In relation to various options for development in section 7.2.2 there would be merit in highlighting that the options proposed have been assessed as part of the SEA. Recommended mitigation measures associated with each option should also be considered in order to put the potential options in the context of their overall environmental performance. There would also be merits in providing a "summary table approach" as seen in <i>Section 7.3 Limerick Docks</i> for the other development sites within the Masterplan area, so that a consistent approach to evaluating options and protecting/managing environmental vulnerabilities/sensitivities is incorporated as appropriate into the Masterplan</p> <p>26. Submission suggests that in relation to road improvements and the expected increase of heavy goods vehicles, it should be ensured that these proposals take into account the need to review existing traffic management plans/noise action plans where already existing. Where such traffic management or noise action plans are not currently in place, consideration should be given to including a commitment to carrying out joint plans with adjacent Local Authorities to take into account the social and environmental factors in increasing port traffic, both seaward and landward respectively.</p> <p>27. In Section 9.5.2 Environmental and Ecological Resource, the requirements of the Habitats and Water Framework, EIA, Floods and Environmental Liabilities Directives respectively should be integrated as appropriate into the Masterplan and any projects arising out of implementation of the Masterplan.</p> <p>28. In reference to Chapter 10- Environmental Considerations, Submission states it should be ensured that the Masterplan and any</p>	<p><b>Response:</b> Appropriate wording has been inserted into Vision 2041 to address this point and reference is now made to the fact that all options have been assessed as part of the SEA. See amendments. The options proposed in Vision 20421 are of a strategic nature and little site specific detail is known at this stage. Therefore the provision of a summary table approach for proposals in Foynes would lack detail and be irrelevant to such a strategic plan at this point in time.</p> <p><b>Response:</b> These are issues that can be considered at project design stage once the extent of traffic is known or can be estimated. As detailed in Vision 2041 and specifically in the Introduction to Chapter 7 "the options presented in Vision 2041 are not exhaustive nor are they prescriptive. Rather they are a discussion on possible options that need to be evaluated and are subjected to a review of the relevant business case, environmental assessments, planning and consent requirements at the appropriate time. This is considered adequate.</p> <p><b>Response:</b> This legislation is adequately dealt within in Chapter 11 and elsewhere within Vision 2041.</p> <p><b>Response:</b> This legislation is adequately dealt within in Chapter 11 and elsewhere within Vision 2041.</p>

Issue Raised	Response
<p>projects arising out of implementation of the Masterplan do not conflict with the requirements of the Water Framework Directive.</p> <p>29. Submission suggests that in relation to the “key issues” presented on page 112, consideration should also be given to the inclusion of an additional bullet point to ensure incorporation of the key relevant recommendations of the SIFP, to protect environmental sensitivities and take into account environmental vulnerabilities and mitigate for potential significant environmental effects including the cumulative effects.</p> <p>30. Submission states that it should be considered that the inclusion of adjacent fisheries/shellfisheries to be protected. Additionally consideration should be given to amending the second sentence of the fourth paragraph as follows: <i>“SFPC seeks to maintain an acceptable balance, conducting their undertakings in such a way to ensure the ecological designated areas are protected and their associated habitats and species are not put at risk, from the activities associated with the running of a commercial operation.</i></p> <p>31. Submission states that it should be ensured that dredging operations as summarised in Section 10.3.3 Dredging, associated with the SFPC take account of other proposed dredging activities associated with the SIFP. The specific SIFP Objectives in relation to dredging should be fully integrated into the plan.</p> <p>32. Consideration should be given to the inclusion of an additional “Key Issue” in the table on page 112, to integrate the relevant mitigation measures / recommendations from the SIFP and the associated SEA and AA relating to the area covered by the SFPC Masterplan.</p>	<p><b>Response:</b> Vision 2041 underwent its own voluntary SEA and therefore it is considered adequate that the relevant recommendations of that SEA are incorporated into Vision 2041. The SIFP is a separate plan and a separate process and whilst both documents has been closely aligned and will continue to be closely aligned as detailed in Chapter 11.</p> <p><b>Response:</b> Relevant text amended in Vision document.</p> <p><b>Response:</b> The potential effects of dredging operations associated with each sector have been document in Chapter 6 of the NIR and mitigated in Chapter 7 associated with the Masterplan and therefore will be taken into consideration at project level as per Response 16.</p> <p><b>Response:</b> Vision 2041 supports the recommendations and findings of the SIFP and this is clearly detailed throughout the document. The SIFP is a separate plan and a separate process and whilst both documents has been closely aligned and will continue to be closely aligned as detailed in Chapter 11.</p>

Issue Raised	Response
<p>In relation to SEA and Environmental report</p> <p>33. Consideration should be given in Table 1 Potential Inter-Relationships between SEA Topics, to including a relationship between soil and air with in relation to dust and particulate matter potentially arising out of port activities (both during construction, operation and maintenance). Similarly, there may be a potential interaction between material assets and biodiversity/flora/fauna from discharges from wastewater treatment and disposal systems, drainage etc. which should also be considered.</p> <p>34. Consideration should also be given to ensuring that the appropriate information is included in the Non-Technical Summary, in accordance with Schedule 2 (j) of SI 435 of 2004, including a description of evolution of the Masterplan area in there absence of the Masterplan.</p> <p>35. Submission acknowledges that a number of key difficulties/data gaps were identified including: the late publication of the detailed Conservation Objectives and associated backing and supporting information on the qualifying interest features is noted, a clear commitment to fully incorporate up to date environmental information should be provided and implemented as part of any Environmental Management Plans associated with individual projects/groups of projects associated with the Masterplan implementation. Clear commitments should also be given to incorporating the requirements of the Habitats, EIA, Water Framework, Floods and Environmental Liabilities Directives respectively where relevant and appropriate.</p> <p>36. Consideration should be given to amending Challenge 3: Implementing Environmental Legislation, Relationship to the plan column as follows <i>“The Vision 2041 Masterplan needs <b>to be set in the context</b> of the requirements of national and local level legislation in developing policies and objectives as well as EU and</i></p>	<p><b>Response:</b> Amendment made in SEA ER</p> <p><b>Response:</b> Amendment made in SEA ER</p> <p><b>Response:</b> Comment is agreed and noted</p> <p><b>Response:</b> Amendment made in SEA ER</p>

Issue Raised	Response
<p><i>international obligations...”</i></p> <p>37. Submission states that it should be ensured that the Masterplan establishes appropriate measures to reflect the recommendations of the Shannon IRBDMP and associated Programme of measures. Such measures should be taken into account in any proposal to develop port related industries. The Masterplan should also take into account the Pollution Reduction Programmes for Poulnasherry Bay, Clonderalaw Bay and Ballylongford Bay Shellfish Growing areas respectively.</p> <p>38. In table 5.4 Preliminary Review of Legislation, Plans, Policies and Programmes – Regional and Local consideration should be given to the inclusion of the Offshore Renewable Energy Development Plan (OREDPA). The assets of the Masterplan could be reviewed against the requirements of these technologies to ensure appropriate infrastructure (construction/maintenance/transport) is taken into account respectively. In addition, at a local level, the preparation of the Kilrush Town &amp; Environs and the Ennis &amp; Environs Development Plans both currently undergoing SEA should be taken into account, in taking into account other relevant plans/programmes</p> <p>39. In relation to environmental objectives, targets and indicators, consideration should be given to amending objective 1 “ <i>Prevent damage to terrestrial, aquatic and soil biodiversity particularly EU and nationally designated habitats....</i>”. Objective 2 “<i>provide an economic boost for the region and contribute to environmentally sustainable development</i>”. Objective 3: “<i>prevent nuisance dust, noise and odours emanating from port activities</i>”.</p> <p>40. Consideration should be given for the inclusion of an Objective to address the management and control of invasive species. It should also be ensured that the Environmental Protection Objectives of the SIFP are reflected in the Masterplan.</p>	<p><b>Response:</b> See response 11 &amp; 14</p> <p><b>Response:</b> Amendment made in SEA ER</p> <p><b>Response:</b> Amendment made in SEA ER</p> <p><b>Response:</b> As the overarching plan SFPC will be cognisant of and implement where appropriate objective <b>SIFP ENV 1.12 Invasive &amp; Alien Species</b></p>

Issue Raised	Response
<p>41. Submission states that in Chapter 6, consideration should be given to highlighting whether alternatives 3,4,5,6,7a and b require Appropriate Assessment Screening, and Flood Risk Assessment. Consideration should also be given to including 7.1 of the SEA, in relation to “alternatives” in the masterplan</p>	<p><b>Response:</b> As Vision 2041 is a non-statutory document all project level proposals brought forward for any of the alternatives assessed in the SEA and AA will be subject to project level AA Screening as a minimum together with Flood Risk Assessment if necessary depending on the project design details etc as they become available.</p>
<p>42. The submission suggests that in relation to Mitigation Measures there would be merits in including the relevant Mitigation Measures proposed in the SIFP, as the overarching Masterplan for the development of the Shannon Estuary. The mitigation measures proposed for the Masterplan should not conflict with these measures.</p>	<p><b>Response:</b> See Response number 3,4,6 &amp;16</p>
<p>43. Submission states that the SEA related monitoring aspects should be more comprehensive and aligned closely with the monitoring measures proposed in the SIFP. Consideration should be given to inclusion of the SIFP mitigation measures and highlighting where they are of direct relevance to the Masterplan.</p>	<p><b>Response:</b> Chapter 11 Monitoring and Review of Vision 2041 has been altered to take on board these suggested amendments.</p>
<p>44. Submission states that the Monitoring Programme should be flexible to take account of specific environmental issues as they arise. The programme must be able to deal with the possibility of cumulative effects.</p>	<p><b>Response:</b> Each of these alternatives have been assessed as a standalone alternative within the SEA ER, however if the Vision is implemented with a combination of these alternatives then there may also be cumulative impacts, which are assessed in <b>Section 8 of the SEA ER.</b></p>
<p>45. The submission suggests there would be merits in Section 11.4 Monitoring and Review, to providing details of the monitoring proposed as per the SEA Environmental Report and Habitats Directive AA.</p>	<p><b>Response:</b> Chapter 11 Monitoring and Review of Vision 2041 has been altered to take on board these suggested amendments.</p>
<p>46. It is suggested that should further conservation management objective data be forthcoming from the NPWS, in relation to the Natura 2000 sites within the Masterplan area, these should be incorporated into any review accordingly.</p>	<p><b>Response:</b> Noted and Agreed</p>
<p>APPENDIX 1 of EPA Submission</p> <p><b>Water Framework Directive</b></p> <p>47. You are referred to the EU’s <i>Common</i></p>	<p><b>Response:</b></p>

Issue Raised	Response
<p><i>Implementation Strategy for the Water Framework Directive (2000/60/EC) – Guidance Document No. 20, in particular Section 3.5 Key Issues for Article 4.7. Provisions should be included in the Masterplan to ensure that any proposed land use zoning or development associated with the Masterplan is not in breach of the requirements of the Water Framework Directive.</i></p>	<p>Vision 2041 is not a statutory document and does not put forward any areas for land use zoning this is being carried out by the over arching plan the SIFP for which Article 4.7 have been addressed and taken into consideration.</p>
<p><b>Waste Water Treatment</b></p> <p>48. The Masterplan should, as relevant, take into account the requirement under <i>The Waste Water Discharge (Authorisation) Regulations</i> for all wastewater discharges, including storm water discharges which come within the scope of these Regulations to be licensed (for agglomerations over 500pe) or certified (for agglomeration below 500p.e). In this regard, the Masterplan should highlight the specific requirements of Regulations 43 &amp; 44 of the <i>Waste Water Discharge (Authorisation) Regulations, 2007</i>, S.I. No. 684 of 2007, regarding the consideration of proposals and consultation on such proposals by Planning Authorities and An Bord Pleanála, where applications for proposed development are being considered and decided upon.</p> <p>49. The Masterplan should, where possible and appropriate, include/ and /or promote the inclusion of specific Policies and Objectives regarding the provision and maintenance of adequate and appropriate wastewater treatment infrastructure to service zoned lands and developments within the Masterplan area.</p> <p>50. Where the introduction of additional lands for development is being proposed within the Masterplan area, relevant Policies/objectives should be included in the Masterplan, and as appropriate, to promote assessment of the adequacy of the existing wastewater treatment facility (ies) in terms of both capacity and performance and the potential risk to human health and water quality. Where relevant, the potential impact</p>	<p><b>Response:</b> As proposed developments are being considered or decided upon SFPC will undertake consultations with the relevant planning authorities and An Bord Pleanála as appropriate.</p> <p><b>Response:</b> As proposed developments are being considered or decided upon SFPC will undertake consultations with the relevant planning authorities and An Bord Pleanála as appropriate.</p> <p><b>Response:</b> As proposed developments are being considered or decided upon SFPC will undertake consultations with the relevant planning authorities and An Bord Pleanála as appropriate. Vision 2041 is not proposing lands for zoning.</p>

Issue Raised	Response
<p>on habitats and species of ecological importance should be addressed.</p> <p>51. The Masterplan should include as appropriate, measures to ensure that trade effluent in the area covered by the Masterplan is managed properly and discharged to sewer in accordance with relevant discharge licences where appropriate.</p>	<p><b>Response:</b> The proposals put forward in Vision 2041 are of a strategic nature and lack site specific or project level detail at this stage. As stated throughout Vision 2041, any proposal brought forward from this document will be subject to the necessary consent requirements. Specific management details including the treatment of trade effluent will be adequately dealt with in accordance with the relevant legislation and policies in place at that time.</p>
<p><b>Integration of infrastructure, zoning and development</b></p> <p>52. Where zoning/rezoning of lands and the introduction of new development is being proposed within the Masterplan area, the Masterplan should ensure the adequacy of the existing water supply/wastewater treatment facilities and associated networks are assessed. This should address both capacity and performance and the potential risk to human health, water quality and water quantity. The potential impact on habitats and species of ecological importance should also be addressed as appropriate, from pressures impacting on water quality and quantity.</p>	<p><b>Response:</b> Vision 2041 is not a statutory document and does not put forward any areas for land use zoning this is being carried out by the over arching plan the SIFP.</p>
<p><b>Biodiversity</b></p> <p>53. The Masterplan should promote the application of the Guidance set out in the recent DoEHLG Publication '<i>Appropriate Assessment of Plans and Projects in Ireland- Guidance for Planning Authorities</i> (2009; revision 2010)', which can be found at: <a href="http://www.npws.ie">www.npws.ie</a>.....</p> <p>54. The Masterplan should also promote the application of the EU Guidance "<i>Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites</i>" and "<i>Managing Natura 2000 Sites</i>", which can be found at the links below. Section 3.6 "<i>Habitats Directive Article 6(3) and (4) Assessment Review Package</i>" of the former is of particular relevance and can be found at: (Link in Appendix 1 Submission)</p>	<p><b>Response:</b> The DoEHLG guidance has been taken into consideration when carrying out the Appropriate Assessment and in completing the associated Natura Impact Report.</p> <p><b>Response:</b> This EU guidance has been taken into consideration when carrying out the Appropriate Assessment and in completing the associated Natura Impact Report.</p>
<p>55. The Masterplan should include</p>	<p><b>Response:</b></p>

Issue Raised	Response
<p>Policies/Objectives to ensure that the local authority, in fulfilling its responsibilities in the supply of services, zoning of lands and undertaking and authorisation of development, addresses the potential effects on biodiversity and the needs of priority habitats and species which occur within or adjoining the Masterplan area, as identified in the National Parks and Wildlife Service Report "<i>The Status of EU Protected Habitats and Species in Ireland</i>", (NPWS, Department of the Environment, Heritage and Local Government, 2008).</p>	<p>SFPC have no statutory role over local authorities however; through their involvement on the SIFP Steering Group can ensure such zonings are subject to these requirements as the overarching plan.</p>
<p>56. The Masterplan should include policies/objectives for the protection of NHAs, National Parks, Nature Reserves, Wildfowl Sanctuaries, Refuges for Fauna or Flora and sites proposed for designation. In addition, species protected under the Wildlife Acts including protected flora (Flora (Protection) Order, 1999 – S.I. No. 94 of 1999) should be taken into account. Consideration should be given to protecting proposed NHAs in a similar way to fully designated NHAs.</p>	<p><b>Response:</b> Vision 2041 is not a statutory document and therefore does not contain specific legal objectives or policies as per a statutory landuse plan. It is clearly stated throughout Vision 2041 that a balanced ecosystem approach must be adopted in all future port related development and reference is made throughout the document to relevant environmental legislation and the importance of protecting designated areas. This is considered adequate.</p>
<p>57. The Masterplan should promote the protection of non-designated areas including the protection of habitats, species and local biodiversity features including rivers, wetlands, hedgerows, individual trees, streams, grassland, coastal areas etc. The protection of habitats in undesignated areas such as pNHAs, and species found on Irish Red Lists and Birds of Conservation Concern in Ireland (BoCCI), should also be promoted in the Masterplan.</p>	<p><b>Response:</b> Local biodiversity features will be addressed at EIA and project level Appropriate Assessment.</p>
<p>58. The Masterplan should promote the provision/application of appropriate buffer zones between designated ecological sites and areas zoned for development, and should take cognisance of potential boundary changes to designated sites made during the lifetime of the Masterplan. Where the application of buffer zones is being considered, you should consult with the National Parks and Wildlife Service (NPWS) of the Department of Arts, Heritage and the Gaeltacht (DAHG). Inland Fisheries Ireland should also be consulted</p>	<p><b>Response:</b> The use of appropriate buffer zones between designated ecological sites and areas zoned for development will be dealt with on a site by site basis once zoning is adopted as a variation into the relevant county development. As zoning is currently in the draft stage buffers are not considered in the Vision and will be looked at further at project level.</p>

Issue Raised	Response
<p>where fisheries protection is a concern/objective.</p> <p>59. The provision of appropriate buffer zones between local (undesigned) biodiversity features and areas zoned for development should be considered. The Masterplan should promote the protection of linkages between local biodiversity features and ecological networks, e.g. hedgerows, watercourses etc. Opportunities for enhancement of local biodiversity features should be promoted where appropriate.</p> <p>60. A relevant policy should be included to maintain or enhance biodiversity richness by protecting rivers, stream corridors and valleys by reserving riparian zones/ecological corridors, maintaining them free from inappropriate development, discouraging culverting or realignment, and promoting natural flood functions.</p>	<p><b>Response:</b> The use of appropriate buffer zones between local (undesigned) ecological sites and areas zoned for development will be dealt with on a site by site basis once zoning is adopted as a variation into the relevant county development. As zoning is currently in the draft stage buffers are not considered in the Vision and will be looked at further at project level.</p> <p><b>Response:</b> Vision 2041 is not a statutory document and therefore does not contain specific legal objectives or policies as per a statutory landuse plan. The proposals put forward in Vision 2041 are of a strategic nature and lack site specific or project level detail at this stage. As stated throughout Vision 2041, any proposal brought forward from this document will be subject to the necessary consent requirements and these specific details can be dealt with in accordance with best practice at that time.</p>
<p><b>Alien Species &amp; Noxious Weeds</b></p> <p>61. The Plan should promote the implementation of measures to control and manage alien/invasive species (e.g. Japanese Knotweed, Giant Hogweed, Zebra Mussel etc.) and noxious weeds (e.g. Ragwort, Thistle, Dock etc.) within the Masterplan area according to best practice (as per the new Birds and Habitats Regulations).</p>	<p><b>Response:</b> See response number 40</p>
<p><b>Landscape Character Assessment</b></p> <p>62. The Masterplan should promote the recognition of visual linkages between established landmarks and landscape features and views which should be taken into account when individual development proposals are being assessed / considered within the Masterplan area.</p>	<p><b>Response:</b> Vision 2041 is not a statutory document and therefore does not contain specific legal objectives or policies as per a statutory landuse plan. The proposals put forward in Vision 2041 are of a strategic nature and lack site specific or project level detail at this stage. As stated throughout Vision 2041, any proposal brought forward from this document will be subject to the necessary consent requirements and these specific details can be dealt with in accordance with best practice at that time.</p>
<p><b>Infrastructure Planning</b></p> <p>63. The Masterplan should promote the integrated planning for adequate and</p>	<p><b>Response:</b> As per response number 62</p>

Issue Raised	Response
<p>appropriate infrastructure to service any development proposed and authorised during the lifetime of the Masterplan.</p> <p>64. In particular, the Masterplan should promote the provision of adequate and appropriate wastewater treatment, water supply, surface and storm water drainage, transport, waste management, community services and amenities etc. on planned and phased basis to address any current problems and/or deficits during the life of the Masterplan.</p> <p>65. The Masterplan should promote the development of traffic management measures to reduce the potential for traffic congestion and associated vehicular emissions within the Masterplan area. In particular the preparation of Integrated Traffic Management Plans, where relevant and appropriate, for the existing urban areas and proposed new urban developments should be promoted as appropriate through the Masterplan. This approach should address the short, medium and long-term traffic management requirements within the Masterplan area.</p> <p><b>Environmental Impact Assessment</b></p> <p>66. The Masterplan should highlight that under the EIA and Planning and Development Regulations certain projects that may arise during the implementation of the Masterplan may require an Environmental Impact Assessment. There are also requirements with regard to EIA for sub-threshold development. In this regard, you are referred to the following Publications: "<i>Guidelines on Information to be contained in Environmental Impact Statements</i>" (EPA, 2002). , "<i>Advice Notes on Current Practice in the preparation of Environmental Impact Statements</i>", (EPA, 2003).</p> <p>67. It should be noted that the Projects would also be required to be screened with respect to the requirement for Habitats Directive Assessment/Appropriate Assessment as required by Article 6 of the Habitats</p>	<p><b>Response:</b> As per response number 62</p> <p><b>Response:</b> As per response number 62</p> <p><b>Response:</b> Reference is made throughout the Plan to the need for further environmental assessment at project design level. Vision 2041 is not a statutory document and therefore does not contain specific legal objectives or policies as per a statutory landuse plan. The proposals put forward in Vision 2041 are of a strategic nature and lack site specific or project level detail at this stage. As stated throughout Vision 2041, any proposal brought forward from this document will be subject to the necessary consent requirements and these specific details can be dealt with in accordance with best practice at that time.</p> <p><b>Response:</b> This point is already addressed in the Habitats Directive Assessment.</p>

Issue Raised	Response
<p>Directive.</p> <p><b>Strategic Environment Assessment (SEA)</b></p> <p>68. Consideration should be given to the inclusion of a specific Policy/Objective in the Masterplan to ensure full compliance, with the requirements of <i>Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment</i> – The SEA Directive and the associated <i>Planning and Development (Strategic Environmental Assessment) Regulations, 2004</i>.</p> <p>69. Your attention is brought to the new SEA Regulations, which should be referenced and integrated into the Masterplan and SEA process. Two amending SEA Regulations were signed into Irish law on 3rd May 2011, amending the original SEA Regulations</p> <p><b>Obligations with respect to national plans and policies and EU Environmental legislation</b></p> <p>70. The Masterplan should refer to Shannon Foynes Port Company's responsibilities and obligations in accordance with all national and EU environmental legislation. It is a matter for Shannon Foynes Port Company to ensure that, when undertaking and fulfilling their statutory responsibilities; they are at all times compliant with the requirements of national and EU environmental legislation.</p> <p><b>Julian Reynolds Submission</b></p> <p>71. Consultee only had the SFPC Vision Document and the Strategic Integrated Framework Plan CD since 14 January 2013. They found no reference in the printed SFPC Vision 2041 document to deadlines for written submissions and only found out indirectly in a phone call to RPS on 29 January.</p> <p>72. Submission states the SIFP CD has over 2200 pages, including the SEA and Natura Impact Report. There is an obscure reference in the SEA electronic document to a 1 February</p>	<p><b>Response:</b> Vision 2041 is not a statutory document and therefore does not contain specific legal objectives or policies as per a statutory landuse plan. Adequate reference is made to this within Vision 2041</p> <p><b>Response:</b> These regulations were taken into consideration during the SEA process and are referenced accordingly throughout the ER.</p> <p><b>Response:</b> Refer to Section .3.3.8</p> <p><b>Response:</b> Noted</p> <p><b>Response:</b> The SIFP is a separate process to the SFPC Vision 2041. The 1<sup>st</sup> of February deadline was indicated in the relevant chapter of the SEA and also SFPC web-site together with public notices placed in local</p>

Issue Raised	Response
<p>deadline for the SEA relating to SFPC to be sent to RPS Consultants. There is no indication of when or if comments are invited for the NIR</p>	<p>and regional papers. According to the Habitats Directive and the publication of a Natura Impact Report consultation is only required with the statutory authorities and does not require public consultation.</p>
<p>73. Submission states that a further deadline of 15 February is found for the SIFP and its overarching SEA. On p.22, 'Next Steps', it states that 'comments are welcomed during the consultation period'. However, no dates or deadlines are given there, and were only found in the small print on p.147, Table 10.</p>	<p><b>Response:</b> The timeline for consultations and return of submissions is clearly outlined in Chapter 12 "Next Steps" of the SIFP SEA.</p> <p>Timelines for the SFPC Vision 2041 SEA consultations are clearly outlined in Chapter 10 "Next Steps".</p>
<p>74. Submission states it is very confusing for the public to be given different deadlines and addresses for comments. We note that the consultants also found the report timetabling difficult (See 'Difficulties and Data Gaps' section below).</p>	<p><b>Response:</b> Noted</p>
<p>75. Submission acknowledges that the statutory amount of time for public consultation was given but found this difficult/insufficient given the size of the SEA.</p>	<p><b>Response:</b> Noted</p>
<p>76. p. 29 section 1.6 is headed STUDY TEAM, but without names or qualifications.</p>	<p><b>Response:</b> The SEA Directive does not require this level of detail. The key environmental and planning consultants are listed within this section.</p>
<p>77. <b>2.5: Difficulties and Data Gaps.</b> This section complains about the stages and timing of the Masterplan (= Vision 2041 Draft?) and SEA in relation to the overarching SIFP and its SEA.</p>	<p><b>Response:</b> This reference in the Vision SEA refers to the delay in publishing the Vision due to the delays in publishing the draft SIFP.</p>
<p>78. In relation to p. 44. 4.3.11: <i>European environmental designations</i> the submission comments "Given Ireland's inexcusable delays in such designations, it should also refer to their forerunners, the Areas of Scientific Interest (ASIs) and also the County Geological Sites (CGSs). One such covers 16 ha on Foynes Island."</p>	<p><b>Response:</b> SFPC jurisdiction covers the Lower River Shannon cSAC (SAC02165) and the River Shannon and River Fergus SPA/pSPA (SPA004077) which was subject to a proposed extension during the initiation of the Vision development which was taken into consideration in the development of the HDA. This SPA covers up to the first field boundary which incorporates some of Foynes Island.</p>

Issue Raised	Response
<p>79. Submission states there should also be a section for National designations, both fauna and flora. 4.3.1.5: The freshwater pearl mussel is irrelevant here - the Cloon catchment is in Co. Clare. Other Annex II species could, however, be relevant.</p>	<p><b>Response:</b> As SFPC jurisdiction covers almost the entire estuary the 15km buffer zone as required by legislation was applied in keeping with best practise. Therefore the Cloon catchment falls within this buffer and was taken into consideration for potential effects. Any future development or operations carried out by SFPC should not interfere with this protected species or its catchment this could include the impediment of upstream movement of fish back to spawning grounds which form a critical stage in the life cycle of the pearl mussel.</p>
<p>80. Similarly in relation to p.51: Invasive species as a serious threat to biodiversity. The Zebra mussel, Dace, Asian clam, etc. are not relevant, and <i>Heracleum mantegazzianum</i>, <i>Impatiens glandulifera</i> and <i>Fallopia japonica</i> very doubtfully so. , The submission comments that without context this is close to irrelevant.</p>	<p><b>Response:</b> As SFPC jurisdiction covers almost the entire estuary the 15km buffer zone as required by legislation was applied in keeping with best practise. This incorporates both marine and freshwaters. The spread of invasive species or introduction of new alien species due to increased shipping movements, larger ships, and introduction of ships from other countries previously un-introduced to the Shannon Estuary plays a significant role in the introduction or spread of these species which have and continue to cause significant environment and economic effects on our indigenous species.</p>
<p>81. On p. 55. 4.3.3: Water the submission comments that “: A lot of this is redundant as it relates to SIFP’s SEA, not SFPC’s SEA”</p>	<p><b>Response:</b> As is outlined under Section 1.4.1 of the Vision SEA “The SEA for SFPC Vision 2041 is taking place in parallel to the overarching SEA for the Strategic Integrated Framework Plan SEA. The proposed Vision 2041 and the findings of this SEA will be closely aligned with the findings of the SIFP and its associated SEA. As SFPC are a key stakeholder on the SIFP the jurisdiction of which covers the same geographical area as that of the SFPC Vision 2041. Much of the information arising from the SIFP and its associated Environmental Assessments will be directly applicable and will be utilised for the assessment of Vision 2041 in order to avoid duplication of effort.</p>
<p>82. Submission states that in Table 4.8 mentions SH_24_1170 Ahacronane catchment as poor status and vulnerable. There is no mention made of this stream as a catchment with important karstic features, unique in Co. Limerick; this is known to National Parks and Wildlife Service.</p>	<p><b>Response:</b> This table refers specifically to the Water Framework Directive Surface Water Status only.</p>
<p>83. Submission states on p. 68: Deep</p>	<p><b>Response:</b></p>

Issue Raised	Response
<p>water berthage. Describes Foynes Island as the preferred option and this should be reflected in the title</p>	<p>Title altered to “Deep Water Berthage at Foynes Island”</p>
<p>84. p. 71: ‘Developments at Foynes Island are considered Water-compatible development and therefore are deemed appropriate at Foynes Island’. The submission comments on this “The quoted sentence makes no sense. Are these past, present or future? ‘Infrastructural connections’ in the past were an oil pipe and a telephone line.</p>	<p><b>Response:</b> This section relates to the requirement for Flood Risk Assessment in the future at Foynes Island once project specific details become available. The preceding section provides an over view as to the requirements under the Floods Directive and gives a strategic overview as to the flood risk hazard based on the flood risk planning guidelines. The term “Water-compatible development” is the terminology used within these guidelines.</p>
<p>85. Submission states that in relation to 4.3.3.8: Existing environmental pressures, This is relevant to SIFP’s SEA but not this study. ‘Local issues’ mentioned concern freshwater eutrophication, not relevant to Foynes Island.</p>	<p><b>Response:</b> SFPC Vision 2041 does not look solely at potential for development at Foynes Island it considers a number of alternatives as per Chapter 7 many of which incorporates freshwater area or has an indirect connection with freshwater areas and therefore need to be taken into consideration.</p>
<p>86. Figs 4.5, 4.6 and 4.7 relate to general aquifers in the region. Submission states these are relevant to SIFP’s SEA, not to this study.</p>	<p><b>Response:</b> See Response number 81</p>
<p>87. Submission states that in 4.3.5: Cultural heritage, Intertidal mudflats are noted as a rich source of archaeological finds, but are not mentioned for Foynes or Foynes Island.</p>	<p><b>Response:</b> The analysis of the archaeological resource located within intertidal mudflats at Foynes and Foynes Island is based on a report by the Archaeological Diving Company as part of the SIFP process. It does not document any archaeological finds for these areas.</p>
<p>88. 4.3.7: Material assets relates to SIFP</p>	<p><b>Response:</b> See Response number 81</p>
<p>89. 4.3.8: Soil and land use relates to SIFP’s SEA. Maps are not fine-scale enough to show relevant soil types on Foynes Island or Foynes Port extension.</p>	<p><b>Response:</b> SFPC Vision 2041 does not look solely at potential for development at Foynes Island it considers a number of alternatives as per Chapter 7. By its nature SEA is strategic in nature and therefore at this high level soil and land use is not looked at in greater detail, this will be carried out at project level as and when proposals are brought forward.</p>
<p>90. Submission states that p. 116. Alternative 6. Fig. 7.1. Shows deep water berthage at 4 possible locations. Foynes Island is the preferred option: It would help if all arguments for Foynes Island as the preferred option were under one heading, see e.g. p. 68.</p>	<p><b>Response:</b> One section relates to the assessment of the location the other relates to the assessment of alternatives which is required in a separate section as per the SEA Directive.</p>

Issue Raised	Response
<p>91. Submission states in 8: Assessment, the assessments are sometimes deficient in biodiversity data.</p>	<p><b>Response:</b> By its nature SEA is strategic in nature and therefore at this high level very specific biodiversity elements are not assessment. The environmental tools of EIA and AA at project level are used for this.</p>
<p>92. Submission states in 8.3.8: Cultural this section apparently refers to Foynes Island, not Foynes Port. There are some field monuments in the mainland area earmarked for port extension.</p>	<p><b>Response:</b> This section has been updated in the SEA ER</p>
<p>93. Submission believes Alternative 5 Deep Water Berthage is very general</p>	<p><b>Response:</b> This alternative has been assessed to the same level as all other alternatives in the report.</p>
<p>94. In 8.5.8: Cultural, there is no list of sites</p>	<p><b>Response:</b> This section has been updated in the SEA ER.</p>
<p>95. In <b>Alternative 6: Deep water berthage</b> at Foynes Island, Submission states it is confusing to the public to give this site different numbers in the different publications, e.g. Alternative 6, Strategic site C.</p>	<p><b>Response:</b> The SIFP looks at numerous sites throughout the Shannon Estuary across a number of different themes for which SFPC have no jurisdiction over and do not form part of the Vision. A cross reference to the Strategic Sites from the draft SIFP will be amended in the SEA ER to reduce confusion.</p>
<p>96. Submission states that in <b>8.6.1. Biodiversity, fauna, flora</b> on Foynes Island, they feel this section is weighted towards the client. It states that the site, lying within the cSAC and pSPA, has 'potential for both positive and negative effects on flora and fauna'. What are the positive effects? It cites impacts on bottle-nosed dolphin and indirect effects on birds, depending on scale and type of development. There is no mention of terrestrial fauna and flora, on which the impacts must be negative.</p>	<p><b>Response:</b> This section does provide an indication the negative permanent effects may occur in relation to flora and fauna which is reflected in the negative score in Figure 8.6 for this site. Further details in relation to impacts on the qualifying interest features of the SAC and SPA at this location are reported on in the NIR and will be further assessment in more detail at project level should a proposal come forward for this site. Local biodiversity features will be addressed at EIA and project level Appropriate Assessment.</p>
<p>97. <b>8.6.3: Health.</b> 'As residential properties are not located near to the proposed site direct and in-direct effects are thought to be low...'. The submission comments that this is incorrect. The zoning boundary encloses the principal residence on</p>	<p><b>Response:</b> Vision 2041 is not a statutory document and does not put forward any areas for land use zoning this is being carried out by the over arching plan the SIFP. The Vision figures have been amended to reflect this position. The assessment carried out as part of the SEA ER looked at potential future development</p>

Issue Raised	Response
the island.	at the existing jetty and deep water berthage on the estuarine side of Foynes Island and does not take into consideration the area containing residential properties.
<p>98. Submission states It is hard to accept that development of the deep water berthage is likely to help prevent soil erosion, especially following engineering works in <b>8.6.4: Soil</b></p>	<p><b>Response:</b> Should any future development at this location require engineering works a full EIA will be undertaken which will assess the likely impacts.</p>
<p>99. Submission comments on <b>8.6.5: Water:</b> Positive and negative effects of sewage?</p>	<p><b>Response:</b> This accounts for the potential increase in sewage from any future development but also takes into consideration SFPC responsibility and requirement to ensure “Good Ecological Status” for all waters in the Shannon Estuary by 2015 and therefore will need to ensure sufficient and appropriate waste water treatment facilities are put in place which meet with the local authority requirements which will have a positive effect.</p>
<p>100. <b>8.6.6: Air and climate</b> ‘Unlikely that proposals will include an industrial facility or other impact on air quality’. Submission comments that “The truth could well be otherwise and should be stated.”</p>	<p><b>Response:</b> This assessment relates to the installation of industrial facilities of such a nature as would require an IPPC licence and therefore would have limits set in relation to emissions. This type of facility would not be located here.</p>
<p>101. <b>8.6.7: Material assets.</b> Additional infrastructure needed to connect to main port at Foynes. Submission states “This is listed as positive, but not analysed for its potential impacts on residents. Mention is made of the potential for road and rail ‘upgrades’ (do you mean extensions?) and development.” Also “Mention of ‘a small pier and possible slipway on the south west side of island’ is both incorrect and irrelevant here – it is outside the area marked for rezoning, and it was demolished by SFPC over 10 years ago by agreement with the islanders in return for guarantees on access and other rights.”</p>	<p><b>Response:</b> Relevant amendments made to section 8.6.7</p>
<p>102. <b>8.6.8: Cultural heritage,</b> mentioning the battery, shipwreck and salmon weir, not all of which are in the zone. Submission comments “Amazingly, this is deemed ‘positive’. There is a fulacht fiadh close to the foundations of the</p>	<p><b>Response:</b> All of the cultural heritage features listed under this section lie within the zone and have been made using the OSI feature dataset and the SMR dataset. The section has been up-dated to include the fulacht fia.</p>

Issue Raised	Response
<p>disused oil facility (not mentioned), and others in the Archaeological Sites Database.”</p> <p><b>Brief comments on SFPC NIR</b></p> <p>103. Submission states that on p. 27: Askeaton Fens SAC are not considered likely to be impacted by port developments, but the example of Deegerty-Ballyvogue shows that development can lead to site drainage and infill. Similarly, Barrigone SAC may be impacted by road improvements deemed necessary.</p> <p>104. Submission states that on p. 55: 6.2.2.3. Seabird areas on Foynes Island are rated ‘moderate’. However, no information is shown for the north-west side of Foynes Island, site of the proposed developments (see below, p. 130).</p> <p>105. Submission states that on p. 110: 7.3.1.3. Table 7.4 (Archaeology) includes biological aspects, habitats etc., which are surely misplaced.</p> <p>106. Submission states that on p. 128: GIS Maps for Foynes Island The legend obscures some of the Island. Habitats on the island are not correctly represented by the coding shown.</p> <p>107. Submission states that on p. 130: Birds GIS. Why is there no bird data or rating for the north and north-west coasts of the Island? Also why is there no data for Otters which are present.</p>	<p><b>Response:</b> Deegerty-Ballyvogue were in considerably closer proximity to the Askeaton Fens SAC that the proposed site for marine related industry at askeaton, however as proposals come forward for this site it will require at minimum an EIS and project level Habitats Directive Assessment to ensure any abstraction, infill etc does not alter the hydrological regime of the fen system or impact on it in any way. Barrigone SAC will also be the subject of project level assessments by the NRA should road improvements be deemed necessary.</p> <p><b>Response:</b> Dedicated bird monitoring for Vision 2041 was not carried out by SFPC given its strategic nature. I-Webs sub-site count information which is used by NPWS was utilised to provide an assessment. No sub-site information exists for this portion of the island. Zoning through the SIFP has focused on the north west of the island given the higher sensitive nature in terms of environment on the eastern portion of the island.</p> <p><b>Response:</b> The potential effects on biological aspects are not misplaced under this section. Potential side-scan sonar and archaeological investigations, digs, surveys etc have the potential to impact on qualifying interest features of the SAC and SPA and therefore need to be assessed under the HDA to provide an indication as to the level of mitigation which may be required and/or licencing in terms of Activities Requiring Consent from NPWS.</p> <p><b>Response:</b> Maps have been amended Coding reflects the standard Annex I Habitat coding as provided in GIS layers which were received from NPWS in relation to the SIFP project.</p> <p><b>Response:</b> See response 104</p> <p>As indicated on p.130 of the assessment the following qualifying statement was made: “While no records exist for this site this is most likely as a</p>

Issue Raised	Response
<p><b>Alison O'Brien Submission</b></p> <p>108. Section 8.6.4 states that residential properties are not located near the proposed site, and that direct and indirect health effects are thought to be low. This is quite wrong – our house, Monare, is located within the zoning boundary shown on the map, and another house, Barneen, is located beside the boundary. Both houses use water from a well within the zone.</p> <p>109. Section 8.6.6 states that, as it is unlikely that the proposals for the zone will include an industrial facility, there should be no negative impacts on air quality. However, from the report, and from consultations in Foynes on 30<sup>th</sup> January, the zoning is for Marine Industry, which suggests the opposite.</p> <p>110. I note that there is no comment on noise pollution, which would be a major negative impact for us.</p>	<p>result of lack of survey or reporting within this site rather than an absence of the species from the site. Therefore, at project level an Otter survey should be carried out prior to any development within the site and appropriate steps taken to prevent impact to this qualifying species.”</p> <p><b>Response:</b> Vision 2041 is not a statutory document and does not put forward any areas for land use zoning this is being carried out by the over arching plan the SIFP. The Vision figures have been amended to reflect this position. The assessment carried out as part of the SEA ER looked at potential future development at the existing jetty and deep water berthage on the estuarine side of Foynes Island and does not take into consideration the area containing residential properties.</p> <p><b>Response:</b> This assessment relates to the installation of industrial facilities of such a nature as would require an IPPC licence and therefore would have limits set in relation to emissions. This type of facility would not be located here.</p> <p><b>Response:</b> This is addressed both section 8.6.3</p>

### 3.3 PUBLICATION OF VISION 2041

SFPC Vision 2041 was officially launched on Friday the 22<sup>nd</sup> of February 2013 by Minister for Transport Leo Varadkar. The Vision was altered to take on board

## 4 MONITORING MEASURES

Article 10 of the SEA Directive (2001/42/EEC) requires Member States to monitor the significant environmental effects of the implementation of plans “*in order, inter alia, to identify at an early stage unforeseen adverse effects to be able to undertake appropriate remedial action*”. The primary purpose of monitoring is to cross-check significant environmental effects which arise during the implementation stage against those predicted during the plan preparation stage.

The Directive leaves considerable flexibility to Member States in deciding how monitoring shall be arranged, however it is generally agreed that a mixture of “quantitative and qualitative indicators are required. The Directive recognises that the monitoring does not necessarily require new research activity and that existing sources of information can be used. In addition monitoring can be used to identify any information gaps and/deficiencies that were identified as part of the SEA process. Furthermore, Government Guidelines state that monitoring should concentrate on the likely significant effects identified in the Environmental Report (former Department of Environment, Heritage and Local Government 2004).

Monitoring proposals must concentrate on likely significant environmental effects, which have been identified in the Environmental Report and the measures identified as necessary to prevent, reduce, or offset any significant adverse effects. The indicators/monitoring will act as an early warning sign so that appropriate remedial action is undertaken this is particularly relevant when the times comes to planning specific projects at one or more of the alternatives which have been assessed.

Within Chapter 11 Monitoring and Review the text related to both the Vision monitoring and specific SEA Monitoring has been amended to reflect requirements by SFPC throughout the lifetime of the Vision and as and when projects are realised. The amended text is documented here under.

The exercise of ongoing monitoring should take into account the assumptions originally made, particularly in relation to Port forecasting and growth, whilst taking into account the delivery or otherwise of development projects and their associated timescales. Monitoring the performance of the Port and the achievement of the proposals outlined in Vision 2041 will be a key element in ensuring its effective implementation. Effective monitoring will form a critical tool in adjusting and fine-tuning Vision 2041 to achieve its strategic objectives. Thus maintaining effective base line operational data and the effective monitoring of performance against this information will also be critical to the reviews of the plan, which will be carried out over its term. Similarly, the impacts positive and negative of Port growth upon the local environment, and the effectiveness of mitigation of potentially adverse impacts upon local communities should be quantified and reported. In this respect SFPC will continue to liaise closely with all stakeholders. SFPC will monitor vision 2041 in accordance with the monitoring section of the SEA Environmental Report. It will publish five year monitoring reports and take appropriate corrective actions if adverse impacts are identified. The first such review will be published in 2017 to cover the period from 2012 to 2016. All major projects are likely to be the subject of Environmental Assessment and Appropriate Assessment (AA) that will identify impacts and propose appropriate mitigation measures where warranted.

## 5 REVIEW

The key responsibilities and frequency of reporting required by Vision 2041 under the Review section of the document has been up-dated to reflect comments made by the environmental authorise in terms of aligned with the over-arching SIFP. It is hoped that this will provide clarity and show commitment by SFPC to take into consideration the final publication of the SIFP once this is complete.

The ports industry is a dynamic sector and hence whilst Vision 2041 looks at longer term time horizons to 2020 and 2041, it is a working document and hence it is imperative to undertake review of its contents. Vision 2041 will be subject to regular monitoring and a formal review every six to ten years, which is likely to entail further public consultation.

Given the relationship of Vision 2041 with the SIFP, SFPC will seek to coordinate the review of Vision 2041 with any potential review of the SIFP in so far as is practicable. It will also seek to ensure that Vision 2041 remains closely aligned to relevant statutory development plans and local area plans and any variations thereof.

From a policy perspective the Port will continue to work closely with agencies and local authorities to ensure the importance of the ports and the maritime sector are fully enshrined within planning, transportation and marine policy both at national, regional and local levels. In parallel, the potential for expansion at the Port of Foynes will be promoted with Limerick County Council in the review of their development plan and other relevant documents.

**APPENDIX A**  
**SEA SPECIFIC SUBMISSIONS**



SFPC Masterplan Team  
Shannon Foynes Port Company  
Mill House  
Foynes,  
Co.Limerick

1<sup>st</sup> February 2013

Our Ref: SCP120701.2

**Re. Shannon Foynes Port Company Vision 2041 (Masterplan) and Strategic Environmental Assessment Environmental Report**

Dear Ms Downes ,

The Environmental Protection Agency (EPA) acknowledges your notice, dated 4<sup>th</sup> January 2013, regarding the above. Please find attached the Environmental Protection Agency's submission in relation to the Draft Shannon Foynes Port Company Vision 2041 (Masterplan), hereafter referred to as "the Masterplan", and associated SEA Environmental Report.

We refer you to Annex 1 of Directive 2001/42/EC (SEA Directive) and Schedule 2 of the European Communities (Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004) for "*Information to be contained in an Environmental Report*".

This submission is intended to promote full and transparent integration of the Masterplan -making and SEA processes as well as promoting full compliance with the requirements of the SEA Directive and the SEA Regulations.

It is noted that the strategic sites identified for development within the Masterplan area have been identified/selected as part of the higher level draft Strategic Integrated Framework Plan for the Shannon Estuary (SIFP), which is currently undergoing Strategic Environmental Assessment (SEA). The SIFP has identified suitable sites within the Shannon Estuary for the development and expansion of a number of key thematic areas including marine related developments. It should be ensured that the Masterplan and the associated proposed development sites identified in Masterplan are consistent with and do not conflict with the recommendations and Policies/Objectives of the SIFP. In addition, the Agency will be making specific comments on the SIFP document which should also be taken into consideration in the finalisation of the Shannon Foynes Port Company Vision 2041 Masterplan. The timescale of the Masterplan and SIFP should be closely aligned so that the review of the SIFP coincides with the review of the Masterplan, and reflects any further recommendations which may be made.

It is acknowledged in subsection *1.5 Study Area* of the Masterplan, that the recommendations of the Shannon Integrated Framework Plan (SIFP) have been incorporated into the Masterplan. A stronger commitment should be given to incorporate the final recommendations of the SIFP upon its adoption into the Masterplan. This should be provided by means of a specific objective. Consideration should also be given to providing a detailed summary of how the SEA/AA associated with the Masterplan, and other key influential Programmes including and Shannon International River Basin Management Plan and in due course the Shannon CFRAMS have been or will be integrated into the Masterplan.

It is considered that to avoid possible conflict between the Masterplan and the overarching SIFP, the Masterplan should only be finalised following the finalisation of the SIFP. This is of particular relevance in the context of any relevant amendments to the SIFP following consultation which may have implications for the Masterplan. It should be ensured that the final Masterplan adopted reflects the final SIFP adopted.

While *Section 7 Alternatives* of the Environmental Report lists the various proposed alternative development scenarios, it should be clarified which or whether any preferred alternatives have been selected. From the assessment and associated summary tables provided in this section and in *Section 8 Assessment* of the Environmental Report, a number of alternatives appear to have less potential for significant environmental effects than others. It is unclear however, whether any alternatives are to be rejected as viable options.



Section 2.6 Scoping Consultation of the SEA Environmental Report includes a description that:

*“...it was agreed with the EPA that this SEA should proceed even though the Shannon Integrated Framework Plan (SIFP) and its SEA are also currently in progress and will have the strategic authority over the SFPC Masterplan and SEA...”*

It should be noted that the Agency has consistently suggested that the adoption / preparation of the SFPC Masterplan be aligned with the SIFP stages of preparation and adoption. In this regard, you are referred to the Agency’s SEA Scoping submission, dated the 8<sup>th</sup> August 2012.

*“...the development of the proposed Master Plan should be aligned with the development of the Shannon Integrated Framework Plan for which SEA is currently being undertaken in accordance with the SEA Directive and associated regulations. It is considered that finalisation of the Master Plan should be informed by the outcome of the completed SIFP process and associated SEA and Appropriate Assessment under the Habitats Directive.”*

### **Future Amendments to the Draft Plan**

You are reminded that it is a matter for Shannon Foynes Port Company to determine whether or not the implementation of the proposed Amendments would be likely to have significant effects on the environment. This assessment should take account of the SEA Regulations Schedule 2 Criteria (S.I 435 of 2004) and should be subject to the same method of assessment as undertaken in the “environmental assessment” of the Draft Plan.

### **SEA Statement**

You are also referred to the requirement to prepare an SEA Statement outlining “*Information on the Decision*” as required by Article 16 of the SEA Regulations (S.I. No. 435 of 2004). This should summarise the following:

- How environmental considerations have been integrated into the Plan;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;
- The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the Plan.

A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process.

Should you have any queries or require further information in relation to the above please contact the undersigned.

I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: [sea@epa.ie](mailto:sea@epa.ie).

Yours sincerely

**Cian O'Mahony**  
*Scientific Officer*  
*SEA Section - Environmental Research Centre*  
*Office of Environmental Assessment*  
*Environmental Protection Agency*  
*Regional Inspectorate*  
*Inniscarra, County Cork*



## **Draft Shannon Foynes Port Company Vision 2041 (Masterplan) and Strategic Environmental Assessment (SEA) Environmental Report Environmental Protection Agency Comments 1<sup>st</sup> February 2013**

The comments below relate to the integration of the environmental considerations and recommendations that have been set out in the Environmental Report, as well as the additional information highlighted by the EPA, within the Shannon Foynes Port Company Vision 2041 Masterplan, hereafter referred to as “the Masterplan”. Suggestions are put forward for consideration with a view to addressing the integration of a number of key environmental considerations within the the Masterplan.

The EPA is a statutory Environmental Authority under the SEA Regulations. The EPA’s role in SEA focuses on promoting full integration of the findings of the Environmental Assessment into the the Masterplan. It is not the function of the EPA to either approve or enforce the the Masterplan.

Appendix1 attached to this submission includes additional comments on the Integration of Environmental Considerations for the Masterplan, which refers to key environmental aspects which should be considered, where relevant, in the context of the SEA of the Masterplan.

It is noted that the strategic sites identified for development within the Masterplan area have been identified/selected as part of the higher level draft Strategic Integrated Framework Plan for the Shannon Estuary (SIFP), which is currently undergoing Strategic Environmental Assessment (SEA). The SIFP has identified suitable sites within the Shannon Estuary for the development and expansion of a number of key thematic areas including marine related developments. It should be ensured that the Masterplan and the associated proposed development sites identified in Masterplan are consistent with and do not conflict with the recommendations and Policies/Objectives of the SIFP. In addition, the Agency will be making specific comments on the SIFP document which should also be taken into consideration in the finalisation of the Shannon Foynes Port Company Vision 2041 Masterplan. The timescale of the Masterplan and SIFP should be closely aligned so that the review of the SIFP coincides with the review of the Plan, and reflects any further recommendations which may be made.

It is acknowledged in subsection *1.5 Study Area* of the Masterplan, that the recommendations of the Shannon Integrated Framework Plan (SIFP) have been incorporated into the Masterplan. A stronger commitment should be given to incorporate the final recommendations of the SIFP upon its adoption into the Masterplan. This should be provided by means of a specific objective. Consideration should also be given to providing a detailed summary of how the SEA/AA associated with the Masterplan, and other key influential Programmes including and Shannon International River Basin Management Plan and in due course the Shannon CFRAMS have been or will be integrated into the Masterplan.

It is considered that to avoid possible conflict between the Masterplan and the overarching SIFP, the Masterplan should only be finalised following the finalisation of the SIFP. This is of particular relevance in the context of any relevant amendments to the SIFP following consultation which may have implications for the Masterplan. It should be ensured that the final Masterplan adopted reflects the final SIFP adopted.

There would be merits in including the relevant SEA mitigation measures and Strategic Environmental Objectives proposed in the SIFP, as the overarching Plan for the development

of the Shannon Estuary. It should be ensured that the nature conservation protection objectives for Natura 2000 sites are not compromised by the implementation of the SFPC vision and the on-going operation of the Port and related activities.

While *Section 7 Alternatives* of the Environmental Report lists the various proposed alternative development scenarios, it should be clarified which or whether any preferred alternatives have been selected. From the assessment and associated summary tables provided in this section and in *Section 8 Assessment* of the Environmental Report, a number of alternatives appear to have less potential for significant environmental effects than others. It is unclear however, whether any alternatives are to be rejected as viable options.

The Appropriate Assessment (AA) in particular, should reflect to a greater extent the detailed AA carried out for the SIFP and should be fully integrated into the Masterplan and its associated SEA and AA. This is of particular relevance in the context of the Mitigation Measures proposed for specific strategic sites. The requirements of the recent European Communities (Birds and Natural Habitats) Regulations 2011, (S.I. No. 477 of 2011), should also be referred to and taken into account in finalising and in implementing the Masterplan. Other relevant legislation that should be taken into account includes the Wildlife Acts, the Environmental Liability Directive etc. In this regard, it should be ensured that nationally designated sites (NHA's)/ pNHA are also protected in implementing the Masterplan.

*Chapter 3 Trends and Policies* describes a trend towards larger ships continuing which require further deep-water ports facility development. To service and facilitate the upgrading and extension of port related development to cater for the larger scale of ships and also to service ancillary port developments, *Chapter 5 – Trade Growth and Land Requirements, subsection 5.6 Accommodating Growth*, highlights a need for 127 ha of lands for the expansion of Foynes Port in particular. This requirement reflects the “*high growth*” most optimistic scenario. Given the existing economic conditions, consideration should be given to promoting a more medium term growth model rather than the high growth scenario.

It is also noted that *Chapter 6 – Port Development Strategy*, summarises the three tiered approach to the development of the Masterplan are, which consists of:

- **Expansion of activities in Foynes** (including requirement of up to 127 ha of lands, requirement for additional berthing facilities by 2020, accommodation of Panamax/Post Panamax vessels, promotion of upgrade of N69 Road, re-instating existing rail line into the Port with connection to national rail network)
- **Management activities in Limerick Docks** (maintain existing cargo activities, provision of new warehousing, promote non-core asset related activities and integration of limerick docks into the city through enhanced connectivity/visual improvement)
- **Shannon Estuary** (Implement the recommendations of the SIFP in relation to protection of environmental vulnerabilities/sensitivities and development of the Masterplan area as appropriate in line with the identified strategic sites as relevant to the Masterplan. Promote the Shannon Estuary as an Ocean Energy Hub)

There would be merits in facilitating the release and development of lands in association with Limerick County and Limerick City Councils on a phased and coordinated basis to reflect the growth of the Masterplan area over each Masterplan review period as referred to previously. This may represent a more environmentally sustainable approach and provide for the assessment and monitoring of likely significant effects, including cumulative effects over the

lifetime of the Masterplan. The amount of land to be individual phases of development should also be described.

It is noted that *Chapter 3 Trends and Policies* describes that the water quality may be affected during the implementation of the Masterplan, in particular during construction related activities. In this context, it should be confirmed that the mitigation measures are appropriate to protect water quality in any projects arising from the Masterplan. This is to ensure compliance with the Shannon International River Basin Management Plan and associated Programme of Measures, as relevant and appropriate.

It is noted that *Section 3.3.8 Environmental Monitoring and Management*, highlights that an Estuary Anti-Pollution Response Team is in place for reacting to potential incidents which may arise. Consideration should, however, be given to also establishing an Integrated Environmental Management Plan for the Masterplan area which establishes procedures (and timebound commitments). This will provide a mechanism for implementing the relevant mitigation measures required as identified in the SEA, as part of operations within the Masterplan area to ensure that the environmental sensitivities/vulnerabilities identified in the SEA, AA and FRA are taken into account and managed appropriately.

Key issues to be addressed include addressing waste, noise, water, drainage, invasive species control / management, service infrastructure, road maintenance, SuDS etc.) Additionally the Masterplan should include a commitment to ensure the implementation of the requirements of the EIA, AA and Floods Directives as relevant and where appropriate.

In relation to “Monitoring”, as described in Chapter 11, consideration should be given to linking the monitoring of the Masterplan with the SEA related monitoring. This will facilitate on-going appraisal of the environmental performance of the Masterplan against the relevant Environmental Objectives, Targets and Indicators. It is acknowledged that the Masterplan will be subject to regular monitoring and review, and the Masterplan will be reviewed formally every 6 to 10 years. Consideration should be given to linking this review to the review of adjacent County Development Plans, Regional Planning Guidelines, Shannon Integrated Framework Plan, Shannon CFRAMS and the Shannon RBMP. This will to ensure the proposed development and zoning of lands takes place in a coordinated fashion to take into account related plans and programmes which have the potential to be influenced by and have influence on the Masterplan.

It is noted in Paragraph 2 of *Section 10.2 Environmental Obligations*, an Environmental Management System for both Limerick Docks and the Port of Foynes is committed to. It should be confirmed that this will occur within the lifetime of the Masterplan. The on-going review of the Masterplan should also incorporate the review of the EMS to ensure that it is sufficiently robust enough to address and manage issues as they arise in the implementation of the Masterplan over its 30 year lifetime, including taking into account future environmental legislation, statutory guidelines etc.

*Section 10.3 Environmental Considerations* provides a useful summary of the key issues (air quality / biodiversity/ dredging / flooding / heritage / noise / water quality) identified within the associated SEA, AA and relevant aspects of the Shannon CFRAMS

*Section 2.6 Scoping Consultation* of the SEA Environmental Report includes a description that:

*“...it was agreed with the EPA that this SEA should proceed even though the Shannon Integrated Framework Plan (SIFP) and its SEA are also currently in progress and will have the strategic authority over the SFPC Masterplan and SEA...”*

It should be noted that the Agency has consistently suggested that the adoption / preparation of the SFPC Masterplan be aligned with the SIFP stages of preparation and adoption. In this regard, you are referred to the Agency’s previous SEA Scoping submission, dated the 8<sup>th</sup> August 2012.

*“...the development of the proposed Master Plan should be aligned with the development of the Shannon Integrated Framework Plan for which SEA is currently being undertaken in accordance with the SEA Directive and associated regulations. It is considered that finalisation of the Master Plan should be informed by the outcome of the completed SIFP process and associated SEA and Appropriate Assessment under the Habitats Directive.”*

## SECTION 1: DEVELOPMENT PLAN COMMENTS

The comments below relate to the Masterplan. Comments and suggestions in this Section are put forward for consideration and mainly relate to the key stages and outputs of the SEA Process.

The objectives of the Masterplan should be aligned with those in the SIFP. In particular you are referred to the aims and objectives in *Section 4.10 – Environment, 4.11 - Key Principle 3* and *Section 4.12 - Key Principle 4*. Where the final SIFP adopts /modifies these objectives this should be reflected in the Masterplan

### ***Strategy Overview***

The Vision Statement as described on page iv, could be strengthened as follows *“...to position Shannon Foynes Port as a key **sustainable** economic driver by enhancing and leveraging its asset base to accommodate offshore and onshore investment within and adjacent to its harbour...”*

### **Chapter 1 – Vision 2041 -An Introduction**

In *Section 1.3 Purpose*, consideration should be given to amending the first bullet point as follows *“clarify SFPC’s strategic planning and vision for medium to long term port development **in an environmentally sustainable manner**”*

Additionally, in *Section 1.3*, the sixth bullet point should be amended also to provide a stronger commitment to protecting environmental vulnerabilities as follows *“Provide a clear understanding of **and commitment to protect the sensitive environment that comprises the Estuary**”*

In *Section 1.8 Strategic Objectives Underpinning the Vision*, consideration should be given to amending the second Strategic Objective under “Environment and Heritage” as follows *“Promote a balanced, **sensitive and environmentally sustainable** approach to port development”*. The adopted Shannon International River Basin Management Plan and the Draft Shannon CFRAMS should also be appropriately integrated into the Masterplan to protect water quality and address flood risk aspects into the Masterplan where relevant.

### **Chapter 3 – Trends and Policy**

With regard to the key issues described on page 31, in the fifth bullet point could be amended as follows “*striking a balance between conservation of biodiversity, **protection of water quality** and economic development if of key importance...*”

It should be ensured that: the 8<sup>th</sup> bullet point, which refers to utilising the status of the Port as part of the EU TEN-T in helping projects in addressing the restrictive environmental considerations and in qualifying projects as being of overriding public interest, should be carried out in consultation with the Department of Arts, Heritage and the Gaeltacht (National Parks and Wildlife Service) and in line with the requirements of the Habitats and Water Framework Directives. The emphasis should be on avoidance of conflict with environmental sensitivities/ vulnerabilities in the first instance.

### **Chapter 7 – Delivering Capacity and Land Optimisation**

The summary of the various options for development as put forward is noted. There would, be a merit in highlighting, where that is the case; in *Section 7.2.2 Options for Consideration* that the options proposed have been assessed as part of the SEA. Recommended mitigation measures (incorporating those of the SEA, AA, and SIFP) associated with each option should also be considered in order to put the potential options in the context of their overall environmental performance. It is noted in *Section 7.3 Limerick Docks*, that a number of non-core asset sites have been assessed and each summary table for each site refers to environmental constraints which need to be taken into account. There would be merits in also providing this “summary table approach” for the other development sites within the Masterplan area (and in particular for the Port of Foynes), so that a consistent approach to evaluating options and protecting/managing environmental vulnerabilities / sensitivities is incorporated as appropriate into the Masterplan.

### **Chapter 8 – Transport and Connectivity**

It is noted that transportation networks improvements are proposed to facilitate the expansion and further development within the Masterplan area. In particular, it is noted that heavy goods vehicle numbers are expected to increase throughout the lifetime of the Masterplan (expected increase in port traffic up to 1370 HGV movements per day by 2041) and upgrading of the existing road (N69 in particular) and rail network is promoted.

It should be ensured that these proposals take into account the need to review existing traffic management plans / noise action plans where already existing. Where such traffic management or noise action plans are not currently in place, consideration should be given to including a commitment to carrying out joint plans with adjacent Local Authorities to take into account the social and environmental factors in increasing port traffic, both seaward and landward respectively.

### **Chapter 9 – Social and Community Integration**

It is noted that in *Section 9.5.2- Environmental and Ecological Resource* it is stated that the SFPC will “*work with environmental interests and statutory bodies where required to safeguard the integrity of the Natura 2000 designations from Port activities and operations*”. In this regard the requirements of the Habitats and Water Framework, EIA, Floods and Environmental Liabilities Directives respectively should be integrated as appropriate into the Masterplan and any projects arising out of implementation of the Masterplan.

### **Chapter 10 – Environmental Considerations**

It is noted that in relation to Water Quality, specific reference is made to Article 4.7 of the Water Framework Directive. It should be ensured that the Masterplan and any projects arising out of implementation of the Masterplan do not conflict with the requirements of the Water Framework Directive.

In relation to the “*Key Issues*” presented on page 112, consideration should also be given to the inclusion of an additional bullet point to ensure incorporation of the key relevant recommendations of the SIFP, to protect environmental sensitivities and take into account environmental vulnerabilities and mitigate for potential significant environmental effects including cumulative effects.

*Section 10.3.2 Biodiversity*, should also consider the inclusion of adjacent fisheries/shellfisheries to be protected. Additionally consideration should be given to amending the second sentence of the fourth paragraph as follows:

*“SFPC seeks to maintain an acceptable balance, conducting their undertakings in such a way to ensure the ecological designated areas are protected and their associated habitats and species are not put at risk, from the activities associated with the running of a commercial operation.*

It should be ensured that dredging operations, as summarised in *Section 10.3.3 Dredging*, associated with the SFPC take account of other proposed dredging activities associated with the SIFP. You are referred to the *Dumping at Sea Act 1996 Regulations* (as amended) which should be complied with. The specific SIFP Objectives in relation to dredging should be fully integrated into the Plan.

Consideration should be given to the inclusion of an additional “Key Issue” in the table on page 112, to integrate the relevant mitigation measures / recommendations from the Shannon Integrated Framework Plan and the associated SEA and AA relating to the area covered by the SFPC Masterplan.

## **SECTION 2: ENVIRONMENTAL REPORT**

The comments below relate to the Strategic Environmental Assessment Process and the Environmental Report. Comments and suggestions in this Section are put forward for consideration and mainly relate to the key stages and outputs of the SEA Process.

### **1. Non-Technical Summary**

Consideration should be given in *Table 1 Potential Inter-Relationships between SEA Topics*, to including a relationship between *soil* and *air* with in relation to dust and particulate matter potentially arising out of port activities (both during construction, operation and maintenance).

Similarly, there may be a potential interaction between *material assets* and *biodiversity / flora / fauna* from discharges from wastewater treatment and disposal systems, drainage etc. which should also be considered.

Consideration should also be given to ensuring that the appropriate information is included in the Non-Technical Summary, in accordance with Schedule 2(j) of SI 435 of 42004, including a description of evolution of the Masterplan area in there absence of the Masterplan.

## **2. Difficulties & Data Gaps**

Chapter 2 – Methodology and Consultation, it is acknowledged that a number of key difficulties/data gaps were identified including:

- The stage and timing of the Masterplan and SEA in relation to that of the overarching SIFP and its SEA. In relation to this difficulty, a clear commitment should be given to fully integrate the recommendations of the SIFP on its adoption into the Masterplan.
- While the late publication of the detailed Conservation Objectives and associated backing and supporting information on the qualifying interest features (related to the Lower River Shannon SAC / River Shannon and River Fergus Estuaries SPA) is noted, a clear commitment to fully incorporate up to date environmental information should be provided and implemented as part of any Environmental Management Plans associated with individual projects/groups of projects associated with the Masterplan implementation. Clear commitments should also be given to incorporating the requirements of the Habitats, EIA, Water Framework, Floods and Environmental Liabilities Directives respectively where relevant and appropriate.

## **3. Existing Environment**

Consideration should be given to amending *Challenge 3: Implementing Environmental Legislation, Relationship to the Plan* column as follows “*The Vision 2041 Masterplan needs to be set in the context of ~~consider~~ the requirements of national and local level legislation in developing policies and objectives as well as EU and international obligations...*”

It is noted that 58% of river water bodies in the area of interest have been deemed “unsatisfactory” i.e. less than good status. It should be ensured that the Masterplan establishes appropriate measures to reflect the recommendations of the Shannon International River Basin Management Plan and associated Programme of Measures. Such measures should be taken into account in any proposals to develop and expand port related activities both on land and within the estuary. The Masterplan should also take account the Pollution Reduction Programmes for Poullesherry Bay, Clonderalaw Bay and Ballylongford Bay Shellfish Growing areas respectively.

## **4. Relationship with Other Plans and Programmes**

In *Table 5.4 Preliminary Review of Legislation, Plans, Policies and Programmes – Regional and Local* consideration should be given to the inclusion of the Offshore Renewable Energy Development Plan (OREDPP). The OREDPP is relevant in the context of providing an insight into the preferred renewable energy technologies promoted for the Shannon Estuary and West of Ireland which may be serviceable by the SFPC. The assets of the Masterplan could be reviewed against the requirements of these technologies to ensure appropriate infrastructure (construction/maintenance/transport) is taken into account respectively.

In addition, at a local level, the preparation of the new Kilrush Town & Environs and the Ennis & Environs Development Plans both currently undergoing SEA should be taken into account, in taking into account other relevant plans / programmes.

## **5. Environmental Objectives**

In relation to the *Environmental Objectives, Targets and Indicators*, consideration should be given to amending a number of Objectives as follows:

- Objective 1: “*Prevent damage to terrestrial, aquatic and soil biodiversity particularly EU and Nationally designated habitats...*”
- Objective 2 “*Provide an economic boost for the region and contribute to environmentally sustainable development*”
- Objective 3: “*Prevent nuisance dust, noise and odours emanating from port activities*”

Consideration should be given for the inclusion of an Objective to address the management and control of invasive species. It should also be ensured that the Environmental Protection Objectives of the SIFP are also reflected in this Masterplan to ensure consistency and close alignment in the provision of adequate and appropriate mitigation measures and monitoring measures required.

#### **6. Assessment of Environmental Effects**

It is noted that alternatives 3,4,5,6,7a and 7b are described as being likely to be require EIA. Consideration should also be given to highlighting whether these alternatives require Appropriate Assessment Screening, and Flood Risk Assessment.

Consideration should be given to including Figure 7.1 of the SEA, in relation to “*alternatives*” in the Masterplan.

#### **7. Mitigation Measures**

There would be merits in including the relevant Mitigation Measures proposed in the SIFP, as the overarching Masterplan for the development of the Shannon Estuary. The mitigation measures proposed for the Masterplan should not conflict with these measures.

#### **8. Monitoring Measures**

The SEA related monitoring aspects should be more comprehensive and aligned closely the monitoring measures proposed in the SIFP. Consideration should be given to inclusion of the SIFP mitigation measures and highlighting where they are of direct relevance to the Masterplan.

The Monitoring Programme should be flexible to take account of specific environmental issues as they arise. The programme must be able to deal with the possibility of cumulative effects.

There would be merits in *Section 11.4 Monitoring and Review*, to providing details of the monitoring proposed as per the SEA Environmental Report and Habitats Directive Appropriate Assessment.

Should further conservation management objective data be forthcoming from the NPWS, in relation to the Natura 2000 sites within the Masterplan area, these should be incorporated into any review accordingly.

# APPENDIX 1

## ADDITIONAL CONSIDERATIONS FOR THE DRAFT SHANNON FOYNES PORT COMPANY VISION 2041 MASTERPLAN

### **1 WATER**

#### ***Water Framework Directive***

You are referred to the EU's *Common Implementation Strategy for the Water Framework Directive (2000/60/EC) – Guidance Document No. 20*, in particular *Section 3.5 Key Issues for Article 4.7*. Provisions should be included in the Masterplan to ensure that any proposed land use zoning or development associated with the Masterplan is not in breach of the requirements of the Water Framework Directive. The guidance document can be found at:

[http://circa.europa.eu/Public/irc/env/wfd/library?l=/framework\\_directive/guidance\\_documents/docum%20entn20\\_mars09pdf/EN\\_1.0\\_&a=d](http://circa.europa.eu/Public/irc/env/wfd/library?l=/framework_directive/guidance_documents/docum%20entn20_mars09pdf/EN_1.0_&a=d)

#### ***1.1 Waste Water Treatment***

The Masterplan should, as relevant, take into account the requirement under *The Waste Water Discharge (Authorisation) Regulations* for all wastewater discharges, including storm water discharges which come within the scope of these Regulations to be licensed (for agglomerations over 500pe) or certified (for agglomeration below 500p.e). In this regard, the Masterplan should highlight the specific requirements of Regulations 43 & 44 of the *Waste Water Discharge (Authorisation) Regulations, 2007*, S.I. No. 684 of 2007, regarding the consideration of proposals and consultation on such proposals by Planning Authorities and An Bord Pleanála, where applications for proposed development are being considered and decided upon.

The Masterplan should, where possible and appropriate, include/ and /or promote the inclusion of specific Policies and Objectives regarding the provision and maintenance of adequate and appropriate wastewater treatment infrastructure to service zoned lands and developments within the Masterplan area.

Where the introduction of additional lands for development is being proposed within the Masterplan area, relevant Policies/objectives should be included in the Masterplan, and as appropriate, to promote assessment of the adequacy of the existing wastewater treatment facility (ies) in terms of both capacity and performance and the potential risk to human health and water quality. Where relevant, the potential impact on habitats and species of ecological importance should be addressed.

The Masterplan should include as appropriate measures to ensure that trade effluent in the area covered by the Masterplan is managed properly and discharged to sewer in accordance with relevant discharge licences where appropriate.

#### ***1.2 Integration of infrastructure, zoning and development***

Where zoning/rezoning of lands and the introduction of new development is being proposed within the Masterplan area, the Masterplan should ensure the adequacy of the existing water supply/wastewater treatment facilities and associated networks are assessed. This should address both capacity and performance and the potential risk to human health, water quality and water quantity. The potential impact on habitats and species of ecological importance should also be addressed as appropriate, from pressures impacting on water quality and quantity.

## **2 BIODIVERSITY**

### ***Appropriate Assessment***

The Masterplan should promote the application of the Guidance set out in the recent DoEHLG Publication ‘*Appropriate Assessment of Plans and Projects in Ireland- Guidance for Planning Authorities* (2009; revision 2010)’, which can be found at:

<http://www.npws.ie/en/media/NPWS/Publications/CodesofPractice/AA%20Guidance.pdf>

The Masterplan should also promote the application of the EU Guidance “*Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites*” and “*Managing Natura 2000 Sites*”, which can be found at the links below. Section 3.6 “*Habitats Directive Article 6(3) and (4) Assessment Review Package*” of the former is of particular relevance and can be found at:

[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura\\_2000\\_assess\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf)

[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision\\_of\\_art6\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_en.pdf)

The Masterplan should include Policies/Objectives to ensure that the local authority, in fulfilling its responsibilities in the supply of services, zoning of lands and undertaking and authorisation of development, addresses the potential effects on biodiversity and the needs of priority habitats and species which occur within or adjoining the Masterplan area, as identified in the National Parks and Wildlife Service Report “*The Status of EU Protected Habitats and Species in Ireland*”, (NPWS, Department of the Environment, Heritage and Local Government, 2008).

<http://www.npws.ie/en/media/Media.6440.en.pdf>

### **2.1 Nationally Designated Habitats and Species**

The Masterplan should include policies/objectives for the protection of NHAs, National Parks, Nature Reserves, Wildfowl Sanctuaries, Refuges for Fauna or Flora and sites proposed for designation. In addition, species protected under the Wildlife Acts including protected flora (Flora (Protection) Order, 1999 – S.I. No. 94 of 1999) should be taken into account. Consideration should be given to protecting proposed NHAs in a similar way to fully designated NHAs.

### **2.2 Other (Undesignated) Biodiversity Considerations**

The Masterplan should promote the protection of non-designated areas including the protection of habitats, species and local biodiversity features including rivers, wetlands, hedgerows, individual trees, streams, grassland, coastal areas etc. The protection of habitats in undesignated areas such as pNHAs, and species found on Irish Red Lists and Birds of Conservation Concern in Ireland (BoCCI), should also be promoted in the Masterplan. These can be found at:

<http://www.npws.ie/publications/redlists/>

### ***Buffer Zones / Linkages***

The Masterplan should promote the provision/application of appropriate buffer zones between designated ecological sites and areas zoned for development, and should take cognisance of potential boundary changes to designated sites made during the lifetime of the Masterplan. Where the application of buffer zones is being considered, you should consult with the National Parks and Wildlife Service (NPWS) of the Department of Arts, Heritage and the Gaeltacht (DAHG). Inland Fisheries Ireland should also be consulted where fisheries protection is a concern/objective.

The provision of appropriate buffer zones between local (undesignated) biodiversity features and areas zoned for development should be considered. The Masterplan should promote the protection of linkages between local biodiversity features and ecological networks, e.g. hedgerows, watercourses etc. Opportunities for enhancement of local biodiversity features should be promoted where appropriate.

A relevant policy should be included to maintain or enhance biodiversity richness by protecting rivers, stream corridors and valleys by reserving riparian zones/ecological corridors, maintaining them free

from inappropriate development, discouraging culverting or realignment, and promoting natural flood functions.

### **2.3 Data Sources / Resources**

#### ***Alien Species & Noxious Weeds***

The Plan should promote the implementation of measures to control and manage alien/invasive species (e.g. Japanese Knotweed, Giant Hogweed, Zebra Mussel etc.) and noxious weeds (e.g. Ragwort, Thistle, Dock etc.) within the Masterplan area according to best practice (as per the new Birds and Habitats Regulations).

### **3 LANDSCAPE CHARACTER ASSESSMENT**

The Masterplan should promote the recognition of visual linkages between established landmarks and landscape features and views which should be taken into account when individual development proposals are being assessed / considered within the Masterplan area.

### **4 INFRASTRUCTURE PLANNING**

The Masterplan should promote the integrated planning for adequate and appropriate infrastructure to service any development proposed and authorised during the lifetime of the Masterplan.

In particular, the Masterplan should promote the provision of adequate and appropriate wastewater treatment, water supply, surface and storm water drainage, transport, waste management, community services and amenities etc. on planned and phased basis to address any current problems and/or deficits during the life of the Masterplan.

The Masterplan should promote the development of traffic management measures to reduce the potential for traffic congestion and associated vehicular emissions within the Masterplan area. In particular the preparation of Integrated Traffic Management Plans, where relevant and appropriate, for the existing urban areas and proposed new urban developments should be promoted as appropriate through the Masterplan. This approach should address the short, medium and long-term traffic management requirements within the Masterplan area.

### **5 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

The Masterplan should highlight that under the EIA and Planning and Development Regulations certain projects that may arise during the implementation of the Masterplan may require an Environmental Impact Assessment. There are also requirements with regard to EIA for sub-threshold development. In this regard, you are referred to the following Publications:

- “*Guidelines on Information to be contained in Environmental Impact Statements*” (EPA, 2002).
- “*Advice Notes on Current Practice in the preparation of Environmental Impact Statements*”, (EPA, 2003).

In addition to the above, you are referred to the Department of the Environment, Community and Local Government’s Publication:

“*Environmental Impact Assessment (EIA) Guidance for consent Authorities regarding sub-threshold development*”, (DoEH&LG, 2003).

These documents can be downloaded at: <http://www.epa.ie/downloads/advice/ea/guidelines/>

It should be noted that the Projects would also be required to be screened with respect to the requirement for Habitats Directive Assessment/Appropriate Assessment as required by Article 6 of the Habitats Directive.

You are also referred to the recently published DoEHLG guidance available in relation to Appropriate Assessment ‘*Appropriate Assessment of Plans and Projects in Ireland*’ (DoEHLG, 2009) at: <http://www.npws.ie/en/media/NPWS/Publications/CodesofPractice/AA%20Guidance.pdf>

## **6 STRATEGIC ENVIRONMENTAL ASSESSMENT(SEA)**

Consideration should be given to the inclusion of a specific Policy/Objective in the Masterplan to ensure full compliance, with the requirements of *Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment* – The SEA Directive and the associated *Planning and Development (Strategic Environmental Assessment) Regulations, 2004*.

Your attention is brought to the new SEA Regulations, which should be referenced and integrated into the Masterplan and SEA process. Two amending SEA Regulations were signed into Irish law on 3<sup>rd</sup> May 2011, amending the original SEA Regulations:

- European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011, (S.I. No. 200 of 2011), amending the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004).

Shannon Foynes Port Company need to be cognisant of their responsibilities with respect to the SEA Directive and related SEA Regulations through the Masterplan.

The Masterplan should promote the development and implementation of Procedures to ensure compliance with the requirements of the SEA Directive and related SEA Regulations.

## **7 OBLIGATIONS WITH RESPECT TO NATIONAL PLANS AND POLICIES AND EU ENVIRONMENTAL LEGISLATION**

The Masterplan should refer to Shannon Foynes Port Company’s responsibilities and obligations in accordance with all national and EU environmental legislation. It is a matter for Shannon Foynes Port Company to ensure that, when undertaking and fulfilling their statutory responsibilities; they are at all times compliant with the requirements of national and EU environmental legislation.

**STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)  
FOR SHANNON FOYNES PORT COMPANY VISION 2041**

**With brief comments on the Natura Impact Report**

Julian D. Reynolds and Sylvia C. P. Reynolds  
115 Weirview Drive, Stillorgan, Co. Dublin (postal address)  
and Barneen, Foynes Island.

**General comment:** We have only had the SFPC Vision Document and the Strategic Integrated Framework Plan CD since 14 January 2013.

We found no reference in the printed SFPC Vision 2041 document to deadlines for written submissions and only found out indirectly in a phone call to RPS on 29 January. The SIFP CD has over 2200 pages, including the Strategic Environmental Assessment (SEA) and Natura Impact Report (NIR). There is an obscure reference in the SEA electronic document to a 1 February deadline for the SEA relating to SFPC to be sent to RPS Consultants. There is no indication of when or if comments are invited for the NIR. A further deadline of 15 February is found for the SIFP and its overarching SEA. On p.22, 'Next Steps', it states that 'comments are welcomed during the consultation period'. However, no dates or deadlines are given there, and were only found in the small print on p.147, Table 10.

It is very confusing for the public to be given different deadlines and addresses for comments. We note that the consultants also found the report timetabling difficult (See 'Difficulties and Data Gaps' section below).

Also, for the general public, the time available to peruse and understand over 2200 pages of technical documents is inadequate, even if statutorily permitted. The client, knowledgeable of the contents, had two months to read and comment, and distinguish between two different but overlapping SEAs. If the aim was to truly engage with the interested public, a longer period of engagement and contacts from the consultants with relevant people would have given better results.

**The following comments should be read in conjunction with the SFPC's SEA Report and mainly relate to Foynes Island and the surrounding area. Note also that pagination on the CD may be different from that in printed versions.**

**COMMENTS:**

**p. 29 section 1.6** is headed **STUDY TEAM**, but without names or qualifications!

**2.5: Difficulties and Data Gaps.** This section complains about the stages and timing of the Masterplan (= Vision 2041 Draft?) and SEA in relation to the overarching SIFP and its SEA.

Comment: This corroborates our comments above.

**p. 44. 4.3.11: European environmental designations.** The description of the lower River Shannon cSAC confuses freshwater and estuarine species. It mentions 5 designated NHAs, all peatlands, and 15 pNHAs.

Comment: Given Ireland's inexcusable delays in such designations, it should also refer to their forerunners, the Areas of Scientific Interest (ASIs) and also the County Geological Sites (CGSs). One such covers 16 ha on Foynes Island.

There should also be a section for National designations, both fauna and flora.

**4.3.1.5:** The freshwater pearl mussel is irrelevant here - the Cloon catchment is in Co. Clare. Other Annex II species could, however, be relevant.

**p. 51: Invasive species as a serious threat to biodiversity.** The Zebra mussel, Dace, Asian clam, etc. are not relevant, and *Heracleum mantegazzianum*, *Impatiens glandulifera* and *Fallopia japonica* very doubtfully so.

Comment: This section is close to irrelevant without context.

**p. 55. 4.3.3: Water**

Comment: A lot of this is redundant as it relates to SIFP's SEA, not SFPC's SEA.

**Table 4.8 mentions SH\_24\_1170 Ahacronane catchment** as poor status and vulnerable.

Comment: No mention is made of this stream as a catchment with important karstic features, unique in Co. Limerick; this is known to National Parks and Wildlife Service.

**p. 68: Deep water berthage.** Describes Foynes Island as the preferred option and this should be reflected in the title.

p. 71: 'Developments at Foynes Island are considered Water-compatible development and therefore are deemed appropriate at Foynes Island'.

Comment: The quoted sentence makes no sense. Are these past, present or future? 'Infrastructural connections' in the past were an oil pipe and a telephone line.

**Figs 4.5, 4.6 and 4.7** relate to general aquifers in the region.

Comment: These are relevant to SIFP's SEA, not to this study.

**4.3.3.8: Existing environmental pressures**

Very general statements on mines, land-use, climate change etc.

Comments: Relevant to SIFP's SEA but not this study.

'Local issues' mentioned concern freshwater eutrophication, not relevant to Foynes Island.

**4.3.5: Cultural heritage**

Comment: Intertidal mudflats are noted as a rich source of archaeological finds, but are not mentioned for Foynes or Foynes Island.

**4.3.7: Material assets**

Comment: Relates to SIFP.

#### **4.3.8: Soil and land use**

Comment: Relates to SIFP's SEA. Maps are not fine-scale enough to show relevant soil types on Foynes Island or Foynes Port extension.

### **7. Alternatives**

**p. 116. Alternative 6. Fig. 7.1.** shows deep water berthage at 4 possible locations.

Foynes Island is the preferred option.

Comments: It would help if all arguments for Foynes Island as the preferred option were under one heading, see e.g. p. 68.

### **8: Assessment**

Comments: The assessments are sometimes deficient in biodiversity data.

#### **8.3.8: Cultural**

Comment: This section apparently refers to Foynes Island, not Foynes Port. There are some field monuments in the mainland area earmarked for port extension.

#### **Alternative 5: Additional berthage at Foynes**

Comment: Very general.

#### **8.5.8: Cultural**

Comment: No list of sites.

#### **Alternative 6: Deep water berthage at Foynes Island**

Comment: It is confusing to the public to give this site different numbers in the different publications, e.g. Alternative 6, Strategic site C.

#### **8.6.1. Biodiversity, fauna, flora** on Foynes Island

Comment: We feel this section is weighted towards the client. It states that the site, lying within the cSAC and pSPA, has ‘potential for both positive and negative effects on flora and fauna’. What are the positive effects?

It cites impacts on bottle-nosed dolphin and indirect effects on birds, depending on scale and type of development. There is no mention of terrestrial fauna and flora, on which the impacts must be negative.

**8.6.3: Health.** ‘As residential properties are not located near to the proposed site direct and in-direct effects are thought to be low...’.

Comment: Incorrect. The zoning boundary encloses the principal residence on the island!

#### **8.6.4: Soil**

Comment: It is hard to accept that development of the deep water berthage is likely to help prevent soil erosion, especially following engineering works.

#### **8.6.5: Water**

Comment: Positive and negative effects of sewage?

**8.6.6: Air and climate.** ‘Unlikely that proposals will include an industrial facility or other impact on air quality’.

Comment: The truth could well be otherwise and should be stated.

**8.6.7: Material assets.** Additional infrastructure needed to connect to main port at Foynes.

Comment 1: This is listed as positive, but not analysed for its potential impacts on residents. Mention is made of the potential for road and rail ‘upgrades’ (do you mean extensions?) and development.

Comment 2: Mention of ‘a small pier and possible slipway on the south west side of island’ is both incorrect and irrelevant here – it is outside the area marked for rezoning,

and it was demolished by SFPC over 10 years ago by agreement with the islanders in return for guarantees on access and other rights.

**8.6.8: Cultural heritage**, mentioning the battery, shipwreck and salmon weir, not all of which are in the zone.

Comment: Amazingly, this is deemed ‘positive’. There is a fulacht fiadh close to the foundations of the disused oil facility (not mentioned), and others in the Archaeological Sites Database.

**NB These comments should affect the assessment of alternatives in Fig. 8.6.**

### **Bibliography**

Comment: this just covers procedural/ methodological studies, 8 from Northern Ireland and 5 from the Republic of Ireland. There is no mention of publications about Foynes Island or adjacent sites of interest.

**Overall**, we feel this SEA is skewed towards the client and neglects to mention many areas which may be negatively impacted. These could have been ascertained by on-the-ground consultation and visits.

### **BRIEF COMMENTS ON SFPC NATURA IMPACT REPORT**

**Note: This is a desk study. Many natural elements cannot be determined without field visits or communication with local observers.**

**Inadequate time was available for further study of the report before this submission. More detailed comments will be made to the overarching SIFP’s SEA.**

p. 27: Askeaton Fens SAC are not considered likely to be impacted by port developments, but the example of Deegerty-Ballyvogue shows that development can lead to site drainage and infill. Similarly, Barrigone SAC may be impacted by road improvements deemed necessary.

p. 55: 6.2.2.3. Seabird areas on Foynes Island are rated 'moderate'. However, no information is shown for the north-west side of Foynes Island, site of the proposed developments (see below, p. 130).

p. 110: 7.3.1.3. Table 7.4 (Archaeology) includes biological aspects, habitats etc., which are surely misplaced.

References: There is nothing on published botanical/biodiversity studies relevant to Foynes Island.

p. 128: GIS Maps for Foynes Island. The legend obscures some of the Island. Habitats on the island are not correctly represented by the coding shown.

p. 130: Birds GIS. Why no bird data or rating for the north and north-west coasts of the Island?

Otters: No data found, but they are present.

Julian D. Reynolds

Sylvia C. P. Reynolds

31 January 2013

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31<sup>st</sup> January 2013

**RE: Shannon Foynes Port Company Vision 2041 SEA statement**

Dear Sheila

Further to our meeting, I want to place comments and objections on record, to the SFPC Vision 2041 SEA statement.

I note that the SEA Shannon Foynes Port Company Vision 2041 appears to relate more generally to the Estuary, and thus has more in common with the SIFP than the Vision document.

However, I would like to comment on a couple of items concerning the analysis of Foynes Island.

Section 8.6.4 states that residential properties are not located near the proposed site, and that direct and indirect health effects are thought to be low. This is quite wrong – our house, Monare, is located within the zoning boundary shown on the map, and another house, Barneen, is located beside the boundary. Both houses use water from a well within the zone.

Section 8.6.6 states that, as it is unlikely that the proposals for the zone will include an industrial facility, there should be no negative impacts on air quality. However, from the report, and from consultations in Foynes on 30<sup>th</sup> January, the zoning is for Marine Industry, which suggests the opposite.

I note that there is no comment on noise pollution, which would be a major negative impact for us.

These are the principal points that most affect us. No doubt, there are many others.

Yours sincerely

Alison OBrien

31<sup>st</sup> January 2013

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- Cork
- Galway
- Limerick
- Letterkenny
- Sligo

## Global

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- Australia Asia Pacific
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- Canada
- Middle East
- Russia
- The Netherlands
- United Kingdom
- United States of America