

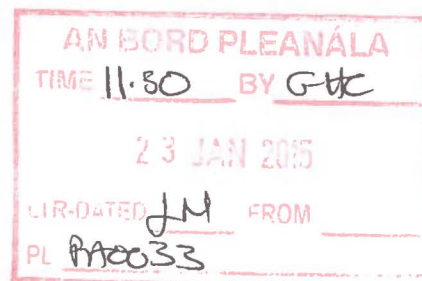


Galway Harbour Company

Galway Harbour Extension

**Response to Submission
of
An Taisce**

**To
An Bord Pleanála
On
11th March 2011**



January 2015

104 An Taisce

1.0 Commentary relating to the effect of Article 6.3 of the Habitats Directive

It is noted by an Taisce that this current application is by a State Port Company for port expansion. Concerns are raised arising from the infilling of the section of the cSAC and SPA sites together with such impacts as may arise from dredging and ship turning and berthing movement, in a location adjoining the mouth of the River Corrib and existing Galway Port. Concern is also expressed in relation to the outcome of the assessment from the EIS/NIS.

R1 Response:

The assessment of the level of impact has been clarified through the presentation of additional information as revised Addendum/Errata documents and in the oral evidence submitted to the hearing by the ecological experts engaged and in light of the very detailed assessment of the nature and extent of impacts that may occur both directly and indirectly from the proposed development proposed herein.

The assessment included an assessment of the direct impacts of the development in terms of loss of area through construction, but also included an assessment of the potential impacts associated with a wider area which included turning circles and dredge area which would be subject to operational disturbance. Table 4.14 of the NIS Addendum/Errata document presents the areas of habitat and habitats for species which will be subject to permanent and temporary loss as a result of both the construction and operational stage. These areas were all considered as part of the assessment process and incorporate over 26ha of permanent loss and 52ha of temporary loss/disturbance of habitat.

The EIS Addendum/Errata document included a comment within a revision to the Non-technical Summary stating that the loss of habitat was regarded as a significant negative impact on the conservation objectives of two Natura 2000 sites. However, this is based on a wider assessment which was ultimately based on the precautionary principal. Within the findings of the NIS, the proposed Galway Harbour Extension was found to have the potential to impact on Galway Bay cSAC and Inner Galway Bay SPA through the permanent loss of qualifying interest habitats and the potential impact on certain species arising from this loss. The effects are not considered to be significant with regard to any of the habitats and species individually, however, adopting the precautionary principal and on the basis that it cannot be said beyond reasonable scientific doubt that the impacts would not be significant, for the purpose of the assessment, such habitat loss and impact on species is being treated as significant.

Accordingly Appropriate Assessment is now required by the Board to determine whether, beyond reasonable scientific doubt, *adverse effects on the integrity of the site concerned can be ruled out* (i.e. both the cSAC and SPA including the marine area affected by dredging and vessel berthage and turning movements).

If the Board's Assessment concludes that the proposed development might (on the basis of the assessment aforesaid) *'adversely affect the integrity of the site concerned'* as defined in Article 6.3 of the Habitats Directive then the first paragraph of 6.4 applies in:

1. Assessing if viable alternative solutions having lesser impacts on the Natura network exist;

2. Demonstrating imperative reasons of overriding public interest, including those of a social or economic nature;
3. Taking all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected;
4. Informing the European Commission of such compensatory measures and obtaining an opinion from the Commission in relation to the proposed development.

Accordingly, the application of Articles 6.3 and 6.4 needs to be determined as a preliminary matter.

2.0 Consideration of Alternatives

An Taisce submit that all future infrastructure investment in Ireland needs to provide for the mitigation, that is reduction, of climate emissions both national and transboundary. Further the submission of An Taisce including their submission before the hearing on the 21st of January, 2015 raises the issue of adaptation to the climate impact of a warming world. Furthermore An Taisce, while disputing that such requirement exists, query whether, if Irish west coast port expansion is justified on social and economic grounds, has the alternative of expanding Foynes Port been adequately assessed?

R2 Response

The basis for expansion of Galway is in relation primarily to business that arises in Galway and its region, is natural to it, and the key cargoes have been validated with actual current and likely future customers (the bulk of it the former). Investment is required to ensure the long term sustainability of the port, which currently operates under severe ship size and tidal constraints, and to deliver on the very necessary redevelopment of the existing inner harbor for urban regeneration involving sustainable residential and commercial development in the centre of Galway as recognized in the National Port Policy's vision for the existing inner harbour. Investment in such long-lived infrastructure has to take the long-term view of future demand and hence future capacity requirement.

With respect to alternatives, Shannon-Foynes was included in the possible other locations of ports assessed to determine if it provided a viable alternative. For the reasons set out, that location was found neither to be viable (not suitable at all for the highly important target of facilitating cruise tourism, too far for freight traffic to be commercially sustainable (and giving rise to significant additional emissions for any traffic that would make the journey), not suitable at all for marine tourism) and also could not be said, beyond reasonable scientific doubt not to be likely to have greater adverse effects on the SAC and SPA within which that port is situated in light of the acknowledged necessity to expand that port if it was to attempt to cater for such trade as might relocate to same. The very large extent of dredging necessary for the existing and any expanded ports that comprise Shannon-Foynes and Limerick and the frequency with which same is required is also likely to give rise to significant environmental impacts.

Specific examples as to the absence of viability of the Shannon-Foynes port to act as an alternative to Galway are:

- *A number of cargoes are very low value to volume, and carrying them the further distance to Shannon-Foynes would undermine the commerciality of the trade, as well as generating significant additional emissions to air as a result of the additional road-based traffic;*

- *The bitumen business is based on a significant storage and processing facility in Galway; the firm in question has indicated it would not be interested in relocating to Shannon-Foynes.*
- *With respect to the cruise business, Shannon-Foynes is not a substitute for Galway, with its international reputation and recognition factor (they may be complements).*
- *Apart from additional road traffic avoided in petroleum transport, Galway serves a national function in terms of holding part of NORA's strategic petroleum reserves.*

- *If Irish west coast port expansion is justified on social and economic grounds, has the alternative of expanding Foynes Port been adequately assessed?*

For the reasons summarised above, Shannon-Foynes is not a suitable alternative for most of the businesses using Galway. Indeed the fact that, even with the significant difficulties encountered with the current operation of Galway's port, its customers still use same to service the region of Galway and Connacht instead of using Shannon-Foynes is very clear evidence that Shannon-Foynes is not an alternative to the proposed redevelopment of Galway Harbour.

3.0 Climate Emissions

An Taisce argue that no State body should lodge an infrastructure application predicated on increased fossil fuel and resource consumption both national and transboundary. In relation to Climate, An Taisce suggest that Chapter 11 of the EIS fails to do so and does not address the increased trade and shipping tonnages the project would generate.

R3 Response:

Chapter 11 deals with the potential climatic impacts arising from the proposed development. The scale of the proposed development is such that no measurable impact on the climate is likely to occur. Any potential impact of the project on the climate is most likely to arise in the context of CO₂ emissions and these are quantified in Chapter 9 – Air Quality. Specifically, the shipping of goods to and from Galway and the commencement of the road section of their transportation from the harbour extension to service enterprises in Galway and the region brings about a significant reduction in CO₂ emissions in comparison with transporting such goods for a significantly longer distance by road whether from Dublin, Shannon-Foynes or Cork.

Figure 9.7.2 shows the relative CO₂ emission from various forms of goods transport. As stated in section 9.7.7.3.2 of the EIS – To move an equivalent quantity of materials by road would generate a multiple of the emissions generated by moving the same quantity by sea.

A regional port with 24 hour marine access and both rail and road links to the region has the potential to significantly reduce national CO₂ emissions in the longer term. This is set out in Appendix 9.1 and Figure 9.7.3.

The calculations used in Appendix 9.1 and Figure 9.7.3 of the EIS are based on the 'Low', 'Medium' and 'High' growth scenarios set out in Chapter 2 of the EIS and do take into consideration the increased shipping tonnages in the event of the proposed development being granted permission.

4.0 Social and Economic Justification

The An Taisce submission notes that the application is based on a statement of '*economic justification and business case*' justifying the need for expanding oil and bitumen import and other commercial shipping berthage for new trade in biofuels, animal feeds, cars and fishmeal, and to accommodate the 'significant growth' of cruise tourism and in order to serve renewable energy.

The submission accepts that Galway Harbour is identified as regional hub for petroleum import, storage and distribution, but contends that since current Irish transport and energy policy as well as the scientific importance of mitigating climate impacts requires progressive reduction in Irish petroleum use that the port is not necessary.

R4 Response:-

The EIS and evidence adduced before the hearing has clearly demonstrated the importance of the port development to the social and economic wellbeing of the region and also sets out the socio-economic scenario for the region in a scenario where the development does not take place. The development of Galway Harbour will also serve to provide the facilities necessary to service the offshore energy (including renewable energy) industry off the West and North West coast of Ireland which has huge potential in this regard. The development of the proposed harbour is absolutely essential in this regard and the suggestion by An Taisce that this aspect of the development and one of the important underlying reasons for same does not require (and would be enhanced in the absence of!) the proposed development is made without any foundation in fact whatsoever.

5.0 Climate Proofing and Flood Impact

An Taisce in their submission have referred to the concerns that the The global rise in atmospheric and ocean temperatures will expose Ireland to increased storm exposure and rainfall variability and that sea level rise projections for the coming century need to be factored in. An Taisce suggest that, while not suggesting that this will occur, the possibility of funnellling of storm waters by the harbor development need to be assessed.

R5 Response:

The flood risk assessment has included climate change both in respect to recommended factors for sea level rise and increased storm and fluvial flows. The current practice in Ireland and the UK is to use a medium range sea level rise of 0.5m and a 20% increase in peak magnitude for storm and flood flows. Simulations have been carried out with these factors included to assess the flood risk and the potential flood impact of the development.

The proposed development has been fully assessed to determine if same would be likely to exacerbate flooding in a wide range of wind and tidal conditions and directions and in this respect 2D and 3D hydraulic models of the bay including the Corrib entrance, Claddagh Basin and Lough Atalia were developed using the TELEMAC hydraulic software which is of International standing in its application to such harbour studies. The models were built for the existing case and for the proposed case which included the volume loss from by the proposed reclamation and piers, breakwaters and Quays. A comprehensive series of simulation runs were carried out with tides, flood flows, storm winds and wave stresses applied to investigate the potential impact of the proposed development on flood levels

within the Bay and upstream within the Claddagh Basin and Docks area. These simulations showed no discernible impact by the proposed development on flood levels, refer to time series plots in the EIS 8.4.184 to 8.4.208 and the difference plot between existing and proposed peak flood levels presented in the RFI response Figure 4.6.13.

Wave climate modeling was carried out simulating the effect of the proposed development on the incident wave field in respect to diffraction, shoaling and refraction, and reflection off solid structures using the Harbour Agitation model Artemis. The wave climate simulations show that the proposed harbour development impacts only the wave climate environment local to the development through a combination of sheltering via dissipation and reflection off its breakwaters and diffraction and refraction of the wave field around the development and over the dredged channels. The proposed development is shown to shelter the eastern section of the development and the adjacent Renmore shoreline including Ballyloughaun Beach and its westerly headland area against storms from the south to southwest sector. The proposed development protects the Galway Docks entrance and much of the Southpark shoreline against south easterly and easterly storms which can generate the highest wave heights at these locations. The wave simulations show that under south and south westerly storms the wave heights are slightly increased along the south face of Nimmo's Pier and with maximum increases of less than 0.15m predicted at Nimmo's Pier and 0.05m at the adjacent section of Southpark shoreline immediately to the west of the pier. These are not the most significant waves that occur at this location (i.e. SSE, SE produce larger waves which will be reduced by the development) and these waves are directed onto a raised shoreline area (entrance to the Walkway at Nimmo's Pier) and a pier wall and across the Corrib channel as opposed to running up along it and will not give rise to increase inundation of Southpark or the Claddagh Quays. The wave simulations show that this increased wave activity at Nimmo's will not impact wave heights within the inner Claddagh Basin area. A positive impact is predicted for the Claddagh Basin as the critical Southeast direction which allows wave to propagate up the claddagh basin will be sheltered by the proposed development.



Galway Harbour Company

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Response to Submission

from

An Taisce

**Made to An Bord Pleanála
On Wednesday 20th January 2015**

AN BORD PLEANÁLA	
TIME <u>11:30</u>	BY <u>GHC</u>
23 JAN 2015	
LET-DATED <u>JM</u>	FROM _____
PL <u>PA033</u>	

January 2015

1 BACKGROUND AND NEED [BUSINESS CASE]

1.1 INTRODUCTION

The section contains many comments not based on economic reality. The port has an established set of customers based in the city and hinterland. They have indicated the importance of the port and its investment plans to their businesses and related employment. These have been demonstrated and incorporated in the business case. The tourism sector and related employment will also benefit substantially from the investment. These are valid economic activities that contribute to the local economy and employment.

Notwithstanding its success, the high tech sector of the economy cannot employ everyone. The latest available data indicates that the “traditional” sectors of the economy employ more than twice as many people as the “modern” sectors

(http://www.cso.ie/en/media/csoie/releasespublications/documents/industry/2014/prodturn_mar2014.pdf)

In general, the comments of an environmental nature on the various types of cargoes in question – Limestone, scrap metal, petroleum, bitumen, timber are not based on economic reality: they effectively imply that these businesses, and with the port, should simply close down. In many cases the comments are in conflict with established EU environmental policy, which encourage recycling of glass, steel, etc.

In addition, the issues raised are beyond the scale and scope of the project under consideration. They will not be affected by whether this project proceeds or not. Indeed, our analysis indicates the project will reduce environmental impacts compared to carrying these cargoes through alternative more distant ports.

--With regard to McGrath's Limestone, for instance,

- The comment on sustainability of increased seaborne trade is speculative and at variance with EU Policy aimed at encouraging short sea shipping around Europe
- We note that Sweden, one of the countries that McGrath's ships to, has one of the highest rates of glass recycling in the world at 95%, not substantially different from what can be achieved with the most successful glass reuse systems (http://wwf.panda.org/how_you_can_help/live_green/travel/on_vacation/eco_tips/sweden/)
- McGrath's limestone is also used for animal feed, asphalt for roadworks, industrial use as filler and nutrition for poultry and animals, and new markets are being developed in the pharmaceutical and cosmetics sectors reflecting the products' high quality.

In respect of RDF, the statement that continued export of RDF is unsustainable is not substantiated. Established EU policy recognises the energy valorisation of waste as a valid waste management option within the waste hierarchy. Export of such waste to other EU countries is reflective of lack of processing capacity in Ireland and excess capacity elsewhere at the moment, which may not be continue indefinitely. Increased waste-to-energy capacity is expected to come on-stream in Poolbeg (and possibly elsewhere in Ireland) in the coming years. Transport via the port is still likely to be the most environmentally sustainable option for this waste when this capacity comes on-stream.

In the case of Bitumen, the statement made is a misinterpretation of the meaning of a port of regional significance as per the NPP. A port of regional significance is open to serving port customers in its region, whatever the geographic extent of their businesses. That it is not provided for in the NPP is irrelevant – the NPP does not seek to list all cargo types to be catered for at each port.

This section also dismisses the need for the proposed development to support the offshore energy sector.

One of the critical requirements in supporting offshore energy projects is 24 hour access to a port with fuel, cranes and engineering services. Offshore oil & gas exploration activities operate on a round the clock basis and need support facilities to cater for this. Marine renewable energy projects require trips during daylight working hours to service equipment, take samples, conduct surveys, collect data, etc.

In Orkney for example, 24 hour access is available from two local ports with facilities for loading and unloading equipment. This facilitates being on the water during daylight for a full working day in the Winter months. The tidal gates in the current dock means that in order to be on site in Clare or Galway, the boat has to be taken outside the gates on the previous tidal cycle and back in on the next cycle. This has cost implications in terms of boat and equipment hire.

Operating with these restrictions makes Galway unattractive for some projects, in particular for offshore oil and gas. The proposed development will provide unrestricted access and a more attractive port for this type of work.

1.2 OTHER IMPORT AND EXPORT OPPORTUNITIES

The assertion that import/export of biofuels and wood chips are unsustainable is not substantiated. This statement also assumes that all movements will be to another country,

as opposed being transported by sea to another location in Ireland, which will generally be environmentally superior to the land transport alternative.

Fossil fuels will continue to be used in large quantities for the foreseeable future, wherever their origins. Successful oil and gas exploration off the west coast – while challenging - has enormous potential benefits for Ireland and the EU, in terms of import replacement (itself avoiding significant transport costs) and security of supply, and reducing dependence on geopolitically high-risk regions of the world. This is apart at all from the direct economic opportunities the sector would generate for Galway, the West region, and Ireland.

1.3 CRUISE LINERS

In the first instance the statement from An Taisce suggesting that a Business case for a separate cruise ship terminal in Galway should stand on its own does not make sense. There is a symbiotic relationship between the Cruise Liner Business and all other business activity that is and will be conducted in the port. If a business case were to be considered for the Cruise Liner Business on its own, the full cost of a harbour extension designed for that purpose alone would have to be costed into that proposal. As proposed the costs considered are the marginal capital cost of the cruise liner terminal over and above the other costs that are required in order for the port to conduct its normal business and expand that business.

An Taisce quoting from the website [www. Responsibletravel.com](http://www.Responsibletravel.com) state that “A typical cruise liner generates higher per capita emission than a transatlantic flight”. The article quoted predates 2008.

Notwithstanding the fact that that this is not a peer reviewed reference in the academic sense, An Taisce have omitted to say that the very same website states in another article published in October 2009 state that :

“Many larger cruise liners are beginning to get their house in order and things are changing very gradually. We met with the Passenger Shipping Association earlier in 2008 to discuss the issues within the industry and the urgent need to pay greater attention to responsible tourism. We have since had assurance that the organisation has set up a sustainability working group and that progress is being made as a result. We look forward to hearing more from the industry about developments in this area.”

Cruise Lines International Association (CLIA) is the world's largest cruise industry trade association with representation in North and South America, Europe, Asia and Australasia.
http://www.cruising.org/vacation/news/press_releases/2014/04/cruise-industry-highlights-ongoing-sustainability-efforts-fully-protect-

**Their website (Seven years or more after the article quoted by An Taisce states that :
“Washington, DC — April 22, 2014 —**

In commemoration of Earth Day, Cruise Lines International Association (CLIA) today highlighted the extensive efforts of the cruise industry and CLIA member lines to preserve and protect the environment.

“CLIA member cruise lines continue to invest in systems and technologies that improve overall environmental performance,” said Christine Duffy, president and CEO of CLIA. “The industry takes its responsibility as caretakers of the environment seriously. We work collaboratively with regulators, design and engineering experts and a range of stakeholders to raise the bar on our ongoing efforts to preserve and protect the oceans and the nearly 600 ports our member cruise lines visit.”

Working with the International Maritime Organization (IMO), the global maritime regulatory body with 170 Member States including the United States, CLIA and its member lines have helped shape the development of consistent, stringent and uniform international standards governing environmental practices that apply to all CLIA member ships that travel internationally.

Following are examples of steps that cruise lines have taken to protect the environment:

- The advanced wastewater treatment systems that the cruise industry pioneered can produce water cleaner than most wastewater treatment facilities in U.S. cities.
- CLIA members have invested hundreds of millions of dollars to develop and implement new technologies that help to reduce air emissions and are in the process of deploying exhaust gas scrubbers to reduce sulfur emissions from ships’ engines, developing engines that run more efficiently and with reduced emissions, and installing the necessary equipment and using shore power where feasible.
- The industry has made significant strides improving its energy consumption inside ships by switching to low energy LED lights — which last 25 times longer, use 80% less energy, and generate 50% less heat — and high efficiency appliances, utilizing recycled hot water to heat passenger cabins, and using special window tinting that keep passageways cooler and utilize less air conditioning.
- Many lines are using ecological, non-toxic, slick hull coatings that increase energy efficiency and reduce air emissions.

The cruise industry works collaboratively with the IMO through participation in a number of committees and other bodies to develop global regulations and standards that protect the environment. For example, thanks to this collaboration, new cruise ships that enter into service today are among the most environmentally-friendly. Additionally, beginning in September 2015, new cruise ships must meet certain energy efficiency standards in compliance with the IMO's Energy Efficiency Design Index (EEDI) — which the cruise industry supports — that provides for more energy-efficient and therefore less polluting equipment and engines. The EEDI requires a 30 % reduction in CO2 levels over time.

For CLIA members, environmental stewardship also involves the participation of passengers and crew members. Many CLIA member lines offer programs to raise awareness including stateroom videos, onboard activities and the promotion of recycling and conservation efforts.

Additional initiatives, programs and practices in place at CLIA member lines include the following examples of environmental accomplishments:

- A family of cruise brands increased non-hazardous waste recycled to shore by 18% and reduced total waste almost 5% in a one-year period.
- One member line recycled nearly 53% of the solid waste it generated in 2013.
- One hundred percent of the waste generated on 12 of the cruise ships of one family of cruise brands is being repurposed through reducing, reusing, donating, recycling, and converting waste to energy.
- One major cruise company has achieved a reduction in absolute fuel emissions from greenhouse gases of nearly 4% over a two-year period.
- In 2013, one line recycled 1,254 tons of cardboard, 2,517 tons of scrap metal, 2,988 tons of glass, 669 tons of plastic and managed 748 tons of trash and international garbage at Waste-to-Energy (WTE) facilities which conserved 30,096 gallons of gasoline, 6,349,000 gallons of water, 3,715 barrels of oil and 23,450 mature trees.
- Naturally occurring condensation from shipboard air conditioning units is reclaimed and then re-used to wash the decks on a CLIA member line's ships, saving up to 22.3 million gallons of fresh water annually.
- One CLIA member line's ships offload and recycle over 52,000 gallons of used cooking oil annually.
- For each guest that travels on its ships in Europe, one line donates \$1 to Whole World Water, which works to provide clean and safe water to the world's nearly 1 billion people living without access to potable water.

- A CLIA member line saw a 32% reduction in CO2 emissions in a five-year period.
- Through passenger efforts and the use of water flow restrictors in showers, one CLIA member line saw water consumption decrease by 7% per passenger and 6% overall.
- One member line donates reusable goods to local charities including towels, linens, dishes, cookware, silverware, televisions, computers and mattresses through participation in an innovative community giving program.

The cruise industry is highlighting how its member lines are safeguarding the oceans and the environment through the recently launched 'Cruise Forward' industry-wide communications initiative. Specific examples of how cruise lines across the globe are actively working to reduce the overall environmental impact of cruising and preserve and protect pristine oceans, beaches and ports can be found online at www.cruiseforward.org.

<http://www.cruiseforward.org/impact/environment/a-cleaner-planet-means-staying-ahead-of-the-curve>

- Cruise ships are using emissions scrubbers and monitoring devices and employing shore power, rounded hulls, special coatings and variable ship speeds to reduce fuel power consumption and emissions
- Ships are also using energy reduction initiatives like switching to low energy LED lights, using recycled hot water to heat passenger cabins, and installing special window tinting to keep passageways cooler
- Seawater scrubbers use the natural chemistry of seawater to remove sulfur oxide and particulate matter from emissions
- CLIA member cruise lines have a policy that prevents any discharge of untreated sewage anywhere. Sewage using equipment certified to meet the standards set by the U.S. Coast Guard.
- Because ships spend so much time under the bright sun, solar panels are a good source of emission-free energy and used on a number of ships
- "Cold ironing" is a new alternative offered at some ports that allows a ship to "plug in" at port and shut down its engines, reducing the overall emissions a ship generates
- New paints and varnishes used for hull coatings are estimated to reduce fuel consumption by as much as 5 percent
- Water used to cool the engines can be used in evaporators to distill fresh water to supply the air conditioning system
- CLIA member lines have a zero discharge policy for trash. Crews must follow strict procedures to dispose of everything properly.

In Addition to all of the foregoing, an academic paper written by Ross A. Klein of the Memorial University of Newfoundland, Canada and entitled “Responsible cruise tourism: issues of cruise tourism and sustainability” published in January 2011 states that

“Cruise tourism is the fastest growing segment of leisure tourism. With its growth has come concern about the impact of cruise tourism on coastal and marine environments, local economies, and on the sociocultural nature of port communities. These three areas are key elements in analyses focused on responsible tourism, and form a critical base from which to consider strategies to ensure the sustainable development of cruise tourism. The goal of this article is to illustrate how a responsible tourism lens measures the impact of cruise tourism and, with its focus on the perceptions of host communities, more effectively addresses grassroots concerns. Case examples are used to identify and describe challenges faced by governments, communities, and the cruise industry. Analysis of these issues and challenges gives direction for how cruise tourism can grow in ways that are both sustainable and responsible.”

The report concludes that:

“Using the responsible tourism lens to view cruise tourism can be a useful exercise. It helps focus the analysis of ‘sustainability’ on the local community and stakeholders that are effected by cruise tourism. While it may be useful from a corporate perspective to think in terms of sustainability, viewing cruise tourism from the grassroots — the ground up — may be best accomplished with the responsible tourism lens. This shift in focus has yet to be adopted by academic researchers. There is limited research on the challenges posed to local communities and governments by cruise tourism, and virtually no research focusing specifically on responsible cruise tourism. It is an area that begs for attention, not only research focusing on how impacts of cruise tourism are viewed differently from an industry perspective versus from the viewpoint of stakeholders and effected citizens in ports of call, but in regard to the social and environmental policy implications of insights provided by that research.”

In all of this the point to be made is that since the time of writing the article quoted by Mr. Lumley (circa 2007), a significant amount of change has come about in the attitude and approach of cruise line companies towards protection of the environment and the

sustainability of their Industry. This is now moving from the arena of website and blog discussion towards more formal academic research. It is anticipated that by the time of completion of the Galway Harbour Expansion that research in this area will have taken a significant step forward with resulting improvements in Cruise Liner Standards.

Finally it should be noted that it is only valid to argue Mr. Lumley's point on the basis of like for like Air and Sea transport arriving in Galway. Cruise Ship Visitors coming to Ireland and wishing to visit Galway or some of the surrounding tourist areas will have to be transported from other points of Cruise Ship entry to Ireland. This will contribute to the per capita emissions of the Cruise Ship Visitor wishing to visit Galway or its hinterland.

2 PLANNING

Planning Policy Statement 2015

The submission from An Taisce evaluates GHE in accordance with the objectives in the Planning Policy Statement and the 10 no. key principles. The following is our response to An Taisces position.

The introduction to the Planning Policy Statement includes the following:

'The Government believes that the planning process must provide:

- *Opportunities for communities to help shape the future of their areas;*
- *Effective co-ordination in the work of local authorities and other public bodies; and*
- *Clear guidance to potential developers in securing public policy aims'*

GHE is a plan-led and policy supported regional infrastructure project, supported by the local community which is seen as vital to shaping the future of the Galway region. The supporting policies and objectives in the relevant planning & policy documents, as outlined in the Briefs of Evidence (BoE) provide clear guidance to Galway Harbour Company in securing a project which is in line with public policy.

In terms of the 10 no. key principles in the planning policy statement:

1. ***Planning must be plan-led and evidence based so that at the appropriate level, from the National Spatial Strategy, Regional Spatial and Economic Strategies, City and County Development Plans and Local Area Plans, the Government, local authorities and local communities, work together to set out a cohesive vision for the future of our country.***

GHE is plan-led and evidenced based and this has been clearly demonstrated in the planning application, EIS and BoE's presented to this Oral Hearing. In this regard, GHE is supported by European, National, Regional and local planning & policy documents including spatial and economic strategies, and City & County Development Plans. The project is also supported by a robust business case and cost benefit analysis and clearly therefore is plan-led and evidenced based.

2. ***Planning must proactively drive and support sustainable development, integrating consideration of its economic, social and environmental aspects at the earliest stage to deliver the homes, business and employment space, infrastructure and thriving urban and rural locations in an economically viable manner that will sustain recovery and our future prosperity.***

GHE project is in line with National and European policies on sustainable development which promote and support transport modes which reduce dependence on road freight transport. In this regard, the proposal supports the implementation of European policies on short sea shipping and the proximity principle whereby the port is provided as close as possible to the customers which it serves.

3. ***Planning is about creating communities and further developing existing communities in a sustainable manner by securing high quality urban design through the design, delivery and co-ordination of new development providing a good quality of life for all existing and future users of land and buildings.***

In this regard, while GHE constitutes infrastructure of an industrial nature, it is supported by the principles of delivering a high quality urban design and integration of new development

into the existing urban fabric. The project includes a significant public realm in the form of waterside promenades, walkways, cycleways, recreational boating facilities and a sheltered in-shore area for recreational use. In this regard, the project will contribute to the quality of life for both residents and visitors to Galway City.

4. **Planning must support the transition to a low carbon future and adapt to a changing climate taking full account of flood risk and facilitating, as appropriate, the use of renewable resources, particularly the development of alternative indigenous energy resources.**

As a relatively small island, the bulk of goods consumed are imported and in addition the Irish economy is heavily dependent on exports. Consequently the economy is heavily dependent on shipping as the primary transport mode. GHE is a regional port designed to serve businesses within the region in line with the proximity principle, thus reducing longer journeys by road to alternative ports beyond the region. In this regard, the project supports a low carbon future and adaptation to climate change.

5. **Planning must ensure that development facilitates and encourages greater use of public transport as well as making walking and cycling more attractive for people in support of active and healthy lifestyles by focusing development, whenever possible, at locations with more sustainable travel options.**

While the GHE project is port infrastructure, designed to facilitate the efficient movement of goods to and from the region, it supports the principles of sustainable travel and includes walking and cycling facilities within its public realm. The project is supported by a Mobility Management Framework which will manage trip generation in the most efficient and effective manner.

6. **Planning will encourage the most efficient and effective use of previously developed (brownfield) land over the use of greenfield land to ensure the most efficient use of existing infrastructure, enhancing and strengthening the continued vitality of existing communities through regeneration.**

GHE is directly in line with this principle in that it involves an extension to an established port with associated port infrastructure, the bulk of which is relatively recently developed on the enterprise Park. The proposed GHE location allows for the continued utilisation of this infrastructure which includes significant tank farms as well as closed and open storage.

7. **Planning will enhance a sense of place within and between cities, towns and villages and rural areas by recognising their intrinsic character and individual qualities and implement actions to protect and enhance that character and those qualities.**

This aspect of the GHE project has been illustrated in the EIS and in the BoE's on landscape and architecture. In this regard, the development has been designed to integrate into the existing urban environment and to contribute to a 'sense of place' and an experience both in its own right and as part of the waterside realm in the City. This is achieved in particular through the public realm elements within the project.

8. ***Planning will conserve and enhance the rich qualities of natural and cultural heritage of Ireland in a manner appropriate to their significance, from statutorily designated sites to sites of local importance, and including the conservation and management of landscape quality to the maximum extent possible, so that these intrinsic qualities of our country can be enjoyed for their collective contribution to the quality of life of this and future generations.***

The issue of natural heritage is comprehensively addressed in the planning application to ABP and through the presentations and submissions to the Oral Hearing. In this regard, the project will not result in any net loss of natural heritage and the public realm within the development will ultimately contribute to the natural heritage of the urban environment. The contribution which Galway Port has made to the cultural heritage of the City and region has been comprehensively addressed by the applicant and in this regard, the proposed development will ensure the continuity of this significant element of cultural heritage.

9. ***Planning will support the protection and enhancement of environmental quality in a manner consistent with the requirements of relevant national and European standards by guiding development towards optimal locations from the perspective of ensuring high standards of water and air quality, biodiversity and the minimisation of pollution risk.***

The GHE project has been designed in accordance with the requirements of relevant National and European environmental standards. The evolution of this project includes a comprehensive assessment of possible alternative solutions and GHE has been determined to be the optimal location for the development in terms of protection and enhancement of environmental quality.

10. ***Above all, planning will be conducted in a manner that affords a high level of confidence in the openness, fairness, professionalism and efficiency of the process, where people have the opportunity to participate at both the strategic plan making and individual planning application level with decisions always being taken in the interests of the common good and in a timely and informed fashion and where people can have confidence that appropriate enforcement action will be taken where legal requirements are not upheld.***

Throughout the evolution of this project, Galway Harbour Company have been entirely open and inclusive and this has been demonstrated in the wide ranging public consultation over a considerable time period. This consultation has resulted in extensive engagement ranging from individuals and the general public to prescribed bodies and statutory agencies. In this regard, the level of openness and engagement in this project has been extensive and far greater than is the norm.

PLANNING POLICY STATEMENT P.14

The submission states “The planning process plays a very significant role in promoting patterns of development which help Ireland meet its international obligations by;

- Tackling the sources of climate change by reducing Ireland's carbon footprint;”

The submission goes on to state that the proposed development increases Ireland's carbon footprint and ‘is not integrated with the national and regional decarbonisation strategy’.

Ireland does not have a national decarbonisation strategy. Newspaper reports on 20th Jan indicated that it would be 2017 before a National Mitigation Plan would be in place. The National Efficiency Action Plan has 97 measures and actions across all sectors of the economy, none of

which relate to shipping emissions. The EIS outlines how less manoeuvring, waiting at anchor and the use of larger vessels will reduce the port's carbon footprint.

The development will not (on its own) increase the country's carbon footprint. The change to larger shipping spending less time getting in and out of the port will have the effect of reducing the CO₂ per Tonne by 30%. This means that a 30% growth in traffic can be accommodated within the same carbon footprint.

Ireland does have an Integrated Marine Plan for Ireland, 'Harnessing our Ocean Wealth'. This plan is itself based on the EU Blue Growth Strategy. Harnessing our Ocean Wealth has the following 2020 targets;

- Double the value of our ocean wealth to 2.4% of GDP by 2030
- Increase the turnover from our ocean economy to exceed €6.4bn by 2020

In order to ensure a balanced regional share of this growth it is essential that Galway Port provides facilities that are not restricted by tidal constraints.

3 COST BENEFIT ANALYSIS

The comments in relation to the Socio-Economic Model raise issues that are beyond the scale and scope of the project under consideration. The far-reaching issues raised will not be affected by whether this project proceeds or not.

Whatever its limitations, the EU is leading the way in the introduction of policies to address the global environmental issues mentioned, notably through the introduction of carbon taxation and carbon credit trading, as well as a wide range of environmental regulations, and GHC and its customers operate within this context.

While the comments in relation to larger ships reducing transport costs and therefore incentivizing increases in tonnages are true in a general sense, the scale of the operations in Galway mean that there will be no material impact: the international markets in question are unlikely to expand because shipping costs into/out of Galway are reduced. The one possible exception may be with regard to bitumen – transshipment activities are generally undertaken because they are logistically superior, i.e. they reduce overall transport costs.

Comments with regard to international shipping escaping international environmental regulation to date are selective since in Europe there are now Sulphur Emissions Control Areas requiring vessels to use low sulphur fuel. Shipping remains environmentally superior to other forms of transport, and will be even more so in the future as it becomes subject to more stringent environmental regulations. Most of the shipping undertaken in/out of Galway comprises short trips, which is specifically promoted as being environmentally superior at EU level.

It should be noted that although shipping carries 80 – 90% of world trade, and fuel makes up 70% of shipping costs, the global shipping sector is responsible for approximately 1.5% of global greenhouse gas emissions from anthropogenic sources.

Regarding cruise tourism, similar points can be made. While there is no doubt that cruise ships generate environmental impacts, over time these can be expected to be addressed, and the impact to be mitigated, as for instance new ships are more environmentally friendly (<http://www.treehugger.com/natural-sciences/7-ocean-friendly-eco-cruises-hitting-the-high-seas.html>).

Emission comparison with a transatlantic flight is not valid, since the flight is a short end-to-end journey while with a cruise the journey represents an all-embracing holiday including the full range of activities/entertainment/catering etc.

References to the range of goods that Ireland imports, are not relevant, as for the most part these goods are not handled at Galway.

Similarly, the references to organisations such as Teagasc, Bord Bia, BIM are equally irrelevant.

References to the range of environmental issues with unconventional technologies for exploiting fossil fuels would point to the relative advantage of locating and

exploiting oil sources in areas such as off the west coast of Ireland. The quotation from Nature, (January 2015) confirms that, even under the best of circumstances, there will be a need for a supply of oil and gas into the future.

The statement that freight through Galway will be a deflection from Tier 1 and Tier 2 Ports is inaccurate as it has been demonstrated that Galway will operate only for customers in its natural regional hinterland.

4 CLIMATE

The first paragraph of the section on climate states that '*The modelling of the climate impact of any development needs to address how the proposal strategically integrates with national and trans-boundary climate and the mitigation and adaptation therein.*' And cites the Climate Action and Low Carbon Development Bill 2015 as an authority for this requirement.

The Climate Action and Low Carbon Development Bill, which has been heavily criticised for not having specific targets, is a high level instrument. The Bill, when enacted, is designed to allow Ireland meet EU and international targets, with five-year National Low Carbon Transition and Mitigation Plans setting out the measures needed across each government department. It does not propose any actions at project specific level.

In their submission An Taisce do not dispute the quantities of greenhouse gas presented at the hearing. They suggest that a wider assessment is required and seeks to require an assessment of the 'transboundary impact of extracting, refining and processing of oil, bitumen and other materials projected by the development.....'. There is no requirement for such a wide ranging investigation, the EIS includes a comprehensive evaluation of the emissions relating to the proposed development.

Galway Port serves the west region. In assessing the equivalent CO₂ emissions of transporting goods through Foynes Port the route from Foynes to the West region is in fact 'through' Galway from Foynes. The assertion that CO₂ savings would be nullified by downstream impacts is factually incorrect. The economic consequences of routing traffic through Foynes is outlined in section 2.4.1 of the submission made by DKM Economic Consultants to the Board earlier this week.

The provision of infrastructure for shoreside power is the first time consideration for such facilities has been made at an Irish Port. In this regard the proposed development is ahead of any national climate action plans.

The implication of the comment on John Lawlor's evidence is that, in the absence of GHE, the related economic activity at a global level will simply cease. This is implausible – bitumen will continue to be used on roads throughout Europe and Ireland even if Cold Chon Galway closes down. Likewise, one-way glass manufacture internationally will not be influenced if McGrath's limestone stops exporting via Galway.

The same can be said for the wide-ranging exhortations for Ireland to lead the way in promoting a global carbon cap and similar, which are commendable, but not relevant here. In essence, in this submission An Taisce is posing the best (global decarbonisation) as the enemy of the good (GHE).

5 TRAFFIC TRANSPORT AND RAIL

TEXT in response to An Taisce Brief of Evidence submission Chapter 6 Transport / Traffic / Rail

Response to Paragraph 2

The 2011 traffic model incorporated the older NRA traffic growth factors, which were based on higher growth patterns than current NRA traffic growth factors. In addition, population growth as a result of the Ardaun and Ragoon residential developments, incorporated in the current Galway City Development Plan, as well as committed developments of the Crown Site and the Headford Road Shopping Centre, all of which have not since progressed as a result of the recent economic slowdown. The projected traffic flows in the EIS, as factored to 2016, 2021 and 2031, included the traffic that would have been generated from the Ardaun and Ragoon residential developments, as well as committed developments of the Crown Site and the Headford Road Shopping Centre. It is therefore contended that this higher traffic growth has not been experienced in the city.

Response to Paragraph 3

An Taisce states that the “EIS primarily focuses on the impact on the road network near Galway Harbour and allows for various improvements to the road network including the outer bypass”. It is confirmed that the 2011 traffic model referenced in Chapter 13.4 of the EIS did not include the Galway City Outer Bypass in any of the scenarios run.

Response to Paragraph 4 and Paragraph 8

A Mobility Management Framework (see updated MMF in EIS Errata) will be implemented by the Galway Harbour Company to promote alternative modes of transport to the private car for employees or customers at the Port of Galway, consistent with Galway City Council modal shift targets, and to promote sustainable haulage related activities by avoiding peak hour traffic. In particular, haulage-related activities will be restricted, for any new or revised development within the Port of Galway, between 08:00 – 09:30 and 17:00 – 18:30. During the construction stage a Construction Traffic Management Plan will be implemented which will aim to reduce the impact of construction traffic on the surrounding road network, and also avoid conflict with peak traffic. The implementation of this Mobility Management Framework, including Construction Traffic Management Plan, will ensure that the proposed Galway Harbour Extension development will not significantly increase delay or congestion to traffic at the Moneenageisha Cross and other junctions extending away from the port, during the AM and PM peak hours.

Response to Paragraph 5

The impacts of HGVs, as a larger slower vehicle, have been accounted for in the 2011 SATURN traffic model; the traffic flows modelled include a weighting to convert HGVs numbers to equivalent Passenger Car Units (PCUs) by factoring HGVs by 2.3 (reference TRL Research Report 67).

An Taisce also made reference to statistics of road fatalities in London. These statistics are vague in An Taisce's brief, however on reading the reference document, <http://www.biomedcentral.com/content/pdf/1471-2458-10-699.pdf>, the statistics are referring to cyclist fatalities.

The numbers presented give no understanding of the circumstances that may have contributed to the collision, including whether or not the collision occurred at a dedicated cycle facility.

It is acknowledged that left turning vehicles are a greater risk to cyclists, but it should be noted that the proposed access junction design has mitigated this risk by including a Setback Stop Line / Advanced Stacking Locations (ASL) of 4.5m in front of the traffic stop line. These Set Back Stop Lines / ASLs increase the visibility of cyclists from a truck cab. The cycle lanes / tracks proposed within the development will also ensure that the cycle

facilities re-established as cycle lanes at road level for at least 20m before a road or access junction. The re-establishment zone provides time for vehicles and cyclists to observe each other and accommodate each other's movements at the conflict point.

A review of the Road Safety Collision data on the Road Safety Authority Database (<http://www.rsa.ie/en/RSA/Road-Safety/Our-Research/Ireland-Road-Collisions/>), between 2005 and 2012, shows one minor collision in 2008 along the Lough Atalia Road involving a cyclist. There are no further details on the website to indicating the type or contributing factors involved in the collision.

Response to Paragraphs 7 to 11 and 33

An Taisce reference a distance of approximately 7km between the harbour and the M6. This distance is along the proposed operational haul route via the R338 Dublin Road. It should be noted that a shorter operational haul route of 6.4km to the M6 junction via the Wellpark Road and the N6/N17 Junction is available.

It should also be noted that the site access junction is within 2.5km of the N6 National Primary Route at the Headford Road Shopping Centre (formerly the Bodkin Roundabout), and within 2.9km of the junction with the N6 and N17 National Primary Routes at the junction formerly known as the Ffont Roundabout at Flemings garage.

Response to Paragraph 12 to 27 (Rail)

The proposed rail link within the site will be facilitated within the construction sequence at an early stage and will **future proof** the Port of Galway and be ready to have linkage commissioned to the main line as soon as commercially viable freight tonnage warrants the expenditure.

Response to Paragraph 28 to 32(Smarter Travel)

The Mobility Management Framework (see updated MMF in EIS Errata) will be implemented by the Galway Harbour Company to promote alternative modes of transport to the private car for employees or customers at the Port of Galway, consistent with Galway City Council modal shift targets, and to promote sustainable haulage related activities by avoiding peak hour traffic.



Galway Harbour Company

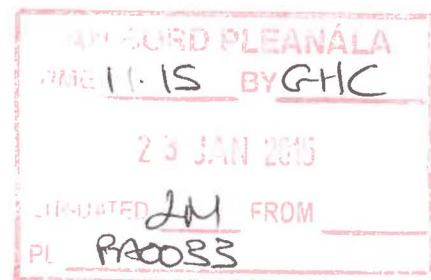
Galway Harbour Extension

Response to Submission made by

Councillor Catherine Connolly

To An Bord Pleanála

On 7th March 2014



January 2015

Councillor Connolly has expressed concerns in light of the size of the development on reclaimed lands in a cSAC, SPA and pNHA

R1 Response:-

Detailed impact assessment studies of the proposed development have been carried out as part of the EIS in a full range of potential conditions and such assessment included assessing the effect of the proposed development including the land reclamation footprint, breakwaters, Quay walls, capital dredge works, etc. on the ambient hydrodynamics and wave climate. A detailed Flood Risk Assessment was carried out and concluded that the proposed development was appropriate and will not impact on the Flood Risk to adjacent flood vulnerable areas. The development was shown not to impede the outflow from the Corrib estuary.

- **Councillor Connolly further expressed concerns that the EIS does not adequately address these concerns (flooding) and how same can be impacted by climate change. Reference is made to the... flood history to date. Councillor Connolly further refers to the Current flood risk project in progress by the Office of Public Works and the Flood protection works and suggests that the significance of same have not been taken account of.**

R2 Response:-

The issue of sea level rises due to Global Warming has been addressed in Chapter 8 of the EIS. The scale of the proposed development is such that no direct impact on the climate is likely to occur. A regional port with 24 hour marine access and with road links to the region and the provision of a railway embankment has the potential to significantly reduce national CO₂ emissions in the longer term.

The assessment shows that critical maximum flood level for the development and neighbouring areas is produced by a tidal storm surge event. The estimated one in 200 year flood level is 4.146 m O.D. Malin (one in 200 year tide with inclusion for statistical error plus twice the statistical standard error). It should be noted that the recent storm Surge Levels observed in early 2014 achieved a maximum water level of 3.56 to 3.59m O.D. Malin. A medium range climate change scenario of a sea level rise of 0.5m over the next 100years increases the one in 200 year flood level to 4.635m. Both existing and future flood levels inundate a large portion of the city centre as can be seen from the flood mapping presented in Figure 4.10.1 of the Response to the RFI October 2014. The Draft OPW cFRAM mapping shows similar inundation pattern for Flood Zones A (high) and B (moderate) coastal flood risk areas.

It is clear given the vulnerability of the Claddagh and Docks area of the City that a flood defence scheme is required to safeguard these vulnerable areas principally from coastal flooding by tides and storm waves. Given the high risk and high number of properties involved it is expected that once the cFRAM process is completed the Galway City and Salthill area will rise very high on the OPW National priority list for a flood defence scheme. It is understood that some interim funding has been given by the OPW to Galway City Council for some coastal protection works at Salthill, Southpark and Spanish Arch areas. Indeed it is noted that an Aqua dam has been installed in recent days in the area of the Spanish Arch as shown on the front page of the Galway Independent on the 21st of January, 2015

What currently protects Claddagh/Southpark area from flooding is the flood storage available within the playing fields at Southpark. This storage accommodates wave overtopping volume and a short period of tidal inundation towards highwater. In the recent coastal flooding of 2014 these pitches were inundated by the tidal surge overflow and protected the surrounding houses and the roadway at Frenchville.

The proposed Harbour development will not increase flood risk in this flood vulnerable area or other adjacent areas and therefore it is not considered necessary for the development to provide flood mitigation in these areas to protect against an existing flood risk. The OPW in Association with Galway city Council are the responsible authorities for designing and implementing such a scheme.

The cFRAM Galway City Study is tasked with identifying viable flood defence / flood relief options and measures and making a recommendation as to the preferred scheme, integrating environmental and socio-economic factors in the choice of the preferred scheme. The proposed Harbour development location and configuration will not obstruct or impact negatively on any potential future flood defence scheme for this area. The proposed development is not considered premature pending the publication of the cFRAM study in 2015. The flood risk mapping element of the cFRAM has gone to public consultation in early November 2014. The cFRAM flood risk mapping in respect to coastal and fluvial flood risk and areas of flood inundation generally agree with this Flood Risk Assessment.

- **Councillor Connolly states that Traffic congestion is at ‘saturation point’ and that difficulties with access are likely to continue**
- **notwithstanding the lowering of the road under the bridge**

R3 Response:-

The Mobility Management Framework – EIS section 13.5 (see EIS Errata) includes the following requirement to be adopted in all Mobility Management Plans for new or revised developments within the Port of Galway:

Restriction of haulage-related activities, for any new or revised development within the port of Galway, between 08:00 – 09:30 and 17:00 – 18:30;

The operational traffic proposed haul route drawing 2139-2180 has been amended to exclude the R336 through the city centre as a haul route. Refer to revised drawing 2139-2180 Revision B included in EIS Errata. The main haul routes around the city will utilise the N6 and other city distributor roads, with low levels of haulage traffic within city centre roads to facilitate local deliveries.

The Effect of the implementation of the Mobility Management Plan will be as follows:

R4 Response:-

A Mobility Management Framework (see updated MMF in EIS Errata) will be implemented by the Galway Harbour Company to promote alternative modes of transport to the private car for employees or customers at the Port of Galway, consistent with Galway City Council modal shift targets, and to promote sustainable haulage related activities by avoiding peak hour traffic. In particular, haulage-related activities will be restricted, for any new or revised

development within the Port of Galway, between 08:00 – 09:30 and 17:00 – 18:30. During the construction stage a Construction Traffic Management Plan will be implemented which will aim to reduce the impact of construction traffic on the surrounding road network, and also avoid conflict with peak traffic. The implementation of this Mobility Management Framework, including Construction Traffic Management Plan, will ensure that the proposed Galway Harbour Extension development will not significantly increase delay or congestion to traffic at the Moneenageisha Cross and other junctions extending away from the port, during the AM and PM peak hours.

- **Transfer of ownership of the ‘Docklands’ from the Harbour Company to the Local Authority.**

R5 Response:-

The transfer of responsibility for management of the Harbour from the Harbour Company to Galway City Council does not change the reality of the shipping constraints which this proposal has been prepared to address.

- **‘Imperative Reasons of Overriding Public Interest’ needs more detailed scrutiny and analysis**

R6 Response:-

An Bord Pleanála will decide whether IROPI is the appropriate procedure and confirm the adequacy of the scrutiny and analysis accordingly.

- **The proposed model of funding which includes private investment, the selling of core inner harbor assets and loans certainly needs to be more fully explored in an open and accountable way in the context of what is best for the common good.**

R7 Response:-

The proposed funding model is entirely within Galway Harbour Company’s remit and is a model which has been used widely and successfully by other state owned ports. It does of course require that those assets remain available for sale by Galway Harbour Company which will in turn facilitate urban regeneration of same.



Galway Harbour Company

Galway Harbour Extension

**Response to Submission
of
Derrick Hambleton**

**To
An Bord Pleanála
On
3rd March 2014**



January 2015

1. Mr. Derrick Hambleton in his submission suggests that the application is designed to allow for, the future development of other underused lands around the historic docks footprint – that may in turn be sold off for private development to leverage finance for the cost of this project and it is suggested that same has the effect of removing IROPI classification.

R1. Response:-

This is a simplistic and unfounded argument based on the notion that a port company could justify large scale infrastructural investment and environmental challenges in reclaiming new land in order to free up existing land for sale. The objective is to provide a safe and sheltered harbour capable of accommodating vessels of 20,000 tonnes & upwards and catering for the regions needs for a 30-year period. This objective cannot be met through the development of individual berths on a piecemeal basis as the tidal, time and capacity constraints within the existing inner harbour would remain. The development permitted under previous permissions, referred to in this submission, do not meet the project objectives & therefore do not satisfy the criteria to be considered as alternatives and consequently were not assessed. The permitted developments were intended to serve a specific need, as short term piecemeal measures, to overcome the significant limitations of the existing harbor, as opposed to the current GHE proposal which is a comprehensive proposal designed to serve both existing & future needs.

It is further suggested that there are alternative options allowing for the removal of scrap handling and fuel discharge operations from the enclosed harbor which were previously subject to an application that was submitted under – PI Ref. No 09/24 for the Galway Harbour Company, when seeking permission for the excavation of a new dock, previously permitted under PI. Ref. No. 08/283 as a berth and for the construction of a channel access sea wall and storage yard at Galway Harbour Enterprise Park, Renmore, Galway. It is noted by Mr. Hambleton that these plans were later withdrawn, but he queries why same are not mentioned as an alternative in the EIS.

2. Issues are raised concerning the loss of approx 26.93 ha of what is contended to be prime cSAC and SPA and it is suggested that no amount of mitigation measures can, in Mr. Hambleton's view, compensate for such a degree of loss of coastal habitat. It is asserted that the EIS admitted that the loss of habitat is *"regarded as a significant negative impact on the conservation objectives for both Natura 2000 sites"*.

R2. Response:-

The EIS Addendum/Errata document included a comment within a revision to the Non-technical Summary stating that the loss of habitat was regarded as a significant negative impact on the conservation objectives of two Natura 2000 sites. However, this is based on a wider assessment which was ultimately based on the precautionary principal. Within the findings of the NIS, the proposed Galway Harbour Extension was found to have the potential to impact on Galway Bay cSAC and Inner Galway Bay SPA through the permanent loss of qualifying interest habitats and the potential impact on certain species arising from this loss. The effects are not considered to be significant with regard to any of the habitats and species individually, however, adopting the precautionary principal and on the basis that it cannot be said beyond reasonable scientific doubt that the impacts would not be significant for the purpose of the assessment, such habitat loss and impact on species is being treated as significant.

While clearly every effort has been made to avoid any risk of impact on the integrity of a Natura 2000 site, Article 6(4) of the Habitats Directive provides for exceptional circumstances where a plan or project may still go ahead, in spite of a negative assessment, provided there are no alternative solutions and the plan or project is considered to be of overriding public interest. In such cases, the Member State must take appropriate compensatory measures to ensure that the overall coherence of the Natura 2000 network is protected.

3. Concerns were also raised in relation to the suggestion that the area in question is a nursery ground for shrimp larvae.

R3. Response:-

With regard to the area being a nursery for juvenile shrimp, as noted above, larval shrimp can be found anywhere along the coast where weed-cover rocks and overhangs are present. There is no specific "nursery" area for shrimp in the bay. In particular the footprint of the development herein or the areas adjacent to same are not of any particular importance as a nursery area for juvenile shrimp and same has not been so found or recognised in any scientific or other assessment.

4. The submission further raised queries in light of the National Ports Policy Document and the status of Galway Port thereunder as well as in relation to how such a development would be funded.

R4. Response:-

The proposed funding model is entirely within Galway Harbour Company remit and is a model which has been used widely and successfully by other State Owned Ports. It does of course require that those assets remain available for sale by Galway Harbour Company which will in turn facilitate urban regeneration of same.

5. The suggestion is also made that the development may not be justified on the basis that there should be a move away from fossil fuels and it is suggested that the increase in offshore energy activity may be short lived.

- 5.1 Proposals designed to further develop the port are set to increase the importation of fossil fuels, which goes directly against government policy that clearly is set to reduce this countries dependence on importing fossil fuel derived energy.

R5.1 Response:-

Proposal does not foresee an increase in the importation of fossil fuels into Ireland, but does see an increase of imports into Galway (a proportion of which is transshipped from other Irish ports) to reflect the improved scope and flexibility of operations at Galway. There is significant storage capacity at Galway, and the port holds a proportion of the National Oil Reserve Agency's (NORA) strategic reserves. Providing a higher proportion of the region's petroleum requirements via Galway as opposed to a more distant port will reduce Ireland's usage of fossil fuels as transport by sea is more fuel efficient than transport by land. Greater use of storage at Galway will also add to the country's' and the region's energy security of supply.

5.2 While this development is also being said to be needed, to increase the servicing of offshore energy research activity which is transitory, if at all – since other better placed West coast ports will also be competing for this business.

R5.2 Response:-

While it is difficult to predict the future level of offshore energy research activity, it is reasonable to assume – given the Government’s commitment to both conventional offshore energy exploration and renewable offshore energy – that future activity will be ongoing and (to be hoped) substantial. The Atlantic Ocean Energy Alliance indicates that the west coast of Ireland possesses some of the highest wind speeds in Europe and has an average wind speed of 10.2m per second¹.

Other ports (including those outside the State) are likely to compete for this business, though it has not been demonstrated that they are better placed to do so than Galway, and we would dispute this assertion. The graphic http://www.shelltosea.com/sites/default/files/images/MapOilGasIreland_Aug2012.jpg - included in the EIS documentation² - demonstrates a large level of activity off the coast of Galway. We note further that:

- (i) A report published by the Ocean Energy Development Unit (OEDU) at the Sustainable Energy Authority of Ireland (SEAI) states that the geographic location of Galway Harbour in close proximity to wave energy resources means it will be attractive to potential developers of ocean renewable energy³.
- (ii) The Irish Maritime development Office’s report Irish Ports Offshore Renewable Energy Services (Ipores)⁴ indicates that “Galway Harbour is located in the heart of the city and occupies a strategic location on the west coast that could service the developing offshore marine renewable energy and oil and gas sector” (P.46). Galway is designated as a Category B port (“Strategic support operations and maintenance ports”) in the IPORES report.
- (iii) The National Ports Policy⁵ endorses the findings of the IPORES report with regard to Galway. (p.45)

5.3 The flush of components for wind turbines currently being imported through, or being stored at Galway Port is also a short term activity, as once they are up installed and running, replacements will be required only every twenty, to twenty five years.

R5.3 Response:

The business case for the proposed development, as presented in EIS⁶, does not depend on business arising from catering for wind turbines, as it is recognised that the bulk of the

¹ <http://www.aoea.ie/offshore-wind-energy/>

² Report entitled *Galway Harbour Extension Alternative Solutions*, dated 13th December 2013, contained in Vol. 2C: Appendices to Environmental Impact Statement (EIS) – [Part 1 of 3 Parts], Appendix 3.3, as well as being summarised in Chapter 3 of Vol. 2B: Main EIS [Part 1 of 2 Parts].

³ http://www.oceanrenewable.com/wp-content/uploads/2011/05/200906_SEI_Review-of-Engineering-and-Specialist-Support-Requirements-For-the-Ocean-Energy-Sector.pdf

⁴ <http://www.imdo.ie/NR/rdonlyres/5ABD1D19-223B-4F2A-9506-15B860496AF0/0/IMDOIPORESReport.pdf>

⁵ <http://www.dttas.ie/sites/default/files/node/add/content-publication/National%20Ports%20Policy%202013.PDF>

⁶ Report entitled *Galway Harbour Extension Business Case & Cost Benefit Analysis*, dated 13th December 2013, which is contained in Vol. 2C: Appendices to EIS – [Part 1 of 3 Parts], Appendix 2.2.1, as well as being summarised in Chapter 2 of Vol. 2B: Main EIS [Part 1 of 2 Parts].

foreseeable volume of turbines potentially handled at Galway will be before the completion of the proposed development.

6. The submission further suggests that the Cruise Liner Business may also be short lived.

R6 Response:-

The Applicant is not of the opinion that cruise tourism will be short-lived as the business internationally appears to be going from strength to strength.

7. The submission raises traffic concerns and, while acknowledging that the development would move marine activity from the city centre argues that the use of roads including Lough Atalia Road is inappropriate. Reference is made in this regard to the previous decision by AN Bord Plenaala to refuse permission to move Cork Harbour's container terminal to Ringaskiddy for reasons which included poor roads access.

R7 Response:-

The traffic studies show that the development does not have a poor road access. The upgrade of the harbour junction and the linking of it to the UTMC, the lowering of the road under the railway bridge and the upgrading of the Lough Atalia Road as required by the Roads Authority will address the road access issues raised.

8. Concerns are expressed as to possible interference with sediment distribution within Galway bay and it is suggested that this will lead to sedimentation of the dredged channels.

R8 Response:-

The sedimentology study shows that the new channel to the old Port will be virtually self-cleansing. The area is subject to little littoral long-shore drift and the new -8m CD channel and turning circle will not be subject to significant sedimentation. There will be little change to sediment distribution.

9. Concern has been expressed as to suggested loss of visual amenity for people walking on Nimmo's pier, in South Park, Salthill and the Claddagh.

R9. Response:-

The following Protected Views and Prospects as defined in the Galway City Council Development Plan 2011-2017, Chapter 4, are as follows, and are accompanied by the visual impact as assessed and reviewed.

Panoramic Views

V1. Panoramic views of the city and the River Corrib from Circular Road.

The visual impact will be slight and neutral.(See Plate 1: Circular Road, Letteragh)

V4. Seascape views of Galway Bay from Grattan Road, Seapoint, the Salthill Promenade and the coast road to the western boundary of the golf course.

The visual impact will be moderate to significant and negative from various locations along this route. (See Plate 2 : Seapoint, Salthill, and Plate 5 : Grattan Road, Claddagh).

V9. Views toward the sea at Roscam.

The visual impact will be moderate to significant and negative, particularly when large ships and cruise liners are docked. (See Plate 16 : Roscam)

Linear Views

V13. Seascape views of Galway Bay at Ballyloughaun from south of the railway bridge.

The visual impact will be significant and negative. (See Plate 15 : Ballyloughaun)

V15. Views towards Galway Bay from Hawthorn Drive, Renmore.

The visual impact will be moderate to significant and negative.

V17. Seascape views from Military Walk, Renmore.

The visual impact will be significant and negative.

The impacts on views will be significant and negative from the east of site looking west to the proposed development. However, there is substantial visual intrusion and visual degradation of the existing harbour landscape in the prevalent scale and commercial/industrial character of the Enterprise Park.

10. Concerns are expressed that the development in certain weather, tidal and wind directions – be a cause of serious concern for the possibility of inducing future flooding events into the vicinity of the present docks and city centre.

R10 Response:-

The issue of sea level rises due to Global Warming has been addressed in Chapter 8 of the EIS. The scale of the proposed development is such that no direct impact on the climate is likely to occur. A regional port with 24 hour marine access and with road links to the region and the provision of a railway embankment has the potential to significantly reduce national CO₂ emissions in the longer term.

The assessment shows that critical maximum flood level for the development and neighbouring areas is produced by a tidal storm surge event. The estimated one in 200 year flood level is 4.146 m O.D. Malin (one in 200 year tide with inclusion for statistical error plus

twice the statistical standard error)). It should be noted that the recent storm Surge Levels observed in early 2014 achieved a maximum water level of 3.56 to 3.59m O.D. Malin. A medium range climate change scenario of a sea level rise of 0.5m over the next 100years increases the one in 200 year flood level to 4.635m. Both existing and future flood levels inundate a large portion of the city centre as can be seen from the flood mapping presented in Figure 4.10.1 of the Response to the RFI October 2014. The Draft OPW cFRAM mapping shows similar inundation pattern for Flood Zones A (high) and B (moderate) coastal flood risk areas.

It is clear given the vulnerability of the Claddagh and Docks area of the City that a flood defence scheme is required to safeguard these vulnerable areas principally from coastal flooding by tides and storm waves. Given the high risk and high number of properties involved it is expected that once the cFRAM process is completed the Galway City and Salthill area will rise very high on the OPW National priority list for a flood defence scheme. It is understood that some interim funding has been given by the OPW to Galway City Council for some coastal protection works at Salthill, Southpark and Spanish Arch areas. Indeed it is noted that an Aqua dam has been installed in recent days in the area of the Spanish Arch as shown on the front page of the Galway Independent on the 21st of January, 2015

What currently protects Claddagh/Southpark area from flooding is the flood storage available within the playing fields at Southpark. This storage accommodates wave overtopping volume and a short period of tidal inundation towards highwater. In the recent coastal flooding of 2014 these pitches were inundated by the tidal surge overflow and protected the surrounding houses and the roadway at Frenchville.

The proposed Harbour development will not increase flood risk in this flood vulnerable area or other adjacent areas and therefore it is not considered necessary for the development to provide flood mitigation in these areas to protect against an existing flood risk. The OPW in Association with Galway city Council are the responsible authorities for designing and implementing such a scheme.

The cFRAM Galway City Study is tasked with identifying viable flood defence / flood relief options and measures and making a recommendation as to the preferred scheme, integrating environmental and socio-economic factors in the choice of the preferred scheme. The proposed Harbour development location and configuration will not obstruct or impact negatively on any potential future flood defence scheme for this area. The proposed development is not considered premature pending the publication of the cFRAM study in 2015. The flood risk mapping element of the cFRAM has gone to public consultation in early November 2014. The cFRAM flood risk mapping in respect to coastal and fluvial flood risk and areas of flood inundation generally agree with this Flood Risk Assessment.



Galway Harbour Company

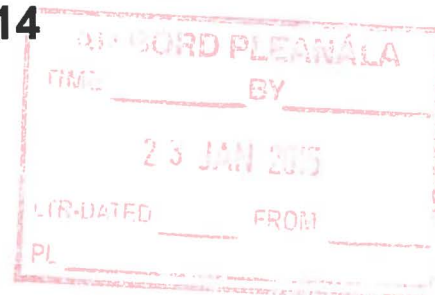
Galway Harbour Extension

Response to Observations made by

**Atlantic Fuel Supply Co Ltd
[Coakley, O'Neill]**

To An Bord Pleanála

On 10th March 2014



January 2015

4 Atlantic Fuel Supply Co Ltd [Coakley, O'Neill]

Summary of the issues raised

- Tier 3 Regional Ports should not compete with the commercial trade of Tier 1 and 2 ports
 - The focus of commercial trade in Tier 3 ports should be to serve their region and they should be scaled accordingly
 - Projected increase in freight not convincing based on trends relative to other ports
 - No explanation for a proposal designed to serve the needs of the region for a 30 year period
 - Opinion that the dev. is of inappropriate scale & is non-strategic despite ABP's determination
 - Conclusion that Shannon Foynes is not a viable alternative has no regard for its status as a Tier 1 port
 - In terms of oil importation and distribution Shannon Foynes and AFSC have sufficient capacity to cater for Galway's market
 - Galway harbour not a Tier 1 port nor a core port under TEN-T and is not appropriate location for the scale of development proposed
 - No IROPI case to permit the development in light of the alternatives
 - In addition to supporting Galway's commercial role at an appropriate scale, NPP endorses the development of cruise tourism and leisure facilities in the inner harbour
 - Proposal is contrary to the Regional Planning Guidelines and Galway City Dev. Plan
-
- **Tier 3 Regional Ports should not compete with the commercial trade of Tier 1 and 2 ports**

R1 Response

The proposed development with respect to bitumen and petroleum are based on projections made by existing customers of Galway port (GHC).

Beyond its status as a port of regional significance, GHC serves a national strategic role in terms of petroleum storage, as it holds a proportion of the National Oil Reserve Agency's (NORA) strategic reserves. Further, the National Ports Policy (NPP) states: "Galway Harbour Company is an important strategic regional hub for petroleum importation, storage and distribution"¹. (p.32)

In the business case it is projected that petroleum volumes at GHC will grow to 600,000 tonnes pa over time. This represents less than a recovery of volumes previously catered for at GHC. As recently as 2008 volumes were just under 700,000 tonnes (CSO port traffic statistics²). In this context the proposals are clearly not excessive in scale.

¹ <http://www.dttas.ie/sites/default/files/node/add/content-publication/National%20Ports%20Policy%202013.PDF>

² http://www.cso.ie/en/media/csoie/releasespublications/documents/transport/2008/spt_2008.pdf

With respect to bitumen, the operator of these facilities at GHC has invested significantly in its facilities at the port, and foresees an opportunity to use Galway as a western European transshipment port for bitumen for its international business. It has indicated that it is not interested in relocating its operations to Shannon-Foynes (SFPC). If the opportunity to utilise GHC for this purpose cannot be realised, the company does not foresee using another port in Ireland for this purpose, so the additional business would be lost to Ireland.

We note that the operator of the petroleum facilities at GHC has closed its facility at Limerick Port in recent years.

We note that AFPC is a direct competitor for the petroleum operators at GHC, and would view its submission in that context. In this regard we would argue further that Tier One status does not give a port (or its customers) exclusive or monopoly rights to particular streams of business, or a veto over proposed developments at other ports. Such an interpretation of the NPP would be clearly anti-competitive and as such detrimental to the wider economy.

- **The focus of commercial trade in Tier 3 ports should be to serve their region and they should be scaled accordingly**

R2 Response:

We fundamentally disagree with this assertion. Nowhere in the NPP is it asserted that Tier One status gives a port (or its customers) exclusive or monopoly rights to particular streams of business, or a veto over proposed developments at other ports. Such an interpretation of the NPP would be clearly anti-competitive and as such detrimental to the wider economy. We note that AFPC is a direct competitor for the petroleum operators at GHC, and would view its submission in that context.

- **Projected increase in freight not convincing based on trends relative to other ports**

R3 Response:

The projected volumes in the proposed development are based on projections made by existing customers or validated new customers of GHC. The projected fourfold increase in volumes is partly reflective of the loss of volumes at the port in recent years. Notably, it is projected that petroleum volumes at GHC - which serves a strategic role in storing part of NORA's national petroleum reserves - will grow to 600,000 tonnes pa over time. This represents less than a recovery of volumes previously catered for at GHC. As recently as 2008 volumes were just under 700,000 tonnes (CSO port traffic statistics). In this context the proposals are clearly not excessive in scale.

- **No explanation for a proposal designed to serve the needs of the region for a 30 year period**

R4 Response:

With regard to economic viability, a Business Case & Cost Benefit Analysis has been submitted as part of the EIS for the proposed development³.

A lack of explicit reference to GHC's contribution to the national economy in planning policy does not imply that planning policy is opposed to such a contribution. GHC is a key infrastructural asset for the West NUTS III region as well as for the BMW NUTS II region, both of which are priority development regions under Government policy. For instance, IDA Ireland's Horizon 2020 Strategy⁴ has a specific target of 50% jobs generation outside Dublin and Cork, and to support regional economic development, and Galway is a key element of that strategy:

"IDA has identified key areas of infrastructure improvement that are essential if we are to be successful in winning new investments into the regions outside Dublin and Cork. Transport and energy are vital. The importance of delivering next-generation networks is arguably the most important of all."

- **Opinion that the development is of inappropriate scale & is non-strategic despite ABP's determination**

R5 Response:

The basis for expansion of Galway is in relation primarily to business that arises in Galway's hinterland, is natural to it, and the key cargoes have been validated with actual current and potential future customers. Investment is required to ensure the long term sustainability of the port, which currently operates under severe ship size and tidal constraints, and to deliver on the NPP's vision for the existing inner harbour. Investment in such long-lived infrastructure is by its nature incremental and has to take the long-term view of future demand and hence future capacity requirement – it would be poor planning to do otherwise.

³ Report entitled *Galway Harbour Extension Business Case & Cost Benefit Analysis*, dated 13th December 2013, which is contained in *Vol. 2C: Appendices to EIS – [Part 1 of 3 Parts]*, Appendix 2.2.1, as well as being summarised in Chapter 2 of *Vol. 2B: Main EIS [Part 1 of 2 Parts]*.

⁴ <http://www.idaireland.com/news-media/publications/library-publications/ida-ireland-publications/IDA-Ireland-Strategy-2020.pdf>

- **Conclusion that Shannon Foynes is not a viable alternative has no regard for its status as a Tier 1 port**

R6 Response:

Lack of connectivity is not the reason why SFPC is ruled out as an alternative location for GHC's projected business. A detailed analysis of alternatives forms part of the EIS⁵. To summarise very briefly:

- A number of cargoes handled at GHC are very low value to volume, and carrying them the further distance to Shannon-Foynes would undermine the commerciality of the trade, as well as generating significant additional emissions to air as a result of the additional road-based traffic;
- The bitumen business is based on a significant storage and processing facility in Galway; the firm in question has indicated it would not be interested in relocating to Shannon-Foynes.
- With respect to the cruise business, Shannon-Foynes is not a substitute for Galway, with its international reputation and recognition factor.
- Apart from additional road traffic avoided in petroleum transport, Galway serves a national function in terms of holding part of NORA's strategic petroleum reserves.

- **In terms of oil importation and distribution Shannon Foynes and AFSC have sufficient capacity to cater for Galway's market**

R7 Response:

Distance to SFPC is an issue because of its impact on the commercial viability of important low value-to-volume cargoes carried at GHC. SFPC's status as a Tier 1 port cannot compensate for this geographic characteristic.

- **Galway harbour not a Tier 1 port nor a core port under TEN-T and is not appropriate location for the scale of development proposed**

R8 Response:

As stated above:

- Tier 1 status does not grant SFPC or its customers monopoly rights over certain business lines, simply because they have the capacity to handle them.
- The projected growth in petroleum throughput at GHC will not even return it to the level of volumes handled as recently as 2008.
- GHC serves a national strategic role in terms of petroleum storage, as it holds a proportion of the National Oil Reserve Agency's (NORA) strategic reserves, and the

⁵ Report entitled *Galway Harbour Extension Alternative Solutions*, dated 13th December 2013, contained in Vol. 2C: Appendices to Environmental Impact Statement (EIS) – [Part 1 of 3 Parts], Appendix 3.3, as well as being summarised in Chapter 3 of Vol. 2B: Main EIS [Part 1 of 2 Parts].

National Ports Policy (NPP) states: “Galway Harbour Company is an important strategic regional hub for petroleum importation, storage and distribution”⁶. (p.32)

- **No IROPI case to permit the development in light of the alternatives**

R9 Response:

The applicability of the IROPI provision is dealt with comprehensively in the separate report on “Consideration of Development in Context of Article 6(4) of the Habitats Directive as transposed into Irish Law”. SFPC’s suitability as an alternative is dealt with in the EIS documentation⁷.

- **In addition to supporting Galway’s commercial role at an appropriate scale, NPP endorses the development of cruise tourism and leisure facilities in the inner harbour**

R10 Response

Full development of the cruise business and marine tourism/leisure at GHC is a key deliverable from the proposed development, and indeed is dependent on it. With regard to scale of the proposed commercial development, the projected volumes in the proposed development are based on projections made by existing customers or validated new customers of GHC. The projected fourfold increase in volumes is partly reflective of the loss of volumes at the port in recent years. Notably, it is projected that petroleum volumes at GHC - which serves a strategic role in storing part of NORA’s national petroleum reserves - will grow to 600,000 tonnes pa over time. This represents less than a recovery of volumes previously catered for at GHC. As recently as 2008 volumes were just under 700,000 tonnes (CSO port traffic statistics). In this context the proposals are clearly not excessive in scale.

The basis for expansion of Galway is in relation primarily to business that arises in Galway’s hinterland, is natural to it, and the key cargoes have been validated with actual current and potential future customers (the bulk of it the former). Investment is required to ensure the long term sustainability of the port, which currently operates under severe ship size and tidal constraints, and to deliver on national port policy’s vision for the existing inner harbour. Investment in such long-lived infrastructure is by its nature lumpy and has to take the long-term view of future demand and hence future capacity requirement – it would be poor planning to do otherwise.

⁶ <http://www.dttas.ie/sites/default/files/node/add/content-publication/National%20Ports%20Policy%202013.PDF>

⁷ Report entitled *Galway Harbour Extension Alternative Solutions*, dated 13th December 2013, contained in Vol. 2C: Appendices to Environmental Impact Statement (EIS) – [Part 1 of 3 Parts], Appendix 3.3, as well as being summarised in Chapter 3 of Vol. 2B: Main EIS [Part 1 of 2 Parts].

- **Proposal is contrary to the Regional Planning Guidelines and Galway City Dev. Plan**

R11 Response

The proposed harbour extension is in line with both the regional planning guidelines for the west region and the Galway City Development Plan as it is on a scale appropriate to its role as a regional port. In this regard the proposed development is also in line with the National Ports Policy which designates Galway as a port of regional significance.

Policy 5.2 in the City Development Plan relates to Enterprise and the following are the relevant references to Galway Harbour:

- 'Promote further sustainable development of the Harbour Enterprise Park and related harbour activities, subject to acceptability from the appropriate authorities
- Support further sustainable development of Galway Harbour subject to environmental, visual, economic viability and transportation considerations
- Support the development of cruise line tourism acknowledging the significant contribution and diversity it could add to the local and regional tourist economy'

The Harbour Enterprise Park is developed predominately for harbour related activities. The primary exception in this regard is the Bus Eireann depot and the rationale for providing a bus depot at this location has been tested through the planning process both at local level and on appeal to An Bord Pleanála.

Policy 5.2 supports further sustainable development of the harbour subject to the considerations identified. The proposed Galway Harbour Extension is precisely in line with this policy where the planning application and associated documentation have addressed issues of environmental, visual and economic viability as well as transport considerations.

The proposed harbour extension will facilitate cruise ships as well as freight and will enhance Galway's attraction as a cruise destination which is in line with Policy 5.2 of the Galway City Development Plan.

With regard to economic viability, a Business Case & Cost Benefit Analysis has been submitted as part of the EIS for the proposed development⁸, which clearly indicates the project's economic viability and importance for GHC's customers, the city and the wider regional economy.

Finally we would reiterate that:

- The basis for expansion of GHC is in relation primarily to business that arises in Galway's hinterland, is natural to it, and the key cargoes have been validated with actual current and potential future customers.
- AFPC is a direct competitor for both the petroleum and bitumen operators at GHC, and its submission should be viewed in that context.

⁸ Report entitled *Galway Harbour Extension Business Case & Cost Benefit Analysis*, dated 13th December 2013, which is contained in *Vol. 2C: Appendices to EIS – [Part 1 of 3 Parts]*, Appendix 2.2.1, as well as being summarised in Chapter 2 of *Vol. 2B: Main EIS [Part 1 of 2 Parts]*.

- Tier One status does not give a port (or its customers) exclusive or monopoly rights to particular streams of business, or a veto over proposed developments at other ports. Such an interpretation of the NPP would be clearly anti-competitive and as such detrimental to the wider economy.



Galway Harbour Company

Galway Harbour Extension

Response to Observations made by

**Atlantic Fuel Supply Company Ltd.
[Coakley O'Neill Town Planning]**

To An Bord Pleanála

On 5th December 2014



January 2015



Atlantic Fuel Supply Company Ltd. [Coakley O'Neill Town Planning]

Summary of issues raised:

A second submission has been made by Atlantic Fuel Supply Company Ltd. (AFSC) following the response to the Further Information Request from An Bord Pleanála. A summary of the issues raised in this second submission are as follows:

- Scale of proposed development not supported by National Ports Policy (NPP)
- Prejudices the designated Shannon Foynes Tier 1 port of national significance
- No imperative reasons of overriding public interest for the proposed development having regard to the alternatives
- Assessment of alternatives predicated on an 'all or nothing' approach
- Project is primarily commercially led, not plan led
- Comparison of Galway Harbour with a Tier 1 port in the assessment of alternatives inappropriate
- Cost of transporting goods from Galway region to Foynes has not factored in planned improvements to N69 in completion of Gort - Tuam motorway or potential of rail connection to Foynes port
- Reference to sharing of risk and reward between the applicants, its main customers and local business community
- The only way to generate the proposed increase to 2 million tonnes is to take it from other ports
- Ecological impact of expansion of Shannon Foynes on Natura 2000 sites

Response:

- *We contend that the proposed Harbour Extension is supported by National Ports Policy and that nothing proposed prejudices the development of Shannon Foynes Port Company. We have also concluded that Foynes is not a realistic alternative to Galway Port.*
 - *Galway is categorised as a port of regional significance in the NPP & the following are relevant references:*
 - *Identifies 'important but different roles for the 5 state owned ports of regional significance...'*
 - *Recognises the importance of these ports in serving their hinterlands and in supporting balanced regional development*
 - *These ports could play a more significance role in supporting National Economic Development in certain specialized trades (e.g. Oil/petroleum import and storage/off-shore energy servicing) and maritime tourism*
 - *Galway Harbour is identified as an important strategic regional hub for petroleum importation, storage and distribution (S.2.7)*
 - *Supports the development of cruise tourism business*

- *Identifies Galway Harbour as having an important potential in terms of servicing the off-shore energy sector by endorsing the findings of the IMDO report (S.4.2)*
 - *Endorses the development proposal in respect of the inner harbour, as referred to in the regional planning guidelines for the west region and the Galway City Development Plan, for marine tourism and leisure facilities as well as for urban redevelopment and regeneration (S2.7.3)*
 - *Identifies the benefits of reintegration & rejuvenation between the port and the city using the Volvo Ocean Race as a demonstration of success in this area (S.4.5)*
- *The GHE proposal is for the redevelopment of a regional port in line with NPP to serve a regional customer base and is in compliance with NPP*
- *The core objectives of Irish National Ports Policy are to facilitate a competitive and effective market for maritime transport services and to ensure that Ireland is served by adequate and efficient port capacity into the future*
- *The Policy framework provides for a tiered categorisation of ports, based on market share, with Galway being designated as a Port of Regional Significance. The role of such ports is to serve their hinterland and support balanced regional development through handling and promoting regional freight, leisure, cultural and recreational facilities. This is reaffirmed in the legislation establishing Ports of Regional Significance, namely, the Harbours (Amendment) Bill, 2014.*
- *It is also noted that regional ports may have national significance in terms of specialist services or products. The existing and proposed freight business is very much focused on local customers based in the West region serving the region and nationally. Government policy recognises Galway’s strategic regional role for petroleum importation, storage and distribution (page 30 of the 2013 National Ports Policy document); its importance as a cruise destination (page 32), and its potential for supporting the offshore renewable energy market (page 45)*
- *There is nothing in the Ports Policy document that says that Regional ports cannot compete, expand or develop. In fact, Ports Policy is not prescriptive as regards the location of future port capacity. The development proposed is a rational response to the required needs.*
- *The submission from DTTAS, who are the authors of the Ports Policy document, highlighted the value of Galway Port, and that the proposal is not, in any way, contrary to Ports policy.*
- *It should also be noted that the Galway Harbour Extension project was identified by the Irish Government as a key investment project that is economically viable and was submitted to and*

listed in the recent Report¹ of the Special Task Force on Investment in the EU, p267 of Annex 2, Part 1

- *Both the initial planning application & EIS, together with the response to ABP's Further Information request have clearly demonstrated that Foynes is not a feasible alternative in terms of meeting the project objectives or indeed in meeting the objectives in the National Ports Policy.*
- *Galway is a regional port serving a regional customer base and the proposed expansion is to overcome the severe constraints of tide, draught, beam width and overall capacity which as things stand, prevent Galway from feasibly fulfilling any of the specific roles identified in the NPP.*
- *Galway will continue to function as a regional port following the proposed expansion and it is clear that satisfying IROPI is not confined to national infrastructure and can equally apply to a regional facility.*
- *The 'do nothing', 'do minimum' & 'do something' options were assessed from the very outset. While in other circumstances, upgrading existing facilities may have the potential to increase capacity, this is not the case in Galway. Firstly tidal constraints reduce access to the port to 4 hours in a 24 hour period. This would not change by upgrading the existing inner harbour. The capacity of the inner harbour is limited to a max. average vessel size of 6,000 tonnes which is no longer viable. Due to the restrictive beam width, there are only a limited number of vessels which can use Galway Harbour and the economies of scale, which gives shipping an advantage over other transport modes, cannot be achieved with a max. average vessel size of 6,000 tones.*
- *The proposed Harbour Extension is both plan-led and commercially-led. It is plan-led in that it formally and in a structured manner addresses the stated needs of Galway's customers, and reflects the goals of National Ports Policy for regional ports. It is commercially-led in that it would be irresponsible for the Board of the Port of Galway to propose a development which is not supported by a Business Case and Cost Benefit Analysis that have shown the rationale of the Extension. We have also shown that the proposed development is proportionate and reflects the expected demand from our customers.*
- *There is no specific proposal or timescale for upgrading of the N69. While it is acknowledged that upgrading of the N69 and the completion of the Gort – Tuam motorway will shorten the journey time, the travel distance will remain the same and it is primarily the travel distance which both contributes to cost and gives rise to environmental impact. Consequently these road improvements will not result in Foynes meeting the project objectives or becoming a feasible alternative.*
- *No evidence has been presented that shows the commercial viability of a rail link to Foynes or*

¹ http://ec.europa.eu/priorities/jobs-growth-investment/plan/what/index_en.htm#taskforce

a commitment by Irish Rail to provide one, and, in particular, that would attract or divert traffic that currently uses or potentially will use Galway.

- The goods transported through Galway Harbour are almost entirely bulky in nature and do not readily lend themselves to transport by rail. Furthermore the origins/destinations of the goods are distributed throughout the region. In order to use rail transport, the commodities would first have to be containerised and then transported by road to/from either the railway station in Galway City or an alternative station such as Athenry or Ballinasloe. This would outweigh any environmental benefits of using rail transport.*
- Cold Chon will not transfer their storage business to Foynes nor will build a storage facility there. That business will be lost to Ireland with implications for their employment levels. Our traffic projections are based on detailed discussions with our customers about their potential use for the Harbour Extension. They have provided their own projections based on the availability of the Extension which form the basis of the two million tonnes volume that we have indicated. Sharing the risk is not uncommon for major port capital works because of their size and significance. If customers or investors can get a benefit from the proposed development through an increase in business, profitability or reduced cost, then a request for a contribution towards funding the infrastructure is reasonable. National ports policy is clear that there is a potential role to be offered by local or regional private sector interests in particular circumstances, and that the new harbours legislation will allow for private investment. Ports policy states that the Government is open to a variety of mechanisms for private-sector investment in the port sector. Mechanisms already exist for this type of investment within the context of a landlord port model, but consideration will be given on a case-by-case basis for investment in future port expansion through the possible sale of equity stakes, public-private partnership-type arrangements, build-operate transfer arrangements, or other similar proposals.*
- The projected traffic that will use Galway is derived primarily from organic growth of our existing customers with the balance from new customers in our natural hinterland. It will not be drawn from other ports, in particular, Tier 1 ports such as Foynes.*
- As stated above and in the application documentation there are clearly imperative reasons of overriding public interest to support GHE. Contrary to the assertion in the submission, Shannon Foynes is not acknowledged as a feasible alternative and is in fact ruled out as such on the basis of a comprehensive assessment of potential alternative solutions.*
- From an ecological standpoint, a meaningful comparison of the Galway Harbour Extension NIS and the Shannon Foynes Port Company NIR is not possible. This is due to the fact that the Shannon NIR lacks quantitative data on habitats and species and that there is no operating Environmental Management Plan, whereas the Galway Harbour Extension NIS provides extensive quantitative detail on habitats and flora and fauna present in the cSAC and*

SPA, in-depth mathematical modelling studies on the structure and impacts of construction and operation, a detailed examination of impacts of construction and operational noise, proposes an Environmental Management Plan and lists many mitigation measures and monitoring plans. For these reasons, the conclusion of the SFPC Vision 2041 NIR that significant negative impacts to key sensitive receptors and qualifying features of the cSAC and SPA both alone and in-combination with other projects will not arise is impossible to substantiate. The very fact that dredge disposal operations are on-going within the Shannon cSAC are on their own a significant ecological difference between the two projects. Furthermore, due to the lack of information in the Shannon NIR and based on the precautionary principal, the level of impact of the proposed expansion in the Shannon Estuary has to be considered as being significant.

- *The NIS for the Galway Harbour Extension makes several references to acknowledging that the cSAC and SPA may be impacted by the development and for this reason Article 6.3 of the Habitats Directive cannot apply. However, this does not mean that by using the precautionary principal, it can be determined that the Galway Harbour Extension cannot proceed.*
- *Further assessment, presented by Dr. Tom Gittings has shown that there will not be any significant impact from bottom mussel culture on benthic prey resources for terns. Therefore, no potential cumulative impacts from the GHE development in-combination with impacts from mussel bottom culture arises.*



Galway Harbour Company

Galway Harbour Extension

**Response to Submission
of
Shannon Foynes Port Co.
[HRA Planning]**

**To
An Bord Pleanála
On
10th March 2014**



January 2015

102 Shannon Foynes Port Co. [HRA Planning] – March 2014

The issues raised in the SFPC submission are addressed under the following headings:

1. Commercial / Competition
2. Policy Context
3. National Ports Policy (NPP)
4. SFPC interpretation of NPP
5. Duplication of facilities
6. Alternatives
7. EU TEN – T

1. Commercial / Competition issues:

The SFPC submission is clearly based on a commercial driven anti-competitive position as is evident from the submission which focuses on the commercial element of GHE as opposed to the recreation and leisure elements. In this regard, the submission states that SFPC existing facilities can accommodate Galways growth. This in effect leaves no commercial future for Galway Port as without growth the vast majority of commercial enterprises will decline. It is suggested that the position adopted by SFPC in this regard, namely that Galway Port is not entitled to grow, is completely unrealistic and unacceptable position. SFPC's approach is clearly aimed at stifling competition. If allowed, it would effectively be conferring a veto on SFPC over any port development on the west coast, and a monopoly entitlement for west coast traffic on SFPC. GHC's plans are aimed at catering for growth in current business, in the majority of cases serving its own regional catchment in accordance with NPP. Areas where proposed business goes beyond purely its own catchment are fully justified:

- a) Bitumen transshipment – major bitumen existing processing facility already at Galway – not realistic to expect operator to relocate to SF; it would be more logical to relocate outside the country.
- b) Petroleum, while this business primarily serves the region, GHC is recognised in NPP as being “an important strategic regional hub for petroleum importation, storage and distribution.”
- c) Offshore energy – Likewise the NPP states: “The (IMDO) report additionally identified the two Ports of National Significance (Tier 2), as well as Galway Harbour Company and Killybegs Fishery Harbour Centre, as having important potential in terms of servicing future demand in this sector.”

2. Policy Context:

European Policy

European transport policy seeks to integrate transport systems across the EU and encourages a modal shift from road freight transport to rail, inland waterway and short sea shipping. The objective of the BMW Regional Operational Programme 2007-2013 is “to facilitate innovation, ensure sustainable development, improve accessibility and develop the urban fabric within the region, in order to enhance overall productivity and competitiveness”. Encouragement of transfer of freight cargo from road to sea is relevant in this regard – redirection of cargo to SFPC involves significantly increased road transport.

National Spatial Strategy 2002-2020

The National Spatial Strategy has core objective to strengthen the critical mass of the designated Gateways, such as Galway. In confirming its decision that the proposed

development satisfied the necessary SID criteria, An Bord Pleanála found that “the proposed development would contribute substantially to the fulfilment of objectives in the National Spatial Strategy for the Gateway of Galway and the objectives for the redevelopment and expansion of Galway Harbour in the Regional Planning Guidelines for West Region 2010-2022.”

National Development Plan 2007-2013

The National Development Plan 2007-2013, which seeks to ensure balanced regional development, identifies a number of key development and investment priorities, which includes the “Regeneration of docks area of Galway city”. The Galway Harbour Extension will facilitate the regeneration of the inner city docks.

National Ports Policy 2013

The National Ports Policy in 2013 has a core objective to facilitate a competitive and effective market for maritime transport services. It recognises the importance of the designated Regional Ports in supporting balanced regional development and states that they could play a more significant role in supporting national economic development in certain specialised trades. Galway Harbour is identified as an “important strategic regional hub for petroleum importation, storage and distribution”

Regional Planning Guidelines for the West 2010-2022

The Regional Planning Guidelines for the West Region 2010 – 2022 make specific reference to harbours and ports and acknowledge that “Galway Sea Port is of strategic importance to the West Region....The plans for the relocation and extension of Galway Harbour area which includes deepwater port facilities has the potential to contribute to both tourism and enterprise in the local economy and is considered critical for growth in the region. Ports and Harbours contribute to the economic development and are important transportation links to facilitate the growth and connectivity of the Region.” The Guidelines expressly support the sustainable redevelopment and expansion of Galway Harbour.

Galway City Development Plan 2011-2017

The Galway City Development Plan 2011-2017 acknowledges the importance of Galway Harbour and confirms support for development of new and extended harbour facilities. It specifically supports the sustainable development of Galway Harbour and the Harbour Enterprise Park.

3. National Ports Policy (NPP):

The NPP, issued by the Department of Transport, identifies Ports of National Significance Tiers 1 & 2 and regional ports. This is Ireland's first National Ports Policy (NPP) and for the first time a spatial dimension and port hierarchy was identified. In line with NPP, all identified ports have legitimate expectation in line with their designation. NPP does not specify a size of specific growth parameters for any of the designated ports either national or regional. It is a matter for the relevant public/state authorities, in their respective capacities, to determine whether the proposed development of any designated ports is in line with NPP in terms of scale and function (i.e. DoT; DoEHLG; ABP etc). It is not a matter for a competitor port to make this determination. The proposed extension is in line with Galway Ports designated regional role under the NPP serving a regional catchment and is clearly demonstrated in the business case and alternative sections of the application.

4. SFPC interpretation of NPP:

It is suggested that the SFPC submission is based on an erroneous and unrealistic interpretation of NPP. This interpretation allows SFPC, as a port of national significance, to expand in order to accommodate all new/future business on the west coast. It is suggested that this interpretation is entirely at odds with the NPP and its objectives. NPP identifies a role for both national and regional ports in line with the proximity principle, balanced regional development and sustainable development. It is based on a view that all future business on the West Coast should be directed to Shannon Foynes. It is suggested that this is a deliberate misrepresentation of the NPP and its objectives designed to create a monopolistic position for SFPC as regards West Coast business.

5. Duplication of facilities in the West Coast:

The GHE proposal does not involve duplication of facilities in the West Coast. It is an upgrade and expansion of a regional port in line with its remit under NPP. The inference from the SFPC submission is that any expansion/upgrade of commercial facilities on the West Coast should be left exclusively to SFPC. This is not in line with NPP and it is suggested that this position is not in line with the overall objectives of sustainable development.

6. Alternatives:

The assessment of alternatives can only take into account existing or permitted development as opposed to possible future development which has not yet received planning permission or the other necessary consents and which potentially might not receive planning permission.

In this regard, it is important to state at the outset that GHE is an upgrade of an existing facility, building on significant established landside infrastructure, as opposed to a new port on a greenfield site. The assessment of alternatives has been undertaken in the context of the NPP which, as stated, is the first such policy with a spatial dimension. In this regard the methodology for assessment of alternatives takes the view that one regional port cannot fulfil the role of another regional port on the basis of its NPP designation to serve a regional hinterland only. The methodology assumes however that a national port could potentially fulfil the role of a regional port. This methodology ultimately resulted in shortlisting of Shannon Foynes. The next step in the methodology was to assess whether directing the business for Galways natural port hinterland through Shannon Foynes was in line with the NPP, proximity principle, balanced regional development and sustainable development. The assessment of alternatives concluded that directing future business, which had its origin/destination within Galway ports hinterland, through Shannon Foynes, was not in line with the NPP or indeed the wider policy context as outlined. Indeed, given the nature of some of the cargoes in question (low value:volume ratio), redirecting to SFPC would impose a significant commercial burden on these businesses, and might bring into question their viability. The fact that they currently choose GHC over SFPC notwithstanding the former's operational constraints is telling.

7. EU TEN – T:

European transport policy seeks to integrate transport systems across the EU and encourages a modal shift from road freight transport to rail, inland waterway and short sea shipping. In recognition of the importance of an efficient and integrated transport system, the EU established the "Trans-European Transport Network" (TEN-T). This is a key element in

the Lisbon Strategy for competitiveness and employment and is also key to the attainment of the objectives of the Europe 2020 Strategy. In this regard, TEN-T designates transport nodes, including ports that form part of the “Core” and “Comprehensive” EU network.

Ireland has 1 Core Network, comprising the Belfast-Dublin-Cork corridor. This includes the Core ports of Dublin, Cork and, in addition, Shannon Foynes. Irish ports that form part of the “Comprehensive Network” are Rosslare and Waterford. It is acknowledged that, as a Regional Port, Galway Harbour is not included as part of the Core or Comprehensive TEN-T EU Network. Nevertheless, this is not considered to undermine its strategic role in Ireland and its designation as a Regional Port in the National Ports Policy.



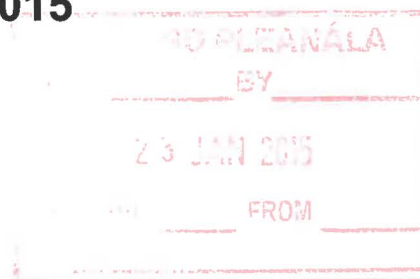
Galway Harbour Company

Galway Harbour Extension

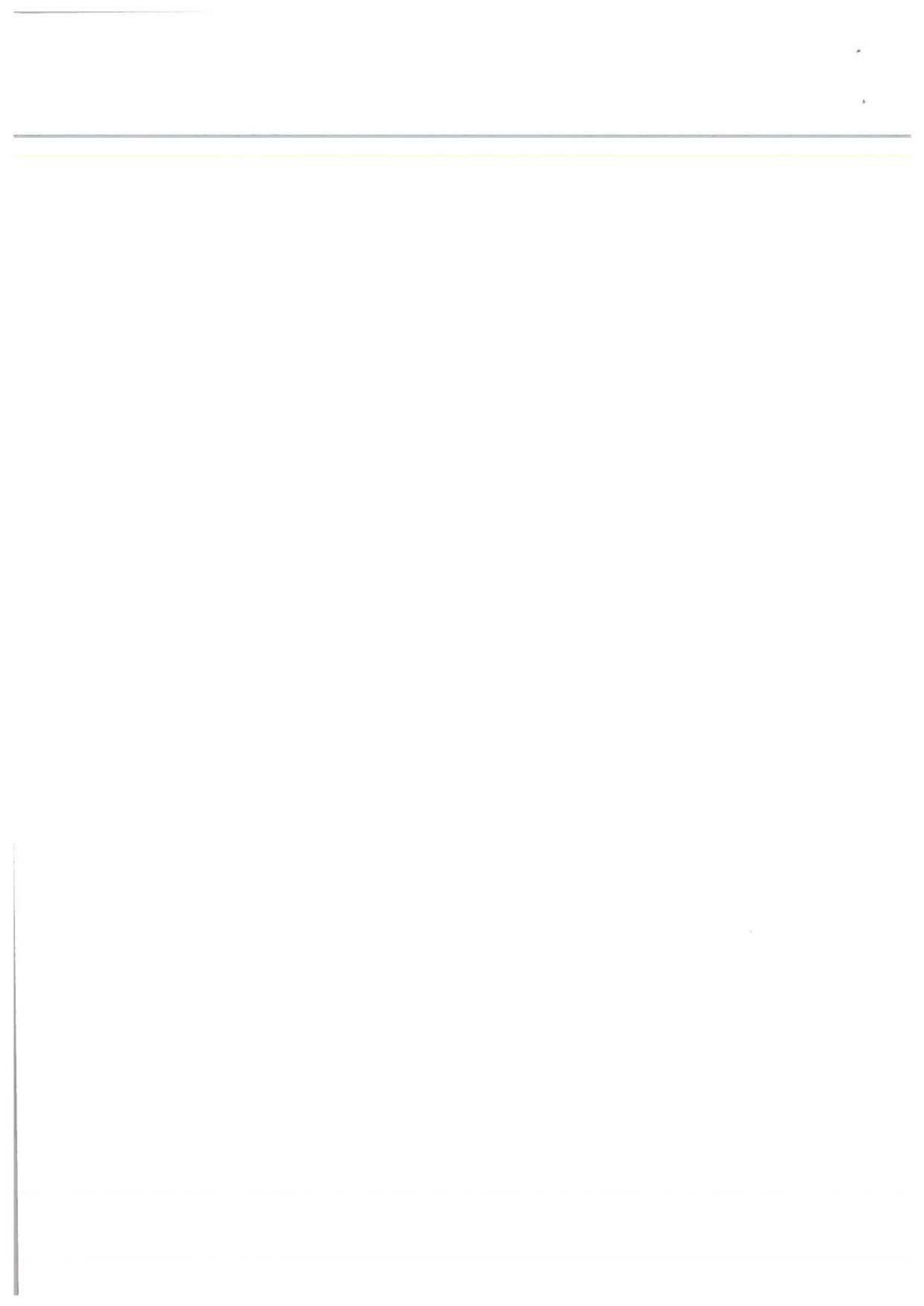
Response to Submission
of
Atlantic Fuel Supply Co Ltd
[Coakley, O'Neill]

Made at Oral Hearing

On 21st January 2015



January 2015



Response by Raymond Burke of Raymond Burke Consulting

The submission on behalf of Atlantic Fuel Supply Company (AFSC) Ltd contained a number of factual errors:

Galway Port is not competing with the role and function of higher order ports such as Shannon Foynes.

Our objective has and continues to be to serve the needs of our hinterland and the west region only, particularly in ensuring balanced regional development. We have always seen ourselves as a regional port and never as a national port. Our customers are drawn from our regional hinterland and very much located in the environs of Galway City as shown in the map that formed part of the Witness Statement of Raymond Burke.

Our traffic projections are based on detailed and regular discussions with the Port's customers on their development plans and the assumptions underlying the plans. The various submissions from the Port's customers at the Oral Hearing have given an indication of the likely volumes that they expect to put through the Port of Galway should the Harbour Extension proceed.

It is wrong to say that the envisaged traffic could only be realised by displacing traffic from other higher order ports, in particular Shannon Foynes. The growth in our traffic volumes will arise primarily from organic growth and new business in our regional hinterland. A transfer to any other port would result in an increased transport cost for them if they were to use an alternative port, as pointed out by John Ryan of the Murray Timber Group. Further, a failure to develop the Harbour Extension does not imply that a customer's freight business would transfer to an alternative port, as pointed out by Mr Killeen of Cold Chon. Cold Chon's growth plans will only occur should the Harbour Extension take place. There was, therefore, no need to consider the economic impact of the proposed development on higher order ports in the country.

The submission questions why, in the no development option, there is a significant drop in projected tonnage post 2019 when an increase in tonnage is projected up to that point. Between now and 2019, we expect that existing customers will continue to grow volumes through the port in line with the recovery in the economic climate, but at lower levels than that projected in the baseline scenario. However those customers, and they are most of our major customers, who are impacted by the failure to progress the harbour extension, will then be forced to consider alternative arrangements from the increasing pressure to use larger vessels.

The case for the harbour extension has always been based on a structured and planned response to the needs of the region; our approach, therefore, has always been plan-led, rather than developer-led, and this has been reflected in the City and County Development Plans and the Regional Planning Guidelines.

The issue of proximity is addressed in the EIS Chapter 3, Section 3.7.5 & the Addendum to Chapter 3 in section 3.1. The maximum distance which is considered acceptable from a proximity viewpoint is 150kms or 1.5 hours as the absolute outer limit. While Foynes Port is within 150kms, it has a travel time of 2 hours or greater to Galway City. The greater part of the region served by Galway Port is

located to the north of the city and the travel distance/time to these areas is well in excess of this requirement & will continue to be the case with the completion of the M17/18. The travel distance/time therefore between the Galway Port Region and Foynes is excessive and unsustainable and would undermine the viability of a no. of the businesses using Galway Harbour.

GHE is fully in compliance with the RPGs for the West Region as outlined in Section 2.1.1.2.6 of the EIS. The following is a relevant extract from the RPGs:

Sea Port is of strategic importance to the West "Galway Region and Ros a Mhíl not only serves as an important amenity but is now one of the largest fishing ports in the country. The plans for the relocation and extension of Galway Harbour area which includes deepwater port facilities has the potential to contribute to both tourism and enterprise in the local economy and is considered critical for growth in the region. Ports and Harbours contribute to the economic development and are important transportation links to facilitate the growth and connectivity of the Region. Adequate infrastructure must be in place to facilitate the sustainable development of the aqua-culture industry, marine tourism industry and to facilitate water based leisure activities/sports in the West Region."

The quote from Objective IO21 is highly selective and the following is the full text of this objective

"Support the sustainable redevelopment and expansion of Galway Harbour which is critical for the continued important role in the growth of the West Region. Galway Harbour is also supported in its role to serve and promote water-based tourism. Facilities/ infrastructure could include a secure berthing area for the marine leisure industry. All proposals will be subject to assessment on environmental sustainability, including impacts on the Natura 2000 network through Habitats Directive Assessment, visual, travel and transport impacts. Any proposals should support enhanced integration with the rail and road network."

We have demonstrated that the port is sustainable, is in compliance with National Ports Policy and that there is a range of public benefits arising from the proposed harbour extension including

- Facilitating economic development
- Safeguarding and growing employment

In summary, our proposed harbour development is not contrary to National Port Policy and, as a Port of Regional Significance, our proposal addresses the needs of Galway and the West Region.



Galway Harbour Company

Galway Harbour Extension

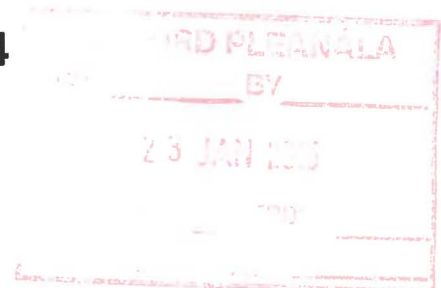
Response to Submission

of

**Shannon Foynes Port Company
[HRA Planning]**

**To
An Bord Pleanála**

**On
5th December 2014**



January 2015



Shannon Foynes Port Company [HRA Planning] December 2014

Summary of issues raised:

- This submission focuses solely on the comparative analysis undertaken by the applicant on the SFPC Vision 21 Natura Impact Report as part of the evaluation of alternative sites submitted in response to Item 1 of ABP's Further Information Request.
- Whether it is practical to seek a comparison between a Natura Impact Report (NIR) and a Natura Impact Statement (NIS). The NIR for Vision 2041 was prepared for a 'plan' while the NIS for Galway Harbour was prepared for the purposes of a 'project'
- The NIS for GHE was undertaken to a more thorough site specific ecological evaluation with the benefit of project specific details while the NIR is a strategic assessment of the potential impacts the type of development, outlined in Vision 2041, may have on Natura 2000 sites
- The NIR identifies the potential for disturbance of protected species; however the extent, layout, design & exact location of any proposed development within the strategic sites is not known at this point

RESPONSE:

- We are not questioning the validity of the Vision 2041 NIR
- In broad agreement with SFPC's submission in terms of the validity of the comparison of a high level Vision with a specific project (for which detailed plans and an EIS have been prepared) from an ecological perspective
- In our initial EIS/planning submission, we did not attempt to undertake such comparison as Foynes was deemed not to meet the GHE project objectives in terms of fulfilling the regions socio-economic needs & was consequently ruled out as a potential alternative solution
- However, ABP requested such comparison in the FI Request
- For such comparison, and in the absence of a specific proposal/project for Foynes Port, it was necessary to make certain assumptions in terms of SFPC accommodating Galway's projected tonnage
- Methodology/approach to undertaking the comparison is as follows:
 - o identify Natura 2000 sites in the Shannon Estuary
 - o identify qualifying interests and sensitivities
 - o make assumptions on Foynes Port handling additional tonnage, in particular additional ship movements arising (as it is not possible to determine the additional port expansion necessary for such extra tonnage)
 - o identify potential for impacts of accomodating such additional tonnage on qualifying interests
- We are not challenging SFPC role as a Tier 1 Port or its expansion plans and have no issue with such
- GHE is designed to serve its regional role/catchment and nothing more
- It has no designs on a wider role which is the remit of National Ports

The Stategic Integrated Framework Plan for the Shannon-Foynes estuary – Natura Impact Report (October 2013) was prepared by RPS having been commissioned by the Shannon-Foynes Port Company along with Shannon Development, Clare County Council, Kerry County Council and Limerick City and County Councils. It was not prepared on the basis of any concrete port development plans but clearly envisages such port development (as would be required and is accepted by Shannon_Foynes Port in their submission).

It is worth noting that while at present the River Shannon and River Fergus Estuaries SPA does not extend to the full extent to the West as the Lower River Shannon SAC, such an extension has been proposed as of 2009 and, at Irish law, such proposed SPA is deemed to be a European site and is entitled to the same level of protection as a fully designated SPA. The Strategic Plan for S-F as noted within same “sets out the vision and an overall spatial strategy”¹ for the development of the region. The document notes that the developments may include but are not even limited to “port functions, shipment, aquaculture, fisheries, eco-tourism, leisure, industry, energy generation, fuel storage, aviation and general marine related industry”². The absence of specific details results in a requirement to adopt a precautionary approach in determining the likely effects or risks of impacts on the integrity of the European Sites concerned which would be affected by such development. In any event, given the undisputed position that a significant diversion of port traffic to Shanon-Foynes would result in a necessity to carry out further developments within the estuary, the entire of which is included in the SAC and current and proposed SPA, has been assessed on the adoption of the precautionary principle to give rise to a greater threat of impacts to the European sites in question than would be associated with the proposed development of the GHE.

The NIR for the SIFP notes that there are 45 Natura 2000 sites within 15 km of the area of interest within the Shannon estuary³. As a result of the screening exercise carried out it was determined that there could be impacts on 8 Natura Sites from the developments considered. The document assessed that possible changes to the long term conservation objectives of the Natura 2000 Sites within the Shannon estuary can be summarised as follows:

1. Reduction or loss of habitat area.
2. Habitat or species fragmentation.
3. Disturbance.
4. Reduction in Species Density.
5. Changes in key indicators of conservation value.
6. Deterioration in water quality of (sic.) quantity.⁴

The NIR assesses that “Such changes may arise from the implementation of elements of the Plan over the course of its lifetime that could potentially have a significant adverse impact for example on water quality and disturbance on bird species on the basis that a number of the objectives promote future marine related industrial development and exploitation of areas within the estuary to accommodate expansion and encourage economic growth and development within the estuary. As the estuary is almost entirely covered by Natura 2000 designations it is therefore reasonably assumed following the completion of the initial assessment (Stage 1 Screening) that the implementation of the SIFP has the potential to cause long term direct and indirect adverse impacts on the protection and conservation of Natura 2000 sites, unless certain policies and objectives are included in the plan for implementation.”

Inexplicably, the author thereafter asserts: “The assessment process for this report has resulted in a conclusion that mitigatory measures in the form of avoidance and the identification of further field studies, research and investigations prior to the commencement of certain developments or application for Planning Permission identified in Stage 2 are adequate to ensure that the integrity of sites in the Natura 2000 network will not have

¹ See page 7.

² Per page 6.

³ Page 7 (incorrectly numbered 2), third paragraph.

⁴ Page 7 (incorrectly numbered 2)

significant negative effects as a result of potential impacts of the objectives contained within the Strategic Integrated Framework Plan for the Shannon Estuary.”

- In terms of the ecological comparison, the following ecological conclusions have been arrived at based on the NIR :
 - o The bottle nosed dolphin (which is a qualifying interest species for the Lower Shannon cSAC), a highly mobile and gregarious species, could be impacted by the increased shipping through greater disturbance (including noise) and physical damage (collision).
 - o The proposed expansion of port facilities will require the destruction of qualifying interest habitats such as intertidal muds and sands and shallow bays and inlets.
 - o Operational maintenance of the ports in the Shannon Estuary requires regular dredging within the cSAC which gives rise to permanent increases of levels of suspended sediments in the water column.
- The proposed expansion of facilities in the Shannon Estuary is therefore considered to have greater ecological impacts than the planned Galway Harbour Extension project. Due to the lack of information in the SFPC Vision 2041 NIR, but nevertheless based on the precautionary principle, the level of impact of the proposed expansion of shipping in the Shannon Estuary must be considered as being significant.





Galway Harbour Company

Galway Harbour Extension

**Response to Submission
of
Claddagh Residents Association**

**To
An Bord Pleanála**

**On
7th March 2014**



January 2015

18 Claddagh Residents Association

- **Flood Relief Measures**
Consideration ... given to improving existing flood relief measures
- **A recent Hydrologists Report - certain areas of the park were identified as weak**
- **Galway City Council has embarked on a flood Study which is not due until 2015 ... should be incorporated into this project**

R1 Response:-

It is clear given the vulnerability of the Claddagh and Docks area of the City that a flood defence scheme is required to safeguard these vulnerable areas principally from coastal flooding by tides and storm waves. Given the high risk and high number of properties involved it is expected that once the cFRAM process is completed the Galway City and Salthill area will rise very high on the OPW National priority list for a flood defence schemes. It is understood that some emergency funding has been given to Galway City Council from the OPW as a result of the recent coastal flooding.

Anthony Cawley who is responsible for the hydrology and Flooding section of the EIS was the hydrologist referred to in the Claddagh residents submission that carried out the Flood Assessment Study of the Southpark area in 2008 and identified that the area was at very high flood risk and recommended a flood defence scheme for the area which included flood embankments, rock armour wave protection, demountable barriers for the Public Road and a number of flood walls to protect this area. Quite a number of the houses within Frenchville have finish floor levels of 3.3 to 3.7m O.D. (i.e. are well below the 200year flood level of 4.146m O.D. or even lesser events including the 50 and 10 year events) The road levels at Frenchville are at 3.1 to 3.3m O.D.

What currently protects this area from flooding is the flood storage available within the playing fields at Southpark which accommodates wave over topping volumes and a short period of tidal inundation towards highwater. In the recent storms and tidal flooding of 2014 these pitches were inundated and protected the surrounding houses and the roadway.

The proposed Harbour development will not increase flood risk in this flood vulnerable area or other adjacent areas and therefore it is not considered necessary for the development to provide mitigation in these areas against an existing flood risk. The OPW in Association with Galway city Council are the responsible authorities for implementing such a scheme

- **Scale of the Development**
- **CRA aren't convinced that the scale of landfill proposed is required ... should propose a smaller narrower jetty**

R2 Response:-

The extent of Quays and Breakwater proposed are deemed essential to cater for Regional Port Traffic for the Galway Port Region. The 660m of Commercial Quay will be less than that originally provided by the Old Port in the 1850's because of the proposed efficiency of a relatively smaller number of larger vessels which will be less tide dependant and so will have a faster turnaround hence requiring less quayside time.

The extent of back up land has been reduced to the minimum to service the trades to be catered for. Yards will be marshalling yards. The area of land has also to cater for the rail link which is an essential future proofing for new Port development, given the relatively low energy / fuel required by rail transport versus road transport.

The design also caters for fishing, Nautical Centre, Marina and significant public access / promenades on both sides, allowing access to all except areas which require Port security for legal, commercial or safety reasons.

- **Land displaces ... water**
- **Landfilling**

R3 Response:-

The hydraulic modelling includes the geometry effect of the development and thus includes for the loss of seawater volume as a result of the displacement by the infill. All of the simulations show that such a loss has no discernible effect on flood levels. The loss of sea volume does not mean that the remaining volume must accommodate the displaced water through a direct rise in sea level. The main forces generating the tide and storm surges are planetary and atmospheric forces which are large scale forces that dictate the height and shape of the tide almost independently of the available volume to be flooded and therefore the displacement effect at the scale of the Harbour development will be miniscule in relation to such forces.

Traffic (Construction & Operational)

- Traffic coming in and out of the new development**
- Would impact on the Claddagh Village / off peak traffic movements should be considered to be part of the permissions**
- Grattan Road be excluded as a condition of the permission**
- Port tunnel or exclusively transferring cargo via a rail**

R4 Response:-

The Mobility Management Framework – EIS section 13.5 (see EIS Errata) includes the following requirement to be adopted in all Mobility Management Plans for new or revised developments within the Port of Galway:

- **Restriction of haulage-related activities, for any new or revised development within the port of Galway, between 08:00 – 09:30 and 17:00 – 18:30;**

The operational traffic proposed haul route drawing 2139-2180 has been amended to exclude the R336 through the city centre as a haul route. Refer to revised drawing 2139-2180 Revision B included in EIS Errata. The main haul routes around the city will utilise the N6 and other city distributor roads, with low levels of haulage traffic within city centre roads to facilitate local deliveries.

- **Environmental Impact – Wild Fowl in South Park**
- **South Park itself is reclaimed land ... is home to significant wild fowl ... birdwatchers assemble there**

R5 Response:-

The Inner Galway Bay Special Protection Area (SPA) and Galway Bay Complex candidate Special Area of Conservation (cSAC) incorporate a significantly larger area than the development site and construction/operation footprint, including South Park. Impacts on the entire SPA and cSAC were considered as part of the environmental impact assessment process and appropriate assessment process (which specifically considers impacts on designated Natura 2000 sites).

Bird counts, which were conducted over a number of seasons, would have taken into consideration marine and terrestrial areas in the South Park area and no change to the habitats at South Park are considered likely to arise as a result of the development. It is therefore considered that the EIS and NIS and subsequent addenda/errata provide sufficient information to assess the significance of impacts on the SPA, cSAC and their special conservation interests and qualifying interests respectively, and also took into consideration impacts on wild fowl in the South Park area.

- **Waste Water & Sewerage Treatment**
- **Will contribute to additional demands on the existing waste water and sewerage treatment ... cruise liners Are like small towns**

R6 Response:-

The cruise liners have their own sewage treatment systems and will not require to pump effluent into the Galway City system.

The development will not be incorporating any significant water using industries which would apply an undue load on the existing sewage system.

- **Given that the planning application focus is the far side of the River Corrib we feel that the impacts that it may have on the Claddagh are not being included.**

R7 Response:-

As stated at R5 above, regarding bird counts, the Environmental Studies undertaken for this proposal, with regard to all elements have been undertaken on a broad basis to ensure that all areas were fully and appropriately assessed, and particularly with regard to hydrological and visual issues.





Galway Harbour Company

Galway Harbour Extension

Response to Submission

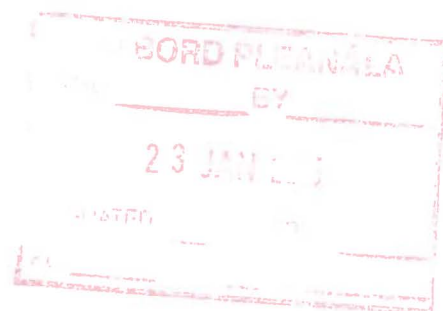
of

Coiste Tacaíochta Chalafort Ros a' Mhíl
[Rossaveal Harbour Supporters Committee]

To An Bord Pleanála

On 6th March 2014

January 2015



Response:-

Firstly, the GHE project is not a new port on a greenfield site. It is an expansion of an established commercial port which has significant port related infrastructure already in place. This includes the harbour enterprise park which has a modern and SEVESO compliant petroleum storage facility and a modern bitumen storage facility. It is in a sheltered location in the inner Galway Bay which is suitable and safe from a navigation viewpoint.

Rossaveal on the other hand is a designated fishery harbour, in addition to serving as an Aran Islands ferry port, without the port related infrastructure which is available in Galway.

Rossaveal was included at the outset of the assessment of alternative solutions but was eliminated on an initial examination as it did not meet the criteria which were employed to measure the capacity and ability of alternative ports to meet the GHE project objectives. These include draft capacity, quay length, adequate road and the potential for rail access, petroleum and bitumen storage facilities etc.

Nevertheless the consideration of Rossaveal in the assessment of alternative solutions has been included in the addendum to Chapter 3 which was submitted in response to An Bord Pleanála's Further Information request. This addendum outlines the reasons why Rossaveal was eliminated as a potential alternative port.

We further note:-

- i) The Preliminary Review Report provided by this Rossaveal Support Group, prepared by HR Wallingford on Galway, is generally complimentary to the Galway proposal and shows Galway and Rossaveal not to be "*interchangeable*".
- ii) The Wallingford Review Report on the Rossaveal Port development potential shows it has severe limitations and that it is not a viable alternative to Galway.
- iii) The €22m development outlined would not bring Rossaveal to the Galway Port requirements (200m quay only) and would require very considerable more detailed work and costing to confirm what could be achieved for the cost suggested.
- iv) The fact that Rossaveal has no national roads in proximity to same and is accessed by the R372 which in turn accesses the R336. Once on the R336 there is then a further distance of 32 kms to access Galway and the R336 runs directly alongside European sites Connemara Bog Complex SAC.
- v) The general and environmental points of concern listed in the second paragraph of the submission are addressed in detail in the respective Chapters of the EIS / NIS on Business, Traffic, Hydrology etc.



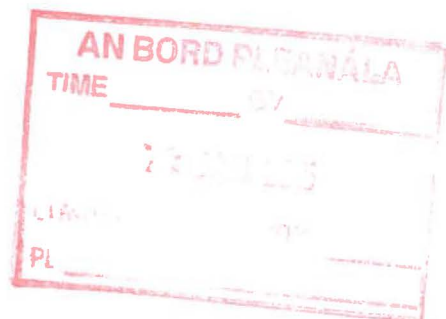


Galway Harbour Company

Galway Harbour Extension

**Response to Submission
of
Susan & Sarah Curran**

**To
An Bord Pleanála
On
7th March 2014**



January 2015

The submission of Susan & Sarah Curran concerns the following issues:

1. Impacts on Natura 2000 sites within Inner Galway Bay

R1. Response:

Detailed impact assessment studies of the proposed development have been carried out as part of the EIS in a full range of potential conditions and such assessment included assessing the effect of the proposed development including the land reclamation footprint, breakwaters, Quay walls, capital dredge works, etc. on the ambient hydrodynamics and wave climate.

2. Impacts on the visual amenity of the bay and the need to protect same for the people of Galway and for future sustainable development of tourism in Galway city and county. Concerns are expressed about the height, scale and mass of the development. Reference is also made to the Wild Atlantic Way.

R2. Response:

The visual impact of the proposed development has been assessed in Chapter 12, Landscape and Visual Impact Assessment, of the EIS and evidence in relation to same has also been given at the oral hearing.. The visual impacts generally range from moderate to significant and negative.

In terms of landscape mitigation, in order to ameliorate the negative impact of the proposed development, the following public amenities will be provided for in the proposed development. These are as follows;

- New Promenade
- Marina Area
- Public Parks
- Renmore Promenade, Park and wetland area
- New walkways and cycle routes connecting the existing network of amenity circulation routes from the east to the west of the site.

There is a history in Galway City of the transformation over time of new infrastructure associated with coastal reclamation projects, to create and extend new public amenities, such as coastal walkways and parks.

18th Century : Reclamation of Long Walk and Mud Dock

19th Century : Reclamation of the existing Harbour Area

20th Century reclamation of Grattan Park, Claude Toft Park and Seapoint promenade

1990's : Reclamation between Grattan Park and South Park to construct the Mutton Island causeway.

These four major reclamation projects resulted in the creation of new infrastructure that was transformed by Galway City and its residents into the wealth of coastal public amenities that exist today. The proposed development will add to these coastal amenities in the form of two new coastal parks, two promenades, new marina and marina village, creating a new coastal amenity and urban quarter.

The proposed development is located beside the already developed Galway Harbour Enterprise Park and is appropriate development for a coastal development and is not of a significant height.

In relation to the Wild Atlantic Way, this route consists of 2,500km of a predominantly coastal drive along the west coast of Ireland, from the south coast of Cork to the North coast of Donegal. The route passes through not only rural unspoilt landscapes with panoramic views of the Atlantic Ocean, but also through numerous urban centres such as Kinsale, Tralee, Limerick and Galway. The west coast of Ireland is a mixture of rural isolated landscapes and urbanized settlement with a history of port development and coastal reclamation. The Development of the port herein and its ability to cater for cruise ships can afford those passengers a sample of the attractions of the Wild Atlantic Way, a number of whom may thereafter come back for a far longer tour of same.

3. The submission also is concerned about impacts on the Inshore Commercial Fishing fleet brought about by the development

R3. Response:

In acknowledgement of the potential impact on fisheries, surveys of fishing activity in the inner Galway Bay area were undertaken by the Harbour Company from October 2006 to May 2011. These indicated that, in general, fishing activity is greatest in the vicinity of the shallows and rocky seabed at the Leverets Lighthouse (known locally as the candle stick) and the area to the south of Mutton Island in the vicinity of the Waste Water Treatment Plant diffusers. No fishing takes place in the shipping channels and this is governed by the Bye-Laws of the Galway Harbour Company.

The survey observations indicate that, in general, the site of the proposed Galway Harbour Extension does not impact on fishing areas, except for the area near Renmore Beach which is used for storage pots while the catch is awaiting collection for market.

The Report commissioned by the Galway Bay Inshore Fishermen's Association identified the main fishing grounds in the Inner Bay area. Comparing the maps included in that Report and the proposed development footprint (including the new shipping channel) shows that there will not be any significant impact on the current fishing grounds. The portion of the total lobster fishing area, as indicated by the Fishermen's Association, affected by the footprint of the development represents approximately 0.077% of the overall fishing area. Similarly, as regards the shrimp fishing area, the portion affected by the footprint of the harbour extension represents approximately 0.275% of the overall fishing area. These are not considered to be significant, particularly in the context of the size of the fishing grounds.

The proposed Galway Harbour Extension will also result in the provision of new and improved fishing boat berthing facilities and will also result in a significant reduction in the potential for conflict between fishing vessels and other commercial shipping. This is considered to be a positive impact of the development.

4. Concerns are expressed about an anticipated increase the importation of fuels and substances which may have an effect on local people's health.

R4 Response:

Relocation petroleum unloading to the new jetty will reduce the risk to the public, even allowing for increased throughput as there is a much larger surrounding population at the existing facilities at Folan Quay and Dun Aengus Docks.

5. Concerns are also expressed in relation to a possible risk of increased flooding.

R5 Response:

Detail impact assessment studies of the proposed development was carried out as part of the EIS and included assessing the effect of the proposed development including the land fill footprint, breakwaters, Quay walls, capital dredge works, etc. on the ambient hydrodynamics and wave climate. A detailed Flood Risk Assessment was carried out and concluded that the proposed development was appropriate and will not impact on the Flood Risk to adjacent flood vulnerable areas. The development was shown not to impede the outflow from the Corrib estuary.

6. Increase in noise levels... irritation and grievance

R6 - Response:-

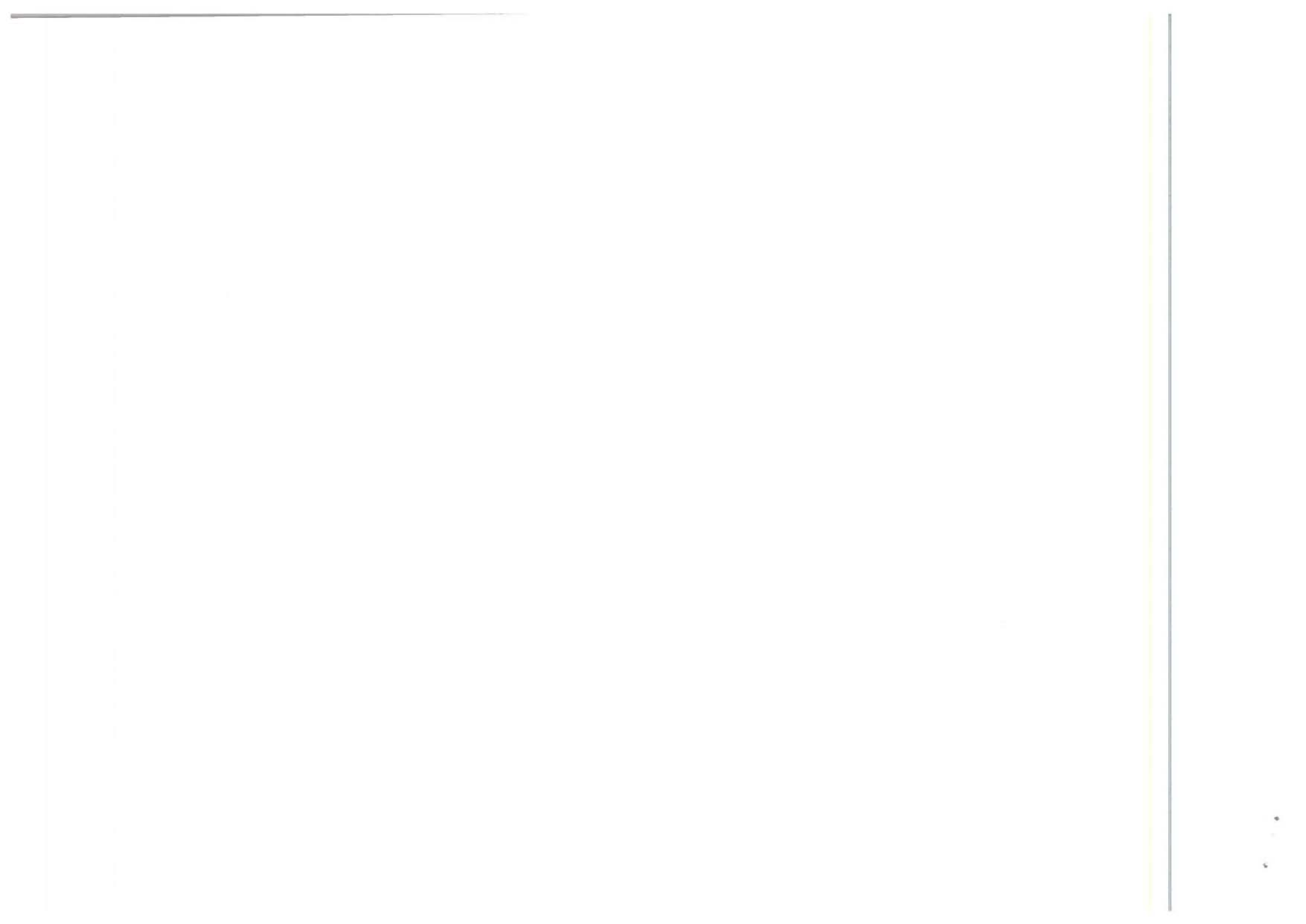
The relocation of the shipping activity to the Harbour Extension will reduce noise levels arising at any residential location. The current separation is of the order of 100m whereas the proposed Dock will be over 1000m from any residential property.

Should the proposal be granted permission noise levels will be subject to day time and night time limits. Most of the existing ports, including the existing Docks in Galway do not have any operating limits on noise.

The submission referred to noise in a general way and an Irish Times article relating to noise was submitted to the board.

This article relates to noise from a paraglider. The EIS contains details of background noise levels at section 10.2.3.1. Noise levels from existing traffic at Frenchville/Grattan Road are in the order of 60-70 dBA during the day.

Construction and operation noise limits are set out in section 10.2.2 of EIS. Comprehensive mitigation measures are set out in section 10.7.2 of the EIS. Section 10.7.3.2 acknowledges that there will be a minor adverse impact at Renmore and Southpark based on an audibility criteria while noise levels will at all times remain within internationally accepted levels.





Galway Harbour Company

Galway Harbour Extension

**Response to Submission
of
Galway Bay Inshore Fishermen's Association**

**To
An Bord Pleanála**

**on
14th February 2014**



January 2015

Concerns related to Impacts on Traditional Inshore Fishery for Shrimp, Lobster and Velvet Crab

1 BACKGROUND

- Concerns have been raised by the following number of Bodies / individuals related to impacts on traditional fishing grounds:-
 - Galway bay Inshore Fishermen's Association
 - Susan & Sarah Curran, Fr. Griffin Road
 - Residents [6 No.] of Grattan Road, Claddagh
 - Department of Agriculture Food and the Marine
 - Derrick Hambleton

- A copy of a Report entitled "*The Crustacean Fisheries of Inner Galway Bay*" prepared by Oliver Tully, [MI], Peter Tyndall and Seamus Breathnach [BIM] for the Galway Bay Inshore Fishermen's Association [GBIFA] in May 2010 was made available to Galway Harbour Company [GHC] and was included at Appendix 5.1 of the EIS.

2 INNER GALWAY BAY FISHERY

2.1 FISHING GROUNDS:

The Tully *et al.* Report of May 2010 referred to earlier defines at Figures 8 and 9 the extent of the areas of Inner Galway Bay where fishing for shrimp and lobster / velvet crab respectively are currently carried out. With regard to lobster and velvet crab fishing Figure No. 9 indicates that the fishing grounds generally lie outside or to the South of a line joining Hare Island to Mutton Island.

Modelling studies of impacts from sediment transport from dredging carried out as part of the investigations show that the zone of influence lies largely within or North of the above mentioned line, so that there will be little or no loss or diminution of value to the lobster / velvet crab segments of the fishing.

Shrimp fishing on the other hand is carried out closer to shore and does occur North of or within the line joining Hare Island to Mutton Island.

2.2 SHRIMP SPECIES

Shrimp (*Palaemon serratus*) are commonly found around the Irish coastline except for NW Donegal (de Bháldraithe, 1971) and live on semi-sheltered rocky shores and reefs with macroalgae. They are relatively short lived ranging from two to five years (Haig *et al.*, 2014). Growth is rapid in the second year and mortality is high in the third year (Kelly *et al.*, 2008). Females are larger than males and females can increase their body weight by 50% in their second year during the months of August and September (Kelly *et al.*, 2008). Females begin to carry eggs in October and November and by December, the majority are berried. These egg-bearing females

undertake small scale migrations into deeper water in the Winter (Kelly *et al.*, 2008). Eggs take *ca* 3 months to mature and by mid- April, about half the mature females have hatched their eggs into the plankton. The larvae remain *ca* 1 month in the water and while there, are spread around the area where they hatched by locally generated tidal and wind-driven currents. The larvae eventually metamorphose into post larvae and settle into intertidal and shallow subtidal habitats (Kelly *et al.*, 2008). Haig *et al* (2014) note that *P. serratus* is capable of living in salinities ranging from 16 – 39 psu enabling the species to live in open sea water and estuarine conditions. *P.serratus* feeds mostly by grazing on diatoms and green, red and brown algae but also feed on small invertebrates such as ostracods and Foramenifera. There are no records from gut content studies of *P. serratus* feeding on polychaetes or molluscs (Haig *et al.*, 2014).

3 RESPONSE TO CONCERNS RAISED

The concerns raised can be grouped into five general headings as follows:-

- Impacts on Galway Bay cSAC and SPA
- Importance of area to the local inshore fishing fleet
- Lack of consultation
- Poor shelter from winds
- Impacts from sediments generated by dredging.

3.1 CONCERN:- IMPACTS FROM THE DEVELOPMENT ON GALWAY BAY CSAC AND SPA.

Response:-

Both the EIS and NIS for the Galway Harbour Extension acknowledge that there could be impacts on both the cSAC and SPA and the NIS goes in to precise detail in terms of what areas of the NATURA sites may be impacted and the nature of such impacts and the effects of same.

The proposed Galway Harbour Extension was found to have the potential to directly impact two Natura sites *i.e.* Galway Bay cSAC and SPA. The impacts are the permanent loss of qualifying interest habitats and the potential impact on certain species arising from this loss but the effects are not considered to be significant on either of the NATURA sites. However, adopting the precautionary principal and on the basis that it cannot be said without reasonable scientific doubt that the impacts would not be significant, for the purpose of this assessment, such habitat loss and impact on species is being treated as significant.

3.2 **CONCERN:-** IMPORTANCE OF AREA TO THE LOCAL INSHORE FISHING FLEET

*A number of submissions have referred to the area as being of high importance to the local inshore commercial fishing fleet as it produces a significant volume of the annual shrimp (*Palaemon serratus*) harvest. Submissions have also described the area as a recognised nursery area for juvenile shrimp during the Summer as well as an historical lobster fishing area. References have also been made to many families depending upon this fishery for their livelihood.*

Response:-

There is an active pot-based fishery for shrimp in Inner Galway Bay and Tully *et al.*, (2010) were commissioned by GBIFA to assess the fishery in terms of the area fished, the value of the catch and the number of vessels used. The same authors also assessed lobster and velvet crab in the same area but as pointed out earlier, since there is no fishery for these species within the foot print of the proposed harbour extension (see Figure 9 of Tully *et al.* 2010), these species are not considered further here.

Tully *et al.* estimate the size of the area fished for shrimp in Inner Galway Bay to be 108 km². The proposed harbour extension will cover an area of ca 30 ha or 0.3km². Using results of the mathematical modelling of the dredge spoil (see below), the potential, temporal drift of suspended sediments outside the foot print during the dredging operation has been calculated as being an additional 170 ha giving a total, albeit temporary, loss of 200 ha or 2 km². Tully *et al.* (2010) document 26 boats fishing in the inner Galway Bay area. The shrimp fishery is closed annually from the beginning of May to the end of July and Tully *et al.*(2010) report that many boats stop fishing as early as February.

Keep pots are used by fishermen to store live shrimp until they are of large enough weight to sell to the buyers. The area to the south of Renmore Beach is one location that is traditionally used for these keep pots.

With regard to the area being a nursery for juvenile shrimp, as noted above, larval shrimp can be found anywhere along the coast where weed-cover rocks and overhangs are present. There is no specific "nursery" area for shrimp in the bay. In particular the foot print of the development herein or the areas adjacent to same are not of any particular importance as a nursery area for juvenile shrimp and same has not been so found or recognised in any scientific or other assessment

3.3 CONCERN:- LACK OF CONSULTATION

A statement has been made in the submission by the Galway Bay Inshore Fishermens Association that there was no consultation with that Association at any stage.

Response:-

As demonstrated at Appendix 2.3.7 Volume 2C – Appendices to EIS, this suggestion is wrong and meetings were held between representatives of Galway Harbour Company and Galway Bay Inshore Fishermen's Association on six separate occasions i.e.

27th October 2006
15th December 2006
12th January 2007
21st September 2007
(14th January 2009 largely Volvo)
30th June 2009
5th April 2012

Concerns expressed on behalf of the Association during those meetings have been taken on board and have informed the design and provision of facilities for Inshore Fishermen which form part of the design proposals herein and which will comprise an improvement on the facilities currently availed of by the members of the Association.

The meeting on 11th March 2011 followed on from the public consultation seminar held in January 2011 which had indicated location and orientation of a Fishermen's pier on the eastern side of the development. This facility was later moved further to the south with a fishing yard of 0.3ha added together with a pontoon system with 16 berths included on the north eastern side of the pier to cater for smaller fishing vessels.

3.4 CONCERN: POOR SHELTER FROM WINDS

Concern has been expressed that the proposed facility for inshore vessels in the NE corner of the development would be open to south easterly winds as the Submitting party (in this case the Galway Bay Inshore Fishermens Association) has not observed any evidence of a breakwater.

Response:

Breakwaters are being provided for the Commercial Fishing pier as are shown on the drawings of the proposed Galway Harbour Extension which demonstrate the extent of breakwaters proposed. The drawings also show that the alignment of the proposed new fishing pier is the same as the existing lay by where some of the existing fishing fleet tie up.

The inshore vessels will berth to the north east of the fishing pier, large vessels will berth on the south western side of that pier.

The north western corner of this pier will be subject to south easterly storms which may over top the fishing quay when global warming allowance is incorporated. A set of pre cast barriers will be provided and stored in the fishing yard for deployment in such circumstances which would equate to a 200 year storm. The larger fishing vessels will move southwards to the lee of the main break water within the commercial dock. The smaller inshore vessels will be sheltered by the pier and deployed breakwater. The area is sheltered from the east north west and south and being to the lee of the harbour lands and development. The south east is protected by Rabbit and Hare Islands and the minor south east element of exposure is addressed by the fishing pier design as described above.

3.5 **CONCERN:** IMPACTS FROM SEDIMENTS GENERATED BY DREDGING

“The historic export of lead and zinc ore from Tynagh mines caused spillages of this material into the docks and subsequent maintenance dredging gave rise to this material being dumped into the bay. When this occurred, the shrimp fishery collapsed locally and took some years to rebuild”.

3.5.1 *Modelling of Sediments*

As part of the EIS, computer simulations were carried out to assess the impact of sediments suspended during the dredging operations in the construction and maintenance phases of the proposed plan and also to determine the area that would be affected. (see Chapter 8 of the EIS).

3.5.2

3.5.2 *Conclusion on Sediments*

The conclusion of this sediment plume modelling showed sediment deposition to be generally localised close to the dredging point. The simulations demonstrated that even when modelling a 100% fine silt (conservative approach), the suspended sediment concentrations are only significantly elevated above background in the vicinity of the dredging point with the plume enjoying reasonable dispersal thereafter. The actual monitored sediment characteristics classify the sediment as a fine sand with a fine silt/clay content varying between 4 and 40%. The coarse to fine sand fraction will deposit close to the dredge point whereas the silt will disperse with the inflowing and outflowing tides. Generally, concentrations remote from the dredging point are 1 mg/l or less. At a concentration of 1 mg/l of silt, the depositional rate based on a settling velocity of .0001 m/s is 8.64 g/m² per day which is considered insignificant and particularly so, given the temporary nature of the construction dredge activity.

Under larger river fluvial flows, the sediment plume would encounter greater dispersion out to sea resulting in lower sediment plume concentrations.

There will be two periods during which the sedimentary conditions in the mouth of the River Corrib will change and these relate to the dredging/construction period and

for a period of a number of weeks post-completion. Dealing firstly with the dredging/construction period, sediment will be brought into suspension by the dredging activities and the model has been used to predict concentrations at the selected sites within the works area. As sediments can only travel northwards on a flooding tide and as maximum flow occurs on Spring tides, only these conditions were modelled. The predicted deposition levels at all four observation sites indicate that the majority of suspended sediments will fall out within short distances of the dredging activity. In order to establish naturally occurring levels of suspended solids at Ballyloughan Beach, a water sample was taken on May 24th, 2011 during a period of extreme wind conditions. The sea water at the beach was very turbid and suspended solid values were recorded at 65,000 mg/l, which is 4 orders of magnitude above the values predicted by the model i.e. less than 1 mg/l.

Since the model predicts increased velocities in the deeper water between the new structure and the causeway, there will be a period of erosion post-completion of Phase 1 in which fine surface sediments will be transported southwards. The model predicts that the material will deposit eastwards of Mutton Island. Sedimentary conditions in this area are characterized by muddy sands and the eroded material that will deposit in this location are fine muds of less than 63µm. Given the low predicted volumes and the fact sediments in the area of fall out already comprise of such sediments, it is considered that the addition of these fines will not have a significant impact on the biological communities in the area.

The previous simulations of the four reference locations modelling fine and coarse dredge suspended sediment was carried out for the existing bay hydrodynamics (i.e. without the harbour development in place) and demonstrated that the critical tides were Spring tides under Summer low Corrib Flow conditions.

3.5.3 Maintenance dredge suspended sediment analysis

Following on from the construction dredge impact assessment presented above, a series of dredge plume simulations for similar hydrodynamic conditions were carried out with the proposed port and dredged channel in place. These simulations were performed to further to assess the potential impact from future maintenance dredge operations on water quality at sensitive receptors such as the shrimp fishery in the area, Lough Atalia and Renmore Beach. Similar to the previous simulations, a fine sediment having a dredge resuspension S-Factor of 6 kg/m³ and a dredge rate of 40.5 l/s were specified in the model as per expected losses from a trailing suction hopper dredger reported by CIRIA C547 Guidelines. The equilibrium concentration after 3 days continuous release of sediment was output for the 4 principal stages of the tidal cycle and for seven locations, four associated with the commercial port navigation channel and port turning circle (A1 to A4) and three locations along the marina and docks relocated navigation channel (B1 to B3), refer to Figure 3 below.

The suspended solids plume plots for the maintenance dredging activities by a trailing suction hopper dredger at each of the dredging sites (A1-A4 and B1-B3) are presented in Figure 11 – 17 respectively of Appendix I of this report representing snapshots of sediment plume after three days of continuous dredging at the four principal stages of the tidal cycle. Concentrations down to 1 mg/l are shown in these

plots which is well below natural ambient suspended solids levels for these coastal waters. The findings from these simulations clearly show that dredging activities in the new approach channel to the old docks and marina (as represented by B1 to B3) will result in an increase of suspended solids concentration in excess of 1 mg/l in this area. However, as this area is never used to deploy shrimp pots, there can be no impact on the fishery. The simulation results for sites A1 to A4 in the port and approach predict low levels of suspended sediments arising from the maintenance dredging and that the spatial extent of the plume is restricted to within a short distance of the dredging activity. This area is not used by shrimp fishermen as an important fishing ground but is used as an area for keep pots. As shrimp are an estuarine species and therefore tolerant of increased suspended sediment loadings, the predicted temporal increases in such loadings will have no significant impact on this species.

Concerns are also raised by the Galway Bay Inshore Fishermen’s Association in relation to potential heavy metal contamination of the material to be dredged and the impact of this on the shrimp fishery. An assessment of the sediment chemistry (including heavy metals) was carried out on both surface samples (22 in all) and bore hole samples that were taken for geophysical purposes and this showed that values for a wide range of analyses on all but one sample were within National Guidelines indicating that the sediments that will be mobilised during the dredging activity are not heavily polluted. Impacts on the prawn fishery are therefore considered negligible.

4 SUMMARY

To summarise, the following points are made in response to the concerns raised:

Both the EIS and NIS acknowledge that the proposed extension of Galway Harbour has the potential to negatively impact both Galway Bay cSAC and SPA.

To conclude, the proposed Galway Harbour Extension was found to have the potential to directly impact two Natura sites *i.e.* Galway Bay cSAC and SPA. The impacts are the permanent loss of qualifying interest habitats and the potential impact on certain species arising from this loss but the effects are not considered to be significant on either of the NATURA sites. However, adopting the precautionary principal and on the basis that it cannot be said without reasonable scientific doubt that the impacts would not be significant, for the purpose of this assessment, such habitat loss and impact on species is being treated as significant.

The location for the proposed construction area will be removed permanently and this has been recognised and assessed. The fishery within same (which is a small percentage of the overall area utilised for this purpose) will be lost as a consequence of the development. However other areas can be fished in its place albeit involving a slight extension of the area currently fished by the inshore fishermen. The new fishing pier will have an improved draft of 3.5m at all tidal stages and will reduce somewhat the commuting distance to a number of the the fishing grounds and will improve berthage and yardage facilities for the fishermen

The area of the proposed development is not recognised as an area where lobster and velvet crab are fished and fishing grounds for these species are too far away from the proposed development site to be affected by either construction or operation of the Harbour Extension.

Keep pots are located in the area off Renmore Beach and although there may be some increases in suspended solids during construction and maintenance dredging, concentrations are considered too low to be of significant concern.

Sediment chemical analyses of material collected in the construction site show that, in only 1 of 22 locations sampled, levels of potential pollutants are too low to be of concern.

In conclusion the identification of the effect on individual members of the inshore fishing fleet would have to have regard to the base from where individually they would normally operate e.g. Layby, Claddagh, Barna, Renville etc. and the particular segment of Inner Galway bay where they traditionally fish.

Appendix 1
Sediment Dispersion

Section 1 – Dispersion Plume from Capital Dredging

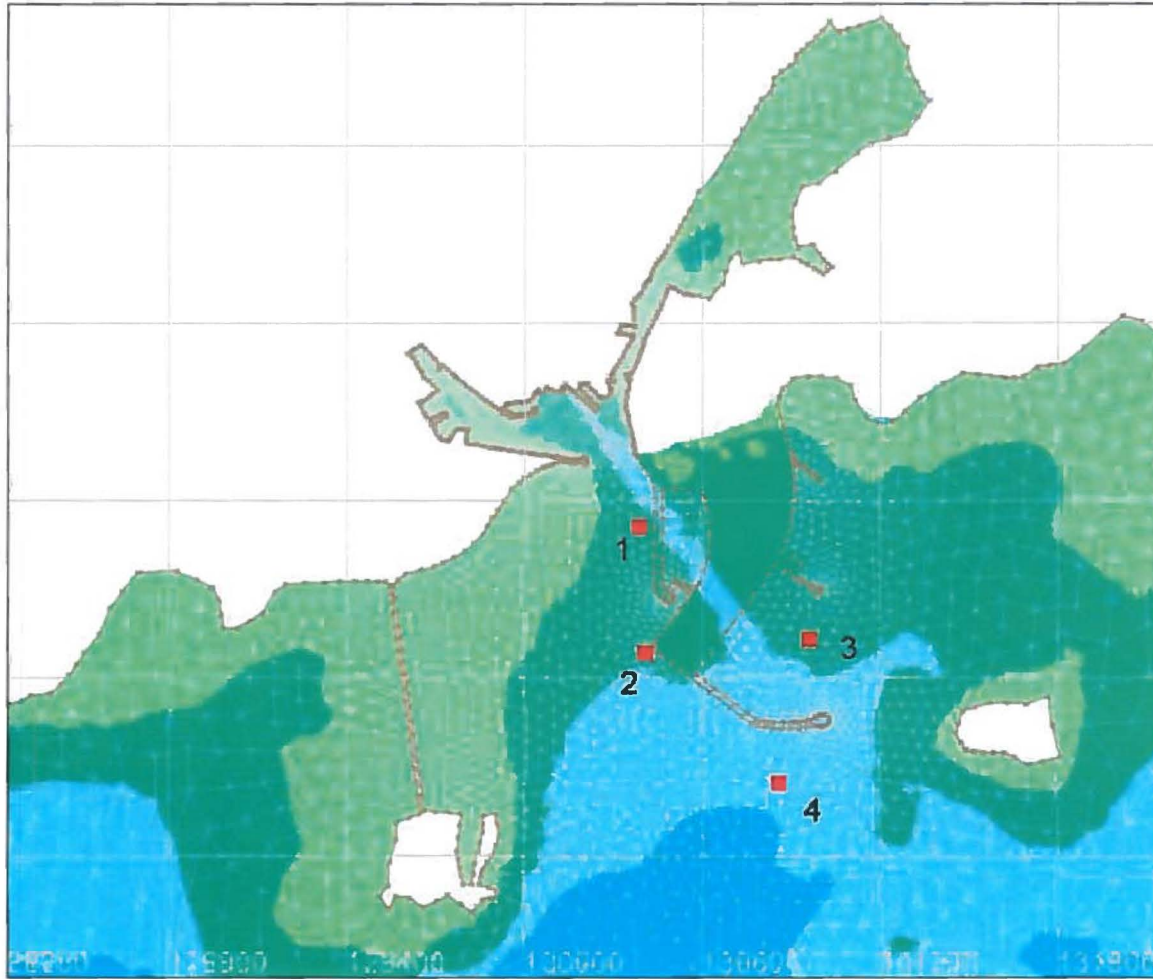


Figure 1: Dredging locations for sediment plume simulation

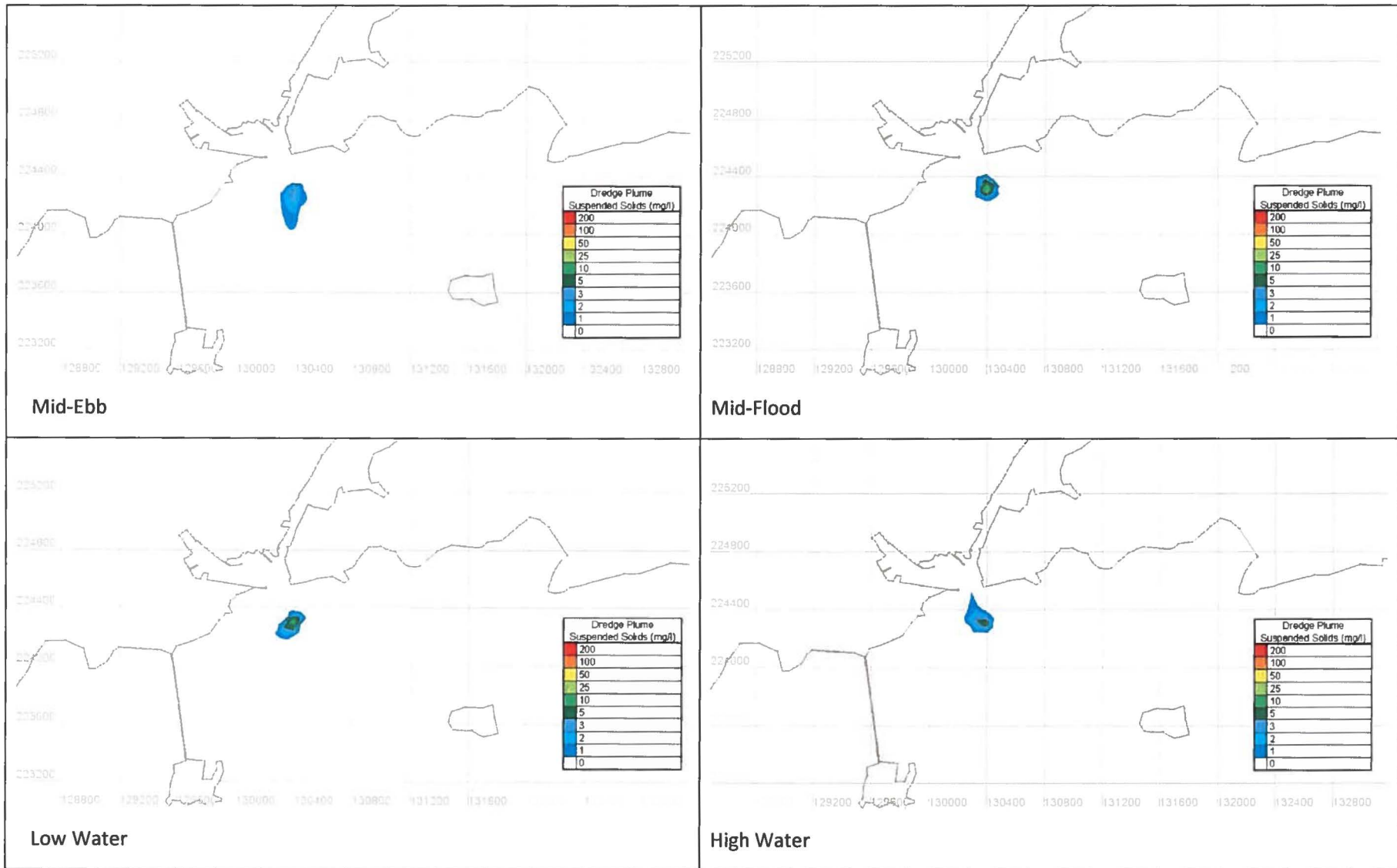


Figure 2: Coarse silt suspended sediment plume simulation at dredge location 1 – Spring tide and Corrib Summer low flow

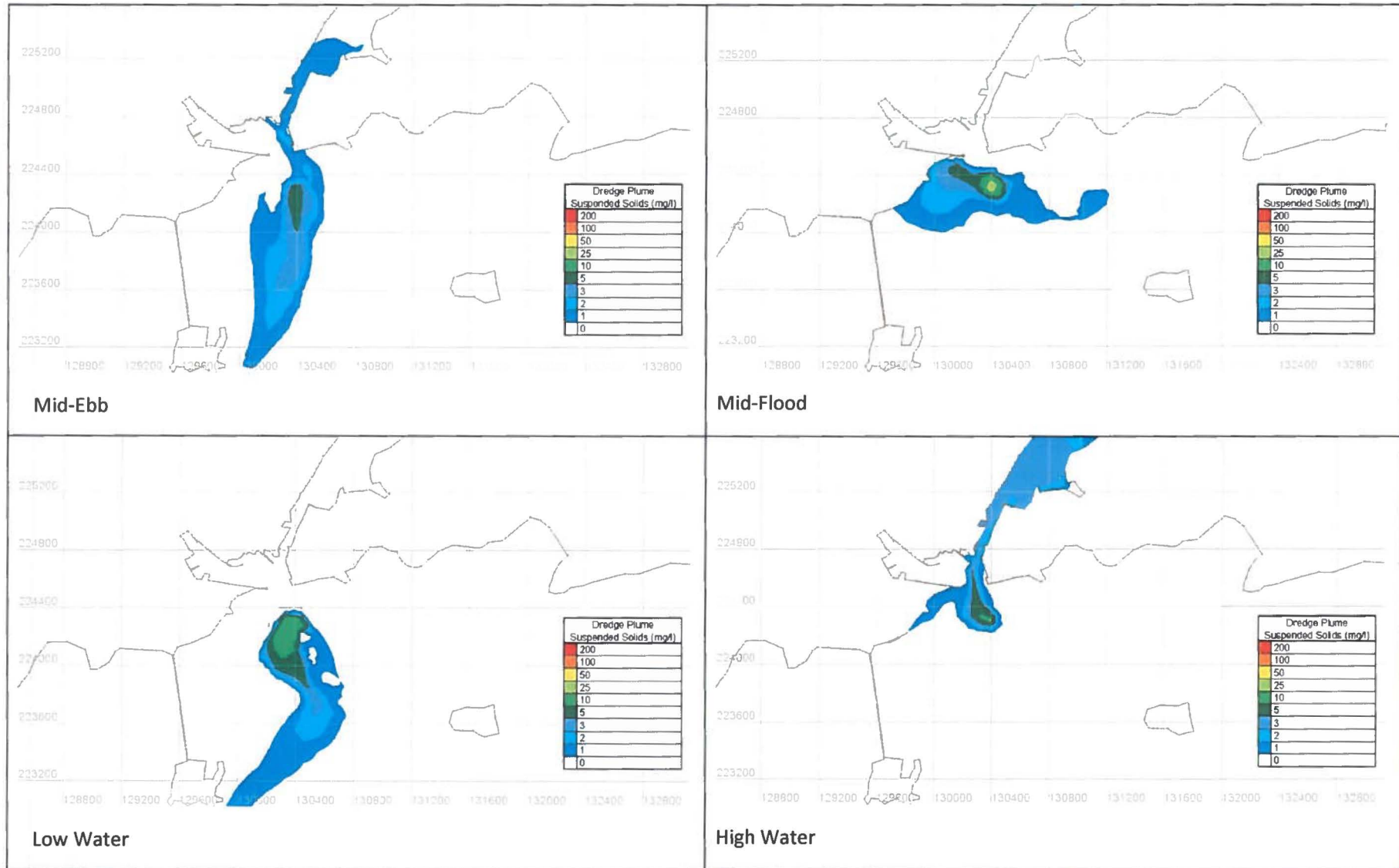


Figure 3: Fine silt suspended sediment plume simulation at dredge location 1 – Spring tide and Corrib Summer low flow

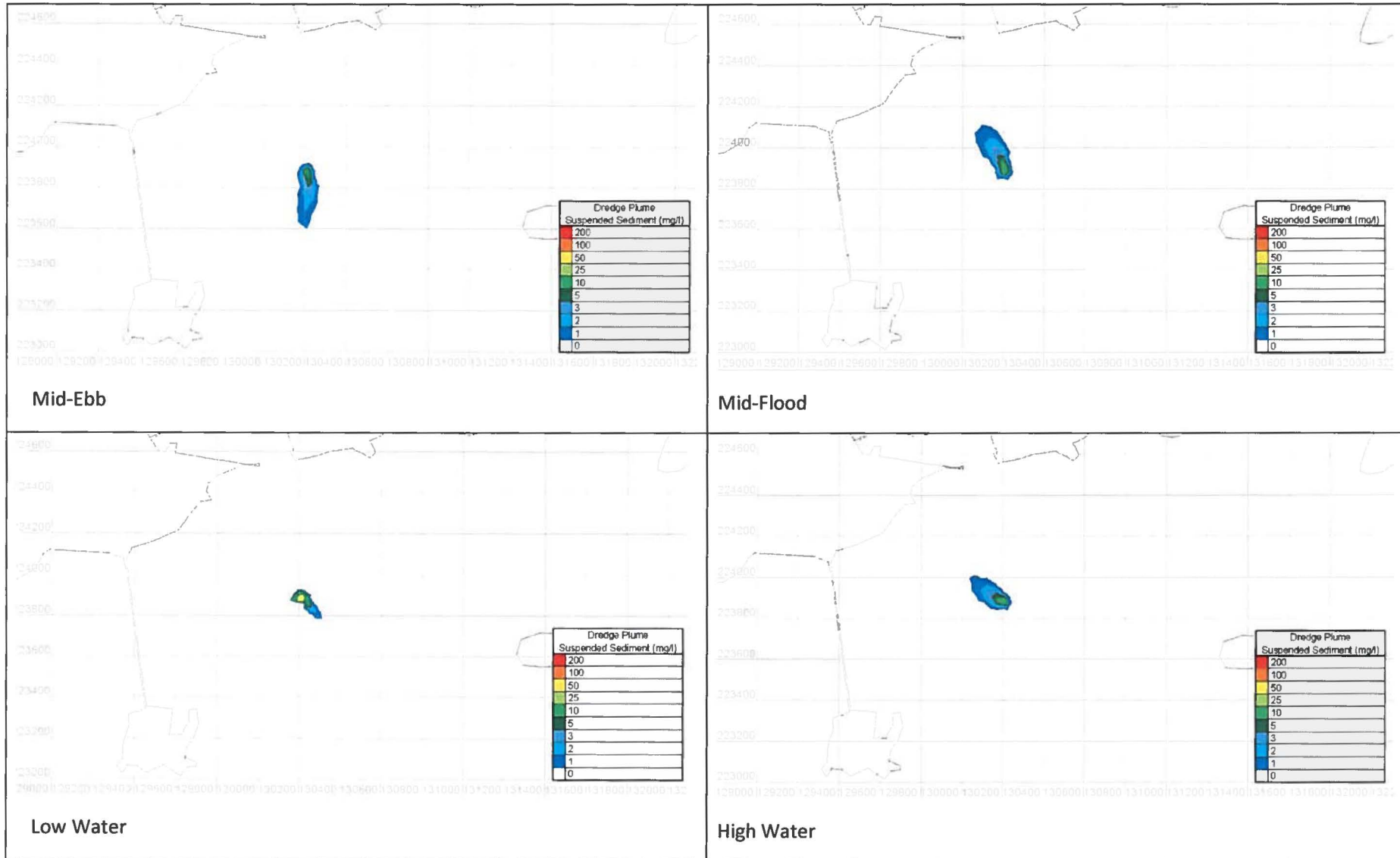


Figure 4: Coarse silt suspended sediment plume simulation at dredge location 2 – Spring tide and Corrib Summer low flow

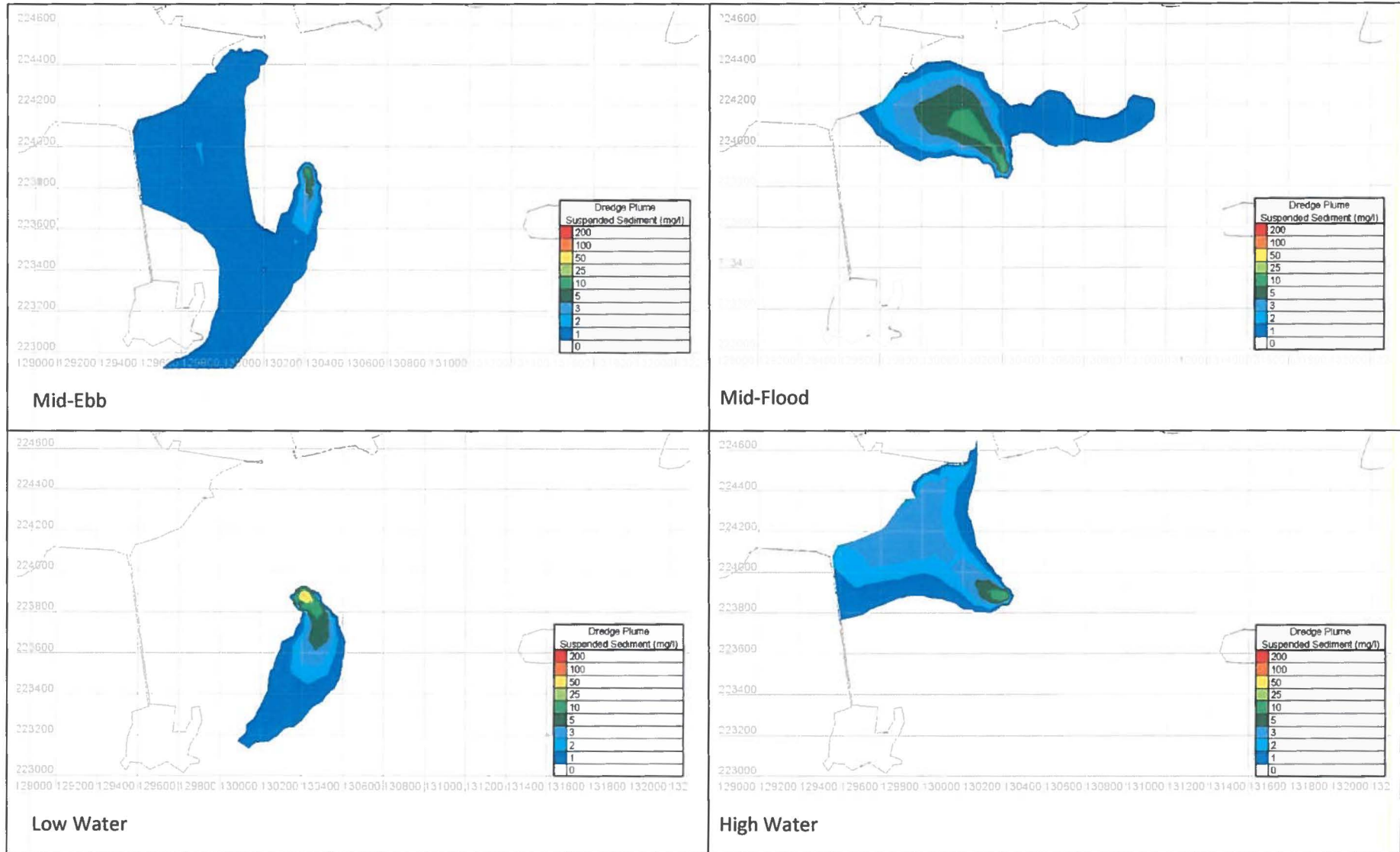


Figure 5: Fine silt suspended sediment plume simulation at dredge location 2 – Spring tide and Corrib Summer low flow

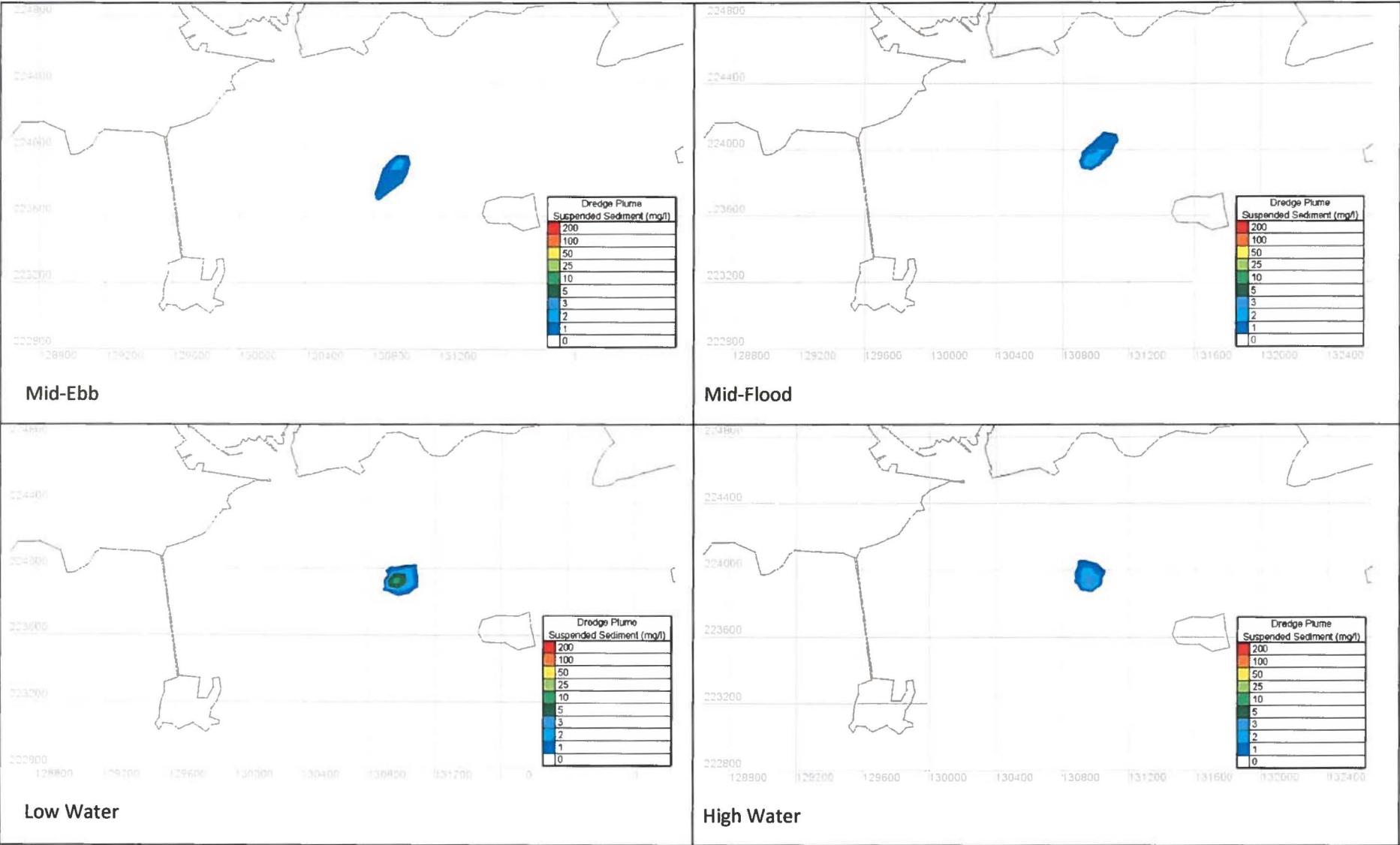


Figure 6: Coarse silt suspended sediment plume simulation at dredge location 3 – Spring tide and Corrib Summer low flow

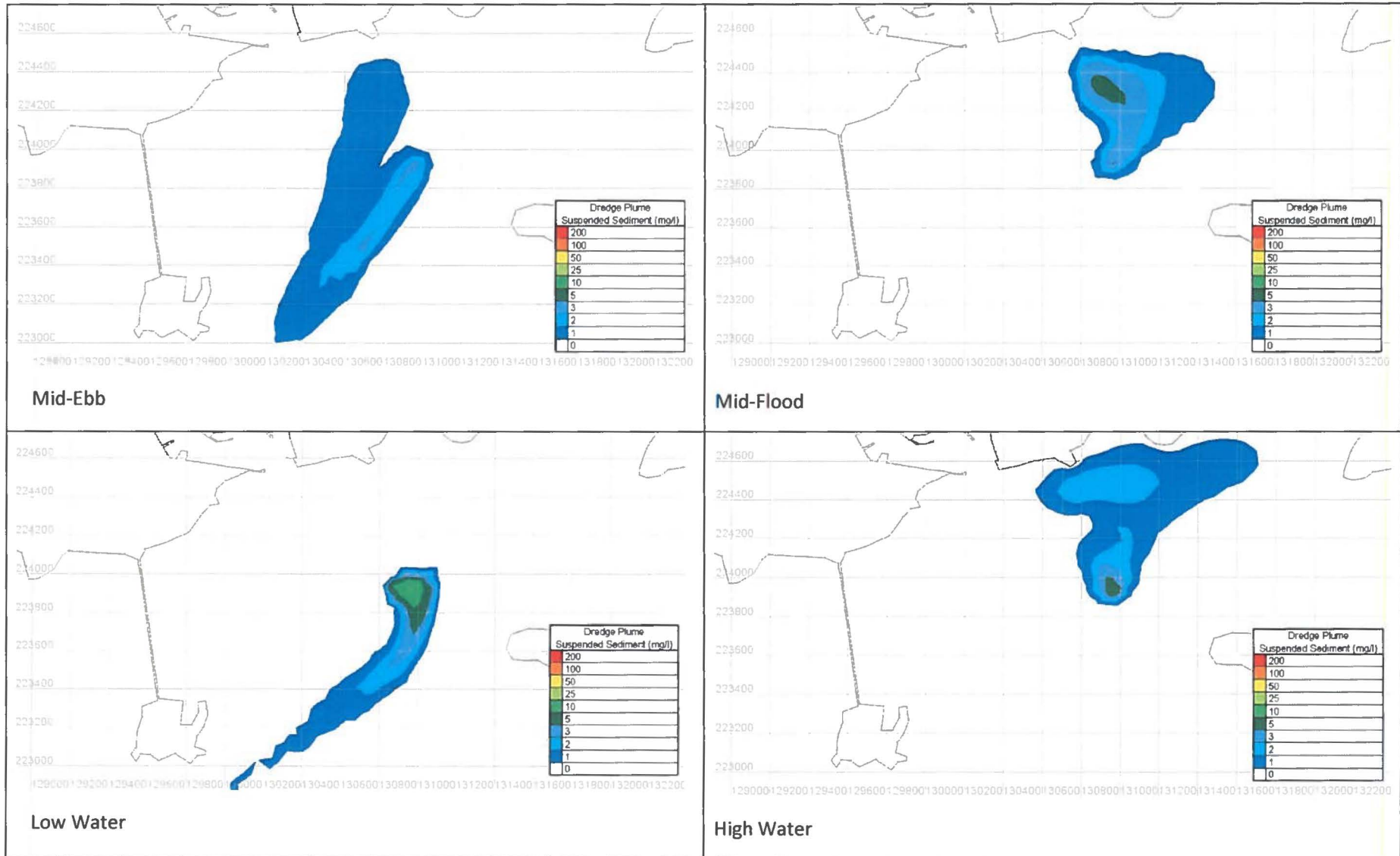


Figure 7: Fine silt suspended sediment plume simulation at dredge location 3 – Spring tide and Corrib Summer low flow

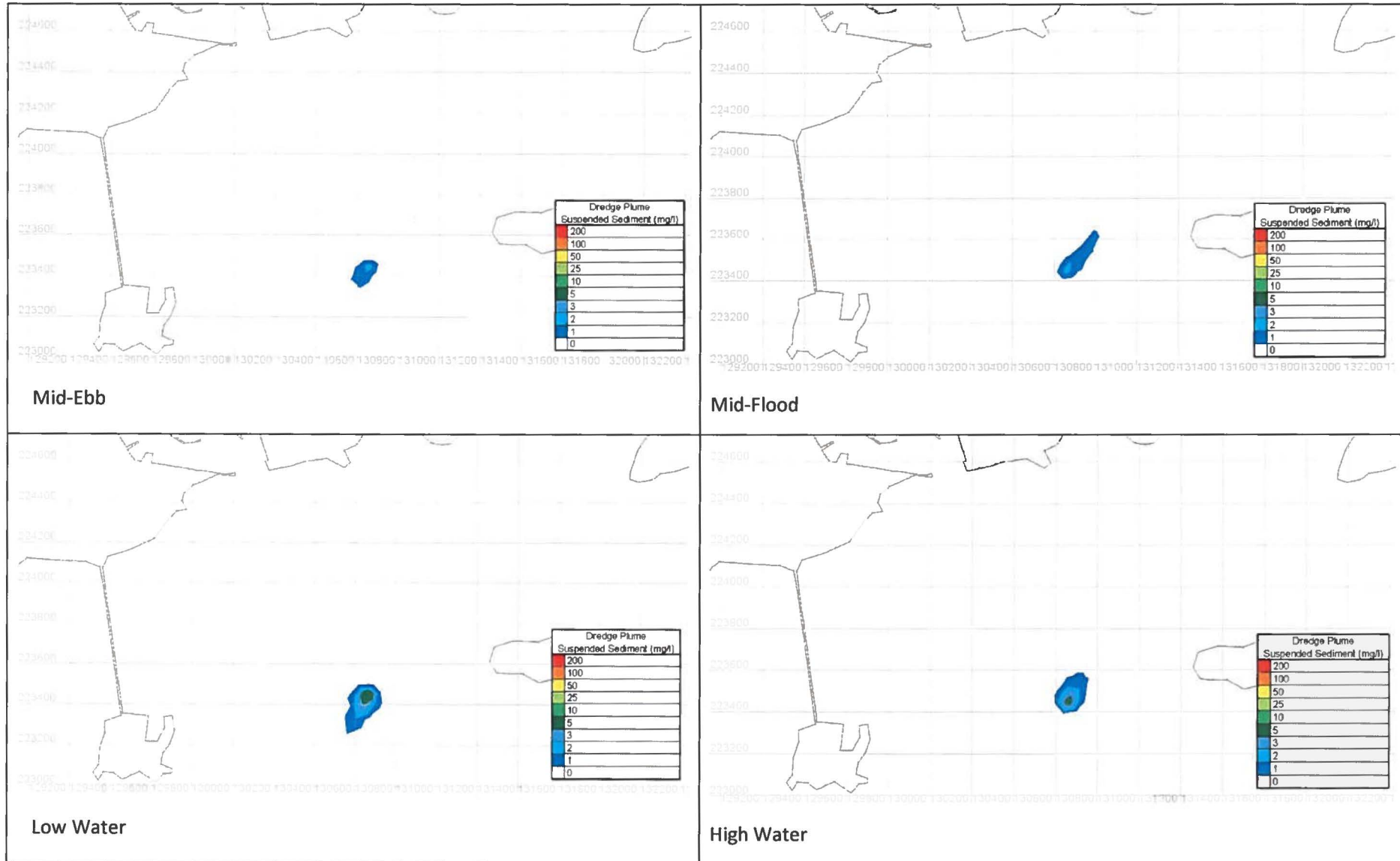


Figure 8: Coarse silt suspended sediment plume simulation at dredge location 4 – Spring tide and Corrib Summer low flow

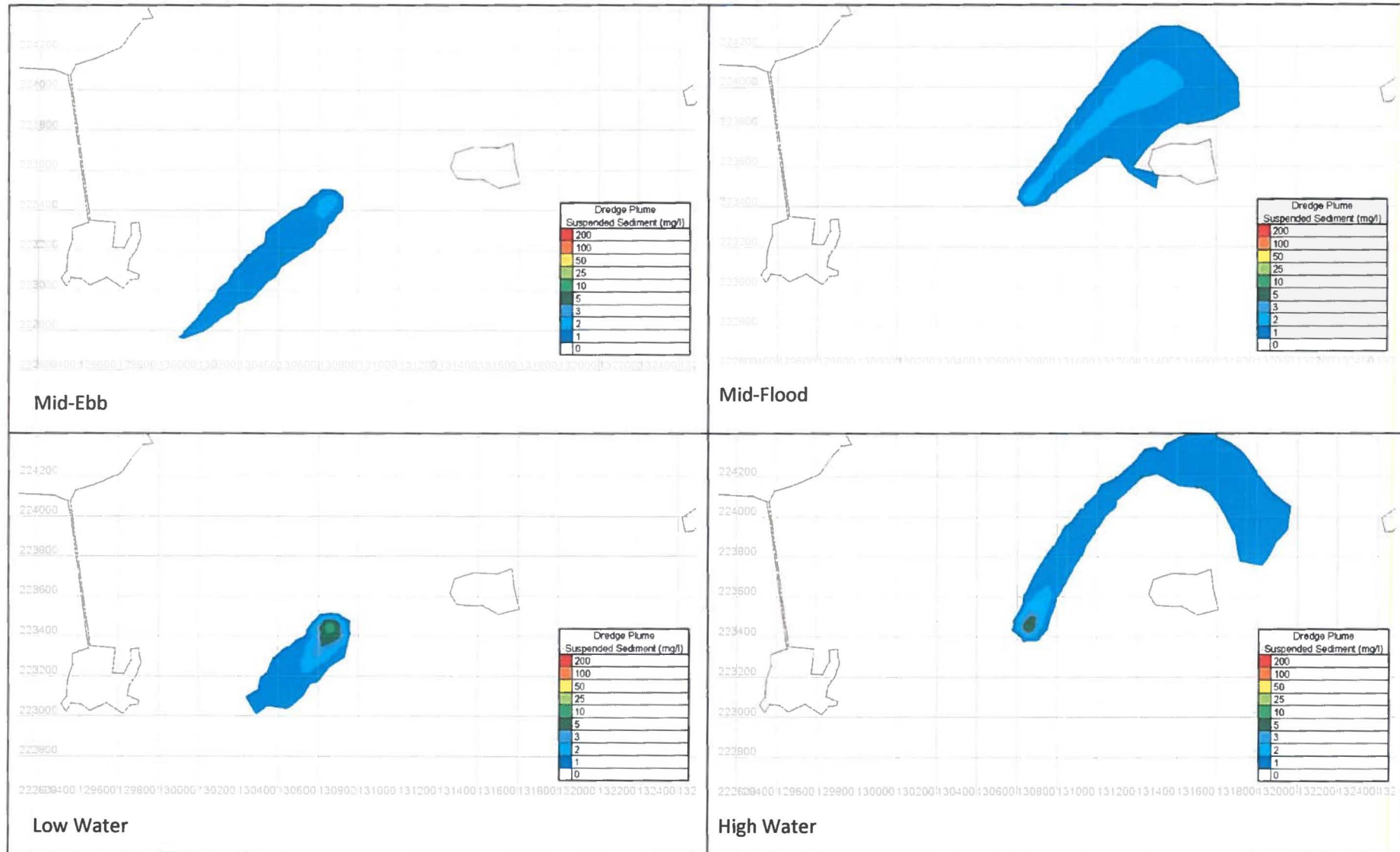


Figure 9: Fine silt suspended sediment plume simulation at dredge location 4 – Spring tide and Corrib Summer low flow

Section 2 – Dispersion Plume from Maintenance Dredging

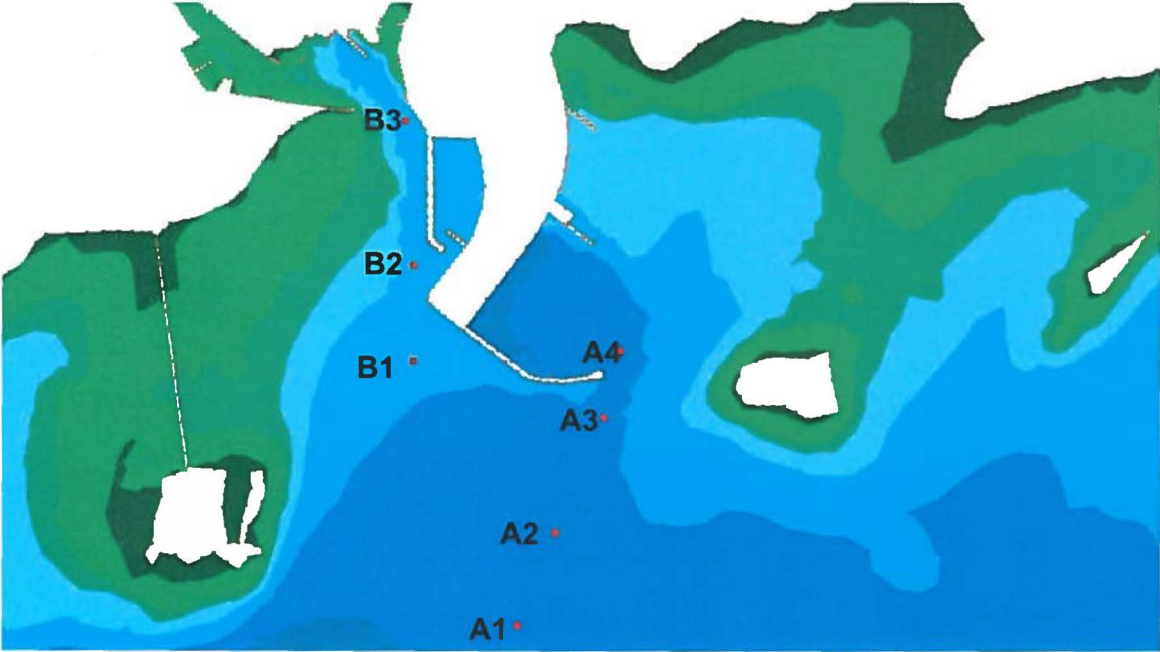
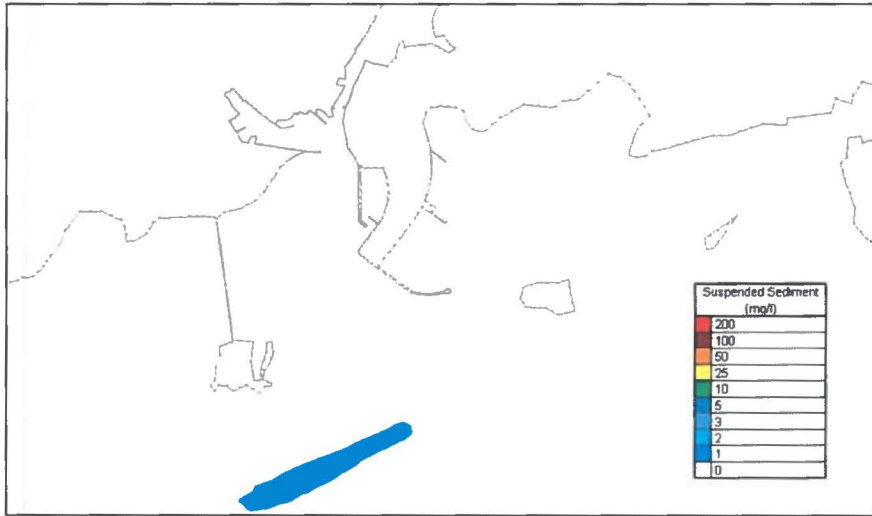
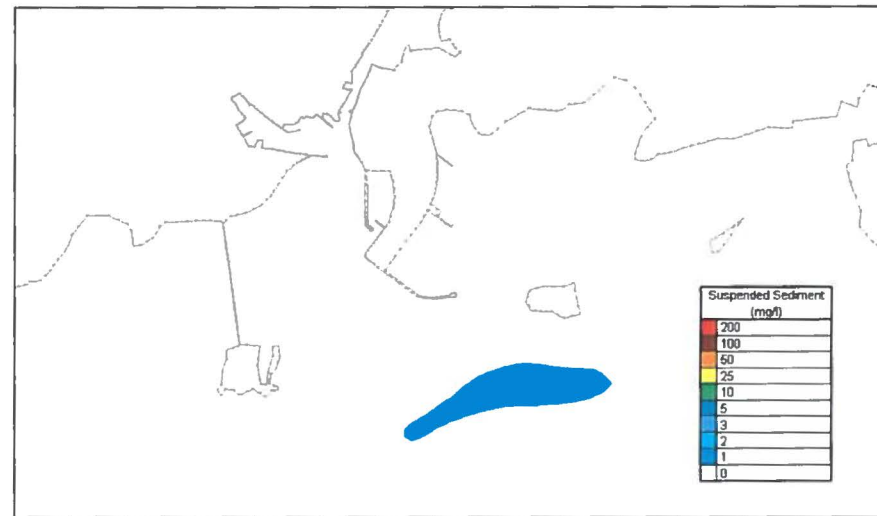


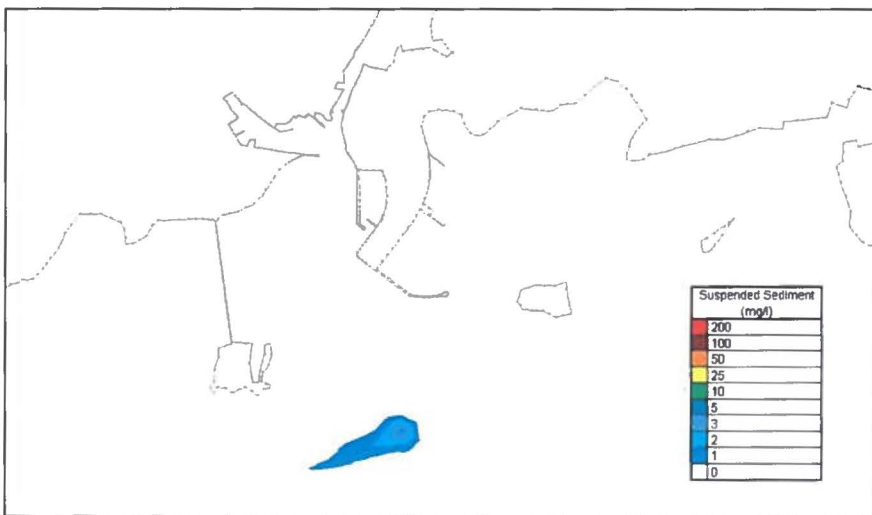
Figure 10: Reference locations along approach dredged channels to old Docks and proposed commercial port to assess suspended solids plume impact maintenance dredge operations



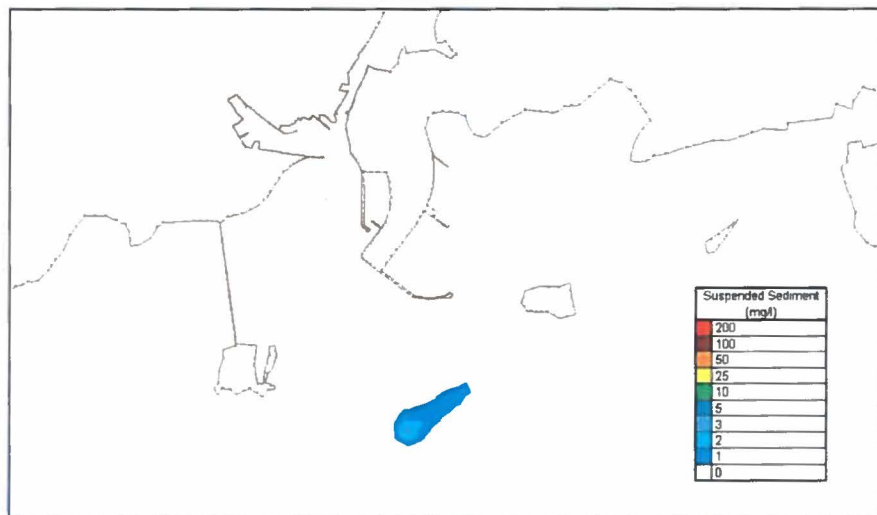
(i) Mid-ebb



(iii) Mid-Flood

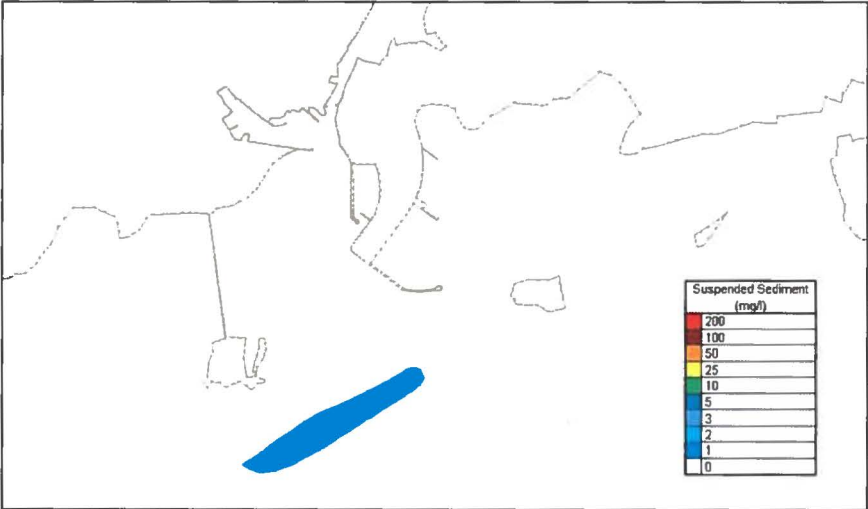


(ii) Low Water

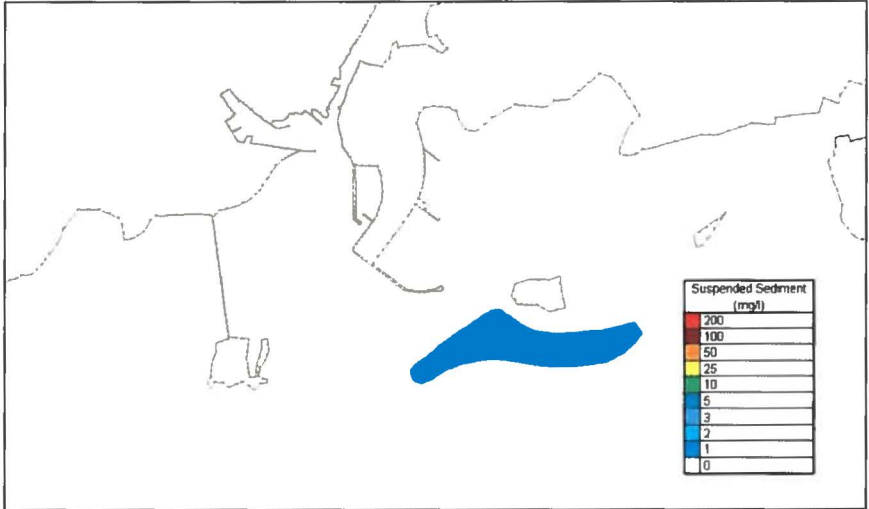


(iv) High Water-

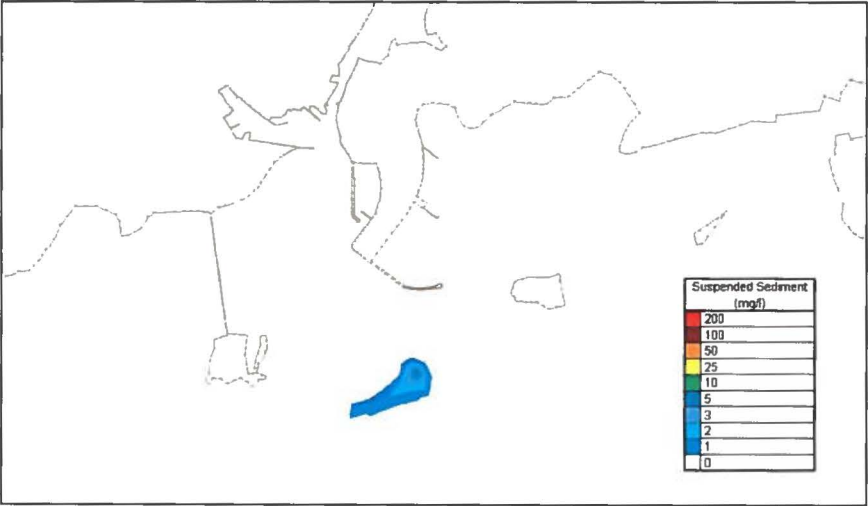
Figure 11: Dredge Plume at Location A1 for a Mean Spring tide and Summer Corrib low flow



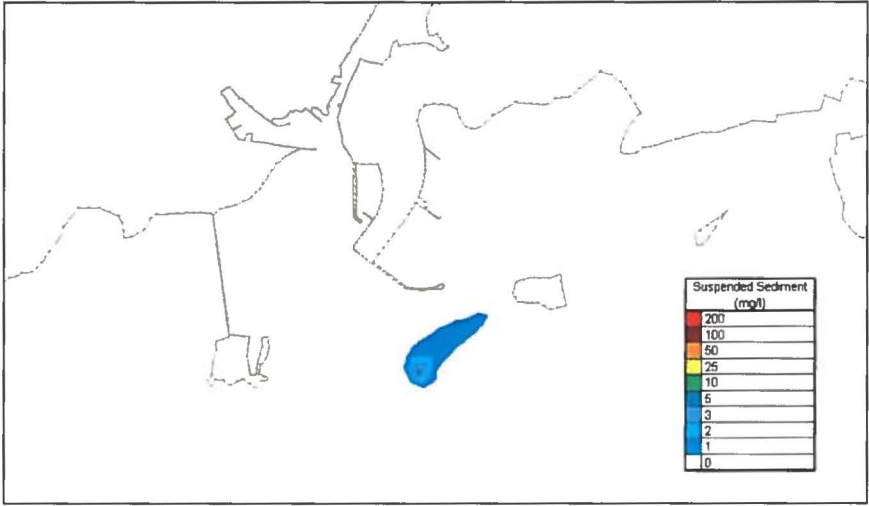
(i) Mid-ebb



(iii) Mid-Flood

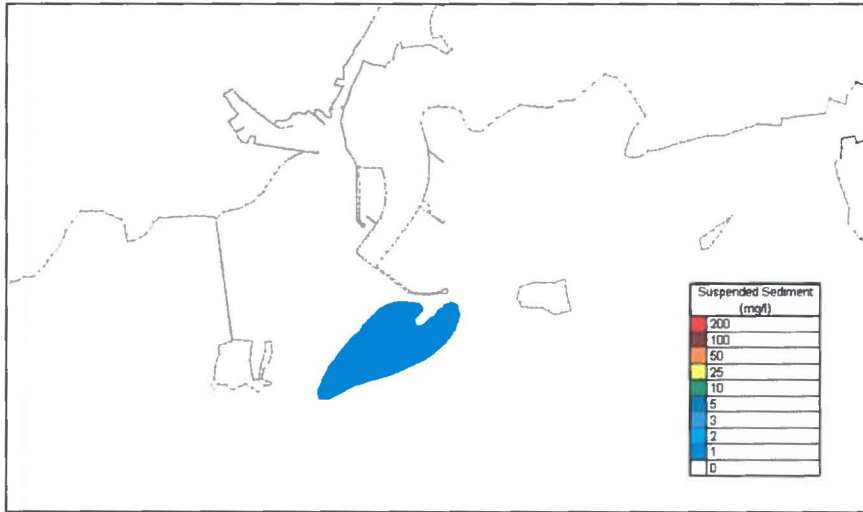


(ii) Low Water

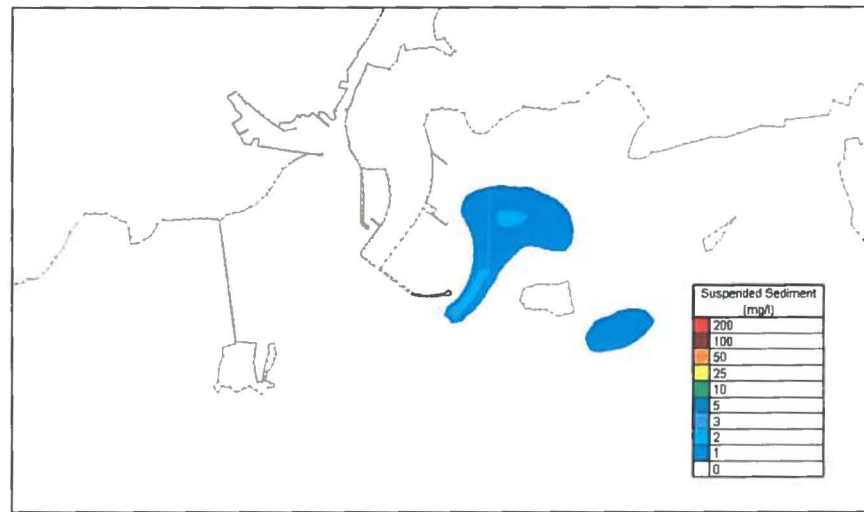


(iv) High Water-

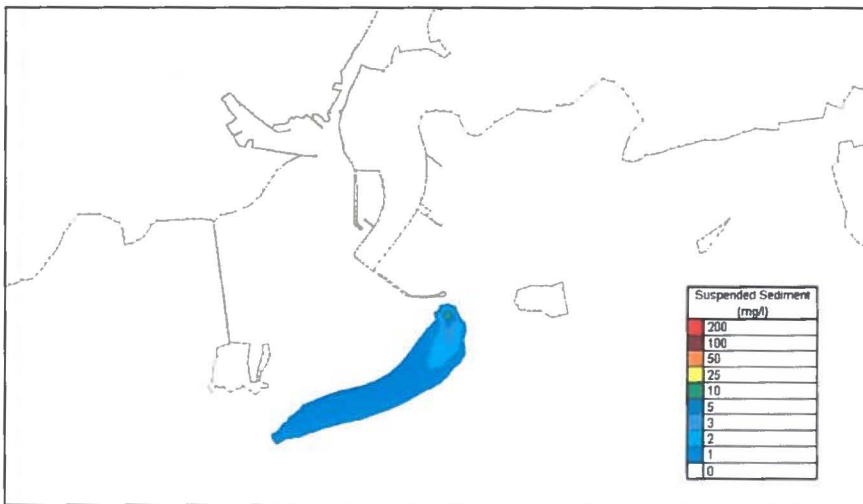
Figure 12: Dredge Plume at Location A2 for a Mean Spring tide and Summer Corrib low flow



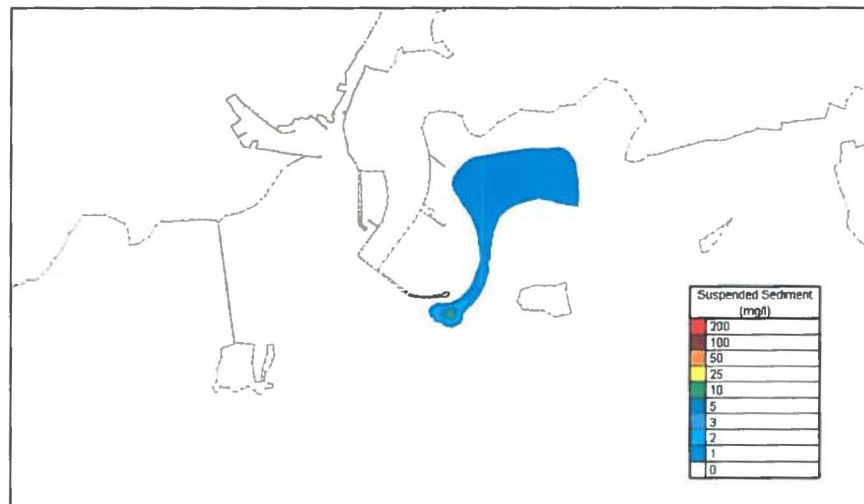
(i) Mid-ebb



(iii) Mid-Flood

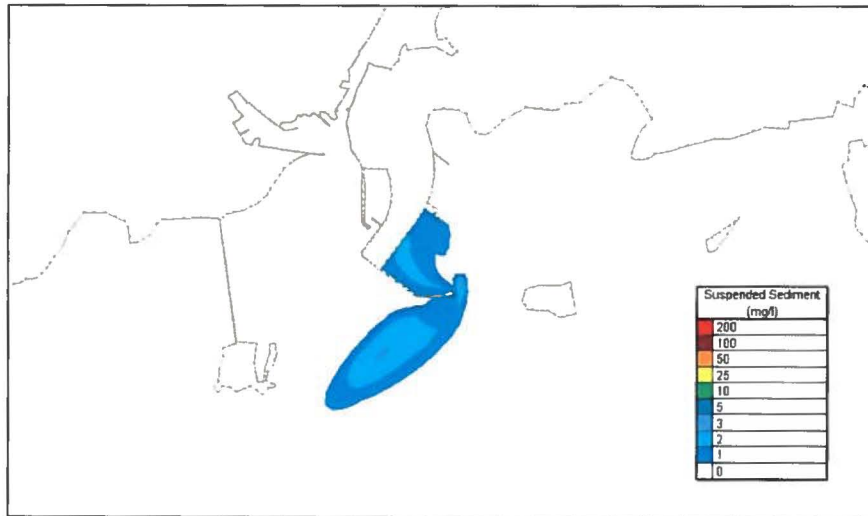


(ii) Low Water

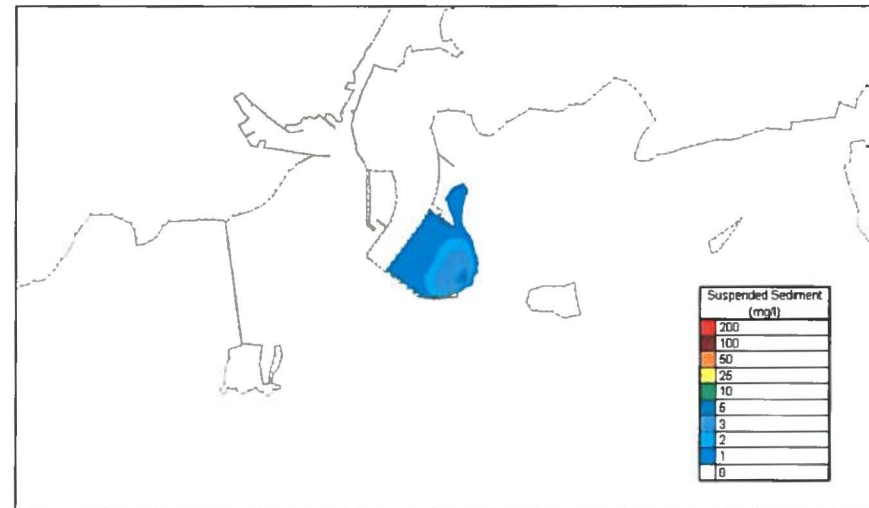


(iv) High Water-

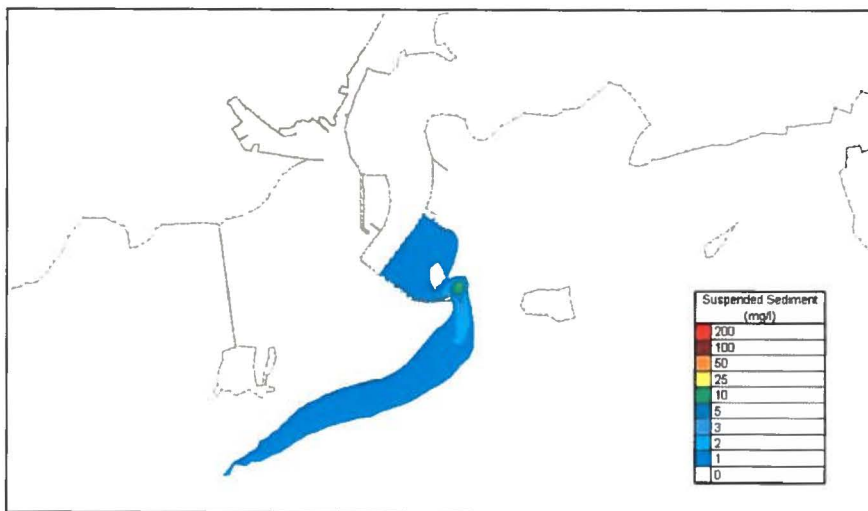
Figure 13: Dredge Plume at Location A3 for a Mean Spring tide and Summer Corrib low flow



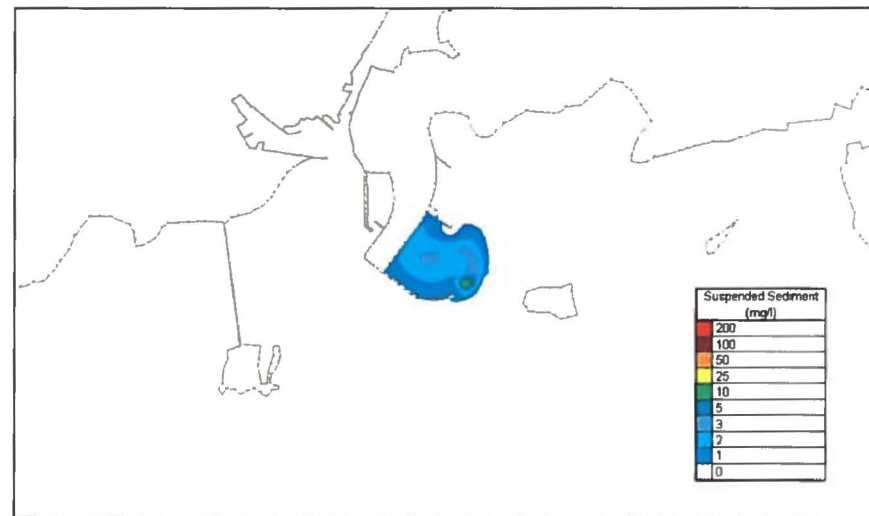
(i) Mid-ebb



(iii) Mid-Flood

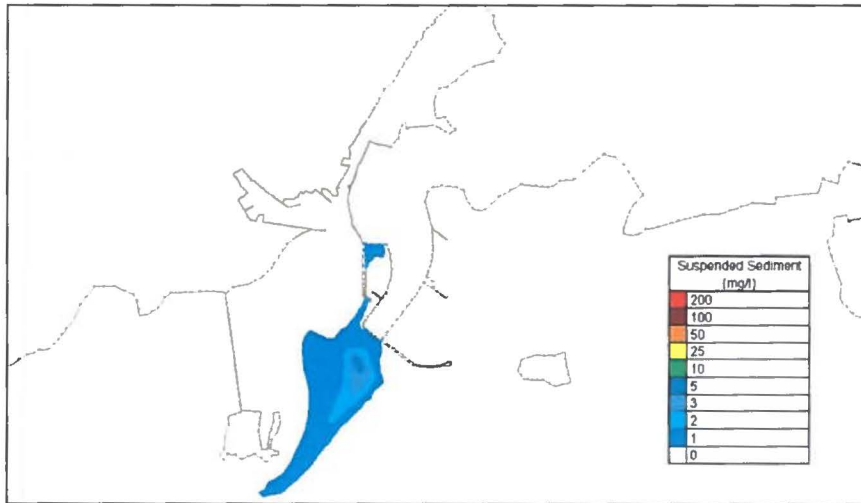


(ii) Low Water



(iv) High Water-

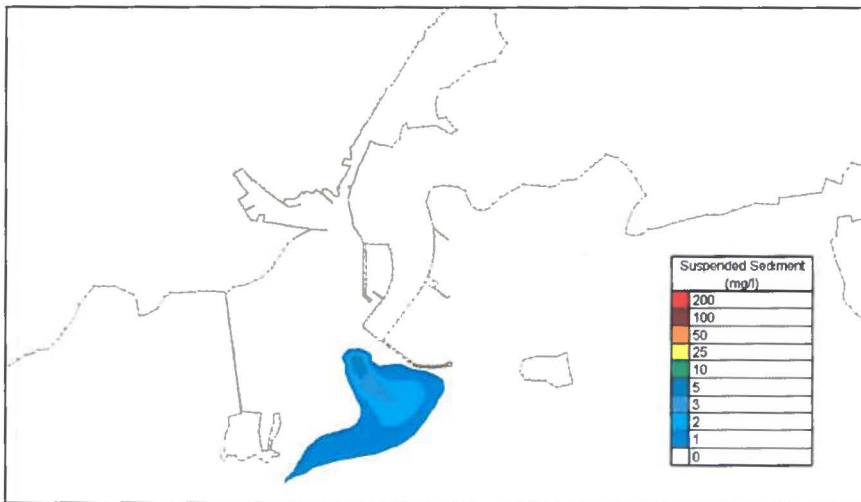
Figure 14: Dredge Plume at Location A4 for a Mean Spring tide and Summer Corrib low flow



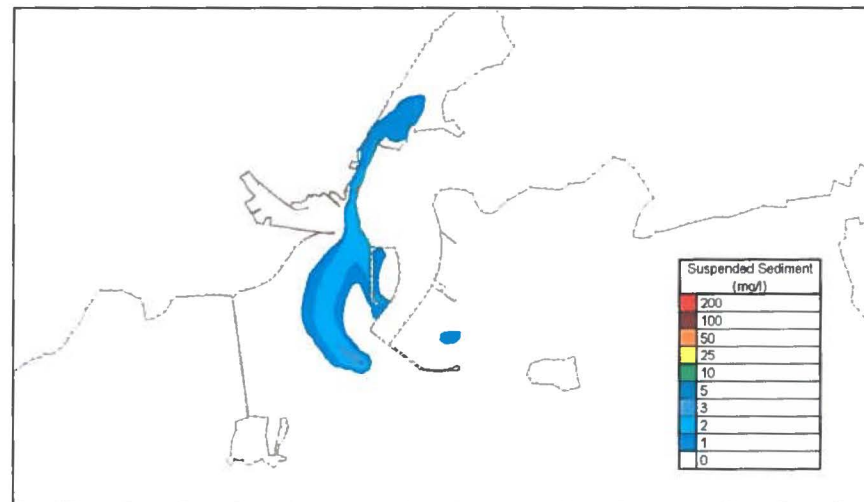
(i) Mid-ebb



(iii) Mid-Flood

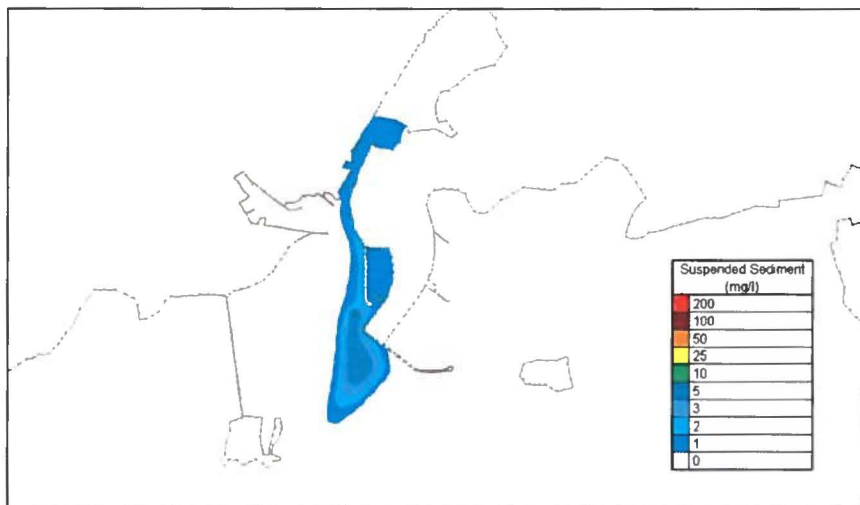


(ii) Low Water



(iv) High Water-

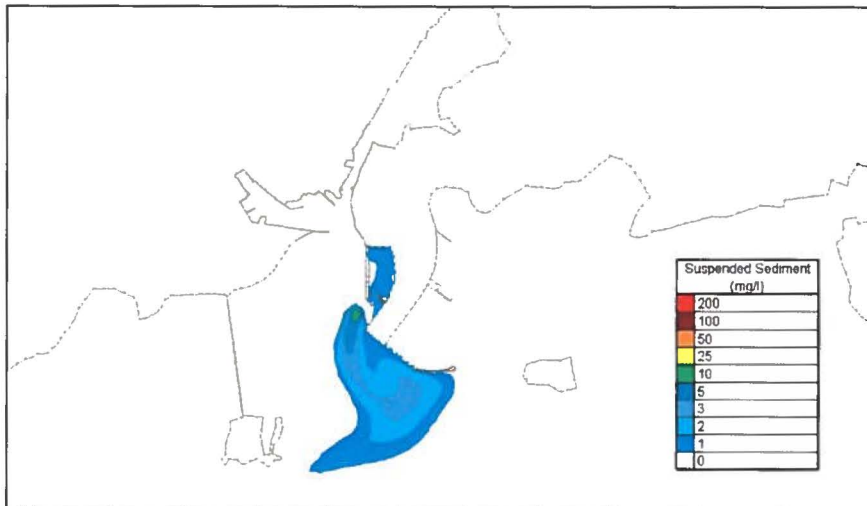
Figure 15: Dredge Plume at Location B1 for a Mean Spring tide and Summer Corrib low flow



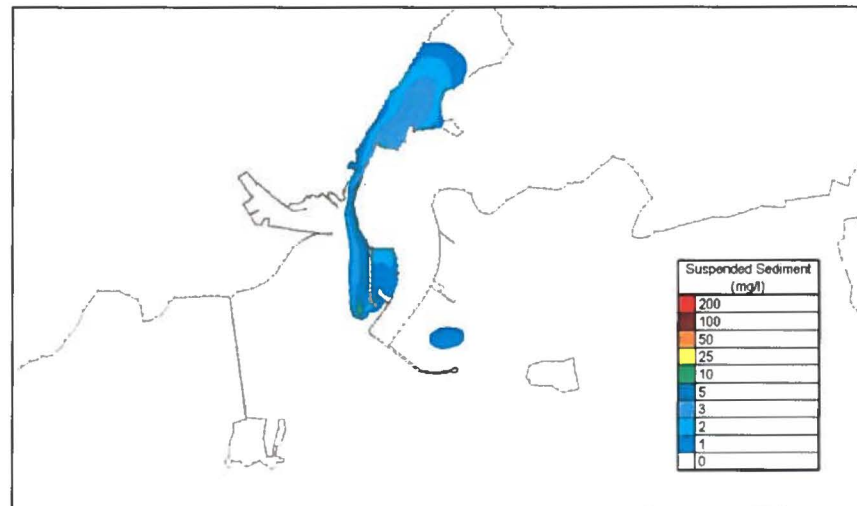
(i) Mid-ebb



(iii) Mid-Flood

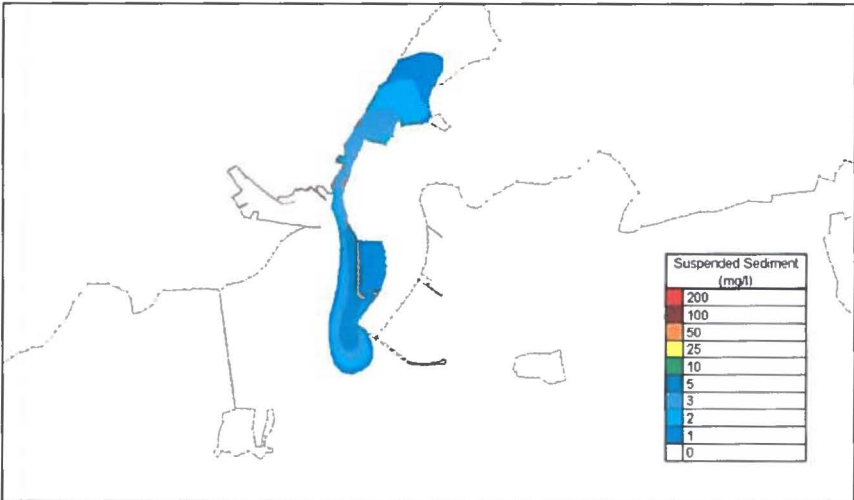


(ii) Low Water

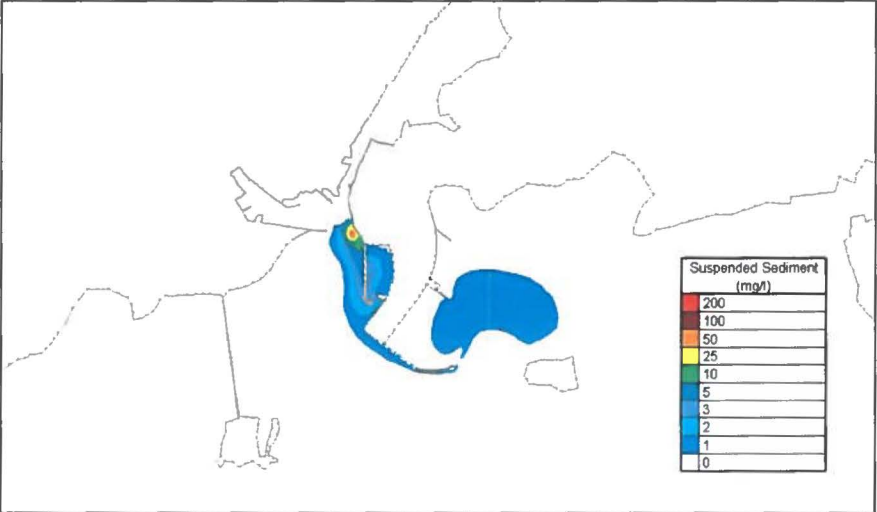


(iv) High Water-

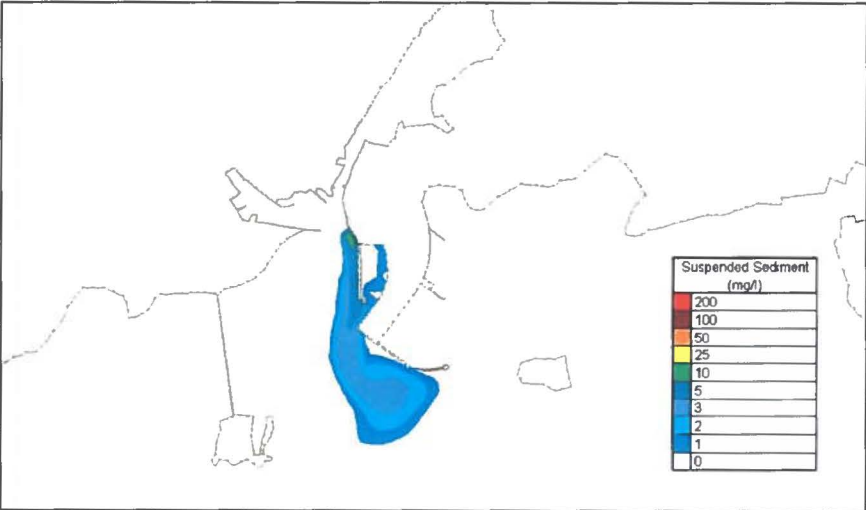
Figure 16: Dredge Plume at Location B2 for a Mean Spring tide and Summer Corrib low flow



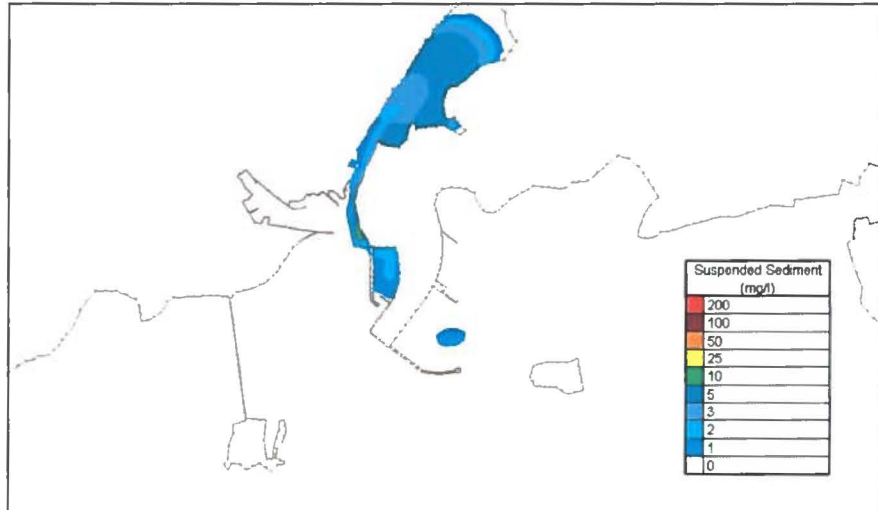
(i) Mid-ebb



(iii) Mid-Flood

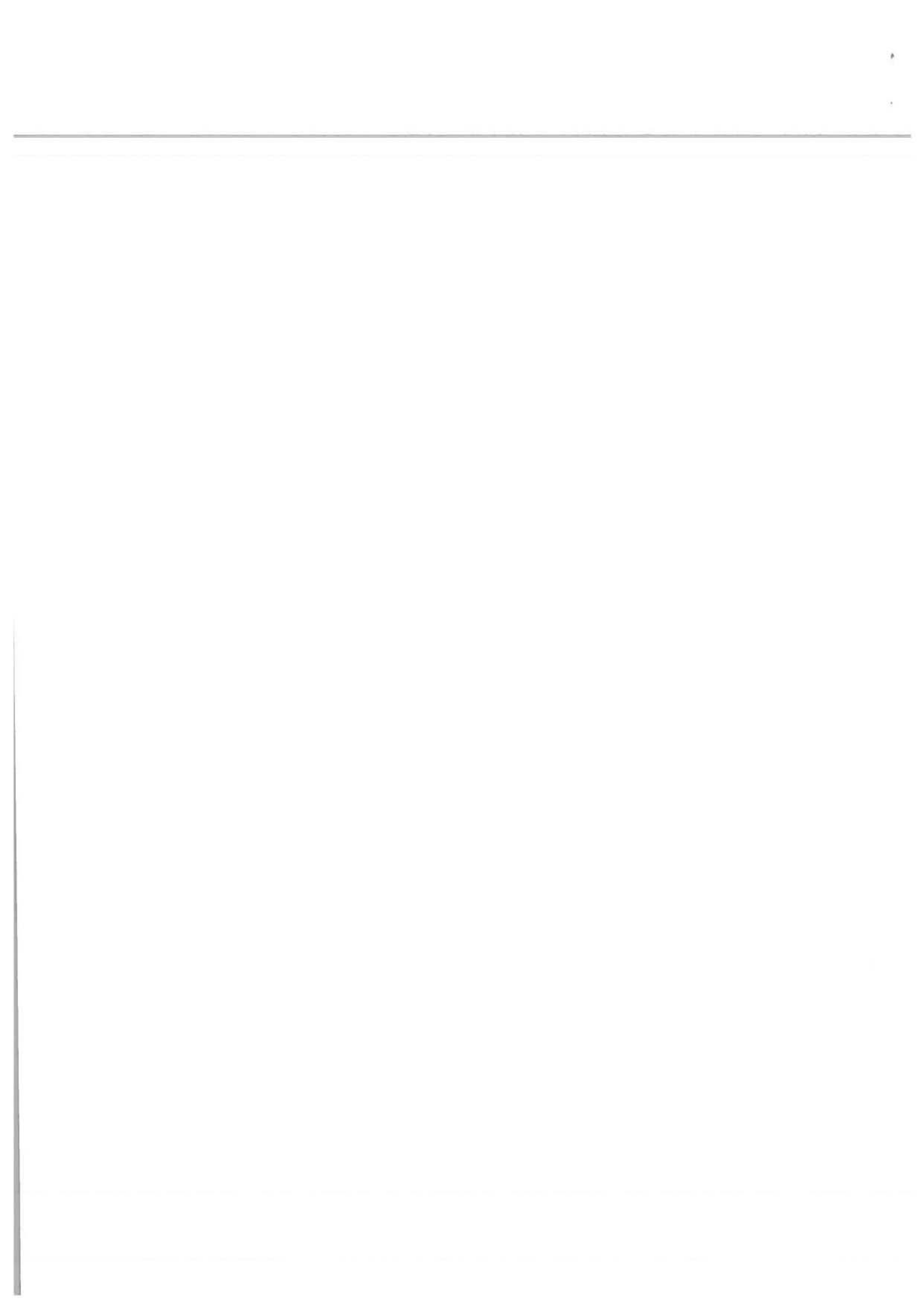


(ii) Low Water



(iv) High Water-

Figure 17: Dredge Plume at Location B3 for a Mean Spring tide and Summer Corrib low flow





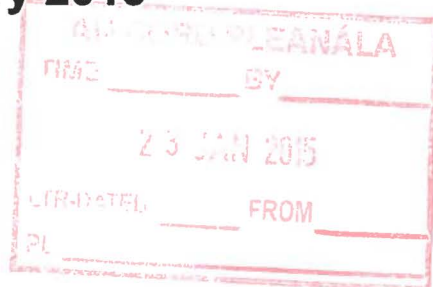
Galway Harbour Company

Galway Harbour Extension

Response to Submission
of
Galway Cycling Campaign

Made at Oral Hearing

On 22st January 2015



January 2015

Response to Galway Cycling Campaign

Response to Collision Risk

The proposed Mobility Management Framework (see updated MMF in EIS Errata) will be implemented by the Galway Harbour Company to promote sustainable haulage related activities by avoiding peak hour traffic. In particular, haulage-related activities will be restricted, for any new or revised development within the Port of Galway, between 08:00 – 09:30 and 17:00 – 18:30. During the construction stage a Construction Traffic Management Plan will be implemented which will aim to reduce the impact of construction traffic on the surrounding road network, and also avoid conflict with peak traffic.

Galway Cycling Campaign made reference to statistics of road fatalities in Dublin and in London. The numbers presented give no understanding of the circumstances that may have contributed to the collision, including whether or not the collision occurred at a dedicated cycle facility.

It is acknowledged that left turning vehicles are a greater risk to cyclists, but it should be noted that the proposed access junction design has mitigated this risk by including a Setback Stop Line / Advanced Stacking Locations (ASL) of 5.0m in front of the traffic stop line. These Set Back Stop Lines / ASLs increase the visibility of cyclists from a truck cab. The cycle lanes / tracks proposed within the development will also ensure that the cycle facilities re-established as cycle lanes at road level for at least 20m before a road or access junction. The re-establishment zone provides time for vehicles and cyclists to observe each other and accommodate each other's movements at the conflict point.

A review of the Road Safety Collision data on the Road Safety Authority Database (<http://www.rsa.ie/en/RSA/Road-Safety/Our-Research/Ireland-Road-Collisions/>), between 2005 and 2012, shows one minor collision in 2008 along the Lough Atalia Road involving a cyclist. There are no further details on the website to indicating the type or contributing factors involved in the collision.

Response to Road Surface Issues and Cycling Safety

The proposed mandatory cycle lanes within the development will prohibit vehicles from entering the cycle lane and thus will not shorten the lifespan of the cycle lane. Where advisory cycle lanes are proposed, within the development or across junctions, the pavement will be designed to accommodate the heavy loading of a lorry.

Response to Haulage Routes

An amendment has been made to the Construction Traffic Haul Route drawing 2139-2178 Revision B (attached). This drawing now includes the N59 route between the Brown Roundabout and Dangan. It also includes the R338 route Well Park Road / Joyces Road to the R336 junction.

GHC will implement the Mobility Management Framework to manage the proposed workforce, avoid transport infrastructure congestion due to port-related traffic and also reduce impacts on the surrounding areas. The implementation of this Mobility Management Framework requires the Contractor appointed for the construction of the development to prepare a Construction Traffic Management Plan.

The Construction Traffic Management Plan shall ensure that deliveries and other HGV movements to and from the site are generally managed outside of network peak periods, (between 08:00 – 09:30 and 17:00 – 18:30). Note that the AM peak restricted will ensure that construction traffic avoids the city regional and local roads during the AM school drop off period. Generally, traffic flows within the city during school pick up times does not congest the city network to the same degree as the PM peak.

Response to Future HGV movements associated with the operation of the harbour

The proposed Mobility Management Framework (see updated MMF in EIS Errata) will be implemented by the Galway Harbour Company to promote sustainable haulage related activities by avoiding peak hour traffic. In particular, haulage-related activities will be restricted, for any new or revised development within the Port of Galway, between 08:00 – 09:30 and 17:00 – 18:30.

The requirement on all new and revised tenancies to adopt the Mobility Management Framework within the harbour and the enforcement of their Mobility Management Plans will result in reductions in road based travel by promoting walking, cycling, public transport, car sharing, staggered working hours, etc. .

The proposed road network around the harbour development will include dedicated pedestrian and cycle facilities with direct connectivity to the city centre and the other transport hubs.

Facilities for mobility of visitors arriving by cruise ship include:

- Coach Parking Bays adjacent to the Cruise Terminal Building;
- Walking and Cycling facilities as above;
- A bike rental station within the enterprise park, (ideally close to the cruise terminal and marina to promote use by visitors).

Response to Concerns regarding the conduct of the EIS

The EIS has been undertaken in accordance with the EPA guideline and the applicant contends that the EIS meets with this best practice.

In terms of road safety, section 13.4.6.1 of the EIS discusses Road Safety in the vicinity of the proposed harbour junction.

Response to the Layout of Roads and Junctions

Galway Cycle Campaign displayed on the projector two junctions:

Slide 1 – A design drawing of the Moneenageisha Traffic signal controlled junction.

The cycle group raised a concern of left turning traffic from the Dublin Road into College Road conflicting with the straight on movement of cyclists. It should be noted that the applicant does not

have the authority to upgrade this junction which has relatively recently been upgraded from a roundabout to traffic signals (construction completed in late 2009). In addition the applicant contends that Moneenageisha Cross is outside the area of influence of impacts as a result of port generated traffic. (Section 13.4.5.2.3.2 of EIS reported that the area of influence of port generated traffic did not extend beyond Moneenageisha Cross, in line with port traffic not exceeding the threshold of 5% of the existing traffic as set down in NRA Traffic and Transportation Assessment Guidelines).

Slide 2 – the proposed Harbour Access junction

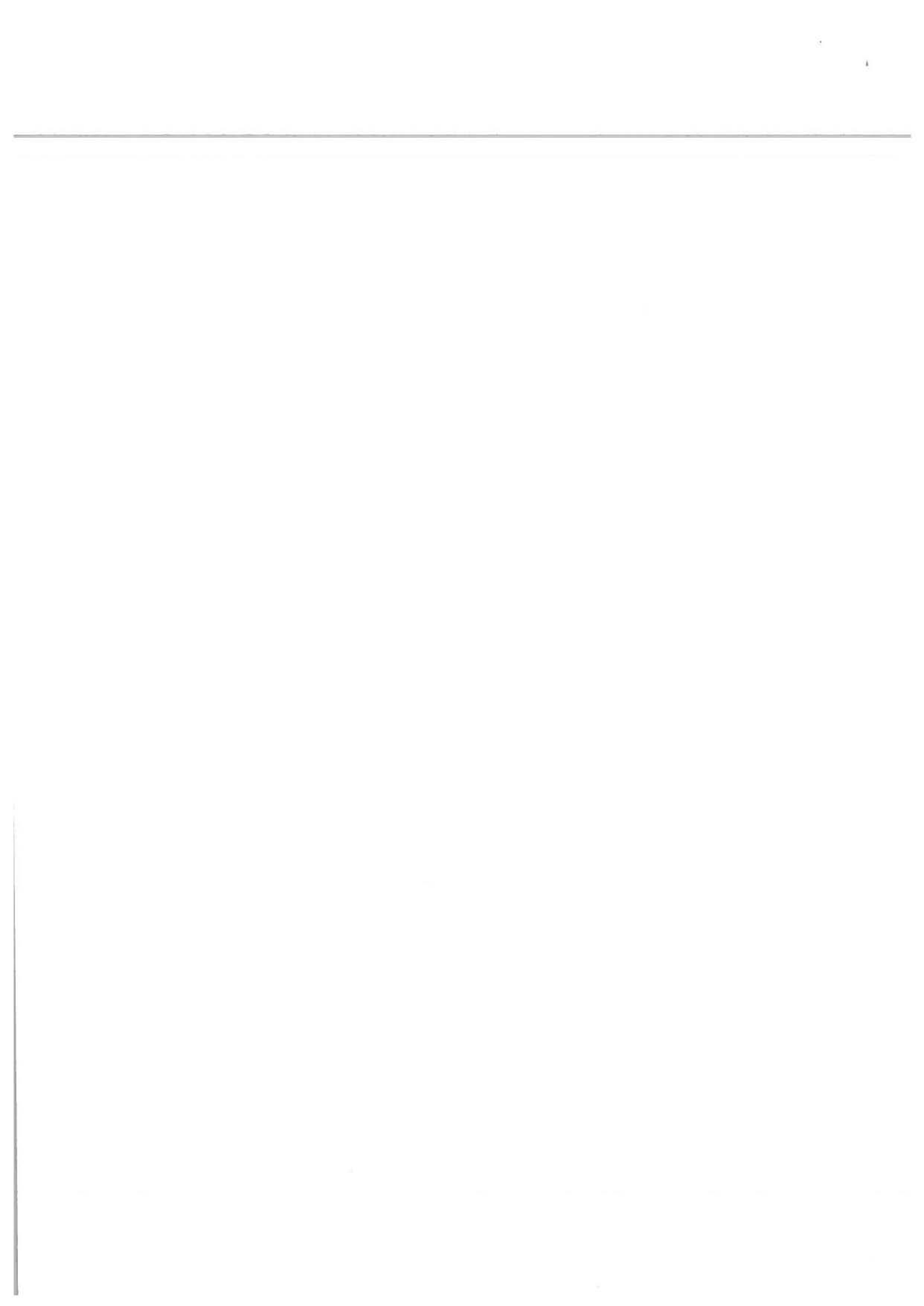
The Galway Cycle Campaign displayed an extract of the drawing showing the layout of the proposed Harbour Access junction. Attached to the Roads, Traffic and Rail Brief of Evidence by Tom Cannon, included a revision to EIS drawing “Layout of Access Junction” drawing number 2139-2165 Revision B. Although there were no dimensions shown on the drawing, the following dimensions are summarised for clarity:

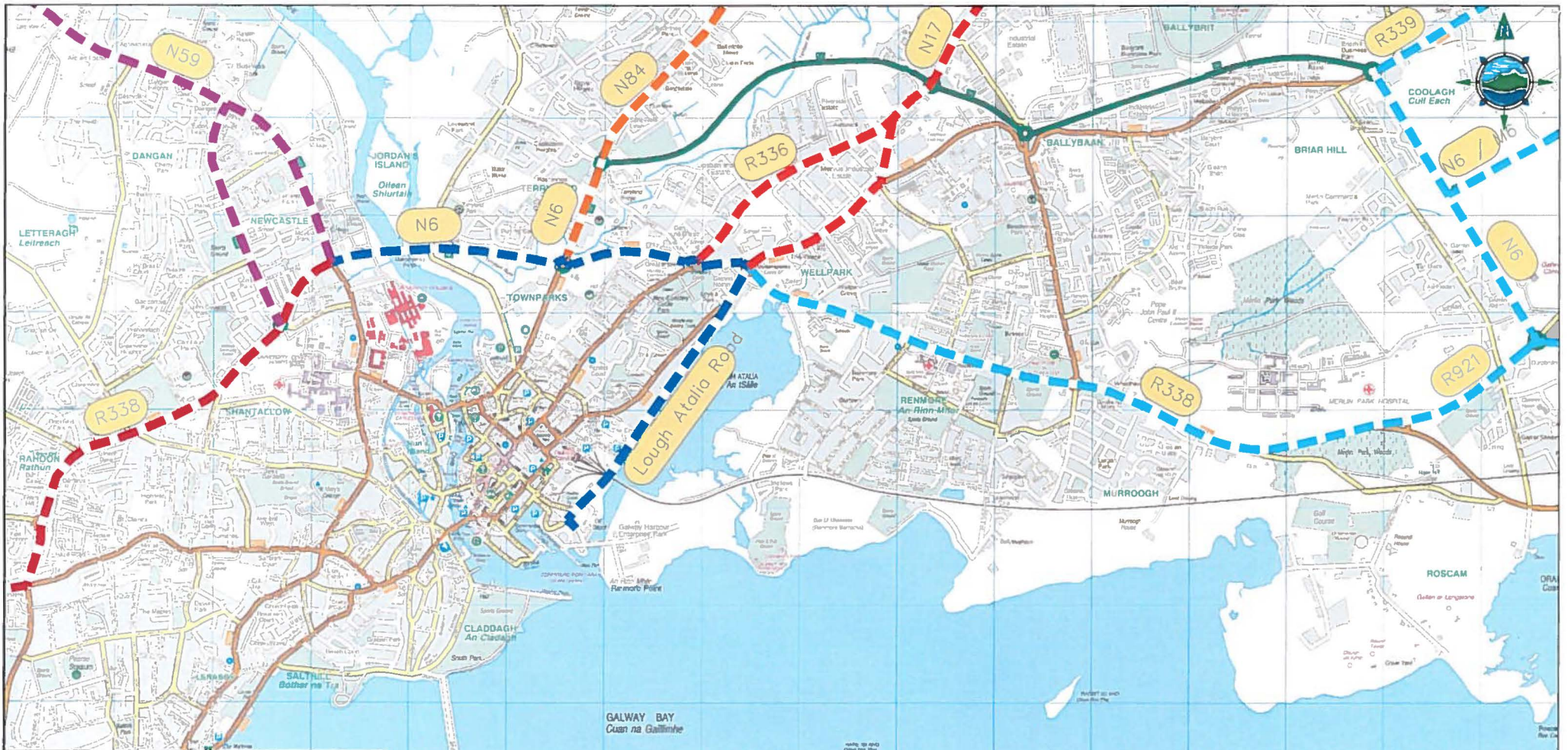
- Traffic Lanes all 3.25m wide;
- Cycle Lanes along kerb line = 1.75m wide;
- Cycle lane between two traffic lanes = 2.0m wide;
- The depth of Setback Stop Line / Advanced Stacking Locations (ASL) is 5.0m in front of the traffic stop line (note this 5.0m reserve is the desirable dimension specified in the National Cycle Manual).

There are no cycle facilities proposed along Bóthar na Long as The available roadway width along between the Harbour Hotel and the wall adjacent to Donnelly’s Coal is too narrow to provide suitable cycle facilities along Bóthar Na Long. The proposed cycle facilities at the harbour junction will connect directly into the proposed cycle facilities under Lough Atalia Road railway bridge and be in a position to link up with future cycle facilities proposed along Fairgreen Road and potential to link up with the Oranmore to Galway city cycle route.

Response to Comments on Development Plans

It should be noted that the reference was made to a 30m reservation along the eastern side of the railway. It should be noted that this reserve has been removed from the Galway City Development 2011 to 2017. The current development plan includes for a pedestrian /cycleway along the side of the railway and a public transport train corridor along the existing railway.





Key


- Primary Haul Route
- N59 Haul Route
- N84 Haul Route
- N17 Haul Route
- R339 / M6 / N18 Haul Route
- R338 / R337 / R336 Haul Route

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NOTES

1. FIGURED DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING.
2. ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR ON SITE.
3. ENGINEER/EMPLOYERS REPRESENTATIVE, AS APPROPRIATE, TO BE INFORMED BY THE CONTRACTOR OF ANY DISCREPANCIES BEFORE ANY WORK COMMENCES.
4. THE CONTRACTOR SHALL UNDERTAKE A THOROUGH CHECK FOR THE ACTUAL LOCATION OF ALL SERVICES/UTILITIES, ABOVE AND BELOW GROUND, BEFORE ANY WORK COMMENCES.
5. ALL LEVELS SHOWN RELATE TO ORDNANCE SURVEY DATUM AT MALIN HEAD.

Rev	Date	Description	By	Chkd.
B	JAN 2015	Haul Routes Revised to Correct N59 Haul Route and R339 Potential	KL	TC
A	JAN 2014	FIRST ISSUE	GR	TC

Client: Galway Harbour Company	Prepared by: GR	 TOBIN Patrick J Tobin & Co. Ltd. TOBIN Consulting Engineers, Fairgreen House, Fairgreen Road, Galway, Ireland. tel: +353-(0)91-565211 fax: +353-(0)91-565398 e-mail: galway@tobin.ie www.tobin.ie <small>TOBIN Consulting Engineers will not be liable for any use of this document for any purpose other than that for which it was originally prepared and provided. Except where specifically and explicitly agreed in writing by TOBIN Consulting Engineers, no copyright holder, no part of this document may be reproduced or transmitted in any form and this document shall not be relied upon by any third party for any purpose.</small>
Project: Galway Harbour Extension	Checked: TC	
Title: Construction Traffic Haul Route	Date: JAN 2014	Revision: B
	Project Director: J.P. Kelly	Drawing No.: 2139-2178
	Drawing Status: Planning & EIS	
	Scale @ A3: NTS A1: NTS	



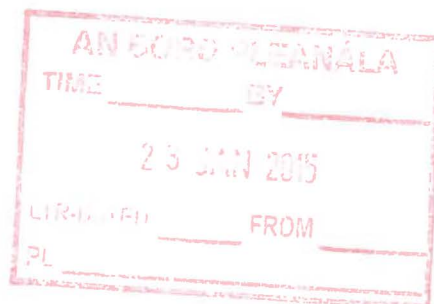
Galway Harbour Company

Galway Harbour Extension

**Response to Submission
of
P.A. Mannion**

**To
An Bord Pleanála**

**On
11th March 2014**



January 2015

76 P.A. Mannion

- **Traffic Issues**

R1. Response:-

The Mobility Management Framework – EIS section 13.5 (see EIS Errata) includes the following requirement to be adopted in all Mobility Management Plans for new or revised developments within the Port of Galway:

- Restriction of haulage-related activities, for any new or revised development within the port of Galway, between 08:00 – 09:30 and 17:00 – 18:30;

The operational traffic proposed haul route drawing 2139-2180 has been amended to exclude the R336 through the city centre as a haul route. Refer to revised drawing 2139-2180 Revision B included in EIS Errata. The main haul routes around the city will utilise the N6 and other city distributor roads, with low levels of haulage traffic within city centre roads to facilitate local deliveries.

- **Lough Atalia Road Rail Bridge**

R2. Response:-

The lowering of Lough Atalia Road under Rail Bridge UBG171 was advanced via a Part 8 planning process. On 28th April 2014 Galway City Council confirmed the Part 8 approval to carry out this work.

Additional Site Investigation was carried out in conjunction with IE in September 2014 in order to more accurately determine the abutment foundations. A detailed design has been carried out based on this Site investigation information.

To ensure stability of the existing abutments during the road lowering Works, excavations adjacent to the abutments will be limited to approximately 2m sections at any one time.

Detailed traffic management plans are included in the Construction documents and follow the approved arrangement as presented at a Public Consultation on 24th April 2014

The Alternative Route as presented by Mr. Mannion to the Oral Hearing, i.e. a detour out over Lough Atalia and beneath the railway line is not feasible as it crosses into the Priority Habitat.

- **Poor Planning**

R3. Response:-

The development of Galway Harbor has been the subject of extensive planning over a lengthy period of time.

In this regard the project is supported by planning and economic development policy documents at European, National, Regional and Local level.

The project is accompanied by an Environmental Impact Statement which has assessed location/site selection; alternative solutions; human beings; health and safety/hazardous materials and traffic among others.

- **Invasive Species**

R4. Response:-

Invasive species, either algae or invertebrates, can be brought into Irish coastal seas in a number of ways: larvae in ballast or bilge water can be released into the water column, if the vessel pumps this liquid within a short distance of the shoreline. This can be prevented if vessels are required to pump bilges etc in off shore water. A Harbour bye law will be added to the existing bye laws to require that "vessels are required to exchange ballast waters outside of the 12 mile limit".

The other way that invasive species can enter Irish territorial waters is if adults are present on the vessel's hull. It is possible that these adults could release larvae in Irish coastal waters and that these then could settle as adults on suitable substrates. This is a universal issue and there is no method to prevent this happening. However, the area around and within the existing Galway Docks site has been the subject of many surveys carried out by AQUAFAC staff as early as 1975 when they were active researchers in NUI, Galway. No non-native invertebrate species have been recorded within the area to date.

Another way that non-native species can be brought into Irish territorial waters is via import of shellfish spat from waters outside the State: a non-native species, *Didemnum vexillum* (an ascidian or sea squirt) was recorded in 2007 at Parknahallagh near Ballindereen, County Galway. It is believed that aquaculture stock transmissions of oysters were the cause of its introduction. It was recorded there again in 2014 and was found to have extended its range since 2007. It was first recorded in Ireland in 2005 in Malahide marina. *D. vexillum* was the subject of species alerts issued by the National Biodiversity Data Centre (NBDC) in 2007, and by the all-Ireland forum on invasive species under the aegis of The Department of Arts, Heritage and the Gaeltacht.



Galway Harbour Company

Galway Harbour Extension

Response to Submission

of

Browne, Brendan & Others

**To
An Bord Pleanála**

**On
7th March 2014**



January 2015

14 Browne, Brendan & Others

- **Flood Risk**

R1 Response:-

The flood risk assessment presented in Section 8.4.7 of the EIS for the proposed development was carried out in accordance with the Flood Risk Management Planning Guidelines (Nov 2009). This assessment identified in section 8.4.7.3 the existing high flood risk areas within the study area of Galway City that include the Southpark and Frenchville area, Long Walk, Flood Street and the Docks Area.

The study also identified the sources of flood risk and concluded on the primary sources of flood risk being as follows:

- Inundation from storm surge tides within the Claddagh Basin, the Docks and Spanish Arch and Long Walk areas. It identified wave overtopping combined with high tides as a significant source of flood risk along the Salthill promenade and along Grattan road.
- The assessment identified urban drainage issues as representing a significant source of flooding in the vicinity of Quay Street and significantly exacerbated by high tides backing up the storm drainage system and causing regular flooding of properties.
- The FRA identified that the River Corrib by itself is not a source of flood risk to the Claddagh Basin area located downstream of Wolfe Tone Bridge. However it does play a small factor when combined with tidal surge events downstream of the Claddagh Basin Area.

Hydraulic modelling shows that under extreme tidal flooding of 200year return period (4.146m O.D.) the contribution from Corrib Flood Flows is almost imperceptible within the Claddagh Basin due to the available flood depth and flow cross-sectional area.

As part of the response to the An Bord Plenala RFI Flood Risk Mapping of the Docks, Claddagh Basin and Galway Docks area showing Flood Zone A - High Flood Risk (all areas vulnerable to the 200year tide and combined event) is presented in Figure 4.10.1 of the Response to the RFI. Also shown on this mapping is the medium range Climate change scenario of 0.5m sea level rise. The EIS and RFI response acknowledge the Flood Risk that is present at Claddagh, Spanish Arch and Docks Area both for the present day and will be significantly worsened over the next 100years showed the predicted sea level rise occur.

- **...when the River Corrib and high tide meet ... cause a funnel like effect into the lower lying areas of the City**

R2 Response:-

Simulations were run and presented in the EIS and in the RFI response that examined worst case combined winds, river flood and tidal storm surge. These simulations for the existing and proposed development cases show no funnelling effect at the mouth of the estuary and showed no impact on upstream flood levels in the Claddagh Basin and Docks area. Refer to Figure 4.6.12 and 4.6.13 of the RFI Response which presents a comparison between existing and proposed development cases for a 3.5m Surge tide, a 100year river flood flow and combined with a continuous 20m/s southerly storm wind.

- **... could lead to a build up of silt in the channel**
- **... an increased flow of water into the River Corrib / Galway bay where the river meets the Atlantic**

R3 Response:-

The sediment load from the River Corrib is small due to the impounded nature of the River and the large upstream lake which provides sufficient resident time for coarse silt and sand to settle out. The river silt that eventually discharges to the harbour waters will be fine silt of which a large proportion is unlikely to settle out on entering Galway Bay due to the high turbulent environment. Sediment transport modelling shows that the a build-up of silt from the Corrib River in the new navigation channel to the Docks is unlikely as winter flood flows will mobilise this silt and disperse it widely.

There is no evidence to support this claim that development in the Corrib floodplain and impact of flood defenses has resulted in noticeable increases in Flood Flow in the Corrib where it meets the Sea. The Corrib Flood hydrograph is a very attenuated hydrograph being impounded by the Salmon Weirs operated by the OPW who are the competent national authority in Flood Management. At times of big flood the Lake and natural river conveyance are the controlling factors. The time series of annual maximum flows and lake land river levels for various gauges on the Corrib from 1960 onwards shows no discernible trend of change with respect to time.

The studies undertaken have allowed for increased rainfall in the future increasing the present maximum river flows as recorded as discussed at R6 below.

- **...land reclamation**
- **... will have a negative impact on the serious issue of flooding**

R4 Response:-

A comprehensive series of flood simulation runs were carried out with tides, flood flows, storm winds and wave stresses applied to investigate the potential impact of the proposed development on flood levels within the Bay and upstream within the Claddagh Basin and Docks area. These simulations

showed no discernible impact by the proposed development on flood levels, refer to time series plots in the EIS 8.4.184 to 8.4.208 and the difference plot between existing and proposed peak flood levels presented in the RFI response Figure 4.6.13.

- **Arising out of the threat of flooding ... insurance and financial implications**

R5 Response:-

The proposed harbour development will not increase flood risk in this flood vulnerable area or adjacent areas, and hence the insurance situation will be no worse as a consequence of this development.

- **Climate change factors**

R6 Response:-

The flood risk assessment has included climate change both in respect to recommended factors for sea level rise and increased storm and fluvial flows. The current practice in Ireland and the UK is to use a medium range sea level rise of 0.5m and a 20% increase in peak magnitude for storm and flood flows. Simulations have been carried out with these factors included to assess the flood risk and the potential flood impact of the development.

- **... this matter should not be determined until after the flood risk assessment plan has been assessed and implemented as part of the EU Floods Directive 2007/60/EC**

R7 Response:-

The Flood Study work undertaken shows that the proposal will not exacerbate the existing flooding issues which arise at various locations around the City and its coastline.

- **... traffic issues**

R8 Response:-

The Mobility Management Framework – EIS section 13.5 (see EIS Errata) includes the following requirement to be adopted in all Mobility Management Plans for new or revised developments within the Port of Galway:

- **Restriction of haulage-related activities, for any new or revised development within the port of Galway, between 08:00 – 09:30 and 17:00 – 18:30;**

The operational traffic proposed haul route drawing 2139-2180 has been amended to exclude the R336 through the city centre as a haul route. Refer to revised drawing 2139-2180 Revision B included in EIS Errata. The main haul routes around the city will utilise the N6 and other city distributor roads, with low levels of haulage traffic within city centre roads to facilitate local deliveries.

- ... impact on the visual amenity of the area

R9 Response:-

In response to this submission Inspector, I would like to clarify that Galway Bay is not a World Heritage Site. (There are two UNESCO World Heritage Sites in Ireland ; Brú na Boinne in Co. Meath, and Sceilg Mhichil off Co. Kerry.)

Inspector, I disagree with the submission made by Brendan Browne and others on this issue. A detailed study, **Appendix 13.1 Physical, Cultural, Architectural Study** was undertaken to acknowledge the cultural heritage of Galway City as a unique historic settlement defined by water and the city's strong association with its maritime tradition. In particular Section 1.17, Appendix 13.1 Physical, Cultural, Architectural Study is Galway City's history of land reclamation from the sea since the 18th Century beginning with 'the first reclamation to take place was the construction of the Long Walk and Mud Dock in the 18th century. During the 19th century the city expanded southwards into the tidal marshes with land reclaimed to construct a new dock and sea walls. The reclaimed land was set out in a series of parallel streets which over time was developed as warehouses and homes for the Merchant class of the city. If one envisages that the original south/east wall of the medieval city extending from the present Eyre Square Shopping Centre to the Spanish Arch fronted onto tidal water it gives a clearer picture of the level of reclamation that took place in the 19th century to create Merchants Rd and the present harbour'.

In relation to the 'impact on the visual amenity of the area has not been adequately considered or assessed', Inspector, it is my opinion that the visual amenity of the environs of the site and immediate hinterland have been adequately assessed. A detailed Landscape and Visual Impact Assessment was undertaken, and has been reviewed, by myself. I have addressed several of the visual impact ratings of the photomontages (Plates 1-20) and revised them upwards in terms of their degree, scale of duration of impact.

In conjunction with Chapter 12, Landscape and Visual Impact Assessment, in Appendix 13.1 Physical, Cultural, Architectural Study, Section 1.20 Galway Bay Study, provides a detailed assessment of the amenity value and character of the coastline from Seaweed Point to the west to Ballyloughaun Beach to the east. Detailed analysis mapping of the following was also undertaken and presented in this section 1.20 of this study :

- Map 1 Bay Study Area and Landscape Type
- Map 2 Waterfront Trails
- Map 3 Galway bay Character Areas
- Map 4 Primary Shore and Sea Use
- Map 5 Attractions/ Points of Interest/Transition Areas
- Map 6 Protected Views and Perception Zones

Section 3.0, Impact Study of Appendix 13.1 Physical, Cultural, Architectural Study, also deal with cultural, amenity and visual impact of the proposed development. The Impact study addresses Physical and Cultural Impacts, Viewer Types, Urban Waterfront Impact, Cultural Impact and Historical Impact.

The proposed layout of the scheme has been designed to take account of the issues highlighted in these documents in relation to the likely negative impacts of the proposed development on the landscape and visual amenity of the area.

- ... the proposed development fails to consider wildlife impact
- ... fails to consider the Impact ... with respect to ... the Claddagh, the Burren ... as areas of Natural amenity / Areas of Special Conservation.
- ... fails to consider the Impact of the proposed development with special reference to the Birds Directive (2009/147/EC which codifies Directive 79/409/EEC as amended) and the Habitats Directive (92/43/EEC)
- ... implications for mammals, flora and fauna

R10 Response:-

The site of the proposed development and surrounding construction and operation footprint is located within the Inner Galway Bay Special Protection Area (SPA) and Galway Bay Complex candidate Special Area of Conservation (cSAC). These sites are designated Natura 2000 sites in accordance with the EU Birds Directive (in the case of the SPA) and EU Habitats Directive (in the case of the cSAC). Both are designated under the most recent European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477/2011). Impacts on the aforementioned SPA and cSAC, in addition to all other Natura 2000 sites were initially considered as part of Screening for Appropriate Assessment, which is detailed within the Natura Impact Statement which accompanied the planning application. More detailed consideration was given to those sites where potential for impact was considered to exist, within the Natura Impact Statement and subsequent addenda/errata, in accordance with international and national best practice guidelines. It is therefore considered that the application provides sufficient information to allow the competent authority to assess the significance of impacts on Natura 2000 sites and their special conservation interests and qualifying interests.

- ... fails to consider the impact that the proposed development plan will have with respect to the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477/2011)

R11 Response:-

The site of the proposed development and surrounding construction and operation footprint is located within the Inner Galway Bay Special Protection Area (SPA) and Galway Bay Complex candidate Special Area of Conservation (cSAC). These sites are designated Natura 2000 sites in accordance with the EU Birds Directive (in the case of the SPA) and EU Habitats Directive (in the case of the cSAC). Both are designated under the most recent European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477/2011). Impacts on the aforementioned SPA and cSAC, in addition to all other Natura 2000 sites were initially considered as part of Screening for Appropriate Assessment, which is detailed within the Natura Impact Statement which accompanied the planning application. More detailed consideration was given to those sites where potential for impact was considered to exist, within the Natura Impact Statement and subsequent addenda/errata, in accordance

with international and national best practice guidelines. It is therefore considered that the application provides sufficient information to allow the competent authority to assess the significance of impacts on Natura 2000 sites and their special conservation interests and qualifying interests.

- ... the impact ... in relation to ... Mutton Island treatment facility

R12 Response:-

The cruise liners have their own sewage treatment systems and will not require to pump effluent into the Galway City system.

The development will not be incorporating any significant water using industries which would apply an undue load on the existing sewage system.

- ... on traditional fishing sites

R13 Response:-

See response to submission of Galway Bay Inshore Fishermen's Association re. concerns related to impact on traditional inshore fishery for shrimp, lobster and velvet crab.

- ... impact on the landscape and/or visual amenities of the area

R14 Response:-

Inspector, I disagree with this statement. A detailed Landscape and Visual Impact Assessment was undertaken, and has been reviewed, by myself. I have addressed several of the visual impact ratings of the photomontages (Plates 1-20) and revised them upwards in terms of their degree, scale or duration of impact.

In conjunction with Chapter 12, Landscape and Visual Impact Assessment, in Appendix 13.1 Physical, Cultural, Architectural Study, Section 1.20 Galway Bay Study, provides a detailed assessment of the amenity value and character of the coastline from Seaweed Point to the west to Ballyloughaun Beach to the east. Detailed analysis mapping of the following was also undertaken and presented in this section 1.20 of this study :

- Map 1 Bay Study Area and Landscape Type
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- Map 5 Attractions/ Points of Interest/Transition Areas
- Map 6 Protected Views and Perception Zones

Section 3.0, Impact Study of Appendix 13.1 Physical, Cultural, Architectural Study, also deal with cultural, amenity and visual impact of the proposed development. The Impact study addresses Physical and Cultural Impacts, Viewer Types, Urban Waterfront Impact, Cultural Impact and Historical Impact.

The proposed layout of the scheme has been designed to take account of the issues highlighted in these documents in relation to the likely negative impacts of the proposed development on the landscape and visual amenity of the area.

- ... fails to consider
- ... core local knowledge
- ... consultation

R15 Response:-

There has been an extensive consultation process associated with the Galway Harbour Extension development over a five year period. This has included presentations, open days, public displays and meetings with a wide range of local and national interest groups, as well as with the local authorities and other bodies. Appendix No. 2.3.7 of the EIS lists all of the consultations held between March 2006 and November 2013 and Appendix No. 2.3.8 comprises the information that was included in the public consultation event.

Consultation with interest groups has included meetings with local residents' associations, inshore fishermen, Galway Community Forum, Galway Cycle Campaign, RNLI, sporting associations, local schools & colleges and other community and business interests.

Information on the proposed development was freely available on the Harbour Company's website and there were frequent press releases to highlight the proposals and solicit views. There was a formal public consultation held over two days in January 2011 that was open to all. Representatives of the Galway Harbour Company and the Design Team were in attendance throughout to meet the public and to note and respond to any questions. Approximately 500 people attended this event. A staffed display of the proposed development was also in place during the Volvo Ocean Race in 2012.

The extensive consultations have helped to inform the design process and the assessment of potential impact on human beings as, in particular, it allowed individuals and groups to express views and raise queries or concerns.

- ... fails to give any account / assessment of the true impact

R16 Response:-

The planning application for the proposed Harbour Extension is accompanied by an Environmental Impact Statement which includes an assessment of the impact on Human Beings. This also includes an assessment of potential impacts on local communities who reside in close proximity to the site of the development.

The preparation of the planning application has involved extensive consultation over an extended period as outlined in response to item 18 above

- ... design criteria

R17 Response:-

The design criteria are set out in Chapter 4.

- ... alternative approach
-a properly constructed bridge structure such as a jetty and a pipeline would give adequate access to ships berthing in deep water

R18 Response:-

The sea conditions require quays with appropriate breakwater protection. A jetty form of construction was considered at the outset but was not found to be appropriate.



Galway Harbour Company

Galway Harbour Extension

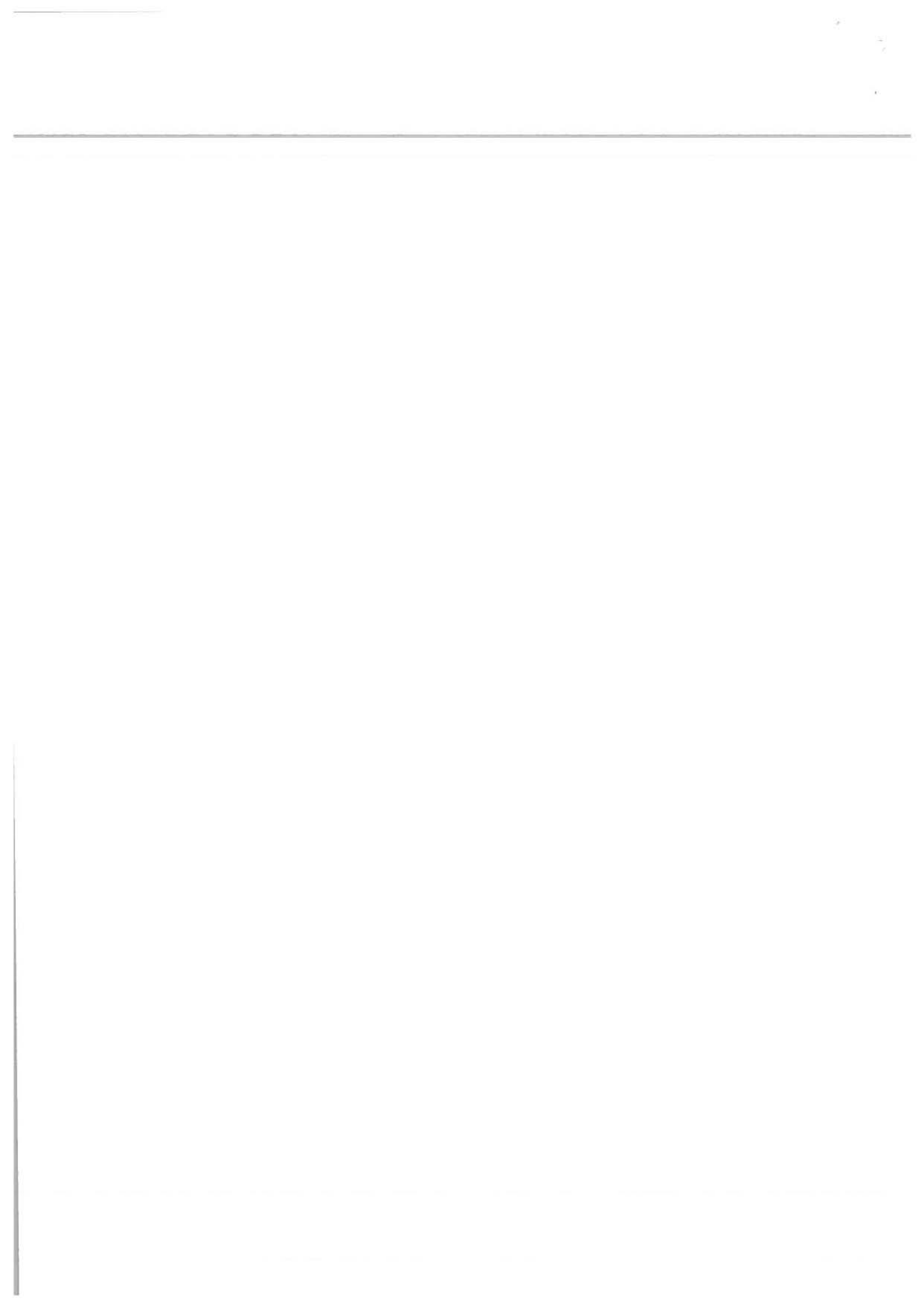
Response to Conditions

As

**Requested by
Galway City Council**



January 2015



A. Planning Authority View on Conditions to be Attached

No.	Text of Condition	GHC Response	Comment
23.1	The EIS includes the main mitigation measures and monitoring proposals that are recommended. These are summarized in Chapter 15 of the EIS (copy attached), in appendix 2. It is considered that where applicable these should be included as specific conditions attached to any permission in addition to any other mitigation measures that are appropriate following the assessment of the NIS.	Accept	
23.2	The proposal requires a specific <i>Environmental Management Plan</i> based on the <i>Environmental Management Framework</i> referenced in Appendix 4.2 of the EIS. This plan will encompass a wide range of details associated with the programming, standards guidelines, policies and procedures required to prevent, control and or mitigate the adverse impacts on the environment and the associated risks.	Accept	
23.3	<p>The EMF and EMP contents should be subject to agreement in writing with the planning authority and all other appropriate regulatory authorities. It should include for review owing to any changing circumstances / regulation and should identify the specific responsible personnel. Reporting of breaches should be included for in addition to remedial action.</p> <p>The EMP should at a minimum be required to include for</p> <ul style="list-style-type: none"> • Management and Reporting Structure • Schedule of environmental Objectives and Targets, including objectives for the minimization of suspended solids movement to surface water systems, and effective management of all silt and settlement pond flow discharges during periods of high precipitation • An Environmental Management Programme • Corrective Action Procedures • Awareness and Training Programme • Communications Programme 	Accept	
23.4	The EMF should also be conditioned to be the subject of an annual review by the planning authority, following consultation with the Project Monitoring Committee. The developer should be required by condition also to modify the EMF in accordance with any reasonable requirement of the planning authority at any stage. On written request by the planning authority, the developer should be required to submit a report on any specific environmental matter on an environmental audit.	Accept	
23.5	Monitoring results should be conditioned with respect to the protection of habitats, flora and fauna; these should be submitted to the planning authority and any other relevant regulatory authority at an agreed interval specified by the planning authority (following consultation with the Project Monitoring Committee). All results should be required to be made available for public inspection within a reasonable period from reporting.	Accept	

No.	Text of Condition	GHC Response	Comment
23.6	<p>The developer should be required to appoint a suitably qualified and experienced Environmental Officer for the period of the construction of the Harbour Extension. As part of his/her duties, the Environmental Officer should be required to liaise with the Project Monitoring Committee in relation to implementation of the required environmental monitoring, and should be required to be responsible for reporting to that committee and the planning authority</p> <ul style="list-style-type: none"> • any malfunction of any environmental system • any occurrence with the potential for environmental pollution • any emergency <p>which could reasonably be expected to give rise to pollution of air, waters, including deterioration of bathing water quality, have an unacceptable level of impact on flora/fauna. The Environmental Officer should be required to maintain a record of any such occurrences and action taken; this record should be available for public inspection at a designated office location and on a specifically designed website.</p>	Accept	Land reclamation piers and breakwaters.
23.7	Short term monitoring post construction as proposed in the EIS with respect to Salmon smolts, Seals, Otter holts, certain birds, salinity levels etc. should be agreed to the satisfaction of the appropriate state agencies prior to the ceasing of the scheduled monitoring periods.	Accept	3 Years Accepted following completion of embankments, piers and breakwaters
23.8	Any mitigation measures deemed necessary to support the protection of the swan colonies in the Galway city area during both construction and operation should be included by condition.	Accept	
23.9	A protocol for complaint procedures should be required to be submitted to the local authority for agreement prior to the commencement of any development.	Accept	
23.10	Conditions associated specifically with Air quality – dust emissions, odour emissions, surface water should be required. A comprehensive dust monitoring and odour monitoring and minimization plan for the construction and operational phase should be included for and submitted to the planning authority for agreement prior to the commencement of any development.	Accept	
23.11	Details of right of access to Galway City Council appointed staff to carry out environmental monitoring checks as required, or as requested by the Project Monitoring Committee. Costs incurred by the planning authority in carrying out any necessary monitoring, monitoring checks, inspections and environmental audits, should be required to be reimbursed by the developer.	Accept	<p>[i] Accept right of access for monitoring, subject to security considerations</p> <p>[ii] costs arise only if there is a case to answer</p>
23.12	A formal Project Construction and Demolition Waste Management Plan should be submitted to the planning authority for agreement, to address all wastes that may be generated by the development, and the appropriate treatment of such during the construction phase.	Accept	
23.13	A Waste Management Plan for the operational phase should be submitted to the	Accept	

	planning authority for agreement prior to the commencement of any development, to provide for the appropriate management of all wastes in accordance with waste legislation.		
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No.	Text of Condition	GHC Response	Comment
23.14	For the purposes of drilling, pile driving, and backhoe dredging daylight hours should be interpreted as not exceeding 9pm.	Accept	
23.15	In addition to the conditions regarding Drilling, Blasting and Pile driving as outlined in the mitigation measure in Chapter 15 of the EIS the following should be included. Backhoe dredging should be restricted to daylight hours in the areas close to residential developments namely the Claddagh and Mellows Park; the area of restriction based on the scheduled 24-hour operations of dredging should be defined for clarity.	Accept	[i] Backhoe dredging to be permitted 7:00am to 9:00pm [ii] Suction dredging to be permitted for 24 hours, except for the dredging of the new channel to the old port when dredging will be restricted to the ebbing tide only.
23.16	The developer should be required to appoint a Mobility Manager during the construction phase, with a view to ensuring that the Mobility Management Plan is embedded in the development.	Accept	
23.17	An annual report to the planning authority on the progress of the Mobility Management Plan should be a requirement.	Accept	
23.18	The planning authority should have a number of personnel represented on the Mobility Management Plan steering group.	Accept	A single representative to attend respective meetings
23.19	The developer should include for a bike rental station within the development for both staff and visitors.	Accept	GHC will provide space for bike rental station
23.20	The developer should include for charge points for electric vehicles with in the development for both staff and visitors.	Accept	
23.21	A. VMS signs (linked to the UTMC) should be installed at key exit points from the harbour to assist with City Traffic Management. B. Revisions required to junction design at Bóthar na Long should be submitted to the planning authority for agreement in advance of works.	Accept	
23.22	The developer should be required to agree the Haul Routes in advance with the planning authority and any restrictions or variances required by the planning authority during construction and operation should be required to be complied with by the developer. This should be included for in the Mobility Management Plan and should be binding on all operators. Restrictions on use of the road network during peak hour periods should apply as proposed in the EIS during both the construction and operation period.	Accept	
23.22A	The Construction Management Plan and the Traffic/Mobility Management Plan should specifically provide for a clause that allows for modification / cessation of works and or	Accept	To be confined to emergency/safety reasons

	activities in the event of special circumstances or events occurring in the city, the definition of such circumstances should be at the discretion of Galway City Council or their designates.		
No.	Text of Condition	GHC Response	Comment
23.23	The maximum number of HGV movements along the Haul Routes should be conditioned not to exceed that estimated in the Traffic Management Plan and any amendments to that plan. The developer should be obliged to keep a record of all traffic movements into and out of the sites, and a copy of this should be made available for inspection by the planning authority and the Project Monitoring Committee on request	Accept	A record of construction traffic will be maintained in accordance with the Construction Traffic Management Plan.
23.24	There should be provision made by condition to cover any additional costs incurred by the planning authority if the event should arise that costs in engaging transportation/environment personnel are required to monitor the Traffic Management Plan and any associated facilities and/or to monitor implementation of the Environmental Management Framework. This would be considered reasonable in view of the scale and complexity of the project.	Not Accepted	<p>It is understood that in the event of a grant of planning permission, implementation and monitoring of the Traffic Management Plan and the Environmental Management Framework will form part of the permission and may be conditioned accordingly. In the event of non-compliance the normal enforcement mechanisms are available to the planning authority.</p> <p>In the circumstances it is our contention that engaging additional transportation and environmental personnel, together with associated costs, is excessive, unusual and unnecessary particularly in light of the requirements under suggested conditions 1 - 6 inclusive and 16, which between them require the developer to appoint both an Environmental Officer and a Mobility Manager.</p> <p>We request an Bord Pleanála therefore not to attach this condition.</p>
23.25	Any amendment to the permitted scheme which relates to the control or impact of major accident hazards (as defined by Seveso II Directive), but which does not materially alter the permitted development, should be subject to the notification and agreement of the planning authority, following consultation with the Health and Safety Authority. This is in view of the location of the development adjoining two sites subject	Accept	

	to such control.		
23.26	An obligation to pay Development Contributions in accordance with the prevailing scheme should be placed on the development. (See section 25).	Accept	
23.27	Special Contribution conditions as outlined in section 26 should be included as conditions. (See section 26)	Accept	Refer to document outlining Special Contributions considered by GHC to be attributable
23.28	Conditions regarding Financial Bonds should be required to ensure that construction and landscaping / amenity facilities are developed to a high standard.	Accept	
23.28A	The Developer should be required to enter into an insurance arrangement that has sufficient security to indemnify against any probability of a more prolonged construction scenario than envisioned and against the risk of non-completion of construction of works including the delivery of all of the public amenity elements.	Not Accepted	<p><i>Suggested condition 29 requires the developer to enter into a Section 47 agreement to ensure delivery of and public access to the proposed amenity areas and the applicant accepts this.</i></p> <p><i>Suggested condition 28 requires a financial bond to ensure that construction and landscaping/amenity facilities are developed to a high standard and the applicant accepts this.</i></p> <p><i>It is our contention that the insurance arrangement in suggested condition 28a therefore is unnecessary in light of the above requirements and as proposed, is most likely unobtainable in any reasonable sense.</i></p> <p><i>We request an Bord Pleanála therefore not to attach this condition.</i></p>
23.29	Consideration should also be given to requiring that an agreement under section 47 of the Planning and Development Act between the developer and the planning authority be required to be entered into as a legally binding arrangement to ensure delivery of and public access to the proposed amenity areas.	Accept	

No.	Text of Condition	GHC Response	Comment
23.29A	The extent of lands described as gravel shore / Renmore Beach in the ownership of the applicant should be included in the landscape / amenity plan and public access to this area should be secured as part of the overall public amenity area and should include for protective measures for the adjoining wetland / lagoon area.	Accept	<p>(i) Public access to the area will be provided.</p> <p>(ii) The area comprises various habitats which do not lend themselves to landscaping.</p> <p>(iii) Fencing not deemed appropriate as it would impact on the respective habitats.</p>
23.30	Conditions should also include for		
	a) All hard landscaping specifications to be agreed in advance but, regardless, to be required of a nature appropriate to achieve a high standard of public realm.	Accept	
	b) On completion of the landscaping scheme a requirement for the developer to submit to the Planning Authority a certificate of completion from a suitably qualified Landscape Designer (or similar professional) confirming that the landscaping works have been satisfactorily carried out in accordance with the approved landscaping scheme.	Accept	
	c) The satisfactory maintenance and/or replacement of new planting, in accordance with the Landscape Proposals as included in the EIS.	Accept	
	d) Proposals to support a professional Artwork trail along the marine promenades should be included for in view of the City Development Plan policy 6.8.	Accept	
	e) The amenity area in particular adjoining the Marina area should be made available for a number of public community / cultural events on reasonable demand and free of charge for events of a scale deemed acceptable under the Seveso II Directive.	Accept	
	f) Provision of public toilet facilities, shelters, seating bike stands and retail kiosk / similar should be provided in conjunction with development of the promenades, in consultation with the Local Authority.	Accept	
	g) On ongoing landscape / public realm maintenance plan	Accept	

No.	Text of Condition	GHC Response	Comment
23.31	The details of the design and specification of the proposal signage should be agreed in writing with the Planning Authority and use of the Irish language/bilingual signage should be required to be incorporated within the development.	Accept	
23.32	Details regarding revisions to the external finish and design of the two main structures proposed should be included by condition in accordance with points raised in no. 17. It might also be appropriate to require a design scheme, which controls certain design aspects of future developments such as external finishes and signage regimes and for all street furniture in the publicly accessible areas.	Accept	Agreed that a condition to be attached to agree finishes of submitted buildings. Future buildings will be subject to separate planning applications to Galway City Council
23.33	All mitigation measures associated with archaeology as defined in Chapter 15 referenced above should be included by condition and also mitigation measures associated with archaeological finds as highlighted in Section 13.2.8 (3). In addition specific conditions should be included with respect to the requirements for potential discovery of drowned or submerged ancient landscapes. Specific notification of the planning authority should apply in advance of relevant works and in the event of finds.	Accept	
23.34	Initial monitoring of blast impacts to ensure no structural damage from the intensity of charges used and frequency of blast should be carried out at a number of points which should include for large structures in the Enterprise Park and on Mutton Island. Details should be agreed in advance with the planning authority.	Accept	
23.35	The suggested community gain options as highlighted in No. 24 of the report should be included as a condition of any grant and details of how it is to be delivered.	See below	
24	<i>The proposal as highlighted by the EIS includes for a significant encroachment into waters that are highly valued and currently open to public view and available for use by the general public, in this regard it is considered reasonable that the developer would contribute towards the cost and provision of all recreational and community facilities described hereunder.</i>	See below	
24(a)	<i>It is considered that the developer should provide the site and fund the design, application for permission and construction of facilities to support the nautical centre within the Harbour enterprise / extension area. These should at a minimum allow for storage for aqua sport club facilities; associated compounds; boat repair area; modern standard of changing / showering / locker facilities, vehicle parking areas and provide for a community building to be made available for clubs usage. These should be available for use within a reasonable time period, which shall be agreed with the Local Authority, at nominal cost. In default of this a financial contribution of equal value determined by a professional valuer should be made to the Planning Authority to provide for general amenity or similar facilities in the immediate area of the coast.</i>	Accept	GHC to provide a secure fenced site, access and slipway.
24(b)	<i>Galway Harbour Company should make available a portion of land within their ownership, located in the inner harbour area, that can sustain a building of minimum size of 2000m² and ancillary requirements (on not more than three floors) and is</i>	Not Accepted	The inner harbour area is outside of the

	<i>suitably located to provide for a use accessible to the public. This site will be dedicated to the use for public / community / civic purposes associated with heritage / tourism / education / culture.</i>		current site boundary. This will be part of future planning for Inner Harbour Lands and will be considered at that stage.
24(c)	<i>The reclamation of Lough Atalia & Renmore Lough as a valuable Habitat, high quality amenity space and a water-based recreational area for training on small sailing craft and kayaks should be a consideration in planning gain also. This would involve providing adequate linkages to these areas and dedicating public access. Investigations in this regard should be carried out, in conjunction with NPWS in addition to screening for Appropriate Assessment, into the opportunity to redress the decline of Lough Atalia & Renmore Loughs and assist in the recovery of their lagoonal conservation status. In this regard the width of the existing channel under the Bridge could be widened (a new bridge facilitating recreational access could be designed and built) to improve the flow of water in and out of the Loughs. This development accords with Specific Objectives in Section 4.10 of the City Development Plan with respect to Lough Atalia.</i> <i>This should include for habitat improvement and management plans including restoring damaged wetlands. The scheme should link into the North-South Coastal Walk.</i>	Not Accepted	Unreasonable. The GHC to date and the GHE proposed have not / will not contribute to the denigration of the areas mentioned. The areas are Priority Habitats and change of flow regime is not open to consideration. Lough Atalia is in poor condition and undesirable for water based recreation, hence the alternative area for water based recreation has been proposed at the Nautical centre.
23.36	A condition should be required regarding The Emergency Plan for the Harbour, which should include for consultation with appropriate bodies including Galway City Council and should be required to co-ordinate with the prevailing Galway City Major Emergency Plan and Galway County Major Emergency Plan.	Accept	
23.37	The requirement of Irish Water / IWTO with respect to specific arrangements for water and waste water should be included for in conditions and linked to the nature of specific supply / treatment for visiting vessels and marina usage.	Accept	
23.40	All conditions included in the Part 8 Ref LA 7 2013 approval for works to lower the road level at Lough Atalia under the Railway Bridge a protected structure should be complied with in full.	Accept	

Response to Suggested GCC Condition 27.

Details of any Special Contribution Conditions

No.	Text of Special Contribution Conditions	GHC Response	Comment
26.1	<p><i>Roads / Junctions</i></p> <p>The developer should be required to upgrade the existing Lough Atalia / College Road junction. The developer will be required to make a financial contribution towards the specific design and associated works and disruption to any peripheral areas in respect of the upgrading.</p>		See note Response to 26.1
26.2	<p>Reasoning clarified in No. 18</p> <p>The developer should make a financial contribution for a road-strengthening programme owing to the nature of vehicular traffic generated by the development. This would be calculated on an annual basis directly linked to the annual investment of the City Council on the relevant haul routes and linked with the axle loading of Harbour generated traffic and the associated repair, maintenance and rehabilitation of the road network arising from the construction of the development.</p>		See note Response to 26.2
26.3	<p>Reasoning clarified in No. 18</p> <p>The developer should make a financial contribution to Galway City Council in order to connect the proposed site access junction to the Galway City Council UTMC, as the developer will benefit from inclusion in the UTMC.</p>	Accept	See Note Response to 26.3

26.4	<p>The developer should make a financial contribution to Galway City council towards the provision of a new Wolfe Tone Bridge, the amount and timescale to be agreed with the Local Authority. Although there is no specific costs put on this bridge it is considered appropriate as this is traversed as part of a haul route and the scheme would benefit from rendering it viable for heavy weight loading such as that demanded from HGV's.</p>	Not Accepted	See note Response to 26.4
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Response to 26.1

Galway City Council are seeking for GHC to upgrade the Lough Atalia / College Road junction to give priority to Lough Atalia Traffic. Notwithstanding the fact that GHC have no authority to upgrade this already congested junction, the suggested upgrade will benefit all traffic using this junction and not just the new traffic generated by the Galway Harbour Extension.

A calculation of traffic flows passing through the College Road / Lough Atalia Road junction using the November 2012 traffic counts, determined that throughout a 24 hour period new traffic generated by the harbour would account for 10.4% of the total traffic passing through the junction (based on year 2023, i.e. when proposed Galway Harbour Extension is fully operational). Note, to allow for the effects of traffic composition, the calculation included a weighting to convert HGVs numbers to equivalent Passenger Car Units (PCUs) by factoring HGVs by 2.3 (reference TRL Research Report 67). We request an Bord Pleanála therefore to consider the maximum contribution that GHC is attributed to be 10.4% of the Construction Costs for this junction upgrade.

An estimate of the construction cost for the envisaged upgrade of this junction, including an estimate for design and supervision fees, equates to a cost in the order €852,000 inclusive of VAT. 10.4% of the cost of this junction upgrade is estimated at €89,000 inclusive of VAT.

Response to 26.2

GHC acknowledge that additional haulage traffic will be generated by the Galway Harbour Extension. GHC contend that the pavement structure of Lough Atalia Road was not designed to the current pavement design standards of NRA HD25-26/10 "Pavement & Foundation Design" and that existing HGV and PSV traffic is already contributing to reduced residual life of the Lough Atalia Road pavement. In order to determine a fair and reasonable contribution towards pavement improvements along the main haul road of Lough Alatia Road / College Road as far as the Moneenageisha Cross (i.e. the area of influence determined in the EIS and also noting that this junction is that of a Regional Road network), a pavement design exercise has been undertaken as summarised below.

A new pavement design thickness is determined by calculating the Design Traffic (in Million Standard Axels) based on HGV and PSV traffic flows (1-way) for an average day and projected over a 40 year design life, in accordance with NRA addendum HD 24/06 "Traffic Assessment". Note the Pavement Foundation design is based on the strength on the sub-grade and not related to traffic loading and therefore will be of the same design thickness irrespective of traffic loading. The pavement design summary below therefore disregards the pavement foundation design.

From the November 2012 Traffic Counts of heavy vehicle traffic travelling along Lough Atalia Road, the design traffic for a 40 year design life equates to 7.81 MSAs.

The same calculation, but adding on the additional heavy traffic generated by the Galway Harbour Extension following operation plus the envisaged number of lorries over the construction period; the design traffic for a 40 year design life equates to 19.27 MSAs.

The 'Design Thickness of Combined Asphaltic Layers' is then determined by plotting the Design Traffic onto a logarithmic graph (figure 4.2 "Design Chart for fully flexible pavement" of NRA HD25-26/10 "Pavement & Foundation Design").

Extract from Chapter of NRA DMRB HD25-26/10

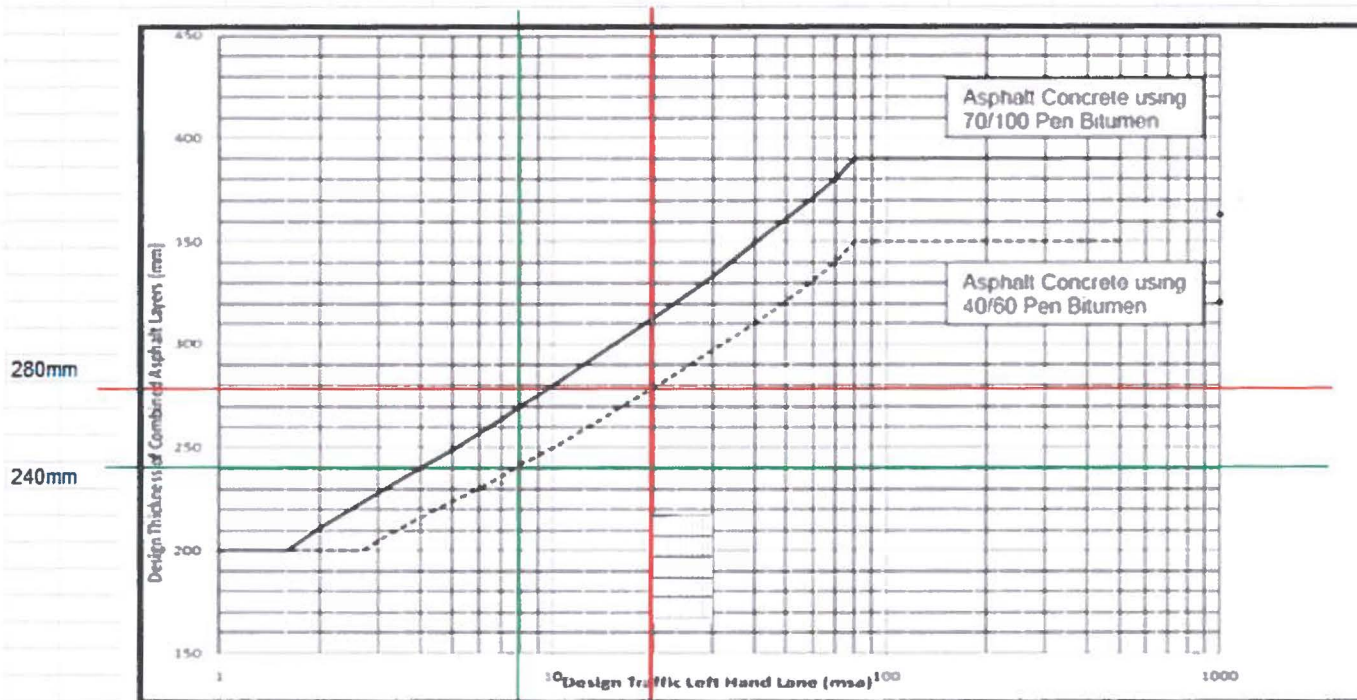


Figure 4.2 Design chart for fully flexible pavement

The 'Design Thickness of Combined Asphaltic Layers' for both existing and existing with new harbour generated heavy vehicles is summarised below:

- Existing Heavy Traffic (7.81MSA) = 240mm thick asphaltic pavement layers; and
- Existing plus New Harbour Traffic (of 19.27MSA) = 280mm thick asphaltic pavement layers.

As the surface and binder layers of the pavement will be of the same thickness and specification, it is acknowledged that there would be a requirement for an additional 40mm thickness in the pavement Base layer as a result of adding on the additional haulage traffic generated from the Galway Harbour Extension.

The area of influence determined in the EIS extends along the main haul road of Lough Atalia Road and College Road as far as the Moneenageisha Cross. Therefore it is contended that the maximum area of any contribution to pavement strengthening is limited to the kerb to kerb area of Lough Atalia Road and College Road between the proposed harbour junction and Moneenageisha Cross, but excluding the areas of the proposed Harbour Junction works and the proposed lowering of road under Lough Atalia railway bridge, as these works will include the construction of a new pavement.

We request an Bord Pleanála therefore to consider the maximum contribution that GHC is attributed for pavement strengthening to that of the construction cost to facilitate an additional 40mm thickness to the Base layer along the Lough Atalia Road and College Road between the proposed harbour junction and Moneenageisha Cross, but excluding the areas of the proposed Harbour Junction works and the proposed lowering of road under Lough Atalia railway bridge as these works will include the construction of a new fully designed pavement.

The estimated present value of the construction cost of the additional 40mm thickness to the Base layer, including an estimate for design and supervision fees is estimated at €108,000 inclusive of VAT.

Response to 26.3

A recent condition imposed on another development, in Galway City, with a new access junction connecting to the UTMC network was conditioned with a financial contribution of €10,000 to cover the cost of the installation and rental of the fibre optic network. We request an Bord Pleanála therefore to consider this €10,000 as a maximum contribution, to be made to connect the new harbour entrance junction to the UTMC system.

The applicant considers that the enhancement of this access junction does more than facilitates the safe access for new harbour related traffic. The proposed junction upgrade will benefit the safer movements through the junction of existing traffic, such as the Harbour Hotel and car park traffic, CIE Bus Depot and others. The proposed junction improvements will also facilitate safer cycle facilities and provides for safer controlled pedestrian crossings. The applicant therefore contends that they should be liable for no more than 85% of the full cost of constructing this junction with 15% attributed to GCC.

An estimate of the construction cost for the proposed traffic signal controlled junction, including an estimate for design and supervision fees, equates to a cost in the order €1,175, 000 inclusive of VAT. 15% of the cost of this junction upgrade is estimated at €175,000 inclusive of VAT. We request an Bord Pleanála therefore to consider adjusting the contributions payable in 26.1 and 26.2 above in the order of this €175,000 inclusive of VAT.

Response to 26.4

The Roads, Traffic and Rail Brief of Evidence by Tom Cannon, included a revision to EIS drawing “Operational Traffic – Proposed Haul Routes” drawing number 2139-2180 Revision B. This revision removed the operational haul route crossing Wolfe Tone bridge. As no new haulage traffic generated by the Galway Harbour Extension will be permitted to cross Wolfe Tonne bridge, we request an Bord Pleanála therefore not to attach this condition.