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**Our Ref:** BR 7476-02-06

**Your Ref:** PA 0033

17<sup>th</sup> April 2025

Lauren Griffin  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

LOG-  
ABP-  
22 April 2025  
Fee: €  
Time: By: *Post*

**RE: PA0033 - Galway Harbour Extension – Renmore and Townparks Townland, Galway**  
**Submissions on the Further Information of 27 September 2024**  
**Response to An Bord Pleanála letter of 7 March 2025 inviting a submission on the**  
**Further Information submissions**

Dear Sir/Madam,

We refer to the letter from An Bord Pleanála of 7 March 2025 which invited a submission from the applicant on the submissions received by An Bord Pleanála in relation to the Further Information submitted by the applicant on 27 September 2024. We wish to submit the following response document as requested:

**1. Response to Submissions Report – 17 April 2025**

- a. Two hard copies and one electronic copy of same are being submitted herewith to An Bord Pleanála.

We would be very grateful if you could acknowledge receipt of the documents at your convenience.

Yours faithfully,

*Brendan Rudden*

Brendan Rudden

Senior Engineer

For and on behalf of TOBIN Consulting Engineers

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# **Galway Harbour Company**



## **Galway Harbour Extension - PA0033**

### **Response to Submissions Report**

**17 April 2025**



An Bord Pleanála (Ref: 61.PA 0033)

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## 1 INTRODUCTION

Galway Harbour Company (the **Applicant**) acknowledges receipt of the letter sent by An Bord Pleanála (ABP) dated 7 March 2025 with regard to the application for planning permission for the Galway Harbour Extension Project (Case Reference: PA.0033) (the **Project / Proposed Development**) which was originally submitted on 10 January 2014 and in relation to which, at ABP's request, an updated EIS Addendum was submitted on 27 September 2024 (the **EIS Addendum**).

This document comprises the response of the Applicant to the main issues raised in the submissions received by ABP during the 8-week statutory consultation period which ran from 6 December 2024 to 7 February 2025. The Applicant has carefully reviewed the entirety of the submissions made in respect of the Project. This response document is intended to address the relevant points of concern raised in the submissions received and any failure by the Applicant to address any specific issue or point raised in any submission is not to be taken or construed as acceptance of same.

### Report Structure

This report is structured as follows:

- Review of applicable policies.
- An overview of the submissions and the key themes raised is provided in Section 3.
- Responses to the main issues raised in each submission is contained in Section 4.

## 2 REVIEW OF APPLICABLE POLICIES

There are no changes of law of relevance to the Project since the EIS Addendum was submitted on 27 September 2024. The vast majority of the Planning and Development Act 2024 has not been commenced, and even when commenced is not likely to affect the consideration of the Project.

It is noted that on 5 November 2024, the Government agreed to publish a draft schedule of amendments to the First Revision of the National Planning Framework (NPF). Since then, the revised NPF has undergone the necessary environmental assessments including the Strategic Environmental Assessment, Appropriate Assessment, and Strategic Flood Risk Assessment and on 8 April 2025, the Government approved the final version of the revised NPF. However, at the time of writing, the revised NPF remains subject to approval by both Houses of the Oireachtas before it can formally replace the existing framework. Chapter 2 of the EIS Addendum considered the pertinent NPF policy objectives, and the conclusion of that report remains valid.

In addition, the Climate Action Plan 2025 has just been published, i.e., on 15 April 2025.

The findings of the cumulative impact assessment undertaken as part of the EIS Addendum also remain valid. The status of the proposed N6 Galway City Ring Road, which is currently under consideration by ABP (Ref: HA07.318220), remains the same.

## 3 SUMMARY OF SUBMISSIONS

Submissions were received from the following 23 consultees during the statutory consultation on the planning application for the Project:

- An Taisce – Galway Association;
- Commission for Railway Regulation;

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- Developmental Applications Unit – Department of Housing Local Government and Heritage;
  - Developmental Applications Unit – Government Offices;
  - Dr James McCarthy;
  - Environmental Protection Agency;
  - Galway Bay Sailing Club;
  - Galway Chamber of Commerce;
  - Health and Safety Authority;
  - Health Services Executive;
  - IBEC;
  - Inland Fisheries Ireland;
  - JFC Manufacturing Company Limited;
  - Maritime Area Regulatory Authority;
  - Northern and Western Regional Assembly;
  - Platform 94;
  - Shane Foran;
  - Land Development Agency;
  - Transport Infrastructure Ireland;
  - Vincent Connell (Galway Bay Inshore Fishermen's Association)
  - Western Development Commission
  - Galway City Council;
  - Uisce Éireann.

#### **Main issues raised in submissions**

Of the twenty-three responses received, ten were supportive of the Project and were in favour of a grant of planning permission. An additional nine submissions were also supportive or neutral in relation to the consenting of the Project while containing recommendations or proposing that certain conditions should be attached to the granting of planning permission. Four submissions expressed concern or were against the granting of consent. These included issues relating to potential flooding and storm surge risks, water and wastewater capacity issues, traffic measures, potential impacts on cycling in the area, climate impact and the suitability of compensatory measures and concerns about impacts on fishing.

The Applicant has read and reviewed the entirety of the submissions made in respect of the Project. This response document is intended to address the main points of concern raised in the submissions received and, as noted above, any failure by the Applicant to address any specific issue or point raised in any submission is not to be taken or construed as acceptance of same.

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## 4 RESPONSE TO SUBMISSIONS

### 4.1 An Taisce – Galway Association

#### 4.1.1 Issue 1

An Taisce refers to the decision of the High Court in *Coolglass v An Bord Pleanála* [2025] IEHC 1 (**Coolglass**). The decision confirms the higher obligation on public authorities, including planning authorities, to grant permission for projects which contribute to achieving climate goals in line with Section 15 of the Climate Action and Low Carbon Development Act 2015, as amended.

The An Taisce submission fails to take account of the positive impact the Project will have on Ireland achieving its climate goals. This has been noted in Chapter 11 of the EIS and confirmed in the EIS Addendum submitted in September of 2024 at Section 11.4 – see below:

*“In relation to operational impacts, as noted in the original chapter, transport of freight by sea has a significantly lower carbon footprint than other means. The overall proposal will reduce CO2 emissions below projected emissions from overall transport of materials into the region if Galway Harbour Extension was not to proceed. In line with CO2 emissions, other airborne pollutants will also reduce and the overall climatic impact of the proposed development is positive. When aligned with the rail proposal at the new port, when same is viable, there may be further reductions possible. The Galway Harbour Extension will reduce CO2 emission levels below current levels by enabling larger vessels with lower specific emission levels to access the Port. As noted in the original EIS, the quantity of CO2 emitted from Port operations has been outlined in Chapter 9 Air Quality (2014). By utilising the regional Port of Galway and transporting goods by sea to the region, the carbon footprint of those goods is considerably reduced. As outlined in EIS Chapter 9 (2014), Do-Nothing Scenario, the alternative transportation of goods by road from Foynes, Cork or Dublin would result in significantly higher CO2 emissions. The Global Warming Potential “GWP” and potential carbon emissions have been updated in the Carbon Life Cycle Assessment report which validates this statement. As discussed in EIS Chapter 9 (2014) the option of diverting freight to other ports is a complex issue requiring full origin-destination datasets to carry out a detailed analysis. What is beyond question, however, is that the option of having a regional port with 24-hour marine access and both rail and road links to the region has the potential to significantly reduce CO2 emissions in the longer term.”*

Section 11.5 of the EIS Addendum, Chapter 11 confirms that the Project in question will give rise to less carbon emissions than the Do-Nothing scenario, in circumstances where the Do-Nothing scenario would result in an 11% higher emissions of Carbon Dioxide equivalent (CO2e).

Accordingly, the decision in *Coolglass* supports the granting of permission for this project<sup>1</sup>. Same remains the position having taken the construction impacts into account. Furthermore, even if the Project did give rise to an increase of emissions, the High Court in *Coolglass* commented (at paragraphs 130, 132 and 133) that the Board’s obligation to

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<sup>1</sup> It is understood that the decision is currently under appeal.

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use its powers favourably in its adjudication on renewable energy infrastructure applications does not automatically mean that there is an obligation to refuse planning permission for developments that cause emissions. On this point, the Court commented that the concept of net zero implies a continuing necessity for some emissions in the short term at least. The Court said this relates to the fact that pending complete adaptation of the economy, there will be other imperatives of economic necessity that require projects that, in and of themselves, wouldn't support climate goals in isolation. The Court also noted that, even if a project is not in itself driven by a climate imperative, it is important to be conscious of displacement effects of refusal.

On this point, the Court concluded that, *"...it doesn't automatically follow from a pro-renewables interpretation that there must be, say, an anti-cheese factory interpretation, an anti-data centre interpretation or an anti-LNG storage interpretation. The trade-offs and displacement effects would need to be considered."*

Thus, in light of the manifest benefits of this project in reducing greenhouse gas emissions by enabling transport by larger ships to the region and facilitating inter-modal transport as well as the proposed port extension supporting the development of onshore and off-shore renewable energy, the decision of the High Court in Coolglass supports the grant of permission for the Project and certainly does not support an objection to the Project.

#### **4.1.2 Issue 2**

In relation to other ports, the main alternatives for the Proposed Development have been addressed and properly considered in Chapter 3 of the EIS and the Addendum to same and were considered as part of the oral hearing into the Project and the Board's consideration of the matter at that time. As set out in the EIS Addendum, - 'Chapter 3 Alternatives', the findings and conclusions remain valid and Chapter 3 of the EIS contained a description of the main alternatives studied and the reasons for choosing the Proposed Development, taking into account the environmental effects.

#### **4.1.3 Issue 3**

The rail link is included in Proposed Development to ensure that the Project is future proofed for rail freight and sustainable modes of transport as and when required. The adjacent railway provides the ideal opportunity for a rail connection for viable freight transport. While a rail link from the Proposed Development is not contained in Iarnród Éireann's Rail Freight 2040 Strategy, the Project has been designed to facilitate same should a decision be made by Iarnród Éireann to provide this and the Project is thus future proofed in this regard.

#### **4.1.4 Issue 4**

Climate change, sea level rise and the effects that these could have on the Project have all been taken into account in the design of the Project. The current guidance in Ireland is to design to the 200-year coastal flood event and 100-year fluvial with climate change allowance. The Mid-Range Future Scenario (MRFS) allowance for Ireland is currently 0.5m sea level rise and the High Emission Future Scenario (HEFS) is a 1m sea rise. A full review of climate change allowance requirements is presented in the EIS Addendum at Section 8.6.8 and Sub-Section 8.6.8.3 specifically deals with sea level rise. The allowances incorporated in determining the finished levels in this project are appropriate taking into account that it is a sea harbour development. Such harbour developments are deemed, based on the Planning System and Flood Risk Management - Guidelines for Planning Authorities (November 2009), to represent water-compatible type development and are

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suitable for location in high flood risk zones. As such, the harbour quay finished levels need to be, and have been designed to be, operational for shipping at a practical finished level.

In particular, notwithstanding the classification of the Project as “water compatible type development”, the proposed Quay level is designed to be 4.70m OD, which provides 0.51m freeboard on top of the predicted 200-year tidal storm surge flood level of 4.19m OD. Compared to the 2-year return period coastal flood level (i.e. on average occurring once every 2 years) the proposed finished height of the quay at 4.7m OD provides 1.4m clearance above such a flood level. Furthermore, as designed and assessed in the original EIS all harbour offices and commercial buildings will have finished floor levels set at a minimum of 5.5m OD which provides 1.3m freeboard over the 200-year design coastal flood level and easily accommodates the HEFS Scenario of a 1m sea level rise in the longer-term future. Therefore, the Project is suitably designed for future climate change impacts and uncertainty. In conclusion, location-specific appropriate climate change considerations for the new Harbour specific to Ireland have been incorporated in the design to ensure sustainability of the Project well into the future.

#### 4.1.5 **Issue 5**

In relation to recent storm events along the Galway coast, the EIS Addendum, furnished in September, 2024, includes the recent historical maximum recorded tidal flood level of 3.78m OD recorded at the Port of Galway gauge on 13 November 2023 (Storm Debi). The most recent Storm Surge event associated with Storm Éowyn on 24 January 2025 produced a peak tidal flood level of 2.673m OD Malin.

A full review of the design tides for the Port of Galway, with the analysis updated to include the more recent tidal information since the original EIS publication, is contained at Section 8.6.6 of the EIS Addendum and, specifically, at Section 8.6.6.1. This update has also included the more recent OPW Irish Coastal Wind and Wave Study (ICWWS) by RPS (published Nov 2020) which was an update to the Irish Coastal Protection Strategy Study (ICPSS), (refer to Section 8.6.6.2 of the EIS Addendum). The estimated present day 200-year tide level from the updated assessment is 4.040m OD Malin with an upper 67-percentile limit of 4.194m OD Malin. The historical maximum observed tidal flood level at the Port of Galway is 3.78m OD associated with the Storm Debi event on 13 November 2023.

The recent Storm Éowyn event on 24 January 2025 produced a significant storm surge event which coincided with a neap tide period. The effect of strong westerly winds associated with deep low pressure tracking westward across the Atlantic produced this event with a peak tide level occurring some 4 hours after the astronomical highwater was predicted. The profile of the storm surge as presented in the An Taisce submission is an over simplistic representation, based merely on the difference in the predicted tide subtracted from the actual recorded tide and same suggests that at its peak it was of the order of 2.7m. However, the impact of a storm surge alters the timing of highwater and the retreating ebbing tide and consequently the type of exercise shown in the An Taisce submission exaggerates the storm surge component when calculated by subtracting the forecasted Astronomical tide from the observed tide. The actual skew surge magnitude (difference between forecasted high water and recorded highwater) for this event was c. 1.8m. The Oranmore gauge which is not influenced by neap tides suggest a peak surge for this event of less than 1.9m.



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Had this Storm Éowyn event coincided with a mean spring tide at the same tidal stage as the recorded event, the peak tidal flood level would only have been c. 3.29m OD which is less than a 5-year flood event. In a worst-case scenario, if it had coincided with a mean spring tide exactly at high water, then the peak flood level using the estimated surge profile could have reached 4.83mOD Malin.

Storm surge events are meteorological events and independent of the astronomical tides, and thus independent of both the tidal cycle (neap, mean or springs) and the stage of the tide cycle. The combination of such a significant storm surge event culminating in an extreme tidal flood event requires the timing in the first instance of the storm surge with a spring tide period and also with highwater and for Storm Éowyn the local winds had to also have come around from the west to the south at the time of the surge peak. Such an alignment of factors is extremely rare representing a very low combined probability. For example, spring tides exceeding 2m OD Malin occur less than 33% of the time and the critical tidal stage, allowing conservatively 4 hours period around highwater, represents a probability of 32% on a typical tidal period. Therefore the combined probability of a 200-year extreme storm surge event coinciding with mean spring tide and with the critical 4-hour period around highwater represents approximately a 1 in 2000-year event (a factor of 10 greater than a 200-year design flood event) and this return period does not include the probability of the local wind set-up coming around from the south that occurred as the low pressure arrived in inner Galway Bay.

The recommended 200-year coastal flood level of 4.2m OD is valid and is supported by robust analysis including findings from the OPW Irish Coastal Wind and Wave Study ICWWS published in November 2020. The frequency analysis of the recorded annual maximum coastal flood levels recorded at relevant gauges used in the assessment and the ICWWS, inherently represent the combined probability of the astronomical tide with the Atlantic storm surge and wind set-up. The recommended 200-year coastal flood level of 4.194m OD Malin is robust and represents a flood level typically 2m above mean spring highwater level of 2.155m OD.

In conclusion, the proposed operational Quay level of 4.7m OD and the proposed minimum finished floor level of 5.5m OD Malin for the commercial buildings are at such elevation as to ensure long-term sustainability for the Project whilst meeting the operational requirements of a working quay.

#### 4.1.6 **Issue 6**

The Proposed Development is independent of and not reliant upon the completion of the Corrib go Cósta Flood Relief Scheme or any other flood relief schemes or works. In particular, the proposed development is not dependent on any other schemes relating to flood defences for Galway City. The proposed new harbour layout and design does not compromise any potential flood relief options that might be considered for the city. Importantly, the Proposed Development will not exacerbate coastal and estuarine flooding and flood risk. This impact assessment has been supported by robust analysis of the potential hydrodynamic impact of the Proposed Development on tidal storm surges, river flood flows and wave climate. In this respect, please refer to the EIS Water Chapter 8 at Section 8.4.2 – Hydrodynamic Analysis and specifically Sub-Section 8.4.2.5, Section 8.4.6 – Wave Climate Analysis and specifically Sub-Section 8.4.6.7 and Section 8.4.7 - Flood Risk Assessment, specifically Sub-Sections 8.4.7.9 and 8.4.7.10. Furthermore, this original analysis was reviewed by an independent marine expert on behalf of ABP who attended the oral hearing for the scheme. The EIS Addendum reviewed the design Corrib Flows, Tides, Storm Surge and Waves and found that the inputs to the original 2014 EIS

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report and modelling remain valid. Refer to Sections 8.6.6 to 8.6.10 of the EIS Addendum for this assessment.

#### 4.1.7 **Issue 7**

The Applicant points out, as previously demonstrated, that the quality and condition of the priority habitats proposed to be managed in Tawin as part of the compensatory measures proposed by the Applicant, will be significantly improved by the proposed management programme. The compensatory measures are additional to actions that are normal practice under the Birds or Habitats Directive or those actions that the State may be obliged to do by reason of European Law. The measures here are far beyond the implementation of a management plan or the proposal or designation of a new area already recorded as being of community importance. In this case, the measures are a positive intervention and are intended to and designed to offset the impacts of the Project so that the overall ecological coherence of the Natura 2000 Network is maintained. The conclusion as contained in the NIS Addendum, which is accepted as being supported by the available information by the Development Applications Unit of the Department of Housing, Local Government and Heritage in its submission to the Board, is that there will be *"no additional significant impact to Galway Bay SAC"* and same is based on updated surveys.

The Compensatory Measures Plan, Accompanying Measures and Additional Environmental Benefits July 2022, report which is to be found in Appendix I-2 of the NIS for the Project contains specific and measurable commitments.

It is entirely appropriate to include a proposal to improve a substandard habitat such as that at Tawin as part of the compensatory measures to be proposed. Indeed and as is noted in the Applicant's Compensatory Measures Plan, the EU Guidance note in relation to Article 6 of the Habitats Directive (2018) expressly provides that; *"...the compensation could, similarly, consist of the re-creation of a comparable habitat or the biological improvement of a substandard habitat within an existing designated site..."*.

In Section 2.1.3, Objective 1 of the Compensatory Measures Plan, a specific approach is set out for the control of the non-native tunicate species *Didemnum* in Mweeloon Bay. The measurement of the effectiveness of same will be done by the Abundance and Distribution Range method ("ADR") which combines data on both the abundance and the distribution of species and will readily and quickly show the effectiveness of the control regime. A photographic survey will be carried out to visually document their population and distribution of the species before the control practice commences and on an annual basis post-commencement. To measure progress there will be an expected statistically significant reduction in its densities 5 years post-removal (to within *circa* 50% of the starting value) using this analysis. Specific methods and thresholds are laid out in Section 2.1.3 of the Compensatory Measures Plan.

In Section 2.1.4, Objective 2 of the Compensatory Measures Plan a specific approach is set out for the permanent fallowing of sites in Mweeloon Bay that are currently used for farming oysters. The positive effects of same will include the elimination of tractor traffic to and from the sites. Specific methods and thresholds are laid out in Appendix A of the Compensatory Measures Plan.

Success of this aspect of the compensatory measures is defined as the stabilisation of the benthic fauna at the fallow sites and on the former access routes in comparison to what is present at the trestle and access route to Reference Site 1.

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In Section 2.1.4, Objective 3 of the Compensatory Measures Plan a specific proposal is set out for the implementation of nature friendly farming practices that, besides having a beneficial effect on terrestrial habitats, can have a beneficial effect on intertidal marine ecology. Specific methods and thresholds are laid out in Appendix A of the Compensatory Measures Plan and same follows the same methodology and indicators laid out for the fallowing of oyster culture sites. As is noted in the Method section, a much longer time scale (decadal) is required to demonstrate this and, as the response may be masked by a more dominant variable, it is not possible to set a threshold level for this target but same will lead to positive ecological impacts.

Section 2.1.6, Objective 4 of the Compensatory Measures Plan outlines the methodology for Collection and disposal of anthropogenic litter and rubbish from within the Compensatory Area. This will be implemented 3 months after Final Grant of Satisfactory Planning Permission (and every 3 months thereafter) and immediately after a Force 9 or greater storm event. Setting a specific percentage or absolute target for litter removal from an intertidal area over an ongoing period is not possible because the accumulation of litter can be highly variable due to factors such as tides, weather conditions, human activities, and external sources of pollution, making it difficult to predict. Again, that does not detract from the positive ecological impacts arising from this measure.

#### **4.1.8 Issue 8**

In relation to wastewater and water, Uisce Éireann is the prescribed body for the provision of wastewater and watermain infrastructure. Uisce Éireann have been consulted at all stages of the design of the Project.

In its submission dated 7 February 2025 Uisce Éireann confirmed the proposed connection details and raised no concerns in relation to existing infrastructure or connection to same.

In this submission Uisce Éireann outlined their standard conditions such as further engagement being required prior to commencement of any development which the Applicant accepts, and the Applicant confirms that it will engage with Uisce Éireann as requested.

#### **4.1.9 Issue 9**

In relation to climate and carbon cycle, a comprehensive life cycle carbon assessment has been conducted by a team of experts on behalf of the Applicant. The model used for the analysis and evaluation is robust, with all figures and calculations clearly documented in the Carbon Life Cycle Assessment Report contained at Appendix 11.1 of the EIS Addendum 2024.

As is demonstrated in the EIS Addendum, the carbon footprint of the Project will be reduced with careful design, appropriate material selection, monitoring of the carbon footprint through the design stages and construction, utilising carbon efficient construction methods, reducing energy consumption and reducing the carbon footprint associated with transportation of the goods.

It has been estimated that the Proposed Development would account for 10.26 kt CO<sub>2</sub>e per annum which equates to c. 2.1% of Galway City's baseline 2018 annual Carbon Dioxide emissions (493,503 tonnes).

As the 2030 target for Galway will decrease to 51% of 2018 baseline emissions, the associated impact of CO<sub>2</sub> emissions from the Port would represent a larger percentage

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proportion of the reduced target. However, An Taisce has not accounted for the impact on CO2 emissions from a "do-nothing" scenario for Galway City and the wider Galway Region.

The Proposed Development will reduce the number of road traffic movements into the region and reduce the need to rely on road transport to and from alternative ports (Dublin, Foynes and Cork) to Galway and its environs. It has been outlined in Chapter 11 of the EIS Addendum that the Proposed Development will result in savings in emissions over and above the "Do-nothing" scenario, which would result in 11% higher emissions of CO2.

#### **4.2 Commission for Railway Regulation**

The Commission for Railway Regulation's submission outlines its support for the Project. The Applicant wishes to emphasise that there was extensive collaboration and engagement with Iarnród Éireann from the early stages of the Project and this will continue as suggested.

The observations provided by the Commission for Railway Regulation are standard pre-commencement and construction/operational procedures, and the Applicant welcomes, acknowledges and accepts the observations.

#### **4.3 Developmental Applications Unit – Department of Housing Local Government and Heritage (DAU)**

The Applicant notes and appreciates that the DAU's submission acknowledges with approval, the extensive examination, analysis, and the additional updated surveys carried out by the Applicant.

#### **4.4 Developmental Applications Unit – Government Offices**

The Applicant acknowledges and welcomes the archaeological observations/recommendations of the Developmental Applications Unit - Department of Housing Local Government and Heritage, dated the 7<sup>th</sup> of February, 2025. The Applicant confirms that it accepts the observations and recommendations contained within same.

#### **4.5 Dr James McCarthy**

The Applicant notes that the submission by Dr James McCarthy outlines queries and concerns in relation to climate change and environmental elements, land reclamation/infill, flood elements, wastewater and water, and the need for the Project.

In relation to the ecosystem of Inner Galway Bay, including the Galway Bay Complex SAC and Inner Galway Bay SPA, the Applicant confirms that a full assessment of the impacts on Galway Bay Complex SAC and Inner Galway Bay SPA was carried out as a part of the EIS and NIS (Natura Impact Statement) processes. The Compensatory Measures Plan document was created in consultation with the National Parks and Wildlife Service (NPWS) to compensate for the loss of habitat addressed in the NIS and is considered by the NPWS to be satisfactory.

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In relation to the design of the Project and how same has been designed to take account of climate change and flood events, it is noted that the submission refers to Storm Éowyn in January 2025 and suggests that there was a large storm in 2024. The submission under reply of Dr McCarthy is incorrect in this regard and there were no significant tidal storm events in 2024. It appears likely that the reference to a 2024 event should have been a reference to the Storm Debi event that occurred on 13 November 2023. This Storm Debi event is in fact included in the updated tidal analysis for the 200-year design flood level, refer to Section 8.6.6 and specifically to Section 8.6.6.1 of the EIS Addendum.

The Flood Risk for the Project has considered the current OPW (which is the National Flood Risk Management Agency) Flood Risk Management – Climate Change Sectoral Adaptation Plan. The current guidance in Ireland is to design to the 200-year coastal flood event with climate change allowance. The Mid-Range Future Scenario (MRFS) allowance for Ireland is currently 0.5m sea level rise and the High Emission Future Scenario (HEFS) is a 1m sea rise. A full review of climate change allowance requirements is presented in the EIS Addendum Section 8.6.8 and specifically to sea level rise in Section 8.6.8.3 and such allowances are appropriate for the nature of this Proposed Development. The Proposed Development is to be an operational maritime harbour. Such harbour facilities are defined by the Planning System and Flood Risk Management - Guidelines for Planning Authorities (November 2009) to represent water compatible type development and suitable for location in high flood risk zones. As such, the harbour quay finished level needs to be operational for shipping. Furthermore, as designed in the original EIS all harbour offices and commercial buildings will have a minimum finished floor level set at 5.5m OD which provides 1.3m Freeboard over the 200year design flood level and easily accommodates the HEFS Scenario of a 1m sea rise. Therefore, the Proposed Development is suitably designed for future climate change impacts and uncertainty. In conclusion, appropriate climate change considerations for the Project have been incorporated in the design to ensure sustainability of the Proposed Development into the future.

In relation to the quantities of infill material that will be needed for the Project, the construction methods proposed consist of the beneficial re – use of all of the dredged material for the land reclamation i.e. there will be no dumping at sea and the internal land reclamation materials will be “site – won”. This is the most sustainable method of construction for the Project.

The optimum overall method of construction has been adopted and will be carried out in the construction of the Project if approved by the Board.

In relation to the need for the Project, the Applicant would draw the attention of the Board not only to the EIS and Addendum to same but to the many submissions from the relevant boards and bodies in support of the Project.

As per ABP's Statement of Case issued to the Minister for Housing, Local Government and Heritage dated 24 March 2021, it is stated that,

*“The Board concluded that, in overall terms, the proposed extension to Galway Harbour represents an integrated development that enhances the social, economic and recreational benefits of the port for the benefit of the population of Galway and its regional hinterlands.*

*Given the current constraints affecting the existing operations at the Galway Port, including its tide dependency, limited berthage and ship size allowed, the enhancement of port facilities within the city by a public company and the provision*

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*of modern, efficient marine and associated transport services will significantly improve transportation infrastructure for the region, and also aligns with the European transportation policy of promoting "short-sea shipping" as a cost-effective and environmentally sustainable alternative to road transport.*

*In the absence of the proposed port expansion and the evolution of both commercial and transport services to Galway City and its wider hinterland, it is likely that the port's role will further deteriorate in terms of its capacity to fulfil its regionally significant status and will also hamper the growth of Galway City as the major urban centre serving the western and northwestern parts of the country. Failure to upgrade and modernise the necessary commercial and ancillary marine services that a coastal city expects to be able to rely on would potentially disadvantage the city in terms of its competitiveness with other Irish cities and with comparable urban centres abroad, and would be likely to result in lost investment and development opportunities, with both economic and social consequences for Galway's residents and businesses, as well as a wider negative impact across the region."*

The recommendation, and reasons for same, that the Proposed Development should be given consent for imperative reasons of overriding public interest (IROPI), in the letter to the Minister referred to above remain entirely accurate and applicable.

#### **4.6 Environmental Protection Agency**

The Applicant welcomes the Environmental Protection Agency (EPA) submission which confirms the procedures to be adopted should a Wastewater Discharge Licence or Dumping at Sea Permit be required.

The Applicant confirms that no Wastewater Discharge Licence will be required for the Proposed Development and that no Dumping at Sea Permit is envisaged to be required in respect of the Proposed Development. The Applicant confirms, that if there is a determination that any activity requires a licence or permit from the EPA, then any licence required will be duly obtained and complied with.

#### **4.7 Galway Bay Sailing Club**

The Applicant notes and appreciates that Galway Bay Sailing Club's submission confirms the Club's support for the Project and confirms that the proposed expanded Port of Galway is a key infrastructure asset with a significant role to play in facilitating recreational and competitive sailing activities.

#### **4.8 Galway Chamber of Commerce**

The Applicant notes and appreciates the submission of Galway Chamber of Commerce which confirms that organisation's strong support for the Project. As noted in the submission the Port of Galway is a key infrastructure asset and is fundamental to the sustainable growth of the city and the broader region. The submission notes that the strategic location of Galway along the western seaboard positions it as a key contributor to national objectives

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outlined in national legislation such as energy and infrastructure development. The submission also confirms that the development of the Port of Galway as a commercial entity and a centre for marine leisure, ocean energy, and tourism will be a key economic driver, central to the continued development of Galway City and the surrounding regions.

#### **4.9 Health and Safety Authority**

The Health and Safety Authority (HSA) submission outlines its standard comments regarding the Project, which accords with matters discussed at previous consultations. The HSA's observations/recommendations are welcomed, and the Applicant acknowledges and accepts same.

#### **4.10 National Environmental Health Service of the Health Service Executive (HSE)**

The Applicant notes the HSE National Environmental Health Service's submission lists recommendations/observations in relation to public consultation, soils, surface water and groundwater, air quality, and noise and vibration. The recommendations/observations are in accordance with the mitigation measures provided in the EIS. The Applicant accepts these recommendations/observations.

#### **4.11 IBEC**

The Applicant notes and appreciates the submission of IBEC which confirms that organisation's support for the Project. The submission outlines that the Port of Galway is a key infrastructure asset and is of critical importance. The submission also confirms that Port expansion will be key to maintaining continued economic success. IBEC also note that the Proposed Development will ensure that the Port remains at the heart of Galway City's economic development while allowing for the redevelopment of the Inner Dock lands currently used for Port purposes. The submission also outlines that national and regional policy recognises the importance of regional ports in serving their hinterlands and in supporting balanced regional development.

The Applicant also notes and confirms that the proposed harbour redevelopment presents a transformative opportunity with benefits for the city, county and wider region. Furthermore, the regeneration of the docks will enable Galway City to develop sustainably whilst achieving a number of broader strategic objectives. As per the submission of IBEC, Galway Harbour Expansion Project will serve as a key determinant of the region's future economic prosperity.

#### **4.12 Inland Fisheries Ireland (IFI)**

The Applicant notes the submissions from Inland Fisheries Ireland which includes the comments of that body regarding the Project which accord with matters previously discussed by the Applicant with IFI at previous consultations. The Applicant acknowledges Inland Fisheries Ireland's observations/recommendations and accepts same. The submission acknowledges that the noise criteria applied in the 2014 EIS incorporated a

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considerable margin of safety and continue to be lower than the current guidance. Indeed, marine fauna criteria were reviewed during the EIS update process. This is contained at Appendix 10-3 of Chapter 10 of the EIS Addendum which states: '*...it is evident that criteria applied in the EIS are lower than the 2014 Popper et al criteria widely applied at present. It follows that EIS criteria continue to incorporate a considerable safety margin, and the EIS findings continue to be valid.*'

#### **4.13 JFC Manufacturing Company Limited**

The Applicant acknowledges the submission by JFC Manufacturing Company Limited which expresses the company's support for the Project. The submission correctly identifies the Port of Galway as a key infrastructure asset with a significant role to play in facilitating improvements for navigation, employment opportunities, and maritime safety.

#### **4.14 Maritime Area Regulatory Authority**

The Applicant acknowledges the Maritime Area Regulatory Authority's submission regarding the Project. The submission outlines the procedures required for the application for Foreshore Lease/Licence and is overall positive with no queries or concerns raised in relation to the planning application. The Maritime Area Regulatory Authority's submission and the points included in same are noted in full by the Applicant.

#### **4.15 Northern and Western Regional Assembly (NWRA)**

The Applicant acknowledges the submission received by the NWRA which makes reference to a number of regional planning policies as set out in Appendix 1 of their submission, including RPO 3.2(a), RPO 3.6.2, RPO 3.6.1, RPO 3.6.4, RPO 3.6.13, RPO 4.5, RPO 4.35, RPO 4.36, RPO 3.9, RPO 3.10, RPO 3.11, RPO 8.18, RPO 8.19. As indicated in the submission, the Project accords with the regional policy objectives in question.

#### **4.16 Platform 94**

The Applicant acknowledges the submission by Platform 94 which sets out that organisation's support for the Project. The Platform 94 submission outlines the strategic significance of the Project from a national, regional, local, and international perspective. The submission confirms that the expansion of the Port of Galway is essential to enhancing the region's global connectivity. The submission states that the Project aligns with key national and regional policies, including Project Ireland 2040, National Development Plan & Regional Spatial and Economic Strategy (RSES) and Renewable Energy Strategy. The submission further states that the successful delivery of the Project will ensure that Galway continues to thrive as a major commercial, innovation, and maritime hub, securing its place as a key driver of regional and national prosperity.



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#### 4.17 Shane Foran

In relation to traffic noise, the Applicant points out that road traffic noise impacts are assessed in Section 10.4.3 of the EIS. In relation to operational phase traffic, the EIS concludes on page 10-45 that: *"The scale of the impact of road traffic noise emanating from the development in 2016 is therefore considered negligible."* And on page 10-48: *"The scale of the impact of road traffic noise emanating from the development in 2031 is therefore considered negligible."*

Appendix 10-1 of the EIS Addendum reviewed the methodology applied in relation to the above. The appendix concludes: *"Road traffic noise changes are commonly assessed in 2024 with reference to DMRB guidance issued in 2020. Application of the guidance does not alter the EIS conclusions, apart from a slight reduction in impact category at the Radisson, now Galmont, Hotel, from moderate to minor."*

In relation to suggested potential traffic impacts from HGVs on cyclists, existing road conditions and collision risk, the revised Mobility Management Framework contained in Chapter 13.5 of the EIS Addendum includes proposed restrictions on Construction Deliveries and other HGV movements to and from the site, which shall be managed outside an extended network peak of 08:00 – 09:30 and 17:00 – 18:30. Deliveries shall avoid a Saturday afternoon from 12 noon, where feasible. It should, however, be noted that exceptions to this are to be expected, such as a case of a large concrete pour, which would require the steady delivery from lorries over a prolonged period of a day. However, the peak period will still be managed by staggering the concrete lorries over a suitable amount of time.

In relation to pavement condition, it is expected that a standard financial contribution will be required from the Applicant for the maintenance of pavements along the proposed haul routes.

The implementation and organisation of traffic management along the specified haul routes has been proposed as an important component of the works to be undertaken and will be given the highest priority during the construction of the Proposed Development.

Such traffic management controls will include:

- Driver assessment and training

This will be regularly conducted to the prescribed standards before HCV drivers are assigned and at regular intervals during the Project. Driving attitude, awareness and behaviour is covered in site safety induction.

- A Code of Conduct for Drivers

This code of conduct will be developed in consultation with Galway City Council. A specific regime shall outline conduct to accommodate other non-vehicle road users (i.e. cyclists/pedestrians).

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#### 4.18 Land Development Agency

The Applicant acknowledges the submission by the Land Development Agency confirming its support for the Project and confirming that the relocation and expansion of port activity is beneficial to unlocking the long – term regeneration potential of the strategically located Galway City centre landbank. The Applicant notes that the Land Development Agency hopes that ABP reach a favourable decision for the Project, noting significant local, regional and national benefits for the regeneration and sustainable expansion of Galway City. The development will unlock vital land to provide sustainable development in a strategic area, while also facilitating improved economic opportunities for the region.

#### 4.19 Transport Infrastructure Ireland;

The submission of Transport Infrastructure Ireland (being the operational name of the National Roads Authority to whom the functions of the Railway Procurement Agency have been transferred pursuant to Section 7 of the Roads Act, 2015) is noted which confirms that that body has no specific observations to make in relation to the Further Information.

#### 4.20 Vincent Connell (Galway Bay Inshore Fishermen's Association)

In response to the issue regarding the suggested importance of the area of the Project to the local fishing fleet, the Applicant would like to state that these general queries have already been addressed in previous submission responses in the past and at the oral hearing of 2015.

With regard to the suggestion that the area is “*the recognised nursery area for the entire Galway Bay shrimp fishery*” asserted in the submission, this is not correct and larval shrimp are found all along the coast where weed-cover rocks and overhangs are present. There is no specific “nursery” area for shrimp in Galway Bay. In particular, the footprint of the Proposed Development or the areas adjacent to same are not of any particular importance as a nursery area for juvenile shrimp and this has not been so found or recognised in any scientific or other assessment.

The Applicant points out that the proposed areas to be managed in Tawin are indeed within the Galway Bay complex, and the quality and condition of these priority habitats will be improved by the proposed compensatory measures which go beyond the normal measures required in relation to a European Site as dealt with previously in the response to the submission from An Taisce above.

In relation to the compensatory measures involving control of the invasive species *Didemnum*, the Applicant would like to bring attention to the Compensatory Measures Plan, Accompanying Measures and Additional Environmental Benefits July 2022, report.

In Section 2.1.3, Objective 1 of the Compensatory Measures Plan (contained in Appendix I-2 of the NIS submitted in September 2024), a specific approach is set out for the control of the non-native tunicate species *Didemnum* in Mweeloon Bay. This approach is based on the 2018 report by O'Brien & Crowe – “Management options for the invasive ascidian *Didemnum vexillum*, Mweeloon Bay, Co. Galway” included in Appendix 9 of the

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Compensatory Measures Report April 2019. The efficacy of the control regime will be measured by the Abundance and Distribution Range method (ADR) (Olenin *et al.*, 2007), which combines data on both the abundance and the distribution of species and has been used in previous studies to assess *Didemnum* populations (Cottier-Cook *et al.*, (2019)). A photographic survey will be carried out to visually document the population and distribution of the species before the control practice commences and on an annual basis post-commencement. To measure progress there will be an expected statistically significant reduction in its densities 5 years post-removal (to within circa 50% of the starting value) using this analysis. Specific methods and thresholds are laid out in Section 2.1.3 of the Compensatory Measures Plan. It is proposed to carry out this *Didemnum* control regime throughout the entire reference site. This is to ensure that, if populations are left in close proximity to the fallow site, they cannot re-infest the fallow area.

The cultivation of oysters on trestles causes organic enrichment from the accumulation of faeces and pseudofaeces (undigested particles expelled by oysters) beneath the trestles. This can alter the structure and function of the benthic communities. Additionally, heavy vehicles access to sites for aquaculture operations causes sediment compaction impacts. Fallowing of the sites will allow benthic communities to return to their natural state. The issues raised around the authority to fallow oyster trestle sites and implement nature friendly farming practices are not valid – the authority arises due to the purchase of lands by the Applicant and licences associated with oyster culture and adoption of organic farming principles monitored by an annual auditing survey to ensure adherence.

While litter picking may be an activity that local fishermen are already engaged in, the proposed coordinated, and ongoing effort led by the Applicant (see Section 2.1.6. of the Compensatory Measures Plan) will lead to a much greater combined impact on maintaining the cleanliness of the area. This is only one of many compensatory measures set out by the Compensatory Measures Plan.

#### **4.21 Western Development Commission**

The Applicant notes the Western Development Commission's submission which outlines its support for the Project. The submission confirms the view of the Western Development Commission that the Port of Galway is a key infrastructure asset with a significant role to play in the economic development of the Region. Furthermore, the Project has the potential to establish itself as a strategic hub for renewable energy development. Development of the Project will contribute to a resilient marine infrastructure and enable the Region to maximise the opportunities presented by the marine economy, as well as broader regional development goals.

#### **4.22 Galway City Council**

As noted by Galway City Council, and indeed as addressed at Chapter 2 of the EIS Addendum, the *Galway City Development Plan 2023-2029* has been adopted since the application was first lodged. Furthermore, it is acknowledged that the Proposed Development aligns with the current City Development Plan and its policies regarding the development of the Port of Galway. Specific reference is made to 'Policy 4.7 Galway Port', 'Policy 6.9 Marine Sector & Renewable Energy' and the Northern & Western Regional Assembly's *Regional Spatial & Economic Strategy 2020-2032* 'RPO 4.36'. The Applicant confirms that the Project accords with the policy objectives contained in the current development plan as identified by Galway City Council in their submission.

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#### 4.23 Uisce Éireann

Uisce Éireann's submission has been prepared with due regard to its obligations to provide public water services, protect existing and future public infrastructure to support growth, and align with various Statutory Local Area Plans and County Development Plans. This submission also considers the plans and particulars of the application, including the EIS. Additionally, Uisce Éireann acknowledges the existing water and wastewater infrastructure in the area. The observations provided by Uisce Éireann appear to comprise standard pre-commencement procedures, and the Applicant accepts these standards and procedures and acknowledges and accepts the observations of Uisce Éireann.

### 5 CONCLUDING REMARKS

The above responses outline that the concerns raised have been fully addressed in the application.

There have been many positive submissions outlining the strategic importance of the Project. The need for the development has been clearly outlined previously, including in ABP's Statement of Case. ABP effectively recommended that the Proposed Development should be given consent for imperative reasons of overriding public interest (IROPI), in their letter dated 24 March 2021.

Since the application was originally lodged in 2014, the Project has been carefully considered and assessed and has undergone the IROPI process regarding the provision of Compensatory Measures and on receipt of confirmation of the adequacy of the proposed Compensatory Measures from the respective Ministers in 2024, ABP requested Further Information regarding the passage of time since the original application.

An EIS Addendum and NIS Addendum have been prepared in accordance with ABP's request. Consultation has taken place with both prescribed bodies and the public. Further to the submissions above, this response document clarifies all general queries raised during the consultation period.

Given the passage of time related to this case and the imperative reasons of overriding public interest in developing the Project, the Board is respectfully requested to carry out its review of this response, the earlier submissions and other EIA and AA and planning documentation already submitted with all due expedition.

# **Galway Harbour Company**



## **Galway Harbour Extension - PA0033**

### **Response to Submissions Report**

**17 April 2025**



An Bord Pleanála (Ref: 61.PA 0033)

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## 1 INTRODUCTION

Galway Harbour Company (the **Applicant**) acknowledges receipt of the letter sent by An Bord Pleanála (ABP) dated 7 March 2025 with regard to the application for planning permission for the Galway Harbour Extension Project (Case Reference: PA.0033) (the **Project / Proposed Development**) which was originally submitted on 10 January 2014 and in relation to which, at ABP's request, an updated EIS Addendum was submitted on 27 September 2024 (the **EIS Addendum**).

This document comprises the response of the Applicant to the main issues raised in the submissions received by ABP during the 8-week statutory consultation period which ran from 6 December 2024 to 7 February 2025. The Applicant has carefully reviewed the entirety of the submissions made in respect of the Project. This response document is intended to address the relevant points of concern raised in the submissions received and any failure by the Applicant to address any specific issue or point raised in any submission is not to be taken or construed as acceptance of same.

### Report Structure

This report is structured as follows:

- Review of applicable policies.
- An overview of the submissions and the key themes raised is provided in Section 3.
- Responses to the main issues raised in each submission is contained in Section 4.

## 2 REVIEW OF APPLICABLE POLICIES

There are no changes of law of relevance to the Project since the EIS Addendum was submitted on 27 September 2024. The vast majority of the Planning and Development Act 2024 has not been commenced, and even when commenced is not likely to affect the consideration of the Project.

It is noted that on 5 November 2024, the Government agreed to publish a draft schedule of amendments to the First Revision of the National Planning Framework (NPF). Since then, the revised NPF has undergone the necessary environmental assessments including the Strategic Environmental Assessment, Appropriate Assessment, and Strategic Flood Risk Assessment and on 8 April 2025, the Government approved the final version of the revised NPF. However, at the time of writing, the revised NPF remains subject to approval by both Houses of the Oireachtas before it can formally replace the existing framework. Chapter 2 of the EIS Addendum considered the pertinent NPF policy objectives, and the conclusion of that report remains valid.

In addition, the Climate Action Plan 2025 has just been published, i.e., on 15 April 2025.

The findings of the cumulative impact assessment undertaken as part of the EIS Addendum also remain valid. The status of the proposed N6 Galway City Ring Road, which is currently under consideration by ABP (Ref: HA07.318220), remains the same.

## 3 SUMMARY OF SUBMISSIONS

Submissions were received from the following 23 consultees during the statutory consultation on the planning application for the Project:

- An Taisce – Galway Association;
- Commission for Railway Regulation;

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- Developmental Applications Unit – Department of Housing Local Government and Heritage;
  - Developmental Applications Unit – Government Offices;
  - Dr James McCarthy;
  - Environmental Protection Agency;
  - Galway Bay Sailing Club;
  - Galway Chamber of Commerce;
  - Health and Safety Authority;
  - Health Services Executive;
  - IBEC;
  - Inland Fisheries Ireland;
  - JFC Manufacturing Company Limited;
  - Maritime Area Regulatory Authority;
  - Northern and Western Regional Assembly;
  - Platform 94;
  - Shane Foran;
  - Land Development Agency;
  - Transport Infrastructure Ireland;
  - Vincent Connell (Galway Bay Inshore Fishermen's Association)
  - Western Development Commission
  - Galway City Council;
  - Uisce Éireann.

#### **Main issues raised in submissions**

Of the twenty-three responses received, ten were supportive of the Project and were in favour of a grant of planning permission. An additional nine submissions were also supportive or neutral in relation to the consenting of the Project while containing recommendations or proposing that certain conditions should be attached to the granting of planning permission. Four submissions expressed concern or were against the granting of consent. These included issues relating to potential flooding and storm surge risks, water and wastewater capacity issues, traffic measures, potential impacts on cycling in the area, climate impact and the suitability of compensatory measures and concerns about impacts on fishing.

The Applicant has read and reviewed the entirety of the submissions made in respect of the Project. This response document is intended to address the main points of concern raised in the submissions received and, as noted above, any failure by the Applicant to address any specific issue or point raised in any submission is not to be taken or construed as acceptance of same.



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## 4 RESPONSE TO SUBMISSIONS

### 4.1 An Taisce – Galway Association

#### 4.1.1 Issue 1

An Taisce refers to the decision of the High Court in *Coolglass v An Bord Pleanála* [2025] IEHC 1 (**Coolglass**). The decision confirms the higher obligation on public authorities, including planning authorities, to grant permission for projects which contribute to achieving climate goals in line with Section 15 of the Climate Action and Low Carbon Development Act 2015, as amended.

The An Taisce submission fails to take account of the positive impact the Project will have on Ireland achieving its climate goals. This has been noted in Chapter 11 of the EIS and confirmed in the EIS Addendum submitted in September of 2024 at Section 11.4 – see below:

*“In relation to operational impacts, as noted in the original chapter, transport of freight by sea has a significantly lower carbon footprint than other means. The overall proposal will reduce CO2 emissions below projected emissions from overall transport of materials into the region if Galway Harbour Extension was not to proceed. In line with CO2 emissions, other airborne pollutants will also reduce and the overall climatic impact of the proposed development is positive. When aligned with the rail proposal at the new port, when same is viable, there may be further reductions possible. The Galway Harbour Extension will reduce CO2 emission levels below current levels by enabling larger vessels with lower specific emission levels to access the Port. As noted in the original EIS, the quantity of CO2 emitted from Port operations has been outlined in Chapter 9 Air Quality (2014). By utilising the regional Port of Galway and transporting goods by sea to the region, the carbon footprint of those goods is considerably reduced. As outlined in EIS Chapter 9 (2014), Do-Nothing Scenario, the alternative transportation of goods by road from Foynes, Cork or Dublin would result in significantly higher CO2 emissions. The Global Warming Potential “GWP” and potential carbon emissions have been updated in the Carbon Life Cycle Assessment report which validates this statement. As discussed in EIS Chapter 9 (2014) the option of diverting freight to other ports is a complex issue requiring full origin-destination datasets to carry out a detailed analysis. What is beyond question, however, is that the option of having a regional port with 24-hour marine access and both rail and road links to the region has the potential to significantly reduce CO2 emissions in the longer term.”*

Section 11.5 of the EIS Addendum, Chapter 11 confirms that the Project in question will give rise to less carbon emissions than the Do-Nothing scenario, in circumstances where the Do-Nothing scenario would result in an 11% higher emissions of Carbon Dioxide equivalent (CO2e).

Accordingly, the decision in *Coolglass* supports the granting of permission for this project<sup>1</sup>. Same remains the position having taken the construction impacts into account. Furthermore, even if the Project did give rise to an increase of emissions, the High Court in *Coolglass* commented (at paragraphs 130, 132 and 133) that the Board's obligation to

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<sup>1</sup> It is understood that the decision is currently under appeal.

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use its powers favourably in its adjudication on renewable energy infrastructure applications does not automatically mean that there is an obligation to refuse planning permission for developments that cause emissions. On this point, the Court commented that the concept of net zero implies a continuing necessity for some emissions in the short term at least. The Court said this relates to the fact that pending complete adaptation of the economy, there will be other imperatives of economic necessity that require projects that, in and of themselves, wouldn't support climate goals in isolation. The Court also noted that, even if a project is not in itself driven by a climate imperative, it is important to be conscious of displacement effects of refusal.

On this point, the Court concluded that, *"...it doesn't automatically follow from a pro-renewables interpretation that there must be, say, an anti-cheese factory interpretation, an anti-data centre interpretation or an anti-LNG storage interpretation. The trade-offs and displacement effects would need to be considered."*

Thus, in light of the manifest benefits of this project in reducing greenhouse gas emissions by enabling transport by larger ships to the region and facilitating inter-modal transport as well as the proposed port extension supporting the development of onshore and off-shore renewable energy, the decision of the High Court in Coolglass supports the grant of permission for the Project and certainly does not support an objection to the Project.

#### **4.1.2 Issue 2**

In relation to other ports, the main alternatives for the Proposed Development have been addressed and properly considered in Chapter 3 of the EIS and the Addendum to same and were considered as part of the oral hearing into the Project and the Board's consideration of the matter at that time. As set out in the EIS Addendum, - 'Chapter 3 Alternatives', the findings and conclusions remain valid and Chapter 3 of the EIS contained a description of the main alternatives studied and the reasons for choosing the Proposed Development, taking into account the environmental effects.

#### **4.1.3 Issue 3**

The rail link is included in Proposed Development to ensure that the Project is future proofed for rail freight and sustainable modes of transport as and when required. The adjacent railway provides the ideal opportunity for a rail connection for viable freight transport. While a rail link from the Proposed Development is not contained in Iarnród Éireann's Rail Freight 2040 Strategy, the Project has been designed to facilitate same should a decision be made by Iarnród Éireann to provide this and the Project is thus future proofed in this regard.

#### **4.1.4 Issue 4**

Climate change, sea level rise and the effects that these could have on the Project have all been taken into account in the design of the Project. The current guidance in Ireland is to design to the 200-year coastal flood event and 100-year fluvial with climate change allowance. The Mid-Range Future Scenario (MRFS) allowance for Ireland is currently 0.5m sea level rise and the High Emission Future Scenario (HEFS) is a 1m sea rise. A full review of climate change allowance requirements is presented in the EIS Addendum at Section 8.6.8 and Sub-Section 8.6.8.3 specifically deals with sea level rise. The allowances incorporated in determining the finished levels in this project are appropriate taking into account that it is a sea harbour development. Such harbour developments are deemed, based on the Planning System and Flood Risk Management - Guidelines for Planning Authorities (November 2009), to represent water-compatible type development and are

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suitable for location in high flood risk zones. As such, the harbour quay finished levels need to be, and have been designed to be, operational for shipping at a practical finished level.

In particular, notwithstanding the classification of the Project as "water compatible type development", the proposed Quay level is designed to be 4.70m OD, which provides 0.51m freeboard on top of the predicted 200-year tidal storm surge flood level of 4.19m OD. Compared to the 2-year return period coastal flood level (i.e. on average occurring once every 2 years) the proposed finished height of the quay at 4.7m OD provides 1.4m clearance above such a flood level. Furthermore, as designed and assessed in the original EIS all harbour offices and commercial buildings will have finished floor levels set at a minimum of 5.5m OD which provides 1.3m freeboard over the 200-year design coastal flood level and easily accommodates the HEFS Scenario of a 1m sea level rise in the longer-term future. Therefore, the Project is suitably designed for future climate change impacts and uncertainty. In conclusion, location-specific appropriate climate change considerations for the new Harbour specific to Ireland have been incorporated in the design to ensure sustainability of the Project well into the future.

#### 4.1.5 **Issue 5**

In relation to recent storm events along the Galway coast, the EIS Addendum, furnished in September, 2024, includes the recent historical maximum recorded tidal flood level of 3.78m OD recorded at the Port of Galway gauge on 13 November 2023 (Storm Debi). The most recent Storm Surge event associated with Storm Éowyn on 24 January 2025 produced a peak tidal flood level of 2.673m OD Malin.

A full review of the design tides for the Port of Galway, with the analysis updated to include the more recent tidal information since the original EIS publication, is contained at Section 8.6.6 of the EIS Addendum and, specifically, at Section 8.6.6.1. This update has also included the more recent OPW Irish Coastal Wind and Wave Study (ICWWS) by RPS (published Nov 2020) which was an update to the Irish Coastal Protection Strategy Study (ICPSS), (refer to Section 8.6.6.2 of the EIS Addendum). The estimated present day 200-year tide level from the updated assessment is 4.040m OD Malin with an upper 67-percentile limit of 4.194m OD Malin. The historical maximum observed tidal flood level at the Port of Galway is 3.78m OD associated with the Storm Debi event on 13 November 2023.

The recent Storm Éowyn event on 24 January 2025 produced a significant storm surge event which coincided with a neap tide period. The effect of strong westerly winds associated with deep low pressure tracking westward across the Atlantic produced this event with a peak tide level occurring some 4 hours after the astronomical highwater was predicted. The profile of the storm surge as presented in the An Taisce submission is an over simplistic representation, based merely on the difference in the predicted tide subtracted from the actual recorded tide and same suggests that at its peak it was of the order of 2.7m. However, the impact of a storm surge alters the timing of highwater and the retreating ebbing tide and consequently the type of exercise shown in the An Taisce submission exaggerates the storm surge component when calculated by subtracting the forecasted Astronomical tide from the observed tide. The actual skew surge magnitude (difference between forecasted high water and recorded highwater) for this event was c. 1.8m. The Oranmore gauge which is not influenced by neap tides suggest a peak surge for this event of less than 1.9m.

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Had this Storm Éowyn event coincided with a mean spring tide at the same tidal stage as the recorded event, the peak tidal flood level would only have been c. 3.29m OD which is less than a 5-year flood event. In a worst-case scenario, if it had coincided with a mean spring tide exactly at high water, then the peak flood level using the estimated surge profile could have reached 4.83mOD Malin.

Storm surge events are meteorological events and independent of the astronomical tides, and thus independent of both the tidal cycle (neap, mean or springs) and the stage of the tide cycle. The combination of such a significant storm surge event culminating in an extreme tidal flood event requires the timing in the first instance of the storm surge with a spring tide period and also with highwater and for Storm Éowyn the local winds had to also have come around from the west to the south at the time of the surge peak. Such an alignment of factors is extremely rare representing a very low combined probability. For example, spring tides exceeding 2m OD Malin occur less than 33% of the time and the critical tidal stage, allowing conservatively 4 hours period around highwater, represents a probability of 32% on a typical tidal period. Therefore the combined probability of a 200-year extreme storm surge event coinciding with mean spring tide and with the critical 4-hour period around highwater represents approximately a 1 in 2000-year event (a factor of 10 greater than a 200-year design flood event) and this return period does not include the probability of the local wind set-up coming around from the south that occurred as the low pressure arrived in inner Galway Bay.

The recommended 200-year coastal flood level of 4.2m OD is valid and is supported by robust analysis including findings from the OPW Irish Coastal Wind and Wave Study ICWWS published in November 2020. The frequency analysis of the recorded annual maximum coastal flood levels recorded at relevant gauges used in the assessment and the ICWWS, inherently represent the combined probability of the astronomical tide with the Atlantic storm surge and wind set-up. The recommended 200-year coastal flood level of 4.194m OD Malin is robust and represents a flood level typically 2m above mean spring highwater level of 2.155m OD.

In conclusion, the proposed operational Quay level of 4.7m OD and the proposed minimum finished floor level of 5.5m OD Malin for the commercial buildings are at such elevation as to ensure long-term sustainability for the Project whilst meeting the operational requirements of a working quay.

#### 4.1.6 **Issue 6**

The Proposed Development is independent of and not reliant upon the completion of the Corrib go Cósta Flood Relief Scheme or any other flood relief schemes or works. In particular, the proposed development is not dependent on any other schemes relating to flood defences for Galway City. The proposed new harbour layout and design does not compromise any potential flood relief options that might be considered for the city. Importantly, the Proposed Development will not exacerbate coastal and estuarine flooding and flood risk. This impact assessment has been supported by robust analysis of the potential hydrodynamic impact of the Proposed Development on tidal storm surges, river flood flows and wave climate. In this respect, please refer to the EIS Water Chapter 8 at Section 8.4.2 – Hydrodynamic Analysis and specifically Sub-Section 8.4.2.5, Section 8.4.6 – Wave Climate Analysis and specifically Sub-Section 8.4.6.7 and Section 8.4.7 - Flood Risk Assessment, specifically Sub-Sections 8.4.7.9 and 8.4.7.10. Furthermore, this original analysis was reviewed by an independent marine expert on behalf of ABP who attended the oral hearing for the scheme. The EIS Addendum reviewed the design Corrib Flows, Tides, Storm Surge and Waves and found that the inputs to the original 2014 EIS

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report and modelling remain valid. Refer to Sections 8.6.6 to 8.6.10 of the EIS Addendum for this assessment.

#### 4.1.7 **Issue 7**

The Applicant points out, as previously demonstrated, that the quality and condition of the priority habitats proposed to be managed in Tawin as part of the compensatory measures proposed by the Applicant, will be significantly improved by the proposed management programme. The compensatory measures are additional to actions that are normal practice under the Birds or Habitats Directive or those actions that the State may be obliged to do by reason of European Law. The measures here are far beyond the implementation of a management plan or the proposal or designation of a new area already recorded as being of community importance. In this case, the measures are a positive intervention and are intended to and designed to offset the impacts of the Project so that the overall ecological coherence of the Natura 2000 Network is maintained. The conclusion as contained in the NIS Addendum, which is accepted as being supported by the available information by the Development Applications Unit of the Department of Housing, Local Government and Heritage in its submission to the Board, is that there will be *"no additional significant impact to Galway Bay SAC"* and same is based on updated surveys.

The Compensatory Measures Plan, Accompanying Measures and Additional Environmental Benefits July 2022, report which is to be found in Appendix I-2 of the NIS for the Project contains specific and measurable commitments.

It is entirely appropriate to include a proposal to improve a substandard habitat such as that at Tawin as part of the compensatory measures to be proposed. Indeed and as is noted in the Applicant's Compensatory Measures Plan, the EU Guidance note in relation to Article 6 of the Habitats Directive (2018) expressly provides that; *"...the compensation could, similarly, consist of the re-creation of a comparable habitat or the biological improvement of a substandard habitat within an existing designated site..."*.

In Section 2.1.3, Objective 1 of the Compensatory Measures Plan, a specific approach is set out for the control of the non-native tunicate species *Didemnum* in Mweeloon Bay. The measurement of the effectiveness of same will be done by the Abundance and Distribution Range method ("ADR") which combines data on both the abundance and the distribution of species and will readily and quickly show the effectiveness of the control regime. A photographic survey will be carried out to visually document their population and distribution of the species before the control practice commences and on an annual basis post-commencement. To measure progress there will be an expected statistically significant reduction in its densities 5 years post-removal (to within *circa* 50% of the starting value) using this analysis. Specific methods and thresholds are laid out in Section 2.1.3 of the Compensatory Measures Plan.

In Section 2.1.4, Objective 2 of the Compensatory Measures Plan a specific approach is set out for the permanent fallowing of sites in Mweeloon Bay that are currently used for farming oysters. The positive effects of same will include the elimination of tractor traffic to and from the sites. Specific methods and thresholds are laid out in Appendix A of the Compensatory Measures Plan.

Success of this aspect of the compensatory measures is defined as the stabilisation of the benthic fauna at the fallow sites and on the former access routes in comparison to what is present at the trestle and access route to Reference Site 1.

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In Section 2.1.4, Objective 3 of the Compensatory Measures Plan a specific proposal is set out for the implementation of nature friendly farming practices that, besides having a beneficial effect on terrestrial habitats, can have a beneficial effect on intertidal marine ecology. Specific methods and thresholds are laid out in Appendix A of the Compensatory Measures Plan and same follows the same methodology and indicators laid out for the fallowing of oyster culture sites. As is noted in the Method section, a much longer time scale (decadal) is required to demonstrate this and, as the response may be masked by a more dominant variable, it is not possible to set a threshold level for this target but same will lead to positive ecological impacts.

Section 2.1.6, Objective 4 of the Compensatory Measures Plan outlines the methodology for Collection and disposal of anthropogenic litter and rubbish from within the Compensatory Area. This will be implemented 3 months after Final Grant of Satisfactory Planning Permission (and every 3 months thereafter) and immediately after a Force 9 or greater storm event. Setting a specific percentage or absolute target for litter removal from an intertidal area over an ongoing period is not possible because the accumulation of litter can be highly variable due to factors such as tides, weather conditions, human activities, and external sources of pollution, making it difficult to predict. Again, that does not detract from the positive ecological impacts arising from this measure.

#### **4.1.8      *Issue 8***

In relation to wastewater and water, Uisce Éireann is the prescribed body for the provision of wastewater and watermain infrastructure. Uisce Éireann have been consulted at all stages of the design of the Project.

In its submission dated 7 February 2025 Uisce Éireann confirmed the proposed connection details and raised no concerns in relation to existing infrastructure or connection to same.

In this submission Uisce Éireann outlined their standard conditions such as further engagement being required prior to commencement of any development which the Applicant accepts, and the Applicant confirms that it will engage with Uisce Éireann as requested.

#### **4.1.9      *Issue 9***

In relation to climate and carbon cycle, a comprehensive life cycle carbon assessment has been conducted by a team of experts on behalf of the Applicant. The model used for the analysis and evaluation is robust, with all figures and calculations clearly documented in the Carbon Life Cycle Assessment Report contained at Appendix 11.1 of the EIS Addendum 2024.

As is demonstrated in the EIS Addendum, the carbon footprint of the Project will be reduced with careful design, appropriate material selection, monitoring of the carbon footprint through the design stages and construction, utilising carbon efficient construction methods, reducing energy consumption and reducing the carbon footprint associated with transportation of the goods.

It has been estimated that the Proposed Development would account for 10.26 kt CO<sub>2</sub>e per annum which equates to c. 2.1% of Galway City's baseline 2018 annual Carbon Dioxide emissions (493,503 tonnes).

As the 2030 target for Galway will decrease to 51% of 2018 baseline emissions, the associated impact of CO<sub>2</sub> emissions from the Port would represent a larger percentage

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proportion of the reduced target. However, An Taisce has not accounted for the impact on CO2 emissions from a “do-nothing” scenario for Galway City and the wider Galway Region.

The Proposed Development will reduce the number of road traffic movements into the region and reduce the need to rely on road transport to and from alternative ports (Dublin, Foynes and Cork) to Galway and its environs. It has been outlined in Chapter 11 of the EIS Addendum that the Proposed Development will result in savings in emissions over and above the “Do-nothing” scenario, which would result in 11% higher emissions of CO2.

#### **4.2 Commission for Railway Regulation**

The Commission for Railway Regulation's submission outlines its support for the Project. The Applicant wishes to emphasise that there was extensive collaboration and engagement with Iarnród Éireann from the early stages of the Project and this will continue as suggested.

The observations provided by the Commission for Railway Regulation are standard pre-commencement and construction/operational procedures, and the Applicant welcomes, acknowledges and accepts the observations.

#### **4.3 Developmental Applications Unit – Department of Housing Local Government and Heritage (DAU)**

The Applicant notes and appreciates that the DAU's submission acknowledges with approval, the extensive examination, analysis, and the additional updated surveys carried out by the Applicant.

#### **4.4 Developmental Applications Unit – Government Offices**

The Applicant acknowledges and welcomes the archaeological observations/recommendations of the Developmental Applications Unit - Department of Housing Local Government and Heritage, dated the 7<sup>th</sup> of February, 2025. The Applicant confirms that it accepts the observations and recommendations contained within same.

#### **4.5 Dr James McCarthy**

The Applicant notes that the submission by Dr James McCarthy outlines queries and concerns in relation to climate change and environmental elements, land reclamation/infill, flood elements, wastewater and water, and the need for the Project.

In relation to the ecosystem of Inner Galway Bay, including the Galway Bay Complex SAC and Inner Galway Bay SPA, the Applicant confirms that a full assessment of the impacts on Galway Bay Complex SAC and Inner Galway Bay SPA was carried out as a part of the EIS and NIS (Natura Impact Statement) processes. The Compensatory Measures Plan document was created in consultation with the National Parks and Wildlife Service (NPWS) to compensate for the loss of habitat addressed in the NIS and is considered by the NPWS to be satisfactory.

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In relation to the design of the Project and how same has been designed to take account of climate change and flood events, it is noted that the submission refers to Storm Éowyn in January 2025 and suggests that there was a large storm in 2024. The submission under reply of Dr McCarthy is incorrect in this regard and there were no significant tidal storm events in 2024. It appears likely that the reference to a 2024 event should have been a reference to the Storm Debi event that occurred on 13 November 2023. This Storm Debi event is in fact included in the updated tidal analysis for the 200-year design flood level, refer to Section 8.6.6 and specifically to Section 8.6.6.1 of the EIS Addendum.

The Flood Risk for the Project has considered the current OPW (which is the National Flood Risk Management Agency) Flood Risk Management – Climate Change Sectoral Adaptation Plan. The current guidance in Ireland is to design to the 200-year coastal flood event with climate change allowance. The Mid-Range Future Scenario (MRFS) allowance for Ireland is currently 0.5m sea level rise and the High Emission Future Scenario (HEFS) is a 1m sea rise. A full review of climate change allowance requirements is presented in the EIS Addendum Section 8.6.8 and specifically to sea level rise in Section 8.6.8.3 and such allowances are appropriate for the nature of this Proposed Development. The Proposed Development is to be an operational maritime harbour. Such harbour facilities are defined by the Planning System and Flood Risk Management - Guidelines for Planning Authorities (November 2009) to represent water compatible type development and suitable for location in high flood risk zones. As such, the harbour quay finished level needs to be operational for shipping. Furthermore, as designed in the original EIS all harbour offices and commercial buildings will have a minimum finished floor level set at 5.5m OD which provides 1.3m Freeboard over the 200year design flood level and easily accommodates the HEFS Scenario of a 1m sea rise. Therefore, the Proposed Development is suitably designed for future climate change impacts and uncertainty. In conclusion, appropriate climate change considerations for the Project have been incorporated in the design to ensure sustainability of the Proposed Development into the future.

In relation to the quantities of infill material that will be needed for the Project, the construction methods proposed consist of the beneficial re – use of all of the dredged material for the land reclamation i.e. there will be no dumping at sea and the internal land reclamation materials will be “site – won”. This is the most sustainable method of construction for the Project.

The optimum overall method of construction has been adopted and will be carried out in the construction of the Project if approved by the Board.

In relation to the need for the Project, the Applicant would draw the attention of the Board not only to the EIS and Addendum to same but to the many submissions from the relevant boards and bodies in support of the Project.

As per ABP’s Statement of Case issued to the Minister for Housing, Local Government and Heritage dated 24 March 2021, it is stated that,

*“The Board concluded that, in overall terms, the proposed extension to Galway Harbour represents an integrated development that enhances the social, economic and recreational benefits of the port for the benefit of the population of Galway and its regional hinterlands.*

*Given the current constraints affecting the existing operations at the Galway Port, including its tide dependency, limited berthage and ship size allowed, the enhancement of port facilities within the city by a public company and the provision*



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*of modern, efficient marine and associated transport services will significantly improve transportation infrastructure for the region, and also aligns with the European transportation policy of promoting "short-sea shipping" as a cost-effective and environmentally sustainable alternative to road transport.*

*In the absence of the proposed port expansion and the evolution of both commercial and transport services to Galway City and its wider hinterland, it is likely that the port's role will further deteriorate in terms of its capacity to fulfil its regionally significant status and will also hamper the growth of Galway City as the major urban centre serving the western and northwestern parts of the country. Failure to upgrade and modernise the necessary commercial and ancillary marine services that a coastal city expects to be able to rely on would potentially disadvantage the city in terms of its competitiveness with other Irish cities and with comparable urban centres abroad, and would be likely to result in lost investment and development opportunities, with both economic and social consequences for Galway's residents and businesses, as well as a wider negative impact across the region."*

The recommendation, and reasons for same, that the Proposed Development should be given consent for imperative reasons of overriding public interest (IROPI), in the letter to the Minister referred to above remain entirely accurate and applicable.

#### **4.6 Environmental Protection Agency**

The Applicant welcomes the Environmental Protection Agency (EPA) submission which confirms the procedures to be adopted should a Wastewater Discharge Licence or Dumping at Sea Permit be required.

The Applicant confirms that no Wastewater Discharge Licence will be required for the Proposed Development and that no Dumping at Sea Permit is envisaged to be required in respect of the Proposed Development. The Applicant confirms, that if there is a determination that any activity requires a licence or permit from the EPA, then any licence required will be duly obtained and complied with.

#### **4.7 Galway Bay Sailing Club**

The Applicant notes and appreciates that Galway Bay Sailing Club's submission confirms the Club's support for the Project and confirms that the proposed expanded Port of Galway is a key infrastructure asset with a significant role to play in facilitating recreational and competitive sailing activities.

#### **4.8 Galway Chamber of Commerce**

The Applicant notes and appreciates the submission of Galway Chamber of Commerce which confirms that organisation's strong support for the Project. As noted in the submission the Port of Galway is a key infrastructure asset and is fundamental to the sustainable growth of the city and the broader region. The submission notes that the strategic location of Galway along the western seaboard positions it as a key contributor to national objectives

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outlined in national legislation such as energy and infrastructure development. The submission also confirms that the development of the Port of Galway as a commercial entity and a centre for marine leisure, ocean energy, and tourism will be a key economic driver, central to the continued development of Galway City and the surrounding regions.

#### **4.9 Health and Safety Authority**

The Health and Safety Authority (HSA) submission outlines its standard comments regarding the Project, which accords with matters discussed at previous consultations. The HSA's observations/recommendations are welcomed, and the Applicant acknowledges and accepts same.

#### **4.10 National Environmental Health Service of the Health Service Executive (HSE)**

The Applicant notes the HSE National Environmental Health Service's submission lists recommendations/observations in relation to public consultation, soils, surface water and groundwater, air quality, and noise and vibration. The recommendations/observations are in accordance with the mitigation measures provided in the EIS. The Applicant accepts these recommendations/observations.

#### **4.11 IBEC**

The Applicant notes and appreciates the submission of IBEC which confirms that organisation's support for the Project. The submission outlines that the Port of Galway is a key infrastructure asset and is of critical importance. The submission also confirms that Port expansion will be key to maintaining continued economic success. IBEC also note that the Proposed Development will ensure that the Port remains at the heart of Galway City's economic development while allowing for the redevelopment of the Inner Dock lands currently used for Port purposes. The submission also outlines that national and regional policy recognises the importance of regional ports in serving their hinterlands and in supporting balanced regional development.

The Applicant also notes and confirms that the proposed harbour redevelopment presents a transformative opportunity with benefits for the city, county and wider region. Furthermore, the regeneration of the docks will enable Galway City to develop sustainably whilst achieving a number of broader strategic objectives. As per the submission of IBEC, Galway Harbour Expansion Project will serve as a key determinant of the region's future economic prosperity.

#### **4.12 Inland Fisheries Ireland (IFI)**

The Applicant notes the submissions from Inland Fisheries Ireland which includes the comments of that body regarding the Project which accord with matters previously discussed by the Applicant with IFI at previous consultations. The Applicant acknowledges Inland Fisheries Ireland's observations/recommendations and accepts same. The submission acknowledges that the noise criteria applied in the 2014 EIS incorporated a

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considerable margin of safety and continue to be lower than the current guidance. Indeed, marine fauna criteria were reviewed during the EIS update process. This is contained at Appendix 10-3 of Chapter 10 of the EIS Addendum which states: '*...it is evident that criteria applied in the EIS are lower than the 2014 Popper et al criteria widely applied at present. It follows that EIS criteria continue to incorporate a considerable safety margin, and the EIS findings continue to be valid.*'

#### **4.13 JFC Manufacturing Company Limited**

The Applicant acknowledges the submission by JFC Manufacturing Company Limited which expresses the company's support for the Project. The submission correctly identifies the Port of Galway as a key infrastructure asset with a significant role to play in facilitating improvements for navigation, employment opportunities, and maritime safety.

#### **4.14 Maritime Area Regulatory Authority**

The Applicant acknowledges the Maritime Area Regulatory Authority's submission regarding the Project. The submission outlines the procedures required for the application for Foreshore Lease/Licence and is overall positive with no queries or concerns raised in relation to the planning application. The Maritime Area Regulatory Authority's submission and the points included in same are noted in full by the Applicant.

#### **4.15 Northern and Western Regional Assembly (NWRA)**

The Applicant acknowledges the submission received by the NWRA which makes reference to a number of regional planning policies as set out in Appendix 1 of their submission, including RPO 3.2(a), RPO 3.6.2, RPO 3.6.1, RPO 3.6.4, RPO 3.6.13, RPO 4.5, RPO 4.35, RPO 4.36, RPO 3.9, RPO 3.10, RPO 3.11, RPO 8.18, RPO 8.19. As indicated in the submission, the Project accords with the regional policy objectives in question.

#### **4.16 Platform 94**

The Applicant acknowledges the submission by Platform 94 which sets out that organisation's support for the Project. The Platform 94 submission outlines the strategic significance of the Project from a national, regional, local, and international perspective. The submission confirms that the expansion of the Port of Galway is essential to enhancing the region's global connectivity. The submission states that the Project aligns with key national and regional policies, including Project Ireland 2040, National Development Plan & Regional Spatial and Economic Strategy (RSES) and Renewable Energy Strategy. The submission further states that the successful delivery of the Project will ensure that Galway continues to thrive as a major commercial, innovation, and maritime hub, securing its place as a key driver of regional and national prosperity.

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#### 4.17 Shane Foran

In relation to traffic noise, the Applicant points out that road traffic noise impacts are assessed in Section 10.4.3 of the EIS. In relation to operational phase traffic, the EIS concludes on page 10-45 that: *"The scale of the impact of road traffic noise emanating from the development in 2016 is therefore considered negligible."* And on page 10-48: *"The scale of the impact of road traffic noise emanating from the development in 2031 is therefore considered negligible."*

Appendix 10-1 of the EIS Addendum reviewed the methodology applied in relation to the above. The appendix concludes: *"Road traffic noise changes are commonly assessed in 2024 with reference to DMRB guidance issued in 2020. Application of the guidance does not alter the EIS conclusions, apart from a slight reduction in impact category at the Radisson, now Galmont, Hotel, from moderate to minor."*

In relation to suggested potential traffic impacts from HGVs on cyclists, existing road conditions and collision risk, the revised Mobility Management Framework contained in Chapter 13.5 of the EIS Addendum includes proposed restrictions on Construction Deliveries and other HGV movements to and from the site, which shall be managed outside an extended network peak of 08:00 – 09:30 and 17:00 – 18:30. Deliveries shall avoid a Saturday afternoon from 12 noon, where feasible. It should, however, be noted that exceptions to this are to be expected, such as a case of a large concrete pour, which would require the steady delivery from lorries over a prolonged period of a day. However, the peak period will still be managed by staggering the concrete lorries over a suitable amount of time.

In relation to pavement condition, it is expected that a standard financial contribution will be required from the Applicant for the maintenance of pavements along the proposed haul routes.

The implementation and organisation of traffic management along the specified haul routes has been proposed as an important component of the works to be undertaken and will be given the highest priority during the construction of the Proposed Development.

Such traffic management controls will include:

- Driver assessment and training

This will be regularly conducted to the prescribed standards before HCV drivers are assigned and at regular intervals during the Project. Driving attitude, awareness and behaviour is covered in site safety induction.

- A Code of Conduct for Drivers

This code of conduct will be developed in consultation with Galway City Council. A specific regime shall outline conduct to accommodate other non-vehicle road users (i.e. cyclists/pedestrians).

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#### 4.18 Land Development Agency

The Applicant acknowledges the submission by the Land Development Agency confirming its support for the Project and confirming that the relocation and expansion of port activity is beneficial to unlocking the long – term regeneration potential of the strategically located Galway City centre landbank. The Applicant notes that the Land Development Agency hopes that ABP reach a favourable decision for the Project, noting significant local, regional and national benefits for the regeneration and sustainable expansion of Galway City. The development will unlock vital land to provide sustainable development in a strategic area, while also facilitating improved economic opportunities for the region.

#### 4.19 Transport Infrastructure Ireland;

The submission of Transport Infrastructure Ireland (being the operational name of the National Roads Authority to whom the functions of the Railway Procurement Agency have been transferred pursuant to Section 7 of the Roads Act, 2015) is noted which confirms that that body has no specific observations to make in relation to the Further Information.

#### 4.20 Vincent Connell (Galway Bay Inshore Fishermen's Association)

In response to the issue regarding the suggested importance of the area of the Project to the local fishing fleet, the Applicant would like to state that these general queries have already been addressed in previous submission responses in the past and at the oral hearing of 2015.

With regard to the suggestion that the area is "*the recognised nursery area for the entire Galway Bay shrimp fishery*" asserted in the submission, this is not correct and larval shrimp are found all along the coast where weed-cover rocks and overhangs are present. There is no specific "nursery" area for shrimp in Galway Bay. In particular, the footprint of the Proposed Development or the areas adjacent to same are not of any particular importance as a nursery area for juvenile shrimp and this has not been so found or recognised in any scientific or other assessment.

The Applicant points out that the proposed areas to be managed in Tawin are indeed within the Galway Bay complex, and the quality and condition of these priority habitats will be improved by the proposed compensatory measures which go beyond the normal measures required in relation to a European Site as dealt with previously in the response to the submission from An Taisce above.

In relation to the compensatory measures involving control of the invasive species *Didemnum*, the Applicant would like to bring attention to the Compensatory Measures Plan, Accompanying Measures and Additional Environmental Benefits July 2022, report.

In Section 2.1.3, Objective 1 of the Compensatory Measures Plan (contained in Appendix I-2 of the NIS submitted in September 2024), a specific approach is set out for the control of the non-native tunicate species *Didemnum* in Mweeloon Bay. This approach is based on the 2018 report by O'Brien & Crowe – "Management options for the invasive ascidian *Didemnum vexillum*, Mweeloon Bay, Co. Galway" included in Appendix 9 of the

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Compensatory Measures Report April 2019. The efficacy of the control regime will be measured by the Abundance and Distribution Range method (ADR) (Olenin *et al.*, 2007), which combines data on both the abundance and the distribution of species and has been used in previous studies to assess *Didemnum* populations (Cottier-Cook *et al.*, (2019)). A photographic survey will be carried out to visually document the population and distribution of the species before the control practice commences and on an annual basis post-commencement. To measure progress there will be an expected statistically significant reduction in its densities 5 years post-removal (to within circa 50% of the starting value) using this analysis. Specific methods and thresholds are laid out in Section 2.1.3 of the Compensatory Measures Plan. It is proposed to carry out this *Didemnum* control regime throughout the entire reference site. This is to ensure that, if populations are left in close proximity to the fallow site, they cannot re-infest the fallow area.

The cultivation of oysters on trestles causes organic enrichment from the accumulation of faeces and pseudofaeces (undigested particles expelled by oysters) beneath the trestles. This can alter the structure and function of the benthic communities. Additionally, heavy vehicles access to sites for aquaculture operations causes sediment compaction impacts. Fallowing of the sites will allow benthic communities to return to their natural state. The issues raised around the authority to fallow oyster trestle sites and implement nature friendly farming practices are not valid – the authority arises due to the purchase of lands by the Applicant and licences associated with oyster culture and adoption of organic farming principles monitored by an annual auditing survey to ensure adherence.

While litter picking may be an activity that local fishermen are already engaged in, the proposed coordinated, and ongoing effort led by the Applicant (see Section 2.1.6. of the Compensatory Measures Plan) will lead to a much greater combined impact on maintaining the cleanliness of the area. This is only one of many compensatory measures set out by the Compensatory Measures Plan.

#### **4.21 Western Development Commission**

The Applicant notes the Western Development Commission's submission which outlines its support for the Project. The submission confirms the view of the Western Development Commission that the Port of Galway is a key infrastructure asset with a significant role to play in the economic development of the Region. Furthermore, the Project has the potential to establish itself as a strategic hub for renewable energy development. Development of the Project will contribute to a resilient marine infrastructure and enable the Region to maximise the opportunities presented by the marine economy, as well as broader regional development goals.

#### **4.22 Galway City Council**

As noted by Galway City Council, and indeed as addressed at Chapter 2 of the EIS Addendum, the *Galway City Development Plan 2023-2029* has been adopted since the application was first lodged. Furthermore, it is acknowledged that the Proposed Development aligns with the current City Development Plan and its policies regarding the development of the Port of Galway. Specific reference is made to 'Policy 4.7 Galway Port', 'Policy 6.9 Marine Sector & Renewable Energy' and the Northern & Western Regional Assembly's *Regional Spatial & Economic Strategy 2020-2032* 'RPO 4.36'. The Applicant confirms that the Project accords with the policy objectives contained in the current development plan as identified by Galway City Council in their submission.

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#### 4.23 Uisce Éireann

Uisce Éireann's submission has been prepared with due regard to its obligations to provide public water services, protect existing and future public infrastructure to support growth, and align with various Statutory Local Area Plans and County Development Plans. This submission also considers the plans and particulars of the application, including the EIS. Additionally, Uisce Éireann acknowledges the existing water and wastewater infrastructure in the area. The observations provided by Uisce Éireann appear to comprise standard pre-commencement procedures, and the Applicant accepts these standards and procedures and acknowledges and accepts the observations of Uisce Éireann.

### 5 CONCLUDING REMARKS

The above responses outline that the concerns raised have been fully addressed in the application.

There have been many positive submissions outlining the strategic importance of the Project. The need for the development has been clearly outlined previously, including in ABP's Statement of Case. ABP effectively recommended that the Proposed Development should be given consent for imperative reasons of overriding public interest (IROPI), in their letter dated 24 March 2021.

Since the application was originally lodged in 2014, the Project has been carefully considered and assessed and has undergone the IROPI process regarding the provision of Compensatory Measures and on receipt of confirmation of the adequacy of the proposed Compensatory Measures from the respective Ministers in 2024, ABP requested Further Information regarding the passage of time since the original application.

An EIS Addendum and NIS Addendum have been prepared in accordance with ABP's request. Consultation has taken place with both prescribed bodies and the public. Further to the submissions above, this response document clarifies all general queries raised during the consultation period.

Given the passage of time related to this case and the imperative reasons of overriding public interest in developing the Project, the Board is respectfully requested to carry out its review of this response, the earlier submissions and other EIA and AA and planning documentation already submitted with all due expedition.