



**NICHOLAS
O'DWYER**

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9th October 2019

The Secretary
An Bord Pleanála
64 Marlborough Street
North City
Dublin 1
D01 V902

AN BORD PLEANÁLA

Our Ref: 20606.1/cor/LMG09102019

LDG- _____
ABP- _____

09 OCT 2019 *DOT*

Fee: € _____ Type: _____

Time: 15:32 By: Hand

Re: Environmental Impact Assessment ("EIA") Screening Referral for the proposed Merville Sewerage Scheme

A chara,

Irish Water proposes to construct a new sewerage scheme for Merville, to serve a Population Equivalent (PE) of 3,500, consisting of a wastewater treatment plant at Carnagarve with an outfall pipe discharging to Lough Foyle, a pumping station at River Row with a Dual Function Overflow¹ discharging to the Bredagh River, and a collection network in the town (the "**Proposed Development**").

We, Nicholas O'Dwyer, are engaged by Irish Water as the project engineers and planning consultants on the Proposed Development. On behalf of the applicant, we submitted a screening request to County Donegal planning authority under Section 176A(2)(a) of the Planning Act 2000, as amended, on 22nd August 2019. Pursuant to Section 176C(2)(a)(i) of the Planning Act 2000, as amended, we now refer this screening request to the Board.

1. Previous Proposal

Previously it was proposed to construct a sewerage scheme to cater for Merville together with Greencastle (approximately 4km to the north). That proposal was permitted by An Bord Pleanála in 2011². Merville is now categorised as being in urgent need of wastewater treatment whereas Greencastle is not³. In this context, it has now been decided to seek consent for a revised scaled down proposal which will cater for Merville alone.

¹ Overflow which can function as a Storm Water Overflow or Emergency Overflow depending on the event.

² ABP ref 05.YA0007

³ Irish Water is obliged to prioritise communities which are included on the Environmental Protection Agency's (EPA) list of untreated agglomerations (urban area serviced by a sewer system). Merville is one of these communities as it is discharging untreated wastewater into the Bredagh River and Lough Foyle. Merville is in urgent need of a wastewater treatment plant. Irish Water owns and is responsible for some of the wastewater assets in Greencastle, which are authorised by the Environmental Protection Agency. At present there is no requirement to upgrade these assets.



Directors R. Crowe BE, MEngSc, CEng, FIEI J. Cronin BE, CEng, FIEI, MCIWEM M. Doran MSc, CEng, MIEI R. Kennedy BE, CEng, MIEI K. McGauran CEng, MIEI J. Oliver BE, CEng, MIEI J. Power BE, MEngSc, MIEI
Associate Directors M. Davitt BE, MEngSc, MIEI M. Dignam BE, MEngSc, CEng, MIEI G. Monaghan BEng, MSc, MBA, CEng, MIEI G. Reilly BEng, MSc, MScPM, CEng, MIEI
Associates R. Church BSc, MSc S. Cosgrove CEng, P.Grad.Dip (Construction Law) C. Duignan BA, BAI, MSc, MIWA, MIEI, CEng B. Dunphy BE, MEng Sc, DipAD, CEng, MIEI J. Flavin BSc Env, Grad.Dip Chem Eng T. O'Flanagan BE, MEngSc, MBA Dr. C. Sheehan BSc, PhD, MCIEM

Nicholas O'Dwyer Ltd. Registered in Dublin Register Number 54996

2. Environmental Impact Assessment Screening

We have reviewed the Proposed Development against the classes of development and thresholds set out in Annexes I and II of the EIA Directive, as transposed into Irish law by Schedule 5 of the Planning and Development Regulations 2001 to 2019 (the "**Planning Regulations**"). In our considered view the scale of the Proposed Development is well below the relevant classes of development listed in Schedule 5 of the Planning Regulations. We considered the following classes to be potentially applicable for the Proposed Development:

- Class 13, Part 1, Schedule 5 of the Planning Regulations - *Waste water treatment plants with a capacity exceeding 150,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC.*
- Class 11(c), Part 2, Schedule 5 of the Planning Regulations - *Waste water treatment plants with a capacity greater than 10,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC not included in Part 1 of this Schedule.*
- Class 10(b)(iv), Part 2, Schedule 5 of the Planning Regulations - *Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)*
- Class 10(m), Part 2, Schedule 5 of the Planning Regulations - *Works for the transfer of water resources between river basins not included in Part 1 of this Schedule where the annual volume of water abstracted or recharged would exceed 2 million cubic metres.*
- Class 11(d), Part 2, Schedule 5 of the Planning Regulations - *Sludge deposition sites where the expected annual deposition is 5,000 tonnes of sludge (wet).*
- Class 12(b), Part 2, Schedule 5 of the Planning Regulations - *...works for the transfer of water resources between river basins, where the multi-annual average flow of the basin of abstraction exceeds 2,000 million cubic metres per year and where the amount of water transferred exceeds 5 per cent of this flow. In the case of (a) and (b) above, transfers of piped drinking water are excluded.*

In circumstances where the scale of the Proposed Development is well below the thresholds of the classes listed above, it is our considered view that the Proposed Development can be considered a "*sub-threshold development*" as defined in Article 92 of the Planning Regulations.

In addition, we have reviewed the criteria set out in Schedule 7 of the Planning Regulations (including amendments introduced by S.I No. 296 of 2018) and other relevant considerations. Taking account of the criteria outlined in Schedule 7 of the Planning Regulations, *Environmental Impact Assessment Guidance for Consent Authorities regarding Sub-threshold Development* (Department of the Environment, Heritage and Local Government, 2003) and *Environmental Impact Assessment of Projects, Guidance on Screening* (European Union, 2017), we are of the view that the Proposed Development is unlikely to give rise to significant effects on the environment.

3. Request for Screening for EIA pursuant to Section 176A(2)(a) of the Planning Acts

In order to definitively ascertain whether the proposal should be subject to EIA or not, we hereby make this application for a screening for EIA pursuant to Section 176A(2)(a) of the Planning Acts

2000 to 2019 (the "**Planning Acts**"). In accordance with the requirements of Sections 176A(3) and 176A(3A) of the Planning Acts, the following information is provided:

- 176A(3)(a) *the name and address of the applicant,*

The applicant is Irish Water, a registered company with an address at Colvill House, 24 – 26 Talbot Street, Dublin 1.

- 176A(3)(b) *where the applicant is not the owner or occupier of the land the subject of the proposed development, the name and address of the owner and, where the owner is not the occupier of the land, the occupier,*

This information is contained in **Attachment 1**.⁴ Please note that this information is up to date as at October 2019.

- 176A(3)(c) *a location map for the proposed development,*

The location of the proposed development is given in **Attachment 2**.

- 176A(3)(d) *a description of the nature and extent of the proposed development, its characteristics, its likely significant effects on the environment (including the information specified in Schedule 7A to the Planning and Development Regulations 2001) including, where relevant, information on how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account,*

A description of the scheme and its likely significant effects on the environment is contained in **Attachment 3**.

- 176A(3)(e) *any such other information as may be prescribed by the Minister,*

No such other information has been prescribed.

- *such fee as may be prescribed under section 246(1)(ca).*

No such fee has been prescribed.

- 176A(3A) *An application under subsection (2) may be accompanied by a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.*

Principal features of the proposed development which are envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment include:

⁴ We note that, pursuant to Section 176A(5) of the Planning Acts that where the applicant for a screening determination is not the owner or occupier of the land the subject of the proposed development, the planning authority is required to invite in writing the owner of the land to make a submission on the application for a screening determination, and where the owner is not the occupier of the land, the occupier to make such a submission.

- a high standard of tertiary treatment which will ensure that specific effluent discharge limits will be established which take full account of biodiversity, shellfish and bathing water sensitivities of Lough Foyle for – subject to monitoring under licence from the EPA;
- *avoidance* of environmentally sensitive areas insofar as feasible in scheme layout and design;
- *maintenance* of buffer zones around sensitive receptors, particularly between the pumping station and wastewater treatment plant and nearby residences;
- provision of *visual* screening including landscaping between structures and residences and public domain areas;
- ensuring that *noise* from pumping station and wastewater treatment plant is within acceptable levels at residences and other noise sensitive receptors through arrangement of layout, and selection of low-noise plant items and noise attenuation measures as necessary;
- incorporation of odour control measures which will ensure avoidance of odour nuisance at nearby receptors: and
- archaeological monitoring of works to ensure that any impacts on archaeology are avoided or minimised in keeping with national legislation and the requirements of the National Monuments Service.

4. Environmental Reports

The Proposed Development will be subject to individual assessments of specific potential environmental impacts including water quality (incorporating detailed dispersion modelling), flood risk, noise, odours, biodiversity, traffic, archaeology and landscape.

If it is determined that the Proposed Development is not likely to have significant effects on the environment, these assessments will be submitted as supplementary environmental reports to accompany a planning application and will be available to the relevant authorities.

If it is determined that the Proposed Development is likely to have significant effects on the environment, these assessments will be carried out as part of the EIA process.

Is mise, le meas,



Laurie McGee,
Senior Environmental Consultant/Planner
for NICHOLAS O'DWYER LTD.
on behalf of Irish Water

Attachment 1

the name and address of the owner and, where the owner is not the occupier of the land, the occupier

Plot No.	W Drawing No.	Acquisition type	Area in Hectares	Location (i.e. townland)	Description of the Property (i.e. agricultural land, open space, roadway etc.)	Owners or Reputed Owners and his/her/their address	Lessee or Reputed Lessee and his/her/their address	Occupiers and his/her/their address
2	Y1113-CPO-01 Rev F / Y1113-LA-002	Acquisition	0.113	Ballynally	Grassland	Leo Mc Cauley, Mc Cauley Properties, Market Square, Moville, Lifford, Co. Donegal	None	Leo Mc Cauley, Mc Cauley Properties, Market Square, Moville, Lifford, Co. Donegal
2A	Y1113-CPO-01 Rev F / Y1113-LA-002 / Y1113-LA-008	Acquisition	0.018	Ballynally	Roadway	Leo Mc Cauley, Mc Cauley Properties, Market Square, Moville, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal
3	Y1113-CPO-02 Rev G / Y1113-LA-003 / Y1113-LA-009	Acquisition	2.119	Camagarve	Grassland/ Woodland	Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal		Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal
							Terence Burns, Rocktown, Greencastle, Lifford, Co. Donegal	Terence Burns, Rocktown, Greencastle, Lifford, Co. Donegal
3A	Y1113-CPO-02 Rev G / Y1113-LA-003 / Y1113-LA-010	Acquisition	0.063	Camagarve	Roadway	Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal
4	Y1113-CPO-02 Rev G / Y1113-LA-003 / Y1113-LA-009	Acquisition	0.034	Camagarve	Grassland / Hedge	Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal		Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal
							Terence Burns, Rocktown, Greencastle, Lifford, Co. Donegal	Terence Burns, Rocktown, Greencastle, Lifford, Co. Donegal
4A	Y1113-CPO-02 Rev G / Y1113-LA-003 / Y1113-LA-010	Acquisition	0.096	Camagarve	Roadway	Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal
5	Y1113-CPO-02 Rev G / Y1113-LA-003 / Y1113-LA-009	Acquisition	0.097	Camagarve	Grassland / Hedge	Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal		Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal
							Terence Burns, Rocktown, Greencastle, Lifford, Co. Donegal	Terence Burns, Rocktown, Greencastle, Lifford, Co. Donegal
5A	Y1113-CPO-02 Rev G / Y1113-LA-003 / Y1113-LA-010	Acquisition	0.062	Camagarve	Roadway	Liam Gordon Burns, Rocktown Cottage, Greencastle, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal
7	Y1113-CPO-02 Rev G / Y1113-LA-005	Acquisition	0.045	Camagarve	Road Verge/ Grassland	Donegal County Council, County House, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal

Plot No.	IW Drawing No.	Acquisition type	Area in Hectares	Location (i.e. townland)	Description of the Property (i.e. agricultural land, open space, roadway etc.)	Owners or Reputed Owners and his/her/their address	Lessee or Reputed Lessee and his/her/their address	Occupiers and his/her/their address
8	Y1113-CPO-03 Rev E / Y1113-LA-006 / Y1113-LA-011	Acquisition	0.01	Eleven Ballyboes	Parking Area/ Seafront	Donegal County Council, County House, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal
						Minister for Agriculture, Food and the Marine, Agriculture House, Kildare Street, Dublin 2		Minister for Agriculture, Food and the Marine, Agriculture House, Kildare Street, Dublin 2
						Minister for Environment, Community & Local Government, Custom House, Dublin 1		
						Minister for Public Expenditure and Reform, Government Buildings, Upper Merrion Street, Dublin 2		Minister for Public Expenditure and Reform, Government Buildings, Upper Merrion Street, Dublin 2
9	Y1113-CPO-01 Rev F / Y1113-WL-001	Permanent Wayleave	0.047	Ballynally	Pier / Seafront	Donegal County Council, County House, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal
9A	Y1113-CPO-01 Rev F / Y1113-WL-014 / Y1113-WL-016 / Y1113-WL-017	Permanent Wayleave	0.003	Ballynally	Pier / Seafront	William & Anne Farren, 28 Rosebank, Moville, Co. Donegal	None	William & Anne Farren, 28 Rosebank, Moville, Co. Donegal
						Donegal County Council, County House, Lifford, Co. Donegal		Donegal County Council, County House, Lifford, Co. Donegal
						Minister for Agriculture Fisheries and Food, Agriculture House, Kildare Street, Dublin 2		Minister for Agriculture Fisheries and Food, Agriculture House, Kildare Street, Dublin 2
						Minister for Environment, Community & Local Government, Custom House, Dublin 1		Minister for Environment, Community & Local Government, Custom House, Dublin 1
					Minister for Public Expenditure & Reform, Government Buildings, Upper Merrion Street, Dublin 2		Minister for Public Expenditure & Reform, Government Buildings, Upper Merrion Street, Dublin 2	
10	Y1113-CPO-01 Rev F / Y1113-WL-002	Permanent Wayleave	0.077	Ballynally	Garden / Seafront / Walkway	LPR Daniel Mc Guinness, Ark House, Moville, Co. Donegal; Margaret Mc Guinness, Ark House, Moville, Co. Donegal; Donal Mc Guinness, 3 Boomhall Park, Derry, BT48 7BF.	None	Daniel Mc Guinness, Ark House, Moville, Co. Donegal; Margaret Mc Guinness, Ark House, Moville, Co. Donegal; Donal Mc Guinness, 3 Boomhall Park, Derry, BT48 7BF.
10A	Y1113-CPO-01 Rev F / Y1113-WL-002	Temporary Wayleaves	0.129	Ballynally	Garden	LPR Daniel Mc Guinness, Ark House, Moville, Co. Donegal; Margaret Mc Guinness, Ark House, Moville, Co. Donegal; Donal Mc Guinness, 3 Boomhall Park, Derry, BT48 7BF.	None	Daniel Mc Guinness, Ark House, Moville, Co. Donegal; Margaret Mc Guinness, Ark House, Moville, Co. Donegal; Donal Mc Guinness, 3 Boomhall Park, Derry, BT48 7BF.

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11	Y1113-CPO-01 Rev F / Y1113-WL-015	Permanent Wayleave	0.012	Ballynally	Seafront / Walkway	Judith Mc Laughlin, River Row, Moville, Co. Donegal	None	Judith Mc Laughlin, River Row, Moville, Co. Donegal
						Catherine Craker, River Row, Moville, Co. Donegal		Catherine Craker, River Row, Moville, Co. Donegal
						Legal Personal Representative of Brendan Mc Laughlin, c/o Martin Mc Laughlin, Whitecastle, Quigley's Point, Co. Donegal;		Legal Personal Representative of Brendan Mc Laughlin, c/o Martin Mc Laughlin, Whitecastle, Quigley's Point, Co. Donegal;
						Martin Mc Laughlin, Whitecastle, Quigley's Point, Co. Donegal;		Martin Mc Laughlin, Whitecastle, Quigley's Point, Co. Donegal;
						Barry Mc Laughlin, c/o Martin McLaughlin, Whitecastle, Quigleys Point, Co. Donegal		Barry Mc Laughlin, c/o Martin McLaughlin, Whitecastle, Quigleys Point, Co. Donegal
11A	Y1113-CPO-01 Rev F / Y1113-WL-015	Temporary Wayleaves	0.006	Ballynally	Garden / Walkway	Judith Mc Laughlin, River Row, Moville, Co. Donegal	None	Judith Mc Laughlin, River Row, Moville, Co. Donegal
						Catherine Craker, River Row, Moville, Co. Donegal		Catherine Craker, River Row, Moville, Co. Donegal
						Legal Personal Representative of Brendan Mc Laughlin, c/o Martin Mc Laughlin, Whitecastle, Quigley's Point, Co. Donegal		Legal Personal Representative of Brendan Mc Laughlin, c/o Martin Mc Laughlin, Whitecastle, Quigley's Point, Co. Donegal
						Martin Mc Laughlin, Whitecastle, Quigley's Point, Co. Donegal;		Martin Mc Laughlin, Whitecastle, Quigley's Point, Co. Donegal;
						Barry Mc Laughlin, c/o Martin McLaughlin, Whitecastle, Quigleys Point, Co. Donegal		Barry Mc Laughlin, c/o Martin McLaughlin, Whitecastle, Quigleys Point, Co. Donegal
12	Y1113-CPO-01 Rev F / Y1113-WL-003	Permanent Wayleave	0.014	Ballynally	Seafront / Walkway	Noreen Mc Connell, River Row, Moville, Lifford, Co. Donegal	None	Noreen Mc Connell, River Row, Moville, Lifford, Co. Donegal
12A	Y1113-CPO-01 Rev F / Y1113-WL-003	Temporary Wayleaves	0.007	Ballynally	Garden	Noreen Mc Connell, River Row, Moville, Lifford, Co. Donegal	None	Noreen Mc Connell, River Row, Moville, Lifford, Co. Donegal
13	Y1113-CPO-01 Rev F / Y1113-WL-004	Permanent Wayleave	0.011	Ballynally	Seafront / Walkway	Joseph Mc Geoghan, 46 Ashley Close, Ashdown Manor, Killingworth, Newcastle Upon Tyne, England	None	Joseph Mc Geoghan, 46 Ashley Close, Ashdown Manor, Killingworth, Newcastle Upon Tyne, England
13A	Y1113-CPO-01 Rev F / Y1113-WL-004	Temporary Wayleaves	0.006	Ballynally	Garden	Joseph Mc Geoghan, 46 Ashley Close, Ashdown Manor, Killingworth, Newcastle Upon Tyne, England	None	Joseph Mc Geoghan, 46 Ashley Close, Ashdown Manor, Killingworth, Newcastle Upon Tyne, England
14	Y1113-CPO-01 Rev F / Y1113-WL-005	Permanent Wayleave	0.013	Ballynally	Seafront / Walkway	Legal Personal Representative of Jean Harkin, River Row, Moville, Lifford, Co. Donegal	None	Jean Harkin, River Row, Moville, Lifford, Co. Donegal
						Mark Harkin, River Row, Moville, Co. Donegal		Mark Harkin, River Row, Moville, Co. Donegal

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14A	Y1113-CPO-01 Rev F / Y1113-WL-005	Temporary Wayleaves	0.006	Ballynally	Garden	Legal Personal Representative of Jean Harkin, River Row, Moville, Lifford, Co. Donegal Mark Harkin, River Row, Moville, Co. Donegal	None	Jean Harkin, River Row, Moville, Lifford, Co. Donegal Mark Harkin, River Row, Moville, Co. Donegal
15	Y1113-CPO-01 Rev F / Y1113-WL-006	Permanent Wayleave	0.012	Ballynally	Seafront / Walkway	Gerry Mc Laughlin, River Row, Moville, Lifford, Co. Donegal	None	Gerry Mc Laughlin, River Row, Moville, Lifford, Co. Donegal
15A	Y1113-CPO-01 Rev F / Y1113-WL-006	Temporary Wayleaves	0.005	Ballynally	Garden	Gerry Mc Laughlin, River Row, Moville, Lifford, Co. Donegal	None	Gerry Mc Laughlin, River Row, Moville, Lifford, Co. Donegal
16	Y1113-CPO-01 Rev F / Y1113-WL-007	Permanent Wayleave	0.012	Ballynally	Seafront / Walkway	J.H. Nichol, 1 Mallory Park, Eglinton, Derry BT47 3XJ.	None	J.H. Nichol, 1 Mallory Park, Eglinton, Derry BT47 3XJ.
16A	Y1113-CPO-01 Rev F / Y1113-WL-007	Temporary Wayleaves	0.006	Ballynally	Garden	J.H. Nichol, 1 Mallory Park, Eglinton, Derry BT47 3XJ.	None	J.H. Nichol, 1 Mallory Park, Eglinton, Derry BT47 3XJ.
17	Y1113-CPO-01 Rev F / Y1113-WL-008	Permanent Wayleave	0.011	Ballynally	Seafront / Walkway	Peter Jordan, River Row, Moville, Co. Donegal Una Jordan, River Row, Moville, Co. Donegal	None	Peter Jordan, River Row, Moville, Co. Donegal Una Jordan, River Row, Moville, Co. Donegal
17A	Y1113-CPO-01 Rev F / Y1113-WL-008	Temporary Wayleaves	0.006	Ballynally	Garden	Peter Jordan, River Row, Moville, Co. Donegal Una Jordan, River Row, Moville, Co. Donegal	None	Peter Jordan, River Row, Moville, Co. Donegal Una Jordan, River Row, Moville, Co. Donegal
18	Y1113-CPO-01 Rev F / Y1113-WL-009	Permanent Wayleave	0.032	Ballynally	Seafront / Walkway	Legal Personal Representative of Elise Jessop, c/o Stelfox Solicitors 14 Main Street, Limavady BT49 OEU; Sharon McLaughlin, c/o Stelfox Solicitors 14 Main Street, Limavady BT49 OEU	None	Legal Personal Representative of Elise Jessop, c/o Stelfox Solicitors 14 Main Street, Limavady BT49 OEU; Sharon McLaughlin, c/o Stelfox Solicitors 14 Main Street, Limavady BT49 OEU

Plot No.	IW Drawing No.	Acquisition type	Area in Hectares	Location (i.e. townland)	Description of the Property (i.e. agricultural land, open space, roadway etc.)	Owners or Reputed Owners and his/her/their address	Lessee or Reputed Lessee and his/her/their address	Occupiers and his/her/their address
18A	Y1113-CPO-01 Rev F / Y1113-WL-009	Temporary Wayleave	0.015	Ballynally	Garden	Legal Personal Representative of Elise Jessop, c/o Stelfox Solicitors 14 Main Street, Limavady BT49 OEU;	None	Legal Personal Representative of Elise Jessop, c/o Stelfox Solicitors 14 Main Street, Limavady BT49 OEU;
						Sharon McLaughlin, c/o Stelfox Solicitors 14 Main Street, Limavady BT49 OEU		Sharon McLaughlin, c/o Stelfox Solicitors 14 Main Street, Limavady BT49 OEU
19	Y1113-CPO-01 Rev F / Y1113-WL-010 / Y1113-WL-018	Permanent Wayleave	0.108	Ballynally	Seafront / Walkway	John White, River Row, Moville, Lifford, Co. Donegal	None	John White, River Row, Moville, Lifford, Co. Donegal
						Leo Mc Cauley, Mc Cauley Properties, Market Square, Moville, Lifford, Co. Donegal		Leo Mc Cauley, Mc Cauley Properties, Market Square, Moville, Lifford, Co. Donegal
20	Y1113-CPO-02 Rev G / Y1113-WL-011	Permanent Wayleave	0.235	Camagarve	Grassland / Hedges	John Gore, Camagarve, Moville and Sarah Townsend, Camagarve, Moville / Daniel Mc Guinness, Camagarve, Moville.	John Gore, Camagarve, Moville and Sarah Townsend, Camagarve, Moville / Daniel Mc Guinness, Camagarve, Moville / Daniel Mc Guinness, Camagarve, Moville.	John Gore, Camagarve, Moville and Sarah Townsend, Camagarve, Moville / Daniel Mc Guinness, Camagarve, Moville. Daniel Mc Guinness, John Mc Guinness, Red Sails Development Ltd., Regatta Developments
21	Y1113-CPO-02 Rev G / Y1113-WL-013	Permanent Wayleave	0.28	Camagarve	Foreshore / Seafront / Water	Minister for Agriculture Food and Marine, Agriculture House, Kildare Street, Dublin 2	None	Minister for Agriculture Food and Marine, Agriculture House, Kildare Street, Dublin 2
						Minister for Environment, Community & Local Government, Custom House, Dublin 1		Minister for Environment, Community & Local Government, Custom House, Dublin 1
						Minister for Public Expenditure & Reform, Government Buildings, Upper Merrion Street, Dublin 2		Minister for Public Expenditure & Reform, Government Buildings, Upper Merrion Street, Dublin 2
22	Y1113-CPO-02 Rev G / Y1113-LA-005	Extinguishment of Right of Way	0.0015	Camagarve	Road	Donegal County Council, County House, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal
23	Y1113-CPO-02 Rev G / Y1113-LA-005	Extinguishment of Right of Way	0.0005	Camagarve	Road	Donegal County Council, County House, Lifford, Co. Donegal	None	Donegal County Council, County House, Lifford, Co. Donegal

Confirmed Compulsory Purchase Orders (CPOs) - Wayleaves to be Served by IW

Name
Harry Gillen, Carrownaff, Moville, Co. Donegal; Agnes Kelly, Derry Road, Moville, Co. Donegal; Jacqueline Leavy, Fosterfields, Athboy, Co. Meath
Eamonn Kelly, Ballybrack, Robert Kelly, Ballybrack, and Hugh Kelly, Ballybrack, Moville, Co. Donegal
Donagh Traders Limited, Malin Street, Carndonagh, Co. Donegal
Michael Doherty, Lower Drumaweir, Greencastle, Co. Donegal
Leo Mc Cauley, Mc Cauley Properties, Market Square, Moville, Co. Donegal

Addendum:

Delete: Donagh Traders Limited, Malin Street, Carndonagh, Co. Donegal

Add: Billy McIntyre, Ballybrack, Moville, Co. Donegal

Attachment 2

Maps

- Location map
- Maps showing main elements of the proposal

Attachment 3

description of the nature and extent of the proposed development, its characteristics, its likely significant effects on the environment (including the information specified in Schedule 7A to the Planning and Development Regulations 2001) including, where relevant, information on how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account
(s. 176A(3)(d) of the amended Planning and Development Act of 2000)

Schedule 7A

Information to be provided by the Applicant or Developer for the Purposes of Screening Sub-threshold Development for Environmental Impact Assessment.

1. *A description of the proposed development, including in particular—*
 - (a) *a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and*
 - (b) *a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.*
2. *A description of the aspects of the environment likely to be significantly affected by the proposed development.*
3. *A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—*
 - (a) *the expected residues and emissions and the production of waste, where relevant, and*
 - (b) *the use of natural resources, in particular soil, land, water and biodiversity.*
4. *The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.*

THE PROPOSED DEVELOPMENT AND ITS LOCATION

It is proposed to provide a new sewerage scheme comprising a new wastewater treatment plant (WwTP) together with a pumping station with Dual Function Overflow¹, transfer pipelines and an outfall pipeline for the agglomeration of Moville. Moville is located in North Inishowen, County Donegal, approximately 28km north of Derry City.

Irish Water have an obligation to provide wastewater treatment to an appropriate standard in Moville to meet the requirements of the Urban Wastewater Treatment Directive (UWWTD). In its most recent report on Urban Wastewater Treatment (2017), the EPA lists Moville as one of twenty eight urban areas which do not meet the UWWTD standards, and one of thirty eight areas that are discharging raw sewage into the environment. Moville is listed by the EPA as a priority area where improvements are needed to resolve environmental priorities. Irish Water have committed to providing treatment to Moville by 2021 (subject to statutory approvals).

The design of the proposal is at an early stage. It is currently anticipated that it will include:

- a new 3,500 PE WwTP at Carnagarve townland which may include oxidation ditches (2 x 700m³ tanks), clarifiers (2 x 42.5m³ tanks), a picket fence thickener (1 x 100 m³), inlet works (5,547m³/day), a storm tank (265m³), a sludge dewatering building, a tertiary treatment system including UV disinfection and tertiary filtration, and an administration building;
- an outfall pipe from the WwTP for a length of 880m leading to a marine outfall at Carnagarve townland in Lough Foyle for a length of approximately 260m and a depth of approximately 10m;
- a pumping station along the Bredagh River at River Row, Ballynally townland with pumps and mechanical plant, and a storm tank (200m³), with pumped Dual Function Overflow designed in accordance with the DoEHLG 'Procedures and Criteria in relation to Storm Water Overflows' (1995) discharging to the Bredagh River;
- a 225mm rising main from the pumping station along the Main Street/Greencastle Road to the WwTP through the townlands of Ballynally and Carnagarve townlands; and
- additional gravity foul sewer within the Moville catchment in the townlands of Ballynally, Carnagarve, Gulladoo, Glencrow and Carrownaff townlands.

The total approximate area of works included in the proposal including the pipe network and pumping station is 2.77 hectares, of which 1.03 hectares is in a built-up area.

The proposed development will not include deposition of any sludge and the sludge waste generated during operation of the WwTP will be removed off site to a facility that has been subject to relevant consent procedures including all environmental assessment requirements.

A location map and a map showing the main elements of the scheme are provided as **Attachment 2**.

¹ Overflow which can function as a Storm Water Overflow or Emergency Overflow depending on the event.

RECEIVING ENVIRONMENT AND LIKELY SIGNIFICANT EFFECTS

This section addresses the requirement to describe:

- the environmental sensitivity of geographical areas likely to be affected;
- the aspects of the environment likely to be significantly affected by the proposed development;
- any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—
 - (a) the expected residues and emissions and the production of waste, where relevant, and
 - (b) the use of natural resources, in particular soil, land, water and biodiversity.

This information takes account of the criteria set out in Schedule 7 during both the construction and operational stages of the development. The following headings are copied from parts 2 and 3 thereof.

Schedule 7, part 2 Criteria

(a) the existing and approved land use

The land uses at the development location include:

- town centre with typical mixed uses including retail, offices and residential;
- residential; and
- agricultural.

The outfall pipe will traverse the foreshore to the bed of Lough Foyle.

(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground

The proposed development does not include the extensive use of natural resources.

The proposed discharge will be treated to meet applicable standards and ensures significant improvement for the receiving waters (as described in more detail below).

No significant direct, indirect or cumulative adverse effects on such resources are likely.

(c) the absorption capacity of the natural environment, paying particular attention to the following areas:

(i) wetlands, riparian areas, river mouths

The proposal will positively affect water quality by ending the discharge of untreated sewage to Lough Foyle and to the Bredagh River, thereby improving the assimilative capacity of these waterbodies.

Effluent will be treated to a high standard of tertiary treatment and specific effluent discharge limits will be established and monitored under licence from the EPA. The standard of treatment will be informed by detailed dispersion modelling which will ensure that all applicable criteria are satisfied, including criteria for biodiversity, shellfish and bathing waters per the Habitats, Shellfish Waters, Bathing Water and Water Framework Directives. Refer to **Attachment 4** for nearby designated Shellfish and Bathing Waters.

No significant direct, indirect or cumulative adverse effects are likely on such areas.

(ii) coastal zones and the marine environment

The proposal will positively affect water quality by ending the discharge of untreated sewage to Lough Foyle and to the Bredagh River which flows directly into Lough Foyle. It will improve the assimilative capacity of the Lough, the opposite side of which is bordered by Northern Ireland.

The Lough is a sensitive waterbody, particularly on account of shellfish activities, bathing use and ecological designations. The East side of the Lough is in Northern Ireland and is less than 4km from the proposed discharge outlet.

Effluent will be treated to a high standard of tertiary treatment and specific effluent discharge limits will be established and monitored under licence from the EPA. The standard of treatment will be informed

by detailed dispersion modelling which will ensure that all applicable criteria are satisfied, including criteria for biodiversity, shellfish and bathing waters per the Habitats, Shellfish Waters, Bathing Water and Water Framework Directives.

The proposal will end the discharge of untreated sewage to Lough Foyle and to the Bredagh River which flows into Lough Foyle close to beaches used as bathing areas and approximately 5km from the coast of Northern Ireland.

No significant direct, indirect or cumulative adverse effects are likely on such areas.

(iii) mountain and forest areas

There are no such areas in the vicinity of the proposed development.

No significant direct, indirect or cumulative are likely on such areas.

(iv) nature reserves and parks

There are no such areas in the vicinity of the proposed development.

No significant direct, indirect or cumulative are likely on such areas.

(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive

Lough Foyle is a site of high ornithological importance. A number of nature designations apply to the Lough and its surrounds. These include Lough Foyle (SPA/ASSI/Ramsar), Magilligan (SAC/ASSI), North Inishowen Coast (SAC/pNHA) and Magheradrumman Bog (SAC/pNHA). Refer to ***Attachment 4*** for a map of designated sites.

The proposal will positively affect water quality by ending discharge of untreated sewage to Lough Foyle and to the Bredagh River which flows directly into Lough Foyle.

The development will be subject to Appropriate Assessment pursuant to the requirements of the Habitats Directive.

No significant direct, indirect or cumulative adverse effects are likely on such areas.

(vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure

The proposal will end discharges of untreated sewage which contravene National and European environmental legislation.

(vii) densely populated areas

The pumping station and some of the associated sewers will be located in the town of Moville.

Potential impacts, including impacts due to noise and odour, will be addressed by the location and design of the proposal so that such impacts are anticipated to be negligible / minor.

(viii) landscapes and sites of historical, cultural or archaeological significance

There are no protected structures in the vicinity. The choice of location and routing of pipelines ensures that any impacts on landscapes and sites of historical, cultural or archaeological significance will be negligible to minor.

Schedule 7, part 3 Criteria***(a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected)***

The total site area is approximately 2.77 hectares. The local impacts are anticipated to be insignificant for EIA screening purposes. The proposal will improve water quality in the Bredagh River and Lough Foyle with benefits for all surrounding populations.

(b) the nature of the impact,

The principal impact will be to ensure compliance with national and EU regulations relating to the treatment and discharge of wastewater.

(c) the transboundary nature of the impact,

Improvement in water quality of Lough Foyle will benefit the bordering counties of Derry and Donegal.

(d) the intensity and complexity of the impact,

The proposal will end the serious pollution caused by the current discharge of raw sewage into the Bredagh River and Lough Foyle. This will restore water quality and environmental integrity of these waters including the Lough's beaches and biodiversity.

(e) the probability of the impact,

Water quality can be reasonably expected to improve as a result of the development.

(f) the expected onset, duration, frequency and reversibility of the impact,

The ongoing discharge of raw sewage will cease on commencement of operation of the WwTP.

(g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and

No significant cumulative effects are likely.

(h) the possibility of effectively reducing the impact.

Proven measures will be employed to ameliorate potential effects on receptors in the vicinity of the proposed works, particularly around the pumping station and WwTP.

Summary

Taking account of the criteria outlined in Schedule 7 and 7A of the Planning and Development Regulations 2001 to 2019 (the "Planning Regulations") as outlined in greater detail in the application letter and this attachment, and in light of the design of the Proposed Development, which includes the requirement to obtain and to comply with an EPA licence for the discharge of effluent, it is submitted that the Proposed Development is not likely to have any significant impacts, including cumulative and transboundary impacts, on the environment.

Attachment 4

Map of Designated Sites