



18<sup>th</sup> May 2021

Mr. Vincent O'Malley,  
Transport Infrastructure Ireland,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

via email to: [REDACTED]

**Re: Submission of Natura Impact Statement to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media pursuant to the requirements of Regulation 42(9)(c) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended).**

*Northwest Term Maintenance Contract No.3 Year 3 Structures*

Dear Mr. O'Malley,

The Department is in receipt of your email dated 6<sup>th</sup> April 2021 in respect of the project referred to above and has reviewed the Natura Impact Statement (NIS) referred to the Minister in this regard.

#### Project Details

The Department notes the project descriptions for each of the bridges specified in the NW Term Maintenance Contract No.3 - Year 3 Structures NIS.

#### Matters relating to Appropriate Assessment (AA);

The Department would like to highlight the requirement to assess all the identified impacts on each QI and SCI, in view of the conservation objectives, of the relevant European sites in the NIS. Where Site Specific Conservation Objectives (SSCOs) are available, the NIS has not referred to the SSCO's in sufficient detail with respect to the attributes and targets. Noting some of the proposed works are within European sites, the assessment should refer specifically to the attributes and targets of the qualifying interests (for example, White-clawed crayfish (*Austropotamobius pallipes*)).

The Department notes the assessment of works items listed in Table 5-4 on page 72 of the NIS. In relation to the following works items, the Department recommends clarification with respect

**An tSeirbhís Páirceanna Náisiúnta agus Fiadhúlra,**  
**90 Sráid an Rí Thuaidh, Margadh na Feirme, Baile Átha Cliath 7, D07 N7CV**  
National Parks and Wildlife Service,  
90 North King Street, Smithfield, Dublin 7, D07 N7CV

[REDACTED]



to the nature and scale of these works items, as they have the potential to give rise to negative impacts:

- 32 Establish drainage facility;
- 33 Establish Drainage channel;
- 35 Maintenance of drainage channel.

#### Mitigation

Mitigation measures should be clear and specific for each identified impact on each QI and SCI. They must be based on a sound scientific understanding of the habitats or species within the affected European sites and designed to ensure they can be effectively implemented. The Department recommends presenting the mitigation measures more clearly in the NIS with respect to each identified impact. Specific detail and certainty underpins the NIS, the AA process, there should be no uncertainty surrounding the implementation of a mitigation measure in an NIS.

The Department makes the following recommendations under the stated Counties for specific proposed works but which should be applied to all the proposed maintenance works where required.

#### *Co. Donegal*

[REDACTED]

#### *Co. Galway*

##### 5.7.2.1 Cloonmore Bridge (GC-N83-004,00)

The Department notes that this site is within Lough Corrib SAC. It is also noted that there has not been any site specific survey work carried out for relevant QI species, notably otters and otter holts and couches. Clarification is required on how the listed mitigation will mitigate for disturbance or damage to potential otter holts during instream access and works.

##### 5.7.2.2. Owenduff Bridge [GC-N59-009.00]

The Department notes that this site within the Twelve Bens / Garraun Complex SAC. It is also noted that there has not been any site specific survey work carried out for relevant QI species, notably otters and otter holts and couches. Clarification is required on how the listed mitigation will mitigate for disturbance or damage to potential otter holts during instream access and works.



#### 5.7.2.3 Lettershea Bridge (GC-N59-022.00)

The Department notes that this site is in a location with potential to impact on the Twelve Bens / Garraun Complex SAC. It is also noted that there has not been any site specific survey work carried out for relevant QI species, notably otters and otter holts and couches. Clarification is required on how the listed mitigation will mitigate for disturbance or damage to potential otter holts during instream access and works and vegetation removal.

#### 5.7.2.4 Oughterard Bridge (GC-N59\_040.00)

The Department notes that this site is within Lough Corrib SAC. It is also noted that there has not been any site specific survey work carried out for relevant QI species, notably otters and otter holts and couches. Clarification is required on how the listed mitigation will mitigate for disturbance or damage to potential otter holts during instream access and works and vegetation removal.

The Department is concerned that on p 74 it is stated that no in-stream access is proposed and that best practice surface water quality mitigation measures are proposed. However, in Table 5-24 the work elements have described that in-stream access may occur notably with respect to erection of work platforms. Survey work has identified freshwater pearl mussel under the bridge. The Department highlights that a clear description of works is required in the NIS and determination on whether a working platform can be erected. The alternative proposal of a bridge unit where there would be no in-stream access should be considered and assessed in the NIS.

### *Co Mayo*

#### 5.7.4.3 Rathrusel Bridge (MO-N58-004.00)

The Department notes that this site is in a location with potential to impact on the River Moy SAC. It is also noted that there has not been any site specific survey work carried out for relevant QI species, notably otters and otter holts and couches. Clarification is required on how the listed mitigation will mitigate for disturbance or damage to potential otter holts during instream access and works and vegetation removal.

#### 5.7.4.4 Erriff Bridge (MO-N59-061.00)

The Department notes that this site is within the Mweelrea/Sheefry/Erriff Complex SAC. It is also noted that there has not been any site specific survey work carried out for relevant QI species, notably otters and otter holts and couches. Clarification is required on how the listed mitigation will mitigate for disturbance or damage to potential otter holts during instream access and works and vegetation removal.

#### 5.7.4.5 Luga Buide Bridge (MO-N59-062.00)



The Department notes that this site is within the Mweelrea/Sheefry/Erriff Complex SAC. It is also noted that there has not been any site specific survey work carried out for relevant QI species, notably otters and otter holts and couches. Clarification is required on how the listed mitigation will mitigate for disturbance or damage to potential otter holts during instream access and works and vegetation removal

#### *Co Roscommon*

##### 5.7.5.1. Anriltabeg Bridge [RN-N63-005.20];

The Department recommends clarity with respect to the identified impacts to Otter in the SAC and to SCIs in the SPA. The potential impacts to the SAC should identify the specific QI impacted upon e.g. physical disturbance to Otter and deterioration of water quality affecting Otter and/or other QIs.

The works processes outlined in the mitigation (e.g. for masonry repointing), associated with this works item should be clearly numbered. Detailed mitigation should be provided with respect to diverting the water during instream works including a requirement to carry out specific flow tests beforehand.

The Department notes the mitigation for Otter, however no information is provided with respect to surveys carried out to inform the AA.

##### 5.7.5.2. Cloonfad Village Bridge [RN-N83-001.00];

The structure across the Cloonfad River is within the Lough Corrib SAC. In addition to the aforementioned comments with respect to Anriltabeg Bridge, the Department recommends that detailed survey work for SCI species identified is carried out to inform the AA. In addition strict biosecurity measures are required with respect to the prevention of Crayfish plague (*Aphanomyces astaci*) being introduced with respect to instream works. No information has been included with respect to the risk of introduction of the Crayfish plague into the Lough Corrib SAC. Furthermore Otter surveys should be carried to inform the AA and to ensure, as outlined already, that they comply with the requirements of Regulation 51 of the European Communities (Birds and Natural Habitats) Regulations, 2011.

#### *Co Sligo*

##### 5.7.6.1. Michael Hughes Bridge [SO-N04-001.00];

The Department notes that this bridge is located within the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC and Cummeen Strand SPA. The works processes outlined in the mitigation (e.g. for masonry repointing), associated with this works item should be clearly numbered. Details



should be specified with respect to how the bridge will be accessed in terms of carrying out concrete repairs so that the mitigation can be clearly outlined.

#### 5.7.6.2. Ballysadare River Bridge [SO-N59-002.00];

The Department notes that the Ballysadare River Bridge is within the Unshin River SAC. The Department recommends clarifying the identified QI and SCI species and habitats which may be impacted by physical disturbance and deterioration of water quality. Similarly, Surveys to inform the AA process are required for Otter and may be required for other QI and SCIs where these are identified to be impacted upon. It is unclear from the NIS whether instream works will be required. This should be clarified.

#### Biosecurity

The Department makes the following recommendations with respect to Biosecurity as outlined in Section 2.1.2. As outlined earlier there should be no uncertainty with respect to AA including mitigation measures. The mitigation specified should be definitive, for example, Option 2 states, 2. *“If drying out of equipment is not feasible, equipment should be either: -*

- i. power steam washed at a suitably high temperature or at least 65 degrees, or*
- ii. disinfected with an approved disinfectant, e.g. Virkon or an iodine-based product. It is important that the manufacturer’s instructions are followed and if required, the correct contact times are allowed for during the disinfection process. Items that are difficult to soak should be sprayed or wiped down with disinfectant.”*

The Department recommends that equipment should be power steam washed or disinfected with the approved disinfectant before being used on each site.

Detailed mitigation is required with respect to White clawed crayfish and Crayfish plaque where instream works are being proposed, including surveys and biosecurity specific measures for equipment and PPE.

The Department would like to highlight that invasive species surveys should be carried out to inform the AA where their presence could affect the qualifying interests of a European site. Where invasive species are recorded, specific mitigation will be required and will be subject to any applicable licencing requirements under Regulation 49 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended).

#### Other matters

The Department would like to highlight that Bat species and Otter are protected under the Wildlife Act, 1976, and are subject to a regime of strict protection pursuant to the requirements



of the Habitats Directive (92/43/EEC) as transposed in Irish law in Regulation 51 of the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended).

The Department notes vegetation removal is specified in the mitigation however the Department would like to highlight the specific requirements under S.40 of the Wildlife Act 1976-2018 in this regard.

The proposed works will be carried out during July 1<sup>st</sup> to Sept. 30<sup>th</sup> inclusive. The Department notes that this is within the nesting period for birds. The Department recommends that nest searches are carried out prior to commencement of works, this is with specific reference to Grey Wagtail (Red-listed Birds of Conservation Concern in Ireland) which nests within river banks and under bridges.

Yours sincerely,

Gerry Clabby  
Head of Ecological Assessment

