



11 September, 2020

177AE Boyne Greenway

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1

177AE application for the construction of the Boyne Greenway Drogheda to Mornington – pedestrian and cycleway linking the Drogheda Town in County Louth to Mornington Village in County Meath

A Chara,

I refer to correspondence to the Department of Culture, Heritage and the Gaeltacht on 21 July, 2020 received in connection with the above.

Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated heading(s).

Archaeology

The National Monuments Service has examined the archaeological component of the Archaeological and Built Heritage Assessment of the Proposed Boyne Greenway: Drogheda to Mornington, Counties Meath and Louth (Faith Bailey and Ross Waters, IAC Ltd, April 2020).

On the basis of the information in the report and the description of the impacts and likely impacts of the proposed development. The proposals for pre-construction survey at Mornington Bridge and other estuarine locations and archaeological monitoring of ground disturbance works during the course of construction (Section 5.2, page 31 are noted).

It is recommended, therefore, that the proposed archaeological mitigation measures are made a condition of any planning approval that may issue.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.”

Nature Conservation

Having considered the supporting documentation submitted by Meath County Council in relation to the proposed greenway, it is noted that the preferred route runs along the R150 and R151 Regional Roads on the southern side of the Boyne Estuary, adjacent to, and in some sections overlapping with the Boyne Coast and Estuary Special Area of Conservation (Site code 001957) and Boyne Estuary Special Protection Area (Site Code 004080). The total length of the proposed

Aonad na nIarratas ar Fhorbairt, Bóthar an Bhaile Nua, Loch Garman, Y35 AP90

Development Applications Unit, Newtown Road, Wexford, Y35 AP90

manager.dau@chg.gov.ie

www.chg.gov.ie



greenway is 5.9 km with 4.1 km to be constructed immediately adjacent to these regional roads. Altogether 2.4 km of the proposed route of the greenway lies within the boundaries of the SAC and/or SPA. The sections to be built alongside the roads are proposed to have a bituminous surface laid between kerbs 4 m apart. 1.8 km of the greenway is to be constructed off road within the SAC/SPA as an elevated boardwalk on piles rising 1.5 m above the high tide mark. The boardwalk and the piles will be built entirely from elements made of recycled plastic. While most of the boardwalk within the SAC/SPA is to be constructed in habitats such as grassland, parkland and scrub on the margins of these sites, a number of sections totalling 610 m in length are to be built in intertidal areas occupied by saltmarsh or mudflat habitats.

For route selection and other purposes the proposed greenway route has been divided into two sections. Section 1 extends from the Boyne Viaduct in Drogheda along the R150 and R151 Roads to the Old Golf Range Access onto Mornington Road, and Section 2 from the latter point through Mornington Village to the Tower Road-Crook Road junction. Section 1 includes all the parts of the greenway route adjacent to the Natura 2000 sites. From consideration of the Route Options Assessment Main Report, it is noted that, because of the requirement to maintain the amenity value of the greenway, some attention was paid to preserving vistas of the estuary in assessing route options along Section 1 of the greenway route. Unfortunately providing views of the estuary for human users of the greenway also results in increased visibility of such persons to birds utilising the Boyne Estuary SPA with consequent potential for increased disturbance to the latter. It is also noted, that while one of the three route options considered for Section 1 of the greenway was Option S1.3, involving the construction of the greenway along the southern side of the R150 and R151 Roads away from the estuary, the option of realigning parts of these roads to the south, so as to allow the construction of the greenway on their estuary side without encroachment on the European sites does not appear to have been investigated. Such an approach would appear feasible on certain stretches of these roads, such as along the R151 (Mornington Road) east of Mornington Church and graveyard, and would be similar to the realignment of the coastal road at Dollymount on Dublin Bay carried out in recent years to accommodate a greenway without encroaching on the North Dublin Bay SAC and North Bull Island SPA.

While the principal concerns in relation to the proposed greenway's impacts on flora and fauna arise from its potential effects on habitats and species which are Qualifying Interests and Special Conservation Interests for the adjacent SAC and SPA as well as on other species associated with these sites, it is noted from the supporting Arboricultural Report that its construction will have considerable impact on woody vegetation. Of 269 trees which were assessed along the greenway route, 154 trees and six private hedges are to be removed to facilitate the proposed works, resulting in removal of 54.7 % of woody vegetation in proximity of the works on the northern side of the R150/151. Most of these trees are classified as category C, of low quality in arboricultural terms, but this does not take into account their ecological value or their role in screening the SPA from disturbance. The loss of these trees will only be partly compensated for in the medium to long term by the proposed planting of native woody species.

The potential impacts of the construction and operation of the proposed greenway on the Boyne Coast and Estuary SAC and the Boyne Estuary SPA are assessed in the Natura Impact Statement (NIS) submitted in support of this application. An assessment of the likely impacts of the greenway on the SAC and particularly, the Qualifying Interest (QI) habitats occurring along the greenway route, namely Estuaries, Tidal mudflats and sandflats, *Salicornia* muds and Atlantic



salt meadows is presented in Table 6-3 on pgs 58-59 of the NIS. This assessment was based on field survey of the habitats in the footprint of the greenway. Whilst the footprint of the greenway is found to overlap with these habitats, it is stated in the NIS that its route was designed to avoid Annex quality saltmarsh for which the site is designated. Significant effects on the SAC through direct habitat loss are therefore stated to be excluded. Shading impacts of the proposed boardwalk sections of the greenway on saltmarsh vegetation and mudflats are not referred to however. Also, although the supporting Ecological Impact Assessment details the areas of different habitats within the footprint of the greenway (Table 4.2), no assessment has been carried out of the proportion of the Qualifying interest habitats within this European site which will be affected by the construction of the greenway.

Assessment of the potential impacts of the proposed greenway on the Boyne Estuary SPA is presented in Table 6.4 on pgs 60-63 of the NIS. The Boyne Estuary SPA has site specific conservation objectives for each of the SPA's special conservation interests. These objectives are supported in part by data from low tide surveys and high tide roost surveys available in NPWS (2012) *Conservation Objectives: Boyne Estuary SPA 004080* (Issue Version 1). National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. These surveys provide information on the use of various areas of the site by each species and were conducted across a number of months. These data have not been considered at all in this assessment. It is recommended that the applicants consider the low tide survey and high tide roost survey data that informed the site specific conservation objectives of the SPA in their assessment.

This assessment uses the following rationale to inform its conclusions. Using data gathered from waterbird surveys from a one month period (March 2018), it applied disturbance distance bands to assess what percentage of a given species' population fell within likely disturbance bands. This was done on a subsite basis. The rationale outlined suggests it then considers the availability of suitable habitat outside of the 'zone of disturbance' for potentially disturbed birds to move to. This is used to draw inferences on whether or not there is sufficient habitat available for disturbed birds to relocate to, without suffering significant negative impact. While the report states that "Detailed evaluation and analysis of this data was undertaken" (Table 6.4 pg 62 of the NIS); there is a complete lack of detail and information on the evaluation methodologies and data used, as well as on what results were obtained and how these were interpreted. Without this detail, the assessment does not present a coherent or firm basis for a conclusion that significant impacts on the Special Conservation Interests of the SPA will not (or are unlikely to occur). For example, there is no information on how the extent of available habitat was assessed or how estimates of habitat sufficiency for species were calculated (and how these estimates would interact with the requirements of other species). Furthermore, this analysis of habitat sufficiency should have considered temporary depletion of prey resources in areas and optimal foraging theory.

The waterbird survey work undertaken by the applicants is welcomed. However, this survey data, which is the primary data used in the analyses and assessment with respect to birds, is from a single month (March 2018) only. The species which are special conservation interests for the SPA vary in their use across the non-breeding season (e.g. from September to March, inclusive) and an assessment of only one month's duration is likely to overlook the variation in population, distribution and site use of the SPA by relevant species. The importance and utilisation of the site may vary across the season (e.g. for certain SCI species the site may be more important in some months than others).



The total area from which birds will be displaced should also be estimated. Using the arguments outlined in the NIS on disturbance distances, and given that the boardwalk will be up to 4m in width, the potential displacement effect across the SPA needs to be determined (i.e. what percentage of the SPA will birds likely be displaced from). This should be considered with regard to 'Wetland and waterbirds' being one of the Special Conservation Interests for the site.

Recommendations

Consideration should be given, in the first instance, to avoiding impacts to European sites in the siting of the proposed greenway. It is not clear that due consideration has been given to siting the greenway such that it does not result in such impacts.

It is recommended that Meath County Council should be requested to supply as Further Information to the Board additional data to substantiate the conclusions presented in the NIS, that construction and operation of the proposed greenway will not adversely affect the integrity of the Natura 2000 sites, the Boyne Coast and Estuary SAC and the Boyne Estuary SPA.

It is recommended the County Council be requested to submit an assessment of the potential impacts that shading resulting from the construction of the proposed boardwalk sections of the greenway may have on Qualifying Interest SAC habitats. In addition the Council should be requested to submit information indicating the quantum and proportion of QI habitats within the SAC which will be affected by the development of the proposed greenway, and an assessment of the significance of any such effects including the significance of any permanent habitat losses. In order to inform more robust assessment of the development of the proposed greenway on the Boyne Estuary SPA, Meath County Council should be requested to undertake counts of birds occurring in the SPA in additional months across the non-breeding (wintering) season. Based on these counts, fuller assessment should be possible (as suggested above) of the potential impacts of disturbance on birds using the SPA arising from the operation of the proposed greenway, and such assessment should be included in the bird survey report the Council will submit to the Board. In addition, the analysis undertaken should also utilise the supporting survey data underpinning the site specific conservation objectives, referenced above.

You are requested to send further communications to the Development Applications Unit (DAU) [redacted] or to the following address:

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