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COMMENTS ON THE PROPOSAL AND REPORTS RELATED TO THE

Construction of the Boyne Greenway Drogheda to Mornington, Co. Meath & Co. Louth (APB-307652-20)



ABSTRACT

Having facilities for exercise, and stimulating human activities are desirable and any attempt to create such facilities is admirable.

Bearing in mind the desirability of a greenway/boardwalk in the area near the east coast of Meath it is crucial that areas of high environmental importance will not be adversely affected. It is astonishing that the route chosen is the one that will have major adverse effects on the most environmentally sensitive area in the county.

To reduce the impact on the estuary the route should travel south along the Mill Road and make its way to Bettystown that way. This would reduce the impact of human related interference on both the Boyne Estuary Special Protection Area (SPA) and special Area of Conservation (SAC). This route would also prove less costly. Unfortunately, this option has not been considered by the consultants in the route options assessment.

While the authors of the relevant report claim that the construction and use of the proposed boardwalk will have little impact on the Boyne Estuary SPA and SAC they have not provided any proof that this will be the case. Instead, conclusions are jumped to without any scientific evidence for the same. This proposal will have a major impact on the mostly highly designated area in County Meath. Proposed developments in the area have been refused in recent years due to their likely detrimental effects on the EU designated areas.

The preferred route will mean that residential property will be severely affected, yet there is no mention of the social and financial impact of the same due to the compulsory purchase orders that will be needed for property that will be impinged along the route.

The risk of flooding in the area of the proposed boardwalk has been identified yet the likely worsening of the same due to climate change is not referred to.

The eastern end of the proposed boardwalk is shown to come to an abrupt end beside the dunes at the mouth of the river Boyne. There is no recorded appreciation of what users will do then. Undoubtedly some will return in a westerly direction along the boardwalk immediately, but it is likely that the majority will move on further eastward and enter the SAC in the coastal dune system which would inevitably suffer from human interference.

*The likely impact of the human related interference to dunes has not been referred to in any of the studies. The Mediterranean Sand Snail (*Theba pisana*) – (which unique to this part of the east coast) and the impact of increased human pressure on it is not referred to in the reports either. At least, if the proposed route turned south along the Golf Links Road before it entered the SAC it would help protect the dune system.*

Due to the likely detrimental/harmful effects on the sites of National and EU importance, that this route is proposed to traverse, and likely costs of the same, this proposal must be refused. If not refused development of this plan will result in further embarrassment of Ireland at EU level in relation to environmental issues, as EU legislation will be impinged.

Comments on Documents/Reports submitted to support the Proposed Boyne Greenway (Drogheda to Mornington) Project

Route Options Assessment DBFL CONSULTING ENGINEERS.

The assessment recognises the proximity to and possible loss of Annex I Habitat and the increased potential for disturbance to birdlife. *However, the route options do not consider using the Mill road to access Bettystown. Also, route options are not costed. The chosen route will need compulsory purchase of private property and compensation of residents for the social implications of having their privacy diminished. These will add considerable cost to the project.*

Flood Risk Assessment DBFL CONSULTING ENGINEERS

While the report accepts that flooding of the Boardwalk will occur even with calculations based on current data, the effects of climate change are not considered. The extent of the flood event within the last 20 years associated with the Gut river/drain beside where the boardwalk is to end is not considered.

Ecological Impact Assessment (EcIA) Report INIS FOR DBFL CONSULTING ENGINEERS

In relation to the construction phase the report states that “regular monitoring of the works will be provided by a suitably qualified ECoW with authority to ‘Stop the Works” – which is a

good prospect if it will happen. "The representative will have knowledge of working on construction programmes within SAC and SPA areas where significant bird populations exist". **However, there is no record of where these sites were and what impact the ECOW had.**

Paragraphs C and D of page 6 are the same

Page 7 To counteract impact from dogs, particularly, and avoid noise transfer to birds and other species which may occur, the boardwalk barrier will be screened to half height (~600mm) with full height (~1200 mm), an option in particularly sensitive locations.

It is not made clear how such a barrier will prevent the noise created by dogs!

Neither the desk or field studies carried out mention the Mediterranean Sand Snail (*Theba pisana*) whose habitat is the coastal dune system at Mornington and is unique to this part of the east coast of Ireland. It is likely that this invertebrate will be adversely affected by traffic disgorging from the eastern end of the boardwalk.

ENVIRONMENTAL IMPACT ASSESSMENT REPORT SCREENING-

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Page 11 Records and accepts that "The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Shelduck, Oystercatcher, Golden Plover, Grey Plover, Lapwing, Knot, Sanderling, Black-tailed Godwit, Redshank, Turnstone and Little Tern. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds".

In relation to 3.6 Noise and Vibration

"The proposed greenway will largely be active in daytime hours only. During operation there will be an increase in the number of cyclists or pedestrians in the area but these are expected to have a negligible impact on noise or vibration in the local environment".

Expected is not good enough – proof is needed. I do not believe that the boardwalk will be closed after dark, when the birds still feed on the mudflats. Their range is determined by the tides and not so much light or darkness. No scientific risk assessment has been carried out. This is just an opinion. My opinion is that there will be a major effect.

The proposed greenway will be adjacent to the R150 and R151 roads for large sections and it is not anticipated that the operation of the Greenway would significantly increase the baseline noise and vibration levels currently experienced along the proposed route.

Are people and bicycles going to be made be silent. Again, this is an opinion on the operation of the proposed Greenway that is not based on any scientific risk assessment.

(ii) coastal zones and the marine environment;

The authors state that "The proposed greenway development will end at the junction of Tower Road / Crook Road east of Mornington and therefore will not extend into the coastal zone of Mornington Beach and will not have any direct impact on coastal zones and the marine environment.

It is naive to propose that the users of the boardwalk will just disappear at the eastern end of the board walk. While some will return in the direction they came from undoubtedly others will progress east and put further pressure on the coastal sand dune system.

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

The Boyne Coast and Estuary SAC and the Boyne Estuary SPA are located adjacent to the proposed Greenway location for large sections. An Ecological Impact Assessment (EclA) and Natura Impact

Statement (NIS) was completed as part of the design phase of the proposed greenway and will accompany the planning application. Within the EclA and NIS documents are a number of suggested design and control measures that would mitigate potential impacts. Section 6 of the EclA indicates that the residual impacts from the construction and operation of the proposed Greenway would not be significant. Similarly, the conclusions in section 7 of the NIS report also indicate that the proposed development would not have significant impacts on any of the European sites if mitigation measures were employed as part of the construction and operational phases.

These are just opinions by the authors of the report that are contestable

(h) The possibility of effectively reducing the impact

Within the EclA and NIS reports prepared for the proposed development there are a number of mitigation measures put forward to minimise impacts on the environment and ecology (i.e., sections 5 of EclA and 6.2.3 of NIS) and these would also reduce impacts on people and water resources in the area.

The authors opinion is that the minor procedures proposed may attempt to mitigate the detrimental effects – but no proof is put forward.

6.0 SCREENING CONCLUSIONS & RECOMMENDATIONS

The sub-threshold screening completed indicated that if the mitigation and control measures put forward in the EclA, NIS, the Archaeological and Built Environment Assessment report and the Arboricultural Assessment, Arboricultural Impact and Tree Protection Strategy Report are implemented then the proposed development would not have a significant environmental impact.

This is an opinion which has not been proven.

Based on the findings of the screening assessment it is not considered that a full EIAR is required for the proposed Greenway development.

Again this an opinion without a scientific basis.

APPROPRIATE ASSESSMENT: STAGE 2 NIS. INIS ENVIRONMENTAL CONSULTANTS LTD FOR DBFL CONSULTING ENGINEERS.

DESKTOP STUDY. The desktop study recognises that there are at least 15 bird species on the Red List that use the area beside the Boardwalk. Badgers, Hedgehogs and Otter are also recorded as using the area.

HABITATS AND FLORA

AGAIN Records of *Theba pisana* in the area onto which it is envisaged that users of the Boardwalk will be disgorged have not been documented despite their presence in the area.

BIRDS

It is documented on page 16 that “Counts took place on a total of 12 days in the winter period (March) 2018. Each count sector was counted on at least two occasions”. ***This is a major flaw in the assessments as bird surveys on the Boyne estuary should be carried out at least monthly between September and March as per the dates for carrying out the Irish Wetland Bird Survey. Most of the birds that use the estuary will have migrated from the estuary when counts were carried out i.e. in March and April – so the counts given in the results of the field survey are very likely to underestimate the real numbers of birds using the Boyne estuary.***

“6.2.3.1 Noise/Disturbance Prevention”

To counteract disturbance from dogs, particularly, and avoid noise transfer to birds and other species which may occur, the boardwalk barrier will be screened to half height (~600 mm), with full height (~1200 mm) being an option in particularly sensitive locations (such as intertidal). The

screening will be provided by fixing boardwalk running boards to the fence posts. In addition, signage outlining the accepted 'code of conduct' for dogs will be instated, in line with Best Practice for similar Greenway Projects. These project elements will avoid significant effects from off leash dogs which have been shown to be the single highest source of disturbance in similar scenarios (Liley et al., 2011)

Construction works, and the associated movement and noise, will undoubtedly cause interference to the wild birds in the SPA.

It is not proven that, when operational, human and animal activity on the boardwalk will not cause interference to the birds on the SPA. It is naive to suggest that a screen of 1.2 M will prevent the birds from being influenced by walkers and their pets. – WHERE IS THE EVIDENCE FOR THIS.

Bearing in mind the way the local coastal sand dunes are used, and defaecated on, by pet dogs, a code of conduct for dog owners for the more sensitive habitat for birds is at best a joke! It is highly unlikely that such a code would be adhered to.

Conclusion

The study indicates that "Following examination and analysis and taking account of the protective measures proposed during the construction and operation phases, the potential for significant effects during construction and operation were found not to be significant. ***Where is the risk assessment for this statement? This is an opinion. My opinion is that the works are bound to interfere with the birds, as they feed on the mudflats below the proposed site for the Boardwalk i.e. the location that will be interfered with during the construction phase. There is no offer of compensation being made for this disturbance as is required by EU directives!***

The provisions of Article 6 of the 'Habitats' Directive 92/43/EC (2000) defines integrity as the 'coherence of the sites ecological structure and function, across its whole area, or the habitats, complex of habitats and/or population of species for which the site is classified'. It is clear that, given the application of prescribed protective measures for the avoidance of impacts and the implementation of the required mitigation measures, the proposed development will not give rise to significant effects on the integrity of any of the identified European sites evaluated herein. ***Again where is the risk analyses for this statement?***

This is an opinion and there is no proof offered. My opinion, based on years of carrying out bird counts on the estuary (not just for one month in 2018) is that the Boardwalk will have very significant damaging effect on birdlife in the SPA

Also, proposing a code of contact and comparison with developments abroad are naive as, unfortunately, in general, Irish people do not respect their natural environment as persons abroad do theirs. For example, there has been no assessment in any of these studies of the effects of the likely increased littering on the wild birds and otters that use the estuary. due to the likely increase in human activity.

