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Via email: enniscorthyschemeconsultation@per.gov.ie

**EIA Consultation under the Arterial Drainage Schemes Act re River Slaney (Enniscorthy
Drainage Scheme)**

A Chara,

I refer to the notification and documents forwarded in relation to the above EIA Consultation under the Arterial Drainage Schemes Act regarding the River Slaney. Outlined below are the underwater archaeology observations of the National Monuments Service and the nature conservation recommendations of the National Parks & Wildlife Service (NPWS), both of the Department of Culture, Heritage and the Gaeltacht. Reference to the Minister/Department for Culture, Heritage and the Gaeltacht will, in the coming period, be amended to refer to the Minister/Department of Housing, Local Government and Heritage once the relevant legislative provisions to give effect to this change are completed.

Archaeology

Extensive consultations have taken place between all stakeholders and the National Monuments Service regarding the archaeological requirements for Enniscorthy Flood Defense Scheme (FRS), with agreed strategies and methodologies in place to address current and future work needs. The Department is awaiting results of archaeological excavation undertaken.

Having assessed the attached documents, whereby it appears the Main Drainage Scheme is dovetailing/part of the FRS and the associated submitted Archaeological Impact Assessment (AIA)/Underwater Archaeological Impact Assessment (UAIA) reflects works already discussed and archaeological mitigation agreed and underway, the Department's requirements for this scheme remain unchanged as previously agreed.

However, all previously agreed archaeological mitigation has centred on pre-intrariverine works. We note that there will also be associated drainage works around and within Enniscorthy that will be undertaken.

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If these proposed works have not been previously archaeologically assessed, then they should be so by the project archaeologists engaged to oversee the archaeological mitigation and an update submitted with proposals to mitigate the risk of any impacts to the cultural heritage to the National Monuments Service of this Department for consideration.

Members of the Underwater Archaeology Unit of the National Monuments Service are available to discuss if this will serve to progress matters.

Nature Conservation

The National Parks and Wildlife Service (NPWS) of this Department have been engaged in consultation in relation to this scheme from 2015 to the present. While not repeated here, all previous comments made by the Department remain relevant and should be taken into consideration. Meetings were also on-going throughout, as summarised in Table 6.1 of the Environmental Impact Assessment Report (EIAR) prepared by Mott McDonald and Wexford County Council and dated November 2019 and in Table 5 of the Natura Impact Statement (NIS) prepared by Scott Cawley and dated 05/03/2019. Furthermore, in advance of aquatic surveys, consultation with NPWS was also carried out regarding existing information for the area and where licensing was involved to carry out surveys, specifying appropriate methodologies and stipulating conditions for surveys.

The Minister for Public Expenditure and Reform, Mr. Michael McGrath is now undertaking a public consultation under the European Union (Environmental Impact Assessment) (Arterial Drainage) Regulations 2019 in relation to the scheme, and has invited the Department to make a submission on the likely effects of the scheme on the environment within 30 days of notice being given. The Department wishes to point out that under Regulation 10 of the European Communities (Birds and Natural Habitats) Regulations 2011 – 2015, a public authority that has prepared a Natura Impact Statement, shall not, without the agreement of the Minister, conclude an Appropriate Assessment of the plan or project to which that statement relates earlier than six weeks after the date on which it submitted the Natura Impact Statement to the Minister, and shall take account of any submissions made to it by the Minister.

Matters relating to the NIS and EIAR

Elements of the proposed scheme are located within two European sites, the Slaney River Valley Special Area of Conservation (SAC) 000781 and the Wexford Harbour and Slobbs Special Protection Area (SPA) 004076.

Light pollution

As part of the scheme, new artificial lighting is proposed along the pedestrian bridge, new road bridge and approach roads. Lighting can impact resident and migratory birds, certain bat species, insects and plants and fish species¹. Light intensity and colour have been proven to have a

¹ Dark Sky Ireland (2020) Public Lighting Recommendations
http://www.tara.tcd.ie/bitstream/handle/2262/91582/Lighting_guidelines_13Feb2020.pdf?sequence=1



negative impact on juvenile Atlantic Salmon ^{2,3}, one of the five qualifying interest fish species within the Slaney River Valley SAC. The scheme includes two approximately 25 metre high (above road level) lighting masts, referred to as architectural lighting columns, adjacent to the bridge and the River Slaney, located at the intermediate pier on the western side and which light the spiral stairway access from the bridge to the west bank of the Slaney. River and watercourses often provide dark corridors even within highly lit urban areas. Architectural lighting of bridges, can have a negative impact on biodiversity, particularly where lighting is directed, or strongly reflected, onto the water surface. The impacts of the architectural lighting on the qualifying interest / special conservation interest species and habitats does not appear to have been assessed in the NIS.

Therefore, the Department advises the Minister to ensure that artificial lighting and in particular, the architectural lighting, will not have a negative impact on the integrity of European sites above, before concluding Appropriate Assessment of this scheme.

The EIAR states that a preliminary lighting design has been developed which seeks to minimise requirements for street lighting over the river span and flood plain on the east side of the river. It appears that the preliminary lighting design was not provided with the scheme documents provided to the Department as part of this consultation. Given the known detrimental impacts to biodiversity caused by light pollution, the Department advises that lighting over the entire river and any other habitats within the project's zone of influence should be minimised in the lighting design. Measures which can be taken to minimise lighting include dimming and trimming the light at dusk and overnight, use of sensor lights, and directional lighting to avoid light spill. Lighting falling on the river and riparian areas should be considered with lower intensity (< 1 lux) and warmer light or amber light.

Lamprey salvage

As outlined in the Department's previous comments where practicable, post-electrofishing lamprey salvage should be undertaken using the methodology outlined in King et al, 2008⁴.

Kindly forward to this office any additional documentation received or in the event of a final decision being made please forward a copy of same to the address on the cover page or via email to manager.dau@chg.gov.ie

Is mise le meas,

Michael Murphy,
Development Applications Unit
053 – 9117516.

² Longcore, T., Rodríguez, A., Witherington, B., Penniman, J.F., Herf, L., and Herf, M. 2018 "Rapid assessment of lamp spectrum to quantify ecological effects of light at night," *Journal of Experimental Zoology* 329, 511-521 doi.org:10.1002/jez.2184

³ Riley, W. 2016 "Artificial Light at Night (ALAN): The behavioural responses of Atlantic salmon (*Salmo salar* L.) in freshwater," https://ifm.org.uk/wpcontent/uploads/2016/10/IFM_Norwich_October2016_Riley.pdf

⁴ King J.J., Hanna G. And Wightman G.D. 2008 Ecological Impact Assessment (EcIA) of The Effects of Statutory Arterial Drainage Maintenance Activities on Three Lamprey species (*Lampetra planeri* Bloch, *Lampetra fluviatilis* L., and *Petromyzon marinus* L.). Series of Ecological Assessments on Arterial Drainage Maintenance No 9 Environment Section, Office of Public Works, Headford, Co. Galway.