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County Hall
Dundalk
Co. Louth

Marine Licensing Team
1st Floor, Klondyke Building
Cromac Avenue
Belfast
BT7 2JA

Ref: ML2022003

cc Roughan & O'Donovan

Email: MarineLicensingTeam@daera-ni.gov.uk

Date: 22 February 2024.

Dear [REDACTED]

Screening opinion under The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) – Narrow Water bridge construction, Warrenpoint – ML2022003

As per my email dated 14th December 2023, I am writing in relation to a screening exercise, which was carried out by the department on the proposal to construct a single carriageway bridge between Omeath and Warrenpoint, spanning the Narrow Water. A 28 day consultation was carried out under the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (Marine Works Regulations), with those consultation bodies considered to have an interest in the project, in order to provide you with a formal Screening Opinion.

1. Background

The Marine Works Regulations transpose the provisions of the Environmental Impact Assessment (EIA) Directive (2014/52/EU) into UK Law. The Marine Works Regulations apply to regulated activities which require a marine licence under Part 4 of The Marine and Coastal Access Act 2009.

The construction of the single carriageway bridge between Omeath and Warrenpoint, spanning the Narrow Water falls under Schedule A2, paragraph 62 of the Regulation, and therefore must be screened under the Marine Works (EIA) Regulations 2007 (as amended) for any potential significant effects on the

environment. The need for an EIA is determined by the nature, complexity, location and size of the project and its potential to have a likely significant effect on the environment (including cumulatively with other existing projects) and is set out in Schedule 1 of the Marine Works Regulations.

2. Habitats Regulations Assessment

A Habitats Regulations Assessment (HRA) must be coordinated with the EIA and is necessary to assess whether the proposal is likely to have a significant effect on designated European species and habitats. A Natura Impact Statement (NIS)/HRA performed under Article 6 of the EU Habitats Directive (92/34/EEC), was completed in February 2012 to Stage 2 Appropriate Assessment, and a technical appraisal of the NIS/HRA completed in November 2023 were submitted for the marine licence application.

Due to the location of the proposed project, European sites within Northern Ireland (NI) and the Republic of Ireland (RoI) have been considered. The proposed project is not directly connected with or necessary to the management of any European site in either NI or RoI. A total of 8 European sites were identified within a 20km radius of the proposed project.

- Carlingford Shore SAC (RoI)
- Carlingford Lough SPA (RoI)
- Carlingford Lough Special Protection Area (SPA)
- Carlingford Lough RAMSAR site
- Carlingford Lough Area of Special Scientific Interest (ASSI)
- Rostrevor Wood SAC
- Dundalk Bay SPA
- Carlingford Mountain SAC

3. EIA Screening Consultation

The Marine Works Regulations sets out a procedure which the department must follow, in order to determine whether an EIA is required to be submitted with a marine licence application. As part of this procedure the department is required to consult with those consultation bodies considered appropriate before providing a screening opinion.

The Department therefore provided the following consultees with the information provided by Roughan & O'Donovan, on behalf of their client, Louth County Council;

DAERA Marine & Fisheries Division-

- Marine Conservation & Reporting teams:
 - o Marine Wildlife
 - o Coastal Geomorphology
 - o Marine Archaeology
- Marine Monitoring & Assessment Team
- Sea Fisheries Inspectorate
- Marine Strategy & Catchments Team
- Inland Fisheries

Northern Ireland Environment Agency-

- Natural Environment Division (NED) Conservation, Designation & Protection (CDP)
- NED Biodiversity Unit
- Resource Efficiency Division, Water Management Unit, Planning Consultations

DAERA Council for Nature Conservation and the Countryside (CNCC)

Agri-Food and Biosciences Institute

The Loughs Agency

The Crown Estate

The Commissioners of Irish Lights

Maritime & Coastguard Agency

Councils in both Northern Ireland (NI) & Republic of Ireland (RoI) Jurisdictions

- Newry, Mourne & Down District Council
- Louth County Council

The Consultation responses are provided at Appendix 1

4. Providing the Screening Opinion

The Department must give full regard to the responses provided during the consultation and consider the sensitivity of the project location and potential impacts, as well as the characteristics of project in deciding whether an EIA is required for your proposal.

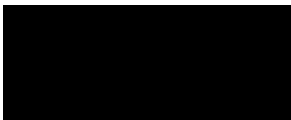
I enclose with this letter a screening opinion and a written statement of the reasons for the opinion in respect to the proposal by Louth County Council to construct a construct a single carriageway bridge between Omeath, Co Louth and Warrenpoint, Co. Down spanning the Narrow Water.

As required under Schedule 2 of The Marine Works Regulations, this response will also be copied to the consultation bodies listed above and publicised on the DAERA Marine Licensing Public Register at <https://www.daera-ni.gov.uk/articles/marine-licensing-public-register>.

If you have any further questions please do not hesitate to contact me.

Kind Regards

Yours Sincerely



Marine Licensing Case Officer

Marine Licensing Branch



Department of Agriculture, Environment and Rural Affairs

Marine and Fisheries Division

**Environmental Impact Assessment Screening Opinion under the Marine Works
(Environmental Impact Assessment) Regulations 2007 (as amended).**

Narrow Water Bridge Construction, Warrenpoint

Date of Screening Opinion: 22 February 2024

Reference: ML2022003

The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended).

Screening opinion for the proposal by Louth County Council to construct the Narrow Water Bridge

1. Proposal

The proposed Narrow Water Bridge will cross the Newry River approximately 400m south of the Narrow Water Keep. The bridge, which will connect the R173 Omeath Road south of Ferry Hill and the A2 dual carriageway at the existing roundabout, is situated approximately 1km and 2km northwest of Warrenpoint and Omeath, respectively. The bridge will pass close to the beacon near the southern shoreline.

2. Potential Impacts

As the works were determined to be a Schedule A2 project, consideration has been given to the nature of the project, having regard to its size, the scope of the works and its location. This will assess the potential for it to have a significant effect on the environment and take account of a range of factors including, the materials to be used; the likelihood that the works could bring about short or longer-term changes to marine environment, natural process or interactions with existing activities; the generation of wastes or release of pollutants and cumulative effects.

Criteria for determining the likely significance of effects	Justification	
1.	Characteristics of the Project	
The characteristics of projects must be considered, with particular regard to:		
a)	Size and design of the whole project	The proposed project, known as Narrow Water Bridge will involve construction of a single carriage link between Warrenpoint and Omeath. The total length of the scheme, including the required bridge crossing, is approximately 660m. The proposed structure will comprise a cable-stayed bridge with a rolling bascule opening span. The structure is supported by asymmetric back-ward inclined towers, with the higher (86m) tower located on the southern side of the crossing. The lower (33m) twin towers on the northern side operate the rolling bascule opening span. The cable-stayed span is supported by a double plane of cable-stays which are anchored to an inclined vertical tower.
b)	Cumulation with other existing and/or approved projects	There are no other proposed marine licensing projects within the vicinity (granted or existing).
c)	Use of natural resources, in particular,	There is no planned use of natural resources in the project.

	land, soil, water and biodiversity.	
d)	Production of waste	There will be limited production of waste, which will be recycled appropriately.
e)	Pollution and nuisances	<p>The outline Construction Environmental Management Plan (oCEMP) states that the risks of pollution will be managed by locating the main site construction compound away from the main body of the Newry River. Where compounds are located close to watercourses, they will be designed and managed so that run-off is collected and bunded.</p> <p>Temporary impacts are noted in the oCEMP on page 3, Section 3.2.2 Site Construction Compound.</p> <ul style="list-style-type: none"> • Increase in traffic flows, particularly larger vehicles; • Increase in local noise levels during working hours; • Visual intrusion. <p>Other potential impacts are mitigated against in the oCEMP on page 3, Section 3.2.2 Site Construction Compound and on page 4, Section 5.1 Enabling Works Contracts</p> <ul style="list-style-type: none"> • Accidental spillage of pollutants into watercourses; • Dirt, mud and other materials being dropped from lorries and plant or spread onto approach roads by traffic travelling to and from the site. <p>Water quality monitoring is in place, and a baseline established in the oCEMP on page 4, Section 5.1 Enabling Works Contracts.</p> <p>An Ecological Clerk of Works (ECoW)</p> <p>will be employed to monitor work – detailed in the oCEMP on page 6, Section 6 Enabling Works Contract</p>
f)	Risks of major accidents and/or disasters, which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge	None identified
g)	The risks to human health e.g. due to water contamination or pollution	None identified

2.	Location of the project	
The environmental sensitivity of geographical areas likely to be affected by projects must be considered, with particular regard to:		
a)	The existing and approved land use	<p>Carlingford Lough is a coastal water body on the east coast of Ireland, located at the border of both Northern Ireland & the Republic of Ireland.</p> <p>It is designated as SPA/MCZ/ASSI/Ramsar for sand, mudflats and overwintering birds.</p>
b)	The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;	<p>This project includes the creation of new roadways, the construction of the bridge and various associated maintenance and control buildings.</p> <p>Scrub and vegetation removal will be required, and demolition of existing buildings and stairs.</p> <p>The construction of the bridge will result in the direct loss of a small area of mudflat located under the northern bridge embankment. Shown in plate 7.2.12 in Appendix 7.6/2 of Environmental Statement Volume 2.</p> <p>There will be no regenerative capacity of natural resources.</p>
c)	<p>The absorption capacity of the natural environment, particularly:</p> <ul style="list-style-type: none"> I. Wetlands, riparian areas, river mouths; II. Coastal Zones and the marine environment; III. Mountain and forest areas; IV. Nature Reserves and parks; V. Areas classified or protected under National legislation; Natura 2000 areas designated by Member States 	<p>The proposal is in the Carlingford Lough Marine Conservation Zone (MCZ) designated for subtidal (sublittoral) mud. The proposed works are hydrologically linked to the Carlingford Lough Ramsar site and Carlingford Lough SPA, designated for the conservation of a variety of breeding/ overwintering colonies of migratory waterbirds. The proposal is adjacent to the Carlingford Lough Area of Special Scientific Interest (ASSI) for flora, fauna and geological interest.</p> <p>The environmental sensitivity of geographical areas likely to be affected by the project are –</p> <p>II – Coastal zones and the marine environment; and</p> <p>V – Areas classified or protected under National legislation</p> <p>A Technical Appraisal (dated November 2023) of the HRA assessment (dated February 2012) has been</p>

	<p>pursuant to Habitats Directive 92/43/EEC and Wild Birds Directive 2009/147/EC</p> <p>VI. Areas in which there has already been a failure to meet the environmental quality standards, laid down in EU legislation as it applied in the UK immediately prior to exit day, or in retained EU law and relevant to the project, or in which it is considered that there is such a failure;</p> <p>VII. Densely populated areas;</p> <p>VIII. Landscapes and sites of historical, cultural or archaeological significance.</p>	<p>carried out by Roughan & O'Donovan Consulting Engineers for the entire project and the conclusion was no significant effect once mitigation measures were taken into consideration. These mitigation measures are listed under Chapter 7.0, page 23 of the HRA dated February 2012 titled 'Mitigation Measures'.</p> <p><u>Non-annexed salt marsh habitat</u></p> <p>While the salt marsh at this site is of low quality and is not a qualifying habitat of Carlingford Shore SAC, salt marsh is an Annex I habitat and therefore care is required to minimise loss and disturbance. At the commencement of construction, the area required for the works will be identified and marked (by robust fencing) so that incursions by machinery or storage of materials on adjoining areas does not happen. If entry to the site is required over adjoining intact salt marsh, the salt marsh will be covered with appropriate matting to minimise damage to the surface vegetation. The salt marsh beneath the footprint of the bridge foundations will be cut out in sods, stored, and later used, as necessary, to repair the disturbed edges of the remaining salt marsh habitat and to encourage salt marsh regeneration, for example as part of the planting scheme for the new high tide roost. Storage of the sods will be at a nearby location (at an appropriate tidal height to be determined by the applicant) and with vegetation side up. Salt marsh regeneration will be facilitated by the removal of the grazing which is currently resulting in heavy poaching.</p> <p><u>Carlingford Lough SPA</u></p> <p>The only potential impact with respect to the waterbird populations has been shown to be the loss of the roost site on the foreshore in County Louth. To mitigate for this loss, an alternative replacement high tide roost shall be constructed before bridge works commence. For further details as to location and construction method reference should be made to EIS/ES Section 7.2.8 and Figure 7.3, EIS / ES Volume 3.</p>
3.	Types and characteristics of the potential impact	

The likely significant effects of projects on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 of Schedule 1 of the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended), with regard to the impact of the project on the factors specified in Regulation 21A(2)(a) to (e), taking into account:

a)	The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);	<p>The magnitude and scale of the impact would be localised. The proposed project involves construction of a temporary platform to support the permanent bridge deck steelwork during construction. This will consist of 11 sets of 4no. temporary piles (diameter less than 300mm) installed via a jack-up barge. The piling works will be phased to accommodate local seasonal environmental sensitivities.</p> <p>Piling will be completed within the confines of a cofferdam as shown in the Environmental Statement Volume 3 Part 5. Planning P/2012/012/F includes a number of conditions which relate to the protection of the environment, and this includes piling.</p> <p>The site is hydrologically linked to Carlingford Shore SAC (RoI) and Carlingford Lough SPA (NI & RoI)</p>
b)	The nature of the impact;	<p>The HRA (page 20) considers habitat loss and degradation to be minimal within the SPA.</p> <p>Direct loss of a mudflat is considered negligible as it amounts to 0.045% of the total ASSI area. Works within the ASSI will require consent from NIEA as per informative in Planning decision P/2012/012/F.</p> <p>Mitigating measures include the creation of a new roosting site and the use of temporary cofferdams to ensure no sediment release.</p> <p>Planning P/2012/012/F includes a number of conditions which relate to the protection of the environment.</p>
c)	The trans-boundary nature of the impact;	<p>Consideration has been given to designated areas in RoI.</p> <p>The project spans across Narrow Water to connect Warrenpoint and Omeath and is managed by Louth County Council. Planning authorisation has been granted from An Bord Pleanála. A licence for the marine aspects of the works within RoI has also been issued by the Foreshore Unit of the Department of Housing, Local Government & Heritage.</p>
d)	The intensity and complexity of the impact;	<p>Due to the size of the project, and the permanent removal of a mudflat, there is likely to be an impact on the area.</p>

e)	The probability of the impact;	There are mitigations listed in the HRA to decrease the impact.
f)	The expected onset, duration, frequency and reversibility of the impact	The onset would be expected to be immediate, but the duration and frequency would be short/ temporary.
g)	The cumulation of the impact with the impact of other existing and/or approved projects;	None approved at this time.
h)	The possibility of effectively reducing the impact	There are a number of conditions connected to Planning reference P/2012/012/F to protect health and environmental receptors. This can be reduced by implementation of mitigation measures as concluded by the HRA and conditions placed on the marine licence to ensure these are enforced.

3. Conclusion

This development is screened having regard to developments under the Marine Works Regulations which may or are likely to have a significant effect on the environment. An assessment of the likely significant impact of the development proposals on the environment using the criteria set out under Schedule 3 of the Regulations has been completed as set out above.

Having taken account of this assessment, DAERA Marine Licensing has made a screening decision that the works proposed would not require an EIA under the Regulations.

DAERA Marine Licensing are content that no issues have been raised during this screening process and that due to the transboundary nature of the project, that the proposed works will have no significant effect on the environment in either of the NI and RoI jurisdictions.

However, these works will require a marine licence and that application will now be considered under Part 4 of the Marine and Coastal Assess Act 2009 (MCAA). Conditions must be met under this licence in regard to mitigation measures.

The Narrow Water Bridge project as a whole has been considered by planning authorities in both NI and RoI jurisdictions. Planning approval has been granted by An Bord Pleanála and a Foreshore licence issued from the Department of Housing, Local Government and Heritage for the works within the RoI jurisdiction. There is currently a planning application for the proposal within the NI jurisdiction under the Planning Act (Northern Ireland) 2011 (Planning Act) (Planning Reference - P/2012/012/F).

This application will now be consulted under Part 4 of the Marine and Coastal Access Act 2009 (MCAA). No further information is required from the applicant at this stage.



Marine Licensing Case Officer
Marine Licensing Branch

Enc: Appendix 1, Consultation Responses

Appendix 1 – Consultation Responses

DAERA Marine & Fisheries Division, Marine Conservation & Reporting teams

The Narrow Water Bridge proposal is a new single carriageway link road, connecting Omeath and Warrenpoint. Marine Conservation Branch would agree that this requires an EIA as under the Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017 this falls under **Schedule A2 Infrastructure projects 62. Construction of roads.**

Marine Conservation advises that the documents do not included reference to Harbour seals. These (along with Grey seals) are frequently recorded in the lough with some individuals observed as far up as Narrow Water Bridge. Similarly, there is no mention of Harbour porpoise. Recent advice, relating to MPAs which have marine mammals as a site selection feature, recommends the following ranges should be used when screening for either Harbour (*Phoca vitulina*) or Grey seals (*Halichoerus grypus*) and Harbour porpoise (*Phocoena phocoena*):

- all SACs within 100km of the project should be screened for Grey seals (*Halichoerus grypus*)
- all SACs within 50km should be screened for Harbour seals (*Phoca vitulina*)
- all SACs within 100km should be screened for Harbour porpoise (*Phocoena phocoena*)

Therefore, Murlough SAC (designated for Harbour seals) and The North Channel (designated for Harbour porpoise) should both be considered as proposed in-river works involving piling are likely to cause disturbance and/or injury.

Furthermore, there is likely to be a loss of mudflat habitat which is a feature of Carlingford Lough ASSI due to the anchorage abutment and embankment of the bridge lying within the intertidal area. From the 3D image (page 16) in the Environmental Impact Statement Volume 3 Part 1 it appears that a small-enclosed lagoon may be created while Page 17 shows the drainage layout and near the embankment there appears to be a narrow channel which could let water egress. There is therefore the potential that this mudflat habitat will over time change to another habitat type, e.g. saltmarsh – resulting in an overall loss of the ASSI mudflat feature area. While the Carlingford Lough ASSI features are mentioned in the Environmental Statement, they describe this infaunal diversity of this particular area as low and impacts are the need for an abutment on a small area of sheltered inter-tidal mudflat on the northern shore but that proposed mitigation will ensure these are negligible. However the loss of the mudflat feature in this area would not be considered negligible.

DAERA Marine & Fisheries Division, Marine Archaeology

I am satisfied that no further information is required at the EIA stage and that the works can be archaeologically conditioned at the licensing stage. Any archaeological visual impact considerations will be considered by DFC HED through the terrestrial planning application process.

DAERA Marine & Fisheries Division, Marine Monitoring & Assessment Team

The Environmental Statement identifies that there is the potential for temporary changes in water quality due to the disturbance of sediment during the construction and removal of the coffer dams. This should not have a significant long term impact on water quality.

The ES and the outline CEMP identify suitable mitigation measures to prevent pollution incidents including adherence to the Guidance for Pollution Prevention (GPPs) and the development of a surface water management plan. MAT notes that the appointed contractor will consult with the NIEA Water Management Unit Pollution Prevention

Team (WMU PP) with respect to the developed CEMP.

The implementation and adherence to these plans should be sufficient to protect water quality.

The ES identifies no impact on water quality during the operational phase.

DAERA Marine & Fisheries Division, Inland Fisheries

The Loughs Agency is the lead body for provision of advice regarding impacts to salmonid and inland fisheries interests within the catchments of Lough Foyle and Carlingford Lough. Consequently, said agency should be consulted in relation to this application. DAERA Inland Fisheries will provide fisheries advice for those areas outside of the catchments of Foyle and Carlingford Loughs.

Northern Ireland Environment Agency-

Resource Efficiency Division, Water Management Unit, Planning Consultations

Water Management Unit

Section Reference:

WMU/PC/ 35868-1

Baseline environmental information

Water quality baseline information can be obtained from NIEA's online information request web viewer: <https://www.daera-ni.gov.uk/articles/information-requests>

Likely significant environmental effects

Water Management Unit has assessed the information presented in this proposal within the context of Water Management Unit's remit of surface water quality issues. Water Management Unit are of the opinion that, based on the information presented,

impacts on the surface water environment generated by this proposal are unlikely to be significant subject to best practice and appropriate mitigation being applied during the construction and operational phases.

Water Management Unit notes the location of this proposal, and would advise that all transboundary issues should be fully considered and addressed.

Water Management Unit's comments are subject to the relevant environmental authorisations being granted by the appropriate competent authorities.

Environmental information required

Water Management Unit would require full site drainage plan(s) in order to fully determine the potential impact of any proposal of this type.

Any drainage plan should clearly show:

- All surface water and foul drainage including the siting of any proposed septic tanks, sewage treatment plants, cesspits, soakaways, stockpiles, bunds, access roads, settlement ponds, interceptors, sumps and silt traps with their associated drainage channels / discharge points;
- The destination of all drainage should be clearly stated and identified (i.e. where it is proposed to discharge to foul sewer, combined sewer, surface water sewer, underground stratum or waterway etc);
- Separate colours should be used for foul and surface water drainage, and the direction of drainage should be indicated with arrows;
- The drainage plan should also clearly identify all areas of impermeable standing (e.g. concrete), and the location of any proposed underground storage tanks, refuelling facilities, oil storage facilities, wash areas (concrete wash out / wheel wash / vehicle wash);
- Water Management Unit notes the intention to construct / realign culverts (and associated outfalls) and a wastewater treatment plant outfall pipe (and associated outfall) and would advise that these should be included in any drainage plan.

Water Management Unit notes this application contains an Outline Construction Environmental Management Plan (oCEMP).

Once a contractor has been appointed, a final detailed Construction Environmental Management Plan (CEMP) / Construction Method Statement (CMS) should be submitted to NIEA Water Management Unit at least four weeks prior to the commencement of the works or phase of works. Water Management Unit's Pollution Prevention Team at nieapollutionprevention@daerani.gov.uk will be happy to advise on the contents of any such document, or provide any pollution prevention advice that may be required.

Any CEMP / CMS submitted for the attention of Water Management Unit should contain site-specific details of the works proposed and, as a minimum, include:

- References to current Guidance for the Prevention of Pollution (GPPs) documents and relevant good practice documentation - there are a number of GPPs that should be referred to. A full list of these GPP documents can be found at the NetRegs site:

<https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-preventiongpp-documents/>

- Direct reference to the Control of Pollution (Oil Storage) Regulations (Northern

Ireland) 2010 and supporting mitigation measures in regards to how works at the project will be compliance with the legislation;

- In-depth details on the mitigation measures for silt and spoil treatment, cement / concrete / grout, oil / fuel storage and any other potentially polluting discharge generated from the proposed works, which would include (but is not limited to):
- Vehicle wheel wash facilities and the proposed discharge points / disposal method of any effluent generated by these facilities;
- Concrete pours and the retention / disposal of effluents from any pour areas along with details of any washing out of concrete equipment;
- The North shore abutment works (including the use of cofferdams in the river);
- The central river in-bed piling describing how contractors will, at all times, mitigate against pollution and disturbance of existing river solids (Piling Method Statement);
- Details of the North shore compound along with mapping of these elements;
- NIEA's Pollution Prevention hotline number 0800 80 70 60 should be included in the list of emergency contacts, along with a timeframe for response. For example, "Any spillages / pollution incidents should be reported to the NIEA Water Pollution Hotline within 30 minutes of the incident occurring, unless it is not safe to do so".

The links below give advice in regards to the factors and level of detail that is required from a Construction Method Statement (CMS) or Construction Environmental Management Plan (CEMP) and other considerations that may need to be taken into account when submitting the information:

Construction Method Statements:

<https://www.daera-ni.gov.uk/articles/construction-method-statements>

Key Environmental Considerations:

<https://www.daera-ni.gov.uk/topics/environmental-advice-planners/key-environmentalconsiderations-planning-consultations>

Required Documentation:

<https://www.daera-ni.gov.uk/articles/required-documentation>

Drainage Plans:

<https://www.daera-ni.gov.uk/articles/drainage-plans>

Further guidance

Water Management Unit would direct attention to all the DAERA Standing Advice guidance documents available at: <https://www.daera-ni.gov.uk/publications/standing-advice/development-may-have-effect-water-environment-including-groundwater-and-fisheries>

The following DAERA Standing Advice in relation to the aquatic environment will be particularly relevant to this application:

- Standing Advice on Pollution Prevention Guidance
- Standing Advice on Sustainable Drainage Systems
- Standing Advice on Discharges to the Water Environment
- Standing Advice on Abstraction and Impoundment Licensing

- Standing Advice on Commercial or Industrial Developments
- Standing Advice on Culverting

If, after scoping their proposal against the Standing Advice, the applicant requires proposal specific advice, then Water Management Unit will be happy to provide comment at that stage.

The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata.

Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.

The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.

Louth County Council

I can advise that Louth County Council (LCC) are the applicant for the proposed Narrow Water Bridge Marine Consent Licence for the project. The planning application was submitted to An Bord Pleanála (ABP) (Reference 15.KA0024) and the Department of Environment (DoE) NI (Reference P/2012/0121/F) in 2012, which included an Environmental Statement and a Natura Impact Statement I Habitats Regulation Assessment. A public enquiry/ Oral Hearing was held by An Bord Pleanála in 2012, following which planning was granted by both authorities, subject to a number of planning conditions.

Construction works began on the project in 2017, and the main bridge construction is due to go to site in 2024, subject to the required licences and consents. A Marine Licence was granted for the project in 2013, however it has since lapsed, hence this reapplication to facilitate the main construction.

The Environmental Statement included a chapter prepared on Aquatic Ecology and Marine Modelling. Mitigation measures are set out in detail and the assessment concluded that 'Given the very low effect of the chosen bridge design on the estuary hydrodynamics and therefore sediment mobilisation, and the requirement for only very slim piers within the aquatic environment, the proposed bridge is considered to have negligible impact on the ecological functioning of the estuary.' In addition, mitigation measures from other chapters will reduce the potential for sediment mobilisation, in particular those set out in Ch 7.6 Soils, Geology and Hydrogeology.

A number of conditions were included in the grants of planning from ABP and DoE NI which will be adhered to during construction, and an Outline Construction Environmental Management Plan has been developed in consultation with Loughs

Agency, National Parks and Wildlife Service (NPWS), and Department of Agriculture, Environment and Rural Affairs (DAERA).

The Habitats Regulation Assessment undertaken for the proposed development concluded that 'the proposed development will have no adverse effect on the integrity of either the SAC or the SPA(s) and as such this report returns a conclusion that there is no potential for significant effects on the Natura 2000 sites.'

Ecological surveys were subsequently undertaken within the site in 2021 and 2022 to ensure the validity of the assessments, and a Technical Appraisal of the Narrow Water Bridge Natura Impact Statement was prepared in support of the Marine Licence application which concluded that 'provided the mitigation measures are implemented in full, as described within the NISIHRA, there will be no adverse effects on the Carlingford Shore SAC, the Carlingford Lough SPA (ROI) or the Carlingford Lough SPA (NI), or any other European site as a result of the proposed development.'

Over the last two years, a suite of consultation meetings have been held by LCC with Loughs Agency, DAERA, NPWS and Warrenpoint Harbour Authority to ensure that sufficient measures are in place to ensure minimal impacts on the estuarine environment.

LCC understand that DAERA are holding a consultation on the Marine Licence as part of the application process and that the documents and assessments produced to date will be taken into account. It is the opinion of LCC that with the design of the proposed development and the mitigation measures set out to date, that there will be no likelihood for significant effects on the marine environment as a result of the construction or operation phases of the proposed development.

Loughs Agency

The Loughs Agency is the statutory body charged with the conservation, protection and development of inland fisheries within the Foyle and Carlingford systems, the promotion of development of Loughs Foyle and Carlingford, and catchments for commercial and recreational purposes in respect of marine, fisheries and aquaculture issues and the development of marine tourism.

Loughs Agency have reviewed the associated outline Construction Environmental Management Plan, Habitats Regulation Assessment and Environmental Statement for this proposed development along with planning approvals and their conditions. Loughs Agency have engaged with this development since inception and are content with the mitigation, timing of works and monitoring proposed.

Loughs Agency do not believe that this development falls within the definition of a development which requires an Environmental Impact Assessment as outlined in

Schedule A1 & A2 of The Marine Works (Environmental Impact Assessment) Regulations 2007.

**Northern Ireland Environment Agency - Natural Environment Division (NED)
Conservation, Designation & Protection (CDP)**

Conservation, Designation and Protection Casework Team (CDP) have assessed the application and associated documents and have the following comments to make:

ASSI Considerations

Carlingford Lough ASSI

Carlingford Lough ASSI was designated on 3rd October 1996. The limestones of Carlingford Lough were deposited in a shallow sea basin during the Carboniferous period 339 million years ago. They contain numerous fossils, such as brachiopods and solitary corals. Moraines and deposited sediments provide evidence of the movement of ice sheets and glaciers. The site supports a range of unusual and rich littoral communities, including sheltered sands, muddy sands, muds, and boulder shores. It exhibits a good natural transition from lower shore communities, through upper shore saltmarsh to fen vegetation. Mill Bay supports the largest intact block of saltmarsh in Northern Ireland. Internationally important numbers of wildfowl and waders overwinter on the site, including pale-bellied Brent geese, great crested grebes, shelduck, scaup, redshank and oystercatchers. Carlingford Lough is also important for terns and has historically been an important site for breeding Roseate terns.

The main consideration is loss of inter-tidal mudflat ASSI feature which is also utilised by a range of over-wintering birds to forage and roost.

National Site Network Considerations

Carlingford Lough SPA/RAMSAR

Carlingford Lough SAC was designated on 17th September 1997. Carlingford Lough SPA lies between Killowen Point and Soldiers Point on the northern shores of Carlingford Lough and the landward boundary is entirely coincident with that of the Carlingford Lough ASSI. The site qualifies under Article 4.1 of EC Directive 79/409 on the Conservation of Wild Birds by supporting internationally important breeding populations of sandwich tern. The site also qualifies under Article 4.2 of the Directive for supporting nationally important breeding populations of common tern. Both roseate and arctic terns have also been recorded breeding here in the past. The site forms part of an extended cross-border site which supports internationally important

numbers of overwintering light-bellied brent geese. The extended site also supports nationally important numbers of the following wader species oystercatcher, ringed plover, grey plover, dunlin, and redshank.

The main concerns for the SPA features are ornithological, through disturbance and permanent loss of foraging areas.

Conclusion

CDP have reviewed the Outline CEMP and HRA submitted by the applicant.

The HRA indicates that there will be a loss of Carlingford Lough ASSI site selection feature, inter-tidal mudflats.

The loss, approximately 0.5ha, calculates as approx. 0.045% of the total Carlingford lough ASSI area.

However, there are a number of habitats and qualifying species covered by the ASSI designation. As such, this figure may be a larger percentage of the ASSI qualifying habitat feature and should be given further consideration when proposing any mitigation at full planning.

This permanent loss of mudflat impacts upon foraging areas for the wintering bird qualifying features of Carlingford Lough ASSI and additionally through disturbance throughout the construction phase.

The 2022 bird survey undertaken to inform the HRA demonstrates that the areas where works are to take place have minor importance to wintering birds overall in the designated site.

Provided the mitigation measures are implemented in full, as described within the HRA and associated CEMP, it is unlikely that Carlingford Lough ASSI qualifying bird species will be significantly impacted by the works conducted in this area.

The invertebrate assembly feature of Carlingford Lough ASSI will not be affected by the works as this feature is predominantly in the Mill Bay area of the designated site.

The geological features of Carlingford Lough ASSI are not in the vicinity of the works and will not be significantly impacted.

The proposed bridge is located approximately 7km away from Carlingford Lough SPA/RAMSAR at its closest point.

The ornithological survey undertaken to support the HRA states that SPA qualifying bird species rarely forage or enter the area where works are to take place.

It is the opinion of NED CDP that provided the mitigation measures are implemented in full, as described within the HRA and associated CEMP, it is unlikely that Carlingford Lough SPA qualifying bird species will be significantly impacted by the works conducted in this area and as such full EIA would not be required.

The following consultees provide **nil response/no comment** to the screening consultation:

- DAERA Council for Nature Conservation and the Countryside (CNCC)
- Louth County Council
- Loughs Agency

The following consultees **did not provide a response** to the screening consultation:

- DAERA Marine & Fisheries Division-
 - Marine Strategy & Catchments Team
 - Sea Fisheries Inspectorate
 - Coastal Geomorphology
- Northern Ireland Environment Agency
 - NED Biodiversity Unit
- Agri-Food and Biosciences Institute
- The Crown Estate
- Maritime & Coastguard Agency
- Newry, Mourne & Down District Council
- The Commissioners of Irish Lights
- Department of Agriculture Food & the Marine
- Dept of Housing, Local Government and Heritage
- Newry, Mourne & Down District Council