

# AA Determination Statement

## Introduction

Pursuant to Regulation 42(11) of the European Communities (Birds and Natural Habitats) Regulation 2011 (As amended), The Port of Waterford (POW) as a Public Authority, has conducted an Appropriate Assessment (AA Screening & Natura Impact Statement) for repair works to the Passage East Spit Beacon, Co. Waterford. The proposed works include repairs to the existing Spit Beacon which is currently in very poor condition and is considered to be unstable. The purpose of the Determination Statement is to allow interested parties to assess the Public Authority Determination. In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the POW has undertaken An Appropriate Assessment to assess, in view of best scientific knowledge and the conservation objectives of the site, if the project, individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s). In undertaking this determination, the POW have had regard to:

- The AA Screening Natura Impact Statement prepared by Malone O'Regan Environmental, and,
- Impact assessment and mitigation contained therein.

## The Plan or Project

The project is to undertake repair works to the existing Spit Beacon to ensure its future structural integrity. The repairs will consist of repairing / replacing poorly deteriorated frame elements, cleaning down and coating the frame with protective paint and removing the concrete deck. As part of proposed repairs, the majority of the iron pieces will be removed. The existing piles screwed into the riverbed will be retained and will not be removed during the repair process.

Repair works including steel replacement, etc, will be carried out from a floating pontoon. New steel may be galvanised and painted in the workshop prior to placement on the Spit Beacon, where possible. Existing members to be retained, i.e. vertical sections, will be hydro blasted, primed and painted by hand in-situ. Materials used will be marine grade and suitable for application in tidal conditions. Materials will be rapid setting and a window of time will be provided between the application of each coat and the rising tide to ensure the material is fully dry before submerging in water.



On repair of the existing iron frame and replacement of the upper ring beam, a crash deck will be suspended from the structure. The floor of the crash deck will be lined and the deck itself enclosed to contain the demolition waste from the concrete pad, which will be collected and bagged for removal to a licensed waste facility.

### **Avoidance and Reduction of Impacts**

The NIS provides an assessment of all potential direct or indirect pathways for adverse effects on the designated habitats and / or species of The River Barrow and River Nore SAC (Site Code: 002162) and / or The Lower River Suir SAC (Site Code: 002137). The proposed works have been described in detail in the NIS Report. Section 7 of the NIS Report sets out the mitigation measures for the protection of water quality, ecological protection and avoidance measures for any potential impacts on sensitive receptors and any protected sites within the Zone of Influence during the construction works. This ensures that there will be no adverse residual impacts on any of the qualifying interests of the identified Natura 2000 Sites.

### **Conclusion**

In summary, it can be concluded that in light of the conservation objectives and rationale for designation of The River Barrow and River Nore SAC and The Lower River Suir SAC, the potential for significant indirect effects exists as a result of aspects of the proposed repair works to the Spit Beacon Co. Waterford. These potentially significant effects have been evaluated and with the implementation of the proposed mitigation measures, it is concluded that the proposed project will not result in any effects that will adversely affect The River Barrow and River Nore SAC or The Lower River Suir SAC, having regard to the sites' conservation objectives, in circumstances where "no reasonable scientific doubt" remains as to the absence of such adverse effects.

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<b>Date:</b>	9. 7. 2022