



Screening Report for Appropriate Assessment

Stage 1 Screening Report for Appropriate Assessment
for a proposed housing development at Rockytown,
Buncrana, Co. Donegal
prepared for Donegal County Council

Greentrack Environmental Consultants

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Table of Contents

List of Figures	3
List of Tables	3
1 INTRODUCTION	4
1.1 Background	4
1.2 Legislative Context.....	4
1.3 Stages of the Appropriate Assessment Process.....	5
2 METHODOLOGY	6
2.1 Approach.....	6
2.2 Guidance Documents.....	6
2.3 Statement of Authority	6
3 DESCRIPTION OF THE PROJECT	7
3.1 Project Description.....	7
3.2 Project Description.....	8
3.2.1 Construction Stage.....	8
3.2.2 Operational Stage	8
4 THE RECEIVING ENVIRONMENT	9
4.1 General Location	9
4.2 Site Description and Biodiversity	9
4.3 Hydrology.....	9
5 NATURA 2000 SITES	10
5.1 Identification of Natura 2000 Sites	10
5.2 Conservation Status	12
6 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS	12
6.1 Cumulative Effects	12
7 CONCLUSION AND SCREENING STATEMENT	15
References:	16

List of Figures

Figure 1.1: Stages of Screening	5
Figure 3.1: Site Location Plan.....	7
Figure 4.1: Site Location.....	9
Figure 4.2: On site stream and link to Lough Swilly.....	10
Figure 5.1: Natura 2000 sites within a 15km radius of the subject site	11

List of Tables

Table 5.1: Screening of Natura 2000 Sites within Zone of Influence.....	11
Table 6.1: Impact Determination of Proposed Development on Natura 2000 sites.	13

1 INTRODUCTION

1.1 Background

Greentrack Consultants have been instructed to undertake this Screening Report for Appropriate Assessment under Article 6 of the EU Habitats Directive, examining a proposal for a Phase 2 housing development at Rockytown, Buncrana, Co. Donegal.

This Screening Report has been prepared by Greentrack Consultants with all reasonable care, due diligence, professional application, and best scientific knowledge available to Greentrack at the time of writing. Information contained within this report is based on the interpretation of data collected and has been accepted by Greentrack in good faith. Greentrack accept no responsibility to any third party to whom this report is made known or available. Any such third parties rely on the findings of this report at their own risk. The aim of this screening report is to aid the Competent Authority in determining whether or not an “Appropriate Assessment” is required for the proposed repair works. This report will assess any likely significant effects or impacts (if any) caused by the proposed development on any Natura 2000 sites within the zone of influence of this proposed development, both independently and in conjunction with other plans and projects.

1.2 Legislative Context

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as “*The Habitats Directive*”, provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/ECC) as codified by Directive 2009/147/EC.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA):

Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

Article 6(4) states:

If, in spite of a negative assessment of the implications for the [Natura 2000] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

1.3 Stages of the Appropriate Assessment Process

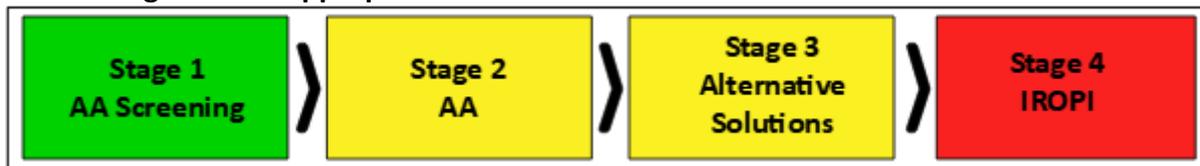


Figure 1.1: Stages of Screening

Stage 1 - Screening for any likely significant impacts. Screening involves an initial assessment of the project or plan's effect on a Natura 2000 site(s). If it cannot be concluded that there will be no significant effect upon a Natura 2000 site, an Appropriate Assessment is required. The process addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

- I. whether a plan or project is directly connected to or necessary for the management of the site, and
- II. whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). Screening should be undertaken without the inclusion of mitigation. The greatest level of evidence and justification will be needed in circumstances when the process ends at screening stage on grounds of no impact. This report provides the information necessary to enable the appropriate authority to screen the proposed development for the requirement to prepare an Appropriate Assessment.

Stage 2 - Appropriate Assessment (Natura Impact Statement or NIS): The consideration of the impact on the integrity of the Natura 2000 site(s) from the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.

Stage 3 – Assessment of alternative solutions: The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site. The process must return to Stage 2, as alternatives will require appropriate assessment in order to proceed. Demonstrating that all reasonable alternatives have been considered and assessed, and that the least damaging option has been selected, is necessary to progress to Stage 4.

Stage 4 – Assessment where no alternative solutions exist and where adverse impacts remain: Stage 4 is the main derogation process of Article 6(4), which examines whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project that will have adverse effects on the integrity of a Natura 2000 site to proceed in cases where it has been established that no less damaging alternative solution exists. Compensatory measures must be proposed and assessed. The Commission must be informed of the compensatory measures. Compensatory measures must be practical, implementable, likely to succeed, proportionate and enforceable, and they must be approved by the Minister. Each listed stage determines whether a further stage in the process is necessary. If, for example, the conclusions at the end of Stage One are that there will be no significant impacts on the Natura 2000 site(s), there is no requirement to proceed further.

Following on from Article 6(3) of the Habitats Directive the objective of this report is to screen for “Any Likely Significant Effects” and to conclude whether or not an Appropriate Assessment is necessary for the proposed development. This report will screen the proposed development against the qualifying interests of Natura 2000 sites within its zone of influence and will examine any likely significant effects that the proposed activity may have on these sites.

2 METHODOLOGY

2.1 Approach

The methodology used for this screening report is undertaken in the following stages:

- Define the project and determine whether it is necessary for the conservation management of Natura 2000 sites.
- Identify Natura 2000 sites likely to be influenced by this development.
- Review the project to determine if it has the potential to affect the Natura 2000 sites and determine whether the Natura 2000 sites are vulnerable to the effect.
- Identify other plans or project that, in combination with this project, have the potential to affect Natura 2000 sites.
- If potential significant effects on Natura 2000 sites cannot be excluded at this stage, Stage 2 appropriate assessment is required.
- If potential significant effects on Natura 2000 sites can be excluded at this stage, Stage 2 appropriate assessment is not required.

2.2 Guidance Documents

This report was carried out in accordance with relevant guidance, in particular:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. Department of Environment, Heritage and Local Government, 2009.
- European Commission. Managing Natura 2000 Sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. Office for Official Publications of the European Communities, Luxembourg, 2018.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC. European Commission, 2002.
- Guidance Document on Article 6 (4) of the 'Habitats Directive' 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence. Opinion of the European Commission. European Commission, 2007 / 2012.
- Habitats Directive and environmental assessment of plans and projects. García Ureta, A. Journal for European Environmental and Planning Law 2, 8496, 2007.
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPW 1/10 & PSSP 2/10.
- Compliance Conditions in respect of Developments requiring (1) Environmental Impact Assessment (EIA); or (2) having potential impacts on Natura 2000 sites. Circular letter PD 2/07, NPWS 1/07
- Compliance of Existing Land Use Plans with the EU Habitats Directive. Department of Environment, Heritage and Local Government (2011) Circular Letter PSSP 5/2011.

2.3 Statement of Authority

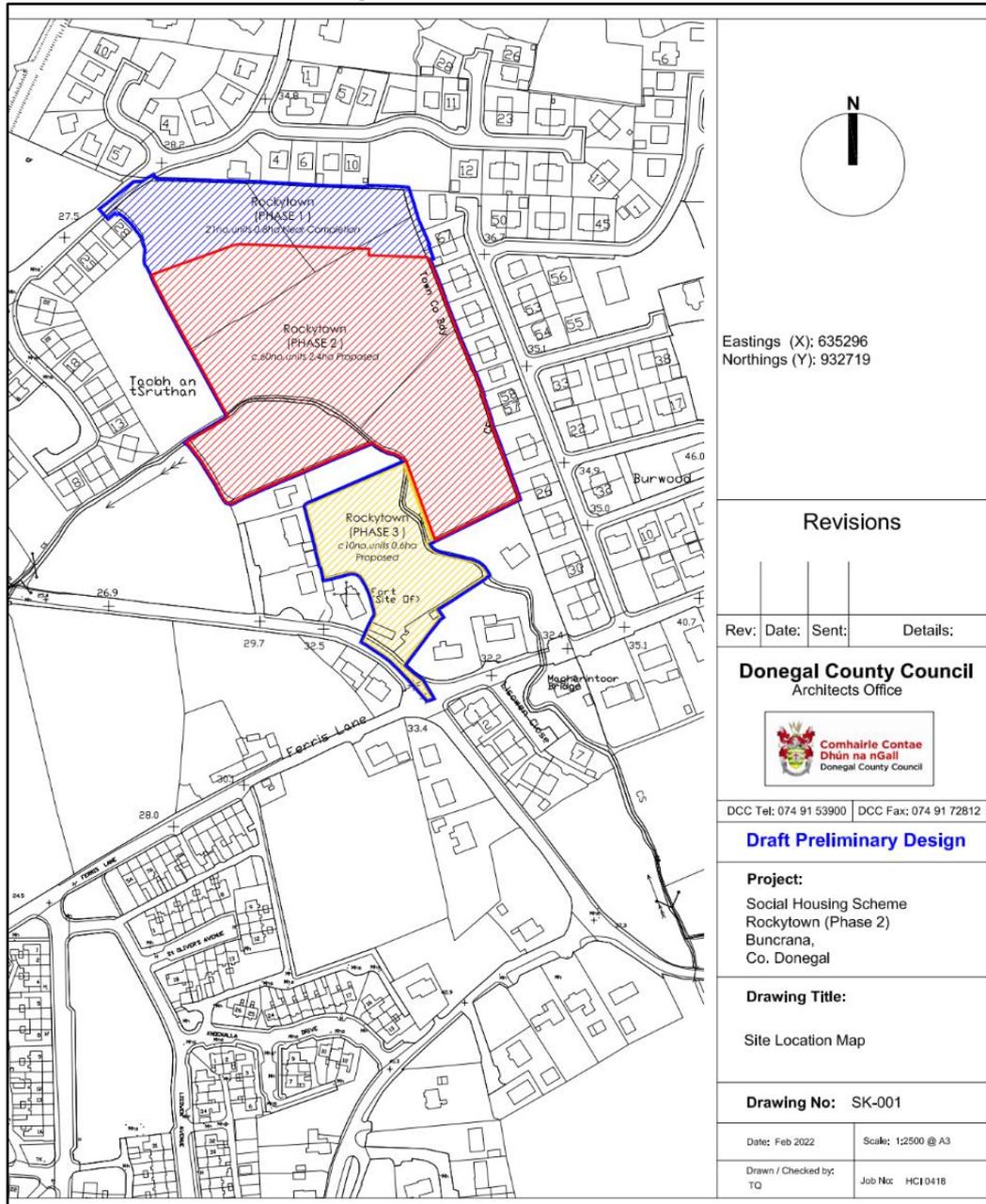
This report has been prepared by Daniel Faulkner who holds a Bachelor of Environmental Science (Hons) Degree from NUIG and has been involved in all aspects of Environmental Assessment since 2018.

3 DESCRIPTION OF THE PROJECT

3.1 Project Description

The proposed project is for the provision of 60 no. social housing units at Rockytown, Buncrana, Co. Donegal. The project represents the second phase of three phases of social housing development at this location. Phase 1 is nearing completion. This comprised of 21 no. units. The proposed project represents Phase 2 of the masterplan for the lands at Rockytown. Site location is provided in Figure 3.1.

Figure 3.1: Site Location Plan



3.2 Project Description

The project comprises two main stages, the construction stage and operational stage. The construction stage involves site clearance, installation of infrastructure and construction of dwellings whilst the operational stage involves standard day to day activities associated with housing. A description of each stage of the project is provided throughout this section.

3.2.1 Construction Stage

- All construction is to be compliant with Inland fisheries Ireland guidance '*Guidelines On Protection Of Fisheries During Construction Works In And Adjacent To Waters*' (2016), with regard to best practice for construction near watercourses. Initial site clearance will involve the removal of overburden to create an even construction tray.
- Following initial site clearance, site infrastructure will then be installed.
 - *Foul water drainage:*

A series of foul water drains will be constructed to divert foul water to existing foul water drainage infrastructure constructed during phase 1.
 - *Surface Water Drainage:*

A series of storm water drains will be constructed to divert storm water to existing storm water drainage infrastructure constructed during phase 1.
- Construction of the dwellings will commence after clearance and infrastructure installation. This comprises 60 no. dwelling mostly comprising semi-detached units.
- Construction will involve the laying of foundations, construction of walls and framing, roofing, fixtures and fittings, interior works and connection to ancillary services including water, electricity, and drainage. Driveways and footpaths will be constructed, and various landscaping will be conducted.

3.2.2 Operational Stage

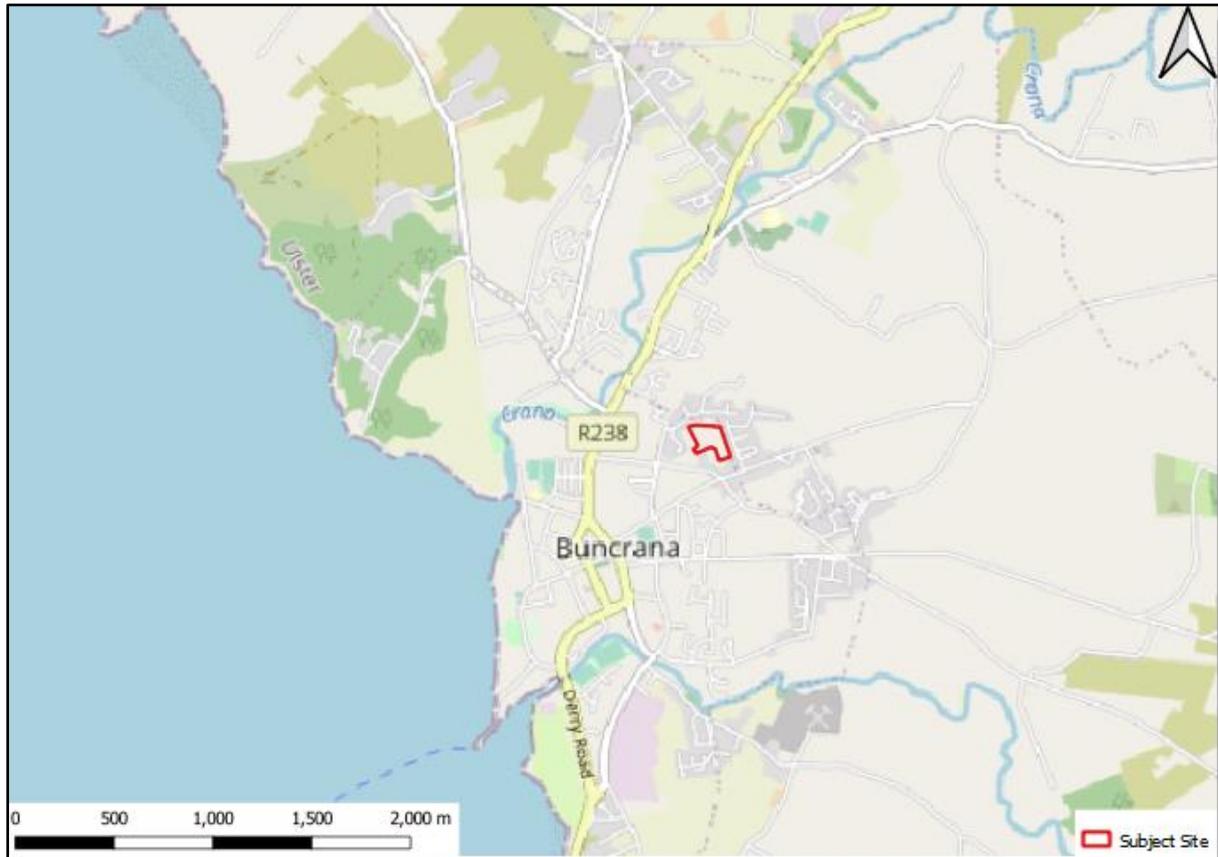
The operational stage consists of the general use of the residential development and ancillary facilities. The infrastructure installed prior to construction will enable general operation of the proposed development this includes foul water and surface water drainage.

4 THE RECEIVING ENVIRONMENT

4.1 General Location

The proposed development is located at Rockytown, Buncrana, Co. Donegal with site location shown in figure 4.1.

Figure 4.1: Site Location



OpenStreet Maps

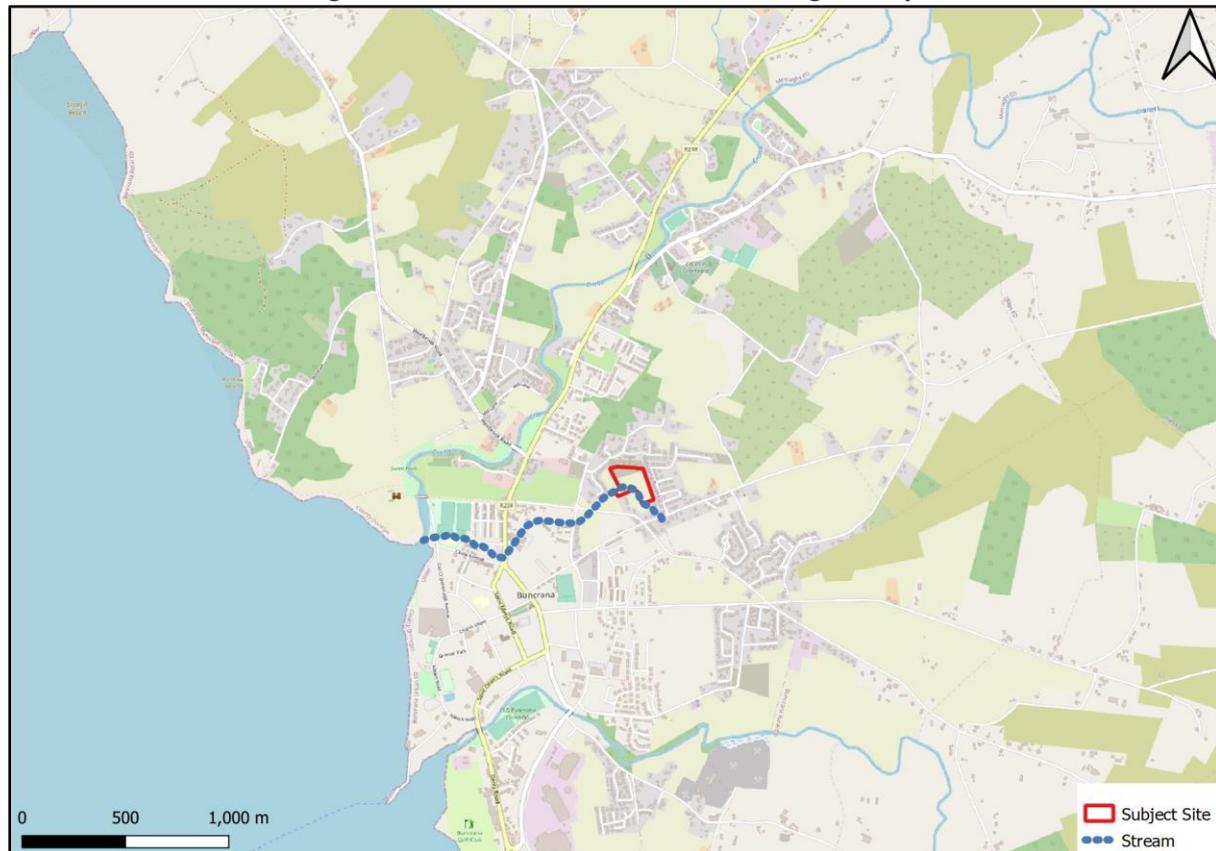
4.2 Site Description and Biodiversity

Greentrack conducted a site walkover on 18/05/2022. The site for development is greenfield and slopes slightly north to south. Residential dwellings occur to the east and west. Swellings from phase 1 of the project occur at the northern boundary of the site. A stream runs across the southern portion of the site and runs to a tell culvert southwest of the site. The predominant habitat on site is GS1 Dry Calcareous and Neutral Grassland and WL1 Hedgerows also occur on site. Habitat classification is based on descriptors found in Fossitt's A guide to Habitats in Ireland ¹.

4.3 Hydrology

A stream occurs at the southern edge of the subject site. It is referenced by the EPA code IE_NW_39C020500. This stream runs through Buncrana Town for c. 1.2 km and culminates at Lough Swilly. This stream is highlighted in Figure 4.2.

¹ J. Fossitt. (2000) A Guide to Habitats in Ireland. The Heritage Council, Dublin

Figure 4.2: On site stream and link to Lough Swilly

OpenStreet Maps

5 NATURA 2000 SITES

5.1 Identification of Natura 2000 Sites

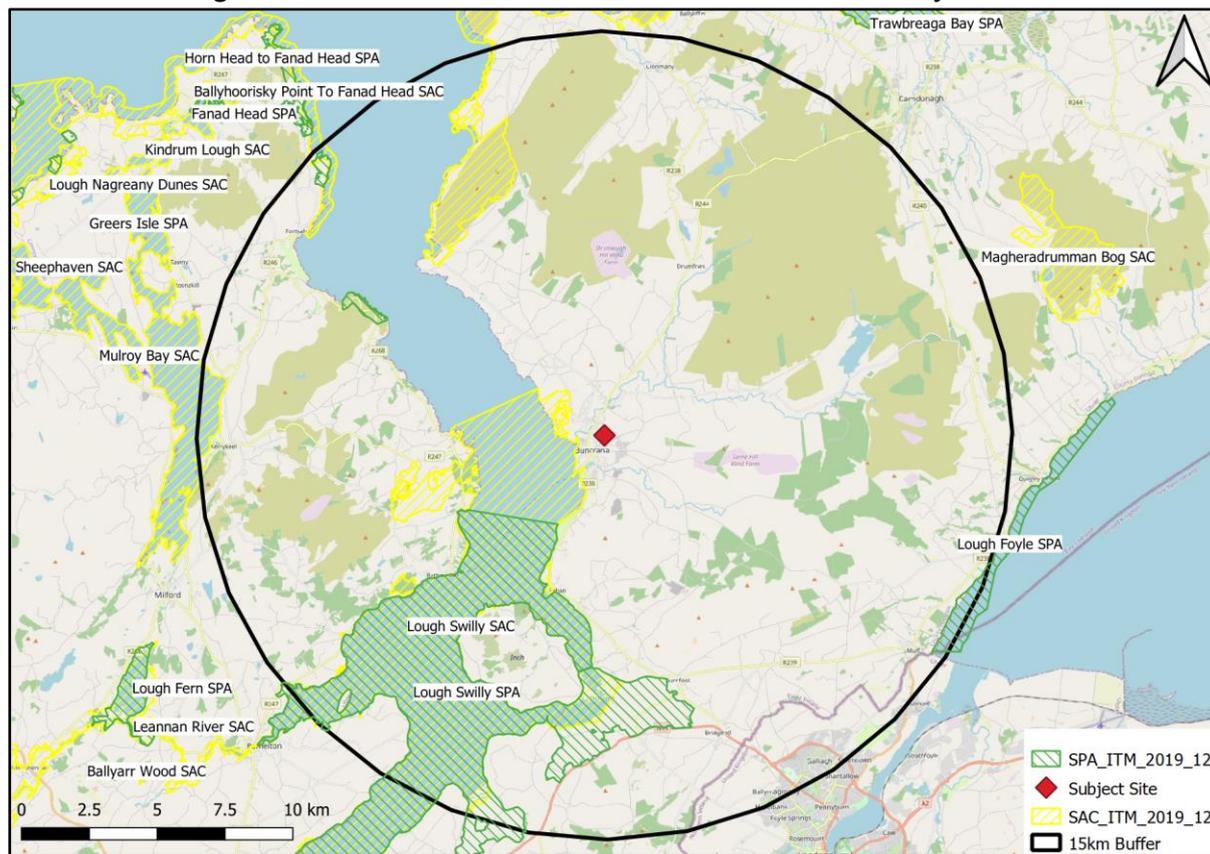
In terms of the identification of relevant Natura 2000 sites, the zone of impact (also known as the area of influence) is determined based on their potential connectivity (*source-pathway-receptor* model) to the proposed project in terms of, for example:

- Nature, scale, timing and duration of works and possible impacts.
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads etc.); and
- Sensitivity and location of ecological features.

The 'zone of influence' (ZoI) is essentially the effect area over which alterations may have potential ecological impact. The ZoI over which the proposed development may impact upon Natura 2000 Sites and their Qualifying Interests will vary for different ecological receptors, depending on the pathway for potential impacts, as well as the specific nature of the habitats/species (e.g., some species have ability to move/disperse, and some habitats have better ability than others to absorb impacts). Having considered the potential ecological impacts through source-receptor-pathway connectivity (e.g., hydrological link) and given the nature of the proposed project, it was deemed that the zone of influence for such projects would be limited to a radius of 15 km as recommended by NPWS.

The Natura 2000 sites occurring within 15 Km of the subject site are listed in Table 5.1 and are screened for possible threats from the proposed development. Figure 5.1 indicates the relative locations of all listed Natura 2000 sites in relation to the subject site and Table 5.1 outlines the screening criteria.

Figure 5.1: Natura 2000 sites within a 15km radius of the subject site



Created using data from NPWS.ie

Table 5.1: Screening of Natura 2000 Sites within Zone of Influence

Site Name	Site Code	Distance from Subject Site	Avenue of Connectivity to Subject Site	Further Screening Required (Y/N)
Lough Swilly SPA	4075	3623.53	Through stream at south of site	Y
Horn Head to Fanad Head SPA	4194	8943.88	No direct link	N
Lough Foyle SPA	4087	14199.57	No direct link	N
Lough Swilly SAC	2287	885.49	Through stream at south of site	Y
North Inishowen Coast SAC	2012	8615.82	No direct link	N
Ballyhoorisky Point to Fanad Head SAC	1975	12908.49	No direct link	N
Mulroy Bay SAC	2159	13943.74	No direct link	N

Table 5.1 has identified potential source-pathway-receptor links to the following Natura 2000 sites:

- Lough Swilly SAC
- Lough Swilly SPA

5.2 Conservation Status

The overall aim of the Habitats Directive is to maintain or restore the favorable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network. European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites. The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

The favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, is stable or increasing,
- and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future,
- and the conservation status of its typical species is favorable.

The favourable conservation status of a species is achieved when:

- population data on the species concerned indicate that it is maintaining itself,
- and the natural range of the species is neither being reduced or likely to be reduced for the foreseeable future,
- and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

6 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

The criteria adopted for this assessment are based on a detailed field and desk assessment of the influence the development may have on the Natura 2000 sites within the zone of influence and what, if any, impact this development will have on the Natura 2000 network. Table 6.1 further examines possible impacts to the Natura 2000 sites identified in Table 5.1. The impact determination is informed by the characteristics of the proposed development and the likelihood of deleterious effects on the Natura 2000 network through identified pathways for pollution/ habitat degradation / habitat removal/ species disruption/ species loss.

6.1 Cumulative Effects

The Donegal County council planning maps were examined to cumulatively assess any impact on European Sites in combination with the proposal. There were no recent planning applications within the vicinity of the subject site to be taken into consideration.

Phase 1 of the development is directly linked to the proposed project (phase 2). Phase 1 was appropriately assessed by Donegal County Council. Their assessment concluded that “stage 1 screening for appropriate assessment has determined that the Rockytown Housing Development will not adversely impact in any significant manner on any Natura 2000 site or their associated qualifying interests or conservation objectives “. Therefore, the proposed project is not predicted to combine with phase 1 of the development to culminate in significant effect on European sites.

Table 6.1: Impact Determination of Proposed Development on Natura 2000 sites.

Natura 2000 site	Qualifying Interests for which the site was selected	Conservation Objectives (accessed via NPWS website May 2022)	Impact determination
Special Areas of Conservation			
<p>Lough Swilly SAC</p>	<ul style="list-style-type: none"> ● Estuaries [1130] ● Coastal lagoons [1150] ● Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] ● Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410] ● Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] ● <i>Lutra lutra</i> (Otter) [1355] 	<p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected for</p>	<p>The source-pathway link to the SAC is defined by surface water drainage entering the stream at the south of the site. Significant levels of contaminated surface water could pose a risk to the qualifying interests of this SAC. No negative effects are predicted to arise at the construction stage due to the nature of the works and the distance of the subject site from the Natura 2000 network (1.2 Km).</p> <p>The subject site has existing water management comprising a drainage network constructed during phase 1 of this social housing project. This will ensure that discharge to Lough Swilly will be uncontaminated at all stages of this project.</p> <p>The collection of foul water via a sewer network and connection to existing foul water drainage infrastructure constructed during phase 1 will ensure no negative effects arising from improper foul water management will occur.</p> <p>No negative effects on water resource quality in the SAC are envisaged. No habitat loss or degradation in the SAC are likely to occur as a result of the proposed development and effects on this SAC can be excluded.</p>

Natura 2000 site	Qualifying Interests for which the site was selected	Conservation Objectives (accessed via NPWS website May 2022)	Impact determination
Special Areas of Protection			
Lough Swilly SPA	<ul style="list-style-type: none"> ● Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] ● Grey Heron (<i>Ardea cinerea</i>) [A028] ● Whooper Swan (<i>Cygnus cygnus</i>) [A038] ● Greylag Goose (<i>Anser anser</i>) [A043] ● Shelduck (<i>Tadorna tadorna</i>) [A048] ● Wigeon (<i>Anas penelope</i>) [A050] ● Teal (<i>Anas crecca</i>) [A052] ● Mallard (<i>Anas platyrhynchos</i>) [A053] ● Shoveler (<i>Anas clypeata</i>) [A056] ● Scaup (<i>Aythya marila</i>) [A062] ● Goldeneye (<i>Bucephala clangula</i>) [A067] ● Red-breasted Merganser (<i>Mergus serrator</i>) [A069] ● Coot (<i>Fulica atra</i>) [A125] ● Oystercatcher (<i>Haematopus ostralegus</i>) [A130] ● Knot (<i>Calidris canutus</i>) [A143] ● Dunlin (<i>Calidris alpina</i>) [A149] ● Curlew (<i>Numenius arquata</i>) [A160] ● Redshank (<i>Tringa totanus</i>) [A162] ● Greenshank (<i>Tringa nebularia</i>) [A164] ● Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] ● Common Gull (<i>Larus canus</i>) [A182] ● Sandwich Tern (<i>Sterna sandvicensis</i>) [A191] ● Common Tern (<i>Sterna hirundo</i>) [A193] ● Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) [A395] ● Wetland and Waterbirds [A999] 	To maintain or restore the favourable conservation condition habitat(s) and/or species for which the SPA has been selected for	<p>The source-pathway link to the SPA is defined by surface water drainage entering the stream at the south of the site. Significant levels of contaminated surface water could pose a risk to the qualifying interests of this SAC. No negative effects are predicted to arise at the construction stage due to the nature of the works and the distance of the subject site from the Natura 2000 network (1.2 Km).</p> <p>The subject site has existing water management comprising a drainage network constructed during phase 1 of this social housing project. This will ensure that discharge to Lough Swilly will be uncontaminated at all stages of this project.</p> <p>The collection of foul water via a sewer network and connection to existing foul water drainage infrastructure constructed during phase 1 will ensure no negative effects arising from improper foul water management will occur.</p> <p>No negative effects on water resource quality in the SPA are envisaged. No impact to designated species, habitat loss or degradation in the SPA are likely to occur as a result of the proposed development and effects on this SPA can be excluded.</p>

Having established the assessment criteria, the impacts associated with the proposed development and associated works on the identified Natura 2000 sites, the development has been assessed with regard to all the qualifying interests/Special Conservation Interest. The impact determination table found significant effects are not foreseen at this stage.

7 CONCLUSION AND SCREENING STATEMENT

Following the assessment as detailed in this AA Screening Report, it is concluded that significant effects on the Natura 2000 network arising from the proposed development, either individually or in combination with other plans or projects are not likely to occur. Therefore Stage 2 Appropriate Assessment is not required. This conclusion was reached based on objective information and in view of best scientific knowledge.

Date:24th May 2022

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