

# APPROPRIATE ASSESSMENT CONCLUSION STATEMENT

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FOR THE

## CLEW BAY DESTINATION AND EXPERIENCE DEVELOPMENT PLAN

**for:**

**Fáilte Ireland**

88-95 Amiens Street

Dublin 1



**Fáilte Ireland**

National Tourism Development Authority

**by:**

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# Section 1 Introduction and Background

## 1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Clew Bay Destination and Experience Development Plan. The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by, inter alia, the European Communities (Birds and Natural Habitats) Regulations 2011, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan or programme) or project, alone and in combination with other strategic actions and projects, on the integrity of any European Site in view of its conservation objectives. This AA Conclusion Statement should be read in conjunction with the Plan and associated documents including the AA Natura Impact Statement (NIS).

## 1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Plan, Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), as amended, requires, inter alia, that Fáilte Ireland considers the matters arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

**Table 1.1 Matters taken into account by the AA**

Matter specified by the Regulations	How addressed by AA
(a) the Natura Impact Statement	An AA NIS accompanies this AA Conclusion Statement and the Plan
(b) any other plans or projects that may, in combination with the plan or project under consideration, adversely affect the integrity of a European Site	Throughout the AA NIS, particularly Sections 3.4, 4 and 6 and Appendix II of the NIS.
(c) any supplemental information furnished in relation to any such report or statement	This AA Conclusion Statement supplements the NIS that provides additional detail on European Sites.
(d) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	Submissions made during the Plan preparation/AA process that was relevant to the AA. The AA process has taken into account these submissions – see Section 2 of this Statement.
(e) any information or advice obtained by the public authority	
(f) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	
(g) any other relevant information	

In addition to the above, the Regulations require that Fáilte Ireland makes available for inspection a determination regarding the outcome of the assessment with respect to whether or not the Plan would adversely affect the integrity of a European site (a copy of this determination is provided at Section 4).

## 1.3 AA Conclusion Statement

Non-Statutory AA guidance (Department of Environment, Heritage and Local Government, 2009) states that (Section 4.14) it *"is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement."* This guidance recommends that the following issues are addressed by the AA Conclusion Statement:

- Summary of how the findings of the AA were factored into the Plan (see Section 2);
- Reasons for choosing the Plan as adopted, in the light of other reasonable alternatives considered as part of the AA process (see Section 3);
- A declaration that the Plan as adopted will not have an adverse effect on the integrity of European Sites (provided at Section 4); and
- The NIS (the AA NIS is accompanied by this AA Conclusion Statement and has informed the AA Determination – see Section 4).

As recommended, this AA Conclusion Statement addresses the above issues.

## Section 2 How the findings of the AA were factored into the Plan

The SEA and AA team worked with the Plan-preparation team at Fáilte Ireland in order to integrate requirements for environmental protection and management into the Plan. In addition to the mitigation identified below, various Guiding Principles for Sustainable and Responsible Tourism have been integrated into the Plan.

Fáilte Ireland provides funding for sustainable tourism projects that emerge as part of specific, competitive, themed and time-bound grant schemes or as part of wider strategic partnerships. These include projects relating to land use, infrastructural development and land use activities and attractions. Reference made to such projects included in the Plan does not guarantee funding. While funding is provided to certain projects, Fáilte Ireland is not the developer.

In order to achieve funding (including promotion) for land use or infrastructural development or land use activities from Fáilte Ireland, Fáilte Ireland's stakeholders shall be required to demonstrate compliance<sup>1</sup> with measures relating to sustainable development, environmental protection and environmental management contained within the following Fáilte Ireland published documents:

- Wild Atlantic Way Operational Programme Appendix 5 "*Site Maintenance Guidelines*" and other relevant measures from the Fáilte Ireland visitor and habitat management guidelines series (and any subsequent replacements); and
- Wild Atlantic Way Operational Programme Appendix 6 "*Environmental Management for Local Authorities and Others*" (and any subsequent replacements).

In order to be realised, projects included in the DEDP (in a similar way to other projects from any other sector) will have to comply, as relevant, with various legislation, policies, plans and programmes (including requirements for lower-tier Appropriate Assessment, Environmental Impact Assessment and other licencing requirements as appropriate) that form the statutory decision-making and consent-granting framework, of which the DEDP is not part and does not contribute towards. Such legislation, policies, plans and programmes include:

- Requirements for lower-tier environmental assessment, including EIA and AA;
- Statutory land use plans that form part of the statutory decision-making and consent-granting framework (e.g. Development Plans, such as the Mayo County Development Plan, and Local Area Plans) and that have undergone environmental assessment, as appropriate, including various provisions relating to sustainable development, environmental protection and environmental management; and
- The Climate Action Plan 2019 and the National Climate Change Adaptation Framework (2018 and any subsequent versions).

The DEDP is governed by 'enablers of success' parameters, enabler E.5.4 states:

Promote environmental enhancement. All actions resulting from this plan will aspire to be planned, developed and implemented in an environmentally sustainable manner with environmental protection and promotion being fundamental to the process. This will be realised through the findings and outputs of the environmental assessment process and will include:

- Developing a suite of mitigatory actions to ensure that any negative environmental impacts are reduced or eliminated at Plan implementation stage and where possible positive impacts are integrated and encouraged, and
- Developing and executing an Environmental Monitoring Programme for the Plan during implementation and operation.

Further detail is referenced in Appendix A5.

The implementation of this enabler of success will ensure that any habitat interactions that may arise due to the implementation of the plan will be identified and mitigated for during the implementation of the action and the monitoring programme will ensure the negative environmental impacts are identified which require additional mitigatory action.

Furthermore, where there is potential for impacts at specific sites, such as the Croagh Patrick Discovery Point, visitor management criteria will be developed for these sites. Implementation of the Keel

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<sup>1</sup> Demonstration of compliance may be supported by monitoring undertaken by the beneficiary.

Discovery Point Enabler will be subject to the preparation of a Masterplan that ensures consideration threats and pressures to the adjacent SACs are considered in the context of visitor management.

### **Infrastructure Capacity<sup>2</sup>**

With respect to infrastructural capacity (including drinking water, wastewater, waste and transport) the potential impact on existing infrastructure as well as the potential environmental effects of a likely increase in tourism-related traffic volumes along any routes resulting from the relevant initiative shall be considered and mitigated as appropriate, where relevant.

Fáilte Ireland will follow National Planning Framework guidelines and liaise with relevant planning authorities to ensure any proposed developments are adequately provided for in terms of critical service infrastructure.

The promotion of developing visitor friendly infrastructure where it is required will also be encouraged. Any proposed site management & maintenance guidelines produced by Fáilte Ireland will encourage site owners and operators to consider environmentally sustainable solutions and compliance with the Water Framework Directive.

### **Visitor Management<sup>3</sup>**

Those receiving funding shall seek to manage any increase in visitor numbers and/or any change in visitor behaviour in order to avoid significant effects including loss of habitat and disturbance, including ensuring that new projects are a suitable distance from ecological sensitivities.

Extensive research by Fáilte Ireland has shown improved environmental outcomes (including improved attainment of conservation objectives) in areas with visitor management strategies. Visitor management strategies will be required for proposed plans, programmes and projects that are to receive funding as relevant and appropriate.

### **Green Infrastructure and Ecosystem Services<sup>4</sup>**

Those receiving funding shall contribute towards the maintenance of existing green infrastructure and its ecosystem services, taking into account the output of the Mapping and Assessment of Ecosystem Services project being undertaken by the NPWS. Proposals for the development of any green infrastructure should demonstrate the synergies that can be achieved with regard to the: provision of open space amenities; sustainable management of water; protection and management of biodiversity; protection of cultural heritage; and protection of protected landscape sensitivities.

Where possible, extension of existing greenways and future development of new greenways and blueways should complement and integrate rather than replace existing green infrastructure. Stakeholders considering the development of greenways and blueways should have regard to the "Connecting with nature for health and wellbeing" EPA Research Report 2020. The Westport Greenway should be looked towards as an example of how residents can benefit from new infrastructure.

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<sup>2</sup> This requirement has arisen through the SEA and/or AA processes.

<sup>3</sup> This requirement has arisen through the SEA and/or AA processes.

<sup>4</sup> This requirement has arisen through the SEA and/or AA processes.

## Section 3 Consideration of Alternatives

### 3.1 Description of Alternatives

#### Alternative 1: Business as Usual

As identified in the Plan, there are various strengths associated with the current tourism development situation include:

- Nationally significant hiking and cycling trails network
- Pristine natural environment and scenic beauty, including diversity of islands
- Distinctive shape
- Croagh Patrick spiritual asset
- Wild Nephin Ballycroy National Park and Dark Skies recognition
- Rich cultural scape strong themes
- Pearl of settlements diversity of towns and villages
- Recognition for local food, arts and craft, writers, adventure and well being
- Westport direct rail to Dublin

However, there are a number of weaknesses associated with this situation, including:

- Public infrastructure transportation services, toilets, parking
- Insufficient non peak season experiences
- Lack of funding for development particularly in key historical sites
- Seasonality
- Trail erosion on Croagh Patrick
- Insufficient investment in marine tourism
- Accommodation varied needs
- Sustainability of island life
- Marketing and promotion of Clew Bay as a destination
- Lack of a coordinated regional approach to tourism development

This current situation presents **Alternative 1 (Business as Usual)** to be considered by the SEA. Overtime, numbers of visitors would continue to increase under this scenario – consistent with the development of tourism over many decades. The most popular locations in the Clew Bay area would see the largest increases in visitors, which would occur during the peak season.

#### Prepare a Plan (Alternatives 2A and 2B: Prepare a Plan)

The weaknesses presented by the current situation establish a potential need for a plan that seeks to better manage tourism in the Clew Bay area; facilitating, promoting, supporting and coordinating stakeholders (including local authorities, other government agencies, tourism operators, communities and visitors) in their activities in a way that is consistent with existing and emerging plans that have been subject to environmental assessment. Such a plan would not provide consent, establish a framework for granting consent or contribute towards a framework for granting consent (such frameworks fall under the remit of other public authorities). Any projects would continue to be required to comply, as relevant, with the various provisions of documents that form the statutory decision-making and consent-granting framework.

Features of such a Plan (in combination with the wider and extensive policy and wider and extensive policy and planning framework planning framework) would include:

- Motivating visitors to stay overnight and spend more;
- Extending the length of the season;
- Improving the overall economy of communities through strengthening individual businesses, creating new entrepreneurial opportunities sustaining and increasing job creation and increasing the attractiveness of the area for other forms of economic growth; and
- Promoting collaboration and partnership, supporting engagement of businesses, and building lasting links between national and regional partners, local agencies and associations, and local tourism experiences.

Under Alternative 2 there are two separate alternatives:

#### Alternative 2A: A Plan with Additional Requirements for Environmental Protection and Management

Fáilte Ireland provides funding sustainable tourism projects including land use and infrastructural development and land use activities. In order to achieve funding (including promotion) for land use or infrastructural development or land use activities from Fáilte Ireland, **Alternative 2A** would require Fáilte Ireland's stakeholders to demonstrate compliance with

measures relating to sustainable development, environmental protection and environmental management contained within the following Fáilte Ireland published documents:

- Wild Atlantic Way Operational Programme Appendix 5 "Site Maintenance Guidelines" and other relevant measures from the Fáilte Ireland visitor and habitat management guidelines series (and any subsequent replacements); and
- Wild Atlantic Way Operational Programme Appendix 6 "Environmental Management for Local Authorities and Others" (and any subsequent replacements).

In order to be realised, projects included in the Plan (in a similar way to other projects from any other sector) would have to demonstrate compliance, as relevant, with various provisions of legislation, policies, plans and programmes that form the statutory decision-making and consent-granting framework, of which the Plan is not part and does not contribute towards.

Further environmental requirements would be integrated into the Plan under Alternative 2A, relating to infrastructure capacity, visitor management and green infrastructure and ecosystem services.

### **Alternative 2B: A Plan without Additional Requirements for Environmental Protection and Management**

Alternative 2B would not include the requirements for environmental protection and management described under Alternative 2A. Projects would continue to be required to comply, as relevant, with the various provisions of documents that form the statutory decision-making and consent-granting framework.

## **3.2 Detailed Consideration of Alternatives**

### **Alternative 1: Business as Usual**

Sustainable development, environmental management and environmental protection under Alternative 1 is provided through the existing statutory planning and consent framework. These measures would contribute towards positive effects on the protection and management of all environmental components.

Tourism related development would continue to be planned for and consented through the existing statutory planning and consent framework. Potential adverse effects would continue to be mitigated through that process.

In the absence of a Plan, overtime, there would continue to be an increase in tourist numbers – consistent with the development of tourism over many decades. The most popular locations in the Clew Bay area would see the largest increases in visitors, which would occur during the peak season. This would give rise to greater concentration of tourists during peak seasons and in the most popular locations thereby increasing potential environmental effects on all components and peak load additions on various infrastructure in particular locations/at particular times.

Contributions towards an increase in travel related greenhouse gas and other emissions to air, including from aviation, would not occur as a result of a Plan that seeks to lengthen dwell time and grow visitor numbers however increases in tourist numbers would occur. Similarly, the positive mitigatory effects as a result of provisions of a Plan, such as those relating to sustainable mobility, traffic management and compliance with climate adaptation and management plans/strategies would not be provided for.

There would be one layer of mitigation under Alternative 1, through the existing statutory planning and consent framework.

### **Alternative 2A: A Plan with Additional Requirements for Environmental Protection and Management**

In addition to the measures relating to sustainable development, environmental protection, environmental management, which are provided under all alternatives, and measures relating to seasonality and regionality, provided for by this alternative and Alternative 2B, this alternative would provide additional requirements for environmental protection and management, including those taken

from the Wild Atlantic Way Operational Programme and those relating to infrastructure capacity, visitor management and green infrastructure and ecosystem services. In order to be realised, projects included in the Plan (in a similar way to other projects from any other sector) would have to demonstrate compliance, as relevant, with various provisions of legislation, policies, plans and programmes that form the statutory decision-making and consent-granting framework, of which the Plan is not part and does not contribute towards.

Tourism related development would continue to be planned for and consented through the existing statutory planning and consent framework. Potential adverse effects would continue to be mitigated through that process.

Although a Plan would help to improve the seasonal and geographic spread of visitors, a Plan's objective would be to increase the number of visitors to the Clew Bay area. Although this would be likely to happen without a Plan, a Plan would have the potential to increase numbers of tourists – and associated potential adverse effects – to a greater degree than would be the case if there was no Plan. This would be likely to contribute towards an increase in travel related greenhouse gas and other emissions to air, including from aviation. These increases will be mitigated by provisions that have been integrated into the Plan, including those relating to sustainable mobility and compliance with the Climate Action Plan and the National Climate Change Adaptation Framework (2018 and any subsequent versions).

A Plan would also help to promote new experiences – including those relating to land use activities and developments. These would also have the potential to increase adverse effects. Notwithstanding this, there would be three layers of mitigation, through:

- The existing statutory planning and consent framework;
- Visitor management strategies; and
- Additional environmental requirements for environmental protection and management, under this alternative.

### **Alternative 2B: A Plan without Additional Requirements for Environmental Protection and Management**

In addition to the measures relating to sustainable development, environmental management and environmental protection, which are provided under all alternatives, this Alternative (2B) would provide measures to improve seasonality and regionality. Seasonality and regionality provide a greater spread of tourists throughout the year and across the Clew Bay area thereby reducing potential environmental effects and peak load additions on various infrastructure in particular locations/at particular times.

Tourism related development would continue to be planned for and consented through the existing statutory planning and consent framework. Potential adverse effects would continue to be mitigated through that process.

Although a Plan would help to improve the seasonal and geographic spread of visitors, a Plan's objective would be to increase the number of visitors to the Clew Bay area. Although this would be likely to happen without a Plan, a Plan would have the potential to increase numbers of tourists – and associated potential adverse effects – to a greater degree than would be the case if there was no Plan.

This would be likely to contribute towards an increase in travel related greenhouse gas and other emissions to air, including from aviation. These increases would be mitigated by the wider planning framework.

A Plan would also help to promote new experiences – including those relating to land use activities and developments. These would also have the potential to increase adverse effects. Notwithstanding this, there would be one layer of mitigation, through the existing statutory planning and consent framework.

Table 3.1 below provides a comparative evaluation of alternatives against SEOs.



**Table 3.1 Comparative Evaluation of Alternatives against SEOs**

	Likely to <b>Improve</b> status of SEOs			<b>Potential Conflict</b> with status of SEOs - likely to be mitigated by complying with other measures included within the Plan		Probable <b>Conflict</b> with status of SEOs- unlikely to be fully mitigated
	to the <b>Greatest</b> degree	to <b>Moderate</b> degree <sup>a</sup>	to a <b>Lesser</b> degree	to a <b>Moderate</b> degree	to a <b>Greater</b> degree	
Alternative 1: Business as Usual			✓		✓	
Alternative 2A: A Plan with Additional Requirements for Environmental Protection and Management	✓			✓		
Alternative 2B: A Plan without Additional Requirements for Environmental Protection and Management		✓			✓	

### 3.3 Selected Alternative for the Plan

Taking into account the environmental effects detailed above and the challenges and opportunities present for tourism across the Clew Bay area, Fáilte Ireland have proceeded with Alternative 2A “A Plan with Additional Requirements for Environmental Protection and Management”.

## Section 4 AA Determination

**Appropriate Assessment Determination under the  
European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended)  
for the  
Clew Bay Destination and Experience Development Plan**

An Appropriate Assessment (AA) Determination, pursuant to Article 6(3) of the Habitats Directive, as to whether a plan or project would adversely affect the integrity of a European Site, and Regulation 42 (11) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), is being made by Fáilte Ireland.

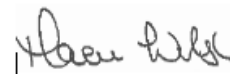
In carrying out this AA, Fáilte Ireland is taking into account the relevant matters specified under Regulation 42 (12) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended). The AA Natura Impact Statement (which considers other plans and projects) has been carefully considered and its reasoning and conclusion agreed with and adopted. All other documents prepared and submitted during the preparation process for the Clew Bay Destination and Experience Development Plan were also considered in making this determination, including the Plan to be finalised and written submissions made on the Draft Plan and associated documents while they were on public display.

It is determined that the risks to the safeguarding and integrity of the qualifying interests and conservation objectives of the Natura 2000 network have been addressed by the inclusion of achievable mitigation measures that will prioritise the avoidance of impacts in the first place and reliably mitigate these impacts where they cannot be avoided. Furthermore, in order to be realised, projects included in the Plan will have to comply, as relevant, with the various provisions of legislation, policies, plans and programmes (including requirements for lower-tier AA) that form the statutory decision-making and consent-granting framework, of which the Plan is not part and does not contribute towards.

Having incorporated these mitigation commitments; it is determined that implementation of the Clew Bay Destination and Experience Development Plan will not have a significant adverse effect on the ecological integrity of any European Site, either individually or in combination with any other plan or project<sup>1</sup>. Therefore, no further assessment is required.

Date: 11.11.21

Signed:



Signatory  
Approved Officer