

**SEA Statement of the
Variation to the County
Donegal Development Plan
2018-2024 in respect of the
TEN-T Priority Route
Improvement Project,
Donegal (Variation No.1)**



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Community, Development & Planning Services
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1 Introduction

Donegal County Council has prepared a Variation to the County Donegal Development Plan (CDP) 2018-2024, in respect of the TEN-T Priority Route Improvement Project, Donegal (TEN-T PRIPD). Donegal County Council made the Variation on 31st May 2021.

An SEA Statement provides information on the decision-making process. It documents how environmental considerations, the recommendations of the SEA Environmental Report, and the views of statutory consultees, the public and transboundary consultees have been taken into account in the making of a plan, and sets out measures to monitor the significant environmental effects of implementing said plan.

As required by Article 13Q of the Planning and Development Regulations 2001 (as amended), this SEA Statement summarises the following information:

- How environmental considerations have been integrated into the Variation (Section 2),
- How:
 - The Environmental Report prepared pursuant to Article 13L (Section 3);
 - Submissions and observations made to the planning authority in response to a notice under Section 13(2) of the Act (Section 4); and
 - Any consultations under Article 13O (Section 4)

have been taken into account during the making of the Variation,

- The reasons for choosing the Variation, as adopted, in the light of the other reasonable alternatives dealt with (Section 5), and
- The measures decided upon to monitor, in accordance with Article 13R, the significant environmental effects of implementation of the Variation (Section 6).

The Proposed Variation to the County Donegal Development Plan 2018-2024, in respect of the TEN-T PRIPD was also screened for likely significant effects on European Sites listed in the EU Habitats Directive, and a Natura Impact Report accompanied the preparation of the Proposed Variation.

2 How Environmental Considerations Have Been Integrated Into the Variation

2.1 Introduction

This section presents a summary of how environmental considerations have informed the Proposed Variation preparation process. SEA legislation and guidance recommends that plan preparation, SEA and Appropriate Assessment (AA) should be integrated and prepared in an iterative manner, in order to facilitate the ongoing assessment and evaluation of environmental considerations during preparation of the plan. Key tasks associated with the SEA process for the Variation were as shown in Table 2.1.

Table 2.1 Steps in the SEA Process for the Proposed Variation

Screening of CDP Proposed Variation: Determines whether SEA is required for the Proposed Variation to the Donegal CDP in respect of the TEN-T Priority Route Improvement Project (2020), in consultation with the designated statutory consultees.	Completed
Scoping of CDP Proposed Variation: Consultation with Statutory bodies and other interested parties on the scope and level of detail to be considered in the assessment of the Proposed Variation to the Donegal CDP in respect of the TEN-T Priority Route Improvement Project.	Completed
Preparation of Environmental Report: An assessment of the likely significant impacts on the environment as a result of the Proposed Variation to the Donegal CDP in respect of the TEN-T Priority Route Improvement Project.	Completed
Consultation on the Proposed Variation to the Donegal CDP in respect of the TEN-T Priority Route Improvement Project and associated Environmental Report and Appropriate Assessment.	Completed
Publication of the Proposed Variation to the Donegal CDP in respect of the TEN-T Priority Route Improvement Project and associated Strategic Environmental Assessment and Appropriate Assessment.	Completed
Preparation of an SEA Statement identifying how environmental considerations and consultation have been integrated into the Variation to the Donegal CDP in respect of the TEN-T Priority Route Improvement Project.	Current Stage

2.2 TEN-T PRIPD Route Selection Process

The Preferred Route Corridors for the TEN-T PRIPD, which are reserved and protected within the Variation, were identified as a result of a comprehensive route selection process, which was carried out in accordance with Transport Infrastructure Ireland (TII) Guidelines. This Option Selection Process included both a Stage 1: Preliminary Options Assessment and a Stage 2: Project Appraisal on the shortlisted route options (arising from Stage 1).

The Stage 1: Preliminary Options Assessment included an assessment of preliminary route options for each section of the project vis-à-vis a range of environmental considerations including: ecology, landscape and visual, archaeology and cultural heritage, agriculture, residential, air quality/noise/vibration, and community Impacts.

The Stage 2: Project included detailed multi criteria analysis of several route options for all sections of the project across a wide range of environmental criteria including: air quality and climate, noise, landscape and visual, biodiversity, waste, soils geology and hydrogeology, hydrology, cultural heritage,

and materials assets. This analysis included a quantitative analysis of the impacts of each corridor option on each of the abovementioned environmental criteria, resulting in an overall environmental score for each route option which informed the selection of the Preferred Option Corridors (i.e. the Preferred Route Corridors in the Variation).

As stated in the Chief Executive's Report on the Public Consultation regarding the Proposed Variation (April 2021), the Variation:

- Reserves and protects the new Preferred Route Corridors by Inserting new maps and amending associated objectives and policies (e.g. T-O-1, T-P-1) and also removes the corresponding historical route corridors.
- Provides the necessary strategic support for the project by inserting new, and amending existing, text, policies and objectives, e.g. S-O-11 and text within Chapter 5 Infrastructure.
- Ensures compatibility between the plan and the project by amending certain objectives and policies, e.g. objectives and policies related to railway corridors, built heritage, and archaeological heritage.

During preparation of the Proposed Variation, the Planning Section of the Council identified key environmental assets (e.g. Natura 2000 sites, environmental zonings, flood risk areas, scenic amenity designations, and built and cultural heritage assets, historic railway corridors), with which the Preferred Route Corridors were likely to interact. An assessment was then undertaken of the relevant planning guidance, statutory protections and existing policies and objectives in the County Development Plan related to said assets. This analysis then informed the consideration as to what amendments to the existing policies, objectives and zonings of the Plan would be appropriate as part of the Proposed Variation. For example, the proposed amendments to the built and archaeological heritage policies provide for the same level of protection to physical structures on the Record of Protected Structures and protected archaeological monuments as currently provided for in the Plan, due to the statutory protection afforded to said structures.

2.3 SEA Screening and Scoping

The Proposed Variation was screened in respect of Strategic Environmental Assessment (SEA) in accordance with Regulation 13K of the Planning and Development Regulations 2001(as amended), inclusive of the preparation of a SEA Screening report and the making of a SEA determination by the Planning Authority. This SEA Screening process found that the strategic scope and geographical extent of the Proposed Variation would affect a significant area of land within the proposed option corridors, as well as affecting the implementation of other activities and projects within said corridors. This SEA Screening Process determined that the Proposed Variation would be likely to have significant effects on the environment and that Strategic Environmental Assessment (inclusive of the preparation of an Environmental Report) was required in respect of same.

The Proposed Variation was also screened in respect of Appropriate Assessment (AA), in accordance with S.177U of the Planning and Development Act 2000(as amended), inclusive of the preparation of an AA Screening Report and the making of an AA determination. This AA Screening process determined that that an AA was required as it could not be excluded, on the basis of objective information, that the Proposed Variation, individually or in combination with other plans or projects would have a significant effect on European/Natura 2000 sites.

Following this screening process, both SEA and AA Scoping was undertaken with the prescribed Environmental Authorities in October 2020, as follows:

- SEA Section, Environmental Protection Agency (EPA)
- Department of Housing, Local Government and Heritage (DHLGH)
- Department of the Environment, Climate and Communications (DECC)
- Department of Agriculture, Food & the Marine (DAFM)

- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (DTCAGSM) which included the National Parks and Wildlife Service, Glenveagh National Park.
- Leitrim County Council
- Natural Environment Division, Northern Ireland Environment Agency (NIEA)
- Strategic Planning Directorate, Department of the Infrastructure, Northern Ireland
- Fermanagh & Omagh District Council
- Derry City & Strabane District Council

Submissions made by the authorities can be found in Appendix A of the Environmental Report for the Proposed Variation, and the issues raised were summarised in Table 1.2 of said report. These submissions were taken into account during the preparation of the Environmental Report and the Natura Impact Report.

2.4 Environmental Report

In accordance with Section 13L of the Planning and Development Act 2000 (as amended), an Environmental Report (ER) of the Proposed Variation was prepared in accordance with the specific informational requirements of Schedule 2B of the Planning and Development Regulations 2001 (as amended), and the guidance set out in Planning Guidelines *'Implementation of SEA Directive (2001/42/EC) Assessment of the Effects of the Certain Plans and Programmes on the Environment'*.

Preparation of the ER on the likely significant effects on the environment of implementing the Proposed Variation included consideration of:

- Baseline data relating to relevant aspects of the current state of the environment;
- Relationship between the Proposed Variation and other relevant plans, programmes and policies and their Environmental Protection Objectives;
- Environmental characteristics of the areas likely to be significantly affected by the Proposed Variation;
- Existing environmental problems of relevance to the Proposed Variation;
- Alternative approaches to the Proposed Variation;
- Assessment of likely significant effects of implementing the Proposed Variation, including assessment of alternative approaches;
- Measures envisaged to prevent, reduce and, as fully as possible offset, any significant adverse environmental effects of the Proposed Variation; and
- Monitoring of significant environmental effects of implementing the Proposed Variation.

The ER assessed the amendments contained within the Proposed Variation against a range of Strategic Environmental Objectives (SEOs). This assessment did not identify any amendment to the Plan which would result in a conflict with an SEO which could not be mitigated to an acceptable level (Table 7.3 of the ER refers) by appropriate mitigation measures. Furthermore, the ER did not make any specific recommendations for amendments to the Proposed Variation.

2.5 Natura Impact Report

A Natura Impact Report (NIR) was also prepared in accordance with the requirements of part XAB of the Planning and Development Act 2000 (as amended). The NIR included an assessment of the potential impact of the Proposed Variation on specific European sites (both individually and in combination with other plans and projects) and outlined possible measures to mitigate any potential impacts. The report concluded beyond reasonable scientific doubt that the Proposed Variation will not,

either individually or in combination with other plans and projects, adversely affect the integrity of any European site having regard to the measures outlined in the NIR.

2.6 Strategic Flood Risk Assessment Report

A Strategic Flood Risk Assessment Report (SFRAR) was also prepared in accordance with the guidance set out in the publication *The Planning System and Flood Risk Management: Guidelines for Planning Authorities* (DoEHLG 2009). It included: a detailed analysis of the flood risks related to the Preferred Route Corridors (e.g. fluvial, pluvial and coastal), an assessment of the Proposed Variation vis-à-vis the sequential approach outlined in said guidelines including the application of the justification test and the identification of potential measures to manage residual flood risk. The SFRAR concluded that it is appropriate to designate the associated Preferred Route Corridors for development as detailed in the Proposed Variation.

2.7 Consultation

In accordance with S.13(2) of the Planning and Development Act 2000 (as amended) the Council engaged in public consultation on the Proposed Variation, ER, NIR and SFRAR between the 5th March and the 9th April 2021, including notifying the Minister and prescribed environmental authorities and inviting submissions from members of the public. As a result of this public consultation process, submissions were received from said environmental authorities and the public related to environmental considerations regarding the Proposed Variation. A total of 12 submissions were received from members of the public, and 14 submissions were received from other groups/bodies. All observations and submissions raised during the consultation process were considered and responded to in the Chief Executive's Report on the Public Consultation regarding the Proposed Variation (April 2021), which was considered by the Elected Members prior to the making of the Variation. Where necessary, further engagement with consultees was undertaken in order to clarify concerns.

2.8 SEA Statement

The main purpose of this SEA Statement is to provide information on the decision-making process for the Variation. In doing so, the SEA Statement documents how the recommendations of the ER, as well as the views of the statutory consultees and other submissions received during consultation, have influenced the making of the Variation. It further provides information on the arrangements put in place for monitoring the implementation of the Variation following its adoption. The SEA Statement is available to the public, along with the adopted Variation.

2.9 Adoption of the Variation to the County Donegal Development Plan, in respect of the TEN-T PRIPD

In making the Variation, the Elected Members of Council:

- Considered the Proposed Variation and the CE Report in accordance with the requirements of Section 13(5) of the Act.
- Completed the Strategic Environmental Assessment of the Proposed Variation in accordance with Article 13P of the Planning and Development Regulations 2001(as amended).
- Completed the associated Appropriate Assessment of the Proposed Variation and made a determination in accordance with Section 177V(1) of the Act that the Proposed Variation will not adversely affect the integrity of a European site.
- Completed the flood risk assessment process by noting the contents of the Strategic Flood Risk Assessment Report.

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- Considered the Proposed Variation in accordance with Section 13(6) of the Act and made the variation as per that proposed at the public consultation stage but subject to 2 no. further modifications which are not material alterations.

The Variation was thus adopted on 31st May 2021. This, along with the associated environmental reports, will be used for the purpose of informing further studies and the detailed design of the TEN-T PRIPD.

3 How the Environmental Report Has Been Taken Into Account during the Making of the Variation

3.1 Introduction

This section presents a summary of how environmental assessment and the Environmental Report (ER) have been taken into account during the making of the variation.

3.2 Baseline Data

In the SEA process, baseline data assists in describing the current state of the environment, facilitating the identification, evaluation and subsequent monitoring of the effects of implementing the plan.

Section 3 of the ER described the relevant aspects of the current state of the environment within the study area of the Proposed Variation. This provided the environmental context for the Proposed Variation. The current state of the environment related to the Proposed Variation was considered under the following environmental headings:

- Biodiversity, Flora and Fauna
- Population and Human Health
- Soil and Geology
- Water
- Climate Change and Air Quality
- Climatic Change, Marine and Coastal Management
- Noise
- Material Assets
- Cultural, Archaeological and Architectural Heritage
- Landscape and Visual

Section 4 of the ER established the environmental characteristics of the area likely to be significantly affected by the Proposed Variation, by environmental topic. These included designated European sites, ecological corridors, WFD designated watercourses, areas sensitive to noise and air pollution, areas and features of heritage value, and areas of high scenic amenity.

Section 5 of the ER established the existing environmental problems relevant to the Proposed Variation and the TEN-T PRIPD, by environmental topic. These included the status and condition of designated European sites, numbers of aquatic and terrestrial invasive alien species, pressures associated with development and population increase, waterbody status, air quality, levels of residential and commercial vacancy, and potentially sensitive heritage features and sensitive landscapes.

3.3 Environmental Protection Objectives of relevance to the Proposed Variation

In Section 6 of the ER a diverse range of Environmental Protection Objectives (EPOs) established at International, European Union and national level were identified which are relevant to the Proposed Variation, and detailed the way those EPOs were taken into account during the preparation of the Proposed Variation. In many cases there is significant overlap between different EPOs for the same environmental criteria. In turn these EPOs directly informed, and formed the basis of, consolidated Strategic Environmental Objectives (SEOs) which are, in effect, the environmental test criteria used to assess the likely significant effects of the Proposed Variation on the various environmental aspects detailed in Schedule 2B(f) of the Planning and Development Regulations 2001 (as amended). In this regard the consolidated SEOs combined the fundamental goal of a number of EPOs into manageable assessment criteria.

3.4 Environmental Assessment of the Proposed Variation

For reasons of clarity and consistency, the environmental assessment of the Proposed Variation in the Environmental Report followed the same process as set out in Section 8.2 and Table 8.4 of Part D: The Environmental Report of the Donegal CDP 2018-2024, and in accordance with the Planning and Development Regulations 2001 (as amended). Each amendment to an Objective, Policy, text change or mapping change in the Proposed Variation was examined in Section 7 of the ER, and an assessment was made as to whether or not the Proposed Variation would have an effect on each SEO.

The assessment of the amendments contained within the Proposed Variation indicated the following:

- A number of amendments comprising the Proposed Variation to the County Donegal Development Plan in respect of the TEN-T PRIPD were identified as having a potential conflict with the SEOs of the County Donegal Development Plan 2018-2024; where this arose the Objectives and Policies should be mitigated to an acceptable level;
- The impact of some objectives and policies may be uncertain.

The assessment did not identify any amendment to the Plan which resulted in a conflict with an SEO that could not be mitigated to an acceptable level (Table 7.3 of the ER refers). Furthermore, the ER Report did not contain any specific recommendations for amendments to the Proposed Variation.

3.5 Recommended Mitigation

Where the amendments contained within the Proposed Variation were identified as having potential impact on SEOs and/or uncertain interaction with SEOs, the ER also contained a range of measures to prevent, reduce and as fully as possible offset any significant adverse environmental effects of the Proposed Variation (Section 8.0 refers), and in relation to the monitoring of significant environmental effects (Section 10).

The County Donegal Development Plan 2018-2024 provides Plan level mitigation through the adoption of Environmental Objectives and Policies.

General and road scheme specific environmental measures were also recommended in Section 8 of the ER, which can be utilised at the next stages of design and development of the TEN-T PRIPD. The principal measures recommendation was that, at a project-specific level, the predicted negative effects should be considered further during the detailed planning and design of the TEN-T PRIPD, when the specifics of the options can be optimised through detailed feasibility studies and design in order to limit the potential impacts on sensitive receptors. The TEN-T PRIPD will be subject to an application to An Bord Pleanála (ABP) and will require Appropriate Assessment (AA) and Environmental Impact

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Assessment (EIA). The project will be subject to ABP being satisfied that the project complies with relevant national and European legislation as transposed into Irish Law.

The ER was sent to the prescribed environmental authorities, made available for public inspection and was considered by the Elected Members prior to the making of the Variation.

4 How Submissions and Observations Made During the Public Consultation Process Have Been Taken Into Account during The Making Of The Variation

4.1 Introduction

Throughout the preparation of the Variation to the Donegal CDP 2018-2024, in respect of the TEN-T PRIPD and the ER, consultation was undertaken at key points in the process. Further information is available in the following reports:

- Environmental Report – placed on public display from 5th March to 9th April 2021
- Chief Executive’s Report on the Public Consultation regarding the Proposed Variation (April 2021)

This section summarises key points regarding consultation, and how they were addressed during the SEA process and the making of the Variation.

4.2 Public Consultation on the Proposed Variation and associated Environmental Reports

In accordance with S.13(2) of the Planning and Development Act 2000 (as amended), the Council engaged in public consultation on the Proposed Variation, including the ER, NIR and SFRAR, between 5th March and 9th April 2021. Public consultation comprised:

- Sending notices and copies of the Proposed Variation, ER, NIR, SFRAR, to the Minister and other prescribed bodies.
- Publishing Newspaper Notices in local newspapers of said Act stating: the reasons for the Proposed Variation; the places and times at which it could be inspected; advising that hard copies of abovementioned documents could be issued on request; inviting written or emailed submissions or observations; and advising that said submissions or observations would be taken into consideration before the making of the Proposed Variation.
- Publishing the Proposed Variation, an introduction/ explanatory document, an interactive map, the ER, NIR and the SFRAR on the Council’s website.
- Advertising the public consultation via press release to news outlets and via the Council’s social media pages.

During the public consultation period, a total of 12 submissions were received from members of the public. In addition, 14 submissions were received from other groups/ bodies, as follows:

- Geological Survey of Ireland
- Department of Defence (Defence Property Management Branch)
- Environmental Protection Agency (SEA Section)
- Northern and Western Regional Assembly
- Derry City and Strabane District Council (Planning Committee)
- Transport Infrastructure Ireland

- Office of Public Works (Flood Relief and Risk Management Division)
- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit)
- Department of Agriculture, Environment and Rural Affairs (Northern Ireland) (Natural Environment Division of Northern Ireland Environment Agency)
- Irish Water
- Department of Agriculture (Environmental Co-ordination Unit)
- National Transport Authority
- Office of the Planning Regulator
- Department of Agriculture, Environment and Rural Affairs (Northern Ireland) (Marine and Fisheries Division of Northern Ireland Environment Agency)

As per the requirements of S.13(4) of the Act, a Chief Executive's Report was prepared (April 2021), and submitted to the Elected Members for their consideration on the 28th April which:

- Listed the persons or bodies who made submissions or observations during the public consultation period.
- Provided a summary of:
 - The recommendations, submissions and observations made by the Office of the Planning Regulator (OPR)
 - The submissions and observations made by any other persons.
- Summarised the issues raised and recommendations made by the Regional Assembly.
- Gave the response of the Chief Executive to the issues raised.

Where the same or similar issues were raised by more than one individual or group, an overall summary of, and a grouped response to, such issues was provided in the Chief Executive's Report.

Several of the issues raised by consultees related to land zoning and TEN-T PRIPD project-specific details, including the route selection procedure. Detailed responses to these issues can be found in the Chief Executive's Report, Section 7.0. In light of a recommendation by the OPR regarding the non-inclusion of new Ballybofey/Stranorlar zonings in Transport Policy T-P-1, the Council have proposed a Non Material (text) Amendment to the Proposed Variation. This comprises a text amendment, listing the proposed new land use zonings for the Ballybofey/Stranorlar urban area in Policy T-P-1. As these zonings are already provided for in both mapped and written form within the Proposed Variation, the Council considered that their additional listing in Policy T-P-1 would not therefore provide for any additional development over and above that already provided for in the Proposed Variation, and would not therefore require further environmental assessment. The Council have proposed a second Non Material (text) amendment to Variations Nos. 6 and 7 to reflect the strategic importance of the N14/N15 to A5 Link Scheme.

In addition the Chief Executive's report also responded to environmental issues raised in the submissions regarding:

- Proposed amendments to archaeology policies in the Proposed Variation;
- Potential impact on the Lough Swilly Special Area of Conservation and Special Protection Area arising from the proposed zoning changes to Map 12.1B Letterkenny Land Use Zoning (and associated Zoning Objectives) associated with the bridge area of Section 2 of the TEN-T PRIPD;
- Unique approach taken in respect of the Proposed Variation concerning both the range of development objectives proposed and the zoning strategy to be applied; Associated recommendation that said approach accords with the requirements of the strategic environmental appraisal process and does not conflict with the progression of the TEN-T PRIPD

in accordance with TII Publications, Standards and Codes of Practice and EU and national environmental legislative requirements;

- Alternatives to the TEN-T PRIPD;
- Impact of the Proposed Variation on flooding and flood infrastructure;
- Issues with the Section 1: N15/N13 Ballybofey/Stranorlar Urban Area Preferred Route Corridor;
- Specific issues raised regarding the Section 3: Preferred Route Corridor;
- Impact on Irish Water infrastructure; and
- Overall and specific environmental impacts of the Proposed Variation.

In particular the Chief Executive's Report:

- Responded to the submissions from the OPR and the Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media (DTCAGSM) regarding the amendments to archaeology policies in the Proposed Variation, by advising that said amendments provide for the same level of physical protection to archaeological monuments/features as in the current policy and only give priority to the TEN-T PRIPD where any conflict may arise between the project and said policies with regard solely to the settings of, and views from, such monuments.
- Responded to the submission from the DTCAGSM regarding the potential impact of new zonings for Letterkenny in the Proposed Variation on Lough Swilly Special Area of Conservation (SAC) and Lough Swilly Special Protection Area (SPA), by advising that said new zonings only provide for the development of TEN-T PRIPD in addition to the development types/uses already provided for within the pre-existing zonings and associated zoning objectives and, as such, do not provide for any additional built development or uses in the vicinity of the SAC and SPA.
- Responded to submissions regarding the impact of the Proposed Variation on flooding by advising inter alia that the SFRAR had noted that avoidance of certain flood risk areas was not possible due to the linear nature of both the TEN-T PRIPD and said flood risk areas, however said report also demonstrated that the Proposed Variation had satisfied the criteria for justifications tests set out in the Flood Risk Management Guidelines.
- Responded to the various submissions regarding the impact of the Proposed Variation on specific aspects of the environment by providing members with the findings of the Option Selections Report and the ER in relation to said specific issues.

The submission received from DAERA and the associated submission from Derry City and Strabane District Council, and responses to same, are further detailed in Section 4.3 below. No amendments were made to the Proposed Variation, ER or NIR on foot of comments relating to environmental issues received during the public consultation stage.

The specific responses and recommendations in the Chief Executive's report can be viewed by accessing the document on the following link:

- [Variation No.1 to the County Donegal Development Plan](#)

The Chief Executive's Report, including the particular issues raised in the submissions and the response and recommendations of the Chief Executive to the issues raised, was considered by the Elected Members at the plenary Council Meeting of the 31st May prior to the making of the Variation.

5 How Consultations Regarding Transboundary Environmental Effects Has Been Taken Into Account during The Making Of The Variation

In addition to notification requirements under Section 13(2) of the Planning and Development Act 2000 (as amended), Regulation 130 of the Planning and Development Regulations 2001 (as amended) requires that a planning authority shall, following consultation with the Minister, forward a copy of the Proposed Variation and associated ER to a Member State where it considers that implementation of the Proposed Variation is likely to have significant effects on the environment of such Member State, or where a Member State, likely to be significantly affected, so requests.

The Northern Ireland (NI) Authorities were, following consultation with the Minister's office, forwarded a copy of the Proposed Variation, ER, NIR and SFRAR, in accordance with Regulation 130(1) of the Planning and Development Regulations 2001 (as amended). However the NI Authorities did not specifically indicate that they wished to enter into consultations before the adoption of the Proposed Variation in respect of Regulation 130(2) of said regulations.

Nevertheless the Department of Agriculture, Environment and Rural Affairs (NI) (Natural Environment Division of the Northern Ireland Environment Agency) did provide comments on the Proposed Variation and associated environmental reports on foot of the public consultation process. This submission also contained the submission from the Chair of Planning Committee Derry City and Strabane District Council which inter alia raised the following issues:

- Potential of extended rail link is taken into account in the detailed design of the TEN-T PRIPD; and
- Potential for the Proposed Variation to give rise to transboundary effects.

The specific responses and recommendations in the Chief Executive's report can be viewed by accessing the document on the following link:

- [Variation No.1 to the County Donegal Development Plan](#)

The Chief Executive's Report, including the particular issues raised in the abovementioned transboundary submissions and the response and recommendations of the Chief Executive to the issues raised, was considered by the Elected Members prior to the making of the Variation.

6 Reason for Choosing the Variation In Light Of Other Alternatives

6.1 Introduction

The SEA process must include an evaluation of the likely environmental consequences of a range of alternative development scenarios, in this case alternatives to the Variation to the Donegal CDP 2018-2024, in respect of the TEN-T PRIPD. The purpose of this section is to outline the reasons for choosing the Variation, as adopted, in light of other reasonable alternatives considered.

The primary purpose of the Variation is to provide the necessary strategic planning framework to facilitate the TEN-T PRIPD through the Phase 4 statutory approval process. In this regard the Variation is intrinsically linked to said project. To this end the Variation inter alia: reserves and protects the new TEN-T PRIPD Preferred Route Corridors, provides the necessary strategic support for the project, and ensures compatibility between the Plan and the project.

6.2 Consideration of strategic-level alternatives for the Variation

From a strategic perspective, two alternative scenarios were considered for the Proposed Variation:

- Alternative No.1: Do-Nothing Approach or continuation of the existing County Donegal Development Plan 2018-2024.
- Alternative No.2: Implementation of the Proposed Variation comprising amendments to facilitate the TEN-T PRIPD.

Section 7.2 and Section 9 of the ER provided a comparative evaluation of the environmental effects of implementing these two alternatives, and determined which alternatives were likely to have a positive or negative relationship with SEOs.

It found that in the absence of implementing the Proposed Variation to the CDP 'Alternative No.1', the TEN-T PRIPD and associated preferred Option Corridors would not be incorporated into the Donegal CDP. There would be no changes to the TEN-T route corridor as described in the CDP, to land zonings for Letterkenny and Ballybofey/Stranorlar and to other transport related matters in the CDP. As outlined in the following section, the historical TEN-T routes in the current CDP were not identified as the preferred options. These routes were discounted at the Option Selection stage of the current TEN-T PRIPD as they scored less favourably than other options in the multi-criteria analysis. Therefore, if the CDP were to remain unchanged, the TEN-T routes currently contained in the CDP would either be constructed at a much greater adverse impact or, alternatively, there would be no development of the TEN-T under the current CDP, within the plan period. To continue to implement the CDP without the Proposed Variation would then be in conflict with several of the CDP Objectives and Policies which support the development of the TEN-T PRIPD. Donegal County Council is therefore proposing the Proposed Variation to support the TEN-T PRIPD, with amendment to objectives, policies and maps within the CDP.

The SEA assessment of 'Alternative No.2', i.e. implementation of the Proposed Variation, did not identify any impact on any SEO which could not be mitigated to an acceptable level.

6.3 Consideration of TEN-T PRIPD alternatives

As stated in the Chief Executive's Report, the TEN-T PRIPD is considered to be of critical strategic importance to the whole county and the North West City Region. The benefits of the project are significant and wide ranging and include: economic, environmental, safety, regional accessibility and strategic/cross border.

Nevertheless a wide range of alternatives (both strategic and geographical) were considered as part of the Option Selection Process for the TEN-T PRIPD, including: 'Do Nothing', 'Do Minimum' and 'Non Road Improvements'. These are detailed both in the Option Selection Report for the route selection process and the ER which accompanied the Proposed Variation.

In terms of the '**Do Nothing**' Alternative, the above reports note the following in respect of each Section of the Project.

- Section 1: The existing N13 through Ballybofey/Stranorlar is operating beyond capacity, performs poorly in respect to safety (with poor width, alignment and visibility), is congested (with high journey times and journey time reliability), has poor pedestrian and cycling facilities, causes community severance, and causes high noise and air quality impacts due to the proximity to residential development.
- Section 2: The existing N13/N56 are operating beyond capacity, have significant safety issues including: several direct access, dual carriageway crossovers and the access to Lurgybrack Primary school, has an excessive gradient at Lurgybrack and lacks redundancy in cases where the road is blocked due to congestion or collisions.
- Section 3: The existing N14 is operating beyond capacity, performs poorly with respect to safety with substandard alignment, numerous direct accesses and junctions, has poor cross sectional width, and has insufficient opportunities for safe overtaking.

As such the 'Do Nothing' approach would not meet the scheme's objectives for any of the above sections.

In terms of the '**Do Minimum**' alternative the above reports note the following in respect of each Section of the Project.

- Section 1: The 'Do Minimum' option for Section 1 consisted of retaining the existing road with minimum online improvements. However this would not provide the appropriate cross-section and junctions required to achieve the level of service, journey time reliability, safety and economic benefit required in the project objectives.
- Section 2: The 'Do Minimum' option for Section 2 included retaining the existing N13 and N56 routes and including other committed schemes with traffic management improvements. However these routes include multiple public and private direct accesses, have excessive gradients, carry significant >32,000 daily traffic volumes, and serve numerous commercial premises. This makes upgrading the existing routes unviable and impractical and would not provide the appropriate cross-section and junction arrangements required to achieve the level of service, journey time reliability, safety and economic benefits required for the project.
- Section 3: The 'Do Minimum' option for Section 3 consisted of a combination of online and offline improvements, which utilizing sections of the existing N14 and providing road alignment upgrades where necessary. However the 'Do Minimum' option presented serious challenges, given the need to service the existing ribbon development along the existing N14 and the direct impacts the alignment would have on several existing properties. Furthermore restricting a new road to the existing road corridor would result in an undesirable horizontal and vertical alignment.

Non Road Improvement Alternatives included improved broadband, staggering work times, and alternative forms of travel. However these strategic non road alternatives were not considered to be

feasible solutions to meeting the schemes objectives. For example improved broadband would not meet the needs of unskilled workers, the scheme is designed primarily to address strategic rather than specifically local traffic, rail is not a feasible option for Donegal in the short to medium term and functional sustainable travel options including bus, walking and cycling are functionally dependent on both high quality strategic links (for inter urban transport) and the alleviation of local congestion (to facilitate intra urban bus services, walking and cycling).

As detailed above, the TEN-T PRIPD was subject to a comprehensive Option Selection Process in accordance with TII guidance, including a detailed multi criteria analysis of various route options and extensive public consultation. In particular, the Phase 2 - Stage 2 Multi Criteria Analysis examined a range of geographical alternatives against a range of environmental criteria (including air quality, climate, noise, landscape and visual, biodiversity, waste, soils, geology, hydrogeology, hydrology, cultural heritage and material assets). This assessment found that each of the preferred route corridors in the Proposed Variation generally outperformed or equalled the overall environmental score given to any of the geographical alternatives.

The abovementioned strategic and geographical alternatives are extensively detailed in Section 9 of the ER. In addition, the Chief Executive's Report also responds to issues raised in submissions regarding both strategic and geographic alternatives. Both the ER and the Chief Executive's report were taken into consideration by the Elected Members prior to the making of the Variation.

7 Measures To Monitor Significant Environmental Effects of Implementing The Variation

7.1 Introduction

Monitoring is required in order to properly consider the effects of implementation of the Variation, and to highlight areas that need to be re-assessed and /or considered for review. It also establishes a 'Baseline' from which to carry out the statutory 2 year and 4 year reviews. Part of this monitoring shall be that required by the SEA process and shall be based on the Environmental Objectives, Indicators and Targets as set out in Table 10.1 of the ER of the Proposed Variation (reproduced as Table 7.1 below).

In addition to the above, detailed environmental monitoring measures will also be contained in the Environmental Impact Assessment Report (EIAR) which will accompany the application for approval for the Proposed Road Scheme.

Table 7.1 Environmental Protection Objectives, Indicators and Targets

Biodiversity, Fauna and Flora		
Environmental Objectives	Indicators	Targets
BIO1: Ensure compliance with the Habitats Directive by protecting all Natura 2000 sites and habitats of species (SACs and SPAs) within the County.	Number and nature of developments permitted in or within the zone of influence of the Natura 2000 site.	Maintenance of favourable conservation status of the Qualifying Interests of all Natura 2000 sites. Control of inappropriate development in and within the zone of influence of Natura 2000 sites or likely to impact upon the Qualifying Interests of Natura 2000 sites.
BIO2: Conserve and enhance the diversity of habitats and protected species and promote the sustainable management of these areas.	Conservation status of habitats and species as reported by NPWS.	Maintenance of favourable conservation status of all Natura 2000 habitats of species and sites. Compliance with Catchment Plans for Freshwater Pearl Mussel. Compliance with NW RBD.
BIO3: Protect the marine environment, and promote integrated coastal zone management strategies.	Quality of shellfish Growing Areas as reported by DEHLG. Number of blue flag beaches	Incorporate the Pollution Reduction Programmes for Shellfish Waters.
BIO4: Protect macro-corridors and contiguous areas of habitat.	Hedgerow and riverside length.	Maintenance of contiguous hedgerows, planted areas and waterways and their associated habitats.

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Population		
Environmental Objectives	Indicators	Targets
POP1: Facilitate a good quality of life based on high-quality residential, working and recreational environments.	Provision of employment. Provision of services. Provision of amenities.	Increase in employment opportunities. Increase and improvement of services. Increase and improvement of amenities.
POP2: Facilitate more sustainable travel patterns.	Provision of sustainable travel modes.	Increase and improvement of sustainable travel in the County.
Human Health		
Environmental Objectives	Indicators	Targets
HH1: Minimise noise, vibration and emissions from traffic, industrial processes and extractive industry.	Occurrence of a spatially concentrated incidences of deterioration in human health (EPA, Local Reports).	No spatially occurring incidences.
Soil (including minerals)		
Environmental Objectives	Indicators	Targets
SL1: Protect and maintain the quality of soils.	EPA/Teagasc National Soils Mapping Project	Conservation of soil.
SL2: Protect and conserve geological sites.	Number and area of geological heritage sites as mapped by GSI	Retain/increase the number of geological heritage sites in the County.
SL3: Give preference to the re-use of brownfield lands, rather than developing greenfield lands.	Location and area of brownfield sites developed and permitted for development over the plan period.	Develop as many brownfield sites as appropriate and possible.
SL4: Minimise the consumption of non-renewable sand, gravel and rock deposits.		
SL5: Minimise the amount of waste to landfill.	Amount and nature of waste to landfill and location of landfill.	Reduce amount of waste to landfill.
Water		
Environmental Objectives	Indicators	Targets
WR1: Protect and enhance the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands directly depending on the aquatic ecosystems, in accordance with the River Basin Management Plan for Ireland (2018-2021).	Water quality monitoring results by the EPA and County Lab, for: <ul style="list-style-type: none"> • Surface water ecological and chemical status • Status of Estuarine and Coastal Waters • Bathing Water Quality • Groundwater Quality • Drinking Water quality. 	Protect and restore areas identified in the NW RBD and achieve 'good' status in accordance with the NW RBD objectives. Improvements in levels of compliance with drinking water quality standards and promotion to above national average compliance rate.
WR2: Protect the quality of	Number of Public Water Supplies	Commission secondary treatment

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surface and drinking water quality as sources of drinking water, assets for amenity, and recreation and ecosystem purposes.	<p>on EPA remedial Action list.</p> <p>EPA data under 'Urban Wastewater Discharges in Ireland population Equivalents greater than 500 persons report for 2010-2011.</p> <p>Agglomerations over 500 in the County without Secondary Treatment.</p> <p>Proportion of discharge licenses granted by the EPA that are compliant.</p>	plants in areas with low assimilative capacity for waste water or where primary treatment is adequate.
WR3: Promote sustainable water use based on a long-term protection of available water resources.	Water meter readings.	Improve water conservation.
WR4: Reduce progressively discharges of polluting substances to waters.	<p>Water quality monitoring results by the EPA and County Lab, for:</p> <ul style="list-style-type: none"> • Surface water ecological and chemical status • Status of Estuarine and Coastal Waters • Bathing Water Quality • Groundwater Quality • Drinking Water quality. 	<p>Protect and restore areas identified in the NW RBD and achieve 'good' status in accordance with the NW RBD objectives.</p> <p>Improvements in levels of compliance with drinking water quality standards and promotion to above national average compliance rate.</p> <p>Commission secondary treatment plants in areas with low assimilative capacity for waste water or where primary treatment is adequate.</p>
WR5: Manage the risk of coastal, estuarine and fluvial flooding. Manage the risk of droughts.	Number of housing developments permitted on flood plains or lands likely to flood	<p>Improved flood risk management in areas prone to flooding.</p> <p>Reduction in incidences of flood damage to properties.</p>

Coast / Marine Resource

Environmental Objectives	Indicators	Targets
<p>CM1: Avoid coastal erosion and promote coastal protection.</p> <p>Manage the coastal zone as an environmental and tourist resource.</p>		<p>Conserve and enhance the coastal source as an environment, amenity and resource.</p>

Air / Climatic Factors

Environmental Objectives	Indicators	Targets
<p>AC1: Support implementation of National Climate Strategy 2007-2012.</p> <p>Reduce all forms of air pollution.</p>	<p>National level of carbon emissions.</p> <p>Local air quality monitoring results.</p>	<p>20% reduction in greenhouse gas emissions from 1990 levels by 2020.</p> <p>Full delivery of Climate Change strategies and Preparation of County Climate Change Strategies.</p>

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AC2: Promote and support a shift from fossil fuel dependent energy to more sustainable energy. Promote and support a shift from fossil fuel dependant vehicles to more sustainable modes of travel.	I-Plan results of numbers of developments permitted with renewable energies. Average daily motor vehicle flows. Proportion of travel by mode. Investment in public transport.	Reduce road traffic in line with Smarter Travel, A Sustainable Transport Future. Increased investment in cycle paths and footpaths. Consider recommendations of OREDP in off shore wind energy developments.
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Material Assets

Environmental Objectives	Indicators	Targets
MA1: Maintain and improve the availability and quality of community related infrastructure, services and facilities and ensure the prudent management of environmental resources.	Availability and quality of community related infrastructure, services and facilities and status of environmental resources.	
MA2: Avoid flood risk and/or coastal erosion in selecting sites for development.	Number of community related developments on vulnerable coastal sites / sites prone to flooding.	Improved flood risk management in areas prone to flooding. Reduction in incidences of flood damage to premises.

Cultural Heritage

Environmental Objectives	Indicators	Targets
CH1: Promote the protection and conservation of the cultural, including architectural and archaeological, heritage.	Number of structures on RPS in relation to Ministerial Recommendations arising from NIAH County inventory. Number of ACAs. Number of Monuments on the RMP and areas of archaeological potential which have been recorded or subject to exploration as a result of development. Number of protected structures or archaeological monuments damaged due to development	To increase the number of protected structures in line with ministerial recommendations arising from NIAH surveys. To increase the number and range of ACAs in the County to conserve both townscapes and demesne landscapes. To maintain and increase the number of archaeological features recorded and protected. No damage occurring to structures or monuments due to development.

Landscape

Environmental Objectives	Indicators	Targets
LD1: Conserve and enhance valued natural and historic landscapes and features within them and avoid adverse impacts.	Areas of landscape designated as within Especially High Scenic Amenity. Preparation of a Landscape Character Assessment.	Conserve and enhance the County's most valued scenic landscapes. Appropriate Heritage Appraisal and Landscape Capacity Assessment to inform any future development of uplands, waterway corridors, demesne and coastal landscapes.