

APPROPRIATE ASSESSMENT CONCLUSION STATEMENT

FOR THE

BURREN AND CLIFFS OF MOHER VISITOR EXPERIENCE DEVELOPMENT PLAN

for: **Fáilte Ireland**
88-95 Amiens Street
Dublin 1



by: **CAAS Ltd.**
1st Floor
24-26 Ormond Quay
Dublin 7



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Section 1 Introduction and Background

1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the the Burren and Cliffs of Moher Visitor 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, 4.1 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	The AA process and the accompanying Strategic Environmental Assessment process have taken into account submissions received during the Plan/SEA/AA-preparation process – 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.

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 compliance¹ 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 VEDP (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 VEDP 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;
- The Clare and Galway County Development Plans, include various provisions relating to sustainable development, environmental protection and environmental management; and
- The Climate Action Plan 2019, the National Climate Change Adaptation Framework (2018 and any subsequent versions) and the National Mitigation Plan (2017 and any subsequent versions).

Infrastructure Capacity

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. The promotion of developing visitor friendly infrastructure where it is required will also be encouraged.

Visitor Management

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

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.

¹ Demonstration of compliance may be supported by monitoring undertaken by the beneficiary.

Submissions made on AA were taken into account during the Plan preparation process including that from the Department of Culture, Heritage and the Gaeltacht that was made during the public display of the Draft Plan (see Table 2.1).

Table 2.1 Response to Submission from Department of Culture, Heritage and the Gaeltacht and Updates Arising

Ref. No.	Submission text	Response	Update(s) Arising
DHCG 1	<p>Nature Conservation</p> <p>In regard to the appropriate assessment that was carried out for this plan, proposed mitigation measures appear to be limited to the following type of statement:</p> <p>“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:</p> <p>Compliance with measures relating to sustainable development, environmental protection and environmental management contained within the following Fáilte Ireland published documents:</p> <ul style="list-style-type: none"> • 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 • Wild Atlantic Way Operational Programme Appendix 6 “Environmental Management for Local Authorities and Others” 	<p>Mitigation measures are set out in Section 5 of the AA Natura Impact Statement. They are not limited to those cited in this part of the submission. They also include those measures the headings of:</p> <ul style="list-style-type: none"> • Infrastructure Capacity; • Visitor Management; and • Green Infrastructure and Ecosystem Services. <p>The need to comply with other policies, plans and programmes that form part of the statutory decision-making and consent-granting framework, of which the Plan is not part and does not contribute towards, is also referenced in Section 5.</p>	None.
DHCG 2	<p>This is considered to be too vague and general to be adequate. For example, it is noted that the plan proposes certain specific measures such as the upgrading of 2km of the cliff walk immediately adjoining the Cliffs of Moher Visitor Centre. No detailed assessment has been made of this proposal or its impact on the Cliffs of Moher SPA or its qualifying interests.</p> <p>Table 4.1 presents the Characterisation of Potential Effects arising from the VEDP. In the case of the Cliffs of Moher SPA these are given in vague generalities such as “Disturbance to Wildlife”. This is considered totally insufficient in view of the fact that there are distinct qualifying interests for this site. One definite potential impact arising for this proposal - the impact from loss of feeding habitat and increased disturbance on choughs - has been completely ignored.</p>	<p>It is not clear whether the Department has taken into account the measures referred to under the headings of:</p> <ul style="list-style-type: none"> • Infrastructure Capacity; • Visitor Management; and • Green Infrastructure and Ecosystem Services. <p>The need to comply with other policies, plans and programmes that form part of the statutory decision-making and consent-granting framework, of which the Plan is not part and does not contribute towards, is also referenced in Section 5.</p> <p>Furthermore, the measures are appropriate to the high-level of the Plan. More detail and further, more detailed Screening for AA (and subsequent stages of AA where relevant) will be undertaken at project level.</p> <p>The detail in Table 4.1 will be added to in order to give additional information on the characterisation of effects already provided.</p>	To give additional information on the characterisation of effects already provided in Table 4.1.
DHCG 3	<p>The Appropriate Assessment (AA) should be a stand-alone document. References are made to mitigation by way of demonstrating compliance with measures contained in other Fáilte Ireland published documents. These measures should be included in the AA document and it should not be necessary to source and read these other documents in order to understand the AA.</p>	<p>The measures referred to can be appended to the AA.</p>	To append the measures identified to the AA Natura Impact Statement.
DHCG 4	<p>(It should also be noted that National Parks (sic) will not be involved in any partnership in the upgrading of this cliff walk as this is not within the remit of the National Parks and Wildlife Service).</p>	<p>This issue is not within the scope of the AA.</p>	None.
DHCG 5	<p>You are requested to send further communications to this Department’s Development Applications Unit (DAU) at manager.dau@chg.gov.ie (team monitored); if this is not possible, correspondence may alternatively be sent to:</p> <p>The Manager, Development Applications Unit (DAU), Department of Culture, Heritage and the Gaeltacht, Newtown Road, Wexford, Y35 AP90</p>	<p>Noted.</p>	None.

Section 3 Consideration of Alternatives

3.1 Description of Alternatives

Current Situation (Alternative 1: Business as Usual)

The Cliffs of Moher is Ireland's second top fee-paying attraction, with over 1.5 m visitors. The pace of growth in day visitation, with the accompanying visitor management concerns, and the overall low visitor spend in the area arising from the nature of visitation are the key challenges underlying this VEDP. The area is of outstanding beauty and international significance, which provides a strong basis to address the issues and realise new opportunities.

Challenges to the sustainable development of tourism in the area include:

- One of the lowest spend returns from international visitors – very large number based in for the Cliffs of Moher without further engagement in the area – over reliance on day visitors;
- Traffic management issues and visitor management concerns – high concentration of visitors and need for dispersal;
- Promotional activities limited overseas;
- Few online packages;
- Limited accommodation capacity in destination;
- Fragmented communication in region between local groups and links with Clare Tourism fragmented;
- Infrastructure and lack of visitor services; and
- Traffic concerns for cyclists – potential to undermine the experience.

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

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

The challenges posed by the current situation establish a potential need for a plan that seeks to better manage tourism in the Burren and Cliffs of Moher 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.

The way forward for the Burren and Cliffs of Moher would be through partnerships, connectivity of products, development of new experiences and a focus on getting the story to the customer – inspiring them to travel off-season, stay longer and enjoy the essence of the Burren and Cliffs of Moher.

Opportunities to be considered in the preparation of such a Plan (in combination with the wider and extensive policy and wider and extensive policy and planning framework planning framework) would be:

- Introduction of a Visitor Management Plan to disperse visitors throughout the area and greater use of capacity management principles;
- Redesigning and managing the Cliffs of Moher Coastal Walk to become a walk of Global significance with managed access and extended value;
- Amplifying recognition of the Burren as an internationally significant landscape recognised by UNESCO;
- Promoting exceptional experiences relating to Burren adventure, wellness and education;
- Creating all year round visitor experiences to capture Great Escapers and winter travellers from Germany, France, UK, US, Australia and New Zealand, extending the season and sustaining employment;
- Strengthening the partnerships between local organisations and creating a stronger coordinated proactive marketing alliance;
- Improving accommodation options; and
- Creating premier niche eco-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, there would likely to be a continuing increase in tourist numbers – consistent with the development of tourism over many decades. The most popular locations in the Burren and Cliffs of Moher area would be likely to see the largest increases in visitors, most of which would be likely to occur during the peak season. This would be likely to 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 seeking 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, 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 (and associated effects) which are provided under all alternatives, and measures relating to seasonality (all year round visitor experiences) and regionality (dispersal of visitors throughout the area, 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 Burren and Cliffs of Moher 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 2019, the National Climate Change Adaptation Framework (2018 and any subsequent versions) and the National Mitigation Plan (2017 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 (and associated effects), which are provided under all alternatives, this Alternative (2B) would provide measures to improve seasonality (all year round visitor experiences) and regionality (dispersal of visitors throughout the area and greater use of capacity management principles) – Alternative 2A would provide this also. Seasonality and regionality provide a greater spread of tourists throughout the year and across the Burren and Cliffs of Moher area thereby reducing potential environmental effects and peak load additions on various infrastructure in particular locations/at particular times. Alternative 2B would also contribute towards the protection and management of biodiversity and flora and fauna through a degree of visitor management, although not as much as Alternative 2A.

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 Burren and Cliffs of Moher 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 in 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 two layers of mitigation, through:

- The existing statutory planning and consent framework; and
- A degree of visitor management.

Table 3.1 below provides a comparative evaluation of alternatives against Strategic Environmental Objectives (SEOs)².

Table 3.1 Comparative Evaluation of Alternatives against SEOs

	Likely to Improve status of SEO			Potential Conflict with status of SEOs - likely to be mitigated by complying with other measures included within the Plan		Probable Conflict with status of SEOs- unlikely to be fully mitigated
	to the Greatest degree	to Moderate degree	to a Lesser degree	to a Moderate degree	to a Greater 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 Reasons for choosing the selected alternative in light of other alternatives considered

Taking into account the environmental effects detailed in the accompanying SEA documents (including those relating to European sites) and summarised above and the challenges and opportunities present for tourism across the Burren and Cliffs of Moher area, Fáilte Ireland have proceeded with Alternative 2A “A Plan with Additional Requirements for Environmental Protection and Management”.

² Strategic Environmental Objectives (SEOs) are methodological measures developed from policies that generally govern environmental protection objectives established at international, Community or Member State level e.g. the environmental protection objectives of various European Directives that have been transposed into Irish law and that are required to be implemented.

Section 4 AA Determination

**Appropriate Assessment Determination under the
European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended)
for the
Burren and Cliffs of Moher Visitor 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 Burren and Cliffs of Moher Visitor 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 Burren and Cliffs of Moher Visitor 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 project¹. Therefore, no further assessment is required.

Date: 28.01.20

Signed:  _____
Signatory
Approved Officer

¹ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be:
a) No alternative solution available,
b) Imperative reasons of overriding public interest for the plan to proceed; and
c) Adequate compensatory measures in place.