

Siobhan Tinnelly

From: Donncha O'Sullivan [DOOSULLI@bge.ie]
Sent: 26 January 2012 11:43
To: Siobhan Tinnelly
Subject: MBT Facility at Timahoe Bog

Siobhán,

Bord Gáis has no infrastructure in the vicinity under review. As such we have no comment to make in regard to the proposed development.

Regards,

Donncha

You are reminded that all work in the vicinity of Bord Gáis Pipelines and Installations must be completed in accordance with the current editions of the Health & Safety Authority publications, 'Code of Practice For Avoiding Danger From Underground Services' and 'Guide to Safety in Excavations'. Both of these are available free of charge from the Health and Safety Authority, 1890 28 93 89, or at www.hsa.ie.

Donncha Ó Sullivan BE CEng MIEI
Development Liaison Engineer
Bord Gáis Networks

T 021-453 4613
F 021-453 4318
M 087 – 982 2437
www.bordgais.ie/networks



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Bord Gáis Éireann is a body corporate established under the Gas Act 1976.

Thank you for your attention.

Ms. Siobhán Tinnelly
Associate
TOBIN Consulting Engineers
Block 10-4
Blanchardstown Corporate Park
Dublin 15

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St. Martin's House / Waterloo Road / Dublin 4
Tel: / Tel: + 353 1 660 2511 Facs: / Fax: + 353 1 668 0009

Dáta | Date

31 January 2012

Ár dTag. | Our Ref.

NRA12 84359

Bhur dTag. | Your Ref.

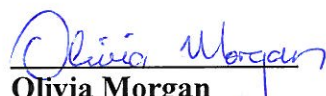
Re: Proposed Development of a Mechanical Biological Treatment (MBT) Facility in the Timahoe Bog in Co. Kildare

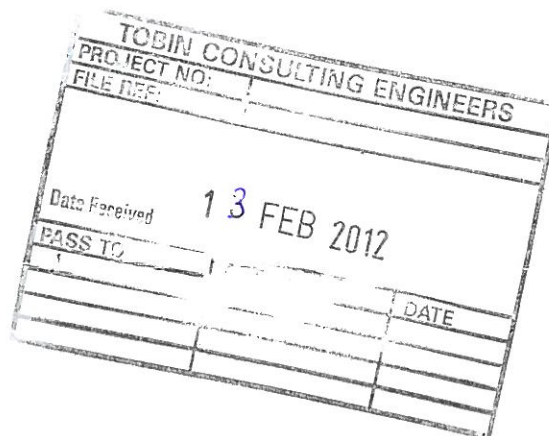
Dear Ms. Tinnelly

I wish to acknowledge receipt of your correspondence of 24 January 2012 in relation to the above.

The matter is receiving attention and a further letter will issue as soon as possible.

Yours sincerely


Olivia Morgan
Programme & Regulatory Unit



Ms. Siobhán Tinnelly
Associate
TOBIN Consulting Engineers
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Blanchardstown Corporate Park
Dublin 15

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Dáta | Date 6 February 2012

Ár dTag. | Our Ref: NRA12 84359 Bhur dTag. | Your Ref.

Re: EIS Scoping for Proposed Mechanical Biological Treatment (MBT) Facility at Timahoe Bog Co. Kildare

Dear Ms. Tinnelly

TOBIN CONSULTING ENGINEERS		
PROJECT NO.		
FILE NO.		
07 FEB 2012		
DATE RECEIVED	ACTION BY	DATE

The Authority advises that all future scoping request submissions should be addressed to Ms. Tara Spain, Senior Policy Advisor (Planning).

With respect to the current scoping request referred to above, the Authority wishes to advise that it is not in a position to engage directly with planning applicants in respect to proposed developments. The Authority will endeavour to consider and respond to planning applications referred to it given its status and duties as a statutory consultee under the Planning Acts. The approach to be adopted by the Authority in making such submissions or comments will seek to uphold official policy and guidelines as outlined in the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012). Regard should also be had to relevant NRA circulars available at www.nra.ie.

The issuing of this correspondence is provided as best practice guidance only and does not prejudice the NRA's statutory right to make any observations, requests for further information, objections or appeals following the examination of any valid planning application referred.

With respect to EIS scoping issues, the recommendations indicated below provide only general guidance for the preparation of EIS, which may affect the National Roads Network.

The developer should have regard, *inter alia*, to the following;

- Consultations should be had with the relevant Local Authority with regard to locations of existing and future national road schemes. In this regard, the applicant should be aware that the proposal to develop a Leinster Orbital Route is included as an objective in the Kildare County Development Plan, 2011 – 2017, is a key objective of the Regional Planning Guidelines for the Greater Dublin Area and is included in the NTA Greater Dublin Area Draft Transport Strategy, 2011 – 2030. The line of the Leinster Orbital Route is identified in the Leinster Orbital Route Feasibility Study Final Report issued by the Authority in March, 2009. The Feasibility Study Final Report is available on the NRA's website at www.nra.ie.
- The Authority would be specifically concerned as to potential significant impacts the development would have on any national roads, and associated junctions, in the proximity of the proposed development.

- The developer should assess visual impacts from existing national roads.
- The developer should have regard to any Environmental Impact Statement and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should in particular have regard to any potential cumulative impacts.
- The developer, in conducting Environmental Impact Assessment, should have regard to the NRA DMRB and the NRA Manual of Contract Documents for Road Works.
- The developer, in conducting Environmental Impact Assessment, should have regard to the NRA's Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006);
- The EIS should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (1st Rev., National Roads Authority, 2004));
- It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria, a Traffic and Transport Assessment be carried out in accordance with relevant guidelines and best practice, noting traffic volumes attending the site and traffic routes to/from the site with reference to impacts on the national road network and junctions of lower category roads with national roads. As indicated above, the Authority are not in a position to engage directly with applicants in respect to proposed developments, however, it is advised that the Authority's Traffic and Transport Assessment Guidelines (2007) should be referred to in this regard. It is important that TTA would consider the cumulative impact of developments in the area on the M4, M7 and associated junctions. The TTA Guidelines also include recommendations regarding the preparation of Traffic and Transport Assessments for sub-threshold development.
- The designers are asked to consult the National Roads Authority's DMRB *Road Safety Audit* (NRA HD 19/09) to determine whether a Road Safety Audit is required.

Notwithstanding, any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practise.

I hope that the above comments are of use in your scoping process.

Yours sincerely



Michael McCormack
Policy Advisor (Planning)



13.2.2012

JB/RO'N

*Messrs. Patrick J. Tobin & Co. Ltd.,
Consulting Engineers,
Block 10-4,
Blanchardstown Corporate Park,
Dublin 15.*

F.A.O: Ms. Siobhan Tinnelly


Re: Proposed MBT at Timahoe Bog, Co. Kildare.

A Chara,

I refer to your correspondence of the 24th January, 2012 in the above regard. Perhaps you would submit a list of the issues which you propose to address in the EIS for the consideration of Kildare County Council. Might I also suggest that you would guided by the objectives contained in the Council's current Waste Management Plan.

I am also sending a copy of this correspondence to the Senior Planner, Mr. Michael Kenny, for his consideration.

Yours faithfully,



J. BOLAND
DIRECTOR OF SERVICES

15 FEB 2012		
Date Received	15 FEB 2012	DATE
FILED TO	FILED BY	DATE
(57)		

Siobhan Tinnelly

From: Joe Boland [Jboland@kildarecoco.ie]
Sent: 16 February 2012 15:32
To: Siobhan Tinnelly
Subject: Re: Proposed MBT Facility_Timahoe Bog, Co.Kildare

noted

>>> Siobhan Tinnelly <Siobhan.Tinnelly@tobin.ie> 16/02/2012 14:57 >>>
Good Afternoon Mr. Boland,

With respect to the proposed MBT Facility at Timahoe Bog, Co. Kildare and your recent request for "a list of the issues which you propose to address in the EIS" (correspondence dated February 13th 2012), please find attached a summary of the proposed EIS content.

If you have any queries or wish to meet to discuss any individual items on the attached list, please do not hesitate to contact me.

Kind Regards,

Siobhán

Siobhán Tinnelly BA(Mod)EnvSc HDipEnvEng
Associate



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seo, déan teagmhail leis an seoltóir comh luath agus is féidir. D'fhéadfadh nach iad tuairimí Chomhairle Chontae Chill Dara na tuairimí curtha in iúl ins an ríomhphost seo.

Déanann Comhairle CHontae Chill Dara iarracht na ríomhphoist a chosaint ó víris. Mar sin féin, moltar duit gach ríomhphost a scanadh mar ní ghlacann an Comhairle aon dliteanas i leith damáiste dod' chórais.

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**Proposed Chapters and Content for the Environmental Impact Statement (EIS)
for the proposed Bord na Móna MBT Facility, Timahoe Bog, Co. Kildare**

Chapter 1 – Introduction –this chapter will include details on the background to the project, details of the proposed development, planning policy, need for the development, alternatives, consultation and scoping, study team and contributors.

Chapter 2 –Description of the Site and Proposed Development - this chapter will include details on the existing site (description, topography, land use, proximity to housing), the proposed development (proposed site infrastructure and operation), construction phase (including waste management), decommissioning, health & safety and a detailed description of the processes involved in the development (including the optional Dry Anaerobic Digestion step).

Chapter 3 – Human Beings/Socio-Economic

Chapter 4 – Ecology

Chapter 5 – Soils and Geology

Chapter 6 - Water

Chapter 7 – Climate

Chapter 8 – Air (Air, Dust, Odour)

Chapter 9 - Noise and Vibration

Chapter 10 - Landscape

Chapter 11 – Traffic

Chapter 12 – Archaeology and Cultural Heritage

Chapter 13 –Interaction of the Foregoing

It is proposed that Chapter 3 to Chapter 12 will include the following structure for each parameter:

- **Introduction**
 - **Methodology**
- **Existing Environment**
- **Potential Impacts**
 - Potential Impact of the MBT (with/ without optional Dry Anaerobic Digestion step)
- **Mitigation Measures**
 - Mitigation Measures (with/ without optional Dry Anaerobic Digestion step)
- **Conclusion**

16th February, 2012

Ms. Siobhán Tinnelly
Tobin Consulting Engineers
Block 10-4
Blanchardstown Corporate Park
Dublin 15

Re: Proposed Development of a Mechanical Biological Treatment (MBT) Facility in the Timahoe Bog in Co. Kildare.

Dear Ms. Tinnelly,

I refer to your recent correspondence concerning the above.


The Department of Agriculture, Food and the Marine has no information to provide that would assist in the preparation of the Environmental Impact Statement for the proposed development. I would however, recommend that you consider the likely impact, if any, of the proposed development on agriculture/agricultural activities in the locality as part of the environmental assessment. Aspects that should be considered include the following:

- Impact on local water supplies (quality).
- Impact of traffic (safety).
- Impact of vermin (possibility of disease transmission).
- Odour impacts.
- Impact of noise.

Yours sincerely,



Noel O'Connor
Climate Change Section

TOBIN CONSULTING ENGINEERS		
PROJECT NO:		
FILE REF:		
17 FEB 2012		
Date Received	RECEIVED BY	DATE
PASS TO		

Siobhan Tinnelly
TOBIN Consulting Engineers
Block 10-4,
Blanchardstown Corporate Park,
Dublin 5

Date 16th February 2012

Re: Proposed Development of a Mechanical Biological Treatment (MBT) Facility in the Timahoe Bog in Co. Kildare

Dear Ms Tinnelly,

I acknowledge receipt of your letter dated 24th January 2012 in relation to the above matter and thank you for the opportunity to comment on the impact of the above development on ESB Networks.

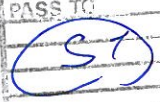
Currently we do not have enough information to comment in detail in relation to this proposal. A load study is required to determine the method of electricity connection to the site. However, it is anticipated that the overhead lines and underground cables will be medium voltage not high voltage. A route has not been selected but medium voltage lines are not normally subject to planning permission and do not normally require EI assessment unless located in the vicinity of a Special Area of Conservation or a designated national monument. The point of connection will be in a terminal substation to ESB Networks Specification available on our website. The terminal substation building requires planning permission. Any existing lines on site may also need to be diverted at this facility. All this work can be incorporated into the electricity connection works for the facility.

Please submit your client's request for an electricity connection at the earliest opportunity.

I trust the above information is satisfactory to your requirements and please do not hesitate to contact me should you require further information

Yours sincerely,


 Ray Meegan
Area Manager, ESB Networks
Mullingar
Co Westmeath

TOBIN CONSULTING ENGINEERS		
PROJECT NO.		
FILE REF.		
21 FEB 2012		
Date Received		
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Stone, Joan

From: Stone, Joan
Sent: 16 February 2012 14:20
To: 'Siobhan Tinnelly'
Subject: FW: Proposed Development of a Mechanical Biological Treatment (MBT) Facility in the Timahoe Bog in Co. Kildare
Attachments: Reply to Tobin Consulting Engineers.docx

Siobhán,

Please find attached, the Dept of Agriculture, Food and the Marine's comments on the above. Apologies for not replying to you within the timeframe specified.

Signed hardcopy will also follow in the post.

Kind Regards

Joan

*Joan Stone
Climate Change Section
Department of Agriculture, Food & the Marine
Johnstown Castle Estate
Wexford
Tel: 053 91 70348 Fax: 053 91 43950
Division: Climate Change & Bioenergy Policy*

From: Stone, Joan
Sent: 06 February 2012 09:51
To: 'Siobhan Tinnelly'
Subject: Proposed Development of a Mechanical Biological Treatment (MBT) Facility in the Timahoe Bog in Co. Kildare

Siobhán,

I wish to acknowledge the receipt of your recent correspondence with this Department concerning the above proposal. The proposal is now being appraised. I will be in contact with you again when this process has been completed.

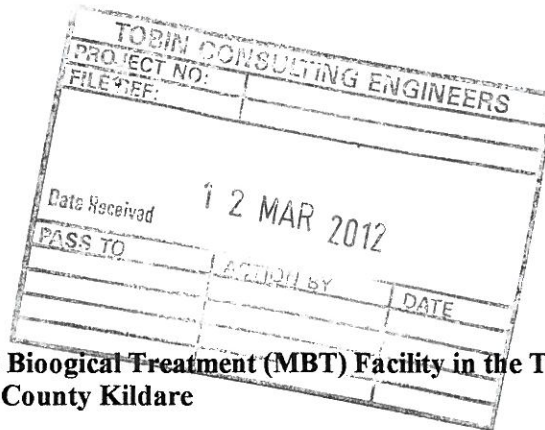
Kind Regards

Joan

*Joan Stone
Climate Change Section
Department of Agriculture, Food & the Marine
Johnstown Castle Estate
Wexford
Tel: 053 91 70348 Fax: 053 91 43950
Division: Climate Change & Bioenergy Policy*

Siobhan Tinnelly
Tobin Consulting Engineers
Block 10-4
Blanchardstown Corporate Park
Dublin 15

08 March 2012



Re: Proposed Development of a Mechanical Biological Treatment (MBT) Facility in the Timahoe Bog in County Kildare

Dear Ms. Tinnelly,

With reference to this proposed development the study area represents the headwaters of a tributary of the Barrow River. The Barrow River is an important Spring Salmon & sea trout fishery. The Barrow system supports several species listed in Annex II of the Directive including Salmon, River Lamprey, Brook Lamprey, Sea Lamprey, Freshwater Pearl Mussel and Otter. Much of the main channel of the Barrow River is a candidate Special Area for Conservation (SAC) under the European Habitats Directive.

We note this significant facility will accept 250,000 tonnes of municipal waste per annum and that "all waste processes will take place within buildings that are bunded and all process waters will be collected and reused within the process **where possible** (recycled)". We would ask what is proposed for process waters where it is not possible to recycle such waters. Such waters are likely to be contaminated with organic residues and pose a threat to water quality. **We request clarification on this matter.**

We also request clarification regarding the run-off from the hardstand areas. Are vehicles used for the collection of municipal waste and/or skips likely to be parked in these areas, and if so what is the potential for contamination of surface water run-off from these areas.

Waters which have been contaminated with organic residues should be transported off-site for suitable treatment or discharged to surface waters only after suitable treatment. Hydro-carbon receptors and suspended solids retention ponds do not represent suitable treatment for waters contaminated with organic materials with elevated BOD and or nutrients.

The following comments are of a general nature and made regarding mitigating measures which should be employed during elements of the construction phase which have the potential to impact the aquatic environment. Uncured concrete can kill fish and macroinvertebrates by altering the pH of the water. All oils and fuels used during the construction phase should be stored in secure bunded areas, and particular care and attention should be taken during refuelling and maintenance operations on plant and equipment.

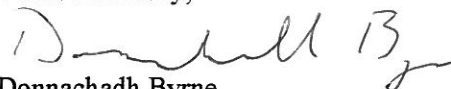
We note that the soils at this site are peaty in nature and are likely to be susceptible to erosion. One of the potential impacts of infrastructural programmes is the discharge of silt-laden waters to fisheries streams from newly developed sites at which earth moving and excavation works are ongoing. Silt can clog salmonid spawning beds, and juvenile salmonids are particularly sensitive to siltation of gill structures. Similarly plant and macroinvertebrate communities can literally be blanketed over, and this can lead to

loss or degradation of valuable habitat. It is important to incorporate best practices into construction methods and strategies to minimise discharges of silt/suspended solids to waters.

Our concerns include:

1. In terms of road drainage Inland Fisheries Ireland recommends that sustainable urban drainage systems be employed to mimic water flow patterns as exist in greenfield runoff, and provide treatment systems which ensure no deterioration in water quality as a result of the road runoff.
2. Systems should be put in place to ensure that there shall be no discharge of suspended solids or any other deleterious matter to watercourses during the construction phase and during any landscaping works.
3. Given the proximity of the River the pollution threat from concrete and concrete/cement washings is significant. Good housekeeping is of the utmost importance while using concrete or cement near watercourses.
4. Fuels, oils, greases and hydraulic fluids must be stored in bunded compounds well away from the watercourse. Refuelling of machinery must be carried out in bunded areas.
5. All waste oil, empty oil containers and other hazardous wastes are disposed of in conjunction with the requirements of the Waste Management Act 1996.

Yours Faithfully,


Donnachadh Byrne
Senior Fisheries Environmental Officer

Please note that any further correspondence regarding this matter should be addressed to Mr. Donnachadh Byrne, Senior Fisheries Environmental Officer, Inland Fisheries Ireland, Main Street, Blackrock, Co. Dublin

Siobhan Tinnelly

From: Siobhan Tinnelly
Sent: 07 March 2012 10:17
To: 'Donnachadh Byrne'
Cc: 'John.Connolly@bnm.ie'; 'Pat O'Neill'; Damien Grehan
Subject: MBT Facility at Coolcarrigan, Carbury, Co. Kildare

Good Morning Donnachadh,

Apologies for the delay in responding to your queries but we are currently finalising the water management plan for the proposed MBT Facility development.

As requested, please find below a summary of the proposed project and water management measures which may be of relevance to Inland Fisheries Ireland.

- It is proposed that the facility will accept 250,000t/annum of municipal waste
- All waste will be processed and sorted for recyclables including plastic, metals etc. within a Mechanical Treatment Building
- Paper, wood etc. will be collected for reuse as SRF material
- Organic material will be diverted to a Composting Facility for Biological Treatment with biostabilised waste and rejects/residuals being sent to landfill
- There is a proposal within the EIS for an optional Dry Anaerobic Digestion step within the Biological Treatment Process that will be developed if commercially feasible in the future
- All processes will take place within buildings that are bunded and all process waters will be collected and reused within the process where possible (recycled)
- Surface water runoff from outside hardstand areas will be collected and diverted via hydrocarbon interceptors to surface water attenuation ponds. These ponds will serve as:
 - Attenuation ponds to improve water quality;
 - Water Supply for fire fighting purposes;
 - Water Supply for process water; and
 - Containment ponds in the unlikely event of contamination.
- The ponds will have an overflow to the drainage system within the existing site, which discharges to a watercourse via large site settlement ponds.
- Routine monitoring to control the quantity and quality of the discharge is proposed.
- Wastewater from the Administration and Welfare Building will be treated on site, the effluent will be collected on site and removed off site by a licenced contractor, to a suitably licenced treatment plant.

If you require any additional information, please do not hesitate to contact me,

Regards,

Siobhán

**Siobhán Tinnelly BA(Mod)EnvSc HDipEnvEng
Associate**

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From: Donnachadh Byrne [mailto:Donnachadh.Byrne@fisheriesireland.ie]

Sent: 20 February 2012 11:52

To: Siobhan Tinnelly

Subject: RE: MBT Facility at Timahoe Bog, Co. Kildare

Hi Siobhan,

Apologies for the delay in getting back to you, I was on annual leave last week, the documentation did not reach this office until the 13th February (I note the deadline for comments laid out in your letter is the 10th February).

I have reviewed what was sent on to date but am unclear as to what this proposed development will entail.

Could you give me a rough break-down of what is proposed for the site, including volumes of material to be treated and what discharges it is likely to entail and I will try to get our comments to you as quickly as possible.

Many thanks,

Donnachadh Byrne

Senior Fisheries Environmental Officer

Iascach Intíre Éireann
Inland Fisheries Ireland

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From: Siobhan Tinnelly [mailto:Siobhan.Tinnelly@tobin.ie]

Sent: 14 February 2012 16:39

To: Noel McGloin

Cc: Donnachadh Byrne; Patrick Kilfeather

Subject: RE: MBT Facility at Timahoe Bog, Co. Kildare

Thank you Noel

Siobhán Tinnelly BA(Mod)EnvSc HDipEnvEng

Associate

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From: Noel McGloin [mailto:Noel.McGloin@fisheriesireland.ie]

Sent: 14 February 2012 15:21

To: Siobhan Tinnelly

Cc: Donnachadh Byrne; Patrick Kilfeather

Subject: MBT Facility at Timahoe Bog, Co. Kildare

Hi Siobhan

Apologies, but the relevant Environmental Officer to deal with the above matter is Donnachadh Byrne (SFEO) who is based in this office (IFI – Blackrock) and not Patrick Kilfeather (SFEO) as previously thought.

Donnachadh is presently on leave and I understand he is due back next Monday. I will be forwarding all relevant correspondence to him.

Regards

Noel McGloin

Noel McGloin

Senior Fisheries Environmental Officer - Eastern River Basin District

Iascach Intíre Éireann
Inland Fisheries Ireland

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Siobhan Tinnelly

From: Siobhan Tinnelly
Sent: 27 March 2012 15:39
To: 'Donnachadh Byrne'
Cc: 'Pat O'Neill'; John Connolly; Damien Grehan
Subject: IFI Clarification Request

Good Afternoon Donnachadh,

I hope you enjoyed a nice break!

As requested, I include information below that hopefully clarifies your queries regarding process water and surface water runoff relating to the proposed development of a Mechanical Biological Treatment (MBT) Facility at Carbury, Co. Kildare, as outlined in recent correspondence (received from IFI on March 12th 2012).

If you have any additional questions, please do not hesitate to contact me (contact details below).

Kind Regards,

Siobhán

Clarification Response:

Process water will be recycled where possible. A process water collection system is proposed to collect all excess leachate or process water from the various processes within the proposed development and the wash down of process buildings. The collected process water shall be diverted to the process water storage tanks for reuse.

Under Option A - MBT with Composting - there will be no excess leachate generated as water will be required within the process. No process water will be released to surface water at the site.

Under Option B - MBT with Composting and Dry Anaerobic Digestion - the process effluent system will divert leachate and runoff from the process buildings to the process water storage tanks for reuse. It is proposed to reuse as much as possible but it is estimated that there will be an excess of 23 m³/day leachate generated under this type of development. This excess leachate will be exported from the site to an approved wastewater treatment facility. No process water will be released to surface water at the site.

The run-off from internal roads and the hardstanding areas will be collected centrally, where the accumulated water will be diverted through a sediment grit trap, an oil interceptor and finally to the proposed facility surface water lagoons. To minimise any potential impact on the local/regional surface water and groundwater from material spillages, all fuels, oils, etc. used during the construction and operational phases of the development will be stored within bunded areas. The design (volume and construction) of all bunds will conform to standard bunding specifications. The retention capacity of the bunded area will be 110% of the capacity of the largest tank or drum to be stored within the bunded area. Spill kits will be retained on site to ensure that all spillages or leakages are dealt with immediately and staff will be trained in their proper use. Any servicing of vehicles on site will be confined to designated areas.

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An Roinn
Ealaíon, Oidhreacht agus Gaeltachta
Department of
Arts, Heritage and the Gaeltacht

Your Ref: ----

Our Ref: **G Pre00043/2012**

13th March 2012

Tobin Consulting Engineers
FAO Siobhán Tinnelly
Block 10-4
Blanchardstown Corporate Park
Dublin 15

Re: Proposed development of a Mechanical Biological Treatment (MBT) Facility in the Timahoe Bog in Kildare.

A Chara

In response to your letter dated 24th January 2012, please find below the recommendations of the **Department of Arts, Heritage and the Gaeltacht** in relation to nature conservation. (Note: please amend Department title in your records – the remainder of the address is correct – refer below).

With regard to any EIA for this proposed development an ecological survey should be carried out of the proposed development site to survey the habitats and species present. Such surveys should be carried out by suitably qualified persons at an appropriate time of the year depending on the species being surveyed for. The EIS should include the results of the surveys. With regard to any existing records the data of the National Parks and Wildlife Service (NPWS) should be consulted at www.npws.ie and the data of the National Biodiversity Data Centre at <http://www.biodiversityireland.ie/>. Reference should be made to the National Biodiversity Plan and any County Biodiversity Plan. The EIS should also address the issue of invasive alien species, such as Japanese Knotweed, and detail the methods required to ensure they are not accidentally introduced or spread during construction.

The impact of the development on the flora, fauna and habitats present should be assessed. In particular the impact of the proposed development should be assessed with regard to:

- Natura 2000 sites, i.e. Special Areas of Conservation (SAC) designated under the EC Habitats Directive (Council Directive 92/42/EEC) and Special Protection Areas designated under the EC Birds Directive (Council Directive 79/409 EEC),
- Other designated sites, or sites proposed for designation, such as Natural Heritage Areas, Nature Reserves and Refuges for Fauna or Flora, designated under the Wildlife Acts of 1976 and 2000,
- Habitats listed on annex I of the Habitats Directive,
- Species listed on Annexes II and IV of the Habitats Directive,
- Habitats important for birds,
- Birds listed on Annex I of the EC Birds Directive,
- Species protected under the Wildlife Acts including protected flora,
- Habitats that can be considered to be corridors or stepping stones for the purpose of article 10 of the Habitats Directive,
- Red data book species,
- and biodiversity in general.

In order to assess the above impacts it may be necessary to obtain hydrological and/or geological data. The EIA should assess cumulative impacts with other plans or projects if applicable. Where negative impacts are identified suitable mitigation measures should be detailed if appropriate.

Where there are impacts on protected species and their habitats, resting or breeding places, licenses may be required under the Wildlife Acts or derogations under the Habitats Regulations. In particular bats and otters are strictly protected under annex IV of the Habitats Directive and a copy of Circular Letter NPWS 2/07 entitled "Guidance on Compliance with Regulation 23 of the Habitats Regulations 1997 – strict protection of certain species/applications for derogation licences" can be found on our web site www.npws.ie. In addition licenses will be required if there are any impacts on other protected species such as on protected plants, badger setts or birds nests. Hedgerows should be maintained where possible. Where trees or hedges have to be removed there should be suitable planting of native species in mitigation. Where possible hedges and trees should not be removed during the nesting season (i.e. March 1st to August 31st). Birds' nests can only be intentionally destroyed under licence issued under the Wildlife Acts of 1976 and 2000. In order to apply for any such licenses or derogations as mentioned above a detailed survey should be submitted to NPWS which should have been carried out by appropriately qualified person/s.

In accordance with article 6.3 of the Habitats Directive, this project should be subject to appropriate assessment screening, and if necessary appropriate assessment, of its implications for the site in view of the sites conservation objectives. We refer you to the Departmental guidance document on Appropriate Assessment, which was launched by the Minister on 10th December 2009 and since revised. It is available on the NPWS web at

<http://www.npws.ie/media/npws/publications/codesofpractice/AA%20Guidance%2010-12-09.pdf>.

We also refer you to the EU Commission guidance entitled "Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC", which can be downloaded from

http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf.

In order to prepare the NIS you will need to collect information about the relevant Natura 2000 sites including their conservation objectives. Details of designated sites and species can be found on www.npws.ie while conservation objectives, if not yet available on our web site, can be obtained by requesting them by completing the data request form on our website at

<http://www.npws.ie/media/npws/publications/Data%20request%20form.doc>.

We recommend that you consult with the relevant Local Authorities to determine if there are any projects or plans which alone or in combination could impact on any Natura sites

Please forward any further information, if relevant, to the following address:

The Manager
Development Applications Unit (DAU)
Department of Arts, Heritage and the Gaeltacht
Newtown Road
Wexford

Alternatively, email correspondence to manager.dau@ahg.gov.ie

In addition, please acknowledge receipt of these observations by return.

Mise. le meas



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