

## Inspector's Report ABP-320300-24

| Development         | Proposed development of a Gas<br>Insulated Switchgear (GIS) substation<br>compound   |
|---------------------|--|
| Location            | In the townlands of Carhoona,<br>Carhoonakilla, Carhoonakineely,<br>Cockhill, Coolnanoonagh,<br>Farranawana, Kilcolgan Lower,<br>Kilcolgan Upper, Kilpaddoge and<br>Ralappane, County Kerry<br>(www.STEP220kVConnection.com) |
| Planning Authority  | Kerry County Council   |
| Applicant(s)        | Shannon LNG Limited  |
| Type of Application | Permission   |
| Third Parties       | Not Here Not Anywhere – Britta<br>Thiemt<br>Safety Before LNG and Communities<br>for Environment First – John<br>McElligott  |
| Prescribed Bodies   | Transport Infrastructure Ireland (TII)<br>An Taisce  |

Inspector's Report

| Development Applications Unit (DAU) |
|-------------------------------------|
| - Department of Housing, Local      |
| Government and Heritage             |
| Environmental Protection Agency     |
| (EPA)                               |
|                                     |

Date of Site Inspection

Inspector

12<sup>th</sup> & 13<sup>th</sup> September 2024

Liam Bowe

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Appendix 1: AA Screening Determination

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## 1.0 Introduction

- 1.1. This report relates to a direct application to An Bord Pleanála by Shannon LNG for a development under section 182A of the Planning and Development Act 2000, as amended. It follows pre-application consultations between the applicant and the Board in relation to the proposed development (ABP-318119-23), and the subsequent determination by the Board that the proposed development would be strategic infrastructure within the meaning of section 182A(1) of the Planning and Development Act 2000, as amended.
- 1.2. The proposed substations and underground transmission cables connecting to the existing overhead 220kV Kilpaddoge circuits would facilitate the proposed power plant and BESS on the immediately adjacent site to export electricity to the national grid. The power plant and BESS are subject to a separate, concurrent planning application (ABP-319566-24 refers).
- 1.3. The application was accompanied by an EIAR and a NIS.

## 2.0 Site Location and Description

- 2.1. The site comprises a stated area of 31.6 hectares on the southern shores of the Shannon Estuary, in the Townlands of Kilcolgan Lower, Ralappane, Kilcolgan Upper, Carhoonakineely, Carhoonakilla, Cockhill, Coolnanoonagh, Carhoona, Farranawana and Kilpaddoge in Co. Kerry. The easternmost part of the subject site is located approximately 0.8km west of Tarbert. The westernmost part of the subject site is located approximately 5km west of Tarbert and 4km northeast of Ballylongford, also in Co. Kerry.
- 2.2. The site is predominantly in agricultural use with four existing Line Cable Interface Masts (LCIMs) located in the parts of agricultural fields that are included within the eastern section of the subject site. Surrounding lands are also generally in agricultural uses. The lands comprise part of a larger landbank in the ownership of Shannon Commercial Enterprises DAC (formerly SFADCo), and parts of the public road in the ownership of Kerry County Council (KCC).
- 2.3. There are two access points to the subject site. The main access at the western end of the subject site where the two substations are proposed is from the L1010 local

road to the south, which provides a secondary route between Tarbert and Ballylongford. This access is proposed to be shared with the proposed power plant and BESS on the immediately adjacent site. From the road, ground levels fall somewhat before rising to a low intervening ridgeline, from which ground levels fall again toward the estuary. There is also an existing access at the eastern part of the subject site to the Kilpaddoge substation that will facilitate access to the area within the subject site where works are required to tie the proposed 200kv cables into the existing 220kv line via the LCIMs.

- 2.4. Within the wider area, energy infrastructure is a significant feature of the landscape. Moneypoint power station lies approximately 2.5km north of the site in Co. Clare, whilst Tarbert power station lies approximately 1.8km east of the site. Kilpaddoge 220 kV substation lies immediately north of the eastern part of the site, to which a number of high voltage overhead lines are connected. Wind energy projects within both Co. Clare and Co. Kerry form part of the background to views in this area.
- 2.5. There are a number of designated conservation sites located in the vicinity including:
  - Lower River Shannon Special Area of Conservation (Site code: 002165),
  - River Shannon and River Fergus Estuaries Special Protection Area (Site code: 004077), and
  - Ballylongford Bay proposed Natural Heritage Area (Site code: 001332).

## 3.0 **Proposed Development**

- 3.1. The proposed development consists of:
  - An EirGrid plc operated Gas Insulated Switchgear (GIS) substation compound (Glansillagh 220kV substation),
  - A Customer operated Gas Insulated Switchgear (GIS) substation compound (Knockfinglas 220kV substation),
  - 5km of 220kV underground cables and fibre optic cable, and
  - All associated ancillary site development works to facilitate the proposed development including, surface water drainage, lighting arrangements, temporary construction compounds and laydown areas, hardstanding, access

tracks, vegetation clearance and decommissioning of an existing 220kV underground cable.

The proposed development primarily occupies the western most portion of the subject site, and comprises four principle elements:

- 1. 1 no. 906.5m sq. two storey GIS 220kV building measuring 17m in height,
- 2. 1 no. Reactor compound (19m L x 18m W) enclosed with 2.6m high security fencing and containing 3 no. shunt reactors (3.4m diameter x 10m H),
- Air Insulated Switchgear electrical equipment including cable sealing ends (6.2m H), surge arrestors and associated steelwork (6.2m H), post insulators (6.2m H) and 2 no. lightning masts (18.5m high), and
- 4. 1 no. two storey 220kV GIS building measuring 925sqm and 17m in height.
- 3.2. Permission is sought for a period of ten years.
- 3.3. The application was accompanied by a number of supporting documents, including a Planning Report, Construction Traffic Management Plan, Construction Resource Waste Management Plan, Construction Environmental Management Plan, an Environmental Impact Assessment Report, associated technical appendices and a Natura Impact Statement, as well as related drawings.
- 3.4. A high-level masterplan (Campus Site Plan Drawing No. SP160 refers)<sup>1</sup> for the Shannon Technology and Energy Park (STEP) has been prepared and a link is provided for information with the application. This includes a future Data Centre Campus and a future Strategic Gas Reserve Facility, which will be subject to separate planning applications, appropriate assessments and environmental impact assessments.

<sup>&</sup>lt;sup>1</sup> <u>https://r2.steppowerplant.com/eiar/volume-3-</u> <u>figures/SLNG\_PP\_Figure\_F1\_1\_Shannon\_Technology\_and\_Energy\_Park\_STEP\_Masterplan.pdf</u>

## 4.0 **Planning History**

## 4.1. Subject lands

Pre-Application Consultation:

- ABP-304007-19: Pre-application consultation request in respect of a liquefied natural gas (LNG) regasification terminal and 600MW power plant including an LNG jetty to facilitate the berthing of a Floating Storage Unit, onshore vaporisation process equipment and administrative and associated buildings, at Ballylongford, Co. Kerry. The Board determined that the proposed development would constitute Strategic Infrastructure Development.
- ABP-316518-23: Pre-application consultation request in respect of a 600MW power plant, 120MW Battery Energy Storage System, Above Ground Installation and associated development. The Board determined that the proposed development would constitute Strategic Infrastructure Development.
- ABP-318119-23: Pre-application consultation request submitted to ABP on 28<sup>th</sup> September 2023 in respect of 220kV substations and underground transmission cables connecting to the existing overhead 220kV Kilpaddoge circuits. The Board determined that the proposed development would constitute Strategic Infrastructure Development.
- ABP-319717-24: Pre-application consultation request submitted to ABP on 13<sup>th</sup> May 2024 in respect of a proposed gas emergency reserve facility and associated development at the north-east corner of the site.

Planning Applications:

- **PL08B.PA0002:** Permission granted in 2007 for an LNG regasification terminal.
- PL08.PM0002: Permission granted in March 2013 for amendments to the phasing of the construction of the permitted LNG Terminal (condition no. 3) and other minor modifications. This was not considered to be a material alteration.

- PL08.PM0014: A decision to grant permission to extend the duration of the permission for the LNG Terminal (condition no. 2) from 10 years to 15 years, was subsequently quashed by the High Court in 2020.
- PL08.PA0028: A 10-year permission for a combined Heat and Power (CHP) Plant was granted in 2013. This CHP plant was located at Knockfinglas Point, to the west of the subject site.
- PL08.GA0003: Permission granted in 2009 under Section 182C of Planning & Development Act 2000 (as amended) for a 26km gas pipeline to connect Shannon LNG Terminal to the existing natural gas network at Leahy's, to the west of Foynes, Co. Limerick. An associated acquisition order was made for the connection of the Shannon LNG Terminal to the Bord Gáis Eireann Network at Leahy's, Foynes, County Limerick under ref. PL08. DA0003.
- ABP-311233-21: Permission refused for proposed Shannon Technology and Energy Park consisting of power plant, battery energy storage system, floating storage and regasification unit, jetty, onshore receiving facilities, above ground installation and all ancillary structures/works because it was not considered appropriate and contrary to current government policy to permit or proceed with the development of any Liquified Natural Gas terminals in Ireland pending completion of the review of security of energy supply of Ireland's electricity and natural gas systems (decision is currently under judicial review).
- **ABP-319566-24:** Concurrent application to An Bord Pleanála for proposed development of a 600MW Powerplant, 120MW Battery Energy Storage System, and Above Ground Installation.

## 4.2. Other relevant cases in the wider area

ABP-307798-20: Permission granted for the construction of 400kV electricity transmission cables across the estuary between Moneypoint 400kV Electrical County Clare and the existing Kilpaddoge 220/110kV Electrical Substation, Co. Kerry, including work in the foreshore, and extension to the existing Kilpaddoge Substation and associated works.

- ABP-315838-23: Application to the Minister from SSE Generation Ireland Ltd for the construction of temporary a 150MW emergency electricity generation plant at the existing Tarbert power plant, under the Development (Emergency Electricity Generation) Act 2022. This development was to be operational by winter 2023/2024 and would have an operational a life of 5-years. The plant would be limited to a maximum of 500 operational hours per annum.
- ABP-318540-24: Permission granted for a 10 year permission for the proposed Open Cycle Gas Turbine (OCGT) power plant fuelled by Hydrotreated Vegetable Oil (HVO) and associated site works at the existing Tarbert power plant, Tarbert Island, Tarbert, Co. Kerry.
- ABP-319080-24: Permission granted for transition and conversion of the existing 900MW electricity generating station from coal to heavy fuel oil from 31<sup>st</sup> December 2025 until 31<sup>st</sup> December 2029 at Moneypoint Generating Station, Moneypoint, Co. Clare.

## 5.0 Policy and Context

- 5.1. Regard is had to the following national, regional and local policy documents: National
  - National Planning Framework 2018
  - National Development Plan 2021-2030
  - Ireland's 4<sup>th</sup> National Biodiversity Action Plan 2023-2030
  - The Climate Action and Low Carbon Development Act 2015 (as amended)
  - Climate Action Plan 2024
  - Energy Security in Ireland to 2030 (November 2023)
  - Policy Statement on Security of Electricity Supply (November 2021)
  - National Energy Security Framework (April 2022)
  - National Risk Assessment 2024 Overview of Strategic Risks

## **Other Energy Sector Report**

• CRU Information Paper Security of Electricity Supply – Programme of Actions

## Regional and Local Policy

- Regional Spatial Economic Strategy for the Southern Region
- Strategic Integrated Framework Plan for the Shannon Estuary (SIFP)
- Kerry County Development Plan 2022-2028
- Listowel Municipal District Local Area Plan 2020 2026

## 5.2. National Policy

## 5.2.1. National Planning Framework 2018

National Strategic Outcome (NSO) 8 refers to the Transition to a Low Carbon and Climate Resilient Society. Ireland's national energy policy is focused on three pillars:

- 1) sustainability,
- 2) security of supply and
- 3) competitiveness.

Ireland must reduce greenhouse gas emissions from the energy sector by at least 80% by 2050, compared to 1990 levels, while ensuring security of supply of competitive energy sources. The transition to a low carbon energy future requires (inter alia) a shift from predominantly fossil fuels to predominantly renewable energy.

## 5.2.2. National Development Plan 2021-2030

The NDP sets out investment priorities underpinning the implementation of the NPF. Chapter 13 deals with NSO 8. Strategic Investment Priorities include the delivery of c.2 GW of new conventional (mainly gas-fired) electricity generation to support a predominantly wind/ solar electricity system and provide security of supply for when variable electricity generation is not sufficient to meet demand. The CRU and EirGrid will ensure the delivery of this conventional electricity generation capacity.

Ensuring continued security of energy supply is a priority at national level and within the overarching EU policy framework. In the short-to-medium-term, conventional (mainly gas-fired) electricity generation capacity will be critical to support the operation of the electricity system and provide security of supply and will need to be delivered by mid-decade. This conventional generation will spend much of its time in reserve for when needed. Therefore, while there will be significant investment in new generation capacity, the proportion of electricity generated by natural gas is expected to decrease from circa 50% to circa 30% by 2030.

## 5.2.3. Ireland's 4<sup>th</sup> National Biodiversity Action Plan 2023-2030

The Plan sets out a vision for biodiversity up to 2050 to ensure that biodiversity in Ireland is valued, conserved, restored and sustainably used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people. This is to be achieved through five objectives:

- 1) Adopt a whole-of-government, whole-of-society approach to biodiversity.
- 2) Meet urgent conservation and restoration needs.
- 3) Secure nature's contribution to people.
- 4) Enhance the evidence base for action on biodiversity.
- 5) Strengthen Ireland's contribution to international biodiversity initiatives.

## 5.2.4. Climate Action and Low Carbon Development Act 2015 (As amended)

The Act commits Ireland to the objective of becoming a carbon-neutral economy by 2050, reducing emissions by 51% by the end of the decade.

Section 4.8 of the amended act requires the Minister and the Government to have regard to matters including the risk of substantial and unreasonable carbon leakage as a consequence of measures to pursue national climate objectives. S.6(12) defines 'carbon leakage' as the transfer, due to climate policies, of production to other countries with less restrictive policies with regard to greenhouse gas emissions.

Section 17 amends the principle act such that Section 15(1) requires:

A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—

a) the most recent approved climate action plan,

- b) the most recent approved national long term climate action strategy,
- c) the most recent approved national adaptation framework and approved sectoral adaptation plans,
- d) the furtherance of the national climate objective, and
- e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

"Relevant body" means a prescribed body or a public body.

#### 5.2.5. Climate Action Plan 2024 (December 2023)

The Climate Action Plan 2024 (CAP24) commits Ireland to becoming a carbonneutral economy by no later than 2050. A key component of meeting this reduction target is the decarbonisation of electricity generation in Ireland. To drive this change, Ireland has set a target to generate 80% of grid electricity from renewable sources by 2030, largely from wind.

To allow this uptake of renewable energy to happen it is necessary to have in place back up sources of energy generation that can be efficiently dispatched when the wind is not blowing. Flexible gas-powered generation is a critical part of that strategy, given the highly variable nature of wind energy generation. CAP24 notes that Ireland will require at least 2 GW of new flexible gas-fired generation by 2030.

#### 5.2.6. Energy Security in Ireland to 2030 (November 2023)

Ireland's future energy will be secure by moving from an oil, peat, coal and gasbased energy system to an electricity-led system maximising our renewable energy potential, flexibility and being integrated into Europe's energy systems.

The electricity system will be focused on the addition of renewable generation, demand-side flexibility, new gas-fired generation as flexible back-up, interconnection and storage.

The Energy Security Package sets out actions for the short and medium-term by prioritising:

- 1. Reduced and Responsive Demand.
- 2. Renewables-Led System.

- 3. More Resilient Systems.
- 4. Robust Risk Governance.

## 5.2.7. Policy Statement on Security of Electricity Supply (November 2021)

Section 2 identifies key challenges, including maintaining security of electricity supply throughout the transition to up to 80% renewable energy by 2030.

Much of the older, higher emission conventional generation is expected to close in coming years and will need to be replaced by generation that provides the same support and backup capability but that is also flexible, supporting high levels of wind and solar generation. As more wind, solar, storage and interconnection is added to the system, conventional generation is expected to operate less. Sufficient conventional generation capacity will still be required but will spend much of its time in reserve for when needed. Natural gas will form the vast majority of this conventional generation, for which there will be a continuing need beyond 2030.

Section 3 recognises the need for significant investment in additional flexible conventional electricity generation, grid infrastructure, interconnection and storage. The Government has approved that:

- the development of new conventional generation (including gas and gasoil/ distillate-fired generation) is a national priority and should be permitted and supported to ensure security of supply and support the growth of renewable electricity generation.
- the connection of large energy users to the electricity grid should take account of the potential impact on security of supply and the need to decarbonise the grid.
- it is appropriate for additional electricity transmission and distribution grid infrastructure, interconnection and storage to be permitted and developed in order to support the growth of renewable energy and security of electricity supply.
- it is appropriate for additional natural gas transmission and distribution grid infrastructure to be permitted and developed to support security of supply.

#### 5.2.8. National Energy Security Framework (April 2022)

The Framework addresses Ireland's energy security needs in the context of the war in Ukraine. It coordinates energy security work across the electricity, gas and oil sectors and sets out a 'whole-of-Government' response. The Framework takes account of the need to decarbonise society and the economy, and of targets set out in the Climate Action Plan to reduce emissions.

#### 5.2.9. National Risk Assessment 2024 – Overview of Strategic Risks

This policy document highlights that energy demands are increasing from a growing population and economy with implications for delivery of energy generation and grid capacity. Electrification of our transport and heat sectors will further increase reliance on the electricity network.

It also states that risks created by a lack of certainty regarding processes and timelines in relation to the planning and the judicial system, and the extent of legal involvement in planning processes, can lead to longer timelines for large infrastructure projects that are required to meet this demand and maintain national competitiveness.

## 5.2.10. Other Energy Sector Report

# CRU Information Paper, Security of Electricity Supply – Programme of Actions (Sept 2021)

Key elements in the programme of actions, include:

- Delivery of new, enduring, capacity, complementary to renewable electricity and central to our low carbon transition.
- The procurement of additional temporary emergency generation capacity.
- The extended availability and operation of older generation capacity otherwise expected to retire in this timeframe.

Temporary measures will be unwound on delivery of other measures. The core element is the procurement of 2GW of flexible gas-fired plant, as an enabler of the decarbonisation of the electricity system, particularly as we accelerate the decarbonisation of the natural gas network.

## 5.3. Regional and Local Policy

## 5.3.1. Strategic Integrated Framework Plan for the Shannon Estuary (SIFP)

The 2011 Framework Plan was commissioned by Clare, Kerry and Limerick City and County Councils, Shannon Development and Shannon Foynes Port Company, as a marine and land use plan to facilitate and promote future marine related developments. The SIFP has been incorporated into the County Development Plan of these counties.

Nine Strategic Development Locations (SDLs) are identified (A-I), as likely to generate the greatest potential opportunities in terms of economic and social aspirations, while safeguarding the essential integrity of the natural environment. Their identification was influenced and informed by SEA and Habitats Assessments.

Strategic Development Location H: Tarbert-Ballylongford Landbank:

This SDL is identified and prioritised for marine related industry. It offers significant potential for future development, with the (permitted) LNG acting as a catalyst for additional industrial development. With the extension of the natural gas network and existing electricity distribution infrastructure, the SDL lends itself to sustainable development as a power generation centre for the region.

Objective MRI 1.2.13 Tarbert-Ballylongford Land Bank Marine Related Industry:

To promote and facilitate the sustainable development of these lands for marine related industry, utilising the presence of deep water, existing infrastructure, natural resources, and waterside location to harness the potential of this Strategic Location. Alternative proposals for general industrial development, compatible/ complementary with marine related industry and the level of flood risk, and those creating a synergism with existing uses, and contributing to the development of a strategic energy hub at this location will also be encouraged.

Four Strategic Energy Sites are identified in section 5.6.4, including the Tarbert-Ballylongford Land Bank.

Objective ERG 1.2 Safeguarding the role & function of energy sites:

To safeguard the role and function of the strategic energy infrastructure existing within and adjacent to the Shannon Estuary, and encourage the further sustainable development of energy, enterprise and industry within these identified strategic energy locations, subject to the requirements of the Habitats & Birds Directive, Water Framework Directive, and all other relevant EU Directives.

Objective ERG 1.3 Facilitating energy development:

To facilitate the further development of energy infrastructure at identified strategic energy sites and encourage appropriate diversification projects subject to compliance with sustainable planning, and the requirements of the Habitats & Birds Directive, Water Framework and all other relevant Directives.

## 5.3.2. Regional Spatial Economic Strategy for the Southern Region

Section 3.8 recognises and supports the economic role and potential of settlements as economic drivers in a potential North Kerry/ West Limerick/ Clare network, connected with the Shannon Estuary and Shannon Foynes Port. Their attributes extend to include the Shannon Integrated Framework Plan (SIFP) area and strategic locations identified under the SIFP as a Shannon Estuary Coastal Network.

RPO 79 relates to the Shannon Estuary and Other Harbour Plans as follows:

- a) The RSES recognises the national and international importance of the Shannon Estuary, its potential to attract multinational development and the work undertaken to progress its promotion and development. It is an objective to support and promote the delivery of the Strategic Development Locations.
- b) To promote the SIFP initiative as a good practice model for the Southern Region.
- c) To support the promotion, marketing and seeking of financial and expertise support for the SIFP and specific projects emerging therefrom.
- d) Such initiatives shall be subject to the relevant environmental assessment requirements including SEA, EIA, SFRA and AA as appropriate.

The SIFP is identified as a good practice example, identifying 1,200ha for marine related development (9 no. Strategic Development Locations) building on existing industry connectivity, synergy and existing infrastructure to create a more sustainable and attractive network for investment. Significant tracts of land have been zoned because of the preparation of the SIFP, presenting prime opportunities for employment generating development.

The "zoned lands at Tarbert/ Ballylongford in North Kerry with extant planning for strategic energy and marine related industry including the Shannon Gas LNG project are a further example of the regional and national potential of the location".

Section 8.3 addresses the Tarbert-Ballylongford lands as an 'Energy Hub Case Study', anticipating that the (previously permitted) project would position the area as a major National Centre for CHP and facilities requiring access to deep water with substantial requirements for electricity and natural gas.

RPO 219 New Energy Infrastructure supports the sustainable reinforcement and provision of new energy infrastructure to ensure the energy needs of future population and economic expansion within designated growth areas and across the Region can be delivered in a sustainable and timely manner and that capacity is available at local and regional scale to meet future needs.

RPO 225 includes the objective to strengthen the gas network sustainably to service settlements and employment areas in the Region, support progress in developing the infrastructure to enable strategic energy projects in the Region.

## 5.3.3. Kerry County Development Plan 2022-2028

Chapter 2.0 Climate Change & Achieving a Sustainable Future includes objective KCDP 2-2, to facilitate and support national climate change objectives contained in the Climate Action Plan 2021 and in the KCC Climate Change Adaptation Strategy 2019-2024 and successor strategies.

Chapter 9 Economic Development - Sustainable Economic Development and Climate Action.

Section 9.4.2 notes that the Council supports the economic role and potential of the established towns as economic drivers in a potential North Kerry/ West Limerick/ Clare network connected with the Shannon Estuary. This includes the Shannon Integrated Framework Plan (SIFP) area, and strategic locations identified under the SIFP as a Shannon Estuary Coastal Network, the Tarbert/Ballylongford Landbank.

Objective KCDP 9-8: Support the further development of the Kerry Hub & Knowledge Triangle and the North Kerry/ Shannon Estuary Networks and their potential to create substantial economic benefit as well as collaborations within these networks to create economic benefits. Section 9.6.1.1 Shannon Estuary notes the strategic development locations (SDLs) identified in the SIFP. The Tarbert/ Ballylongford SDL is recognised for its potential as an Energy Hub and for industrial development at a regional and national level. There are 430.6 Hectares of zoned lands available with access to deep water.

Policy KCDP 9-23 supports and promotes the delivery of these SDLs.

Policy KCDP 9-25 promotes and facilitates the sustainable development of the Tarbert-Ballylongford landbank for industry. Proposals for marine related industry, general industrial development, and particularly those industries creating a synergism with existing uses and contributing to the development of a strategic energy hub at this location will also be encouraged.

Chapter 11 refers to the Environment. Policies KCDP 11-1, 11-2 and 11-3 refer to the protection, maintenance and conservation of designated nature conservation sites.

## Chapter 12 Energy

KCDP 12-1 supports and facilitates the sustainable provision of a reliable energy supply, with emphasis on increasing energy supplies from renewable resources.

KCDP 12-7 supports and facilitates the sustainable development of enhanced electricity and gas supplies, additional electricity generation capacity, and associated networks, to serve the existing and future needs of the County.

The area is not subject to any landscape sensitivity designations. There are Protected Views and Prospects eastwards from the L1004 local road between Carrig Bridge and Carrig Island to the west of the application site.

## 5.3.4. Listowel Municipal District Local Area Plan 2020 – 2026

Strategic Development Objective OS-08: Support the sustainable development of the land zoned within the Tarbert/ Ballylongford area in accordance with the policies and objectives of the SIFP and County Development Plan.

The LAP notes that previously permitted developments have potential for substantial employment and to act as a catalyst for future industrial development and employment.

The LAP notes that the key objective of the SIFP is an integrated and balanced approach to facilitating economic growth in all areas of opportunity.

## 6.0 Planning Authority Submission

- 6.1. A submission from Kerry County Council (KCC) pursuant to s.182A(1) of the Planning and Development Act 2000, as amended, was received on 11<sup>th</sup> October 2024. The submission contains a cover letter, a planning report, and copies of internal technical reports in relation to the proposed development.
- 6.2. Section 2 recognises the potential of the Tarbert/ Ballylongford landbank in North Kerry as an energy hub and for industrial development at a regional and national level (Objectives (KCDP 9-25 and 9-26). The assessment section makes the following points:
  - Section 5 outlines the SPA's, SAC and NHA's in proximity to the site and confirms that KCC's ecologist states that the proposal is compatible with KCDP and the Habitats Directive and, consequently, recommends conditions.
  - Confirms in Section 6 that the County Archaeologist notes that the suggested mitigation measures outlined in the EIAR are appropriate and should be implemented in full.
  - States in Section 9 that the site is not located in areas designated as 'Visually Sensitive Area' or as an area defined by 'Views and Prospects'.
    Acknowledges the visibility of the site from County Clare but with topographical characteristics, natural boundary screening, and maturing landscaping the development will be assimilated into the landscape.
  - The capacity of the road network is adequate, particularly in light of upgrade works currently underway on the L1010. Recommended conditions include a special development contribution to cover the cost of upgrade works to benefit the development.
- 6.3. Matters which An Bord Pleanála are requested to consider in making a decision on the application, include inter alia the following:

## **Development levies**

The developer shall pay to the planning authority a special contribution or contributions under s.48 in respect of:

- Roads & Transport: €103,358.95
- Community & Amenity: €91,271.05

## <u>Bond</u>

Prior to commencement of the development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, to secure the reinstatement of public roads that may be damaged by the transport of materials and/or used as haul routes for construction, and to secure the satisfactory reinstatement of the site on cessation of the project.

#### Construction Management Plan

The construction of the development shall be managed in accordance with a Construction Management Plan to be agreed in writing with the Planning Authority.

#### Roads and Transportation

Complete the upgrade of the L1010 before development commences.

A detailed construction traffic management plan should be agreed.

The developer shall pay to the planning authority a special contribution or contributions under s.48(2)(c) in respect of:

- Upgrading and widening the L1010 required to facilitate the project.
- Upgrading footpaths and the road surface of Bridewell Street, Tarbert and the development of an off-street car park to facilitate proposed traffic management and parking control measures.
- Improvements at the junction of the R551 and L1010 to accommodate the projected traffic volumes travelling along the Coast Road.

#### **Environmental Protection**

All mitigation measures set out within the EIAR and NIS shall be fully implemented.

A Construction Environmental Management Plan (CEMP) shall be approved.

## Landscaping

The site shall be landscaped with suitable native Irish trees and hedges of Irish provenance.

## Archaeology

Suggested mitigation as outlined in the Chapter 15, Section 25.7.1 in the EIAR should be implemented in full.

Copies of internal reports from the following departments accompany the report:

- Environment
- County Archaeologist
- Environmental Assessment Unit
- Flooding, Coastal & Marine Unit
- Roads and Transport/ Area Engineer
- Chief Fire Officer.

## 7.0 **Prescribed Bodies**

## 7.1. Department of Housing, Local Government and Heritage (DAU)

#### Archaeology

- The Department notes that the proposed development will have direct impacts on Recorded Monuments KE003-010001 (Souterrain) and KE003-090001 (Souterrain).
- Recommends a condition requiring the developer to engage the services of a fully qualified archaeologist to carry out a Full Archaeological Excavation of all archaeological sites and areas identified during testing that cannot be preserved in situ.

#### Nature Conservation

Lower River Shannon SAC:

- Notes that the proposed development is not located within the SAC but highlights that the proposed cable crosses two watercourses (Ralappane Stream and Farranawana Stream) that flow into the SAC.
- Outlines the likelihood that otters use both of these streams as the European eel, present in both streams, are important prey for otters.
- Highlights the possibility of eel mortality due to leaching of alkali from hydrating cement in concrete culverts.
- Welcome the proposal to appoint an independent ECoW to supervise the avoidance of siltation and pollution to watercourses and recommend that CIRIA guidance (C648 and C649) be used.
- A condition is recommended that specifically requires the monitoring of the streams for alkalinity below the works site.

## 7.2. Transport Infrastructure Ireland (TII)

- Acknowledges that access to the development is facilitated via the local road network prior to accessing the N67 and N69 national roads.
- Any proposed works to the haul route along the national road network should comply with TII guidelines.
- The remedying of any damage to national roads, in accordance with TII standards, shall be agreed with the road authority.
- Notes that there will no abnormal loads associated with the proposed development but, if such a load is necessary, relevant permits for these should be obtained.
- All structures along such haul routes should be checked for capacity to accommodate the proposed loading associated with deliveries to the subject site.
- Notes that no new grid connection proposals will impact the national road network.
- Recommends consultation with Kerry County Council regarding greenway/ active travel proposals.

## 7.3. An Taisce

• An Taisce refers the Board to the points detailed in their submission on planning application ref. no. ABP-319566-24.

I reiterate for the convenience of the Board a summary of the issues raised by An Taisce in their submission made under ABP-319566-24:

- An Taisce state that ABP is bound to objectives in the Climate Action Plan of the budgets and sectoral ceilings in its decision making.
- Contends that the applicant has failed to explain how the emissions associated with the long-term supply and usage of fossil gas for electricity generation is compatible with the State's legal obligations under the Climate Action and Low Carbon Development Act 2015 (as amended).
- States that the applicant does not appear to consider the proposals compatibility with increasingly tight carbon budgets as a result of being on a trajectory to miss the 2021-2025 carbon budget and the sectoral emissions ceiling for electricity.
- Unclear if the predicted 2030 emissions from the proposed development incorporates the projected exceedances from the first carbon budget.
- Highlights that the applicant's methodology relies on the year 2030 rather than the period 2026-2030, with no modifications for exceedances.
- Draws attention to the verbiage used about climate change in the Paris Agreement of 'well below 2°C' and 'preferably below 1.5°C', which is missing from the submitted EIAR.
- Consider the proposed 25-year operational life of the fossil gas power plant to be an unacceptable length of time in light of the climate emergency and the urgent need to reduce emissions.
- Acknowledge that a small amount of gas-fired electricity generation may be required in the short to medium term but that this must remain within carbon budget thresholds. Concerned that the current proposal locks in long-term gas use.

- Consider it a remote possibility that the proposed power plant will transition to a 50% hydrogen blend.
- Contend that the emissions from the proposed power plant would represent non-compliance with the legally binding third carbon budget (2031-2035) of the provisionally fixed 151MtCO<sub>2</sub>eq.
- Notes the participation in the EU Emission Trading Scheme but states that the legal obligations to meet the national carbon budgets and sectoral emissions ceilings prevails.
- Mitigation measures do not address the stated *major adverse* impact on climate.
- Considers the assessment on the impact of methane emissions and its contribution to the GHG effect to be inadequate.
- Highlights that cumulative impacts from other elements of the Shannon Technology and Energy Park (STEP) i.e., the potential data centre, has not been carried out and, therefore, this is not compliant with EIA Directive and Climate Act requirements.
- Highlight the practical difficulties in transitioning the proposed power plant to a 50% hydrogen mix and submits that the potential future use of hydrogen cannot be used as a sustainability measure to justify the proposed gas plant.
- Contends that the applicant's focus on supporting the 2030 renewables target is misleading, as the key to decarbonisation is emissions reduction.
- Increasing reliance on international gas markets will introduce further supply security issues and not address decarbonisation and emission reduction targets.
- The project risks becoming a stranded asset with the transition to renewables.
- Requests that the current status of the permission issued under PL08.GA003 for a 26km gas pipeline linking the application site to the gas network be clarified, in order to determine whether revised EIA and AA assessments are required.

- Seeks the assessment of the impact of warm water discharges on QI species of the SPA and SAC.
- Seeks a sensitivity analysis for noise and disturbance to be carried out on all bird species of SCI in the vicinity of the proposed development.
- Highlights the lack of clarity on specific noise control measures and contends that mitigation measures to be agreed afterwards fall into the category of a post consent condition (per People Over Wind v. An Bord Pleanála (2015)).
- Concerned about the further disturbance that the proposed development will cause to the visual amenity of the area.
- Considers that the proposed development could exacerbate the extent of light pollution in the area with consequent impacts on human health, insects and other species residing in the water.
- Recommends that ABP refuse permission for the subject application.

## 7.4. Environmental Protection Agency (EPA)

- Confirms that the development proposed does not appear to be an activity that requires an Industrial Emissions (IE) licence.
- Notes that the EIAR is entitled 'Shannon Technology and Energy Park (STEP) 220kv Grid Connection' but also refers to a proposed Shannon Technology and Energy Park (STEP) Power Plant.
- States that no IE licence application has been received for either.
- States that should the Agency receive an IE licence application for the development, the applicant will be required to submit the associated EIAR to the Agency.

## 8.0 Third Party Observations

8.1. Submissions from 2 no. third parties have been received. These are summarised as follows:

## Not Here Not Anywhere - Britta Thiemt

- Contend that the application is premature if the application for the power plant is refused.
- Objects to its use to facilitate fossil fuel infrastructure in the form of the gas power plant and data centre campus.
- States that Ireland must phase gas out of the energy mix in line with the United Nations Environmental Programme and CAP23 commitments.

## Safety Before LNG and Communities for Environment First - John McElligott

• Refers the Board to the points detailed in their submission on planning application ref. no. ABP-319566-24.

I reiterate for the convenience of the Board a summary of the issues raised in their submission made under ABP-319566-24:

- The absence of an assessment of alternative locations is highlighted and can find no evidence of current planning applications or consents for other aspects of the overall masterplan for these lands.
- Attention is drawn to DECC's Energy Security Strategy to 2030 where it is stated that it would not be appropriate for the development of any LNG terminals in Ireland until the outcome of the review of the security of energy supply of Ireland's electricity and natural gas systems.
- A standalone power station by Shannon LNG on the same site has been refused permission under ref. no.311233 on the grounds that it would not be in accordance with the proper planning and sustainable development of the area, and nothing has changed to revisit the decision.
- Highlights that the application states that it is proposed to send gas *out* to the national gas network and not to receive gas *from* the natural gas network via

the consented pipeline. There has been no assessment in the current EIA of the environmental impact of the importation of fracked gas.

- Query as to whether it is normal practice by an applicant to be challenging (judicial review) a decision by An Bord Pleanála while simultaneously lodging a new application for the same project.
- Contends that planning permission for the 26km gas pipeline issued under GA0003 has expired.
- An outline of the Eirgrid auction process is provided with reference to a Section 5 request to ABP (317419 refers).
- Contends that the decision of the Board issued under 314474 consenting to the development of 6 data centres in Ennis, and now under judicial review, is relevant to this application.
- A query is raised as to the ownership of the lands that are the subject of this application.
- Contention that the Kerry County Development Plan cannot and should not be relied upon in this planning application.

## 9.0 First Party Response to Submissions Received

- 9.1. The applicants were requested to respond to submissions received from third parties and certain prescribed bodies in relation to this application. The applicant responded on 14<sup>th</sup> November 2024. The applicant draws the Board's attention to the fact that the submissions made by Safety Before LNG and Communities for Environment First, Not Here Not Anywhere and An Taisce are essentially repetitions of the submissions made under ABP-319566-24 and that the issues raised have already been addressed their response submitted to the Board under that application.
- 9.2. In their response to the submissions by the planning authority and prescribed bodies, the applicant makes the following points:
  - Notes that the submission of KCC is generally positive and supportive of the proposed development and confirms that they are willing to accept conditions as recommended by KCC.

- Confirms that the proposed development for a 220 kV grid connection does not require an IE licence.
- Notes the submission of TII and confirms that they are willing to accept a condition in relation to the matters raised.
- Notes the submission of the DHLGH and confirms that they are willing to accept a condition in relation to the matters raised.
- Draws the Board's attention to the points raised by An Taisce in relation to policy alignment concerning climate related matters as well as energy security, and highlights that these are addressed in Chapter 3 within the Planning Report submitted as part of the application documentation.
- State that Project Ireland 2024 the National Planning Framework and the National Development Plan promote increases in renewable energy and gas generation as part of climate action mitigation and acknowledge the role of transmission development.
- Highlights that the importance of providing and maintaining security of electricity supply is acknowledged in several policy documents - Climate Action Plan 2024, the National Energy Security Framework 2022, the Policy Statement on Security of Electricity Supply 2021, the Energy Security in Ireland to 2030, and the National Risk Assessment (August 2023).
- States that Climate Action Plans, 2023 and 2024, both have acknowledged the role of supporting electricity transmission in order to facilitate the CAP targets.
- Highlights that the proposed onsite EirGrid 220kV GIS Substation and the underground transmission cable will be handed over to EirGrid and, once commissioned, this will form part of ESBN infrastructure. Also state that the customer GIS substation will not be transferred to EirGrid or ESBN and will continue to be owned and operated by Shannon LNG Limited.
- Highlights that, once built, the proposed subject development will become the closest transmission connection point for west coast offshore renewable projects that are currently under development.

- 9.3. In their response to the submissions by third parties, the applicant makes the following points:
  - States the overall Shannon Technology and Energy Park (STEP) is required to be approved by means of a series of applications and that an EIAR either has been or will be prepared to cover every element of the overall STEP project.
  - Contends that no project splitting or failure to assess cumulative impacts arises if each part of the masterplan development is subject to the EIA Directive.

## 10.0 Assessment

I have examined the application details and all other documentation on file, including the submissions from Kerry County Council and the prescribed bodies, other submissions received in relation to the application, and the applicant's response to these submissions. I have inspected the site and, having regard to relevant local, regional and national policies and guidance, I consider the critical issues in determining the current application before the Board can be considered under the following broad headings:

- Land Use and Principle of Development
- Landscape and Visual Impacts
- Surface Water Management
- Roads and Traffic
- Noise
- Biodiversity
- Archaeology and Cultural Heritage
- Other Matter Arising

Environmental Impact Assessment and Appropriate Assessment are considered under separate headings in this report below.

## 10.1. Land Use and Principle of Development

- 10.1.1. The development comprises a number of elements, described in detail in section 3.0 above, but generally comprising two 220kV substations and two 220kV underground cable circuits between the Shannon Technology and Energy Park (STEP) Power Plant and the existing line cable interface mast adjacent to the existing Kilpaddoge Substation. The physical characteristics of the site make it an appropriate location for such development on the basis of the availability of connections to gas and electricity transmission networks. It is understood that these, and other, characteristics informed its identification as a strategic development location in the Shannon Integrated Framework Plan and their zoning for industrial use in the County Development Plan.
- 10.1.2. The Shannon Integrated Framework Plan for the Shannon Estuary seeks to promote and facilitate the sustainable development of these lands (Tarbert-Ballylongford Land Bank) for marine related industry. However, it is also stated in the objective that alternative proposals for general industrial development that contribute to the development of a strategic energy hub at this location will also be encouraged. Therefore, I am satisfied that the proposed development is in accordance with this policy.
- 10.1.3. I note that the submission of Kerry County Council outlines general support for the proposed development and the overall STEP project which is considered to be in accordance with local and regional planning policies and objectives. It is highlighted in the submission that the lands that are the subject of this application are zoned for industrial use in the current Kerry County Development Plan (KCDP), and in previous iterations of the KCDP.
- 10.1.4. Most importantly, a significant portion of the site comprises part of the Tarbert/ Ballylongford landbank identified for industrial use in the current KCDP. Objectives KCDP 9-23 and 9-25 of the KCDP support the development of the lands for these purposes. The Board should note that the part of the subject site where the two substations are proposed have a land use zoning for industry under the KCDP. Under the KCDP 'Public facilities and Infrastructure' is 'Open for Consideration' on lands with this industry land use zoning. In addition, the Listowel LAP supports the development of the lands in this fashion. The provisions of the Regional Spatial and

Economic Strategy also support the development of these lands for energy and marine related activities, following on from the provisions of the Shannon Integrated Framework Plan.

- 10.1.5. I also note the concern raised in the third party submission from Not Here Not Anywhere that consideration of the proposed development is premature if the application for the power plant is refused. The development of the proposed power plant (ABP-319566-24 refers) on the adjacent site is undoubtedly dependent on the proposed grid connection under this current application. However, if the proposed power plant application does not receive the necessary consents from the Board, or other statutory agencies, I am satisfied that the applicant would not proceed with what would then be the pointless development of the proposed substations and grid connection.
- 10.1.6. Other matters raised in the submission and matters raised in the submission of Safety Before LNG relate substantially to broader policy issues and specifics associated with the concurrent development of the proposed power plant on the adjacent site (ABP-319566-24 refers) and the overall STEP project on the landholding at this location. Similarly, An Taisce raise concerns about the long-term supply and usage of fossil gas for electricity generation and whether the proposal is compatible with the State's legal obligations under the Climate Action and Low Carbon Development Act 2015 (as amended) and CAP24. Essentially, these matters relate to national energy policy and climate action commitments that are directly related to the application made and assessed under ABP-319566-24. I refer the Board to the Planning Report on that application where these matters are more appropriately addressed.
- 10.1.7. It is clear from the above that there is substantial policy support at national, regional and local level for the development of the electricity network, such as that which would be facilitated by the proposed development. I therefore consider the proposed development to be acceptable in principle, subject to consideration of the key planning issues outlined above.

#### 10.2. Landscape and Visual Impacts

- 10.2.1. I note the land use zoning objectives and the landscape designations for these lands in the KCDP. I note also that the northern shores of the estuary in County Clare, including the area opposite the subject site, are identified as a working landscape and the extent of scenic routes/ protected views in this area under the Clare County Development Plan is limited.
- 10.2.2. The EIAR is accompanied by a series of visual images/ photomontages describing views to the constructed development from 14 no. viewpoints on both sides of the estuary. I consider that the selected viewpoints are representative of views from the surrounding area and provide a reasonable basis for assessing the impacts of the development.
- 10.2.3. The landscape of this area is already characterised by significant and dominating pieces of energy infrastructure, including in particular Moneypoint and Tarbert Power Stations, high voltage power lines, as well as more recent renewable, wind energy developments within Counties Clare and Kerry. The proposed development should be viewed in the context of the much larger proposed development of a power plant, BESS and AGI on the immediately adjacent site to the east.
- 10.2.4. The proposed substations are the most significant elements of the development. The sloping topography of the site will be modified to provide a level platform for the main infrastructure elements at 20mOD. The proposed buildings are 50m and 49m in length respectively, 18.5m in width, and 17m in height. Immediately adjacent to the west, the proposed reactor compound comprises 3 no. 10m high shunt reactors and a 39m high lightning mast. In the context of the proposed power on the adjacent site to the east, these structures would appear relatively modest beside the turbine hall buildings that rise to 30.145m with an associated stack height of 35m over platform level. However, there will be a cumulative visual impact and a significant intervention in the landscape when the proposed development is combined with the development proposed under the concurrent application for the power plant, BESS and AGI (ABP-319566-24 refers).
- 10.2.5. The proposed substations will be visible from parts of the local road network and residential properties to the south of the site, but almost completely mitigated by the low ridge to the south of the main development area. I note the existing industrial/

energy context in this part of the estuary and the zoning of these lands in the KCDP for industrial development for a considerable period. There is also a history of previously permitted, although not constructed, energy infrastructure development on these lands. In this regard, while I acknowledge that the development will have minor impacts on local visual amenities, I do not consider that such impacts would be unacceptable.

- 10.2.6. There are Protected Views and Prospects in the direction of the site from Carrig Bridge to Carraig Island along the L1004 local road to the west of the application site. Having regard to the separation distance, the scope and the limited level of intrusion into such views, I do not regard such impacts as significant or unacceptable. The development will be visible from the northern shore of the estuary in Co. Clare; however, I note that such views are most readily available in the vicinity of the existing Moneypoint power station, and that the impact is mitigated by the distance from the site.
- 10.2.7. Ralappane House is identified as a protected structure (RPS-KY-0888 refers) in the KCDP. This is an 18th century two-storey farmhouse, which sits on the low ridge between the main development area and the L1010. The property is bounded by agricultural structures/ barns of varying condition and a stand of mature trees to the west. Unlike the proposed power plant on the adjacent site, the proposed substations will not extend above the ridge into views to the house from the L1010. Therefore, I do not consider that unacceptable impacts on the character or setting of this structure will arise.
- 10.2.8. Having inspected the application site and surrounding area and having reviewed the viewpoint photographs and photomontages, I consider that the potential for the proposed development to result in any adverse visual impact on sensitive receptors is extremely limited, due to the relatively limited physical scale of the proposed development, the site topography, the extensive network of hedgerows and tree planting<sup>2</sup> and the significant separation distances between the proposed development and the closest public roads and residential dwellings. I am satisfied that the proposed substations will not be visible from the majority of viewpoints, and that where they are visible, they will be at a significant distance with several layers of

<sup>&</sup>lt;sup>2</sup> Appendix 9.7 Landscape Plan by Sheehan Nagle Hartray Architects, Volume 3, EIAR

hedgerows between the receptor and the application site, serving to lessen the visibility of the proposed development and absorb it without significantly impacting on visual amenities.

10.2.9. In conclusion, I do not consider that the proposed development would result in any significant adverse impact on the landscape or visual amenities of the area.

#### 10.3. Surface Water Management

- 10.3.1. The dominant water feature in this area is the Shannon Estuary to which all other water features drain. There are some minor field drains across the site, however, the primary freshwater feature is Ralappane Stream on the western side of the site, which flows northwest to the estuary. The proposed cable will also traverse the Farranawana stream on the eastern side of the site.
- 10.3.2. The estuary is identified by the EPA as a Transitional body, with unpolluted water quality, of good WFD status. Ralappane Stream and the Farranawana Stream are assigned a River Waterbody WFD Status (2018-2021) of Moderate. The site overlies a locally important aquifer, moderately productive in local zones, of high or extreme vulnerability and of good status. A flood risk assessment undertaken by the applicant indicates that apart from where the Ralappane Stream crosses the subject site, the lands are not at risk of flooding.
- 10.3.3. The applicant proposes to cross the Ralappane Stream at two locations with the cable route and to cross the Farranawana Stream just once. These crossings are proposed to be carried out by an open cut trench. For this, a dry area is created by damming the stream using the installation of an impermeable barrier blocking the river. Water is removed from the works area and held in settlement tanks to remove sediment prior to discharge back to the watercourse downstream of the dam area. Trenching is then undertaken and the ducting installed, the trench is then backfilled and the dam removed. Consequently, the proposed works on the site have the potential to give rise to impacts on the surface water environment, including waters in the estuary. These primarily comprise emissions of sediment or other contaminants to waterbodies and the potential impact of spillages or discharges during construction activities and are considered in the EIAR and NIS.

- 10.3.4. However, subject to the identified construction and surface water management and mitigation measures and the proposed design of the crossings of the Ralappane and Farranwana Streams, it is not considered that the development would not negatively impact on the quality or status of waterbodies. Identified mitigation includes adherence to published guidance, including CIRIA guidelines and IFI guidelines of protection of fisheries.
- 10.3.5. At operational stage, mitigation for stormwater is embedded in the design and includes that surface water runoff will flow through a petrol interceptor and conveyed to the STEP Power Plant fire water retention tank before discharging to the Shannon Estuary. Similarly, wastewater will be tankered and removed off site and no mitigation is required.
- 10.3.6. I have assessed the proposed development and when considering the objectives as set out in Article 4 of the Water Framework Directive to protect and, where necessary, restore surface and ground waterbodies in order to reach good status (meaning both good chemical and good ecological), and to prevent deterioration. In having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or ground waterbodies.
- 10.3.7. The reason for this conclusion is based on the nature of works/ development. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any waterbody (rivers, lakes, groundwaters, transitional and coastal) either on a temporary or permanent basis and consequently can be excluded from further assessment.
- 10.3.8. The information provided in the EIAR in terms of the management and treatment of waters discharging to the estuary does not suggest that significant impacts on water quality are likely. In this regard, I note the proposed drainage design and the procedures for the management of spillages to the streams and the estuary set out in the application. Subject to the implementation of such mitigation, a significant risk of impacts on water quality is not considered to arise.

## 10.4. Roads and Traffic

- 10.4.1. The site is served by the L1010, a rural road, which primarily serves local residential and farm properties and provides a secondary route between Ballylongford and Tarbert. Sections of this road are currently subject to constraints in terms of width and alignment, between the site and Tarbert/ R551 (approx. 4.5km).
- 10.4.2. The most significant transport impact from the proposed development will arise during the construction phase, which is described as comprising a 27 month period where the intensity of traffic will vary over the course of the construction phase. 80% of construction traffic (HGVs) will be directed along the L1010 from the N67/ N69 via Tarbert to the east. Predicted peak traffic is 112 no. movements during the civil works for the substations (16 no. HGVs and 96 no. cars/ LGVs). In the context of existing traffic on the local road network, this would represent a significant increase in traffic volumes during construction.
- 10.4.3. With regard to construction traffic impacts on Tarbert to the east, regard is had to the large secondary school on the western approach to the town. Mitigation measures include the scheduling of construction traffic to avoid school drop-off/ collection times. Operational traffic volumes are not predicted to be significant, having regard to the projected employment numbers on the site.
- 10.4.4. The national road network is generally of a good standard and adequate to accommodate the movements predicted. A traffic management plan will be implemented to mitigate the short-term construction impacts of the development, which should be agreed with KCC. I note also the comments of TII who acknowledge that access to the development is facilitated via the local road network prior to accessing the N67 and N69 national roads and note that there will no abnormal loads associated with the proposed development. TII also notes that no new grid connection proposals will impact the national road network.
- 10.4.5. The temporary effects of construction will be mitigated through adoption of a regulated and approved Construction Traffic Management Plan (CTMP). The CTMP will outline temporary traffic management measures, to be agreed with KCC prior to the construction phase. Further to this, upgrade works to the L1010 would consist of removing/ straightening out two existing bends and widening the whole road between the site entrance and Tarbert Comprehensive School.
10.4.6. Finally, I draw the Board's attention to the fact that the Road Design Section of the Planning Authority has no objection to the proposed cable route but has identified a series of requirements for the undertaking and reinstatement of road works. These requirements are considered to be reasonable in the interests of road safety and, if the Board is minded to grant permission, I recommend that an appropriate condition be attached in this regard.

#### 10.5. Noise

- 10.5.1. The issue of noise is addressed in Section 13 of the submitted EIAR. I note that the assessment relates to the overall STEP development, and that it included baseline noise monitoring and the use of noise modelling software.
- 10.5.2. The applicant has considered whether the locality could be classified as a 'Quiet Area' as per the definition set out in the European Communities (Environmental Noise) Regulations 2018 (SI 549/2018). The locality does meet the requirements for a 'Quiet Area' during some periods. The Quiet Area Noise Criteria for applicable sites is a limit defined as 10 dB below the average background noise level.
- 10.5.3. 5 No. Noise Sensitive Locations (NSLs) were identified in the vicinity of the overall site, several of which act as a proxy for groups of houses (NSLs 3, 4 and 5). Daytime and night-time noise monitoring was undertaken at each location, which found that some of the monitoring locations met the criteria for 'Low Background Noise Areas' as defined in the EPA's NG4.
- 10.5.4. With regard to construction stage noise, the applicant proposes a daytime (07:30 18:00 Monday to Friday, 08:00 14:00 Saturday) noise limit of 65dBLAeq, 1 hour in accordance with BS 5228-1. Construction of the proposed development is forecast to take approximately 27 months, with construction activities gradually phasing out from pre-construction to predominantly civil activities followed by commissioning and testing of the substation and equipment. The construction phase will peak at approximately 60 persons for the substation, and up to three crews of 5 to 8 persons for the cable system. The applicant's assessment concludes that predicted noise levels at NSLs do not exceed 65 dB(A) except during phase 4 'Underground Cabling (civil works and electrical works)'.

- 10.5.5. Notwithstanding the compliance of the construction phase noise with good practice set out in BS 5228-1, the applicant has outlined various noise mitigation measures. These include the selection of quieter equipment and working methods, the use of enclosures of temporary screens around static plant, inform nearby sensitive receptors in advance of construction activities, manage deliveries to prevent queuing of site traffic at access points, and use of adjustable or directional audible vehicle-reversing alarms and/or alternative warning systems. Having reviewed the assessment, I consider that there is the potential for temporary nuisance to the local population during the construction period, however given the low density of residential dwellings in the area, the limited duration of works and the separation distances involved, I am satisfied that no significant construction phase noise impacts will arise.
- 10.5.6. Construction of the cable route will primarily be within the road width or verge and will have slight noise impacts on local dwellings as the installation progresses in a linear manner towards the substation. Having regard to the transient and short-term nature of the impact, and the low number of dwellings along the affected roads, I am satisfied that the relatively standard good practice measures listed as mitigation measures in the CEMP will be sufficient to address noise issues arising.
- 10.5.7. I consider that matters relating to the management, mitigation and control of construction related noise associated with both the substation development and the cable route can be satisfactorily dealt with by way of condition requiring a final CEMP to be submitted for the agreement of the Planning Authority.
- 10.5.8. With regard to operational noise, the noise modelling included fixed plant emissions from the proposed development, including the substations and cooling fans. All plant will operate continuously with no significant tonal or impulsive features. The predicted operational noise levels of the proposed development are significantly below the 35 dB(A) night-time criterion at all NSLs. The noise modelling assessment concluded that no noise nuisance impacts will occur at surrounding NSLs for both daytime and night-time operations and therefore no specific noise mitigation measures are proposed.
- 10.5.9. Given the separation distance to the nearest NSLs, I do not consider that operational noise arising from the proposed development is likely to be significant.

### 10.6. Biodiversity

- 10.6.1. The issue of biodiversity is addressed in Chapter 9 of the submitted EIAR, while a habitat map, mammal report, breeding bird report, seabird survey, winter bird survey, an aquatic and fisheries report, and a Landscape Plan are included in Appendices 9.1, 9.2, 9.3, 9.4, 9.5, 9.6 and 9.7, respectively, of said report. A Natura Impact Statement was also submitted, and I have addressed the issue of Appropriate Assessment separately in Section 12 below.
- 10.6.2. The proposed substation site currently comprises a species poor area of Dry Calcareous and Neutral Grassland (GS1), with the majority of the route of the pipeline comprising Improved Agricultural Grassland (GA1). Other habitats in the vicinity of the substation site and along the route of the grid connection cable include *inter alia* Treelines (WL2), Hedgerows (WL1), Scattered Trees and Parkland (WD5), Drainage Ditches (FW4), Lowland Depositing Stream (FW2), and Recolonising Bare Ground (ED3).
- 10.6.3. The proposed substation development will result in the loss of a relatively small area of habitat comprising Calcareous and Neutral Grassland. This is a common habitat type and is of limited ecological value. The proposed development area and cable route is intersected by hedgerows acting as field boundaries separating parcels of land within the proposed development area. Hedgerows within the footprint of the proposed development were assessed as Local Importance (Higher Value) because of their potential as habitat for protected species, and their use as ecological corridors for animals in the locality. Reinstatement of hedgerows or treelines from temporary works areas will be carried out in agreement with the landowners and SLNG's Agricultural Liaison officer.
- 10.6.4. Field surveys found that badgers and otters to be present, as are a range of generally common bird species. The results from the bat roost potential assessment survey carried out in 2024 did not identify any roosts within the footprint of the proposed development or in nearby structures including newly surveyed structures to the east of the subject site. The applicant submitted a breeding bird report<sup>3</sup> for the

<sup>&</sup>lt;sup>3</sup> Appendix 9.3 - Breeding Bird Report, Volume 3, EIAR

overall STEP project prepared DixonBrosnan in Apil 2024. Within this, transect 1 crosses the western part of the substation and cable site and birds recorded included Swallows, Willow Warbler, Meadow Pipits, Skylark (amber listed) and Chiffchaff. The winter bird survey (August 2021) submitted in support of the application was also prepared by DixonBrosnan for the STEP power plant site. A total of 36 no. bird species were recorded, including 4 no. Annex I species (Great Northern Diver, Red-throated Diver, Golden Plover and Little Egret) and 8 no. other red listed species (Curlew, Dunlin, Grey Plover, Lapwing, Oystercatcher, Razorbill, Redshank and Snipe). In total, 14 of the 21 SCI species for the River Shannon and River Fergus Estuaries SPA were recorded during the winter survey. A walkover of the site carried out by Mott MacDonald in 2024 confirmed the presence of snipe, meadow pipit, hooded crow and wood pigeon. No signs of evidence of invasive plant species were observed or identified within the proposed development area during the site surveys undertaken in July and August 2023 and March 2024.

- 10.6.5. Whilst no significant impacts on biodiversity are predicted, the applicant has submitted a suite of mitigation measures to ensure that no significant impact accrues to biodiversity. The EIAR contains these various measures to protect water quality in the streams and watercourses in the vicinity of the site, as well as measures to mitigate impacts on mammals, amphibians, hedgerows and breeding birds.
- 10.6.6. I do not consider the proposed substation site and grid connection cable route to be particularly sensitive from a biodiversity perspective and consider that potential impacts can be effectively mitigated through the implementation of the measures set out in the EIAR, the majority of which comprise relatively standard good practice construction methods and approaches. I note in this regard that it is proposed to appoint an ECoW to oversee implementation of the identified measures.
- 10.6.7. Subject to compliance with the identified mitigation measures, I am satisfied that the proposed development will not have a significant effect on the biodiversity of the area. As noted above, the issue of Appropriate Assessment is addressed separately in Section 12 below.

#### 10.7. Archaeology and Cultural Heritage

- 10.7.1. The site has been subject to extensive archaeological investigations during the course of this and previous applications. Chapter 15 of the submitted EIAR addresses archaeological, architectural and cultural heritage issues and the previous archaeological investigations are annotated in an inventory within associated Appendix 15.2.
- 10.7.2. While there are two recorded monuments (souterrains) within the application site, investigations have revealed a relatively significant level of human activity on the overall landholding. In their submission, the DAU note that the proposed development will have direct impacts on these recorded monuments KE003-010001 (Souterrain) and KE003-090001 (Souterrain). The DAU recommends a condition requiring the developer to engage the services of a fully qualified archaeologist to carry out a Full Archaeological Excavation of all archaeological sites and areas identified during testing that cannot be preserved *in situ*.
- 10.7.3. Walkover surveys of the area within the subject site were carried out on 15<sup>th</sup> and 19<sup>th</sup> March 2024 to supplement the desktop research, to confirm the nature, location, condition and extent of cultural heritage receptors, and to note additional unidentified archaeological sites and monuments and architectural heritage assets. No bespoke geophysical survey for the proposed development was procured but it was agreed with the DAU that a targeted geophysical survey would be carried out as advance works will be carried out in Kilpaddoge townland and other areas of the proposed development which are not subject to existing consents. If the Board are minded to grant permission for the proposed development, I recommend that a condition requiring this be included.
- 10.7.4. Ralappane House is located on a local ridgeline to the south of the main development area and it is a protected structure, although it is not listed in the NIAH.I have already commented above on the potential impacts on the character and setting of this property and do not regard such as unacceptable.
- 10.7.5. The proposed development occurs on zoned lands and, subject to mitigation measures and conditions recommended by the DAU, I consider that the proposed development would be in accordance with the archaeological, built and cultural heritage objectives contained within Chapter 8 of the KCDP.

### 10.8. Other Matters Arising

#### Legal/ Ownership

10.8.1. One of the third parties contends that the applicant does not have legal interest in the land that is the subject of this application, however no clear information contradicting them is presented. On the basis of the information available, I am satisfied that there is no clear information presented to conclude that the applicant does not have sufficient legal interest in the application site, and I am satisfied that the applicant has provided sufficient evidence of their legal interest for the purposes of the planning application and decision.

### Duration of Permission and Decommissioning

- 10.8.2. I note that the applicant is seeking a 10-year permission. This duration would be consistent with the duration of the permission of recently granted energy generating and transmission network infrastructure, and I consider it to be appropriate for the proposed development, should the Board be minded to grant permission.
- 10.8.3. I note that the Planning report states, on page 9, at the end of the operational life of the sub-station will be decommissioned in accordance with prevailing best practice at the time. This approach is not unreasonable and can be addressed by condition, including that any decommissioning plan specifically addresses biodiversity.

### **Development Contributions and Bonds**

10.8.4. KCC recommend conditions, should the Board grant permission for the development. These include a development contribution and security bond. I have had regard to these recommendations in my schedule of conditions below.

### 11.0 Environmental Impact Assessment (EIA)

### 11.1. Statutory Provisions

- 11.1.1. This application was submitted to the Board after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish law. The application was accompanied by an Environmental Impact Assessment Report (EIAR). An EIAR is not mandatory for this type of development. However, the proposed development will serve a proposed power plant (ABP-319566-23 refers) and forms part of the STEP Project on the adjacent/ overlapping site. The proposed power plant and overall STEP Project is a class of development where mandatory EIA is prescribed and, as EIA includes consideration of cumulative effects with other permitted and planned development in the area, the applicant has submitted an EIAR with this current application.
- 11.1.2. The EIAR accompanying the application contains four volumes. Volume 1 comprises a Non-Technical Summary, Volume 2 is the Main Text, Volume 3 contains Appendices and Volume 4 contains Montages.
- 11.1.3. Chapter 1 of Volume II sets out an introduction to the EIAR and provides an overview of the purpose, structure and scope of the EIAR. Chapter 2 outlines the alternatives considered. Chapter 3 details the informal consultations undertaken with stakeholders and their feedback. Chapter 4 sets out the methodology used. Chapter 5 describes the design, scale and size of the proposed development and provides an overview of its location and wider setting.
- 11.1.4. The likely significant direct and indirect effects of the proposed development are considered in the remaining chapters of Volume II, which address the following headings, in accordance with Article 3 of the EIA Directive 2014/52/EU:

Chapter 6 Population and Human Health

Chapter 7 Land, Soils and Hydrogeology

Chapter 8 Surface Water and Flooding

Chapter 9 Biodiversity

Chapter 10 Air

Chapter 11 Climate Resilience

Chapter 12 Climate – Carbon

Chapter 13 Noise and Vibration

Chapter 14 The Landscape

Chapter 15 Archaeology, Architectural and Cultural Heritage

Chapter 16 Material Assets

Chapter 17 Roads and Traffic

Chapter 18 Major Accidents and Disasters

Chapter 19 Interactions of the foregoing

Chapter 20 Summary of Mitigation and Monitoring

- 11.1.5. In terms of cumulative impacts, the EIAR states that the intra-project interactions, including the main STEP Power Plant, and those arising from other proposed or consented developments have been considered as part of the cumulative impact assessment within each chapter. The Board should note that a possible future Strategic Gas Reserve Facility and data centres will be subject to future consents on the lands reserved in the wider area. In addition, I note that various chapters consider potential cumulative effects with other projects in the area including the 26km long gas pipeline from the Shannon LNG Terminal to the Foynes AGI and various energy infrastructure projects in the area.
- 11.1.6. Chapter 1 states that Mott MacDonald is a multidisciplinary consultancy with over 30 years' experience of undertaking complex and challenging environmental impact assessment reports. This is outlined in detail in Appendix 1.1 of the EIAR, which lists the contributors and sets out their relevant qualifications and experience. I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality, and that the information contained in the EIAR and supplementary information provided by the developer, adequately identifies and describes the direct, indirect and cumulative effects of the proposed development on the environment, and complies with article 94 of the Planning and Development Regulations 2000, as amended.

11.1.7. In carrying out this EIA, I have examined the information presented by the applicant, including the EIAR, and the submissions made by the planning authority, prescribed bodies and observers during the course of the application. I have also had regard to relevant legislation and guidance including, Guidelines on the information to be contained in Environmental Impact Assessment Reports (EPA 2022).

### 11.2. Alternatives

- 11.2.1. Article 5(1)(d) of the 2014 EIA Directive identifies the requirement to describe the reasonable alternatives studied by the developer, which are relevant to the development and its specific characteristics, and an indication of the main reasons for selecting the chosen option, taking into account the effects of the development on the environment.
- 11.2.2. Chapter 2.0 of the submitted EIAR deals with Project Need, Site Selection and Consideration of Alternatives, under the following headings:
  - Grid Connection and Operational Requirements.
  - Alternative technologies alternative substation technologies were considered, in terms of protection to the electrical equipment, operational life and maintenance costs.
  - Alternative locations highlighting the visual impact considerations for the proposed substations.
  - Alternative layouts the development of overhead lines or underground cables, off-road and in-road cabling, connection options (no alternative available), stream crossing options, and surface water drainage layouts are compared.
- 11.2.3. Having regard to the national, regional and local planning policy and zoning objectives for the area and the planning history relating to the site, it is considered that the requirements with regard to the consideration of alternatives has been adequately addressed in the application documentation.

### 11.3. Assessment of Likely Significant Direct and Indirect Effects

### Chapter 6: Population and Human Health

| Impact  | Effect/ Magnitude  | Mitigation and Monitoring   | Residual                               |
|---|--|---|--|
|   |  |   | Effect                                 |
| Construction Stage  |  |   |  |
| Land Use – loss of<br>agricultural grazing<br>land  | Long-term, minor/<br>negligible negative<br>effects.         | None  | Not Significant                        |
| Severance   | term adverse<br>impact.                                      | Implementation of the<br>Construction Traffic<br>Management Plan.   | Slight adverse<br>(not<br>significant) |
| Potential increase<br>in employment<br>during construction  | Short-term, minor<br>positive local<br>effects.              | None required   | Minor positive                         |
| Impacts from dust,<br>construction traffic,<br>noise and vibration<br>from blasting and<br>rock breaking. | Short-term, minor<br>negative local<br>effect.               | A Construction<br>Environmental Management<br>Plan (CEMP) has been<br>developed.<br>Mitigation and monitoring<br>measures detailed in<br>Chapter 10 - Air and<br>Chapter 13 - Noise and<br>Vibration.<br>Adherence to a<br>Construction Traffic<br>Management Plan. | Not significant                        |
| Operational Stage   |  |   |  |
| Impacts due to loss/<br>change of use of<br>agricultural land.<br>Potential increase                      | Long-term, slight<br>local negative<br>impact.<br>Long-term, | Zoning of lands for industrial<br>use and low intensity of<br>existing uses on the lands.<br>None required  | Slight                                 |
| in employment.  | indiscernible  |   |  |

|                    | positive local  |                                    |                   |
|--------------------|---|------------------------------------|-------------------|
|                    | effects.  |                                    |                   |
| Cumulative Effects |   |                                    |                   |
|                    |   | If                                 |                   |
| Strategic Gas      | Will be the subject   | If works occur concurrently wi     | th the proposed   |
| Reserve Facility   | of a separate   | development, there is potentia     | al for cumulative |
|                    | application and   | construction impacts and effe      | cts on traffic    |
|                    | EIAR/ screening for   | and transport and air quality.     |                   |
|                    | EIA.  | Construction activities will be    | planned and       |
| Combined Cycle     | Concurrent  | phased, and subject to impler      | nentation of      |
| Gas Turbines       | planning application  | best practice standard constru     | uction            |
| (CCGT) Power       | with An Bord  | environmental measures and         | the CEMP for      |
| Plant, Battery     | Pleanála (ABP-  | the Proposed Development, r        | no significant    |
| Energy Storage     | 319566-24 refers).  | cumulative effects will result.    |                   |
| System (BESS),     |   | There is potential for increase    | ed employment     |
| Above Ground       |   | creation and economic activity     | v durina          |
| Installation       |   | construction and operational s     | stages, with      |
| Gas Pipeline       | Previously subject  | potential to attract/ retain pop   | ulation.          |
|                    | to FIA. No  |                                    |                   |
|                    | significant effects   |                                    |                   |
|                    | identified.   |                                    |                   |
|                    |   |                                    |                   |
| Future Data Centre | Will be the subject   |                                    |                   |
|                    | of a separate   |                                    |                   |
|                    | application and   |                                    |                   |
|                    | EIAR/ screening for   |                                    |                   |
|                    | EIA.  |                                    |                   |
| Conclusion         | I have considered all   | of the submissions, and I am s     | atisfied that     |
|                    | impacts that are pred   | licted to arise in relation to pop | ulation and       |
|                    | human health would  | be avoided, managed and mitig      | gated by the      |
|                    | measures which form   | part of the proposed scheme        | and the           |
|                    | proposed mitigation r   | neasures. I am satisfied that th   | e proposed        |
|                    | development would not have any unacceptable direct, indirect or |                                    |                   |
|                    | cumulative impacts ir   | n terms of population and huma     | in health.        |
|                    |   |                                    |                   |

# Chapter 7: Land, Soils and Hydrogeology

| Impact               | Effect/ Magnitude    | Mitigation and Monitoring     | Residual        |
|----------------------|----------------------|-------------------------------|-----------------|
|                      |                      |                               | Effect          |
| Construction Stage   |                      |                               |                 |
|                      | Dormonant direct     | Adherence to the provisions   | Not ognifigent  |
|                      | Permanent, direct,   | Adherence to the provisions   | Not significant |
| agricultural grazing | negative effect and  | of the CEIMP relating to the  |                 |
| land                 | temporary negative   | excavation and                |                 |
| Areas of high radon  | effect during        | management of excavated       |                 |
| risk are located     | construction works.  | material.                     |                 |
| within the study     |                      | Workplace radon tests will    |                 |
| area                 |                      | be carried out in areas of    |                 |
| Trenching for the    |                      | high risk.                    |                 |
| underground cable    |                      | Radon barriers are to be      |                 |
| sections will        |                      | installed in areas where a    |                 |
| comprise             |                      | high risk has been            |                 |
| excavation of High   |                      | identified                    |                 |
| sensitivity soils    |                      |                               |                 |
| Sensitivity Solis.   |                      | Silt control measures will be |                 |
| Excavation of        |                      | used to control silt          |                 |
| bedrock could be     |                      | generated from activities on  |                 |
| required in areas    |                      | site and prevent it gaining   |                 |
| where bedrock is     |                      | access to surface drainage    |                 |
| close to surface.    |                      | which could convey silt to    |                 |
|                      |                      | watercourses and              |                 |
|                      |                      | groundwater.                  |                 |
| Accidental spills    | Spillages unlikely   | Hazardous materials will be   | Imperceptible   |
| and leakage of oils  | but confined to one- | managed/ controlled via the   |                 |
| and fuels.           | off releases.        | CEMP and stored to            |                 |
|                      | Temporary direct     | prevent/ minimise potential   |                 |
|                      | negative impact on   | impact on soil.               |                 |
|                      |                      | Speed restrictions, wheel     |                 |
|                      |                      | washing and evolution of      |                 |
|                      |                      |                               |                 |
|                      |                      | reruening activities in areas |                 |

|   |  | of High and Extreme  |                 |
|---|--|--|-----------------|
|   |  | groundwater vulnerability.   |                 |
| Disruption of                                     | Potential for minor  | Small in nature.   | Imperceptible   |
| bedrock during<br>construction of HDD<br>crossing | disruptions to the<br>soils and geology.<br>HDD crossing may<br>penetrate the<br>bedrock.                    | Drilling mud, such as<br>bentonite clay, will be an<br>inert and non-toxic<br>substance.   |                 |
| Open cut crossing                                 | Potential to   | LIKELY TO DE MINOR IN NATURE   | Imperceptible   |
| stream  | suspended solids<br>which could<br>discharge to<br>surface water<br>bodies and/or leach<br>into groundwater. | Proposed to carry out all of<br>these works in a dry works<br>area.<br>Watercourse Crossing<br>Procedures will be agreed<br>with IFI.  |                 |
| Use of Concrete                                   | Highly alkaline<br>materials can<br>impact soil quality.<br>Temporary, direct<br>negative impact.            | Concrete will be brought to<br>site by covered truck. Wet<br>concrete operations<br>adjacent to watercourses<br>will be avoided.<br>The Contractor will ensure<br>that all concrete truck wash<br>watering/cleaning is<br>undertaken offsite where<br>possible.<br>Concrete wash water will be<br>collected.<br>A concrete washout<br>management plan will be<br>developed prior to<br>construction by the<br>appointed contractor | Not significant |

| Migration of         | Potential to          | A phase of ground              | Slight to     |
|----------------------|-----------------------|--------------------------------|---------------|
| contamination to     | encounter residual    | investigation will be carried  | imperceptible |
| groundwater          | agricultural          | out prior to construction,     |               |
|                      | contaminants that     | and this inform the            |               |
|                      | could become          | requirement of remediation     |               |
|                      | remobilised during    | as outlined in the CEMP.       |               |
|                      | excavation works.     | Installation of clay barriers  |               |
|                      | Potential for the     | along the trench to minimise   |               |
|                      | cable trenches to     | groundwater flows along the    |               |
|                      | act as a preferential | cable route.                   |               |
|                      | flow pathway for      | Construction works are to      |               |
|                      | contaminants from     | follow best practice           |               |
|                      | the ground surface    | procedures (i.e. open          |               |
|                      | to groundwater        | excavations to be secured)     |               |
|                      |                       | which will minimise the        |               |
|                      |                       | likelihood of direct discharge |               |
|                      |                       | of contaminants into           |               |
|                      |                       | trenches.                      |               |
|                      |                       | Silt control measures will be  |               |
|                      |                       | used to control silt           |               |
|                      |                       | generated from activities on   |               |
|                      |                       | site and prevent it gaining    |               |
|                      |                       | access to surface drainage     |               |
|                      |                       | which could convey silt to     |               |
|                      |                       | watercourses and               |               |
|                      |                       | groundwater.                   |               |
| Operational Stage    |                       |                                |               |
| Change from          | Permanent, direct,    | Location within a large        | Imperceptible |
| agricultural use or  | small negative        | landbank zoned for             |               |
| loss of agricultural | effect.               | industrial use.                |               |
| land.                |                       | Having regard to the extent    |               |
|                      |                       | of surrounding agricultural    |               |
|                      |                       | lands, the quality of the      |               |
|                      |                       | lands and current low          |               |
|                      |                       |                                |               |

|                   |                         | intensity of use, this impact   |                  |
|-------------------|-------------------------|---------------------------------|------------------|
|                   |                         | is regarded as being of low     |                  |
|                   |                         | magnitude.                      |                  |
| Exposure to radon | Areas of high radon     | Workplace radon tests will      | Imperceptible    |
|                   | risk.                   | be carried out in areas of      |                  |
|                   |                         | high risk.                      |                  |
|                   |                         | Radon barriers are to be        |                  |
|                   |                         | installed in areas where a      |                  |
|                   |                         | high risk has been              |                  |
|                   |                         | identified.                     |                  |
| Impact on         | Substation              | Construction works are to       | Slight to        |
| hydrogeology      | foundations could       | follow best practice            | imperceptible    |
|                   | act as a barrier to     | procedures (i.e. open           |                  |
|                   | groundwater flow.       | excavations to be secured)      |                  |
|                   | Potential for the       | which will minimise the         |                  |
|                   | cable trenches to       | likelihood of there being       |                  |
|                   | act as a preferential   | construction phase              |                  |
|                   | flow pathway for        | contamination which would       |                  |
|                   | contaminants from       | migrate through the trench      |                  |
|                   | the ground surface      | during the operational          |                  |
|                   | to groundwater.         | phase.                          |                  |
|                   | Firewater discharge     | Wastewater from the onsite      |                  |
|                   | or wastewater from      | facilities will be discharged   |                  |
|                   | the onsite welfare      | by gravity sewer to a sealed    |                  |
|                   | facilities, may         | foul water holding tank.        |                  |
|                   | contain                 | A well-sealed drainage          |                  |
|                   | contaminants that       | system will minimise            |                  |
|                   | have the potential      | leakages.                       |                  |
|                   | to pollute              |                                 |                  |
|                   | groundwater.            |                                 |                  |
| WFD Groundwater   | The small scale of the  | e proposed development relativ  | ve to the        |
| Status            | magnitude of the WF     | D waterbody is deemed to pose   | e very low risk  |
|                   | to the delivery of long | g term WFD no deterioration an  | d status         |
|                   | objectives, such that   | no further (additional) assessm | ent is required. |

| Cumulative Effects |                       |  |
|--------------------|-----------------------|--|
| Strategic Gas      | The Proposed          | If works occur concurrently with the proposed  |
| Reserve Facility   | Development is not    | development, there is potential for cumulative |
|                    | functionally          | impacts and effects on land and soils.         |
|                    | dependent on the      | Taking account of mitigation measures          |
|                    | Strategic Gas         | associated with the proposed development,      |
|                    | Reserve Facility.     | including implementation of best practice      |
| Combined Cycle     | Concurrent            | standard construction environmental            |
| Gas Turbines       | planning application  | measures and the CEMP then no significant      |
| (CCGT) Power       | with An Bord          | cumulative construction or operational         |
| Plant, Battery     | Pleanála (ABP-        | impacts on land and soils will arise.          |
| Energy Storage     | 319566-24 refers).    |  |
| System (BESS),     |                       |  |
| Above Ground       |                       |  |
| Installation       |                       |  |
| Gas Pipeline       | Previously subject    |  |
|                    | to EIA                |  |
| Future Data Centre | Will be the subject   |  |
|                    | of a separate         |  |
|                    | application and       |  |
|                    | EIAR/ screening for   |  |
|                    | EIA                   |  |
| Conclusion         | I have considered all | of the submissions, and I am satisfied that    |
|                    | impacts that are pred | licted to arise in relation to Land, Soils and |
|                    | Hydrogeology would    | be avoided managed and mitigated by the        |
|                    | measures which form   | n part of the proposed scheme and the          |
|                    | proposed mitigation r | neasures. I am satisfied that the proposed     |
|                    | development would n   | ot have any unacceptable direct, indirect or   |
|                    | cumulative impacts ir | n terms of Lands, Soils and Hydrogeology.      |

# Chapter 8: Surface Water and Flooding

| Impact             | Effect/ Magnitude                         | Mitigation and Monitoring   | Residual      |
|--------------------|---|---|---------------|
|                    |   |   | Effect        |
| Construction Stage |   |   |               |
| Sediment run-off,  | Temporary                                 | Standard construction   | Imperceptible |
| spillages and      | Moderate to                               | control measures including  |               |
| discharges to      | Significant adverse                       | implementation of the   |               |
| watercourses.      | impacts on a high                         | CEMP.   |               |
|                    | sensitivity surface<br>water environment. | Works will be carried out in accordance with IFI guidelines.  |               |
|                    |   | Silt control measures will be<br>used to control silt<br>generated from activities on<br>site and prevent it gaining<br>access to surface drainage<br>which could convey silt to<br>larger streams and<br>watercourses.<br>Silt fences will be installed<br>downslope of the area<br>where silt is being<br>generated on disturbed<br>ground.<br>The integrity of the silt<br>fencing will be checked daily<br>by the EnCoW |               |
| Impacts from a pow |   | Welfare facilities will be  | Impercentible |
| water supply and   |   | provided at compounds and   | Imperceptible |
| wastewater         |   | any discharges will be  |               |
| infrastructure     |   | connected to a sealed   |               |
|                    |   | holding tank to be emptied  |               |
|                    |   | and disposed of off-site by a   |               |

|                    |                       | licenced contractor to an    |               |
|--------------------|-----------------------|------------------------------|---------------|
|                    |                       | approved licenced facility.  |               |
| Changes to Flood   | Temporary site-       | Duration of the effect of    | Imperceptible |
| Risk               | runoff leading to an  | open cut trench is assessed  |               |
|                    | increased flood risk  | as being temporary during    |               |
|                    | from pluvial          | construction.                |               |
|                    | sources.              | The proposed cable is        |               |
|                    |                       | mostly buried underground    |               |
|                    |                       | and is designed to be        |               |
|                    |                       | floodable without affecting  |               |
|                    |                       | its operation for the design |               |
|                    |                       | flood event.                 |               |
|                    |                       | All cable link boxes shall   |               |
|                    |                       | avoid Flood Zones A and B.   |               |
| Operational Stage  |                       |                              |               |
| operational otage  |                       |                              |               |
| Flooding risk and  | The impact on flood   | Mitigation for stormwater is | Imperceptible |
| drainage           | risk is negligible at | embedded in the design and   |               |
| discharges to the  | operation stage due   | includes that surface water  |               |
| water environment  | to the cables being   | runoff will flow through a   |               |
| consisting of:     | buried, no new        | petrol interceptor and       |               |
| Stormwater runoff, | obstruction to        | conveyed to the STEP         |               |
| and                | watercourses and      | Power Plant fire water       |               |
| Mastewater         | so not influencing    | retention tank before        |               |
| wastewater.        | flood waters.         | discharging to the Shannon   |               |
|                    | Wastewater will be    | Estuary.                     |               |
|                    | discharged by         |                              |               |
|                    | gravity sewer to a    |                              |               |
|                    | sealed foul water     |                              |               |
|                    | holding tank.         |                              |               |
| WFD Groundwater    | Potential of effects  | Silt mitigation and          | Imperceptible |
| Status             | on the Ralappane      | hydrocarbon interceptors.    |               |
|                    | Stream and the        | Open Cut Trench mitigation   |               |
|                    | potential for effects |                              |               |
|                    | on the                |                              |               |

|  | hydromorphological<br>status,<br>physicochemical<br>status and<br>biological status of<br>the stream during<br>the construction<br>and operational | Minimise effects on the<br>riparian zone and consult<br>with IFI with regards to<br>method statements.<br>Concrete will be brought to<br>site by covered truck. Wet<br>concrete operations<br>adjacent to watercourses |   |
|--|--|--|---|
|  |  | will be avoided.<br>Mitigation measures will be<br>incorporated into the CEMP.   |   |
| Cumulative Effects   |  |  |   |
| Strategic Gas<br>Reserve Facility  | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening for<br>EIA  | Modelling indicates that follow<br>natural dispersion in the estua<br>that cumulative sediment dep<br>result in significant effects. Ta<br>mitigation measures associate   | ving mitigation,<br>ary will ensure<br>osits do not<br>king account of<br>ed with the |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power<br>Plant, Battery<br>Energy Storage<br>System (BESS),<br>Above Ground<br>Installation | Concurrent<br>planning application<br>with An Bord<br>Pleanála (ABP-<br>319566-24 refers).   | proposed development, it is n<br>that the cumulative construction<br>operational impacts of all sche<br>significant effects on the wate<br>No significant cumulative effect<br>quality are likely.                     | ot considered<br>on and<br>emes will have<br>r environment.<br>cts on water           |
| Gas Pipeline   | Previously subject   |  |   |
| Future Data Centre   | TO EIA<br>Will be the subject<br>of a separate<br>application and<br>EIAR/ screening for<br>EIA  |  |   |

| Conclusion | I have considered all of the submissions, and I am satisfied that     |
|------------|---|
|            | impacts that are predicted to arise in relation to Water and Flooding |
|            | would be avoided, managed and mitigated by the measures which         |
|            | form part of the proposed scheme and the proposed mitigation          |
|            | measures. I am satisfied that the proposed development would not      |
|            | have any unacceptable direct, indirect or cumulative impacts in       |
|            | terms of Water and Flooding.  |
|            |   |

### Chapter 9: Biodiversity

| Impact              | Effect/ Magnitude | Mitigation and Monitoring    | Residual        |
|---------------------|-------------------|------------------------------|-----------------|
|                     |                   |                              | Effect          |
| Construction Stage  |                   |                              |                 |
| General             | Short-term, local | Implementation of CEMP       | Not significant |
| disturbance and     | negative impact.  | and appointment of an        |                 |
| displacement due to |                   | ECoW.                        |                 |
| construction        |                   | Adherence to published       |                 |
| activity.           |                   | guidance, including:         |                 |
|                     |                   | CIRIA guidance on water      |                 |
|                     |                   | pollution,                   |                 |
|                     |                   | IFI guidelines on protection |                 |
|                     |                   | of fisheries,                |                 |
|                     |                   | Bat Conservation Ireland     |                 |
|                     |                   | guidance on lighting design, |                 |
|                     |                   | and                          |                 |
|                     |                   | NRA Guidance for treatment   |                 |
|                     |                   | of badgers, bats and otters. |                 |
|                     |                   | Timing of works and pre-     |                 |
|                     |                   | development survey of the    |                 |
|                     |                   | site.                        |                 |
|                     |                   | Retention of key habitat     |                 |
|                     |                   | features, such as scrub and  |                 |
|                     |                   | hedgerow, and replanting of  |                 |

|                      |                    | woody vegetation species to   |                 |
|----------------------|--------------------|-------------------------------|-----------------|
|                      |                    | mitigate for the loss of      |                 |
|                      |                    | scrub, hedgerow, and          |                 |
|                      |                    | treeline.                     |                 |
|                      |                    | The limited sensitivity and   |                 |
|                      |                    | importance of babitate on     |                 |
|                      |                    | the site                      |                 |
|                      |                    | ine site.                     |                 |
|                      |                    | Implement the landscaping     |                 |
|                      |                    | plan including native         |                 |
|                      |                    | planting and a more diverse   |                 |
|                      |                    | native wildflower/ grass mix. |                 |
|                      |                    | All plant used during the     |                 |
|                      |                    | construction phase shall be   |                 |
|                      |                    | the quietest of its type      |                 |
|                      |                    | practical for achieving the   |                 |
|                      |                    |                               |                 |
|                      |                    | WOINS.                        |                 |
| Potential effect on  | Small, localised   | Implementation of the         | Not significant |
| marine habitats,     | negative impact on | CEMP, including standard      |                 |
| marine mammals       | an extremely high  | construction best practice    |                 |
| and fish populations | sensitivity        | mitigation measures for the   |                 |
| due to release of    | environment.       | management of surface         |                 |
| sediments or         |                    | waters.                       |                 |
| pollutants during    |                    | Prevent the runoff of         |                 |
| construction.        |                    | concrete and hydrocarbons     |                 |
|                      |                    | into nearby watercourses      |                 |
|                      |                    | drains and drainage ditches   |                 |
|                      |                    |                               |                 |

| Open Cut Water          | Potential negative | Implementation of CEMP   | Not significant |
|-------------------------|--------------------|--|-----------------|
| Crossing with           | impacts on local   | and appointment of an  |                 |
| potential impacts on    | watercourses and   | ECoW.  |                 |
| water quality and flow. | dependent species. | Surface water management measures.   |                 |
|                         |                    | Design and adherence to IFI guidelines.  |                 |
|                         |                    | Timing of works and pre-<br>construction surveys.  |                 |
|                         |                    | Appropriate planting of disturbed ground.  |                 |
| Loss or removal of      | Long term adverse  | Implementation of CEMP   | Not significant |
| foraging or breeding    | effect on local    | and appointment of an  |                 |
| habitats.               | habitats and       | ECoW.  |                 |
|                         | dependent species. | Timing of vegetation   |                 |
|                         |                    | clearance and pre-   |                 |
|                         |                    | development surveys.   |                 |
|                         |                    | A detailed method  |                 |
|                         |                    | statement in respect of  |                 |
|                         |                    | disturbance to cliff habitat   |                 |
|                         |                    | from machinery.  |                 |
|                         |                    | Reinstatement of disturbed areas using native species and site landscaping.                              |                 |
|                         |                    | Clear delineation and<br>fencing off of habitat<br>conservation areas and<br>retained trees/ vegetation. |                 |
|                         |                    | Relative low sensitivity of terrestrial habitats and availability of lands in the wider area.            |                 |

| Badger - removal of | Significant, long-   | Implementation of CEMP          | Moderate        |
|---------------------|----------------------|---------------------------------|-----------------|
| an outlier sett/    | term negative effect | and appointment of an           | local           |
| mortality/ injury,  | at a local level.    | ECoW.                           | significance    |
| disturbance and     |                      | A pre-construction              |                 |
| displacement.       |                      | confirmatory badger survey      |                 |
|                     |                      | will be carried out.            |                 |
|                     |                      | Adherence to NRA                |                 |
|                     |                      | "Guidelines for the             |                 |
|                     |                      | Treatment of Badgers Prior      |                 |
|                     |                      | to the Construction of          |                 |
|                     |                      | National Road Schemes".         |                 |
|                     |                      |                                 |                 |
|                     |                      | A methodology for the           |                 |
|                     |                      | exclusion of Badgers from       |                 |
|                     |                      | displacement of Dodgoro to      |                 |
|                     |                      | ortificial actto will be agreed |                 |
|                     |                      | with the NDWS as part of a      |                 |
|                     |                      |                                 |                 |
|                     |                      |                                 |                 |
|                     |                      | Timing of works.                |                 |
| Bats - Disturbance/ | Negative, long-term  | Implementation of CEMP          | Not significant |
| displacement, loss  | impacts at a local   | and appointment of an           |                 |
| of foraging habitat | level.               | ECoW.                           |                 |
| and potential roost |                      | Adherence to NRA                |                 |
| sites.              |                      | 'Guidelines for the             |                 |
|                     |                      | Treatment of Bats during        |                 |
|                     |                      | the Construction of National    |                 |
|                     |                      | Road Schemes, and Bat           |                 |
|                     |                      | Mitigation Guidelines for       |                 |
|                     |                      | Ireland: Irish Wildlife         |                 |
|                     |                      | Manuals (updated 2022).         |                 |
|                     |                      | The low roost potential of      |                 |
|                     |                      | trees and structures to be      |                 |
|                     |                      | removed and pre-                |                 |

|                      |                    | development surveys to be    |                 |
|----------------------|--------------------|------------------------------|-----------------|
|                      |                    | undertaken.                  |                 |
|                      |                    | Timing and management of     |                 |
|                      |                    | tree removal works.          |                 |
|                      |                    | Adherence to any             |                 |
|                      |                    | derogation licence           |                 |
|                      |                    | requirements.                |                 |
|                      |                    | Construction and             |                 |
|                      |                    | operational lighting design  |                 |
|                      |                    | in line with NPWS guidance.  |                 |
| Otter - Disturbance/ | Potential negative | Implementation of CEMP       | Not significant |
| displacement, loss   | and long-term at a | and appointment of an        |                 |
| of foraging habitat. | local level.       | ECoW.                        |                 |
|                      |                    | Pre-construction surveys for |                 |
|                      |                    | otter holts.                 |                 |
|                      |                    | Design of works, including   |                 |
|                      |                    | timing to avoid potential    |                 |
|                      |                    | impacts.                     |                 |
|                      |                    | No works will be undertaken  |                 |
|                      |                    | within 150m of holts where   |                 |
|                      |                    | breeding females or cubs     |                 |
|                      |                    | are present.                 |                 |
|                      |                    | Adherence to any             |                 |
|                      |                    | derogation licence           |                 |
|                      |                    | requirements.                |                 |
|                      |                    | Adherence to NRA             |                 |
|                      |                    | publication, "Guidelines for |                 |
|                      |                    | the Treatment of Otter prior |                 |
|                      |                    | to the Construction of       |                 |
|                      |                    | National Road Schemes".      |                 |
|                      |                    | Species ability to habituate |                 |
|                      |                    | to disturbance.              |                 |
|                      |                    |                              |                 |

| Common Frog -         | Potential negative,  | Pre-development surveys       | Not significant |
|-----------------------|----------------------|-------------------------------|-----------------|
| Habitat loss/         | not significant and  | and removal to alternative    |                 |
| mortality/ injury     | long-term at a local | wet grassland habitat under   |                 |
|                       | level.               | licence.                      |                 |
|                       |                      | Implementation of CEMP        |                 |
|                       |                      | and appointment of an         |                 |
|                       |                      | ECoW.                         |                 |
| Birds - Habitat loss, | Permanent slight     | Low numbers of SCI birds      | Not significant |
| mortality/ injury,    | negative effect at a | recorded at the site.         |                 |
| disturbance/          | local scale.         | All plant used during the     |                 |
| displacement.         |                      | construction phase shall be   |                 |
| Direct loss of        |                      | the quietest of its type,     |                 |
| breeding/ foraging    |                      | practical for achieving the   |                 |
| habitat.              |                      | works.                        |                 |
|                       |                      | Minimisation of habitat and   |                 |
|                       |                      | reinstatement of areas of     |                 |
|                       |                      | habitat which may be used     |                 |
|                       |                      | by breeding birds.            |                 |
|                       |                      | Implementation of CEMP        |                 |
|                       |                      | and appointment of an         |                 |
|                       |                      | ECoW.                         |                 |
|                       |                      | Pre-development survey for    |                 |
|                       |                      | nesting birds.                |                 |
|                       |                      | Timing of works, including    |                 |
|                       |                      | site clearance.               |                 |
| Operational Stage     |                      |                               |                 |
| General -             | Long-term. local     | Potential impacts from        | Not significant |
| displacement/         | negative impacts.    | storm water discharge have    | 5               |
| disturbance.          |                      | been mitigated through the    |                 |
|                       |                      | proposals design.             |                 |
|                       |                      | Directional light fittings to |                 |
|                       |                      | minimise light pollution in   |                 |
|                       |                      | the surrounding area.         |                 |
|                       | 1                    | 1                             |                 |

| Cumulative Effects |   |   |
|--------------------|---|---|
| Strategic Gas      | Will be the subject   | If works occur concurrently with the proposed     |
| Reserve Facility   | of a separate   | development, there is potential for cumulative    |
|                    | application and   | impacts and effects on ecological features.       |
|                    | EIAR/ screening for   | Taking account of the mitigation measures         |
|                    | EIA   | associated with the proposed development.         |
| Combined Cycle     | Concurrent  | including implementation of best practice         |
| Gas Turbines       | planning application  | standard construction environmental               |
| (CCGT) Power       | with An Bord  | measures and the CEMP, it is not considered       |
| Plant, Battery     | Pleanála (ABP-  | that significant cumulative effects will arise.   |
| Energy Storage     | 319566-24 refers).  | , i i i i i i i i i i i i i i i i i i i           |
| System (BESS),     | ,   |   |
| Above Ground       |   |   |
| Installation       |   |   |
| Cao Binalina       | Provioualy aubiast  |   |
| Gas ripellile      | to EIA No raro  |   |
|                    | babitate or valuable  |   |
|                    | habitate for rare   |   |
|                    |   |   |
|                    | species were  |   |
|                    |   |   |
|                    |   |   |
| Future Data Centre | Will be the subject   |   |
|                    | of a separate   |   |
|                    | application and   |   |
|                    | EIAR/ screening for   |   |
|                    | EIA   |   |
| Conclusion         | I have considered all   | of the submissions, and I am satisfied that       |
|                    | impacts that are pred   | licted to arise in relation to Biodiversity would |
|                    | be avoided, managed   | d and mitigated by the measures which form        |
|                    | part of the proposed  | scheme and the proposed mitigation                |
|                    | measures. I am satis  | fied that the proposed development would not      |
|                    | have any unacceptable direct, indirect or cumulative impacts in |   |
|                    | terms of Biodiversity.  |   |

# Chapter 10: Air

| Impact                | Effect/ Magnitude | Mitigation and Monitoring      | Residual         |
|-----------------------|-------------------|--------------------------------|------------------|
|                       |                   |                                | Effect           |
| Construction Stage    |                   |                                |                  |
| Dust and particulate  | Temporary         | Short-term nature of           | Not significant  |
| emissions during      | negative local    | activities.                    |                  |
| construction activity | impacts on air    | Implementation of the          |                  |
| and from              | quality.          | CEMP, incorporating IAQM       |                  |
| construction phase    |                   | recommendations.               |                  |
| traffic.              |                   | Standard best practice dust    |                  |
|                       |                   | mitigation measures and        |                  |
|                       |                   | production and adherence       |                  |
|                       |                   | to a site-specific dust        |                  |
|                       |                   | minimisation control plan      |                  |
|                       |                   | (Dust Management Plan).        |                  |
| Operational Stage     |                   |                                | <u> </u>         |
| Potential for dust    | Slight negative   | Short-term nature of           | Not significant  |
| generating activity   | impact on air     | activities.                    |                  |
| for cable             | quality.          |                                |                  |
| replacement if        |                   |                                |                  |
| failure occurs.       |                   |                                |                  |
|                       |                   |                                |                  |
| Cumulative Effects    |                   |                                |                  |
| Proposed Open         | 10 year planning  | Cumulative construction impa   | cts are possible |
| Cycle Gas Turbine     | permission issued | where the construction of the  | proposed         |
| (OCGT) power          | under ABP-318540- | development coincides with the | ne construction  |
| plant fuelled by      | 23                | of any one of nine developme   | nts in the area. |
| Hydrotreated          |                   |                                |                  |
| Vegetable Oil         |                   |                                |                  |
| (HVO)                 |                   |                                |                  |

| Solar PV farm         | 10-year planning               | Regular liaison meetings are held with         |
|-----------------------|--------------------------------|--|
| consisting of a solar | permission issued              | construction sites within 250m of the site     |
| PV array of           | by KCC under 1825              | boundary to ensure plans are co-ordinated.     |
| approximately 12.5    |                                | Potential to affect air quality by increasing  |
| ha of solar panels    |                                | traffic and by increasing the number of        |
| Battery storage       | 10-year permission             | vehicles on the road network at a similar time |
| facility              | issued by KCC                  | to other.                                      |
|                       | under 18392                    | Taking appoint of the mitigation mappures      |
| D. //                 | 40                             | Taking account of the miligation measures      |
| Battery energy        | 10-year planning               | associated with the proposed development it    |
| storage system        | permission issued              | is not considered that significant cumulative  |
| (BESS) facility       | by KCC under                   | construction effects will arise.               |
|                       | 18878                          | Development of modern, efficient plant of the  |
| Strategic Gas         | Will be the subject            | nature proposed will facilitate the closure of |
| Reserve Facility      | of a separate                  | older plant at Tarbert such that significant   |
|                       | application and                | cumulative air quality effects are not         |
|                       | EIAR/ screening for            | considered likely and no significant long-term |
|                       | EIA.                           | impact on pollutant concentrations are         |
| Combined Cycle        | Concurrent                     | anticipated.                                   |
| Gas Turbines          |                                |  |
| (CCGT) Power          | with An Bord                   |  |
| Plant Battery         | Pleanála (ABP-                 |  |
| Energy Storage        | 310566-24 refers)              |  |
| System (BESS)         | 515500-2 <del>4</del> icicis). |  |
| Above Ground          |                                |  |
|                       |                                |  |
|                       |                                |  |
| Solar farm of 146.6   | 10 year permission             |  |
| hectares              | issued by KCC                  |  |
|                       | under 23284                    |  |
| L-1010 upgrade        | Works could occur              | -  |
|                       | concurrently with              |  |
|                       | site preparation               |  |
|                       | works at the subject           |  |
|                       | -                              | 1  |
|                       | site.                          |  |

| Gas Pipeline       | Previously subject    |  |
|--------------------|-----------------------|--|
|                    | to EIA.               |  |
|                    |                       |  |
| Future Data Centre | Will be the subject   |  |
|                    | of a separate         |  |
|                    | application and       |  |
|                    | EIAR/ screening for   |  |
|                    | EIA                   |  |
|                    |                       |  |
| Conclusion         | I have considered all | of the submissions, and I am satisfied that        |
|                    | impacts that are pred | icted to arise in relation to air quality would be |
|                    | avoided, managed ar   | nd mitigated by the measures which form part       |
|                    | of the proposed sche  | me and the proposed mitigation measures. I         |
|                    | am satisfied that the | proposed development would not have any            |
|                    | unacceptable direct,  | indirect or cumulative impacts in terms of air     |
|                    | quality.              |  |
|                    |                       |  |

# Chapter 11: Climate Resilience

| Impact              | Effect/ Magnitude    | Mitigation and Monitoring     | Residual<br>Effect |
|---------------------|----------------------|-------------------------------|--------------------|
| Construction Stage  |                      |                               |                    |
| Extreme weather     | Highly unlikely      | Construction works will be    | Not significant    |
| events              | short term, slight   | undertaken within a time      |                    |
|                     | negative impacts     | period where the climate will |                    |
|                     | due to severe        | not have notably changed      |                    |
|                     | weather event.       | from present day.             |                    |
| Operational Stage   |                      | 1                             |                    |
| Heavy precipitation | Long-term,           | In order to ensure that there | Minor to           |
| and flooding events | significant negative | is no internal property       | Significant        |
| may result in       | impacts.             | flooding for a storm with a 1 |                    |
| exceeding drainage  |                      | in 100 year return period, a  |                    |
| capacity.           |                      | +20% allowance for climate    |                    |
| Flooding could      |                      | change to be included in the  |                    |
| cause access and    |                      | detailed drainage design.     |                    |
| egress issues,      |                      |                               |                    |

| endangering  |  | Generators are proposed to   |                                     |
|--|--|--|-------------------------------------|
| operational  |  | be located in a dedicated  |                                     |
| workforce.   |  | room within each substation  |                                     |
| Increased  |  | building with appropriate  |                                     |
| temperature  |  | ventilation to ensure  |                                     |
| extremes and/or  |  | cooling.   |                                     |
| sustained high   |  | Design incorporates  |                                     |
| temperatures may   |  | lightning protection masts   |                                     |
| inhihit nower  |  | on each of the substations   |                                     |
| infrastructuro   |  |  |                                     |
| initiastructure.   |  |  |                                     |
| Structural damage  |  |  |                                     |
| resulting from high  |  |  |                                     |
| winds.   |  |  |                                     |
| Lightning strikes  |  |  |                                     |
| causing electrical   |  |  |                                     |
| faults leading to  |  |  |                                     |
| nower outeree  |  |  |                                     |
| power outages.   |  |  |                                     |
| power outages.   |  |  |                                     |
| Cumulative Effects   |  |  |                                     |
| Cumulative Effects Strategic Gas   | Will be the subject  | Due to the rural nature of the   | wider area, it is                   |
| Cumulative Effects         Strategic Gas         Reserve Facility  | Will be the subject of a separate  | Due to the rural nature of the considered that cumulative ef               | wider area, it is<br>fects will not |
| Cumulative Effects         Strategic Gas         Reserve Facility  | Will be the subject<br>of a separate<br>application and  | Due to the rural nature of the considered that cumulative ef accrue.       | wider area, it is<br>fects will not |
| Cumulative Effects         Strategic Gas         Reserve Facility  | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening   | Due to the rural nature of the considered that cumulative ef accrue.       | wider area, it is<br>fects will not |
| Cumulative Effects Strategic Gas Reserve Facility  | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA  | Due to the rural nature of the considered that cumulative ef accrue.       | wider area, it is<br>fects will not |
| Combined Cycle   | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA  | Due to the rural nature of the considered that cumulative ef accrue.       | wider area, it is<br>fects will not |
| Cumulative Effects Strategic Gas Reserve Facility Combined Cycle Gas Turbines  | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent  | Due to the rural nature of the considered that cumulative ef accrue.       | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines   | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with Ap   | Due to the rural nature of the considered that cumulative ef accrue.       | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power   | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with An   | Due to the rural nature of the considered that cumulative ef accrue.       | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power<br>Plant, Battery   | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with An<br>Bord Pleanála  | Due to the rural nature of the considered that cumulative ef accrue.       | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power<br>Plant, Battery<br>Energy Storage   | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with An<br>Bord Pleanála<br>(ABP-319566-24  | Due to the rural nature of the<br>considered that cumulative ef<br>accrue. | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power<br>Plant, Battery<br>Energy Storage<br>System (BESS),   | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with An<br>Bord Pleanála<br>(ABP-319566-24<br>refers).  | Due to the rural nature of the<br>considered that cumulative ef<br>accrue. | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power<br>Plant, Battery<br>Energy Storage<br>System (BESS),<br>Above Ground                                 | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with An<br>Bord Pleanála<br>(ABP-319566-24<br>refers).  | Due to the rural nature of the<br>considered that cumulative ef<br>accrue. | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power<br>Plant, Battery<br>Energy Storage<br>System (BESS),<br>Above Ground<br>Installation                 | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with An<br>Bord Pleanála<br>(ABP-319566-24<br>refers).  | Due to the rural nature of the<br>considered that cumulative ef<br>accrue. | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power<br>Plant, Battery<br>Energy Storage<br>System (BESS),<br>Above Ground<br>Installation<br>Gas Pipeline | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with An<br>Bord Pleanála<br>(ABP-319566-24<br>refers).  | Due to the rural nature of the<br>considered that cumulative ef<br>accrue. | wider area, it is<br>fects will not |
| Combined Cycle<br>Gas Turbines<br>(CCGT) Power<br>Plant, Battery<br>Energy Storage<br>System (BESS),<br>Above Ground<br>Installation<br>Gas Pipeline | Will be the subject<br>of a separate<br>application and<br>EIAR/ screening<br>for EIA<br>Concurrent<br>planning<br>application with An<br>Bord Pleanála<br>(ABP-319566-24<br>refers).<br>Previously subject<br>to EIA. No rare | Due to the rural nature of the<br>considered that cumulative ef<br>accrue. | wider area, it is<br>fects will not |

|                    | valuable habitats     |   |
|--------------------|-----------------------|---|
|                    | for rare species      |   |
|                    | were recorded         |   |
|                    | along the route.      |   |
| Future Data Centre | Will be the subject   |   |
|                    | of a separate         |   |
|                    | application and       |   |
|                    | EIAR/ screening       |   |
|                    | for EIA               |   |
| Conclusion         | I have considered al  | of the submissions, and I am satisfied that       |
| ••••••             | impacts that are pre- | dicted to arise in relation to climate resilience |
|                    |                       |   |
|                    | would be avoided, m   | hanaged and mitigated by the measures which       |
|                    | form part of the prop | osed scheme and the proposed mitigation           |
|                    | measures. I am satis  | fied that the proposed development would not      |
|                    | have any unaccepta    | ble direct, indirect or cumulative impacts in     |
|                    | terms of climate resi | lience.   |
|                    |                       |   |

## Chapter 12: Climate - Carbon

| Impact             | Effect/ Magnitude   | Mitigation and Monitoring  | Residual<br>Effect     |
|--------------------|---|--|------------------------|
| Construction Stage |   |  |                        |
| GHG Emissions      | Highly likely short   | Efficient site design and  | Minor adverse          |
| from site activity | term, significant   | layout.  | with no                |
| and construction.  | negative impact.<br>Long term<br>construction<br>material<br>manufacture<br>(embodied carbon) | Implementation of the<br>CEMP including measures<br>to reduce emissions,<br>including transport and<br>waste management. | significant<br>effects |
| Operational Stage  |   |  |                        |
| Energy and fuel    | Potential for SF <sub>6</sub>   | Leak monitoring and  | Not Significant        |
| consumption        | leaks   | management in place.   |                        |

| (emergency diesel  | Energy  |   |                |
|--------------------|---|---|----------------|
| generator)         | consumption   |   |                |
|                    | expected to be  |   |                |
|                    | minor.  |   |                |
| Cumulative Effects |   |   |                |
| Strategic Gas      | Will be the subject   | GHG emissions do not result             | in regional or |
| Reserve Facility   | of a separate   | local effects on climate and, t         | herefore, the  |
|                    | application and   | effects of the project's emission       | ons on climate |
|                    | EIAR/ screening for   | will not differ when combined           | with other     |
|                    | EIA   | developments.                           |                |
| Combined Cycle     | Concurrent  |   |                |
| Gas Turbines       | planning  |   |                |
| (CCGT) Power       | application with An   |   |                |
| Plant, Battery     | Bord Pleanála   |   |                |
| Energy Storage     | (ABP-319566-24  |   |                |
| System (BESS),     | refers).  |   |                |
| Above Ground       |   |   |                |
| Installation       |   |   |                |
| Gas Pipeline       | Previously subject  |   |                |
|                    | to EIA. No rare   |   |                |
|                    | habitats or valuable  |   |                |
|                    | habitats for rare   |   |                |
|                    | species were  |   |                |
|                    | recorded along the  |   |                |
|                    | route.  |   |                |
| Future Data Centre | Will be the subject   |   |                |
|                    | of a separate   |   |                |
|                    | application and   |   |                |
|                    | EIAR/ screening for   |   |                |
|                    | EIA   |   |                |
| Conclusion         | I have considered all   | of the submissions, and I am s          | atisfied that  |
|                    | impacts that are pred   | icted to arise in relation to climation | ate - carbon   |
|                    | would be avoided, managed and mitigated by the measures which |   |                |
|                    | form part of the proposed scheme and the proposed mitigation  |   |                |

| measures. I am satisfied that the proposed development would not |
|--|
| have any unacceptable direct, indirect or cumulative impacts in  |
| terms of climate - carbon.                                       |
|  |

## Chapter 13: Noise and Vibration

| Impact  | Effect/ Magnitude                             | Mitigation and Monitoring  | Residual        |
|---|---|--|-----------------|
|   |   |  | Effect          |
| Construction Stage  |   |  |                 |
| Construction Noise<br>from site clearance<br>and excavation<br>works, development<br>works, and<br>vibration. | Short-term negative local impacts.            | Implementation of CEMP.<br>Scheduling/ timing of works<br>and separation from<br>residential receptors.<br>Prioritise the selection of<br>quieter equipment and<br>working methods.<br>All plant shall be regularly<br>maintained.<br>Protocol for community<br>relations and management | Significant     |
|   |   | of noise complaints.   |                 |
| Construction Traffic<br>Noise.  | Temporary,<br>localised, negative<br>impacts. | Temporary nature of<br>construction activity.<br>A Construction Traffic<br>Management Plan (CTMP)<br>has been included in the<br>CEMP.<br>Coordinate construction<br>traffic from this and<br>concurrent development to<br>minimise noise impacts.                                       | Not significant |
| Operational Stage   |   |  |                 |

| Operational Noise  | Long-term local      | Separation from human           | Not significant   |
|--------------------|----------------------|---------------------------------|-------------------|
|                    | slight negative      | receptors.                      |                   |
|                    | impact.              | Predicted operational noise     |                   |
|                    |                      | levels of the proposed          |                   |
|                    |                      | development are                 |                   |
|                    |                      | significantly below the 35      |                   |
|                    |                      | dB(A) night-time criterion at   |                   |
|                    |                      | all NSLs                        |                   |
| Cumulative Effects | I                    | I                               |                   |
| Strategic Gas      | Will be the subject  | Implementation of best praction | ce standard       |
| Reserve Facility   | of a separate        | construction environmental m    | easures and       |
|                    | application and      | the CEMP for the proposed d     | evelopment will   |
|                    | EIAR/ screening for  | ensure no significant cumulat   | ive effects will  |
|                    | EIA.                 | result.                         |                   |
| Combined Cycle     | Concurrent           | No operational emissions ass    | ociated with the  |
| Gas Turbines       | planning application | 220 kV connection, medium v     | oltage (10/ 20    |
| (CCGT) Power       | with An Bord         | kV) connection and Shannon      | Pipeline are      |
| Plant, Battery     | Pleanála (ABP-       | likely.                         |                   |
| Energy Storage     | 319566-24 refers).   | No significant cumulative effe  | cts in respect of |
| System (BESS),     |                      | noise and vibration are expect  | ted.              |
| Above Ground       |                      |                                 |                   |
| Installation       |                      |                                 |                   |
| Gas Pipeline       | Previously subject   |                                 |                   |
|                    | to EIA. No           |                                 |                   |
|                    | significant effects  |                                 |                   |
|                    | identified.          |                                 |                   |
| Future Data Centre | Will be the subject  |                                 |                   |
|                    | of a separate        |                                 |                   |
|                    | application and      |                                 |                   |
|                    | EIAR/ screening for  |                                 |                   |
|                    | EIA.                 |                                 |                   |
| Cross Shannon 400  | Previously           |                                 |                   |
| kV Cable Project   | approved.            |                                 |                   |

| Conclusion | I have considered all of the submissions, and I am satisfied that      |
|------------|--|
|            | impacts that are predicted to arise in relation to noise and vibration |
|            | would be avoided, managed and mitigated by the measures which          |
|            | form part of the proposed scheme and the proposed mitigation           |
|            | measures. I am satisfied that the proposed development would not       |
|            | have any unacceptable direct, indirect or cumulative impacts in        |
|            | terms of noise and vibration.  |
|            |  |

| Impact             | Effect/ Magnitude   | Mitigation and Monitoring       | Residual         |
|--------------------|---------------------|---------------------------------|------------------|
|                    |                     |                                 | Effect           |
| Changes to the     | Long-term, medium   | Existing industrial/ energy     | Slight -         |
| baseline landscape | negative local      | infrastructure characterising   | Moderate         |
| and views          | impacts.            | this landscape and the          |                  |
|                    |                     | zoning of the lands for         |                  |
|                    |                     | industry.                       |                  |
|                    |                     | Landscape screening of          |                  |
|                    |                     | proposed buildings.             |                  |
|                    |                     | Measures for the protection     |                  |
|                    |                     | of existing trees.              |                  |
|                    |                     | Proposed colour scheme of       |                  |
|                    |                     | the façade of the GIS           |                  |
|                    |                     | Substations has been            |                  |
|                    |                     | selected to match that of the   |                  |
|                    |                     | adjacent STEP Power Plant       |                  |
|                    |                     | so that the two                 |                  |
|                    |                     | developments are visually       |                  |
|                    |                     | coherent.                       |                  |
| Cumulative Effects | 1                   | 1                               | L                |
| Strategic Gas      | Will be the subject | Development on adjoining lan    | ds will be       |
| Reserve Facility   | of a separate       | subject to separate assessme    | ent and          |
|                    | application and     | cumulative effects will be asse | essed as part of |

### Chapter 14: The Landscape

|                    | EIAR/ screening for  | that application. Potential significant        |
|--------------------|--|--|
|                    | EIA.   | landscape and visual impact.                   |
| Gas Pipeline       | Previously subject   | If works occur concurrently with the proposed  |
|                    | to EIA. No   | development, there is potential for cumulative |
|                    | significant effects  | construction impacts and effects. Proposed     |
|                    | identified.  | gas pipeline or routing of UGC along public    |
| Combined Cycle     | Concurrent   | roads should not result in additional          |
| Gas Turbines       | planning application   | operational landscape or visual effects.       |
| (CCGT) Power       | with An Bord   | Road upgrade works may have cumulative         |
| Plant, Battery     | Pleanála (ABP-   | landscape impacts due to loss of vegetation;   |
| Energy Storage     | 319566-24 refers).   | however, such impacts are not likely to be     |
| System (BESS),     |  | significant long-term in nature and will be    |
| Above Ground       |  | generally at a remove from the main            |
| Installation       |  | development site.                              |
| Future Data Centre | Will be the subject  | Considering the existing industrial nature and |
|                    | of a separate  | the variety of building types and structures   |
|                    | application and  | within the existing Tarbert and Moneypoint     |
|                    | EIAR/ screening for  | Power Station compounds, impacts are not       |
|                    | EIA.   | likely to be significant.                      |
| L1010 upgrade      | Additional   | No significant in-combination effects likely.  |
|                    | excavations could  |  |
|                    | have further   |  |
|                    | impacts on the   |  |
|                    | landscape.   |  |
| Conclusion         | I have considered all  | of the submissions, and I am satisfied that    |
|                    | impacts that are predicted to arise in relation to the landscape |  |
|                    | would be avoided, ma   | anaged and mitigated by the measures which     |
|                    | form part of the proposed scheme and the proposed mitigation     |  |
|                    | measures. I am satisfied that the proposed development would not |  |
|                    | have any unacceptable direct, indirect or cumulative impacts in  |  |
|                    | terms of the landscape.  |  |
|                    |  |  |
| Impact              | Effect/ Magnitude   | Mitigation and Monitoring        | Residual      |
|---------------------|---------------------|----------------------------------|---------------|
|                     |                     |                                  | Effect        |
| Construction Stage  |                     |                                  |               |
| Partial or total    | Potential           | A full archaeological            | Imperceptible |
| removal of heritage | permanent negative  | mitigation strategy to be        | to moderate   |
| assets during site  | impacts on features | agreed in consultation with      | significance  |
| clearance.          | of significance.    | both the KCC Archaeologist       |               |
| Effects on the      |                     | and the DAU post-consent         |               |
| setting of heritage |                     | and in advance of any on-        |               |
| assets.             |                     | site works taking place.         |               |
|                     |                     | Greenfield portions of the       |               |
|                     |                     | subject site will be subject to  |               |
|                     |                     | advance works geophysical        |               |
|                     |                     | survey.                          |               |
|                     |                     | Architectural heritage           |               |
|                     |                     | surveys of all extant            |               |
|                     |                     | vernacular                       |               |
|                     |                     | buildings/structures.            |               |
|                     |                     | Detailed site-specific           |               |
|                     |                     | mitigation for receptors         |               |
|                     |                     | where impacts occur              |               |
|                     |                     | including the location of        |               |
|                     |                     | CH105, CH106, CH107,             |               |
|                     |                     | CH108 and CH109 should           |               |
|                     |                     | be noted in the CEMP to          |               |
|                     |                     | ensure that all construction     |               |
|                     |                     | workers are aware of the         |               |
|                     |                     | location and importance of       |               |
|                     |                     | these monuments.                 |               |
| Cumulative Effects  | 1                   | 1                                | 1             |
| Strategic Gas       | Will be the subject | Other developments will involve  | ve excavation |
| Reserve Facility    | of a separate       | with potential cumulative effect | cts on        |

# Chapter 15: Archaeology, Architectural and Cultural Heritage

|                    | application and  | archaeological, architectural and cultural     |
|--------------------|--|--|
|                    | EIAR/ screening for  | heritage that are common.                      |
|                    | EIA.   | Construction activities will be planned and    |
| L1010 upgrade      | Additional   | phased and implementation of best practice     |
|                    | excavations could  | standard and DAU requirements and the          |
|                    | have further   | CEMP for the development will ensure no        |
|                    | impacts on cultural  | significant cumulative effects will result.    |
|                    | heritage.  | Development on adjacent lands will be          |
| Gas Pipeline       | Previously subject   | subject to separate assessment and             |
|                    | to EIA. Additional   | cumulative effects will be assessed as part of |
|                    | excavations could  | that application. The visual presence of the   |
|                    | have further   | Strategic Gas Reserve Facility, the CCGT       |
|                    | impacts on cultural  | and the data centre combined with the visual   |
|                    | heritage.  | presence of the completed Proposed             |
| Future Data Centre | Will be the subiect  | Development could combine to create a          |
|                    | of a separate  | cumulative impact upon the settings of         |
|                    | application and  | Lookout Post/ Searchlight Emplacement          |
|                    | EIAR/ screening for  | (RPS-KY-087) and Ralappane House (RPS          |
|                    | EIA  | KY 003-001), although intervening distances    |
|                    |  | and the topography of the land will reduce     |
| Combined Cycle     | Concurrent   | the cumulative impact.                         |
| Gas Turbines       | planning application   | The majority of on-line features or features   |
| (CCGT) Power       | with An Bord   | immediately fronting onto the L-1010 road as   |
| Plant, Battery     | Pleanala (ABP-   | identified in this EIAR will have been         |
| Energy Storage     | 319566-24 refers).   | archaeologically resolved and will reduce the  |
| System (BESS),     |  | overall significance of effect of the proposed |
| Above Ground       |  | development on archaeological, architectural   |
| Installation       |  | and cultural heritage.                         |
| Conclusion         | While the developme  | nt will result in the removal/ excavation of   |
|                    | number of archaeolo  | gical features. I note the submission of the   |
|                    | DAU on the proposals. I have considered all of the submissions,<br>and I am satisfied that impacts that are predicted to arise in relation<br>to archaeology, architectural and cultural heritage would be<br>avoided, managed and mitigated by the measures which form part |  |
|                    |  |  |
|                    |  |  |
|                    |  |  |
|                    | of the proposed sche   | me and the proposed mitigation measures. I     |
|                    |  |  |

| am satisfied that the proposed development would not have any   |
|---|
| unacceptable direct, indirect or cumulative impacts in terms of |
| archaeology, architectural and cultural heritage.               |
|   |

# Chapter 16: Material Assets

| Impact                | Effect/ Magnitude    | Mitigation and Monitoring     | Residual        |
|-----------------------|----------------------|-------------------------------|-----------------|
|                       |                      |                               | Effect          |
| Construction Stage    |                      |                               |                 |
| Land Use – loss/      | Long-term, slight    | Location within a large       | Not significant |
| change of use of      | negative local       | landbank zoned for            |                 |
| agricultural lands.   | impact.              | industrial use. Having        |                 |
|                       |                      | regard to the extent of       |                 |
|                       |                      | surrounding agricultural      |                 |
|                       |                      | lands, the quality of the     |                 |
|                       |                      | lands and current low         |                 |
|                       |                      | intensity of use, this impact |                 |
|                       |                      | is regarded as being of low   |                 |
|                       |                      | magnitude.                    |                 |
| Construction waste    | Short-term local     | Implementation of the         | Not significant |
|                       | negative impact.     | CEMP.                         |                 |
|                       |                      | Topsoil and subsoil excess    |                 |
|                       |                      | will remain within the        |                 |
|                       |                      | agricultural properties.      |                 |
|                       |                      | Waste classification,         |                 |
|                       |                      | segregation, containment,     |                 |
|                       |                      | storage, transportation and   |                 |
|                       |                      | disposal in compliance with   |                 |
|                       |                      | waste licence requirements.   |                 |
| Impact on existing    | Negative, local      | A confirmatory survey of all  | Imperceptible   |
| water and energy      | temporary impacts    | existing services will be     |                 |
| infrastructure due to | during construction. | carried out prior to          |                 |
| diversion/            |                      | construction to identify the  |                 |
| connection works      |                      |                               |                 |

| and operational    |                      | precise locations of any         |                   |
|--------------------|----------------------|----------------------------------|-------------------|
| demands.           |                      | services.                        |                   |
|                    |                      | Measures to ensure no            |                   |
|                    |                      | interruptions to existing        |                   |
|                    |                      | services during construction     |                   |
|                    |                      | unless planned and agreed        |                   |
|                    |                      | with the relevant service        |                   |
|                    |                      | provider and local authority.    |                   |
|                    |                      | Adherence to relevant            |                   |
|                    |                      | guidance documents,              |                   |
|                    |                      | including that of GNI, the       |                   |
|                    |                      | ESB and the HSA.                 |                   |
| Operational Stage  |                      |                                  |                   |
| Operational waste  | Slight local         | Managed in accordance            | Imperceptible     |
|                    | negative impact.     | with the relevant provisions     |                   |
|                    |                      | of the Waste Management          |                   |
|                    |                      | Act 1996.                        |                   |
| Water supply/      | Due to the minimal   | None                             | Imperceptible     |
| Wastewater         | use and volumes      |                                  |                   |
|                    | associated the       |                                  |                   |
|                    | effects are          |                                  |                   |
|                    | considered to be     |                                  |                   |
|                    | imperceptible.       |                                  |                   |
| Cumulative Effects | 1                    | 1                                | <u> </u>          |
| Combined Cycle     | Concurrent           | If works occur concurrently wi   | th the proposed   |
| Gas Turbines       | planning application | development, there is potentia   | al for cumulative |
| (CCGT) Power       | with An Bord         | construction impacts and effe    | cts, including    |
| Plant, Battery     | Pleanála (ABP-       | increased demands on utilities   | s and services.   |
| Energy Storage     | 319566-24 refers).   | Such impacts are considered      | to be localised   |
| System (BESS),     |                      | and temporary in duration, the   | e effects are     |
| Above Ground       |                      | likely to be slight with appropr | iate mitigation   |
| Installation       |                      | and not significant, with consu  | ultation between  |

| L1010 upgrade | Additional<br>excavations could<br>have further<br>impacts on material<br>assets including<br>waste.   | the contractors required, should the<br>construction timetables coincide.<br>The road widening works for the L1010 will<br>be in advance of the main construction works<br>for the proposed development   |
|---------------|--|---|
| Conclusion    | I have considered all<br>impacts that are pred<br>would be avoided, ma<br>form part of the propo<br>measures. I am satist<br>have any unacceptat | of the submissions, and I am satisfied that<br>licted to arise in relation to material assets<br>anaged and mitigated by the measures which<br>osed scheme and the proposed mitigation<br>fied that the proposed development would not<br>ole direct, indirect or cumulative impacts in |
|               | terms of material ass  | ets.  |

# Chapter 17: Roads and Traffic

| Impact   | Effect/ Magnitude   | Mitigation and Monitoring   | Residual  |
|--|---|---|---|
|  |   |   | Effect  |
| Construction Stage   |   |   |   |
| Increased<br>construction traffic<br>flows on the road           | Negative, short-<br>term local impact.  | Existing low traffic volumes<br>on local road network.<br>Upgrade of L1010 prior to   | Not Significant                                     |
| a reduction in<br>junction capacity<br>and increased<br>queuing. |   | the construction phase.<br>Implementation of an<br>agreed CTMP including the<br>routing and timing/<br>scheduling of traffic<br>movements.<br>Coordinate construction<br>traffic from this and  |   |
|  |   | traffic from this and<br>concurrent development to<br>minimise traffic and noise<br>impacts.<br>Close liaison (Liaison<br>Officer) with local<br>community representatives,<br>landowners and statutory<br>consultees throughout the<br>construction period.<br>Short duration of peak<br>construction traffic. |   |
| L1010 upgrade  | Works could occur<br>concurrently with<br>site preparation<br>works at the subject<br>site. | If works occur concurrent with<br>development, there is potentia<br>construction impacts and effe<br>and traffic flows.   | n the proposed<br>al for cumulative<br>cts on roads |
| 1  | 1   |   |   |

| Solar PV farm         | 10-year planning   | Subject to implementation of identified        |
|-----------------------|--------------------|--|
| consisting of a solar | permission issued  | mitigation measures including                  |
| PV array of           | by KCC under 1825  | implementation of an agreed CTMP and           |
| approximately 12.5    |                    | measures identified in the CEMP, significant   |
| ha of solar panels    |                    | cumulative effects are not considered likely.  |
| Battery storage       | 10-vear permission | There are potential beneficial effects arising |
| facility              | issued by KCC      | from the upgrade of the L1010.                 |
| laointy               | under 18392        | No significant cumulative construction or      |
|                       |                    | operational effects are likely                 |
| Battery energy        | 10-year planning   |  |
| storage system        | permission issued  |  |
| (BESS) facility       | by KCC under       |  |
|                       | 18878              |  |
| High inortia          | 10 year planning   |  |
|                       |                    |  |
| synchronous           | by KCC under       |  |
| compensator           |                    |  |
|                       | 21549              |  |
|                       |                    |  |
| equipment             |                    |  |
| containers            |                    |  |
| Proposed Open         | 10 year planning   |  |
| Cycle Gas Turbine     | permission issued  |  |
| (OCGT) power          | under ABP-318540-  |  |
| plant fuelled by      | 23                 |  |
| Hydrotreated          |                    |  |
| Vegetable Oil         |                    |  |
| (HVO)                 |                    |  |
| Solar farm of 146.6   | 10 year permission | -  |
| hectares              | issued by KCC      |  |
|                       | under 23284        |  |
|                       |                    |  |
|                       |                    |  |
|                       |                    |  |

| Combined Cycle | Concurrent             |  |
|----------------|------------------------|--|
| Gas Turbines   | planning application   |  |
| (CCGT) Power   | with An Bord           |  |
| Plant, Battery | Pleanála (ABP-         |  |
| Energy Storage | 319566-24 refers).     |  |
| System (BESS), |                        |  |
| Above Ground   |                        |  |
| Installation   |                        |  |
| Gas Pipeline   | Previously subject     |  |
|                | to EIA. No             |  |
|                | significant effects    |  |
|                | identified.            |  |
| Conclusion     | I have considered all  | of the submissions, and I am satisfied that      |
|                | impacts that are pred  | licted to arise in relation to roads and traffic |
|                | would be avoided, ma   | anaged and mitigated by the measures which       |
|                | form part of the prope | osed scheme and the proposed mitigation          |
|                | measures. I am satis   | fied that the proposed development would not     |
|                | have any unacceptat    | ble direct, indirect or cumulative impacts in    |
|                | terms of roads and tr  | affic.   |
|                |                        |  |

# Chapter 18: Major Accidents and Disasters

| Impact            | Effect/ Magnitude | Mitigation and Monitoring    | Residual        |
|-------------------|-------------------|------------------------------|-----------------|
|                   |                   |                              | Effect          |
| Proposed cable    | Unlikely but      | A Geotechnical Risk          | Not significant |
| trench is located | potentially high  | Register will be created to  |                 |
| 60-100m from a    | adverse effect    | ensure any landslide and     |                 |
| Moderately High   |                   | slope stability risks are    |                 |
| susceptibility    |                   | systematically captured.     |                 |
| landslide zone    |                   | A suitably designed          |                 |
|                   |                   | drainage system will be      |                 |
|                   |                   | installed to divert water    |                 |
|                   |                   | away from the landslide risk |                 |
|                   |                   | zones.                       |                 |

| Movement of        | Potential death and  | CTMP during construction            | Not significant    |
|--------------------|--|-------------------------------------|--------------------|
| construction       | or injury to a   | phase.                              |                    |
| vehicles debris    | member of the  | Once operational there will         |                    |
| striking traffic   | public, and delays   | be limited traffic on access        |                    |
| /member of public. | and congestion in  | road.                               |                    |
|                    | surrounding area.  |                                     |                    |
| Cumulativa Effecte |  |                                     |                    |
| Cumulative Enects  |  | -                                   |                    |
| Combined Cycle     | Concurrent   | STEP Power Plant site, adjac        | ent to the         |
| Gas Turbines       | planning application   | 220kV substations where pote        | ential disaster or |
| (CCGT) Power       | with An Bord   | major accidents could act cun       | nulatively         |
| Plant, Battery     | Pleanála (ABP-   | include fire/ explosion and the     | e release of       |
| Energy Storage     | 319566-24 refers).   | pollutants to the environment.      |                    |
| System (BESS),     |  | An Environment Managemen            | t System will be   |
| Above Ground       |  | in place for the STEP Power I       | Plant.             |
| Installation       |  | An emergency shutdown syst          | em can be          |
|                    |  | initiated by a number of syste      | ms including       |
|                    |  | automatic fire and das detecti      | on and manual      |
|                    |  | activation.                         |                    |
|                    |  |                                     |                    |
|                    |  | Substations will be designed        | to follow all      |
|                    |  | safety specifications and stan      | dards.             |
|                    |  | Significant cumulative effects      | are unlikely       |
|                    |  | subject to the design and ope       | ration of the      |
|                    |  | developments in accordance          | with industry      |
|                    |  | standards and HSA requirement       | ents.              |
| Conclusion         | I have considered all  | of the submissions, and I am s      | atisfied that      |
|                    | impacts that are pred  | licted to arise in relation to majo | or accidents and   |
|                    | disasters would be av  | voided, managed and mitigated       | l by the           |
|                    | measures which form  | n part of the proposed scheme       | and the            |
|                    | proposed mitigation measures. I am satisfied that the proposed |                                     |                    |
|                    | development would r  | not have any unacceptable dire      | ct, indirect or    |
|                    | cumulative impacts in  | n terms of major accidents and      | disasters.         |
|                    |  |                                     |                    |

# 11.5. Significant Interactions

| Population and Human | n Health interactions  |
|----------------------|--|
| Land, soils and      | Landslide susceptibility risk - mitigation reduces the         |
| hydrogeology         | significance of effect to imperceptible.                       |
|                      | Loss of/ change in the use of agricultural lands.              |
| Surface Water and    | Potential impact on surface water quality from sediment        |
| Flooding             | runoff, spillages and dischargers to receiving surface waters. |
| Air                  | Dust mobilisation and deposition during construction.          |
| Climate Resilience   | Heavy rainfall and rising temperatures may affect the          |
|                      | substation area.   |
| Climate - Carbon     | Embedded emissions from the production of construction         |
|                      | materials.   |
| Noise and Vibration  | Construction noise and vibration impacts.                      |
| The Landscape        | Impact on views across the estuary and from adjoining          |
|                      | residential properties.  |
| Archaeology,         | Loss of features of interest.                                  |
| Architectural and    | Contribution to the understanding of the archaeology of        |
| Cultural Heritage    | the area through investigation and excavation.                 |
| Material Assets      | Generation and removal of C&D waste from site during           |
|                      | construction activities.                                       |
|                      | Potential for services disruptions.                            |
| Roads and Traffic    | Driver delay, road safety and community effects.               |
| Major accidents and  | Potential disaster or major accidents which could act          |
| disasters            | cumulatively at the STEP Power Plant site, adjacent to         |
|                      | the 220kV substations, include fire/ explosion and the         |
|                      | release of pollutants to the environment.                      |

| Land, soil and hydrogeology interactions |  |
|--|--|
| Population & Human                       | Loss of/ change in the use of agricultural lands.        |
| Health                                   |  |
| Surface Water and                        | Potential release of silt or other contaminants to water |
| Flooding                                 | bodies during the construction phase.                    |
| Biodiversity                             | Construction works at water crossings have the potential |
|  | to impact on downstream protected areas.                 |
| The Landscape                            | Site clearance will impact on views.                     |
| Archaeology,                             | Site clearance removing features of interest.            |
| Architectural & Cultural                 |  |
| Heritage                                 |  |

| Surface Water and Flo | oding interactions  |
|-----------------------|---|
| Land, soils and       | Potential release of silt or other contaminants to water  |
| hydrogeology          | bodies during works.                                      |
| Biodiversity          | Mobilisation of suspended solids and contaminants         |
|                       | impacting on water quality and habitats.                  |
| Climate Resilience    | During operational phase, increased heavy rainfall events |
|                       | causing flooding may result in exceeding drainage         |
|                       | capacity and thus damaging assets located within the      |
|                       | substation.   |
| Roads and Traffic     | Construction traffic could accidentally release fuel/oil  |
|                       | which could cause a pollution incident if it reaches a    |
|                       | watercourse.  |

| Biodiversity interactions |                            |
|---------------------------|----------------------------|
| Land, Soils and           | Habitat loss or reduction. |
| Hydrogeology              |                            |

| Surface Water and   | Mobilisation of suspended solids and contaminants              |
|---------------------|--|
| Flooding            | impacting on water quality.                                    |
| Air                 | Dust during construction may affect flora and fauna.           |
| Noise and Vibration | Disturbance of protected species from construction activities. |
| The Landscape       | Loss of existing vegetation will impact on habitats.           |

| Air interactions         |  |
|--------------------------|--|
| Population and Human     | Dust mobilisation and deposition during construction.    |
| Health                   |  |
|                          |  |
| Biodiversity             | Dust mobilisation and deposit on sensitive receptors.    |
| Climate - Carbon         | Embedded carbon within construction materials.           |
| Archaeology,             | Dust generated from a number of construction activities  |
| Architectural & Cultural | may affect the setting of cultural heritage assets.      |
| Heritage                 |  |
|                          |  |
| Roads and Traffic        | Air quality impacts associated with road vehicle traffic |
|                          | and construction plant.                                  |
|                          |  |

| Climate Resilience interactions |   |
|---------------------------------|---|
| Climate - Carbon                | Carbon emissions are associated with embodied   |
|                                 | emissions from the production of construction materials,<br>and transport of those materials and workers to site. |

| Climate – Carbon interactions |   |
|-------------------------------|---|
| Roads and Traffic             | Transport of construction materials to site is one of the |
|                               | sources for construction-related GHG emissions.           |

| Noise and Vibration interactions |   |
|----------------------------------|---|
| Population and Human             | Construction noise and vibration impacts on sensitive     |
| Health                           | receptors.  |
|                                  | Traffic noise and disturbance.                            |
| Biodiversity                     | Reduction in foraging habitat due to disturbance.         |
| Roads and Traffic                | Movement of construction traffic during the substation    |
|                                  | construction and the underground cabling works, along     |
|                                  | with the delivery of materials to construction compounds. |

| The Landscape interactions |  |
|----------------------------|--|
| Population and Human       | Impact on views, particularly south across the estuary |
| Health                     | and from adjoining residential properties.             |
| Biodiversity               | Site clearance reducing habitats.                      |

| Archaeology, Architectural and Cultural Heritage interactions |   |
|---|---|
| Population and Human  | Contribution to the understanding of the archaeology of |
| Health  | the area through investigation and excavation.          |
| Land, Soils and   | Excavation/ removal of features of interest.            |
| Hydrogeology  |   |
| Air   | Dust generated from a number of construction activities |
|   | may affect the setting of cultural heritage assets.     |
| Material Assets   | Potential for previously unrecorded archaeology to be   |
|   | encountered during excavation works and waste           |
|   | generation.   |

| Material Assets interactions |   |
|------------------------------|---|
| Population and Human         | Incorrect management of waste could result in littering   |
| Health                       | which could cause a nuisance to the public and attract    |
|                              | vermin.   |
| Archaeology,                 | Potential for previously unrecorded archaeology to be     |
| Architectural & Cultural     | encountered during excavation works and waste             |
| Heritage                     | generation.   |
| Roads and Traffic            | Interaction between resource and waste management         |
|                              | and traffic and transport effects during the construction |
|                              | phase.  |

| Roads and Traffic interactions |   |
|--------------------------------|---|
| Population and Human           | Air quality and noise impacts from vehicle emissions.   |
| Health                         | Impacts on road safety and convenience from             |
|                                | construction traffic.                                   |
| Surface Water and              | Spill or leakage of oil or fuels can impact on water.   |
| Flooding                       |   |
| Air                            | Dust mobilisation from construction traffic.            |
|                                | Emissions from construction traffic.                    |
| Climate - Carbon               | GHG emissions resulting from vehicle traffic during the |
|                                | construction phase.                                     |
| Noise and vibration            | Disturbance from construction traffic.                  |

| Major Accidents and Disaster interactions |   |  |  |  |  |
|---|---|--|--|--|--|
| Population and Human                      | A major incident could result in release of pollutants to air |  |  |  |  |
| Health                                    | and risk to public safety.                                    |  |  |  |  |

#### 11.6. Reasoned Conclusion on the Significant Effects

Having regard to the examination of environmental information contained above, and in particular to the EIAR and other information provided by the developer, and the submissions from the planning authority, prescribed bodies and observers during the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

- The development could give rise to impacts on surface and groundwaters as a result of run-off of sediments, accidental spillages of chemicals, hydrocarbons or other contaminants entering waterbodies during construction. These impacts would be adequately mitigated by:
  - The implementation of the CEMP and standard best practise guidance and measures, including measures for the control of soils, materials and pollutants, drainage design and the management of surface waters.
  - Soil and stockpile management, including separation from waterbodies and from areas subject to flooding.
  - Use of settlement tanks to remove sediment from water that is removed from Ralappane Stream during open cut trenching prior to discharge back to the watercourse downstream of the dam area.
- 2. Construction activity will give rise to noise and vibration emissions. The impacts from such activities would be adequately mitigated by:
  - Implementation of CEMP and a CTMP has been included in the CEMP.
  - The short-term nature of the activities.
  - Scheduling/ timing of works and separation from residential receptors.
  - Public Liaison Officer and protocols for community relations.
  - On-going monitoring.
- 3. Operational discharges to the marine environment, such as surface water and wastewater, have the potential to impact on water quality and dependent species and habitats. The impacts from such activities would be adequately mitigated by:

- Mitigation for stormwater is embedded in the design and includes that surface water runoff will flow through a petrol interceptor and conveyed to the STEP Power Plant fire water retention tank before discharging to the Shannon Estuary.
- Measures for the removal of identified effluent streams off-site for treatment.
- 4. Development of the site will result in terrestrial habitat removal and disturbance and displacement of species occurring on or around the site. The impacts from such activities would be adequately mitigated by:
  - Implementation of CEMP and appointment of an ECoW.
  - Adherence to published guidance including CIRIA guidance on water pollution and IFI guidelines of protection of fisheries, Bat Conservation Ireland guidance on lighting design, and NRA Guidelines for the treatment of Badgers, Bats and Otters.
  - No heavy machinery will be used within 30m (unless carried out under licence from the NPWS).
  - Use of settlement tanks to remove sediment from water that is removed from Ralappane Stream during open cut trenching prior to discharge back to the watercourse downstream of the dam area.
  - Planting and landscaping works using native species.
  - Timing and management of tree/ vegetation and structure removal works, with pre-development surveys of features to be removed.
- Traffic generated during construction will give rise to potential disturbance and congestion on the local road network. These impacts would be adequately mitigated by:
  - Existing low traffic volumes on road network.
  - Upgrade of the L1010 prior to the main construction phase.
  - Short-term nature of activities.

- Implementation of a Construction Traffic Management Plan including the routing and scheduling of construction traffic to avoid coinciding with peak school times.
- Excavation and redevelopment of the site will give rise to direct impacts on features of archaeological interest and previously unrecorded features. There will also be impacts on the setting of recorded monuments. The impacts would be adequately mitigated by:
  - Full resolution of all archaeological sites and areas identified during archaeological testing.
  - Compliance with the National Monuments Acts and the CEMP.
  - A Method Statement for Archaeological Works will be agreed with the National Monuments Service, with fieldwork and monitoring by a suitably qualified and licensed archaeological contractor.
  - Completion of archaeological works prior to commencing enabling works.

### 11.7. Cumulative Impacts and Impacts from interactions

11.7.1. It is considered that effects as a result of interactions, indirect and cumulative effects can be avoided, managed or mitigated by the measures which form part of the proposed development, the proposed mitigations measures detailed in the Environmental Impact Assessment Report, and with suitable conditions. There is, therefore, nothing to prevent the approval of the development on the grounds of significant environmental effects as a result of cumulative impacts or impacts arising from interactions between environmental factors.

### 11.8. Conclusion

11.8.1. The submitted EIAR has been considered with regard to the guidance provided in the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Department of Housing, Planning and Local Government, 2018), Guidelines on the Information to be contained in Environmental Impact Assessment Reports (EPA, 2022), and (Draft) Advice Notes for Preparing Environmental Impact Statements (EPA, 2015).

11.8.2. The assessments provided in the individual EIAR chapters and supplementary documentation, are generally considered to be satisfactory. The likely significant environmental effects arising as a consequence of the proposed development have been satisfactorily identified, described and assessed. They would not require or justify refusing permission for the proposed development or require significant amendments to it.

# 12.0 Appropriate Assessment (AA)

#### 12.1. Screening Determination

- 12.1.1. On the basis of the information and submissions on the file, including the AA Screening Report and supporting information, the nature, size and location of the proposed development and its likely direct, indirect and cumulative effects, the source pathway receptor principle and proximity and functional relationship between the proposed works and the European sites and their conservation objectives, I conclude that the proposed development could result in significant effects on the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA.
- 12.1.2. Appropriate Assessment is therefore required to determine if adverse effects on the integrity of these sites can be ruled out. There is also the potential likelihood for significant in-combination effects with other plans or projects or activities.
- 12.1.3. The potential for significant effects on the conservation objectives of Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA as well as other European Sites outside of the zone of influence can be screened out with confidence because of the separation distances and the lack of substantive ecological linkages or pathways between the proposed works and these European sites.
- 12.1.4. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is required on the basis of the effects of the project 'alone'.

12.1.5. In reaching the conclusion of the screening assessment, no account was taken of measures intended to avoid or reduce the potentially harmful effects of the project on any European Site.

(See Appendix 1)

#### 12.2. Appropriate Assessment

- 12.2.1. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Lower River Shannon SAC (Site code: 002165) and River Shannon and River Fergus Estuaries SPA (Site code: 004077).
- 12.2.2. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.
- 12.2.3. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of those European Sites in view of their Conservation Objectives.
- 12.2.4. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.
- 12.2.5. This conclusion is based on:
  - A full and detailed assessment of all aspects of the proposed project including proposed mitigation and ecological monitoring measures.
  - Detailed assessment of in combination effects with other plans and projects including historical projects, current proposals and future plans.
  - No adverse effects to wintering or breeding Special Conservation Interest bird species of the SPA following the application of mitigation measures.
  - Taking full account of all proposed mitigation measures which will ensure no adverse effects on the qualifying interests of the SAC, including Salmon, Sea and River lamprey and Otter, their habitats or prey upon which they are dependent.

- No significant effects on the qualifying interests of European sites or supporting habitats, arising from operational airborne pollution.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Lower River Shannon SAC (Site code: 002165) and River Shannon and River Fergus Estuaries SPA (Site code: 004077).

(See Appendix 2)

### 13.0 Conclusions and Recommendation

- 13.1.1. The proposed development comprises two 220kV substations and two 220kV underground cable circuits between the Shannon Technology and Energy Park (STEP) Power Plant and the existing line cable interface mast adjacent to the existing Kilpaddoge Substation.
- 13.1.2. The proposed development is aligned with local and regional planning policy and land use objectives. There is a range of energy and climate policy documents and statements which are relevant to the proposed development, and I have noted that the proposed development is consistent with the Climate Action Plan 2024 in facilitating the security of electricity generation/ supply.
- 13.1.3. The proposed 220kV substations and 220kV underground cable circuits between the Shannon Technology and Energy Park (STEP) Power Plant and the existing line cable interface mast adjacent to the existing Kilpaddoge Substation will provide the grid connection for the proposed 600MW power generation plant on the adjacent site. This is supported by national energy and climate policy which identifies a requirement for additional conventional generation capacity as a priority. This is seen in the light of the wider transition to a renewables-based generation system, notwithstanding the fossil-fuel powered nature of the proposed plant.
- 13.1.4. The assessment of the impacts of the proposed development above has concluded that, subject to the identified mitigation measures, the overall proposed development would not have significant adverse effects on the ecology of the area or on any European Sites. It is concluded that, following the application of mitigation measures, the proposed development, individually or in combination with other plans or projects

would not adversely affect the integrity of European Sites in view of their Conservation Objectives.

- 13.1.5. Having regard to the existing context of the site, the impacts of the development on the landscape and visual amenities of the area are not regarded as unacceptable. Significant short-term traffic movements during construction are likely, however, upgrade of the L1010 serving the development is anticipated prior to main construction activities commencing on the site, while a final CTMP will be subject to agreement with the planning authority. Operational traffic volumes are not likely to be significant. Special development contributions in respect of the upgrade of roads serving the site have been recommended by the planning authority.
- 13.1.6. Construction activity has the potential to impact on water quality in the estuary and in freshwater bodies adjoining the site, however, subject to the identified mitigation measures, significant impacts are not considered likely.
- 13.1.7. Operation of the substations will not result in emissions to the environment. It is concluded that there will be no exceedances of Air Quality Standards, and no significant effects are likely.
- 13.1.8. Extensive investigations across the site have identified features of archaeological interest, while there is one recorded monument bounding the development. Detailed mitigation measures have been identified and further conditions have been recommended by the Development Applications Unit. In this context, significant negative effects on archaeological heritage are not considered likely.
- 13.1.9. Having regard to the foregoing, I recommend that permission be granted, subject to conditions and for the reasons and considerations set out below, for the development comprised of two 220kV substations and two 220kV underground cable circuits between the Shannon Technology and Energy Park (STEP) Power Plant and the existing line cable interface mast adjacent to the existing Kilpaddoge Substation within the townlands of Carhoona, Carhoonakilla, Carhoonakineely, Cockhill, Coolnanoonagh, Farranawana, Kilcolgan Lower, Kilcolgan Upper, Kilpaddoge and Ralappane, Co. Kerry.

# 14.0 Reasons and Considerations

In coming to its decision, the Board had regard to:

- (a) the nature, scale and extent of the proposed development,
- (b) the characteristics of the site and surrounding area,
- (c) the national targets for energy production,
- (d) national, regional and local policy support for developing energy infrastructure, in particular:
  - Climate Action Plan 2024,
  - Project Ireland 2040 National Planning Framework,
  - Regional Spatial and Economic Strategy for the Southern Region, and
  - Kerry County Development Plan, 2022-2028,
- (e) the documentation submitted with the application, including the Environmental Impact Assessment Report, Natura Impact Statement, and accompanying reports including the outline Construction Environmental Management Plan,
- (f) the location of the proposed development within an area identified as a 'Strategic Development Location' for Marine related industry/ industry in the Strategic Integrated Framework Plan for the Shannon Estuary and with a land use zoning of 'Industry' in the Development Plan,
- (g) the distance to dwellings or other sensitive receptors from the proposed development,
- (h) the submissions on file including those from third parties, prescribed bodies and the Planning Authority,
- (i) mitigation measures proposed for construction and operation of the site, and
- (j) the report of the Inspector.

#### **Appropriate Assessment - Stage 1**

The Board considered the Natura Impact Statement and all the other relevant submissions and carried out both an appropriate assessment screening exercise and

Inspector's Report

an appropriate assessment in relation to the potential effects of the proposed development on designated European Sites. The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the only European sites in respect of which the proposed development has the potential to have a significant effect are the Lower River Shannon SAC (Site code: 002165) and River Shannon and River Fergus Estuaries SPA (Site code: 004077).

#### Appropriate Assessment – Stage 2

The Board considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the European Sites, namely, the Lower River Shannon SAC (Site code: 002165) and River Shannon and River Fergus Estuaries SPA (Site code: 004077), in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and
- iii. the conservation objectives for the European Sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' Conservation Objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' Conservation Objectives.

#### **Environmental Impact Assessment**

The Board completed an Environmental Impact Assessment of the proposed development taking account of:

- a) The nature, scale and location of the proposed development.
- b) The Environmental Impact Assessment Report and associated documentation in support of the application for which approval is sought.
- c) The submissions received during the course of the application.
- d) The Inspector's report and recommendation.

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately considers alternatives for the proposed development and identifies and describes adequately the direct, indirect and secondary and cumulative impacts of the proposed development on the environment. The Board agreed with the examination set out in the Inspector's report of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant, and submissions made in the course of the application for approval.

#### Reasoned Conclusion on Significant Effects:

Having regard to the examination of environmental information contained above, and in particular to the EIAR and other information provided by the developer, and the submissions from the planning authority, prescribed bodies and observers during the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

- The development could give rise to impacts on surface and groundwaters as a result of run-off of sediments, accidental spillages of chemicals, hydrocarbons or other contaminants entering waterbodies during construction. These impacts would be adequately mitigated by:
  - The implementation of the CEMP and standard best practise guidance and measures, including measures for the control of soils, materials and pollutants, drainage design and the management of surface waters.

- Soil and stockpile management, including separation from waterbodies and from areas subject to flooding.
- Use of settlement tanks to remove sediment from water that is removed from Ralappane Stream during open cut trenching prior to discharge back to the watercourse downstream of the dam area.
- 2. Construction activity will give rise to noise and vibration emissions. The impacts from such activities would be adequately mitigated by:
  - Implementation of CEMP and a CTMP has been included in the CEMP.
  - The short-term nature of the activities.
  - Scheduling/ timing of works and separation from residential receptors.
  - Public Liaison Officer and protocols for community relations.
  - On-going monitoring.
- 3. Operational discharges to the marine environment, such as surface water and wastewater, have the potential to impact on water quality and dependent species and habitats. The impacts from such activities would be adequately mitigated by:
  - Mitigation for stormwater is embedded in the design and includes that surface water runoff will flow through a petrol interceptor and conveyed to the STEP Power Plant fire water retention tank before discharging to the Shannon Estuary.
  - Measures for the removal of identified effluent streams off-site for treatment.
- 4. Development of the site will result in terrestrial habitat removal and disturbance and displacement of species occurring on or around the site. The impacts from such activities would be adequately mitigated by:
  - Implementation of CEMP and appointment of an ECoW.
  - Adherence to published guidance including CIRIA guidance on water pollution and IFI guidelines of protection of fisheries, Bat Conservation Ireland guidance on lighting design, and NRA Guidelines for the treatment of Badgers, Bats and Otters.

- No heavy machinery will be used within 30m (unless carried out under licence from the NPWS).
- Use of settlement tanks to remove sediment from water that is removed from Ralappane Stream during open cut trenching prior to discharge back to the watercourse downstream of the dam area.
- Planting and landscaping works using native species.
- Timing and management of tree/ vegetation and structure removal works, with pre-development surveys of features to be removed.
- Traffic generated during construction will give rise to potential disturbance and congestion on the local road network. These impacts would be adequately mitigated by:
  - Existing low traffic volumes on road network.
  - Upgrade of the L1010 prior to the main construction phase.
  - Short-term nature of activities.
  - Implementation of a Construction Traffic Management Plan including the routing and scheduling of construction traffic to avoid coinciding with peak school times.
- Excavation and redevelopment of the site will give rise to direct impacts on features of archaeological interest and previously unrecorded features. There will also be impacts on the setting of recorded monuments. The impacts would be adequately mitigated by:
  - Full resolution of all archaeological sites and areas identified during archaeological testing.
  - Compliance with the National Monuments Acts and the CEMP.
  - A Method Statement for Archaeological Works will be agreed with the National Monuments Service, with fieldwork and monitoring by a suitably qualified and licensed archaeological contractor.
  - Completion of archaeological works prior to commencing enabling works.

#### Cumulative Impacts and Impacts from interactions:

It is considered that effects as a result of interactions, indirect and cumulative effects can be avoided, managed or mitigated by the measures which form part of the proposed development, the proposed mitigations measures detailed in the Environmental Impact Assessment Report and with suitable conditions. There is, therefore, nothing to prevent the approval of the development on the grounds of significant environmental effects, or as a result of cumulative effects or effects arising from interactions between environmental factors.

#### **Proper Planning and Sustainable Development**

It is considered that, subject to compliance with the conditions set out below, the proposed development would accord with European, national, regional and local planning and related policy, it would not have an unacceptable impact on the landscape or biodiversity, it would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and it would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

# 15.0 Conditions

 The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be carried out and completed in accordance with the plans and particulars, including the mitigation measures specified in the

Environmental Impact Assessment Report, the Natura Impact Statement and the Construction Environmental Management Plan, lodged with the application to An Bord Pleanála on the 29<sup>th</sup> day of July 2024.

**Reason:** In the interest of clarity, to mitigate the environmental effects of the development, and to protect the amenities of properties and sensitive receptors in the vicinity.

3. The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.

Reason: In the interest of clarity.

4. (a) The upgrade of the L1010 local road between the R551 at Tarbert and the proposed development lands at Kilcolgan Lower and Ralappane shall be completed prior to the commencement of the main construction elements of the proposed development. This shall not preclude the undertaking of site preparation and earthworks contemporaneously with the upgrading of the L1010 local road. The precise extent of works which may be carried out prior to the completion of the public infrastructure works, shall be agreed in writing with the planning authority, prior to commencement of development and in default of agreement, shall be determined by An Bord Pleanála.

(b) Final detail in relation to the design of the proposed entrance to the site from the L1010, including drainage design, shall be agreed in writing with the planning authority prior to the commencement of development on the site.

Reason: In the interests of road safety.

5. (a) Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works in respect of both the construction and operation phases of the proposed development. (b) All works in the vicinity of watercourses shall be in accordance with the recommendations in Inland Fisheries Ireland's Guidance Document on Protection of Fisheries during Construction Works in and adjacent to Waters, 2016, shall be referred to in the Construction and Environmental Management Plan (CEMP) and shall be supervised by an Ecological Clerk of Works.

(c) The developer shall liaise with Irish Water in respect of connecting to the public water supply.

(d) Surface water from the site shall not be permitted to drain onto the adjoining public road or adjoining properties.

Reason: In the interest of environmental protection and public health.

6. The developer shall comply with the transportation requirements of the planning authority for such works and services as appropriate. Such requirements shall require provision of a detailed Construction Traffic Management Plan (CTMP) and shall include the following details:

(a) Consultation with TII and all private and public companies and road authorities.

(b) Details of haulage routes, control measures for abnormally sized vehicles and an Abnormal Load Assessment, if required.

(c) A road condition survey of roads and bridges along the haul route to be carried out at the developer's expense and to the satisfaction of the planning authority.

(d) Detailed arrangements for construction damage to be made good by the developer to the satisfaction of the planning authority (to include the L1010).

 (e) Detailed arrangements for temporary traffic management/ controls, to include arrangements for the safe operation of traffic in the vicinity of Tarbert
Comprehensive School, and protocols to keep residents informed,

(f) Construction Route Signage, and

(g) Road Opening Licences that will be required.

Reason: In the interest of traffic and pedestrian safety.

- 7. Prior to commencement of development, a detailed Construction Environmental Management Plan (CEMP) for the construction phase shall be submitted to and agreed in writing with the planning authority, generally in accordance with the Preliminary CEMP and Construction Traffic Management Plan submitted with the application. The CEMP shall incorporate the following:
  - (a) the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 15 of the EIAR (Archaeological Management Solutions, July 2024) and by any subsequent investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity,
  - (b) a detailed plan for the construction phase incorporating, inter alia, construction programme, supervisory measures, noise, dust and surface water management measures including appointment of a site noise liaison officer, construction hours and the management, transport and disposal of construction waste;
  - (c) a comprehensive programme for the implementation of all monitoring commitments made in the application and supporting documentation during the construction period;
  - (d) traffic management and road safety procedures and measures for the duration of underground cabling works under public roads,
  - (e) an emergency response plan; and
  - (f) proposals in relation to public information and communication.

A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of environmental protection and orderly development.

- The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. site. In this regard, the developer shall –
  - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works,
  - (c) this shall include the scope of any Advance Archaeological Geophysical Survey, Advance Test Excavation and Archaeological Monitoring as well as any additional mitigation measures that may be required to protect archaeological heritage,
  - (d) this shall include the location, extent and method of demarcation for any Exclusion Zones around the external-most elements of vulnerable heritage assets that are to be preserved in situ (as identified in Chapter 15 of the EIR or by subsequent investigations associated with the project),
  - (e) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove, and
  - (f) the planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

9. Washing out of fresh cement from trucks shall be carried out more than 50 metres from the Ralappane and Farranawana (Glencloosagh) Streams. Monitoring of Ralappane and Farranawana (Glencloosagh) Streams, 20-50 metres below the works site, will be carried out for alkalinity before, one hour after and one day after concrete pouring, by the independent Environmental Clerk of Works, and the results communicated to Inland Fisheries Ireland (IFI) and to the Department of Housing, Local Government and Heritage as soon as available. Inspections of the two streams below the works areas, during the construction period, by authorised officers of IFI and the Department of Housing, Local Government and Heritage.

**Reason:** In order to protect the environment and sensitive receptors in the vicinity.

10. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

11. The site development and construction works shall be carried out such a manner as to ensure that the adjoining roads/ streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.

**Reason:** To protect the residential amenities of property in the vicinity.

12. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site on cessation of the project coupled with an agreement empowering the planning authority to apply such security or part

thereof to such reinstatement. The form and amount of the security shall be as agreed between the planning authority and the undertaker or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory reinstatement of the site.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Liam Bowe Senior Planning Inspector

14<sup>th</sup> January 2025

# Appendix 1: AA Screening Determination Screening for Appropriate Assessment Screening Determination

#### Description of the project

The proposed development, as described in section 3.0 of this report and in Section 2 of the Screening Statement for Appropriate Assessment and Natura Impact Statement, generally comprises two 220kV substations and two 220kV underground cable circuits between the Shannon Technology and Energy Park (STEP) Power Plant and the existing line cable interface mast adjacent to the existing Kilpaddoge Substation, which in turn feeds into the electricity network.

The substations associated with the proposed development will be located adjacent to the proposed power plant facility, approximately 4.5km to the west of Tarbert and approximately 3.5km to the east of Ballylongford.

At the westerly point of the proposed development, the Lower River Shannon Special Area of Conservation (SAC) (Site code: 002165) is approximately 100m to the north and west of the proposed substation/ cable route and the River Shannon and River Fergus Estuaries Special Protection Area (SPA) (Site code: 004077) is approximately 100m to the north. The AA Screening Statement and NIS identify the key activities proposed for the construction and operational phases relevant to conservation features.

At the easterly point of the proposed development, where the connection to the existing network is proposed, the SAC and the SPA are approximately 400m from the proposed development. The proposed underground cable route will cross the Ralappane Stream which discharges into the Shannon Estuary.

# Potential impact mechanisms from the project

| Impact Mechanisms Phase |                   | Phase            | Description                                   |  |
|-------------------------|-------------------|------------------|---|--|
| 1.                      | Direct impact to  | Construction     | Potential for ex situ Otter (a QI species)    |  |
|                         | mobile QIs/ SCIs, | Phase            | to occur outside of the site boundary for     |  |
|                         | and supporting    |                  | the SAC and construction works could          |  |
|                         | habitat           |                  | adversely impact the foraging area along      |  |
|                         |                   |                  | the Ralappane Stream.                         |  |
|                         |                   |                  | Potential for impacts to ex situ feeding      |  |
|                         |                   |                  | grounds, and disturbance effects to SCI       |  |
|                         |                   |                  | species of the SPA e.g., lapwing and          |  |
|                         |                   |                  | redshank.                                     |  |
| 2.                      | Noise/ Vibration  | Construction     | Initial site preparation/ clearance works     |  |
|                         | disturbance       | Phase            | and construction activities will result in    |  |
|                         |                   |                  | noise, potentially displacing fauna.          |  |
| 3.                      | Generation of     | Construction     | Construction works will include               |  |
|                         | dust              | Phase            | excavation activities, drilling, stripping of |  |
|                         |                   |                  | soil and the storing of spoil material,       |  |
|                         |                   |                  | which have the potential to result in the     |  |
|                         |                   |                  | generation of dust over the duration of       |  |
|                         |                   |                  | the construction works.                       |  |
| 4.                      | Lighting          | Construction and | Potential to impact foraging connectivity     |  |
|                         | (temporary and    | Operational      | for foraging bats, especially lesser          |  |
|                         | permanent)        | Phase            | horseshoe bats if these are found to          |  |
|                         |                   |                  | occur.  |  |
| 5.                      | Generation of     | Construction     | Accidental release of chemical pollutants     |  |
|                         | surface-water     | Phase            | or other waste material/ pollutants to        |  |
|                         | pollution         |                  | nearby habitats, watercourses and             |  |
|                         |                   |                  | waterbodies.                                  |  |
|                         |                   |                  | Possible pollutants include fuels, oils,      |  |
|                         |                   |                  | greases, hydraulic fluids or construction     |  |
|                         |                   |                  | materials including concrete.                 |  |
|                         |                   |                  |   |  |

Sources of impact identified in the AA Screening report include:

| 6. | Introduction,    | Construction    | Potential for the spread of invasive      |  |
|----|------------------|-----------------|---|--|
|    | dispersal or     | Phase           | species during the construction works.    |  |
|    | spread of        |                 |   |  |
|    | invasive species |                 |   |  |
| 7. | Sedimentation of | Construction    | Runoff from excavated material may        |  |
|    | surface waters   | Phase           | result in the release of sediment,        |  |
|    | from site runoff |                 | impacting on habitat and water quality.   |  |
|    | and dewatering   |                 |   |  |
|    | of excavations   |                 |   |  |
| 8. | All of the above | Decommissioning | Effects would be similar but less than    |  |
|    |                  | Phase           | those assessed during construction of the |  |
|    |                  |                 | underground cables.                       |  |

#### European Sites at Risk

The Proposed Development is located approximately 100m to the south of the Lower River Shannon SAC (Site code: 002165) and the River Shannon and River Fergus Estuaries SPA (Site code: 004077), whilst the Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA (Site code: 004161) is located 10km south of the Proposed Development.

| Lower River Shanno   | n SAC (002165)                                 | Potential Impact | Likely<br>significant<br>effects (Y/N) |
|--|--|------------------|--|
| Interest   | Conservation Objective                         | meenamism        |  |
| 1110 Sandbanks<br>slightly covered by<br>seawater all the time | Maintain the favourable conservation condition | N/A              | N                                      |
| 1130 Estuaries   | Maintain the favourable conservation condition | 5, 7             | Y                                      |

### Likely significant effects on the European sites 'alone'
| 1140 Mudflats and   | Maintain the favourable   |                |             |
|---|---|----------------|-------------|
| sandflats not   | conservation condition  |                |             |
| covered by seawater   |   |                |             |
| at low tide   |   |                |             |
| 1150 Coastal  | Restore the favourable  |                |             |
| lagoons   | conservation condition  |                |             |
| 1160 Large shallow  | Maintain the favourable   |                |             |
| inlets and bays   | conservation condition  |                |             |
| 1170 Reefs  | Maintain the favourable   |                |             |
|   | conservation condition  |                |             |
| 1220 Perennial  | Maintain the favourable   |                |             |
| vegetation of stony   | conservation condition  |                |             |
| banks   |   |                |             |
| 1230 Vegetated sea  | Maintain the favourable   | N/A            | N           |
| cliffs of Atlantic and  | conservation condition  |                |             |
| Baltic coasts   |   |                |             |
| 1310 Salicornia and   | Maintain the favourable   | 5, 7           | Y           |
| annuals colonising  | conservation condition  |                |             |
| mud & sand  |   |                |             |
| 1330 Atlantic salt  | Restore the favourable  |                |             |
|   |   |                |             |
| meadows   | conservation condition  |                |             |
| meadows<br>1410 Mediterranean   | conservation condition<br>Restore the favourable  |                |             |
| meadows<br>1410 Mediterranean<br>salt meadows   | conservation condition<br>Restore the favourable<br>conservation condition  |                |             |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses   | conservation condition<br>Restore the favourable<br>conservation condition<br>Maintain the favourable   | <br>N/A        | N           |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses<br>of plain to montane  | conservation condition<br>Restore the favourable<br>conservation condition<br>Maintain the favourable<br>conservation condition   | <br>N/A        | N           |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses<br>of plain to montane<br>levels  | conservation condition<br>Restore the favourable<br>conservation condition<br>Maintain the favourable<br>conservation condition   | <br>N/A        | N           |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses<br>of plain to montane<br>levels<br>6410 Molinia  | conservation condition<br>Restore the favourable<br>conservation condition<br>Maintain the favourable<br>conservation condition<br>Maintain the favourable  | <br>N/A        | N           |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses<br>of plain to montane<br>levels<br>6410 Molinia<br>meadows on  | conservation condition Restore the favourable conservation condition Maintain the favourable conservation condition Maintain the favourable conservation condition  | <br>N/A<br>N/A | N           |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses<br>of plain to montane<br>levels<br>6410 Molinia<br>meadows on<br>calcareous, peaty or  | conservation condition<br>Restore the favourable<br>conservation condition<br>Maintain the favourable<br>conservation condition<br>Maintain the favourable<br>conservation condition                              | <br>N/A<br>N/A | N           |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses<br>of plain to montane<br>levels<br>6410 Molinia<br>meadows on<br>calcareous, peaty or<br>clayey-silt-laden soil                          | conservation condition<br>Restore the favourable<br>conservation condition<br>Maintain the favourable<br>conservation condition<br>Maintain the favourable<br>conservation condition                              | <br>N/A        | N           |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses<br>of plain to montane<br>levels<br>6410 Molinia<br>meadows on<br>calcareous, peaty or<br>clayey-silt-laden soil<br>91E0 Alluvial forests | conservation condition Restore the favourable conservation condition Maintain the favourable conservation condition Maintain the favourable conservation condition Maintain the favourable                        | N/A            | N<br>N<br>N |
| meadows<br>1410 Mediterranean<br>salt meadows<br>3260 Water courses<br>of plain to montane<br>levels<br>6410 Molinia<br>meadows on<br>calcareous, peaty or<br>clayey-silt-laden soil<br>91E0 Alluvial forests | conservation condition Restore the favourable conservation condition Maintain the favourable conservation condition Maintain the favourable conservation condition Maintain the favourable conservation condition | N/A            | N<br>N<br>N |

| 1029 Freshwater    | Restore the favourable  | N/A     | N |
|--------------------|-------------------------|---------|---|
| Pearl Mussel       | conservation condition  |         |   |
| 1095 Sea Lamprey   | Restore the favourable  | 5, 7    | Y |
|                    | conservation condition  |         |   |
| 1096 Brook Lamprey | Maintain the favourable |         |   |
|                    | conservation condition  |         |   |
| 1099 River Lamprey | Maintain the favourable |         |   |
|                    | conservation condition  |         |   |
| 1106 Atlantic      | Restore the favourable  |         |   |
| Salmon             | conservation condition  |         |   |
| 1349 Common        | Maintain the favourable | 5, 7    | Y |
| Bottlenose Dolphin | conservation condition  |         |   |
| 1355 Otter         | Restore the favourable  | 1, 5, 7 | Y |
|                    | conservation condition  |         |   |

| River Shannon and River Fergus Estuaries SPA |                               | Potential Impact | Likely        |
|--|-------------------------------|------------------|---------------|
| (004077)                                     |                               | mechanism        | significant   |
| Interest                                     | Conservation Objective        |                  | effects (Y/N) |
| A999 Wetland                                 | To maintain the favourable    | 5, 7             | N             |
|  | conservation condition of the |                  |               |
|  | wetland habitat as a resource |                  |               |
|  | for the regularly- occurring  |                  |               |
|  | migratory waterbirds that     |                  |               |
|  | utilise it.                   |                  |               |
| A017 Cormorant                               | Maintain the favourable       | 5, 7             | Y             |
|  | conservation condition        |                  |               |
| A052 Teal                                    | Maintain the favourable       | 1, 5, 7          | Y             |
| A054 Pintail                                 | conservation condition        |                  |               |
| A062 Scaup                                   |                               |                  |               |
| A050 Wigeon                                  |                               |                  |               |

|                        | 1 |   |   |
|------------------------|---|---|---|
| A056 Shoveler          |   |   |   |
| A048 Shelduck          |   |   |   |
|                        |   |   |   |
| A137 Ringed Plover     |   |   |   |
| A140 Golden Plover     |   |   |   |
|                        |   |   |   |
| A141 Grey Plover       |   |   |   |
| A143 Knot              |   |   |   |
|                        |   |   |   |
| A149 Dunlin            |   |   |   |
| A156 Black-tailed      |   |   |   |
| Godwit                 |   |   |   |
| Count                  |   |   |   |
| A157 Bar-tailed        |   |   |   |
| Godwit                 |   |   |   |
| A160 Curlow            |   |   |   |
| A 100 Cullew           |   |   |   |
| A162 Redshank          |   |   |   |
| A164 Greenshank        |   |   |   |
| A 104 Oreenshank       |   |   |   |
| A142 Lapwing           |   |   |   |
| A046 Light-bellied     |   |   |   |
| Brent Goose            |   |   |   |
| Dient 0003e            |   |   |   |
| A038 Whooper           |   |   |   |
| Swan                   |   |   |   |
| A 170 Die els haarde d |   |   |   |
| A179 Black-neaded      |   |   |   |
| Gull                   |   |   |   |
| 1                      |   | 1 | 1 |

| Stack's to Mullaghareirk Mountains, West<br>Limerick Hills and Mount Eagle SPA (004161) |                             | Potential Impact mechanism | Likely<br>significant |
|---|-----------------------------|----------------------------|-----------------------|
| Interest  | rest Conservation Objective |                            | enects (T/N)          |
| A082 Hen Harrier  | Restore the favourable      | Given the habitats         | N                     |
|   | conservation condition.     | within the                 |                       |
|   |                             | Proposed                   |                       |
|   |                             | Development site,          |                       |
|   |                             | it is of negligible        |                       |

| value for bree  | ding  |
|-----------------|-------|
| Hen Harrier ar  | nd of |
| low potential v | alue  |
| for foraging He | en    |
| Harrier.        |       |
|                 |       |

Further assessment in-combination with other plans and projects is not required at this time.

## **Overall Conclusion - Screening Determination**

On the basis of the information and submissions on the file, including the AA Screening Report and supporting information, the nature, size and location of the proposed development and its likely direct, indirect and cumulative effects, the source pathway receptor principle and proximity and functional relationship between the proposed works and the European sites and their conservation objectives, I conclude that the proposed development could result in significant effects on the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA.

Appropriate Assessment is therefore required to determine if adverse effects on the integrity of these sites can be ruled out. There is also the potential likelihood for significant in-combination effects with other plans or projects or activities.

The potential for significant effects on the conservation objectives of Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA as well as other European Sites outside of the zone of influence can be screened out with confidence because of the separation distances and the lack of substantive ecological linkages or pathways between the proposed works and these European sites.

In reaching the conclusion of the screening assessment, no account was taken of measures intended to avoid or reduce the potentially harmful effects of the project on any European Site.

It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is required on the basis of the effects of the project 'alone'.

## **Appendix 2: Appropriate Assessment**

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177U and 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section. The areas addressed in this section are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive,
- The Natura Impact Statement and associated documents, and
- Appropriate assessment of implications of the proposed development on the integrity of each European site.

## Compliance with Article 6(3) of the EU Habitats Directive

The Habitats Directive deals with the conservation of natural habitats and of wild fauna and flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

## The Natura Impact Statement

The application included a Natura Impact Statement prepared by Mott MacDonald dated July 2024, which examines and assesses potential adverse effects of the proposed development on the following European Sites:

- Lower River Shannon SAC (Site code: 002165), and
- River Shannon and River Fergus Estuaries SPA (Site code: 004077).

The applicant's NIS was prepared in line with current best practice guidance. The applicant's NIS concluded that:

- all aspects of the proposed development project have been identified which, in the light of the best scientific knowledge in the field, can by themselves or in combination with other plans or projects, affect the European sites in the light of its conservation objectives;
- there are complete, precise and definitive findings and conclusions regarding the identified potential effects on any European site;
- on the basis of those findings and conclusions, the competent authorities are able to determine that no scientific doubt remains as to the absence of the identified potential effects; and
- thus, the competent authorities may determine that the proposed development will not adversely affect the integrity of any European Site.

Having reviewed the documents, submissions and consultations with the NPWS etc, I am satisfied that the information allows for a complete assessment of any adverse effects of the development, on the conservation objectives of the following European sites alone, or in combination with other plans and projects:

- Lower River Shannon SAC (Site code: 002165), and
- River Shannon and River Fergus Estuaries SPA (Site code: 004077).

## Appropriate Assessment of implications of the proposed development

The following is a summary of the objective scientific assessment of the implications of the project on the qualifying interest features of the European sites using the best scientific knowledge in the field as presented in the NIS. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

The following Guidance was adhered to in my assessment:

 Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities (Department of the Environment, Heritage and Local Government, 2009).

- Assessment of plans and projects significantly affecting Natura 2000 sites
   Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC (European Commission, 2001).
- Guidelines on the implementation of the Birds and Habitats Directives in estuaries and coastal zones (European Commission, 2011).
- Managing Natura 2000 sites The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (European Commission, 2018).

## **European Sites**

The following sites are subject to Stage II Appropriate Assessment:

- Lower River Shannon SAC (Site code: 002165), and
- River Shannon and River Fergus Estuaries SPA (Site code: 004077).

A description of these sites and their Conservation Objectives and Qualifying Interests are set out in the NIS and are summarised above. I have also examined the Natura 2000 data forms as relevant and relevant Conservation Objectives Supporting Documents for these sites available through the NPWS and European websites (www.npws.ie and <u>https://natura2000.eea.europa.eu</u>).

The main mechanisms by which the proposed development could adversely affect the conservation objectives of European sites are identified in the NIS as follows:

- 1. Direct impact to *ex situ* waterfowl and otter.
- 2. Noise and vibration disturbance.
- 3. Dust effects.
- 4. Release of pollutants/ sedimentation during construction.
- 5. Dewatering during construction.

#### Lower River Shannon SAC

The Lower River Shannon SAC is designated for a total of twenty-one Annex I Habitat and Annex II species. The SAC stretches along the Shannon valley from Killaloe in Co. Clare to Loop Head/ Kerry Head, a distance of some 120km.

Marine/ Coastal Annex I Habitats: The proposed development is located outside of any European Sites and, consequently, there is no potential for direct effect to any QI or SCI species/ habitats within the site boundaries.

There is potential for the release of concrete, hydrocarbons, and sediment laden water into the SAC and, therefore, potential for impact to QIs such as Estuaries and Reefs.

No rare, protected or unusual species were observed.

Annex II Species: A critical habitat area for Bottlenose Dolphin is identified within the estuary 150m north of the subject site, through which at least part of the resident population migrates throughout the year. While the adjoining waters are regularly used by the dolphin passing through the area, they rarely stop and socialize or forage there. Furthermore, the works do not require impulsive operations within coastal waters likely to cause disturbance or injury to marine mammals.

An aquatic baseline report (December 2023) was prepared by Triturus Environmental Ltd. on behalf of the applicant at the three proposed crossing points (Ralappane Stream (x 2) and Farranawana Stream) for the grid connection cables. There are no spawning sites for Atlantic Salmon, Sea Lamprey or River Lamprey in either stream or no recorded activity. The European eel was recorded to be present in both streams. However, adult fish will pass the site when travelling up the river to spawn or on return to the sea or as smolts on their first migration to the sea. There is also potential that Sea Lamprey and River Lamprey to pass in close proximity to the site. Degradation in water quality has the potential to cause impacts to Sea lamprey, River lamprey, and Salmon.

Activity recorded in otter surveys from 2019 to 2024 included an otter sprainting site along the tidal section of the Ralappane Stream and two otters were recorded via a trail camera close to the confluence of the Ralappane Stream and shoreline of the Shannon Estuary. In the most recent survey, no holts were recorded within 150m of the development site boundary, but otter activity was recorded along the shoreline to the north of the subject site. An otter couch was recorded approximately 80m from the proposed development boundary. There is potential therefore for disturbance of otter associated with the Lower River Shannon SAC.

#### River Shannon and River Fergus SPA

The estuaries of the River Shannon and River Fergus form the largest estuarine complex in Ireland. The SPA is designated for a total of twenty-one bird species. The site has vast expanses of intertidal flats which contain a diverse macroinvertebrate community that provides a rich food resource for the wintering birds.

The application provides the results of bird surveys undertaken in respect of the subject development in 2018-2020. Thirteen of the 21 SCI species for the River Shannon and River Fergus Estuaries SPA were recorded during estuarine bird surveys. With the exception of black-headed gull, bird numbers foraging in the Shannon Estuary to the north of the proposed development site are low. A maximum of 10 curlew were recorded foraging in wet grassland habitats adjacent to Ralappane point. This reflects the lack of suitable intertidal foraging habitat in this area. The numbers of birds recorded were relatively low and no species were recorded in nationally important numbers.

Just one SCI species, cormorant, associated with the River Shannon and River Fergus SPA is listed for both breeding and wintering in the Conservation Objectives. Breeding bird surveys were carried out during the 2023 breeding season. No signs of breeding Cormorant were recorded, or no evidence of breeding cormorant or suitable breeding habitat were recorded during walkover surveys in 2024.

#### **Impact Prediction**

Section 4.3 of the NIS considers each Impact Mechanism and potential impacts on relevant conservation features, in respect of which I note the following:

#### Table 1: Impact Mechanisms

#### Impact Mechanism No.1: Direct impact to *ex situ* waterfowl and otter

Low numbers of *ex situ* curlew associated with the River Shannon and River Fergus Estuaries SPA were recorded foraging within the subject site. There is potential for direct impact to *ex situ* curlew and potentially other *ex situ* waterfowl (e.g. snipe and redshank) as a result of the proposed development.

However, the disturbance associated with the Proposed Development will be short term in nature and the habitat within the ZoI does not comprise principal supporting habitat for the waterfowl. Furthermore, disturbance of a low number of curlew from the ZoI of the Proposed Development will not result in a lack of key foraging options for the species. Consequently, no significant effects to the overall population and range are identified.

There is also potential for direct impact to *ex situ* otter associated with the River Shannon SAC. As a result of possible visual and noise disturbance, couching sites of otter in the vicinity (up to 150m) of the works would be adversely impacted and this includes potential holts and couches that become established prior to construction of the Proposed Development. Due to possible release of pollutants, the biomass of fish species in the local water course might decline further impacting otter.

In advance of enabling works, the Contractor's ECoW will conduct confirmatory otter surveys in advance of the commencement of any works within 150m of the works areas that will inform the refinement of mitigation measures. Further to this a suite of measures to avoid/ prevent contaminated runoff and pollution from site are proposed and other measures are proposed to avoid/ prevent contaminated runoff and pollution during water crossings (see Table 2 below).

# Conclusion:Subject to implementation of identified mitigation, there will be no<br/>adverse effects on the integrity of European sites.

#### Impact Mechanism No.2: Noise and vibration disturbance

There is potential for disturbance to bird species caused by presence of machinery and humans. The disturbance caused by the noise impulses, and presence of humans and

machinery, has the potential to displace wintering birds away from foraging areas which are in proximity to the Proposed Development.

There is potential, therefore, for impacts to curlew and waterfowl caused by noise and disturbance associated with the proposed development.

Critical habitat for bottlenose dolphin has been mapped 150m north of the Proposed Development at its closest location. Bottlenose dolphins using industrially developed coastal waters such as the Shannon Estuary are particularly vulnerable to anthropogenic disturbance and to habitat degradation.<sup>4</sup> However, the works do not require the impulsive operations within coastal waters likely to cause disturbance or injury to marine mammals. Therefore, there is no potential for impact to bottlenose dolphin associated with the Proposed Development.

High noise effects (70dB and higher) are restricted to within 50m of the Proposed Development. Noise modelling carried out indicates that the noise levels drop to below 55dB within approximately 230m of the proposed development, which is taken as a worstcase scenario.

Construction works are likely to result in temporary to short-term displacement of a small number of waterbirds. Having regard to the limited numbers of birds frequenting this area and their ability to habituate to predictable disturbance, no significant effect from visual or noise disturbance during construction or operation is predicted.

Construction works will not have a significant impact on otter due to disturbance or impacts on prey availability. Short-term displacement due to increased noise and disturbance is unlikely to significantly impact on otter due to their ability to move away from or adapt to short-term disturbance.

|  | Conc | lusion: |  |
|--|------|---------|--|
|--|------|---------|--|

Subject to implementation of identified mitigation, there will be no adverse effects on the integrity of European sites.

#### Impact Mechanism No.3: Dust effects

Construction works will include excavation activities, drilling, stripping of soil and the storing of spoil material. All activities have the potential to result in the generation of dust over the duration of the construction works. Dust may also be generated from track-out due to heavy duty vehicle (HDV) movements from the site itself.

<sup>&</sup>lt;sup>4</sup> P.3, Bottlenose dolphin survey in the Lower River Shannon SAC (November 2018), E. Rogan, M. Garagouni, M. Nykänen, A. Whitaker & S.N. Ingram, Report to the National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

The IAQM guidance states that risk to sensitive ecological receptors is "negligible" if they are located more than 50m from the boundary of the site, and 50m of the proposed construction routes, up to 250m from the site entrance.

Given the location of the Proposed Development relative to European sites and associated sensitive QI/ SCIs no potential for impact associated with dust effects is identified.

Conclusion:Subject to implementation of identified mitigation, there will be no<br/>adverse effects on the integrity of European sites.

#### Impact Mechanism No.4: Release of pollutants/ sedimentation during construction

Proposed works will require excavation along the cable route, and at the GIS substation locations. Works will require the general use of concrete. There is potential for the accidental release of concrete due to these works into adjacent coastal waters, and into the watercourses previously identified along the cable route. Additionally, there is potential for accidental release of sediment and hydrocarbons into watercourses.

Therefore, there is potential for impact to QIs of the SAC such as Estuaries and Reefs. Release of pollutants, in particular the release of cement fines into estuaries and reef habitat has potential to result in impacts to the invertebrate communities within the sediments. Degradation in water quality also has the potential to cause impacts to other QIs such as Sea lamprey, River lamprey, Salmon, Otter and/ or their supporting habitat.

The release of surface water emissions into the River Shannon waters, in particular cementitious products, which has the potential to cause mortality to adult salmon. The River Shannon Estuary acts as an important transit area for salmon. As such, there is also potential for out migrating smolt to occur within the ZoI of the Proposed Development. There is also a potential, due to possible release of pollutants, that the biomass of fish species in the local water course might decline and adversely impact on otter.

No works are required in areas identified as suitable habitat for juvenile lamprey and the watercourses within the ZoI of the proposed development have not been identified as spawning habitat for lamprey. As the area is naturally turbid and hydrodynamically active and experiences a high degree of natural suspended solids, there is no risk of significant effects to benthic habitats. Furthermore, any effect of increased turbidity or localised sediment deposition will be short-term due to rapid dispersion by local currents.

At watercourse crossings, the clearance of any riparian vegetation will be avoided/ or kept to the minimum required for the facilitation of the works such that no unnecessary exposure of riverbanks occurs. Where trenching (instream) works are proposed, electrofishing may be required to remove fish under licence from IFI. Method statements will be developed in agreement with the Employer's Representative and with IFI for the works. Open cut works will be carried out within a dry works area. Water pumped from the dry works area will be treated using settlement tanks to remove sediment prior to discharge back to the watercourse.

| Conclusion: | Subject to implementation of identified mitigation, there will be no |
|-------------|--|
|             | adverse effects on the integrity of European sites.                  |

### Impact Mechanism No.5: Dewatering during construction

There is potential for dewatering associated with construction to cause a localised draw down in groundwater. However, there are no Ground Water Dependant Terrestrial Ecosystems (GWDTEs) associated with European sites located within 250m of the proposed development.

Conclusion:There will be no adverse effects on the integrity of European sites<br/>from Impact Mechanism 5.

#### **Mitigation Measures**

The applicant has proposed a series of mitigation measures to avoid adverse effects on the Lower River Shannon SAC and the River Shannon and River Fergus Estuaries SPA. A summary assessment of these measures is provided in the table below.

| Table 2: Summary of assessment of mitigation measures |                       |                |                     |  |
|---|-----------------------|----------------|---------------------|--|
| Mitigation Measures                                   | Assessment            | Implementation | Monitoring          |  |
| Pre-Construction                                      | Surveys will allow    | Applicant/     | ECoW will conduct   |  |
| Confirmatory Surveys                                  | for the               | Contractor     | confirmatory otter  |  |
|   | identification of any |                | surveys in advance  |  |
|   | otter holts that      |                | of the              |  |
|   | have been             |                | commencement of     |  |
|   | established prior to  |                | any works within    |  |
|   | commencement of       |                | 150m of the works   |  |
|   | works                 |                | areas               |  |
| Standard construction                                 | Reduce potential      | Applicant/     | Appointment of      |  |
| best practice used to                                 | of adverse effects    | Contractor     | Environmental Clerk |  |

| manage the risk of        | to water quality of |            | of Works (EnCoW)  |
|---------------------------|---------------------|------------|-------------------|
| potential loss from the   | Shannon Estuary if  |            | to implement CEMP |
| runoff of concrete into   | implemented         |            | during period of  |
| nearby watercourses       |                     |            | construction      |
| and drains                |                     |            |                   |
| Standard construction     | As above            | Applicant/ | As above          |
| best practice used to     |                     | Contractor |                   |
| manage the risk of        |                     |            |                   |
| potential for loss of     |                     |            |                   |
| hydrocarbons such as      |                     |            |                   |
| diesel and hydraulic      |                     |            |                   |
| fluids.                   |                     |            |                   |
| Storage and               | As above            | Applicant/ | As above          |
| availability of oil spill |                     | Contractor |                   |
| response equipment.       |                     |            |                   |
| The clearance of any      | As above            | Applicant/ | As above          |
| riparian vegetation will  |                     | Contractor |                   |
| be avoided/ or kept to    |                     |            |                   |
| the minimum required      |                     |            |                   |
| for the facilitation of   |                     |            |                   |
| the works such that       |                     |            |                   |
| no unnecessary            |                     |            |                   |
| exposure of               |                     |            |                   |
| riverbanks occurs and     |                     |            |                   |
| to prevent the            |                     |            |                   |
| downstream                |                     |            |                   |
| transportation of         |                     |            |                   |
| surface water run off     |                     |            |                   |
| associated with           |                     |            |                   |
| vegetation clearance.     |                     |            |                   |
| Open cut works at         | As above            | Applicant/ | As above          |
| water crossings will      |                     | Contractor |                   |
| be carried out within a   |                     |            |                   |
| dry works area.           |                     |            |                   |
|                           |                     |            |                   |

| Standard best        | Reduce potential    | Applicant/ | The Contractor's     |
|----------------------|---------------------|------------|----------------------|
| practice and are     | of disturbance and  | Contractor | EnCoW will carry     |
| proven technologies/ | adverse effects to  |            | out daily monitoring |
| methods, i.e., sound | wintering waterfowl |            | of noise reduction   |
| hoarding and noise   |                     |            | measures             |
| reduction measures   |                     |            |                      |
| generally to reduce  |                     |            |                      |
| noise impacts on     |                     |            |                      |
| projects.            |                     |            |                      |
|                      |                     |            |                      |

## Potential for Adverse Effects on Site Integrity

In relation to benthic habitat loss, the subject site is not within the Lower River Shannon SAC. However, the proposed cables cross two watercourses that flow into the SAC and these watercourses are likely to be used by *ex situ* otters.

I note the comments of the DAU in this regard whereby they highlight that the Triturus survey recorded European eel from both the western crossing of the Ralappane Stream and from the Farranawana Stream. They state in their submission that eel are an important prey item for otters and that the construction of concrete culverts has been observed to result in eel mortality. They welcome the appointment of an independent EnCoW and other mitigation measures outlined in Tables 4.16 and 4.17 of the submitted NIS. A monitoring condition is recommended.

Based on the evidence presented or otherwise available, I do not consider that the proposed development, occurring within this dynamic environment, will give rise to a significant adverse effect on the integrity of the Lower River Shannon SAC as standard construction best practice will be used to manage the risk of potential impacts from the runoff of concrete and hydrocarbons into nearby watercourses and drains

Similarly, having examined the information and data provided or otherwise available, I am satisfied that the proposed development will not affect the overall integrity of the River Shannon and River Fergus Estuaries SPA in this instance due to the very small area affected and the low-quality habitat for *ex situ* SPA birds at this location, which is reflected in the low numbers of birds recorded utilising this area.

## In-Combination Effects

There is potential for discharges to surface water from the project alone and in combination with other plans and projects to undermine the conservation objectives of the Natura 2000 network. The applicant's Natura Impact Statement identifies plans/ projects as presenting a risk of acting in-combination with the Proposed Development inter alia:

- Strategic Gas Reserve Facility, which is the subject of a SID preapplication (ABP-319245-24).
- Concurrent application for 600MW Powerplant, 120MW Battery Energy Storage System, Above Ground Installation (ABP-319566-24).
- Future adjacent data centre to be subject to separate future planning application.
- 10-year permission for a Battery Energy Storage Project at Kilpaddoge, Tarbert, previously subject to AA Screening.
- Construction of a windfarm of six turbines (ABP-304807-19), previously subject to AA (complete).
- Grid connection route for wind farm (ABP-308643), previously subject to AA (complete).
- LNG pipeline, previously subject to AA Screening.
- Cross Shannon 400kV Cable Project between Moneypoint and Kilpaddoge, subject to AA and granted permission under ABP-313661.
- Moneypoint Synchronous Condenser (PA ref. no.'s: 20/318 and 21/850), previously subject to AA (complete).
- Temporary emergency electricity generation capacity at Tarbert Generating Station.
- Survey of pipelines between Tarbert Generating Station and Kilkerin Point, Co. Clare.

This analysis is considered to be complete and robust in terms of plans and projects and no potentially significant impacts are identified taking into account any residual impacts from the proposed development.

# Summary of Appropriate Assessment of implications of the proposed development on the integrity of European Sites alone and in combination with other plans and projects in view of the sites Conservation Objectives:

| Lower River Shannon SAC |                                   |                       |                   |               |
|-------------------------|-----------------------------------|-----------------------|-------------------|---------------|
|                         | Summary of appropriate assessment |                       |                   |               |
| Conservation            | Targets and                       | Potential adverse     | Potential In-     | Can adverse   |
| objective               | attributes                        | effects               | combination       | effects on    |
|                         |                                   |                       | effects           | integrity be  |
|                         |                                   |                       |                   | excluded?     |
| 1130                    | Habitat Area,                     | Release of            | Release of        | Yes. The      |
| Estuaries               | Community                         | pollutants/           | pollutants/       | conclusions   |
|                         | distribution                      | sedimentation         | sedimentation     | regarding the |
| 1170 Reef               | Habitat                           | during construction.  | during            | absence of    |
|                         | Distribution                      |                       | construction with | long-term     |
|                         | Habitat Area                      |                       | concurrent        | effects are   |
|                         |                                   |                       | construction of   | reasonable.   |
|                         | Community                         |                       | 600MW power       |               |
|                         | distribution                      |                       | plant and BESS    |               |
|                         |                                   |                       | on adjacent/      |               |
|                         |                                   |                       | overlapping site. |               |
| 1140 Mudflats           | Area                              | Discharges/           | As above          | Yes. The      |
| and sandflats           | Community                         | emissions during      |                   | conclusions   |
| not covered by          |                                   | construction have     |                   | regarding the |
| seawater at             | Distribution                      | potential to impact   |                   | absence of    |
| low tide                |                                   | on water quality.     |                   | long-term     |
| 1150 Coastal            | Area                              | Subject to identified |                   | effects are   |
| lagoons                 | Distribution                      | mitigation, impacts   |                   | reasonable.   |
|                         |                                   |                       |                   |               |

| Salinity  | will be minor and  |  |   |
|---|--|--|---|
| regime  | localised and will not   |  |   |
| Hydrological  | have an adverse  |  |   |
| regime  | effect on site   |  |   |
| Barrier:<br>connection to<br>sea.   | integrity.   |  |   |
| Water quality   |  |  |   |
| Depth of<br>macrophyte<br>colonisation  |  |  |   |
| Typical plant<br>and animal<br>species  |  |  |   |
| Negative<br>indicator<br>species  |  |  |   |
| Area  |  |  |   |
| Community   |  |  |   |
| Distribution  |  |  |   |
| Area  |  |  |   |
| Distribution  |  |  |   |
| Physical<br>structure:<br>functionality<br>and<br>sediment<br>supply<br>Vegetation<br>structure:<br>zonation. |  |  |   |
|   | Salinity<br>regime<br>Hydrological<br>regime<br>Barrier:<br>connection to<br>sea.<br>Water quality<br>Depth of<br>macrophyte<br>colonisation<br>Typical plant<br>and animal<br>species<br>Negative<br>indicator<br>species<br>Negative<br>indicator<br>species<br>Area<br>Community<br>Distribution<br>Area<br>Distribution<br>Area<br>Distribution<br>Physical<br>structure:<br>functionality<br>and<br>sediment<br>supply<br>Vegetation<br>structure:<br>zonation. | Salinitywill be minor and<br>localised and will not<br>have an adverse<br>effect on site<br>integrity.Barrier:<br>connection to<br>sea.Water qualityDepth of<br>macrophyte<br>colonisationTypical plant<br>and animal<br>speciesNegative<br>indicator<br>speciesAreaDistributionAreaDistributionPhysical<br>sediment<br>supplyVegetation<br>structure:<br>conation.Vater<br>indicatorAreaDistributionAreaDistributionAreaDistributionAreaDistributionAreaDistributionAreaDistributionPhysical<br>supplysupplyVegetation<br>structure:<br>conation. | Salinitywill be minor and<br>localised and will not<br>have an adverse<br>effect on site<br>integrity.Barrier:<br>connection to<br>sea.effect on site<br>integrity.Water qualityPepth of<br>macrophyte<br>colonisationTypical plant<br>and animal<br>specieseffect on site<br>integrity.Negative<br>indicator<br>specieseffect on site<br>integrity.Areaeffect on site<br>integrity.Distributioneffect on site<br>integrity.Areaeffect on site<br>indicator<br>speciesAreaeffect on site<br>indicator<br>speciesVegetation<br>structure:<br>zonation.effect on site<br>indicator<br>species |

|                | Vegetation      |                       |          |               |
|----------------|-----------------|-----------------------|----------|---------------|
|                | composition:    |                       |          |               |
|                | - typical       |                       |          |               |
|                | species &       |                       |          |               |
|                | sub-            |                       |          |               |
|                | communities     |                       |          |               |
|                | - negative      |                       |          |               |
|                | indicator       |                       |          |               |
|                | species         |                       |          |               |
| 1310           | Area            |                       |          |               |
| Salicornia and | Distribution    |                       |          |               |
| colonising     | Physical        |                       |          |               |
| mud & sand     | Structure       |                       |          |               |
|                | Vegetation      |                       |          |               |
|                | Structure       |                       |          |               |
|                | Vegetation      |                       |          |               |
|                | Composition     |                       |          |               |
| 1330 Atlantic  | Area            |                       |          |               |
| salt meadows   | Distribution    |                       |          |               |
| 1410           | Physical        |                       |          |               |
| Mediterranean  | Structure       |                       |          |               |
| salt meadows   | Vegetation      |                       |          |               |
|                | Structure       |                       |          |               |
|                | Vegetation      |                       |          |               |
|                | Composition     |                       |          |               |
| 1095 Sea       | Distribution    | Discharges/           | As above | Yes. The      |
| Lamprey        | Population      | emissions during      |          | conclusions   |
| 1096 Brook     | structure of    | construction have     |          | regarding the |
| Lamprey        | juveniles       | potential to impact   |          | absence of    |
|                |                 | on water quality.     |          | long-term     |
| 1099 River     |                 | Subject to identified |          |               |
| Lamprey        | aistribution of | mitigation, impacts   |          |               |

|               | spawning        | will be minor and      |          | effects are   |
|---------------|-----------------|------------------------|----------|---------------|
|               | habitat         | localised and will not |          | reasonable.   |
|               | Availability of | have an adverse        |          |               |
|               | juvenile        | effect on site         |          |               |
|               | habitat         | integrity.             |          |               |
| 1106 Atlantic | Distribution    |                        |          |               |
| Salmon        | Distribution    |                        |          |               |
| Califion      | Adult           |                        |          |               |
|               | spawning        |                        |          |               |
|               | fish            |                        |          |               |
|               | Fry             |                        |          |               |
|               | abundance       |                        |          |               |
|               | Smolt           |                        |          |               |
|               | abundance       |                        |          |               |
|               | Redds no.       |                        |          |               |
|               | and             |                        |          |               |
|               | distribution.   |                        |          |               |
|               | Water quality   |                        |          |               |
| 1349 Common   | Access to       | Discharges/            | As above | Yes. The      |
| Bottlenose    | suitable        | emissions during       |          | conclusions   |
| Dolphin       | habitat         | construction have      |          | regarding the |
|               | Habitat use:    | potential to impact    |          | absence of    |
|               | Critical areas  | on water quality and   |          | long-term     |
|               | Disturbance     | prey abundance.        |          | effects are   |
|               | Disturbance     | Subject to identified  |          | reasonable.   |
|               |                 | mitigation, impacts    |          |               |
|               |                 | will be minor and      |          |               |
|               |                 | localised and will not |          |               |
|               |                 | have an adverse        |          |               |
|               |                 | effect on site         |          |               |
|               |                 | integrity.             |          |               |
|               |                 |                        |          |               |
| 1355 Otter    | Distribution    | No change in the       | As above | As above      |
|               |                 | extent of terrestrial  |          |               |

| Habitat      | habitat available for |  |
|--------------|-----------------------|--|
| extent       | otter.                |  |
| Couching     | Possible visual and   |  |
| sites and    | noise disturbance at  |  |
| holts        | the couching sites of |  |
| Fish biomass | otter in the vicinity |  |
|              | (up to 150m) of the   |  |
| Barriers to  | works.                |  |
| connectivity | Possible release of   |  |
|              | pollutants that could |  |
|              | cause a decline in    |  |
|              | the biomass of fish   |  |
|              | species in the local  |  |
|              | water courses.        |  |
|              | Disturbance during    |  |
|              | construction activity |  |
|              | will be temporary     |  |
|              | and not significant.  |  |

## **Overall Conclusion: Integrity test**

Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of the European Sites in view of the site's conservation objectives. No reasonable scientific doubt remains as to the absence of such effects.

1110 Sandbanks slightly covered by seawater all the time, 91E0 Alluvial forests, 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soil, 3260 Water courses of plain to montane levels, 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts, 1029 Freshwater Pearl Mussel were screened out.

| River Shannon and River Fergus Estuaries SPA |  |  |   |  |
|--|--|--|---|--|
| Summary of appropriate assessment            |  |  |   |  |
| Conservation<br>objective                    | Targets and<br>attributes  | Potential adverse<br>effects   | Potential In-<br>combination<br>effects   | Can adverse<br>effects on<br>integrity be<br>excluded?   |
| Cormorant                                    | no significant<br>decrease in<br>the range,<br>timing or<br>intensity of<br>use of areas<br>Breeding<br>population<br>abundance<br>Productivity<br>rate<br>Prey biomass<br>available<br>Barriers to<br>connectivity<br>Disturbance<br>at the<br>breeding site<br>Population<br>trend | curlew and waterfowl<br>e.g., snipe, lapwing<br>and redshank, with<br>clearance of vegetation<br>adjacent to nearby<br>watercourses.<br>Noise and vibration<br>disturbance during<br>construction. | vibration<br>disturbance<br>during<br>construction<br>with<br>concurrent<br>construction<br>of 600MW<br>power plant<br>and BESS on<br>adjacent/<br>overlapping<br>site. | Low number of<br>SCI birds use<br>the area in the<br>vicinity of the<br>site. No<br>significant<br>change in<br>numbers of<br>birds or<br>distribution in<br>the SPA is<br>likely.<br>No doubt<br>regarding the<br>effectiveness<br>or<br>implementation<br>of mitigation<br>measures<br>proposed to<br>prevent<br>indirect effects. |
| A052 Teal<br>A054 Pintail<br>A062 Scaup      | Population<br>trend<br>Distribution:   |  |   |  |
| A050 Wigeon                                  | no significant<br>decrease in  |  |   |  |

| A056 Shoveler | the range,   |   |   |   |
|---------------|--------------|---|---|---|
| A048          | timing or    |   |   |   |
| Shelduck      | intensity of |   |   |   |
|               | use of areas |   |   |   |
| A137 Ringed   |              |   |   |   |
| Plover        |              |   |   |   |
| A140 Golden   |              |   |   |   |
| Plover        |              |   |   |   |
| A141 Grey     |              |   |   |   |
| Plover        |              |   |   |   |
| A143 Knot     |              |   |   |   |
|               |              |   |   |   |
| A149 Dunlin   |              |   |   |   |
| A156 Black-   |              |   |   |   |
| tailed Godwit |              |   |   |   |
| A157 Bar-     |              |   |   |   |
| tailed Godwit |              |   |   |   |
|               |              |   |   |   |
| A 160 Cullew  |              |   |   |   |
| A162          |              |   |   |   |
| Redshank      |              |   |   |   |
| A164          |              |   |   |   |
| Greenshank    |              |   |   |   |
| A142 Lapwing  |              |   |   |   |
|               |              |   |   |   |
| A046 Light-   |              |   |   |   |
| bellied Brent |              |   |   |   |
| Goose         |              |   |   |   |
|               |              |   |   |   |
|               |              |   |   |   |
|               |              |   |   |   |
| A179 Black-   |              |   |   |   |
| headed Gull   |              |   |   |   |
|               | 1            | 1 | 1 | 1 |
|               |              |   |   |   |
|               |              |   |   |   |

#### **Overall Conclusion: Integrity test**

Following the implementation of mitigation, the construction and operation of this proposed development will not adversely affect the integrity of the European Sites in view of the site's conservation objectives. No reasonable scientific doubt remains as to the absence of such effects.

A999 Wetland was screened out.

#### **Integrity Test**

Following the appropriate assessment and the consideration of mitigation measures, I am able to ascertain with confidence that the project would not adversely affect the integrity of the Lower River Shannon SAC (Site code: 002165) and the River Shannon and River Fergus Estuaries SPA (Site code: 004077) in view of the Conservation Objectives of these sites.

#### Appropriate Assessment Conclusion

Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Lower River Shannon SAC (Site code: 002165) and River Shannon and River Fergus Estuaries SPA (Site code: 004077).

Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in-combination with other plans or projects would not adversely affect the integrity of those European Sites in view of their Conservation Objectives.

This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation and ecological monitoring measures.
- Detailed assessment of in-combination effects with other plans and projects including historical projects, current proposals and future plans.
- No adverse effects to wintering or breeding Special Conservation Interest bird species of the SPA following the application of mitigation measures.
- Taking full account of all proposed mitigation measures which will ensure no adverse effects on the qualifying interests of the SAC, including Salmon, Sea and River lamprey and Otter, their habitats or prey upon which they are dependent.
- No significant effects on the qualifying interests of European sites or supporting habitats, arising from operational airborne pollution.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Lower River Shannon SAC (Site code: 002165) and River Shannon and River Fergus Estuaries SPA (Site code: 004077).