# An Bord Pleanála

## Inspector's Report

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| **Development:**<br>**Location:** | County Donegal |
| **Development:** | Electricity transmission network |
| Planning Authority: | Donegal County Council |
| Applicant: | ESB Networks Ltd. and EirGrid Plc. |
| Type of Application: | Request to alter previously approved development of the Donegal 110kV Project (Application Reference Number 05.VA0003) |
| Date of Site Inspection: | 21st January 2016 & 21st March 2016 |
| Inspector: | Dolores McCague |

## 1 PROPOSED DEVELOPMENT

1.1 The proposal is to make amendments to development consented under PL05.VA0003 comprising:

- Relocation of the previously permitted switching station located at Tievebrack to a new site at Drumnalough.
- Construction of four additional polesets (177, 178, 179 and 180) and one end mast (181) on the Ardnagappary – Tievebrack 110kV line and two additional angle masts (130a, 130b) on the Binbane – Letterkenny 110kV line to facilitate the new switching station location. Three temporary angle masts (T1, T2 and T3) will be erected to divert the live Binbane – Letterkenny 110kV line during construction. These structures will be removed once construction is completed.
- Minor movements of structures (27, 29, 82, 117, 160, 166, 169, 172 and 176) on the permitted Ardnagappary – Tievebrack 110kV line route.

## 2 SITE LOCATION

2.1 The site is located at several locations in County Donegal. The main part of the site is located in the townland of Drumnalough where the switching station is to be sited. Associated components of the alteration will be located at locations in the vicinity of Drumnalough. Parts of the alteration will occur at various locations in Donegal along the route of the permitted line.

2.2 The Drumnalough site is located in an east/west oriented river valley, with hills running alongside the valley to the south including Drumnalough Hill the closest one; and hills including Shalloganbeg running along the valley to the north. The river, flowing along the valley floor, is the Stracashel river. A local road runs close to and north of the river. The site is accessed via a stone Coillte track which joins the local road some distance to the east after crossing the Stracashel river south of the public road. As the access track routes through the valley, south of the river it passes an industrial/agricultural facility to the north, close to the river bank.

2.3 The switching station site is not defined on the ground. It is at the north-western end of a large forestry plantation.

2.4 The T shaped termination of the access route provides access to the location and the Binbank Letterkenny 110kV line and support structures are in place.

2.5 The site includes a flat area on which the station compound will be placed and a sloping area to the north and east. The site was previously afforested by Coillte, a process which included cutting through the peat to create drains and the planting with conifer trees. The conifers have been felled and the site is uneven underfoot with tree stumps throughout.

2.6 At the southern end where the control building and compound will be located the ground is level and firm. Towards the north the site falls away and parts of this site have deep soft peat and which can not be traversed on foot. West, north and east of the proposed compound area there are silt barriers, where a build-up of peat appears to have occurred, particularly near the northern end of the site.

2.7 The site has not been replanted since the last felling.

2.8 Parts of the route alteration occur in the valley between the hills referred to above. The permitted location at Tievebrack is to the north of the river and the relocation requires extension of the 110kV line, termed the Ardnagappary – Tievebrack line, southwards to Drumnalough.

2.9 Other parts of the alteration will occur at several locations along the route of the permitted line, many in upland locations removed from settlement.

## 3 APPLICATION DOCUMENTS

3.1 The application for approval is accompanied by two bound volumes:

3.2 Volume 2 contains drawings –

For polesets and masts (nos: 27, 29, 82, 117, 160, 166, 169, 172 and 176) in respect of which minor movements are proposed, there are composite documents (A3) with include a map OSI 1:30,000, aerial photographs 1:3,000 and 1:1,000 and notation, referring to the structure to be relocated; the distance of the move and the reason for the move; e.g. it is intended that poleset no. 27 will be moved 46m from its permitted location to avoid a stream. Maps scale 1:2,500 show the location of structures in relation to the permitted line.

New structures, 177-181, which are required to extend the Ardnagappry - Tievebrack 110kV line to Drumnalough switching station are shown on a map scale 1:5,000 also, together with the line and structures forming the Binbane – Letterkenny line, with which they run parallel, on an aerial photograph scale 1:5,000.

Mapping scale 1:50,000 shows the locations of proposed alterations in relation to the overall Ardnagappry - Tievebrack 110kV line and in relation to part of the Binbane – Letterkenny 110kV line.

Detailed drawings at various scales, show the layout and components of the proposed Drumnalough 110kV switching station. Components include existing and proposed masts, temporary towers, control building and station compound, berm and peat repository, existing forestry drains and proposed check dams.

3.3 Volume 1, which is accompanied by a digital copy, contains a planning report and appendices:

Appendix 1 - Board Orders VA0003 and VM0004
Appendix 2 - Construction Methodology
Appendix 3 - Environmental Impact Assessment (EIA) Screening Report
Appendix 4 - Appropriate Assessment (AA) Screening
Appendix 5 - Natura Impact Statement (NIS) including Sediment Erosion & Control Plan
Appendix 6 - Response to Consultation received from Department of Arts, Heritage and the Gaeltacht dated 15th May 2014 and Ecology Protocol
Appendix 7 - Landscape & Visual Assessment (including photomontages)
Appendix 8 - Flood Risk Assessment Report
Appendix 9 - Cultural Heritage Report
Appendix 10 Noise Report

3.4 **The Environmental Impact Assessment Screening Report**

3.5 The EIA screening report states that the proposed works are not of a type, scale or threshold as set down in Schedule 5 of the Planning and Development Regulations, 2001-2013 where an EIA would be mandatory.

3.6 The report concludes that the proposed works do not give rise to impacts of a magnitude which could cause a significant effect on the environment as assessed using the evaluation criteria set down in the guidance document entitled 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development' (2003). Accordingly the

EIA Screening Report finds that an Environmental Impact Assessment is not required in respect of this project.

3.7 **Appropriate Assessment Screening**

3.8 **Consultation**

3.9 A letter from the DAHG DAU 15 May 2014, to the proposer is supplied which refers to a meeting re. the switching station relocation. The DAHG DAU note potential impacts would be caused by:

- Deterioration of water quality in the Stracashel River from pollution from surface water run-off during site preparation and construction, including the storage of excavated material, road upgrading/construction and the erection of pole sets;
- Deterioration of water quality in the Stracashel River from pollution from surface water run-off post construction from the development;
- Deterioration of water quality in the Stracashel River from pollution/eutrophication caused by wastewater treatment system, if one is provided;
- Damage/destruction to adjacent habitats in the SAC due to inappropriate site preparation and construction techniques
- Disturbance to local wildlife during site preparation and construction.

The Department supports the view that the site at Drumanlough provides significant geotechnical and environmental risk reduction benefits, even though there are additional pole sets within the SAC. The Department is of the opinion that the potential risk of significant impacts to the Natura 2000 site is reduced at the Drumnalough site.

3.10 The Appropriate Assessment (AA) Screening and Natura Impact Statement reports were prepared by Eleanor Mayes, Ecological Consultant and Gerard Morgan, Aquatic Services Unit.

**Screening**

3.11 The proposed amended location of the switching station at Drumnalough is outside but immediately adjoining lands along the Stracashel River that are included within the West of Ardara/Maas Road SAC. Two additional angle masts required on the Binbane to Letterkenny 110kV line, structure

Nos.130a and 130b, and a single additional angle mast required on the Ardnagappary to Drumnalough line, structure No. 181, together with three temporary angle masts, are also located outside but close to the SAC boundary. The Drumnalough site is hydrologically linked to the Stracashel River via a stream. Four additional polesets are required in order to extend the approved Ardnagappary to Tievebrack route south to Drumnalough. Two of these structure Nos.179 and 180, are located within the SAC, poleset Nos. 177 and 178 and angle mast 176 are just outside the SAC (Figure 5.2).

3.12 A total of 9 approved structure locations on the Ardnappary – Tievebrack 110kV line are proposed to be amended, as listed in Table 1-1. One of these structures, No. 82, lies within Cloghernagore Bog and Glenveagh National Park SAC (Site Code 002047) and within Derryveagh and Glendowan Mountains SPA (Site Code 004039). The other eight structures proposed to be amended do not lie within Natura 2000 sites (Figures 5-1, 5-2, and 5-3), although seven of them are potentially hydrologically linked to Natura 2000 sites arising from proximity to flushed ground or streams. Structures 160, 166, 169, 172 and 176 are potentially linked to West of Ardara/Maas Road SAC, while structures 27 and 29 are potentially linked to Gweedore Bay and Islands SAC.

3.13 The Appropriate Assessment (AA) Screening report considers that although the Drumnalough switching station site is lower risk with regard to peat stability than the permitted site, and site drainage is more readily managed, nevertheless, there remains a requirement for excavation, for the local transport of excavated materials to repository areas to be developed as part of the project works, and for construction activities. There is the potential for these activities to give rise to the washout of solids-contaminated run-off of an organic (peat) and inorganic (mineral soil) from access routes and construction areas to enter, either directly or indirectly, streams in the site and in vicinity of the site and hence to the Stracashel River, causing direct or indirect damage to the physical quality of the environment in receiving watercourses. There is therefore a potential for adverse effects to arise with regard to the conservation status of the qualifying interests Freshwater pearl mussel and Salmon within the West of Ardara/Maas Road SAC, in view of the known sensitivities of these species.

3.14 The proposed amendments also include the construction of two polesets within West of Ardara/Mass Road SAC, with potential direct impacts on habitats present at poleset locations and on access routes to them.

3.15 It concludes that it is necessary to proceed to Stage 2 of the Appropriate Assessment process in order to consider those habitats and species which are identified in Table 5-2 as having a potential to be impacted by the proposed amendments, and to provide mitigation measures as appropriate.

3.16 With regard to the proposed approved structure relocations on the Ardnagappary to Tievebrack line, since these are part of the proposed amendment to the approved Donegal 110 kV Project consideration of any issues that may potentially arise with regard to Natura 2000 sites will be included in the Stage 2 process.

3.17 **Natura Impact Statement**

3.18 The Natura sites which could potentially be impacted by the project alterations are listed in table 5.1:

West of Ardara/Maas Road SAC - could be impacted by the re-located switching station from Tievebrack to Drumnalough. The Drumnalough site is in the vicinity of this SAC; as is the Tievebrack site. The SAC could be impacted by additional structures on the Binbane Letterkenny (BL) line: 130a, 130b, in the vicinity of this SAC. The SAC could be impacted by additional structures on the Ardnagappary Drumnalough (AD) line: 177, 178, and 181, in the vicinity of the SAC. Additional structures AD 179 and 180 located within West of Ardara Maas Road SAC, could impact the SAC. The SAC could be impacted by amended locations of AD structures 160, 166, 169, 172 and 176: structure 160 is located in the Gweebarra catchment, structures 166, 169 and 172 are located in the Stracashel – Owenea catchment; these locations are hydrologically linked to the West of Ardara Maas Road SAC.

Cloghernagore Bog and Glenveagh National Park SAC - AD structure 82 and its amended location are within the SAC.

Derryveagh and Glendowan Mountains SPA - AD structure 82 and its amended location are within the SPA.

Gweedore Bay and Islands SAC - AD structures 27 and 29 and their amended locations are upstream of and hydrologically linked to the SAC.

3.19 The qualifying interests for West of Ardara/Mass Road SAC, and their potential to be impacted by the proposed amendments to the project are listed in table 5.2. For most of the 31 qualifying interests listed, there is no potential for impact, in many cases because of distance or because a pathway does not exist. Qualifying interests, requiring further consideration are:

Freshwater pearl mussel
Marsh fritillary
Salmon
Otter

Northern Atlantic wet heaths with Erica tetralix
Blanket bog (*active only) and
Depressions on peat substrates of the Rhynchosporion.

3.20 The qualifying interests for Cloghernagore Bog and Glenveagh National Park SAC, and their potential to be impacted by the proposed amendments to the project are listed in table 5.3. For most of the 13 qualifying interests listed there is no potential for impact, in many cases because of distance or because a pathway does not exist. Qualifying interests, requiring further consideration are: Northern Atlantic wet heaths with Erica tetralix and Blanket bog (*active only), in relation to the proposed relocation of structure 82.

3.21 The qualifying interests for Derryveagh and Glendowan Mountains SPA, and their potential to be impacted by the proposed amendments to the project are listed in table 5.4. Of the 5 qualifying interests listed there is potential for impact on one: red-throated diver, in relation to the proposed relocation of structure 82.

3.22 The qualifying interests for Gweedore Bay and Islands SAC, and their potential to be impacted by the proposed amendments to the project are listed in table 5.3. For most of the 19 qualifying interests listed, there is no potential for impact, in many cases because of distance or because a pathway does not exist. The single qualifying interest requiring further consideration is Otter in relation to the proposed relocation of structures 27 and 29.

3.23 **West of Ardara/Maas Road SAC**

3.24 **Relocation of the previously permitted switching station located at Tievebrack to a new site at Drumnalough.**

3.25 The switching station installation will consist of the following elements:

Site entrance widening works;

Site Access Road including local remedial works associated with existing Coillte access road leading to the switching station location;

Site preparation including setting out and temporary fencing, provision of a temporary construction compound;

Construction of berm downslope of the switching station site for the containment of excavated materials, bulk earthworks, including site levelling and entrance road construction;

Existing OHL temporary modifications works;

Existing OHL permanent works;

Switching Station control building which houses control room, battery room, W.C., mess room, diesel generator room and store room;

Earth grid

Station electrical installation works including associated foundations;

Site services including surface water drainage, foul water drainage and water supply;

Paving, fencing and external finishes; and

Landscaping.

3.26 Access - The access road to the switching station compound will be the existing Coillte track which is 2.6km in length extending from the existing Coillte site entrance to the local road. A splayed road entrance is proposed. Strengthening will be carried out on localised sections of existing track. There will be a requirement for the provision of one extra passing bay, which will require a local widening of the access at one location.

3.27 Limestone will not be used in the development. It is proposed that stone excavated from the existing borrow pit / proposed materials deposition area (MDA) will be used where possible and any supplementary stone will be procured from a nearby quarry which supplies stone consistent with the local geology (quartzite) or equivalent such as granite, gneiss or schist.

3.28 It is proposed to erect a temporary bridge to clear span the existing culvert bridge over the stream within the Drumnalough site during the construction works in order to protect the existing culvert and receiving waters. The temporary bridge will be lined with geomembrane under the deck and will extend up each side at the parapet railings in order to prevent fines or spillages from entering the stream at this point.

3.29 Temporary fencing, temporary construction compound and the construction of the three temporary angle masts - Excavations will extend to mineral soil formation level which is found at depths below peat of less than 1m in the area of the station.

3.30 Berm/Peat Storage area - Adjoining to the north and east of the switching station it is proposed to construct a berm to contain excavated material. Approximately 5,160m$^3$ of fill will be required for the construction of the berm consisting of imported rock fill from the materials deposition area and from external sources. Excavated material from the compound area will also be used if suitable. The berm will be developed incrementally in 5m-10m sections. This repository will cater for 80% of the peat, brash and stumps to be generated from the clearance of the switching station site and from the

berm foundation, with the remainder of the peat to be stored in the materials deposition area.

3.31 An existing borrow pit, from which rock has been excavated previously, located c. 1.3km to the east, along the existing forest access road will be used as a source of rock for use in berm construction at the switching station, and will also be used as materials deposition area. The existing floor level of the borrow pit will be reduced by 1.4m and the level of the existing access track adjacent will be raised by 1m. A storage volume of 1400$m^3$ will be provided.

3.32 The proposed station is to be an unmanned switching station, however, WC / welfare facilities will be provided. Wastewater will be collected and conveyed to a 10$m^3$ capacity holding tank, which will be fitted with an alarm and emptied periodically.

3.33 Rainwater harvesting will be used during the operation phase of the station; during construction, water will be delivered by a water bowser with temporary water storage tanks used on site when required.

3.34 Concrete will not be batched on site and concrete trucks will not be permitted to washout on site. The resident engineer will be present for all concrete works for foundations and slabs; ensuring that concrete handling is managed in accordance with the construction environmental management plan. In each case the foundations will be securely formed to prevent any leaks during pouring. Cement will not be poured during heavy rain or when heavy rainfall is expected within 48 hours.

3.35 The storage of fuels, lubricants and hydraulic fluids will be properly secured against unauthorised access and vandalism, stored in impermeable bunds with a capacity equal to the greater of 110% of the largest tank, or 25% of the total maximum capacities of all tanks. Bunded areas will be managed in accordance with the EPA guidance, Bunding and Spill Management (2007). All vehicles will be re-fuelled in a designated hard-stand area served with a petrol interceptor.

3.36 Temporary dewatering activities will be used in excavations if required. A number of temporary settlement tanks will be provided above ground for the duration of the works to allow dewatering of excavations. These will be periodically monitored for silt levels and de-silted by a suction tanker for disposal to a licensed facility.

3.37 The electrical works will include:

Delivery and installation of HV equipment.

Wiring and cabling of HV equipment and protection and control cabinets.
Commissioning of all newly installed equipment.
A crane working within the compound area will be required for the installation of the lightning monopoles.
Mobile hoists such as cherry pickers will be used. Cable pulling machine will be required to pull the HV cables into place, working from the stoned compound area.
Hiab trucks will be used to offload the control cable drums. Once these are on site, the cables and wiring will be hand pulled into place.
During commissioning of the new HV equipment there will be ESB crew vans on site.

3.38 **Additional polesets and angle masts to facilitate switching station relocation to Drumnalough**.

3.39 Alterations occurring as a result of the need to move the switching station (which joins the Binbane Letterkenny 110kV line to the Ardnagappary Tievebrack 110 kV line) from its permitted location at Tievebrack to Drumnalough include:

Two new angle masts on the Binbane – Letterkenny 110 kV line, one immediately to the north of the switching station (BL_AM 130a), and one immediately to the south (BL_AM 130b) to tie the line into the station.

Four additional polesets (IMP177-IMP180) and one additional end mast (EM181) to be constructed on the Ardnagappary – Tievebrack 110 kV line, to extend to the new station site at Drumnalough, (ecological constraints arising from this extension are areas along the Stracashel River within the West of Ardara/Maas Road SAC designation); 179 and 180 are located within the SAC . IMP 177 will be located at the original approved switching station site at Tievebrack.

Ancillary works to extend the existing undergrounding of a 10kV cable will also be undertaken in the existing wayleave through conifer plantation to the south of proposed poleset 178. A further overhead 10kV line will be diverted to this line for undergrounding in the same conduit.

Temporary diversion on the existing Binbane – Letterkenny 110kV line to avoid the Drumnalough construction site requires three temporary angle masts (T1, T2 and T3).

3.40 **Structure Moves on the Ardnagapparry – Tievebrack 110 kV Line.**

3.41 Following planning consent, confirmatory pre-construction surveys have been carried out on the approved structure locations. In a number of these locations unforeseen construction hazards, ecological hazards or clearance issues have been identified. It is proposed to move 9 structures (8 No. polesets and 1 No. angle tower). These structures will be moved along the alignment, which means the previously permitted line route will not be affected. The moves range in distance from 10m to 46m.

3.42 A number of amendments to the approved locations of structures on the Ardnagappary to Tievebrack line drain to the Stracashel River and West of Ardara/Maas Road SAC: polesets 166, 169, and 172.

Potential impacts

3.43 Construction phase - Drumnalough Switching Station and other amendments within the Owenea and Stracashel catchment

3.44 The construction of the switching station will require that shallow peat, mineral subsoils and associated brash and tree root debris within the footprint of the switching station be excavated and then stored, mainly on the site with containment provided by a crescent-shaped perimeter berm situated near the northern site boundary. The base of the berm will first require to be excavated to rock in order to provide an adequate foundation. The main station footprint will then be surfaced and brought to formation with imported clean stone. It is proposed to store any excess peat in a Materials Deposition Area (MDA) site, more than 1km away, along the site access road. Any contaminated run-off from the site will gravitate towards the Drumnalough stream, which adjoins and flows through part of the site, and eventually to the Stracashel River, which is included within the West of Ardara/Maas Road SAC.

3.45 The importation of stone fill and the export of peat and associated arisings will be by dumper truck along the entrance road and via the existing site entrance which will be augmented at the point where it joins the footprint of the site. This long entrance road is showing signs of wear and tear in several places which may become more pronounced during the project. Furthermore, the culvert over the site stream at the site entrance is unprotected by kerbs and run-off from the dip in the road at this point can flow directly into the Drumnalough stream, and thence to the Stracashel River.

3.46 Surface drainage from the MDA drains eventually to small stream, local to that site, which eventually joins the Stracashel River to the north of the MDA. The excavation of stone and deposition of peat arisings at the MDA has the potential to contribute solids-contaminated emissions to this adjoining watercourse and eventually to the Stracashel River.

3.47 There is the potential for the proposed construction of the switching station to give rise to the washout of solids-contaminated run-off of an organic (peat) and inorganic (mineral soil) nature from the site to the boundary stream and hence to the Stracashel River and West of Ardara/Maas Road SAC. The use of bulk liquid cement on site could potentially give rise to cement contaminated run-off to the same watercourse. Solids may derive from trucks carrying stone or peat arisings to or from the site, in particular at the culvert over the site entrance. The excavation of stone and placement of arisings at the MDA could potentially be a source of solids-contaminated run-off to the nearest stream passing by the site.

3.48 The construction of polesets 177 to 180, extending the Ardnagappary to Tievebrack line to Drumnalough, ancillary works in the vicinity of poleset 178, and access routes to these sites, have the potential to generate solids-contaminated run-off to drainage channels and thence to watercourses in the Stracashel River catchment.

3.49 A number of amendments to the approved locations of structures on the Ardnagappary to Tievebrack line, drain to the Stracashel River and to the West of Ardara/Maas Road SAC: polesets 166, 169, and 172.

3.50 Potential Impacts on Annex II Species in **West of Ardara/Maas Road SAC**

3.51 The Stracashel River is part of the Owenea River system which is included in a Natura 2000 site (West of Ardara – Maas Road SAC) which is designated for the Annex II species freshwater pearl mussel and Atlantic salmon. Both of these species, but more particularly freshwater pearl mussel require very good quality water to thrive; freshwater pearl mussels are probably the most sensitive of all freshwater invertebrates to deterioration in water quality.

3.52 Freshwater Pearl Mussel - increased suspended solids in the overlying river water with build-up of silt in the substrate would eventually smother the mussels. Deposited silt, especially if it contains biodegradable organic matter would provide a suitable substrate for bacteria which would give rise to a sediment oxygen demand thereby competing with the mussels for the available, reduced, oxygen supply, eventually leading to their elimination; increased nutrients can lead to increased growths of filamentous green algae, if this coats the substrate surface, it can impede the supply of

oxygenated water to the sediment and decayed also supplies biodegradable organic matter to the sediment, contributing to increased sediment oxygen demand. Increased nutrients can encourage heavier macrophyte growth, especially if there is a concomitant increase in suspended solids in the system, the latter being trapped in the substrate, can assist the rooting of macrophytes which, once established, can themselves act as traps for silt.

3.53 Table 7.1 lists ecological quality objectives for freshwater pearl mussel habitat in S.I. No. 296 of 2009, which it is stated are generally not being met. The mussel population is in serious decline with no recruitment for perhaps as long as 20 years, and an increasingly aged residual population. Loss in the population's size and range would contravene the conservation objectives of the SAC, and is considered to constitute a significant adverse impact. The likelihood of the impact occurring without mitigation is believed to be probable (i.e. >50% but <95% chance of occurrence), long-term to permanent (i.e. 15 to 60 yrs. or >60yrs).

3.54 Salmon - similarly the wash-out of suspended solids could give rise to smothering of salmon spawning habitats; smothering of macroinvertebrates on the river bed, which form and important food resource for the species; and in extreme cases, increased gill disease caused by abrasion of the tissue. A localised decline in the recruitment and survival of the species in the short-term in the affected reach would result: a significant, negative, impact were it to occur. It is considered unlikely (i.e. >5% and <50% chance) in the absence of mitigation. The duration of such an impact would be short-term (1-7 years). In an extreme case, a cement spill on the construction site without avoidance measures could lead to a major adverse impact, this would constitute a medium-term (7-15 years) impact, considered extremely unlikely (<5% chance).

3.55 Otters – adverse impact on otter, either directly through disturbance, or indirectly through food supply is considered extremely unlikely (< 5% chance), because of the large territories these animals normally have, the predicted unlikely risk of significant adverse impacts on Salmon, and the fact that Otters have a broad diet which include species such as Common frog which are widespread in the landscape in the development area.

3.56 Marsh fritillary - the distribution of the main Marsh fritillary larval food plant Devil's-bit scaboius, occurring at low densities in sub-optimal habitat, is mainly upslope at some remove from the proposed construction activities. The occurrence of this food plant in the vicinity of potential access tracks to polesets 178, 179 and 180 cannot be entirely ruled out. Potential adverse impacts on larval recruitment to the adult population are considered to be extremely unlikely (< 5%), the magnitude of the impact is assessed as moderate, and of short term duration (1- 7 years).

3.57 **Potential Impacts**

3.58 The main impacts from construction activities –

Any impact which would result in the loss of freshwater pearl mussels is considered significant, adverse and long - term to permanent in duration:

Impacts on the habitat, recovering blanket bog - former cutover bog, and suspended solids and sediment run-off to streams and rivers draining to the Stracashel River; from development at or related to the switching station site;

For the additional polesets 178, 179 and 180 the polesets, with crossarms and staywire attached, are to be airlifted to the site. The site access will be via a temporary bridge over the Stracashel River, using existing permanent abutments on either side of the river that were installed for occasional use by Coillte, supplemented by temporary abutments set back from the river bank. There are known locations of freshwater pearl mussels upstream and downstream of the bridging point. Measures to protect the river crossing and the land are detailed. A temporary crossing of the Drumnalough stream will also be required using pre-fabricated clear span bridging. Any areas of potential habitat of larval Marsh Fritillary will be avoided. Stays will be anchored at the same time as the poles are being installed, and all preparatory works required for stringing will be undertaken at that time. Conductor stringing will be carried out manually through this area. For polesets 179 and 180, one of the anchor points will, in each case, be designed, in the case of 179, to move it from the stream margin to higher drier ground, and in the case of 180 to avoid a wet inundation area close to the same stream nearby. Polesets 179 and 180 are located within the West of Ardara – Maas Road SAC, on recovering former cutover bog. The locations aim to avoid construction within wet regenerating bog with pools, in between polesets 179 and 180. The blanket bog habitat in former cutover bog in the vicinity of polesets 179 and 180 has not been assessed as conforming with priority Annex 1 listed habitat.

Additional Poleset 177 can be easily accessed using an existing construction access from the road on the northern side of the river.

Movements to structures will take place at polesets 27 and 29, 82, 117, 160, 166, 169 and 172 and at angle mast 176.

Polesets 27 and 29 are situated in cutover lowland bog in the catchment of a small stream, which joins the main channel of Crolly or Gweedore River about 2km downstream, 600m downslope from the Cloghernagore Bog and

Glenveagh National Park SAC and Derryveagh and Glendowan Mountains SPA. The area is accessed via a stone surfaced track and there is active turbary in the area. Poleset 27 is 46m downslope and on the opposite side of the access road to the permitted location, in order to provide separation from the stream. The existing approved and the proposed amended locations of IMP 29 are both on cutover bog. Red grouse (red-listed) was seen beside the access track opposite poleset 25 in February 2014, and a male responded to tape-luring carried out under licence from NPWS on the same date from a location to the south west of poleset 26 on the same date. Single males were recorded upslope c. 300m to the east of the 110kV line route opposite poleset 29 in 2011 and in 2013, suggesting that there are at least two separate Red grouse territories in the vicinity of the powerline route in this area. The Amber-listed species Skylark has also been recorded.

The existing approved location of poleset 82, and the proposed amended location, are located within Cloghernagore Bog and Glenveagh National Park SAC and Derryveagh and Glendowan Mountains SPA; on steeply sloping ground with a north westerly aspect, in heath with rock outcrop. Although no Red grouse (red-listed) field signs were recorded in the immediate vicinity of poleset 82 approved and proposed locations, droppings found in heath habitat upslope of the location of poleset 83 and between polesets 84 and 85, and in the vicinity of Angle mast 80, suggest that there are at least two separate Red grouse territories in the vicinity of the powerline route in this area. The Amber-listed species Skylark was also recorded. Annex 1 listed species Red-throated Diver breeds in the vicinity. The Red-throated diver breeding population in Ireland is at the southern limit of its range within the Western Palearctic, and is confined to a small number of upland lakes in County Donegal. There are currently 12 known breeding sites spread over a wide area within Glenveagh National Park and the surrounding region of West Donegal, with 7 sites included in the Derryveagh and Glendowan Mountains SPA. The site drains to the Dunglow catchment. Freshwater pearl mussel does not occur in the Dunglow catchment.

The approved and proposed amended locations of poleset 117 are in cutover bog, within the catchment of a small stream which flows to the sea at Trawenagh Bay. There are no areas subject to conservation designations in the vicinity.

Poleset 160 drains to the Gweebarra Estuary, which is included within the West of Ardara/Maas Road SAC, but freshwater pearl mussels do not occur in the Gweebarra catchment. Any increased solids runoff to the receiving waters could adversely impact on any Salmon within the stream system. The proposed amended location is on wet heath HH3 habitat, potentially accessible from drier ground, and preferable ecologically to the existing approved location which is within a small but intact area of deep peat active

Blanket bog PB3 that would be more vulnerable to medium term damage arising from construction.

Poleset 166, on sloping ground in eroding Wet heath HH3, drains to the Shallogan River catchment, (although it is remote from defined surface drainage channels), within the Owenea catchment. It can be accessed from the R250 without having to traverse any streams. The development is unlikely to have any direct adverse impact on either freshwater pearl mussels or salmon, but could potentially adversely impact freshwater pearl mussels (<5% likelihood) farther downstream in the Owenea River or salmon (<5% likelihood) in the Shallogan.

Poleset 169 (on level ground which is remote from defined surface drainage channels) will be accessed either over an existing track or via a shorter route which would require the bridging of a small stream to the west of the location. Impact on freshwater pearl mussels farther downstream in the Owenea River is considered unlikely (>5% to <50% chance) and adverse impact on salmon in the Shallogan is extremely unlikely (5% chance).

Poleset 172 (on high ground above the Shallogan in an area of previously clearfelled forest where there is evidence of localised ground damage), has potential access difficulties arising from the steep gradients to the north and difficulties in accessing the site over awkward terrain. This suggests that there is a moderate chance that this site could give rise to solids contaminated run-off downslope to the north, to a small stream which joins the Shallogan close by. Without mitigation this could adversely affect freshwater pearl mussels downstream (>5% to <50% chance) and Salmon in the Shallogan might also be adversely affected (<5% chance).

Angle tower 176, to be moved east north east, 19m from its current location, is within the catchment of the Stracashel River. The new location is situated on the shoulder of elevated ground about 30m west of a small stream which flows south to join the Stracashel a further 250m downstream. The works area will be just 10m from this small stream. The nature of the construction works to be undertaken and the soft ground over which machinery will have to track to access the site, suggests that there is a moderate chance that this site could give rise to solids contaminated run-off downslope to the east to the small stream and thereafter to the Stracashel downstream. This could adversely affect freshwater pearl mussels downstream in both the Stracashel and Owenea Rivers (>5% to <50% chance), and salmon in the same watercourses (<5% chance).

3.59 **Operational effects**

3.60 The main potential impacts from operational activities are continuing construction related runoff; otherwise there are few likely potential operational impacts.

3.61 Visits by staff will be minimal.

3.62 Future maintenance and repair works on the Donegal 110kV Project lines generally may require Planning or NPWS consents, and otherwise will be subject to ESB Networks Work Aids relating to works in sensitive river catchments

3.63 **In-combination effects**

3.64 Projects partially of wholly within the Owenea catchment assessed for possible in-combination effects with the Drumnalough switching station project are:

Coillte Forestry Activities

An upgrade to the WWTP in Glenties

Upgrading of the N56 from Dungloe to Glenties National Primary Route.

3.65 Coillte Forestry Activities - about 24ha of thinning will be undertaken in the Coillte forestry within the Owenea catchment boundary in 2014 and after this there will be no clearfelling and no thinning throughout 2015 and 2016, no significant in combination effects are expected between the project and Coillte forestry management.

3.66 Upgrade to the WWTP in Glenties - is awaiting approval with a completion target of 18 months. Sewage from Glenties currently receives primary treatment; the new plant will reduce the current BOD load by 90%. No significant in combination effects are expected between the project and Glenties sewage system upgrade.

3.67 N56 Upgrade - the upgrading of the N56 from Dungloe to Glenties National Primary Route scheme is divided into three sections: Section 1- Dungloe to Cloghbolie (6.9 km), Section 2 - Cloghbolie to Boyoughter (3.4km) and Section 3 between Lettermacaward and the Kilraine Junction (15.9km) – this last section is further sub-divided into 4 sub-sections.

3.68 The EIS and NIS for the upgrade identified a range of potential negative effects for the designated sites and habitats including pollution, habitat loss, degradation and water quality issues. Potential negative effects upon aquatic species and in particular the Freshwater Pearl Mussel were identified. Increased siltation of the Freshwater Pearl Mussel habitats from construction activities is the greatest risk to this species; a comprehensive range of mitigation measures and construction method statements have been specified to reduce the residual negative effects. No impacts on resident or migratory fish stocks or their habitats were predicted as no in-channel works are proposed at the principal crossings over the Gweebarra, Stracashel and Owenea Rivers.

3.69 The Cloghbolie to Boyoughter section, (Section 2), has been completed. Detailed designs for the first of the Section 3 subsections, Boyoughter to Kilkenny is expected to be approved shortly. This sub-section does not impinge on the Owenea catchment, nor does the next subsection. It is highly unlikely that there will be any overlap, having regard to timelines, between the N56 Upgrade and the Drumnalough proposal.

3.70 **Potential Impacts on Protected Sites.**

3.71 Potential Impacts on **Gweedore Bay and Islands SAC**.

3.72 Relocated polesets 27, 29 - Otter occurs as a Qualifying Interest in the SAC some 2.5km downstream, and surveys have shown that this species' range does extend to the small stream in the vicinity. The small stream is not suitable as a breeding holt location, and while Otters visit the area to feed (probably on Frogs), potential disturbance impacts of construction near the stream are considered extremely unlikely (<5%) and temporary.

3.73 Salmon (not a Qualifying Interest) will not be adversely impacted by the development because of the remoteness of the sites from good salmonid habitat, and because of the ease of access to the site along an existing track, which will reduce the likelihood of ground damage.

3.74 Potential Impacts on **Cloghernagore Bog and Glenveagh National Park SAC** and **Derryveagh and Glendowan Mountains SPA**

3.75 Relocated poleset 82 is located <u>within</u> this SAC and SPA. Blanket bog in the structure vicinity, and in particular Wet heath at both the approved and amended locations of poleset 82 is eroded, with exposed rock, and vulnerable to damage during construction and site access, with a potential for probable (>50% <95%) long term or permanent impacts in the absence of mitigation. The location is in the vicinity of a lake breeding site used by

the Annex 1 listed bird species Red-throated Diver, which is listed as a Qualifying Interest for the SPA, a species sensitive to disturbance. The same potential impacts arise at the existing approved location of poleset 82, as well as at a number of other structures in the area, and for this reason seasonal constraints have been applied to construction work in the vicinity, under the Ecology Protocol, developed as required by a condition of the existing planning consent. In the absence of mitigation, potential impacts on Red-throated Diver are assessed as significant in the medium term (7-15 years) to long term (15-60 years), because this species is at the southern end of its breeding range, occurring as a breeding species only in Donegal, and because individual birds, although relatively long-lived, have low breeding success.

3.76 Development with no potential to impact upon a Natura Site

3.77 Relocated poleset 117 - the proposed (and permitted) location of this poleset is not within a Natura 2000 site and does not have a surface water pathway to any such site.

3.78 **Mitigation**

3.79 The Donegal 110kV Project has been under construction since 2011 and the project team of ecologists and engineering design personnel have adopted the approach of integrating appropriate mitigation measures aimed at addressing the risks of challenging ground conditions, weather conditions, and widespread distribution of sensitive ecological receptors, into the design, construction methodology, water and sediment control layouts and methodologies, contractor's conditions and ecological supervision.

3.80 Detailed mitigation measures are and are set out for each element of the proposed amendments to the project.

3.81 A Water and Sediment Control Plan is included in Appendix 4 of the NIS. A suitably qualified ecologist will be appointed to supervise the proposed construction, and will be fully briefed on all mitigations measures and the reasons for which they have been proposed. The supervising ecologist will work in close liaison with the Resident Engineer and the Contractor(s).

3.82 In Drumnalough switching station site – it is proposed to limit the area of exposed ground and the disturbance to natural drainage features. A number of existing drains, flushes and areas of sediment deposits occur within the development site which must not be traversed or disturbed. Drainage channels will collect runoff from the construction and development areas. These drainage channels will be a combination of swales with check

dams and land drains where possible and will offer the opportunity for filtration and settlement along the length of these conveyance channels. Specific measures relating to limiting the potential of erosion and thereby sediment laden runoff will also be required to be implemented. The successful contractor's Construction Environmental Management Plan (CEMP) will incorporate the measures contained in the Water and Sediment Control Plan (Appendix 4). The contractor will be required to identify and quantify risks associated with erosion and sediment for each work practice. Risks such as an unplanned bank collapse, peat slide and unforeseen rainfall event can be constantly assessed through geotechnical risk management and monitoring of weather forecasts.

3.83 The contractor will be required to carry out a detailed pre construction topographical survey, including micro-topographic survey of the existing forest drainage network, and to submit an excavation and site works plan to the Resident Engineer which will include the management of surface water runoff over disturbed areas.

3.84 Where repairs to the access road coincide with a stream crossing beneath the road, geogrid and geotextile will extend beyond the edge of the carriage way at both sides of the road and be turned up vertically and held in this position by stakes. This arrangement will extend 5m at either side of the stream at both sides of the road. Work at watercourse crossings will be carried out under the direction of the supervising ecologist. Existing check dams in the roadside drains will be de-silted as required and repaired, ensuring that water flows over a central low point in the check dam.

## 4 PLANNING HISTORY

05.VA0003 Board approval under section 182B of the acts for an overhead 110kV electricity line c68km long from the existing station at Binbane to that at Letterkenny via a new switching station at Tievebrack and an overhead 110kV line c33km long from the new station at Tievebrack to the 38kV station in the Gweedore Business Park at Ardnagappary. The approval was granted after the carrying out of an environmental impact assessment and an appropriate assessment of the project. The conditions attached to the approval did not significantly alter the proposed development, 27th October 2009.

05.VM0004, in respect of amendments at nine different locations along the line of the authorised overhead 110kv cable: movement of 8 polesets: 2, 18, 54, 74, 130, 134, 163, 213 and 1 angle mast: 124 and a change of 1 angle mast: 125 to a poleset. The distance of the movements varied from 6.5m to 31m; the Board decided that the making of the alteration would not constitute the making of a material alteration of the terms of the development proposed.

## 5 PLANS AND POLICIES

5.1 The Donegal County Development Plan 2012-2018 is the operative plan.

5.2 The plan refers to a strategy which envisages that the North West can become a net exporter of power to the rest of the island, reducing its reliance on generation from outside, with an increase in power supply to accommodate and help attract future economic investment in the County. The existing electricity transmission network infrastructure in Donegal is predominately 38 kV and 110 kV, with no 220 kV or 400 kV in the County. A 110 kV transboundary circuit links to Strabane in Northern Ireland. Additional investment of approximately €750m is proposed in the North West: to upgrade almost 700 km of the existing transmission network, and to build new circuits including 110 kV reinforcements between Killybegs (Binbane station) and Letterkenny and further integration of the Donegal and Northern Ireland networks.

5.3 Policies and objectives in relation to electricity transmission refer to facilitating the strengthening of the electricity grid to enable the harnessing and distribution of energy. The Council will support transboundary and trans-national interconnectors to enable the exporting of energy outside of the County.

5.4 Policies and objectives in relation to landscape refer to protecting areas of Especially High Scenic Amenity from intrusive and/or unsympathetic developments and to review these landscape designations within the lifetime of this Plan. Strategic Infrastructure projects which seek to enhance roads, rail, air and port connectivity, power supply, broadband/telecommunications, waste water treatment, or similar type public infrastructure development, may be considered within areas of Especially High Scenic Amenity. These proposals will also be subject to all material considerations, including environmental designations and amenity considerations.

## 6 BOARD CORRESPONDENCE

6.1 The request was received on the 19th October 2015.

6.2 The Board wrote to Donegal County Council on the 22nd October stating that the subject request had been received and enclosing a copy of the request, which, they were advised, may be made available for public inspection.

6.3 The planning authority was not invited to make any submission at this stage.

## 7 BOARD DIRECTION

7.1 The decided (7th December 2015) that the alteration would constitute a material alteration to the terms of the development and decided that submissions in relation to the matter should be sought.

7.2 The Board instructed the proposer to publish notices, make documentation available and notify prescribed bodies and the planning authority.

## 8 SUBMISSIONS

8.1 A submission was received from **Transport Infrastructure Ireland**. The submission includes:

8.2 The proposed route of the overhead powerlines, in the original application, impacted on the national road network. In the case of this amendment impacts relate in particular to the relocation of poleset ref. 117. The details do not identify in detail the methods/techniques employed in traversing the N56, but the Authority has no objection in principle to the proposal subject to the safety and standards of the national route being maintained through appropriate best practice construction methods. These observations are consistent with the submission made by the Authority on case ref 05E.VA0003.

8.3 Correspondence was received from the **Department of Agriculture, Food and the Marine,** stating that the department has no submission or observation to make.

8.4 A submission was received from **Irish Water** advising that it does not have any objection to the proposal.

8.5 A submission was received from the **Department of Arts, Heritage and the Gaeltacht,** in relation to archaeology stating that the Department has examined the archaeological assessment of the proposed alterations and there are no archaeological objections to the proposed alterations, subject to the implementation of the mitigation proposed in Section 4 of the Cultural Heritage Report (appendix 9); to ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

## 9 ASSESSMENT

9.1 I have examined and read the documents on file, inspected the site and environs and considered relevant planning policy. I consider that the issues which arise can be dealt with under the headings: principle of the development; environmental impact, landscape and appropriate assessment. The assessment which follows is set out under those headings.

### 9.2 Principle of the development

9.3 The principle of the development has been established by the permission for the parent project: VA0003. No change in the policy context arises in the Donegal County Development Plan 2012 – 2018 which renders the policy context less supportive to the development of the electricity grid, than when the original development was permitted.

### 9.4 Environmental Impact Assessment

9.5 The development is below the threshold at which an EIS is mandatory. The issues which arise are landscape impact and impact related to the natural heritage of the area and more particularly the protected sites and species under the Birds and Habitats Directives. The Appropriate Assessment Screening Report and the Natura Impact Statement, and the photomontages, provide with Board with sufficient information to enable an assessment of all environmental impacts. An Environmental Impact Assessment is not required in this case.

### 9.6 Landscape and Visual Impacts

9.7 I have viewed the photomontages and the locations from which the photographs were taken, and consider that the proposed development is accurately represented. In my opinion, in the context of the permitted development, the landscape impacts of the material alterations are not significant.

### 9.8 Appropriate Assessment

9.9 I am satisfied that the Board, as the competent authority, has sufficient information to carry out its obligations under the Habitats Directives and implementing legislation, to take into consideration the possible effects a project may have, either on its own or in combination with other plans and

projects, on Natura 2000 sites, before making a decision on the proposed development.

9.10 **Screening**

9.11 The first exercise to be carried out by the Board is screening, in order to determine the Natura sites which should be subject to appropriate assessment. If it cannot be excluded, on the basis of objective information that the proposed development will have a significant effect on a Natura site, either individually or in combination with other plans or projects in view of the sites conservation objectives, it must be subject to appropriate assessment.

9.12 A report has been submitted by the proposer, titled Stage 1 Appropriate Assessment Screening Report. The report concludes that it is necessary to proceed to Stage 2 of the Appropriate Assessment process in order to consider those habitats and species which are identified as having a potential to be impacted by the proposed amendments, and to provide mitigation measures as appropriate.

9.13 The Natura sites and the qualifying interests of those sites with potential to be impacted by the proposed amendments are listed in Table 5-2, of the report. The selection of the sites and the relevant qualifying interests, is based on the location relative to the proposed works and the availability of a surface water pathway.

9.14 I accept the selected the sites and the relevant qualifying interests as set out in table 5.2 and the rationale for their selection.

9.15 The West of Ardara/Mass Road SAC has potential to be impacted by the proposed amendments. For most of the 31 qualifying interests, there is no potential for impact, because of distance or because a pathway does not exist. Qualifying interests, which requiring appropriate assessment are:

Freshwater pearl mussel
Marsh fritillary
Salmon
Otter
Northern Atlantic wet heaths with Erica tetralix
Blanket bog (*active only) and
Depressions on peat substrates of the Rhynchosporion.

9.16 The Cloghernagore Bog and Glenveagh National Park SAC has potential to be impacted by the proposed amendments. For most of the 13 qualifying interests there is no potential for impact, because of distance or because a

pathway does not exist. Qualifying interests, requiring appropriate assessment are: Northern Atlantic wet heaths with Erica tetralix and Blanket bog (*active only).

9.17 The Derryveagh and Glendowan Mountains SPA has potential to be impacted by the proposed amendments. Of the 5 qualifying interests there is potential for impact on one: red-throated diver.

9.18 The Gweedore Bay and Islands SAC has potential to be impacted by the proposed amendments. For most of the 19 qualifying interests there is no potential for impact, because of distance or because a pathway does not exist. The single qualifying interest requiring further consideration is Otter.

9.19 Since it cannot be excluded, on the basis of objective information that the proposed alteration will have a significant effect on:

West of Ardara/Mass Road SAC
Cloghernagore Bog and Glenveagh National Park SAC
Derryveagh and Glendowan Mountains SPA
Gweedore Bay and Islands SAC

the potential affect on these sites must be subject to appropriate assessment.

9.20 The conservation objectives for these sites are set out by the NPWS.

9.21 West of Ardara – Maas Road SAC (site code 000197) - Specific objectives are stated, which relate to the maintenance/restoration of the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

Geyer's Whorl Snail
Freshwater Pearl Mussel
Marsh Fritillary
Salmon
Estuaries
Mudflats and sandflats not covered by seawater at low tide
Large shallow inlets and bays
Atlantic salt meadows
Otter
Harbour Seal
Petalwort
Mediterranean salt meadows
Slender Naiad
Shifting dunes along the shoreline with *Ammophilia arenaria* (white dunes)
Fixed coastal dunes with herbaceous vegetation (grey dunes)

Decalcified fixed dunes with *Empetrum nigrum*
Atlantic decalcified fixed dunes
Dunes with Salix rapens ssp. *argentae*
Humid dune slacks
Machairs (* in Ireland)
Oligotrophic waters containing very few minerals of sandy plains
Northern Atlantic wet heaths with *Erica Tetralix*
European dry heaths
Alpine and Boreal heaths
Juniperus communis formations on heaths or calcareous grasslands
Semi-natural dry grasslands and scrubland facies on calcareous substrates (* important orchid sites)
Molinia meadows on calcareous, peaty or clayey-silt-laden soils
Lowland hay meadows
Blanket bogs (* if active bog)
Depressions on peat substrates of the Rhynchosporion
Alkaline fens

9.22 Having regard to the qualifying interests and the nature of the potential affects of the proposed alteration, it is considered that the appropriate assessment should be limited to the relevant qualifying interests set out below.

9.23 Of the qualifying interests for West of Ardara/Mass Road SAC, I accept that the potential to be affected by the proposed alterations, for the reasons set out in table 5.2 of the submitted NIS is limited to the following:

Freshwater pearl mussel
Marsh fritillary
Salmon
Otter
Northern Atlantic wet heaths with Erica tetralix
Blanket bog (*active only) and
Depressions on peat substrates of the Rhynchosporion.

9.24 The conservation objective for Cloghernagore Bog and Glenveagh National Park SAC (site code 002047) is: to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

Oligotrophic waters containing very few minerals of sandy plains
Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation
Northern Atlantic wet heaths with *Erica tetralix*
European dry heaths
Alpine and Boreal heaths
*Molinia* meadows on calcareous, peaty or clayey-silt-laden soils
Blanket bogs (* if active bog)

Depressions on peat substrates of the Rhynchosporion
Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles
Freshwater Pearl Mussel
Salmon
Otter
Killarney Fern

9.25 Of the qualifying interests for Cloghernagore Bog and Glenveagh National Park SAC, I accept that the potential to be affected by the proposed alterations, for the reasons set out in table 5.3 of the submitted NIS, is limited to one habitat:

Northern Atlantic wet heaths with Erica tetralix and Blanket bog (*active only).

9.26 The conservation objective for Derryveagh and Glendowan Mountains SPA (site code 004039) is: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

Red-throated Diver
Merlin
Peregrine
Golden Plover
Dunlin

9.27 Of the qualifying interests for Derryveagh and Glendowan Mountains SPA, I accept that the potential to be affected by the proposed alterations, for the reasons set out in table table 5.4 of the submitted NIS, is limited to one species:

Red-throated diver

9.28 Specific conservation objectives for Gweedore Bay and Islands SAC (site code 001141) are stated which relate to the maintenance/restoration of the favourable conservation status of habitats and species of community interest:

Coastal lagoons
Reefs
Perennial vegetation of stony banks
Mediterranean salt meadows
Embryonic shifting dunes
Shifting dunes along the shoreline with Ammophila arenaria (white dunes)
Fixed coastal dunes with herbaceous vegetation (grey dunes)
Decalcified fixed dunes with Empetrum nigrum
Atlantic decalcified fixed dunes

Dunes with Salix repens ssp. argentea
Humid dune slacks
Machairs (* in Ireland)
Oligotrophic waters containing very few minerals of sandy plains
European dry heaths
Alpine and Boreal heaths
Juniperus communis formations on heaths or calcareous grasslands
Otter
Petalwort
Slender Naiad

9.29 Of the qualifying interests for Gweedore Bay and Islands SAC, I accept that the potential to be affected by the proposed alterations, for the reasons set out in table 5.5 of the submitted NIS, the potential to be affected by the proposed alterations is limited to one species:

Otter

9.30 **Potential Likely Significant Effects**

9.31 The main potential likely and significant effects of the project alone on the European within the context of the site's conservation objectives are:

Damage/destruction to habitats.

Disturbance to fauna during site preparation and construction.

Deterioration of water quality in watercourses from surface water run-off.

Deterioration of water quality from polluted surface water run-off post construction.

9.32 **Damage/destruction to habitats.**

9.33 Loss of habitat is a necessary result of the project alteration. Activity associated with the construction, particularly access to the works site, has the potential to damage habitat.

9.34 **Disturbance to fauna during site preparation and construction.**

9.35 The activity associated with the construction, has the potential to cause disturbance to fauna.

9.36 **Deterioration of water quality in watercourses from surface water run-off.**

9.37 Unless carefully managed, there is considerable risk of deterioration of water quality in watercourses from surface water during site preparation and construction, from the storage of excavated material, road upgrading/construction and the erection of pole sets and angle masts.

9.38 Having regard to the sensitivity of the qualifying interests species particularly Freshwater Pearl Mussel, this is a serious risk.

9.39 **Deterioration of water quality from polluted surface water run-off post construction.**

9.40 There is potential for pollution of streams and rivers post construction from continuing construction related runoff and from the storage of excavated material. In addition operational activity has the potential to contribute contaminated runoff to streams and rivers.

9.41 **Potential Impacts on Protected Sites.**

9.42 **Cloghernagore Bog and Glenveagh National Park SAC** and **Derryveagh and Glendowan Mountains SPA**

9.43 Relocated poleset 82 is located within this SAC and SPA. Blanket bog occurs in the structure vicinity. Wet heath occurs at both the approved and amended locations of poleset 82; it is eroded, with exposed rock, and vulnerable to damage during construction and site access, with a potential for probable (>50% <95%) long term or permanent impacts in the absence of mitigation. The location is in the vicinity of a lake breeding site used by the Annex 1 listed bird species Red-throated Diver, which is listed as a Qualifying Interest for the SPA, a species sensitive to disturbance. The same potential impacts arise at the existing approved location of poleset 82, as well as at a number of other structures in the area, and for this reason seasonal constraints have been applied to construction work in the vicinity, under the Ecology Protocol, developed as required by a condition of the existing planning consent. In the absence of mitigation, potential impacts on Red-throated Diver are assessed as significant in the medium term (7-15 years) to long term (15-60 years), because this species is at the southern end of its breeding range, occurring as a breeding species only in Donegal, and because individual birds, although relatively long-lived, have low breeding success.

9.44 **Gweedore Bay and Islands SAC**

9.45 Gweedore Bay and Islands SAC is some 2.5km downstream of the locations of these polesets with otter as a qualifying interest. The species' range extends to the small stream in the vicinity of polesets 27 and 29, which is not suitable as a breeding holt location. Potential disturbance impacts of construction near the stream, which may be used for feeding are considered extremely unlikely and temporary.

9.46 **West of Ardara/Maas Road SAC**

9.47 The parts of the proposed alterations which occur within the West of Ardara/Maas Road SAC include:

The re-located switching station at Drumnalough, is in the vicinity of the SAC and hydrologically linked to the SAC. The works associated with the re-located switching station: access road, borrow pit and materials deposition areas etc are in the vicinity of the SAC and hydrologically linked to the SAC. Additional structures BL 130a, 130b, and additional structures AD 177, 178, and 181 are in the vicinity of the SAC are hydrologically linked to the SAC. Additional structures AD 179 and 180 are within the SAC. Amended structure 160 is in the Gweebarra catchment, and amended structures 166, 169 and 172 are in the Stracashel – Owenea catchment; these locations are hydrologically linked to the SAC.

9.48 The potential for damage/destruction to habitats arises in relation to the additional structures AD 179 and 180 which are within the SAC; and in relation to access across land to works sites.

9.49 The potential for deterioration of water quality in watercourses from surface water run-off, and associated affects on qualifying interest species freshwater pearl mussel, salmon and otter arises in relation to all aspects of the works and access across land to works sites at locations hydrologically linked to the SAC.

9.50 The potential for deterioration of water quality from polluted surface water run-off post construction, arises in relation locations hydrologically linked to the SAC from: surface water runoff contaminated with sediment continuing to discharge from work sites and land where vegetation has been eroded by construction traffic; and in relation to operational activities.

9.51 **Significant in-combination effects**

9.52 Significant effects in combination with other plans or projects on the conservation objectives of the West of Ardara/Maas Road SAC as considered in the NIS are

Coillte Forestry Activities

An upgrade to the WWTP in Glenties

Upgrading of the N56 from Dungloe to Glenties National Primary Route.

9.53 Coillte Forestry Activities - there will be no clearfelling and no thinning throughout 2015 and 2016, and therefore no significant in-combination effects are expected between the project and Coillte forestry management.

9.54 Upgrade to the WWTP in Glenties - the upgrade will mean a very significant improvement in the quality of the effluent being discharged from Glenties to the Owenea system/SAC. No significant in combination effects are expected between the project and Glenties sewage system upgrade.

9.55 The EIS and NIS for the upgrade identified a range of potential negative effects for the designated sites and habitats including pollution, habitat loss, degradation and water quality issues. A comprehensive range of mitigation measures and construction method statements have been specified to reduce the residual negative effects of habitat loss and pollution to the aquatic environment. It is highly unlikely that there will be any overlap, having regard to timelines, between the N56 Upgrade and the Drumnalough proposal.

9.56 **Mitigation Measures**

9.57 Mitigation measures have been considered in detail in the NIS and involve very careful consideration of construction management and drainage. The proposed alteration is itself mitigation in relation to the permitted project, which is being modified to avoid problematic locations and potential effects on Natura sites. The mitigation proposed for the alteration includes detailed proposals for staged construction of the containment berm at the Drumnalough switching station site. This is a part of the development with significant potential for affects on the SAC from sediment loss to receiving waters and from peat slippage. Detailed consideration has been given to access routes. The access route to the Drumnalough site is via an existing Coillte road and mitigation in relation to its upgrade is referred to in relation to specific items e.g. river crossings where measures will be taken to protect the watercourses from spillages; and in relation to more general measures, such as the use of stone from local sources and the treatment of roadside

drainage. Bogmats will be used for temporary storage of excavated material and the separate storage or turves; turves will be replaced vegetated surface up post construction.

9.58 Access to other work sites has been considered in each case, in some locations access routes used previously will not be used in order to avoid eroding the vegetative surface or where surface erosion has occurred, in others the use of bog mats is proposed for machinery movement.

9.59 Areas of potential habitat of larval Marsh Fritillary will be avoided.

9.60 River crossings are required in a number of instances.

9.61 A temporary bridge will be provided over the Stracashel River, using existing permanent abutments on either side of the river that were installed for occasional use by Coillte, supplemented by temporary abutments set back from the river bank. There are known locations of freshwater pearl mussels upstream and downstream of the bridging point. Measures to protect the river crossing and the land are detailed.

9.62 A temporary crossing of the Drumnalough stream will be required using pre-fabricated clear span bridging.

9.63 There are the detailed drainage proposals in relation to the Drumnalough site, Measures to manage sediment include above ground temporary settlement tanks and the installation of a range of silt barriers including silt fences, check- dams, swales and plastic sheet-piling dams.

9.64 For each polesets and angle mast work site, detailed consideration has been given to drainage. Sites draining to waters where freshwater pearl mussel occur, are given particular attention, since this species is the most sensitive to increase in sediment;

9.65 Most of the mitigation is directed at ensuring that there will be no discharge of sediment to surface waters. Mitigation measures are directed firstly at ensuring that the generation of sediment laden run-off does not arise, by avoiding disturbance to ground, and secondly that sediment settles and is removed from land drains prior to reaching natural surface waters.

9.66 The contractor will be required to identify and quantify risks associated with erosion and sediment for each work practice. Risks such as an unplanned bank collapse, peat slide and unforeseen rainfall event will be constantly

assessed through geotechnical risk management and monitoring of weather forecasts; and an emergency response plan will be prepares with a set of procedures for events likely to cause pollution including the pollution of watercourses with silt or sediment.

9.67 Mitigation includes avoidance of loss of habitat which is a qualifying interest within a SAC. Habitat loss will occur but it will not reduce qualifying interest habitat within a SAC.

9.68 Poleset 82, which is to be moved 25m from its permitted location, in order to achieve topographic clearance, is referred to in section 6.4.2 of the NIS and in table 5.3. Qualifying interest habitat Northern Atlantic wet heaths with Erica tetralix will be impacted. The structure and functions of this habitat are already impacted by existing erosion at the structure location. 'The vegetation is similar at both the permitted location and the proposed altered location dominated by Ling Calluna vulgaris and Deergrass Tricophorum caespitosum, with Cladonia portentosa, Racometrium lanuginosum, and Black bog-rush Schoenus nigricans'. 'There is little Sphagnum cover, with much bare peat and Purple moor-grass Molinia caerulea'. Small areas of the qualifying interest habitat Blanket bogs (* if active only) occur in the vicinity of structure location.

9.69 Although the proposed alteration affects the qualifying interests of the SAC through habitat loss, this is in substitution for similar habitat loss if the development as permitted proceeds, therefore the impact of the proposed alteration is neutral.

9.70 For the additional polesets 179 & 180 the habitat loss involves recovering blanket bog, former cutover bog; this does not conform with priority Annex 1 listed habitat, and is not a qualifying interests of the SAC

9.71 Areas of potential habitat for the plant Devil's bit scaboius, which is the larval food of Marsh Fritillary, will be avoided. Marsh Fritillary is a qualifying interests of the West of Ardara/Maas Road SAC and was recorded on the wing in June 2012 to the west of the switching station site between polesets 128 and 129 during pre-construction survey on the Binbane to Letterkenny line.

9.72 Mitigation includes avoidance of disturbance to species.

9.73 Red-throated Diver is a species of special conservation interests for the Derryveagh and Glendowan Mountains SPA. Poleset 82 is located in the vicinity of a lake breeding site used by this Annex 1 listed species. A

monitoring programme for this species carried out in 2014 did not detect this species.

9.74 A monitoring programme to assess the presence of the species in the general area will be required as part of the pre-construction works. Construction will be scheduled after confirmation that breeding and juvenile birds are no longer present on any nesting lakes within 500 to 750m of Ardnagappary line structures, in consultation with NPWS.

9.75 Red grouse, although not a species of special conservation interests for the Derryveagh and Glendowan Mountains SPA, is red-listed as a Bird of Conservation Concern. Red grouse occurs in the general area of polesets 27 and 29 and in the general area of poleset 82.

9.76 Further survey will be required in advance of construction in order to establish whether it will be necessary to apply seasonal constraints on construction in order to avoid disturbance to this species.

9.77 **Post Construction**

9.78 The potential for affects on surface waters post construction will reduce with time. Proposed mitigation includes maintenance of the silt barriers at the Drumnalough switching station site. During construction and following construction completion all silt control measure locations will be monitored and maintained as may be necessary on a weekly basis. Weekly monitoring will continue for a period of three months following the completion of construction. The monitoring and maintenance frequency will reduce to a monthly frequency after the three month initial period, and continue until re-vegetation of disturbed areas around the switching station site occurs.

9.79 There will be little or no construction work within the station during normal operating conditions, unless a new project is developed in the future. Future maintenance and repair works on the Donegal 110kV Project lines generally may require Planning or NPWS consents, and otherwise will be subject to ESB protocols. Wastewater will be removed periodically from the holding tank at the Drumnalough switching station site, and an alaem will be fitted to the tank.

9.80 The potential effects of the project on the conservation objectives of the sites taking account of mitigation.

9.81 From the information provided it appears to me that with the proposed mitigation in place there will be no effects on the conservation objectives of the natura sites:

West of Ardara/Mass Road SAC (Site Code 000197)
Cloghernagore Bog and Glenveagh National Park SAC (Site Code 002047)
Derryveagh and Glendowan Mountains SPA (Site Code 004039)
Gweedore Bay and Islands SAC (Site Code 001141).

9.82 It should be noted that the proposed mitigation relies on implementation of detailed measures by contractors; and supervision of work by engineers and ecologists employed by the proposer. In this regard it should also be noted that there is currently in place a permission to carry out a larger project, of which this material alteration forms part, and that this material alteration arises as mitigation by re-design of that larger project.

9.83 **Conclusion of Appropriate Assessment**

9.84 I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out a Stage 2 Appropriate Assessment, that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the European sites No 000197, 002047, 004039, 001141 or any other European site, in view of the site's Conservation Objectives

## 10 RECOMMENDATION

I recommend that permission be granted for the Reasons and Considerations set out below and subject to the attached Conditions.

## REASONS AND CONSIDERATIONS

Having regard to:

(a) the terms and conditions of the existing permission for the overhead 110kV electricity line and switching station, VA0003, of which the proposed development is a material variation,

(b) the reasons for the proposed material variations:

a. that detailed confirmatory site investigations which have been carried out, including at the approved Tievebrack switching station site and re-evaluation of the Tievebrack site in accordance with updated risk evaluation methodology adopted by ESBI since 2008, have placed the Tievebrack site in the significant risk category, due to the depths of peat present at the site, the prevailing ground conditions, and an updated approach to peat stability site risk assessment; such that the confirmed peat depths coupled with the topography of the site and the nature of the peat have indicated increased potential for instability; with the primary concern being that peat slippage during or post construction phases could cause contamination of the Stracashel river system, an ecologically important and sensitive resource.

b. that stream clearance, topographic clearance, and avoidance of adverse ground conditions and of conflict with other overhead lines give rise to other aspects of the alterations.

(c) the provisions of the Donegal County Development Plan 2012 – 2018

(d) the documentation including the NIS submitted,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse impact on the landscape or upon the archaeological or cultural heritage of the area, would not give rise to any significant impact on the natural heritage of the area or affect the integrity of any European site or any protected species, and would be acceptable in terms of traffic safety and convenience of road users. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

1 The 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 points of detail to be agreed with the planning authority,

these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

**Reason:** In the interest of clarity

2 Subject to the material alteration hereby permitted and the detailed documentation submitted to support this application, the development shall otherwise be carried out and completed in accordance with the terms of the development permitted.

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

_____ _____

Dolores McCague Date

Inspector

Appendix 1 Photographs taken at the time of site inspection and key map.

Appendix 2 Extracts from the Donegal County Development Plan 2012-2018

Appendix 3 Extracts from the NPWS web site showing protected sites in the vicinity of the site

Appendix 4 Site Synopsis for West of Ardara/Mass Road SAC (Site Code 000197)

Appendix 5 Site Synopsis for Cloghernagore Bog and Glenveagh National Park SAC (Site Code 002047)

Appendix 6 Site Synopsis for Derryveagh and Glendowan Mountains SPA (Site Code 004039)

Appendix 7 Site Synopsis for Gweedore Bay and Islands SAC (Site Code 001141).