

## **CHAPTER 2 SCOPING AND CONSULTATION**

### **2.1 INTRODUCTION**

SLR Consulting Ireland Ltd was commissioned by Boliden Tara Mines DAC (BTM) to undertake the Scoping and Consultation Chapter of this EIAR.

### **2.2 PURPOSE OF EIA SCOPING**

The scoping stage of an Environmental Impact Assessment is when it is determined what information should be contained in an EIAR and what methods should be used to gather and assess that information. Irish legislation provides for applicants to formally request the opinion of the competent authority on the scope of an EIAR if they wish, but there is no specific requirement for this to be done.

Formal scoping has not been undertaken during the EIA process for this planning application. As set out in Chapter 1 of this EIAR, an original planning application was made to Meath County Council (P. Ref. 22/331) and during assessment of the application, the planning authority agreed with the applicant's assessment that the proposed development did not fall within the types identified in legislation for which EIA is a requirement.

#### **2.2.1 Scope of Work Undertaken to date**

Notwithstanding this, an Environmental Report was submitted by the applicant in support of P. Ref. 22/331. It was prepared following information set out within Schedule 7A of the Planning and Development Regulations 2001 (as amended), which identifies information to be provided by an applicant in order to determine whether development that falls below the identified thresholds for mandatory EIA may still have significant environmental effects and therefore require EIA.

The Environmental Report provided a summary of information with an assessment of the likelihood of significant environmental effects, supported by technical assessments by a range of environmental specialists (traffic, landscape, ecology, hydrology and noise) which were supplied as appendices to the report. Separate Natura Impact Statement (NIS) and Flood Risk Assessment reports were also provided.

The scope of the technical assessments was set by the specific industry best practice followed by each of the specialists such as (but not limited to):

- Landscape Institute and the Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment;
- EPA and British Standards / International Standards Organisation guidance for noise assessments; and
- Office of Public Works (OPW) and Department of Environment, Heritage and Local Government (DoH LG) (2009) The Planning System and Flood Risk Management Guidelines for Planning Authorities.

The respective specialists also consulted baseline data held by organisations such as the local planning authority (Meath County Council), and public bodies such as the National Parks and Wildlife Service, the National Biodiversity Data Centre database, Geological Services of Ireland mapping, Office of Public Works mapping, etc to determine the sensitivities and designations within and surrounding the application area.

There is also a large volume of historical monitoring data and knowledge of the Tara Mines complex available given its EPA licencing background and the applicant's associated reporting responsibilities, which was available to the consultants as baseline information for their assessments.

A pre planning meeting (Ref: PP7792) was held with Meath County Council (MCC) on 28 October 2021, prior to submission of P. Ref. 22/331. During the meeting the applicant outlined the importance of the proposed development in terms of increasing the safety standards for the TSF in line with enhancements to best practice in the mining industry. The requirement for a traffic and transport assessment which would assess the impact on haul routes and road conditions was noted by MCC. The applicant was asked to confirm that material classified as waste would not be used in the construction of the buttress. The applicant confirmed that an EIA Screening assessment and a NIS would accompany the planning application. The issues outlined in the pre application meeting were addressed in the Environmental Report submitted to MCC in relation to P. Ref. 22/331 and will be covered in this EIAR.

### 2.2.2 Statutory Consultation on the Proposed Development

During the determination of the planning application by Meath County Council, there was a period of statutory consultation on the details of the proposed development. All details of the application, including plans and assessment reports, were publicly available on the planning website and at the planning offices. MCC consulted the following departments within the local authority itself, as well as a range of prescribed bodies:

- Meath County Council
  - Environment
  - Flooding
  - Waste
  - Heritage
  - Transport
  - Conservation
  - Water Services
- Inland Fisheries Ireland
- An Taisce
- Geological Survey of Ireland (GSI)
- Department of Housing, Local Government and Heritage
- Environmental Health Service
- Environmental Protection Agency
- Irish Water
- Health and Safety Authority
- Waterways Ireland
- Department of the Environment, Climate and Communications
- The Heritage Council

There was one third party submission, who subsequently lodged the third-party appeal against Meath County Council's decision to grant planning permission in October 2022. The local planning authority has confirmed to An Bord Pleanála that it is satisfied that all matters raised by the submitter / appellant were considered in the course of consideration of the planning application, as detailed in the planning officer's reports.

Further information items raised by the flooding, heritage and waste departments of MCC, An Taisce, Inland Fisheries Ireland and the GSI were responded to by the applicant in a Further Information Response submitted to MCC. See details in Table 2-1 below. No further submissions were made by An Taisce and Inland Fisheries Ireland following information provided in the Response and the issue is considered suitably addressed.

**Table 2-1 Responses from Consultees during consideration of P. Ref. 22/331**

Consultee	Further Information Request	Further Information Provided
MCC Environment Department - Flooding	Submit documentation demonstrating that the reinforcement buttress/embankment structure will not be compromised during flood events	Revised Site-Specific Flood Risk Assessment, which applied the Justification Test, submitted and considered acceptable by MCC in terms of flood risk
MCC Environment Department - Waste	Applicant requested to clarify the intended source and classifications of all materials entering the subject site and to liaise with MCC in respect of any potential waste permitting implications	A meeting was undertaken at the Council office on 26 <sup>th</sup> July 2022 with MCC Waste Department, and it was confirmed that the proposed construction material does not constitute waste
MCC Heritage Department / Planning Department	Applicant requested to provide an Alien Invasive Plant Species Management and Control Plan	Plans and updated NIS provided to the satisfaction of MCC
	Applicant requested to provide Habitat and Biodiversity Management and Conservation Plan and update NIS accordingly	
	Applicant requested to provide comprehensive hydrogeological assessment and update NIS accordingly	
An Taisce	Highlights the importance of protecting the integrity of the river Blackwater and its tributaries	Applicant confirmed that all surface water protection measures identified in the hydrological assessment will be implemented and a Construction Environment Management Plan will be drafted and send to the planning department prior to commencement

Consultee	Further Information Request	Further Information Provided
Inland Fisheries Ireland	Highlighted importance of ensuring that surface water network in the area is protected	As above
Geological Survey of Ireland	Provided advice on GSI mapping and data resources and requested copies of reports detailing site investigation works should development proceed, so as to add to the national database	Noted

Given the extent of environmental assessment that has been undertaken to date, and the statutory consultation that has already been undertaken through the planning application stage for P. Reg. 22/331, it is not considered appropriate to undertake a formal scoping report. The scope of the individual chapters of the EIAR are set by the legislation set out in Annex IV of the EIA Directive and the EIA guidance, both of which are identified in Chapter 1 of this EIAR.

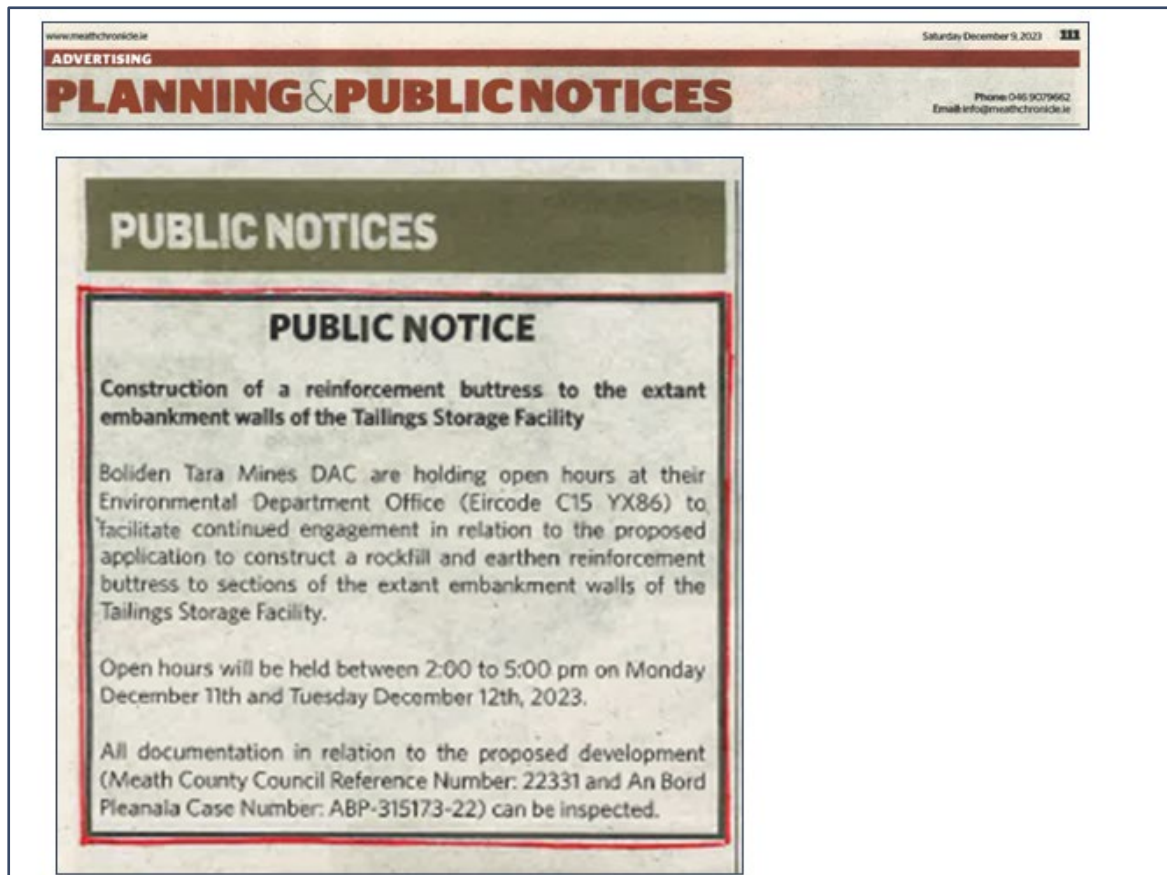
Other consultations and informal discussion held by contributors in undertaking their environmental impact assessments are detailed in the specialist environmental chapter of the EIAR.

### 2.2.3 Informal Stakeholder engagement

Stakeholder engagement has been conducted regularly throughout the development of the proposals. This included consultations with local communities, environmental agencies, and relevant authorities to address concerns, provide project updates, and incorporate feedback into the detail of the proposed development.

More recently, open hours were held at the BTM Environmental Department office to facilitate continued engagement in relation to the proposed development. The open hours were held between 2:00 to 5:00 pm on Monday December 11th and Tuesday December 12th, 2023.

Details of the open hours were advertised in the local newspaper Meath Chronicle (see Figure 2-1 below) and the local community group 'Saving the Environment of Navan Townlands' (SENT) was informed directly via phone and email.



**Figure 2-1** Newspaper Notice Advertising Information Event on the Proposals

All documents in relation to the proposed development (Meath County Council P. Ref. 22/331 and An Bord Pleanála Ref: ABP-315173-22) were available to be inspected. This included less technical and easily referable information such as photomontages to demonstrate the visual impact of the proposed development and maps, outline plans and cross-sections of the proposed works.

7 members of the public attended these open hours, and all were offered a tour of the facility to provide reassurance on the standards of environmental management in place at the site.

The issues / queries raised were as follows:

- Purpose of works – effect of proposed development on existing facility
- Duration of construction works

- Road traffic concerns in relation to importation of construction materials to the site
- Visual impact of proposed works on the existing landscape
- Groundwater concerns associated with existing facility
- Inconvenience that proposals may have on public during construction works
- General inconvenience / discommoding to local community during construction

Information was provided in answer to the queries raised and provided reassurance that all aspects would be addressed as appropriate in the EIAR, and appropriate mitigation measures would be incorporated where a potential impact is identified.

The Non-Technical Summary of this EIAR is provided as a clear, concise and publicly accessible document which enables non-specialists to understand how the potential for disturbance and environmental effects will be minimised and avoided.