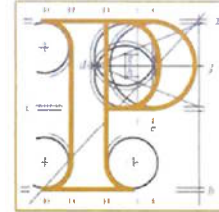


Our Case Number: ABP-316178-23

Your Reference: Bord na Mona Energy Ltd



An
Bord
Pleanála

Tobin Consulting Engineers
Unit 4, Block 10
Blanchardstown Corporate Park
Blanchardstown
Dublin 15
D15 X98N

Date: 24 January 2024

Re: Proposed development of Oweninny Windfarm Phase 3 consisting of 18 no. wind turbines.
Within the townlands of Laghtanvack, Croaghaun (also known as Croaghaun West), Moneynieran, Corvoderry, Shanvolahan, Dooleg More, Shranakilly, Bellacorrick and Shanvodinnaun, Co. Mayo.

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer further to the above mentioned proposed development which is before the Board for consideration.

Please be advised that the Board, in accordance with section 37(F)(1) of the Planning and Development Act 2000, as amended, hereby requires you to furnish the following further information in relation to the effects on the environment of the proposed development: .

1. Site Layout Plan: Submit a site layout plan which indicates the location of existing structures and development on site, including turbines and access roads. The site layout plan shall also indicate the turbines and access roads of adjoining windfarm developments such as Phase 1 and Phase 2 Oweninny windfarm. Annotate and label the turbines (both on and off site). Indicate the extent of existing access track to be retained as part of the proposed development.

2. AA Screening: Owenduff/Nepin Complex SPA: (a) The Department of Housing, Local Government and Heritage, by submission dated 22nd June 2023, expressed concern that the Owenduff/Nepin Complex was screened out from further consideration/assessment in the NIS as it considered that it is uncertain whether the proposed development is likely to have significant effect on this European Site. Notwithstanding the applicant's response to the submission and the argument put forward that Owenduff/Nepin Complex SPA is not required to be screened in, you are advised that the Board shares the opinion of the Department that further detailed information is required to adequately address the legal tests of the Appropriate Assessment (AA) process including in-combination effects with other projects in the area, and consider that Owenduff/Nepin Complex SPA should be screened in because of uncertainty of effect and should be subject to further detailed analysis in the NIS.

You are therefore requested to submit an Addendum to the AA Screening Report and NIS which screens in Owenduff/Nepin Complex SPA due to uncertainty of significance of effects either alone or in combination with other plans and projects. The NIS should be supported by scientific evidence as to why

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the Golden Plover and Merlin recorded at the windfarm site are or are not associated with the Owenduff/Nephrin Complex SPA populations and why any potential impacts caused by the proposed development would not undermine the conservation objectives of the Golden Plover and Merlin of the SPA so as to exclude adverse effects on site integrity beyond reasonable scientific doubt. In the absence of detailed site-specific conservation objectives for this SPA, the best available scientific information should be relied upon including reference to the Natura 2000 data form and any more up-to-date information on the species distribution and breeding status currently available (See Suddaby, D. & O'Brien, C. (2020) A survey of breeding Golden Plover within the Owenduff/Nephrin Complex SPA, County Mayo. Irish Wildlife Manuals, No. 120.). You should also consider the relevance of application of the targets and objectives set for both Special Conservation Interest species Breeding Golden Plover and Merlin for Connemara Bog Complex SPA [004181]. The assessment should also take account of any possible in-combination effects with the lodged planning application of Sheskin South windfarm (Reference ABP-315933-23 and sheskingsouthwfplanning.com).

3. Ornithology: The Board acknowledges the Applicant's response related to the DAU submissions on the use of national population figures e.g., for Golden Plover and use of arbitrary thresholds however, you are advised that the Board is not satisfied that this explanation is adequate in terms of its application to the impact assessment process in either the EIAR or the NIS. The use of national population figures to determine magnitude of effects at a local level is not appropriate as clearly described in the Department's submission. The Board request that the applicant further engages with the request of the Department in the impact assessment presented in the EIAR and NIS. Similarly, the Board considers that further scientific justification for the use of arbitrary thresholds should be integrated into the rationale for the collision risk model. You are therefore requested to submit an addendum to the Ornithology impact assessment and the NIS as relevant, clearly setting out the rationale behind the use of arbitrary thresholds for the collision risk model and also addressing the significance of predicted bird collision mortality at a more locally relevant level having regard to Percival methodology on same.

4. Bat Survey: Clarify the bat activity for Borrow Pit B, where the Bat Survey Report (Appendix 7.2 of the EIAR) on page 48 references that the borrow pit is south of T13 when in fact borrow pit B is south of T18.

5. Hydrology & Hydrogeology:

(a) The IFI, in their submission dated 26th May 2023, request additional detail with respect to location and design of respective culverts. In your response to submissions received, it was advised to "see a copy of the location map for the proposed culverts and a table showing each location and proposed design type." Neither the site location map nor the site layout plan contains this information. Submit a location map or site layout plan showing the location of proposed culverts accompanied by a table detailing the proposed design type.

(b) The IFI request that no extraction from borrow pits occurs below the water table to reduce the volume of water required to be treated for silt and to reduce the potential for siltation of waters downstream. This matter was not addressed in your Response to Submission. Please address.

(c) Borrow Pit A is 43ha, yet it is proposed that only 10ha will be extracted from. Clarify the need for such a large borrow pit.

6. Geology: Chapter 9, Soils & Geology, Geotechnics & Ground Stability contains the following statement (on page 9-42):

The site is found to comprise the following areas of peat risk: 40% insignificant risk, 40% significant risk, 20% substantial risk and 0% serious risk.

This statement does not appear to correspond with the Peat Stability Risk Assessment where relevant assessment areas are assigned a low or negligible pre-control measure risk-rating. Please clarify.

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7. EIAR: Having regard to the issues raised above, the applicant shall amend and update the EIAR, by way of an addendum, as necessary.

The further information referred to above should be received by the Board within eight weeks from the date of this notice (i.e. no later than 5.30 p.m. on the 20th March 2024).

In this regard, please submit 3 hard copies and one electronic copy of the above information.

Please note that following its examination of any information lodged in response to this request for additional information, the Board will then decide whether or not to invoke its powers under section 37(F)(2) of the Planning and Development Act 2000, as amended, requiring you to publish notice of the furnishing of any additional information and to allow for inspection or purchase of same and the making of further written submissions in relation to same to the Board.

If you have any queries in relation to the matter please contact the undersigned officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,



Lauren Murphy
Executive Officer
Direct Line: 01-8737275

PA11

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