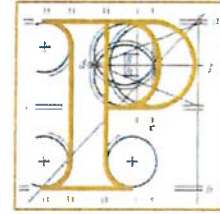


Our Case Number: ABP-317560-23



An
Bord
Pleanála

Danny and Sandra Beardshall
'The Haggard'
Carraun
Corballa
Co. Sligo
F26XA30

Date: 30 May 2024

Re: Proposed windfarm development including 13 no. wind turbines in Bunnyconnellan, Co. Mayo and hydrogen plant in Castleconnor, Co. Sligo.
Carrowleagh, Bunnyconnellan, Co. Mayo and Curraun, Castleconnor, Co. Sligo.

Dear Sir / Madam,

An Bord Pleanála has received your submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.


The Board will revert to you in due course in respect of this matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in the meantime 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

PA09

Tel	Tel	(01) 858 8100
Glao Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Submission from the Mayo, Sligo Energy Concern Group

Danny & Sandra Beardshall, Carraun, Corbally, Via Ballina, Co. Sligo.

RE: Proposed windfarm development including 13 no. wind turbines in Bunnyconnellan, Co. Mayo and hydrogen plant in Castleconnor, Co. Sligo. Case number 317560-23

In addition to our previous documented concerns, we wish to further make the following points and voice our concerns in relation to Planning case number 317560-23.

Landowner Consents...

Concern: - We are not satisfied that the recently submitted 'Property Overview 10561743, 1-2 document', covers all relevant consents.

With reference to 'Property Overview 10561743, 1-2 document', We are not satisfied with this as there are only 3 consent letters submitted with the planning application. There is no reference to letters of consent from landowners as Mercury claim that these consents are in place. Landowners have already made submissions stating that they haven't given any consent for different parts of this project. So, why have no other letters of consent been included, and where are the letters of consent for turbary rights to the plots of bog? There are also no letters of consent from Donegal County Council, Sligo County Council and Galway County Council. Surely, they should have been included if any work is to be done on roads in their area. Also, there are no letters of consent from Coillte for its lands included in the project on the L6612?

Passing Bays...

Concern: - There is no proof of consent for passing bays designated on the L 66121, L 51360 and L6612, and there are no passing bays marked on their drawings referred to. Also, there are no drawings for the passing bays on L 66121 under L1102 L 1102. All traffic from the wind farm construction will pass through L1102 which is already a dangerous stretch of road with bad bends and is also very narrow in places. When traffic exits the junction of L1102 with the N59, we are very concerned about the additional traffic hazard coming from the Sligo direction during the construction. We are also concerned why a private developer thinks they can put a CPO on private lands for private development without the consent of the landowners.

Consents Regarding Mayo Co Co...

Concern: - What consents are in place from Mayo Co. Council for work on the public roads? The following is a letter on headed paper from the Mayo Co. Council Claremorris office, which was submitted with the planning application form, but it only seems to refer to the turbine delivery route. The letter claims that Mayo County Council took legal advice regarding permissions. But... what was this advice, who gave it, what was it connected with, what was the correspondence and basis for the outcome and which laws does it entail. It must be pointed out that this letter is ambiguous as it does not have any name or job description regarding the person who only initialed the letter, or any reference for council records. It also has no reference number or folio numbers and does not follow the An Bord Pleanála referencing system. Why was this letter sent from the Claremorris Office and not the main

County Council Office in Castlebar. We therefore consider its presentation and accreditation unusual.



26th June 2023

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

RE: Planning Application - Firlough Windfarm and Green Hydrogen Project.

Dear Sirs,

I refer to recent correspondence regarding the proposed Firlough Windfarm and Green Hydrogen Project. The legal advice received by Mayo County Council states that from hedge to hedge is part of the public road and is subject to a public right of way, therefore no additional permissions are required other than the proposed planning permission.

Therefore, Mayo County Council confirms that it has no objection to the inclusion of the lands on the attached maps in this application in respect of the proposed works on the turbine delivery route.

Yours sincerely,

Head of Municipal District

Oifig Ceantair Chlár Chlainne Mhuiris, Bóthar Chill Chloimáin, Clár Chlainne Mhuiris, Contae Mhaigh Eo, P12 P383
Claremorris Area Office, Kilopiman Road, Claremorris, Co Mayo, P12 P383

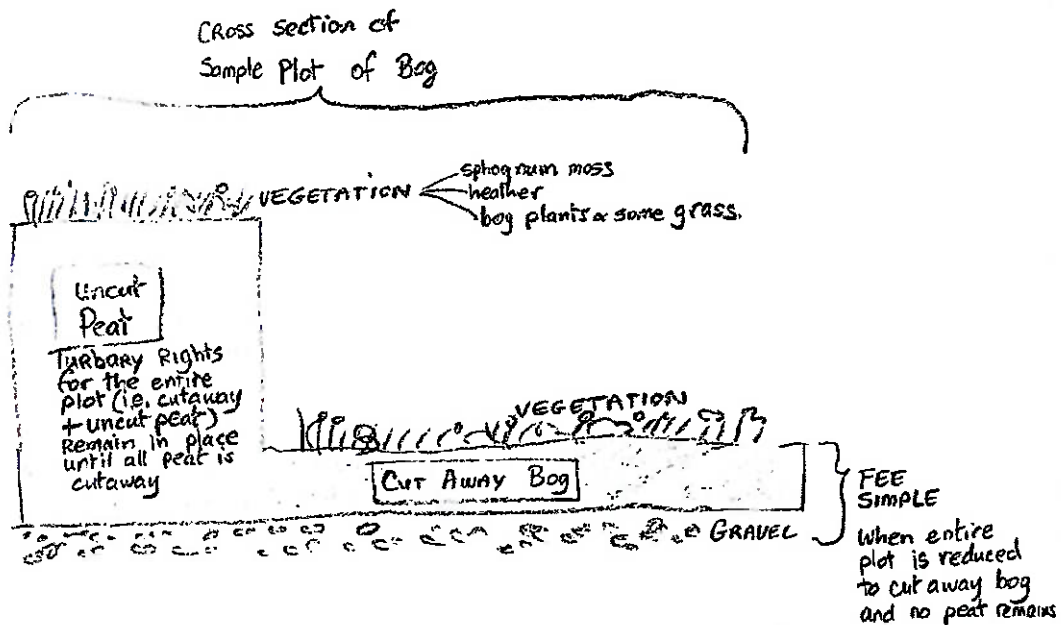
Turbary Rights

Draft Firlough Wind Farm FRA project number 603676-hydro-RO2-(00) Indicates cabling for underground electrical and communication. These connect the turbines to the wind farm substation - Appendix 9.1 of the groundwater assessment.

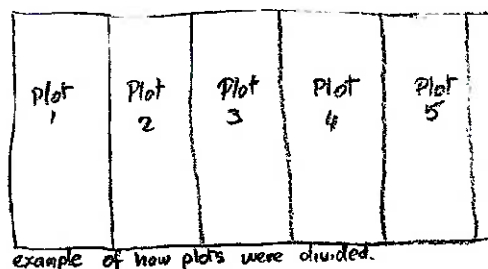
Concern: - Where are the proposal drawings for this underground cabling, as the location of these proposed cables may affect turbary rights? Consents need to be in place for this proposal. We can find no letters of consent from owners of these turbary rights.

Mercury Quote: - *'Almost the entire Wind Farm Site is subdivided into turbary plots lying primarily on a north south axis between the east west alignments of the road network. There are over 620 individual plots each measuring 50 m x 180 m.'*

Concern: - This is totally incorrect information in relation to size and number of the existing plots. The Land Commission allocated turbary rights and commonage on Kilbride Bog (also referred to as Carrowleagh). This bog is where the applicant proposes to develop a wind farm. It is our understanding that turbary rights to a plot of bog, remain in place for that entire plot, (i.e. bank of turf and cutaway area), until such time as the entire plot is cut away. Rights of commonage cover the surface area of the bog for grazing. The Land Commission decided that 'Fee Simple' comes into play on each plot that is entirely cut away and no peat remains for harvesting. This means effectively in the case of this bog, that commonage owners have the rights to the plots that are fully cut away, but not plots that still have peat remaining.

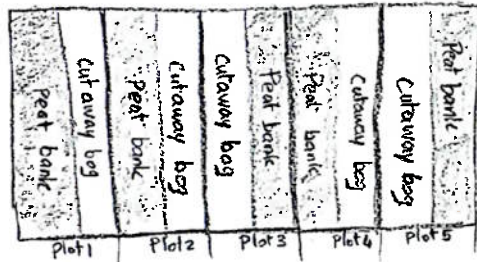


- On Kilbride Bog 'Fee simple' only comes into play on each plot that is 100% cut away. Fully cut away plots then fall under Fee simple
- Turbary RIGHTS Remain on each plot where there is still uncut peat & this includes the cutaway portion of each plot in turbary rights.
- Fee simple rights go to Commonage owners



example of how plots were divided.

- Turbary Rights to harvest Turf Plots were allocated by number to houses in the area & many to Ballina Town householders
- Bog plots are not typically 50m x 180m as stated by the developer
- There are not over 620 plots as stated by the developer.



Sample of how bog plots have been cut in Kilbride bog*

- Turbary Rights owners have cut turf on their plots. There is no rule for where they cut on their plots so the pattern throughout the bog is that of plots with strips of peat with strips of cut away bog.
- Therefore Fig. 5.3 does not represent this correctly. Figure 5.3 Habitats map is misleading and shows vast areas of cutover bog.

* KILBRIDE BOG is the name referred to, by bog plot owners, locally. The developer refers to this area as 'Carrowleagh'. Many bog plot owners of turbary rights were unaware that the windfarm was planned for Kilbride bog.

We also wish to point out that consents are not in place for all of the turbines. We note that the applicant has not provided any evidence of consent from owners of turbary rights, for either the concrete bases and hard stands of the 13 turbines, or for cabling that may have to pass through bog plots, or for plots that will be affected by road widening.

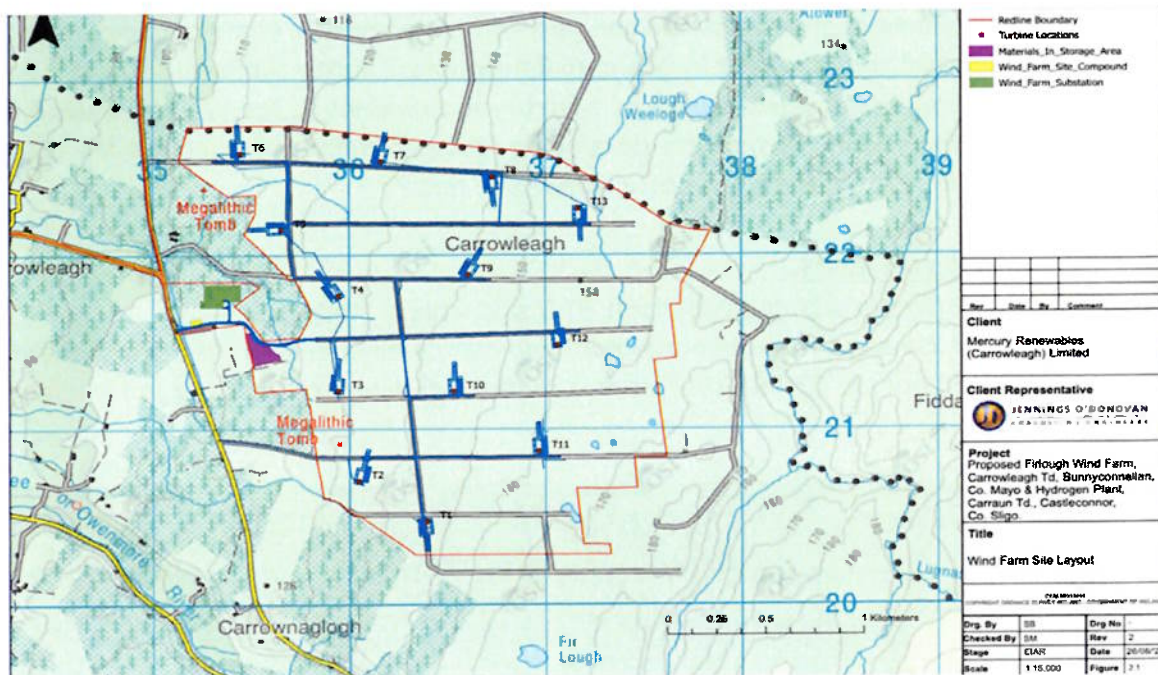
We are gravely concerned in relation to access for approximately 323 turbary plot holders since T2 and T4 have hardstands that traverse two of the access roads to the bog. Firstly, the planning drawings do not show these hardstands and they are portrayed differently in the planning drawings to other turbine bases and hardstands. T4 is not shown in its entirety on a single drawing sheet, in the same manner as the other turbines. Secondly, during the construction phase, it will not be possible to travel over these stands. It is also questionable as to whether people with turbary plots will be able to safely drive over them, with heavy loads, following completion of the project. There is no evidence of consents being in place for turbary plot owners in relation to access to their bog plots throughout the year.

Windfarm Roads

'15.4.5 Wind Farm Internal Access Roads

Mercury Quote: - 'Within the Wind Farm Site, existing access tracks will require reinforcement. No borrow pits will be utilised during construction and all construction material will be imported to Wind Farm Site. The northern branch will give access to turbines T7 and T9, with the northwestern and northeastern branch giving access to T6 and T8 respectively. The western branch will give access to T4, and the eastern branch will give access to T13 and T12. The southern branch will give access to turbines T1 and T10, with the southwestern and south eastern branch giving access to T2, T3 and T11 respectively. There will be a new internal access road constructed that will connect the north wing turbines to the south wing turbines of the Wind Farm Site.'

Concern: - It is difficult to understand what is meant by the above paragraph when it is read in conjunction with the below Wind farm Site Layout. Why is there no mention of T5? We seek clarification of this.



Strategic environmental assessment...

Concern: - We wish to stress to the Board that as far as we can determine, a Strategic Environmental Assessment has not been undertaken. Under European Law, this is a binding legal requirement for any guidelines drawn up for wind farms in 2006 and 2019.

Incorrect Information....

Mercury Quote: - 'The L6612 runs along the western side of the Proposed Firlough Wind Farm Site, this local road was widened and upgraded for the neighbouring Carrowleagh Wind Farm and will be used by both wind farms during operations.' (Pull up on open day re transportation routes included in PACC)

Concern: - This information is not correct. It is requested that Mayo Co.Council records are checked to ascertain the exact nature of the 'upgrade work' that the applicant claims was done on the L6612. We also point out that this road does not 'run along the western side of the proposed Firlough Wind Farm site' as claimed. These obvious inaccuracies demonstrate the many poor levels of accuracy of information given by the applicant as pointed out many times previously.

Mercury renewables state in their portfolio the following...

Mercury Quote: - *'Mercury Renewables has been responsibly developing renewable energy projects in the West of Ireland since 2009. The team combines local knowledge with international expertise to deliver projects in an environmentally sensitive way that also brings economic growth to the regions in which they operate.'* (www.firloughwindfarmplanning.com)

Concern: - If these claims made in their portfolio were true, then why are we not able to find any evidence whatsoever of any completed and operational renewable energy projects in the West of Ireland, owned and managed by Mercury Renewables? Surely there must be at least one completed operational project owned by Mercury Renewables in the West of Ireland if they have been as they claim, *'responsibly developing renewable energy projects in the West of Ireland since 2009.'*? So... if that is the case, where are they?

Water extraction concerns...

Appendix 9.8 groundwater supply assessment. This assessment states....

Mercury Quote: - *A constant rate discharge pumping test commenced on the 11/07/22 and pumping continued until the 03/08/2022 (approximately 546 hours of pumping in total over 24 days)*



Figure 3.9. SP2 on the 11/07/22 i.e., pre-pumping (left) and after 10 days of pumping 22/07/22 (right).

Mercury Quote: - *Reductions in flow at local springs (SP1 and SP2) were noted. However, further investigation would be required to ascertain whether this is due to pumping or low rainfall levels.*

Concern: - We are gravely concerned with these results and that reductions in flow in these springs, resulting from pumping, will have a detrimental affect the local streams leading to the Dooeighney river. The above photos illustrate this after only 10 days of pumping. As very regular harvesters of water from the spring well at the junction of L6611 and the N59, we were concerned at the very noticeable low level of water at the well during this period. Many people use this water and can be seen drawing it there every day. Why was there no photo included after the completion of testing i.e. after 24 days when it was very low?

Mercury Quote: - *'The closest well to the site is located approximately 1.4km to north. The reported borehole details are as follows: GSI Name 1131NEW005: 30.5m deep borehole. Yield Class: Poor. Agri & domestic use. Located in proximity to the castle. Locational accuracy: 500m. 'There are no other boreholes reported with at least 4 km of the site. However, given the stated poor accuracy of the database and the unregulated nature of private wells a survey would be required to accurately identify wells in the proximity to the site.'*

Concerns: -

1. What castle is being referred to?
2. Why was this database used for the purpose of analysing this site, given its known results of poor accuracy?
3. Why did this company not check with local householders within the buffer zone, or with houses identified on the hydrogen plant site house locations, to ensure that there were no private wells in the area. Did the company check with local farmers with a view to assess other local wells in use? There is at least one private agricultural well within the buffer zone that was not tested at all.
4. This further illustrates lack of communication with, and consideration for the people living and farming closest to the proposed hydrogen plant site despite Mercurys claims otherwise.

Mercury Quote: - *'Recovery was monitored for a 3-day period by manual measurement in all boreholes and by the water level logger in FW1 for 1 week.'*

Concern: - If FW1 was being used as a basis for estimated impact on surrounding land, why was this only monitored for 1 week? Surely it is obvious that depending on different rainfall and weather conditions at different times in different seasons, a far more extensive amount of measurement and research should have been undertaken and completed to fully ensure accurate results and findings. We consider this lack of research totally un-acceptable.

Mercury Quote: - *Considerable information has been obtained through this pumping test investigation with a conceptual model presented herein (i.e., Step 1 and Step 2). Further investigation should be carried out in order to identify sensitive sites (Step 3). At a minimum SP1 And SP2 (Section 3.3.6) should be monitored to obtain baseline flow data. As discussed in Section 2.6, given the unregulated nature of private wells and the absence of a database pertaining to their existence/location, a survey would be required to accurately identify wells in the proximity to the site.'*

Concern: - In the absence of such a survey, how can this report be acceptable justification that water extraction for the purpose of hydrogen production, won't adversely affect the aquifer and have a knock-on effect on the surrounding area? Why was baseline data not collected re SP1 and SP2 prior to drilling of and pumping from boreholes.

Mercury Quote: - *'Reductions in flow at local springs (SP1 and SP2) were noted. However, further investigation would be required to ascertain whether this is due to pumping or low rainfall levels. A notable reduction in water level/flow was observed at SP1 and SP2 (Figures 3.8 and 3.9, respectively). Flow at SP2 was measured at 0.65 l/s before pumping, however, it had reduced to 0.3 l/s after 10 days of continuous pumping. Flow further reduced to 0.06 l/s on the 01/08/22 at 8.00, however, it increased to 0.2 l/s by 20.00 on the same day. This is consistent with a heavy rainfall event (approximately 17mm) (see Figure 3.6).'* *'Flow at SP2 did not increase after the cessation of the pumping test. While flow is apparently somewhat correlated with rainfall, further work would be required to identify the impact of the groundwater abstraction.'*

Concern: - Why was rainfall data from Knock Airport and Markree used in the context of water recharge, when ridiculously both of these locations are being cited but are over 40 km away?!!



Figure 3.8. SP1 on the 11/07/22 i.e., pre-pumping (left) and after 10 days of pumping 22/07/22 (right). Note the very evident decrease in water levels.