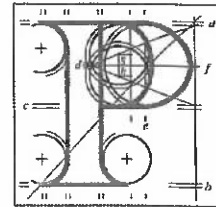


Our Case Number: ABP-316051-23



**An
Bord
Pleanála**

Development Applications Unit
The Manager
Government Offices
Newtown Road
Wexford
Co. Wexford
Y35 AP90

Date: 23 May 2023

Re: Renewable energy development comprising 9 no. wind turbines and associated infrastructure.
Umma More and adjacent townlands, County Westmeath.

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,

Niamh Thornton
Executive Officer
Direct Line: 01-8737247

PA09

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

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

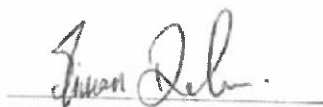
From: SIDS
Sent: Monday 22 May 2023 15:05
To: Niamh Thornton
Subject: FW: SID application for development of 9 no. wind turbines and all associated works in the Townlands of Ballynafearagh, Raheen, Baskin High, Baskin Low, Lissanode, Umma Beg or Moneynamanagh, Umma More in County Westmeath
Attachments: ABP-SID-WM.pdf

From: Simon Dolan (Housing) <Simon.Dolan@npws.gov.ie>
Sent: Monday, May 22, 2023 12:28 PM
To: SIDS <sids@pleanala.ie>
Subject: SID application for development of 9 no. wind turbines and all associated works in the Townlands of Ballynafearagh, Raheen, Baskin High, Baskin Low, Lissanode, Umma Beg or Moneynamanagh, Umma More in County Westmeath

A Chara,

Attached please find the Nature Conservation recommendations.

Regards,



Simon Dolan

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage
Executive Officer
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90



Planning Ref: 201050

(Please quote in all related correspondence)

19 May 2023

Secretary
An Bord Pleanála,
64 Marlborough Street,
Dublin 1
D01 V902

Via email: sids@pleanala.ie

Re: Notification to the Minister for Housing, Local Government and Heritage under the Planning and Development Act, 2000, as amended.

Proposed Development: SID application for development of 9 no. wind turbines and all associated works in the Townlands of Ballynafearagh, Raheen, Baskin High, Baskin Low, Lissanode, Umma Beg or Moneynamanagh, Umma More in County Westmeath

A chara

I refer to correspondence received in connection with the above. Further to the Department's submission of 4th May last, outlined below are nature conservation observations/recommendations co-ordinated by the Development Applications Unit under the stated headings.

These observations are intended to assist An Bord Pleanála in meeting their obligations in relation to National and EU legislation and policies for nature conservation and biodiversity, in the context of the current application.

Issues with the methodology to determine the magnitude of the impacts:

The Department considers that the Environmental Impact Assessment Report (EIAR) provided does not accurately use the methodology outlined to characterise and determine the magnitude of the potential impacts caused by the predicted avian collisions with the proposed turbines. The EIAR makes reference to the methodology outlined by Percival (2003)¹ for determining the magnitude of an effect on a given population of birds. According to Percival (2003), the magnitude of impact on a species population as a result of collisions, would be negligible if the estimated mortalities does

¹ Percival, S. M. (2003). Birds and wind farms in Ireland: A review of potential issues and impact assessment. Ecology Consulting, Coxhoe, Durham



not increase the natural annual mortality rate by 1%. However, Percival (2003) states that *'one issue in this process concerns the precise area or bird population against which the degree of impact should be judged. For protected SPAs this is usually quite straightforward, comprising simply the populations for which that site has been designated'* (Percival, 2003). Outside of protected sites Percival (2003) recommends that analysis be undertaken as to whether a homogenous area of suitable habitat occurs with which a specific population may be associated. Percival states that the *'populations of each important species at the wind farm within this zone should be estimated using the best available data on bird densities and habitat availability. These populations then constitute the baseline against which the magnitude of any predicted effects should be judged'* (Percival, 2003).

However, in relation to the current proposal, the EIAR references county populations when undertaking an analysis of the magnitude of the predicted collision risk impact. For example, Section 7.5.2 of the EIAR outlines the operational phase impacts, including collision mortality, on key ornithological receptors. Following Percival (2003) a calculation is made for each species whereby the annual collision risk (collisions per year) is considered relative to both the annual mortality rate and the population of the specific species. For example, with respect to peregrine falcon the proposed development will result in the annual collision of 0.144 birds. The annual adult mortality is considered to be 19%. A county level population is then derived by taking the national population and dividing it by 26 (16 pairs / 32 birds). Consequently, Section 7.5.2.1 concludes that the proposed application would result in an increased annual mortality of 2.4% which can be considered of low magnitude. However, Percival's methodology requires an analysis to determine what discrete population the peregrines recorded within the application site are likely associated with. During the breeding season peregrines occupy a distinct nesting territory and this territory may also be occupied during the non-breeding season. This nesting territory surrounds suitable nesting sites, consisting of natural or man-made ledges (quarries, church towers etc.). While peregrine falcons are common throughout the country they are not homogeneously distributed as suitable nesting sites/ territories are not located evenly throughout the countryside. Two breeding sites are located in the wider area of the proposed development and represent the only locations in the western half of County Westmeath outside of Athlone (NPWS, 2017²) consequently, any predicted loss due to collision should be assessed in the context of such distinct nesting territories. The predicted losses may or may not undermine the viability of such a nesting territory and effectively lead to the absence of this species from a suitable nesting territory. After such an analysis is undertaken it should then be contextualised in the wider geographical context.

As per Percival (2003) this type of analysis should be undertaken for each key ornithological receptor for which collision risk has been determined with consideration for available habitat, site fidelity, and behaviour of each species. The current proposed development has a relatively high potential collision mortality impacts on Black-headed Gulls during the breeding season (9.4 birds/ annum) and Lapwing (15.27/annum) during the non-breeding season. Black-headed gulls show strong breeding site fidelity and lapwings show fidelity to winter foraging ranges. Consequently, any analysis of impacts

² National Parks and Wildlife Service, (2017). National Peregrine Survey.



on these species should consider this behaviour and the distinct local populations that the collision mortalities may impact upon before contextualising this impact geographically.

Hen Harrier:

Hen Harrier were not recorded within the collision risk zone during the surveys undertaken to inform the EIAR. Consequently, they are not considered within the EIAR as a key ornithological receptor. The National Parks and Wildlife Service (NPWS) has recorded a nesting site for this species within 5km of the proposed development, which constitutes a rare example of lowland nesting site for this species. (Reference is made to this record in Section 7.3.6 of the EIAR). The Department notes that this nesting site is within 5km of the proposed development it is within the foraging range for males during the breeding season (see SNH, 2017³ and Hardey, et. al 2013⁴). Regional NPWS staff have also reported Hen Harrier foraging within the vicinity of the proposed application site during 2021 and 2022. The Department considers that as this species is susceptible to collision mortality from wind turbines, the nesting site nearby is rare in the wider geographical area, and individuals have been recorded foraging in the vicinity of proposed turbines, the application may benefit from further targeted surveys for this species to facilitate An Bord Pleanála in making their Environmental Impact Assessment (EIA) determination.

Barn Owl:

Barn Owl were not recorded during the surveys undertaken to inform the EIAR. Consequently, they are not considered within the EIAR as a key ornithological receptor. The NPWS has records for two active barn owl nests that occur within the vicinity of the application site boundary and may occur within the application site boundary. Section 7.2.4.4 of the EIAR outlines the survey methodology employed for breeding raptors (including owls). Methodologies for raptors follow Hardey et. al (2013). However, the EIAR does not explicitly indicate whether barn owl surveys, following the methodology outlined for this species in Hardey et. al (2013), were undertaken within the application site or the wider area. The EIAR does not identify suitable nesting sites for barn owl nor explicitly indicate whether such sites were surveyed for occupancy. The Department notes that as this species has nocturnal and crepuscular habits it is unlikely to be detected through the standard transect and vantage point surveys undertaken for the proposed application. Consequently, the Department recommends that clarity is provided on whether this species was specifically targeted during the surveys undertaken. Further surveys targeting this species may be necessary within the vicinity of the application site to facilitate An Bord Pleanála in making their EIA determination. The Department takes this opportunity to remind An Bord Pleanála of their obligations under Article 6.3 of the Habitats Directive (92/43/EEC). Competent national authorities, are to authorise activity only if they have made certain that it will not adversely affect the integrity of a European site. That is the case when there is no reasonable scientific doubt as to the absence of such effects⁵.

³ Scottish Natural Heritage (2017) Assessing Connectivity with Special Protection Areas (SPAs)

⁴ Hardey, J., Crick, H., Wernham, C., Riley, H., Etheridge, B. & Thompson, D. (2013). Raptors: a field guide to survey and monitoring (3rd Edition). The Stationery Office, Edinburgh.

⁵ C-418/04 Commision v Ireland ECLI:EU:C:2007:780



You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie where used, or to the following address:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

Is mise, le meas

A handwritten signature in blue ink, which appears to read 'Simon Dolan', is written over a horizontal line.

Simon Dolan
Development Applications Unit
Administration