

[REDACTED]

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**From:** Environmental Co-ordination (Inbox) <Environmental\_Co-ordination@agriculture.gov.ie>  
**Sent:** Thursday 12 October 2023 12:26  
**To:** [REDACTED]  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** 11474 - Ballyfasy Wind Farm, Co Kilkenny EIA Scoping Report.pdf; Ballyfasy Windfarm, Co Kilkenny.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Good afternoon,

Please see observations attached from our Felling Division

Regards

Environmental Co-ordination Unit

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**From:** Info <[Info@agriculture.gov.ie](mailto:Info@agriculture.gov.ie)>  
**Sent:** Thursday, September 28, 2023 11:10 AM  
**To:** Environmental Co-ordination (Inbox) <[Environmental\\_Co-ordination@agriculture.gov.ie](mailto:Environmental_Co-ordination@agriculture.gov.ie)>  
**Cc:** Info <[Info@agriculture.gov.ie](mailto:Info@agriculture.gov.ie)>  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

Hello,

Please see query below received to our information email address, for direct reply. If this is not relevant to your area please let me know.

Thank you

Kind Regards,

[REDACTED]

*Clerical Officer / Communications Division*  
**An Roinn Talmhaíochta, Bia agus Mara**  
*Department of Agriculture, Food and the Marine*

**An Teach Talmhaíochta, Sráid Chill Dara, Baile Átha Cliath 2, D02 WK12**  
Agriculture House, Kildare Street, Dublin 2, D02 WK12  
M [REDACTED] T [REDACTED]

[gov.ie](http://gov.ie) - Department of Agriculture, Food and the Marine ([www.gov.ie](http://www.gov.ie))

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**From:** [REDACTED] >  
**Sent:** Thursday, September 28, 2023 11:07 AM

To: Info <[Info@agriculture.gov.ie](mailto:Info@agriculture.gov.ie)>

Cc: [REDACTED]

Subject: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

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Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

[REDACTED] BSc (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
Galway | Dublin | Castlebar | Limerick  
Telephone: [REDACTED]  
Email: [REDACTED]  
Website: <http://www.tobin.ie>



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Department of Agriculture, Food and the Marine

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolas sa ríomhphost seo, agus in aon cheangaltáin leis, faoi rún agus tá sé dírithe ar an bhfaighteoir/na faighteoirí beartaithe amháin agus níor cheart ach dóibh siúd é a úsáid. D'fhéadfadh an t-eolas seo a bheith faoi réir pribhléid dhlíthiúil agus ghairmiúil. Mura tusa faighteoir beartaithe an ríomhphost seo, níor cheart duit an teachtaireacht seo, nó aon chuid di, a úsáid, a nochtadh, a chóipeáil, a dháileadh nó a choinneáil. Má fuair tú an ríomhphost seo go hearráideach, cuir an seoltóir ar an eolas láithreach agus scríos gach cóip den ríomhphost seo ó chóra(i)s do ríomhaire, le do thoil.

[REDACTED]  
Tobin Consulting Engineer,

Block 10-4

Blanchardstown Corporate Park

Dublin 15, D15X98N

12<sup>TH</sup> October 2023

**Re: Scoping Request for the proposed Ballyfasy Wind Farm near Listerlin, Mullinavat, Glenmore and Slieverue, Co. Kilkenny.**

Dear Sir/Madam,

The following are the comments from this Division in relation to the proposed development:

If the proposed development will involve the felling or removal of any trees, the developer must obtain a Felling Licence from this Department before trees are felled or removed. A Felling Licence application form can be obtained from **Felling Section, Department of Agriculture, Food and the Marine, Johnstown Castle Estate, Co. Wexford**. Email: [felling.forests@agriculture.gov.ie](mailto:felling.forests@agriculture.gov.ie) or Web [gov.ie](http://gov.ie) - [www.gov.ie](http://www.gov.ie) - [Tree Felling Licences \(www.gov.ie\)](http://www.gov.ie)

A Felling Licence granted by the Minister for Agriculture, Food and the Marine provides authority under the Forestry Act 2014 to fell or otherwise remove a tree or trees and/or to thin a forest for silvicultural reasons. The Act prescribes the functions of the Minister and details the requirements, rights and obligations in relation to felling licences. The principal set of regulations giving further effect to the Forestry Act 2014 are the Forestry Regulations 2017 (S.I. No. 191 of 2017).

The developer should take note of the contents of **Felling and Reforestation Policy** document which provide a consolidated source of information on the legal and regulatory framework relating to tree felling; [gov.ie](http://gov.ie) - [Tree Felling Licences \(www.gov.ie\)](http://www.gov.ie) As this development is within forest lands, particular attention should be paid to deforestation, turbulence felling and the requirement to afforest alternative lands.

In order to ensure regulated forestry operations in Ireland accord with the principles of sustainable forest management (SFM), as well fulfilling the requirements of other relevant environmental protection laws, the Department (acting through its Forest Service division) must undertake particular consultations, and give certain matters full consideration during the assessment of individual Felling Licence applications. This includes consultation with relevant bodies, the application of various protocols and procedures (e.g. Forest Service Appropriate Assessment Procedure), and the requirement for applicants on occasion to provide further information (e.g. a Natura Impact Statement).

Consequently, when the Forest Service is considering an application to fell trees, the following applies:

1. The interaction of these proposed works with the environment locally and more widely, in addition to potential direct and indirect impacts on designated sites and water, is assessed. Consultation with relevant environmental and planning authorities may be required where specific sensitivities arise (e.g. local authorities, National Parks & Wildlife Service, Inland Fisheries Ireland, and the National Monuments Service);
2. Where a tree Felling Licence application is received, the Department will publish a notice of the application before making a decision on the matter. The notice shall state that any person may



make a submission to the Department within 30 days from the date of the notice. The notices are published online at: [gov.ie - Felling Licence Applications \(www.gov.ie\)](http://gov.ie - Felling Licence Applications (www.gov.ie))

3. Third parties that make a submission or observation will be informed of the decision to grant or refuse the licence, and on request, details of the conditions attached to the licence, the main reasons and considerations on which the decision to grant or refuse the licence was based, and where conditions are attached to any licence, the reasons for the conditions. Both third parties and applicants will be also informed of their right to appeal any decision within 14 days to the Forestry Appeals Committee. Felling Licence decision are published online at: [gov.ie - Felling Licence Decisions \(www.gov.ie\)](http://gov.ie - Felling Licence Decisions (www.gov.ie))

It is important to note that when applying to a **Local Authority**, or **An Bord Pleanála**, for planning permission where developments are:

- a) subject to an EIA procedure (including screening in the case of a sub-threshold development) and any resulting requirement to produce an EIAR; and/or
  - b) subject to an Appropriate Assessment procedure (including screening) and any resulting requirement to a Natura Impact Statement (NIS); and
  - c) the proposed development in its construction or operational phases, or any works ancillary thereto, would directly or indirectly involve the felling and replanting of trees, deforestation for the purposes of conversion to another type of land use, or replacement of broadleaf high forest by conifer species,
1. that there is a requirement inter alia under the EIA Directive for an overall assessment of the effects of the project or the alteration thereof on the environment to be undertaken, including the direct and indirect environmental impact of the project;
- and
2. pursuant to Article 2(3) of the EIA Directive, the Department of Agriculture, Food and the Marine strongly recommends that, notwithstanding the fact that a parallel consent in the form of felling licence may also have to be applied for, any EIAR and/or NIS produced in connection with the application for planning permission to the Local Planning Authority or An Bord Pleanála, should include an assessment of the impact of and measures, as appropriate, to prevent, mitigate or compensate for any significant adverse effects direct or indirect identified on the environment arising from such felling and replanting of trees, deforestation for the purposes of conversion to another type of land use, or replacement of broadleaf high forest by conifer species.
  3. Please note that there must be absolute spatial consistency between the felling licence areas submitted to DAFM (second authority) and all related planning documents submitted to the first authority in respect of the felling area(s)

Yours sincerely,



**Felling Section**  
**Department of Agriculture, Food and the Marine**  
**Johnstown Castle**  
**Co Wexford**



[REDACTED]

---

**From:** Transport GCU <GeneralCo-OrdinationUnit@transport.gov.ie>  
**Sent:** Tuesday 24 October 2023 14:39  
**To:** [REDACTED]  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** 11474 - Ballyfasy Wind Farm, Co Kilkenny EIA Scoping Report.pdf; 20231024 Ballyfasy DoT reply.docx

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Good afternoon,

Please find attached for your consideration submission on behalf of Department of Transport in relation to EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny.

Kind regards

[REDACTED]

[REDACTED]  
*Central Policy, Coordination and Reform*  
**An Roinn Iompair**  
*Department of Transport*  
Lána Líosain, Baile Átha Cliath, D02 TR60  
Leeson Lane, Dublin, D02 TR60  
T [REDACTED]  
[gcu@transport.gov.ie](mailto:gcu@transport.gov.ie) [www.gov.ie/transport](http://www.gov.ie/transport)

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**From:** [REDACTED] >  
**Sent:** Thursday 28 September 2023 11:11  
**To:** Transport Department of Transport <[info@transport.gov.ie](mailto:info@transport.gov.ie)>  
**Cc:** [REDACTED] >  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

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Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

██████████ BSc (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
Galway | Dublin | Castlebar | Limerick  
Telephone: ██████████  
Email: ██████████  
Website: <http://www.tobin.ie>



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*2018 Engineers Ireland Excellence Awards Winner: Engineering Project of the Year*  
*2018 Engineers Ireland Excellence Awards Winner: Heritage and Conservation*

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██████████ BSc (Hons) MSc  
Assistant Project Manager  
TOBIN Consulting Engineers

24<sup>th</sup> October 2023

**Re: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny**

The Department of Transport makes the following comments on consultation request relating to the Scoping Report for the proposed Ballyfasy Wind Farm in Co. Kilkenny.

It should be noted that the Department considers the construction involved in providing this development and especially, the connection cables to the national grid may have effects on both the environment and the Regional and Local Road network.

Where the developer proposes the placement of any cables (or additional cables) in one or more trenches within the extents of the (regional and local) public road network, it is necessary to consider the following:

- Their presence within the public road will likely significantly restrict the Road Authority in carrying out its function to construct and maintain the public road and will likely add to the costs of those works.
- Their installation within the lands associated with the public road may affect the stability of the road. In particular where the road is a “legacy road” (where there is no designed road structure and the subgrade may be poor or poorly drained) the design needs to take account of all the variable ground conditions and not be based on a sample of the general soil conditions.
- The possible effect on the remaining available road space (noting that there may be need to accommodate other utilities within the road cross-section in the future).
- The necessity to have the power in the cables switched off where the Road Authority considers this necessary in order to carry out its function to construct and maintain the public road.



The Department consider it important that the examination of the proposal should include consideration of the following:

- Examination of options other than the routing of cables along the public road,
- Examination of options for connection to the national grid network at a point closer to the wind farm in order to reduce the adverse impact on public roads.
- Details of where within the road cross section cables are to be placed so as to minimise the effect on the Roads Authority in its role of construction and maintenance,
- Examination of details of any chambers proposed within the public road cross section so as to minimise the effect on the Roads Authority in its role of construction and maintenance,
- Elimination of jointing bays from beneath the road pavement to protect the integrity of the road structure for the safety of those driving on the public road by eliminating hard spots and also preserve the road width for other utilities,
- Prevention of the attachment of cables to all bridge structures and culverts by diverting them beneath or away from these structures and,
- Rationalisation of the number of cables involved (including existing electric or possible future cables) and their diversion into one trench, in order to minimise the impacts on the road network and the environment along the road boundary (hedgerows).

The Department considers the following should be considered when applying conditions to any approval.

1. A condition requiring the specific approval of the local authority to the detail of the final route of cables through the public road space. If during construction there is a need to deviate from the detailed design then the approval of the local authority would again be sought. This would assist in minimising the impact on the public road.
2. A condition requiring the developer to comply with all appropriate standards and, inter alia the Guidelines for Managing Openings in Public Roads, 2017 in order to ensure orderly development.
3. A condition requiring that the location of the cables would be recorded as exactly as possible (maybe using BIM type technology) so as to facilitate the further use of road space for utilities and the maintenance/construction of the public road by the Roads authority. This record should include as constructed surveys of all infrastructure



altered, added, removed, or relocated and exact detail of the road construction including any drains or other features encountered. The record should be lodged with the local authority and with the ESB Networks for retention on their records.

4. A condition to require the elimination of jointing bays from under the road pavement to protect the integrity of the road structure, thereby improving safety for those driving on the public road by eliminating hard spots and preserving the road width for other utilities.
5. A condition requiring the developer to route cables away from bridge structures and specifically preventing the developer from attaching cables to road bridges. This would allow for the future maintenance of bridges without interruption of the electricity supply along the cables.
6. A condition requiring the replacement of culverts that have been excavated during the cable duct placement operation. The replacement culverts should be designed appropriately and include an allowance for the effects of climate change.
7. A condition requiring the developer to notify the Roads Authority of the owner of the cables (Owner) and the controller (Power Controller) of the power transmitted along the cables. In addition, the condition should require Owner and Power Controller to notify the Roads Authority of any change in ownership of the cables or change of Power Controller transmitting power along the cables. In all instances the Owner and Power Controller should be required to maintain an agreed contacts list with the Roads Authority.

*Central Policy, Coordination and Reform*

**An Roinn Iompair**

*Department of Transport*

**Lána Liosain, Baile Átha Cliath, D02 TR60**

Leeson Lane, Dublin, D02 TR60

T [REDACTED]

[gcu@transport.gov.ie](mailto:gcu@transport.gov.ie) [www.gov.ie/transport](http://www.gov.ie/transport)

[REDACTED]

---

**From:** planning applications <planning.applications@failteireland.ie>  
**Sent:** Tuesday 10 October 2023 16:41  
**To:** [REDACTED]  
**Subject:** RE: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** Fáilte Ireland EIAR Guidelines 2023.pdf

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**Flag Status:** Completed

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Hello [REDACTED]

Thank you for your email and scoping letter regarding for the proposed Ballyfasy Wind Farm in County Kilkenny

Please see attached letter in response to the invitation to make a submission in relation to the EIAR Scoping Report for the Arklow Bank Wind Park 2. Also attached a copy of Fáilte Ireland's Guidelines for the Treatment of Tourism in an EIA, which you may find informative for the preparation of the Environmental Impact Assessment for the proposed project. The purpose of this report is to provide guidance for those conducting Environmental Impact Assessment and compiling an Environmental Impact Assessment Reports (EIAR), or those assessing EIARs, where the project involves tourism or may have an impact upon tourism. These guidelines are non-statutory and act as supplementary advice to the EPA EIAR Guidelines outlined in section 2.

Regards & thanks,

[REDACTED]

[REDACTED]  
**Product Development-Environment & Planning Support | Fáilte Ireland**

88-95 Amiens Street, Dublin 1, D01 WR86

M [REDACTED]



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**From:** [REDACTED] >  
**Sent:** Thursday, September 28, 2023 11:26 AM



**To:** Failte Ireland Customer Support <customersupport@failteireland.ie>; planning applications  
<planning.applications@failteireland.ie>

**Cc:** [REDACTED]

**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

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Dear Sir/Madam,

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As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

[REDACTED] BSc (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
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Website: <http://www.tobin.ie>



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# **EIAR Guidelines for the Consideration of Tourism and Tourism Related Projects**



**July 2023**

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## 1. Introduction

Tourism is a growing sector and substantial part of the Irish Economy. It contributes to both urban and rural economies in every part of the country. The impact and interaction of tourism with the environment is complex and the assessment of environmental impacts is of utmost importance to creating a sustainable tourism economy and protecting the natural resources that are so often a tourism attraction.

The purpose of this report is to provide guidance for those conducting Environmental Impact Assessment and compiling an Environmental Impact Assessment Reports (EIAR), or those assessing EIARs, where the project involves tourism or may have an impact upon tourism. These guidelines are non-statutory and act as supplementary advice to the EPA EIAR Guidelines outlined in section 2.

This guidance document has been prepared by Fáilte Ireland to update their EIA guidelines in line with changes in legislative and guidance requirements.

## 2. Background to this Document

Tourism is one of the largest and most important sectors of the economy, providing employment for approximately **260,000 people**, an economic contribution of **€9.5 billion**, and exchequer revenue of **€1.8 billion** in 2019, which helps fund other key public services.

In 2019 Ireland welcomed **9.7 million overseas visitors**.

Fáilte Ireland is the National Tourism Development Authority established by the Irish Government in May 2003. Fáilte Ireland's role is to support the tourism industry and work to sustain Ireland as a high-quality and competitive tourism destination. They provide a range of practical business supports to help tourism businesses better manage and market their products and services.

Fáilte Ireland also work with other state agencies and representative bodies, at local and national levels, to implement and champion positive and practical strategies that will benefit Irish tourism and the Irish economy.

Fáilte Ireland promotes Ireland as a holiday destination through a domestic marketing campaign (DiscoverIreland.ie) and manage a network of nationwide tourist information centres that provide help and advice for visitors to Ireland.

Tourism related projects cover a broad range of plans, programmes and developments, from the Wild Atlantic Way to a single hotel conversion. These guidelines apply to projects involving or impacting upon tourism. A tourism plan, strategy or programme where it is part of the statutory plan making process under the Planning and Development Acts (as amended), may be more appropriately assessed by a Strategic Environmental Assessment (SEA) as discussed in the next section.

It should be borne in mind that EIA is required where there is anticipated to be a significant impact on the environment, where tourism projects are of a prescribed type or meet thresholds identified below.

Where Natura 2000 Designated Sites are potentially affected by tourism development Appropriate Assessment must be carried out by the appropriate authority in accordance with Article 6(3) of the EU Habitats Directive.

### **3. Legislation and Statutory Guidance**

Environmental Impact Assessment is a procedure that ensures that the environmental implications of decisions are taken into account before planning based decisions are made. The assessment results in a report, called an Environmental Impact Assessment Report (EIAR).

#### ***Legislation***

These guidelines are produced under current EIAR legislative requirements, having regard to Directive 2011/92/EU (known as 'Environmental Impact Assessment' – EIA Directive), as amended by Directive EU 2014/52 which came into effect in May of 2017. These requirements were transposed into Irish Law on 1 September 2018 as most of the provisions of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) came into effect. The principle of both Directives is to ensure that plans, programmes and projects likely to have significant effects on the environment are made subject to an environmental assessment, prior to their approval or authorisation.

#### ***Statutory Guidance***

In response to the changes to the EIAR requirements under Directive EU 2014/52, the Environmental Protection Agency (EPA) developed Guidelines on the information to be contained in Environmental Impact Assessment Reports in May 2022. The Guidelines are a statutory document to be regarded by those preparing EIARs and the decision makers considering the EIARs.

Some of the key changes to the EIA Directive introduced by Directive 2014/52/EU are as follows:

- Additional information to be provided in the project description to describe the location of the project, the technologies and substances used, the construction of the project and required demolition;
- The requirement for consideration of alternatives has changed from a requirement to provide 'An outline of the main alternatives studied by the developer and an indication of the main reasons for this choice, taking into account the environmental effects' to 'a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment';
- A refinement of the environmental factors to be considered in the assessment with an increased focus on resource efficiency, climate change, biodiversity and disaster prevention;
- Changes to Prescribed Environmental Factors with 'Land' being added, 'Human Beings' replaced by 'Population & Human Health' and 'Flora & Fauna' replaced by 'Biodiversity';

- The developer is required to have competent experts to prepare the EIAR and the Board is required to have access to sufficient expertise to assess the EIAR;
- Requirement for the incorporation of mitigation and monitoring measures in consents and ensuring that developers deliver these measures;
- The requirements for the assessment of cumulative effects with existing and/or approved projects, taking into account existing environmental issues to be considered; and
- Reasoned decisions made with regard to the EIA outcomes must be provided.

In addition to the EPA statutory guidance, the Department of Housing has produced Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment in August 2018.

The process of EIA is set out in the EPA EIAR Guidelines, this document should be read in conjunction with and used as supplementary guidance to the EPA EIAR Guidelines. The process for ascertaining whether an EIAR is required is known as 'screening' and the process to determine the breadth and scope of an EIAR is known as 'scoping'. Guidance on this can be found in Section 3.2 of the EPA Guidelines.

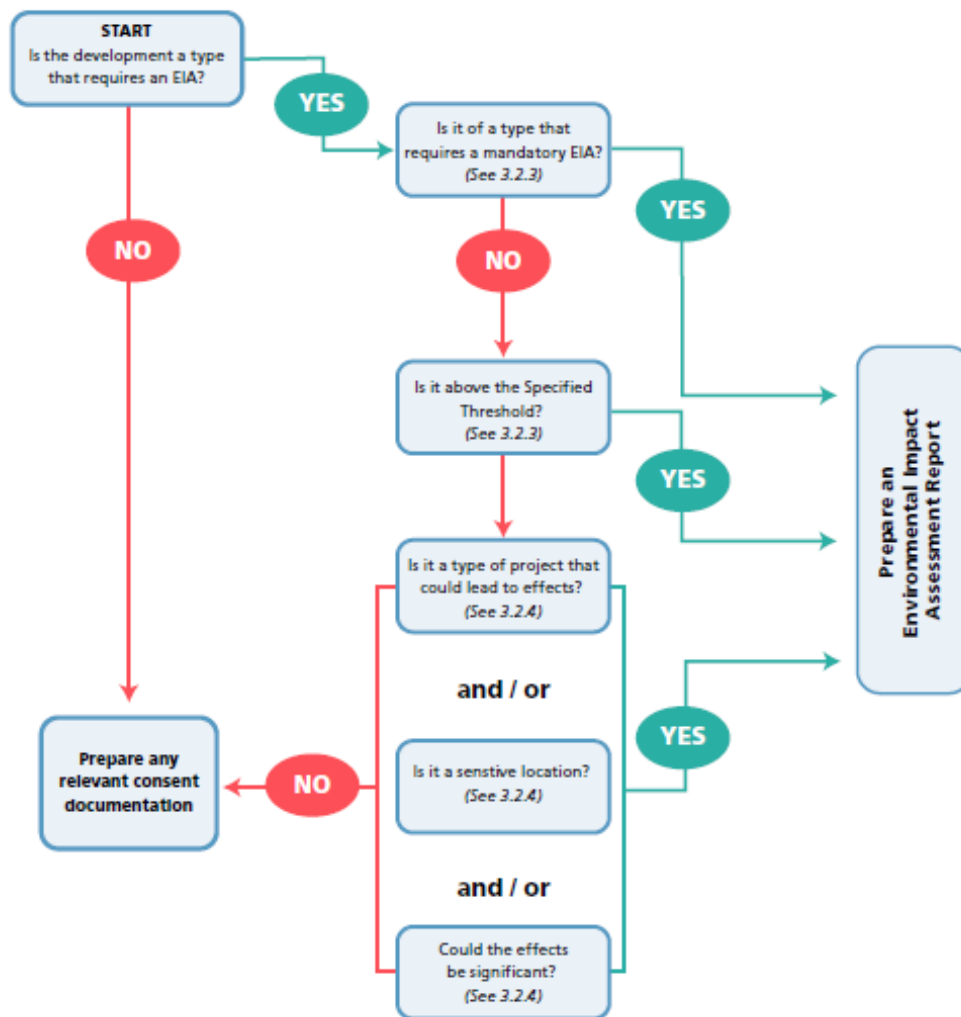
### **Screening**

Through EIA Screening, developments are either considered as requiring an EIAR due to the project type or because they exceed a threshold level. The screening process begins by establishing whether the proposal is a 'project' as understood by the Directive (as amended).

The prescribed development types and thresholds are set out in Annex I and II of the EIA Directive as transposed into Schedule 5 of the Planning and Development Regulations 2010-2018 (as amended). Development which does not exceed these thresholds but may require an EIAR are called sub threshold. Sub-Threshold considerations are outlined in Schedule 7 of European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) as transposed from Annex III of the Directive. The Guidelines on Environmental Impact Assessment Reports note that projects at first glance may not appear to come under the Schedule but on closer examination when the process is further examined, they may do so because of the sensitivity or significance of the receiving environment etc. Sub threshold developments require an EIAR if they are likely to have significant environmental impacts and must undergo assessment for likely significant impacts through an EIAR screening report. The contents of a screening report for subthreshold development are contained in Annex III of the EIA Directive.



Figure 1: EIAR Screening Process



(Taken from Fig 3.2 of the EPA Guidelines)

Tourism locations should be identified as sensitive receptors in screening assessments for particular impacts, depending on scale and sensitivity, as they would in a full EIAR. Section 6 below can act as guidance for Screening Reports as well as for full EIAR.

The screening process for considering where an EIAR is necessary, is summarised above in Figure 1 (excerpted from Figure 3.2 of the EPA Guidelines).

Strategic Environmental Assessment (SEA) is a more strategic level of environmental assessment that examines plans, policies, objectives and programmes specifically rather than projects. For some tourism developments it may be more appropriate that they be examined through SEA, while individual projects or specific proposals are likely to be more assessed through EIAR. If a project is part of a plan, programme or policy/objective assessed by SEA there may still be a requirement for an EIAR for that development (subject to EIA Screening assessment).



## *EIAR Scoping*

Scoping an EIAR is an opportunity to look at the breadth of issues and ensure that any areas of possible significant impact are assessed. Identifying sensitivities and stakeholders should take account of tourism facilities and consider Fáilte Ireland in scoping requests where necessary.

### **4. Assessing Tourism**

There is no legal definition of 'tourism' in Irish legislation. The UNWTO definition of sustainable tourism is *"Tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities"*. This is widely accepted as a key definition of tourism as we move to a more sustainable future.

Tourism assessments are frequently carried out by economic consultants and by specific tourism consultants. It is always advisable, particular for tourism projects, that suitably qualified and experienced personnel are used to determine the impact of tourism related projects or to assess the impact of more general proposals on a tourism asset identified in a particular location. There is a requirement for EIAR under current legislation to contain a statement of competency within all EIAR documents, including screening and scoping reports.

#### ***Projects which involve a tourism element***

Tourism projects are wide ranging and diverse. While there are some projects which cater to tourism and are easily identified as such - Hotels, Museums, etc. there are other projects where tourism is a key service or element, but which may not be immediately obvious – walking/cycling/forest trails, greenways, blueways, community facilities and others. EIAR conducted for developments containing tourist elements should be completed in accordance with the current guidance from the EPA.

Projects which include a tourism element can have potential for particular environmental effects which differ from a non-tourism development. These impacts can be intermittent, event related, inconsistent, dependent on weather, temporal, temporary or seasonal. This is considered within the prescribed environmental topics for EIAR outlined in Section 7 below.

#### ***Projects which may have an impact upon tourism***

While tourism projects may be diverse, the projects which can impact tourism are considerably more wide ranging, from large infrastructural developments to local energy developments. Disruption to or suppression of a tourist resource or amenity can have very local or more strategic impacts, directly or indirectly- for example energy projects in a rural area can have both a negative and positive impact in different regards. There can be temporary, periodic or even seasonal impacts occurring during construction or operational periods.

According to the Fáilte Ireland Tourism Facts 2019 Report, the most important factors in determining the attractiveness of tourism destinations for visitors to Ireland are;

- Beautiful Scenery and Unspoiled Environment
- Hospitality
- Safety
- Nature, Wildlife and Natural Attractions
- History and Culture

- Pace of Life

These factors used for the promotion of tourism in Ireland are also barometers of sensitivity to change in tourism sensitive or dominant locations where development may have an impact upon the tourism asset. The potential for development to impact these sensitivities, and the environmental criteria under which they can be considered, are identified in section 7 of the guidelines.

## **5. Guiding Principles of EIAR**

As outlined in the EPA EIAR Guidelines, the fundamental principles to be followed when preparing an EIAR, including screening and scoping, are:

- Anticipating, avoiding and reducing significant effects
- Assessing and mitigating effects
- Maintaining objectivity
- Ensuring clarity and quality
- Providing relevant information to decision makers
- Facilitating better consultation.

Environmental assessment should be undertaken in accordance with the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018.

## **6. Consideration of Competency and Qualifications**

As per Section 2.5 of the EPA Guidelines, EIAR is required to be completed by '*competent experts*'.

Contributors to the preparation of environmental impact assessment reports, including screening and scoping assessments, should be qualified and competent. Sufficient expertise, in the relevant field of the project concerned, is required for the purpose of its examination by the competent authorities in order to ensure that the information provided by the developer is complete and of a high level of quality so that a full and proper assessment can be undertaken.

For tourism related projects, or projects likely to affect tourism assets, competent experts in the area of tourism should be utilised in the environmental assessment.

The competency of all involved in the production of an EIAR or any related report (e.g. Screening and scoping) is required to be stated at the beginning of the EIAR report with further details as necessary in each following chapter.

Where tourism projects involve for example heritage or cultural components, input from heritage consultants, conservation architects, or historians may be required.

## **7. EIAR Requirements**

The following are the key requirements for an EIAR under the current guidance. This is not a definitive list and should be read in conjunction with regulations.

- project description;
- assessment of alternatives considered;
- baseline assessment;
- assessment of effects;
- cumulative impact;
- interaction of impacts;
- mitigation & monitoring; and
- residual impacts

### ***Project Description***

Project descriptions are required to describe the whole project including site, scale, design and key factors. It is important that the EIAR and design team have a consistent understanding of the development description in full. The key requirements are outlined in section 3.5 of the EPA Guidelines however they identify the following;

- the location of the project
- the physical characteristics of the whole project
- the main characteristics of the operational phase of the project
- an estimate, by type and quantity, of the expected residues and emissions

The location of the project should include identifying key sensitive receptors (including tourism receptors). In the operational phase of the project any tourism based, or potentially tourism related activity, should be identified.

### ***Assessment of Alternatives***

The assessment of the various reasonable alternatives is an important requirement of the EIA process.

Where tourism projects are location dependent the assessment of reasonable alternatives should consider alternative methods, layouts, technologies and mitigations, detail the key considerations culminating in the selection of the option/design, the reasoning for these and the environmental effect of these decisions. This is particularly important for tourism projects which are often location tied. The EPA EIAR Guidelines indicate that it is generally sufficient to provide a broad description of each main alternatives and the key issues associated with each, showing how environmental considerations were taken into account in deciding on the selected option.

### ***Baseline Assessment***

Baseline descriptions are evidence based, current descriptions of environmental characteristics with consideration of likely changes to the baseline environment evidenced in planning histories, unimplemented permissions, and applications pending determination. Baseline assessments should identify any tourism sensitivities in the zone of influence of a development. This zone of influence of a development is highly dependent on its **Context, Character, Significance, and Sensitivity**, as outlined in the EPA EIAR Guidelines. These characteristics apply to both the development and the environment.

For example, in a tourism context;

The location of sensitive tourism resources that are likely to be directly affected should be highlighted, and other premises which although located elsewhere, may be the subject of in combination impacts such as alteration of traffic flows or increased urban development.

The character of an area from a tourism perspective should be described and the principal types of tourism in the area. Where relevant, the specific environmental resources or attributes in the existing environment which each group uses or values should be stated and where relevant, indicate the time, duration or seasonality of any of those activities.

The significance of the tourism assets or activities likely to be affected should be highlighted. Reference to any existing formal or published designation or recognition of such significance should be included. Where possible the value of the contribution of such tourism assets and activities to the local economy should also be provided.

If there are any significant concerns or opposition to the development known to exist among tourism stakeholders and interest groups, this should be highlighted. Identify, where possible, the particular aspect of the development which is of concern, together with the part of the existing tourism resource which may be threatened or impacted.

In addition, the baseline should include any methodologies employed in the study to obtain information, if particular databases are used to locate sensitive receptors they should be acknowledged. In relation to tourism information, the suggested information sources at the end of this document are a non-exhaustive list which may be of assistance in identifying tourism receptors.

### **Impact Assessment**

The topics for consideration of impact are prescribed in the EIA Directive and transcribed into Irish law by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018). Impact assessment should contain the likely significant effects of a development arising from both construction and operation of a development. Advice on describing the effects is contained within the EPA EIAR Guidelines and includes the **quality, significance, extent, probability, type** and **duration** of the effect, with particular descriptors for each. In describing effects upon tourism receptors these descriptors should take account of the particular aspects and sensitivities of tourism, for example a temporary annual effect from a development may have different impacts upon tourism if it falls at peak season rather than off-peak.

Impact assessment should be carried out as per EPA guidelines and the best practice for that prescribed topic. It may be considered appropriate to consider impact on tourism under the 'Population and Human Health' and / or 'Landscape' topics as suggested below.

#### **Population and Human Health**

The consideration of tourism projects within the Population and Human Health is extensive, with impacts ranging from rural employment population impacts of seasonal tourism, to the health impact of air pollution from increased traffic in urban areas.

The impact upon tourism can be considered within this section through the sensitivities of Hospitality, Safety and Pace of Life. Changes in population can impact the perception of pace of life or safety in a particular location. Impacts upon these issues in areas which rely heavily on tourism or have a particular sensitive tourism generator should be considered in this section. The EPA guidelines makes reference to amenity “..which may be relevant under ‘Population and Human Health’ and ‘Landscape’”.

#### **Biodiversity**

Particular tourist activities can have a significant impact upon biodiversity. Landscapes which are ‘unspoiled’ can be attractors of tourism. However, the disturbance to ecology must be managed to minimise impacts.

Biodiversity is also a tourism asset and should be protected as such from other development and should be provided for in proposals where possible.

The assessment should also consider current Government policy on nature conservation as outlined in the National Biodiversity Action Plan 2017-2021 (NBAP) (and subsequent iterations (Including draft NBAP recently open for public consultation, to cover 2023 to 2027) which also includes Ireland's vision for biodiversity below.

*'That biodiversity and ecosystems in Ireland are conserved and restored, delivering benefits essential for all sectors of society and that Ireland contributes to efforts to halt the loss of biodiversity and the degradation of ecosystems in the EU and globally.'*

#### Land, Soils and Geology

A link between tourism and this prescribed environmental factor, beyond the normal development impacts, is rare, however particular activities or facilities which use geological features may have an impact upon soils and geology, such as mountain biking trails, recreational uses of old quarries etc.

The impact upon Geotourism related to geoheritage within the natural environment, e.g., any impacts on UNESCO Global Geoparks, of which we currently have three on the island of Ireland; Copper Coast in Co. Waterford, Burren and Cliffs of Moher in Co. Clare, and Cuilcagh Lakelands in Cavan and Fermanagh should be considered (where applicable) in this section.

Indirect impacts such as material use for extensive landscaping and public realm should also be considered.

#### Water

Tourism uses can be water intense, depending on development type. Recreational use of a surface water feature, water-based leisure centres etc have different impacts to standard development.

#### Air Quality and Climate

Tourism impact upon air quality is dependent on the activity proposed and sensitivity of the location. If the tourism project includes a large increase in transportation services, collection of baseline air emission data is advised. Transportation emissions affect not only air quality, but also greenhouse gases. Changing climatic patterns due to climate change should be factored into this analysis.

#### Noise and Vibration

A link between tourism and this prescribed environmental factor, beyond the normal development impacts, is rare, however the impact upon tourism of issues of noise and vibration can be significant. Construction adjoining hotels for example should consider the sensitivity of the development and ensure mitigation is in place.

#### Material Assets; Traffic and Transport

The different transport patterns associated with tourism activities is a key impact of tourism and should be considered especially for tourism projects. These produce temporal and seasonal changes on the norm and specialist consideration and interpretation should be given. Tourism proposals should, where possible, be well served by public transport and should be accessible by modes other than the car. The impact of traffic on tourism assets can be substantial and can vary in severity according to season, the weather, etc. The impact of construction traffic can be a particular concern in tourism sensitive areas in terms of noise pollution and visual impact. The construction programme of developments should work to

avoid peak tourism periods in tourism areas and should consider planned or anticipated tourism events and festivals.

#### Cultural Heritage

Cultural heritage can be a key component of tourism projects and the impact of tourism on the maintenance of cultural heritage should be given the utmost consideration, whether positive or negative. As a tourism attraction, cultural heritage should be strongly considered in non-tourism developments and the impact upon tourism considered as a potential impact.

#### Archaeology

Archaeology can be of tourism interest and can be an attractive or key component of tourism projects. Archaeology can be a tourism attractor and given that national policy emphasis on the non-renewable nature of the archaeology and archaeological heritage, focus should be a presumption in favour of its preservation in-situ or where preservation in-situ is not the option chosen, there must be preservation by record (i.e. archaeological excavation and recording must take place) in line with statutory requirements.

#### Material Assets; Waste Management

Tourism is a resource heavy activity and can impact waste streams and waste segregation. Impacts here should be considered strongly and with knowledge of the variation that arises from the particular tourist activity. Waste and Waste disposal issues can also impact the perception of an unspoiled environment, effecting tourism, which should be considered.

#### Material Assets

Material assets outside of the material assets already referenced that should be considered are built services (utilities) and infrastructure. Tourism development should include impact assessment on built services (utilities) and infrastructure while non tourism related development should consider the effect on tourism, which should be considered.

#### Landscape

The visual impact of a tourism development, especially in locations which are visually sensitive or renowned for their scenic or landscape beauty, should be considered carefully. A development intended to utilise or enjoy a particular vista or environment should minimise impact upon that environment.

#### ***Major Accident and Natural Disaster***

There is a requirement for tourist developments to describe expected significant effects on the environment of the proposed development's vulnerability to major accidents and/or natural disasters relevant to it. Where appropriate measures should be identified to prevent or mitigate the significant adverse effects of such accidents or disasters, including resulting from climate change, on the environment and detail the preparedness for the proposed response.

#### ***Interaction of Impacts***

Where two or more environmental impacts combine or interact they should be considered under the prescribed topics. It is best practice to provide a table of interactions within an EIAR or EIA Screening Report.

#### ***Cumulative Impact***

The cumulative impact is that of the project combined with any known likely project which will interact or compound an environmental impact.

### **Transboundary Impact**

Transboundary impacts should be included in EIAR. In the case of tourism, especially international travel, the transboundary impacts may not be proximate to the EIAR site.

### **Mitigation & Monitoring**

Mitigation should follow the hierarchy of minimisation in descending order of preference- Avoid, Reduce, Remedy.

*Avoid* sensitive tourism resources- such as views, access and amenity areas including habitats as well as historical or cultural sites and structures.

*Reduce* the exposure of sensitive resources to excessive environmental impact.

*Reduce* the adverse effects to tourism land uses and patterns of activities, especially through interactions arising from significant changes in the intensity of use or contrasts of character or appearance.

*Remedy* any unavoidable significant residual adverse effects on tourism resources or activities.

Mitigation measures must be measurable and achievable within the bounds of the project.

With regard to Monitoring, Article 8a of the EIA Directive requires that:

*1. 'The decision to grant development consent shall incorporate at least the following information ...*

*(b) any environmental conditions attached to the decision, a description of any features of the project and/or measures envisaged to avoid, prevent or reduce and, if possible, offset significant adverse effects on the environment as well as, where appropriate, monitoring measures. ... 4 Member States shall ensure that the features of the project and/or measures envisaged to avoid, prevent or reduce and, if possible, offset significant adverse effects on the environment are implemented by the developer, and shall determine the procedures regarding the monitoring of significant adverse effects on the environment. The type of parameters to be monitored and the duration of the monitoring shall be proportionate to the nature, location and size of the project and the significance of its effects on the environment. Existing monitoring arrangements resulting from Union legislation other than this Directive and from national legislation may be used if appropriate, with a view to avoiding duplication of monitoring.'*

### **Residual Impacts**

The residual impacts are the final predicted or intended impacts which occur after the proposed mitigation measures have been implemented.

## **8. Sources of information on Tourism**

### ***Information available online***

#### *Fáilte Ireland*

Fáilte Ireland offers detailed research analysis and insights into the Irish Tourism Industry. The National Tourism Development Authority has a portfolio of research across a number of areas including facts and figures, Environmental Surveying and Monitoring, briefing papers and reports and visitor feedback. The Fáilte Ireland website has a dedicated research library which can be accessed [here](#)

Fáilte Ireland also manages an environmental surveying and monitoring database as part of the Wild Atlantic Way Operational Programme which can be accessed [here](#). The purpose of this is to work with and demonstrate to our stakeholders and partners that we are committed to the sustainable development of the Wild Atlantic Way, and to be able to pre-empt and avoid environmental effects in the future should they occur.

#### *Discover Ireland:*

Operated by Fáilte Ireland, the Discover Ireland website includes comprehensive information on tourist attractions in destinations all around Ireland, including listings for activities, accommodation, events and experiences for every county, major town and region in Ireland. The website features elements from the four destination brands – Wild Atlantic Way, Ireland's Ancient East, Ireland's Hidden Heartlands and Visit Dublin and can be accessed [here](#).

#### *Tourism Ireland*

Tourism Ireland is responsible for marketing the island of Ireland overseas as a holiday and business tourism destination. Tourism Ireland publishes a range of research documents including; visitor facts and figures, seasonal updates and industry insights which are accessible [here](#)

#### *Local Authorities*

Local Authorities are an invaluable source of information. They produce tourism strategies and audits of tourism assets within their jurisdiction. Local authorities will also produce landscape and seascape studies. Protected views and prospects as well as the record of protected structures and other designated protected buildings are contained within the Statutory Development Plans.

#### *Regional Assemblies*

Regional Assemblies can also be consulted on high level strategic tourism and potential Regional Spatial and Economic Strategies (RSESs) should be consulted.

#### *Central Statistics Office*

The Central Statistics Office (CSO) is Ireland's national statistical office and their purpose is to impartially collect, analyse and make available statistics about Ireland's people, society and economy. The Tourism and Travel Section of the Central Statistics Office is the major source for tourism statistics in Ireland and is updated regularly.



[REDACTED]

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**From:** GSI Planning <GSIPlanning@GSI.ie>  
**Sent:** Tuesday 17 October 2023 13:48  
**To:** [REDACTED]  
**Cc:** GSI Planning; Planning Advisory  
**Subject:** RE: EIS 23/279 - EIA Scoping Report for proposed Ballyfasy Wind Farm, Co Kilkenny  
**Attachments:** 23\_279 Ballyfasy Wind Farm Co Kilkenny.pdf; GSI datasets relevant to EIA & SEA\_20210421.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Dear [REDACTED]  
With reference to your email received on the 28 September 2023, concerning the EIA Scoping Report for the proposed Ballyfasy Wind Farm, Co. Kilkenny, please find attached response and dataset sheet from Geological Survey Ireland.  
Yours sincerely,  
[REDACTED]  
Geological Survey Ireland

---

**From:** GSI Planning <GSIPlanning@GSI.ie>  
**Sent:** Thursday, September 28, 2023 2:57 PM  
**To:** [REDACTED]@gsi.ie  
**Cc:** GSI Planning <GSIPlanning@GSI.ie>  
**Subject:** EIS 23/279 - EIA Scoping Report for proposed Ballyfasy Wind Farm, Co Kilkenny

[EIS 23/279](#)

[EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny. Request for observations by Tobin Consulting Engineers by 27 October 2023. Scoping report is enclosed.](#)

Regards,

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 28 September 2023 12:38  
**To:** GSI Planning  
**Cc:** [REDACTED]  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

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Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

██████████ BSc (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
Galway | Dublin | Castlebar | Limerick  
Telephone: ██████████  
Email: ██████████  
Website: <http://www.tobin.ie>



*2020 Association of Consulting Engineers of Ireland Awards Winner: Project Management*  
*2019 Association of Consulting Engineers of Ireland Awards Winner: Design Excellence (Structures)*  
*2018 Engineers Ireland Excellence Awards Winner: Engineering Project of the Year*  
*2018 Engineers Ireland Excellence Awards Winner: Heritage and Conservation*

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Tá eolas sa teachtaireacht leictreonach seo (agus b'fhéidir sa chomhaid ceangailte leis) a d'fhéadfadh bheith príobháideach nó faoi rún. Is le h-aghaidh an duine/na ndaoine nó le h-aghaidh an aonáin atá ainmnithe thuas agus le haghaidh an duine/na ndaoine sin amháin atá an t-eolas. Murab ionann tusa agus an té a bhfuil an teachtaireacht ceaptha dó bíodh a fhios agat nach gceadaítear nochtadh, cóipeáil, scaipeadh nó úsáid an eolais agus/nó an chomhaid seo. Más trí earráid a fuair tú an teachtaireacht leictreonach seo cuir, más é do thoil é, an té ar sheol an teachtaireacht ar an eolas

láithreach. Deimhnítear leis seo freisin nár aims odh víreas sa phost seo tar éis a scanadh.



TOBIN Consulting Engineers  
Block 10-4 Blanchardstown Corporate Park Dublin 15  
D15X98N

17 October 2023

**Re: EIA Scoping Report for the proposed Ballyfasy Wind Farm, Co. Kilkenny**

**Your Ref: 11474**

**Our Ref: 23/279**

Dear [REDACTED]

Geological Survey Ireland is the national earth science agency and is a division of the Department of the Environment, Climate and Communications. We provide independent geological information and gather various data for that purpose. Please see our [website](#) for data availability. We recommend using these various data sets, when conducting the EIAR, SEA, planning and scoping processes. Use of our data or maps should be attributed correctly to 'Geological Survey Ireland'.

The publicly available data referenced/presented here, should in no way be construed as Geological Survey Ireland support for or objection to the proposed development or plan. The data is made freely available to all and can be used as independent scientific data in assessments, plans or policies. It should be noted that in many cases this data is a baseline or starting point for further site specific assessments.

With reference to your email received on the 28 September 2023, concerning the EIA Scoping Report for the proposed Ballyfasy Wind Farm, Co. Kilkenny, Geological Survey Ireland would encourage use of and reference to our datasets. This data can add to the content and robustness of the SEA process. With this in mind please find attached a list of our publicly available datasets that may be useful to the environmental assessment and planning process. We recommend that you review this list and refer to any datasets you consider relevant to your assessment. The remainder of this letter and following sections provide more detail on some of these datasets.

### **Geoheritage**

A national inventory of geoheritage sites known as County Geological Sites (CGSs) is managed by the Geoheritage Programme of Geological Survey Ireland. CGSs, as adopted under the National Heritage Plan, include sites that are of national importance which have been selected as the very best examples for NHA (Natural Heritage Areas) designation. NHA designation will be completed in partnership with the National Parks and Wildlife Service (NPWS). CGSs are now routinely included in County Development Plans and in the GIS of planning departments, to ensure the recognition and appropriate protection of geological heritage within the planning system. CGSs can be viewed online under the Geological Heritage tab on the online [Map Viewer](#).

The audit for Co. Kilkenny was carried out in 2007 and revised in 2012. The full report details can be found [here](#). **Our records show that there are no CGSs in the vicinity of the proposed wind farm study area or grid connection route options.**

### **Groundwater**

Geological Survey Ireland's [Groundwater and Geothermal Unit](#), provides advice, data and maps relating to groundwater distribution, quality and use, which is especially relevant for safe and secure drinking water supplies and healthy ecosystems. Proposed developments need to consider any potential impact on specific groundwater abstractions and on groundwater resources in general. We recommend using the groundwater maps on our [Map viewer](#) which should include: wells; drinking water source protection areas; the national map suite - aquifer, groundwater vulnerability, groundwater recharge and subsoil permeability maps. For areas underlain by limestone, please refer to the karst specific data layers (karst features, tracer test database; turlough water levels (gwlevel.ie). Background information is also provided in the Groundwater Body Descriptions. Please read all disclaimers carefully when using Geological Survey Ireland data.

**The Groundwater Data Viewer indicates aquifers classed as a 'Poor Aquifer - Bedrock which is Generally Unproductive except for Local Zones' and a 'Locally Important Aquifer - Bedrock which is Moderately Productive only in Local Zones' underlie the proposed wind farm development.**



**The Groundwater Vulnerability map indicates the range of groundwater vulnerabilities within the area covered is variable. We would therefore recommend use of the Groundwater Viewer to identify areas of High to Extreme Vulnerability and 'Rock at or near surface' in your assessments, as any groundwater-surface water interactions that might occur would be greatest in these areas.**

[GWClimate](#) is a groundwater monitoring and modelling project that aims to investigate the impact of climate change on groundwater in Ireland. This is a follow on from a previous project (GWFlood) and the data may be useful in relation to Flood Risk Assessment (FRA) and management plans. Maps and data are available on the [Map viewer](#).

Geological Survey Ireland has completed Groundwater Protection Schemes (GWPSs) in partnership with Local Authorities, and there is now national coverage of GWPS mapping. A Groundwater Protection Scheme provides guidelines for the planning and licensing authorities in carrying out their functions, and a framework to assist in decision-making on the location, nature and control of developments and activities in order to protect groundwater. **The Groundwater Protection Response overview and link to the main reports is here:** <https://www.gsi.ie/en-ie/programmes-and-projects/groundwater/projects/protecting-drinking-water/what-is-drinking-water-protection/county-groundwater-protection-schemes/Pages/default.aspx>

### **Geological Mapping**

Geological Survey Ireland maintains online datasets of bedrock and subsoils geological mapping that are reliable and accessible. We would encourage you to use these data which can be found [here](#), in your future assessments.

**Please note we have recently launched QGIS compatible bedrock (100K) and Quaternary geology map data, with instructional manuals and videos. This makes our data more accessible to general public and external stakeholders. QGIS compatible data can be found in our downloadable bedrock 100k .zip file on the [Data & Maps](#) section of our website.**

### **Geohazards**

Geohazards can cause widespread damage to landscapes, wildlife, human property and human life. In Ireland, landslides, flooding and coastal erosion are the most prevalent of these hazards. We recommend that geohazards be taken into consideration, especially when developing areas where these risks are prevalent, and we encourage the use of our data when doing so.

Geological Survey Ireland has information available on landslides in Ireland via the National Landslide Database and Landslide Susceptibility Map both of which are available for viewing on our dedicated [Map Viewer](#). Associated guidance documentation relating to the National Landslide Susceptibility Map is also available.

Geological Survey Ireland also engaged in a national project on Groundwater Flooding. The data from this project may be useful in relation to Flood Risk Assessment (FRA) and management plans, and is described in more detail under 'Groundwater' above.

### **Natural Resources (Minerals/Aggregates)**

Geological Survey Ireland provides data, maps, interpretations and advice on matters related to minerals, their use and their development in our [Minerals section](#) of the website. The Active Quarries, Mineral Localities and the Aggregate Potential maps are available on our [Map Viewer](#).

We would recommend use of the Aggregate Potential Mapping viewer to identify areas of High to Very High source aggregate potential within the area. In keeping with a sustainable approach we would recommend use of our data and mapping viewers to identify and ensure that natural resources used in the proposed development are sustainably sourced from properly recognised and licensed facilities, and that consideration of future resource sterilization is considered.

### **Geochemistry of soils, surface waters and sediments**

Geological Survey Ireland provides baseline geochemistry data for Ireland as part of the Tellus programme. Baseline geochemistry data can be used to assess the chemical status of soil and water at a regional scale and to support the assessment of existing or potential impacts of human activity on environmental chemical quality. Tellus is a national-scale mapping programme which provides multi-element data for shallow soil, stream sediment and stream water in Ireland.



At present, mapping consists of the border, western and midland regions. Data is available at <https://www.gsi.ie/en-ie/data-and-maps/Pages/Geochemistry.aspx>.

### **Geophysical data**

Geological Survey Ireland produces high-resolution geophysical data (Magnetic field, electrical conductivity, natural gamma-ray radiation) of soils & rocks as part of the [Tellus programme](#). These data currently cover approximately 75% of the country and provide supporting geological information on a regional scale useful for assessing environmental impact and risk.

### **Guidelines**

The following guidelines may also be of assistance:

- Institute of Geologists of Ireland, 2013. Guidelines for the Preparation of the Soils, Geology and Hydrogeology Chapters of Geology in Environmental Impact Statements.
- [EPA, 2022](#). Guidelines on the information to be contained in Environmental Impact Assessment Reports (EIAR)

### **Other Comments**

Should development go ahead, all other factors considered, Geological Survey Ireland would much appreciate a copy of reports detailing any site investigations carried out. The data would be added to Geological Survey Ireland's national database of site investigation boreholes, implemented to provide a better service to the civil engineering sector. Data can be sent to the Geological Mapping Unit, at <mailto:GeologicalMappingInfo@gsi.ie>, 01-678 2795.

I hope that these comments are of assistance, and if we can be of any further help, please do not hesitate to the Geological Survey Ireland Planning Team at [GSIPlanning@gsi.ie](mailto:GSIPlanning@gsi.ie).

Yours sincerely,

### **Geoheritage and Planning Programme**

Enc: Table - Geological Survey Ireland's Publicly Available Datasets Relevant to Planning, EIA and SEA processes.

**Geological Survey Ireland's Publicly Available Datasets Relevant to Planning, EIA and SEA processes**  
following European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018  
(S.I. No. 296 of 2018)

Geological Survey Ireland Programme	Dataset	Relevant EIA Topic	Coverage	Description / Notes / Limitations	Link to Geological Survey Ireland map viewer
Geohazards	Landslide: National landslide database and landslide susceptibility map	Land & Soil/Climate/Landscape	National	Associated guidance documentation relating to the National Landslide Susceptibility Map is also available.	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=b68cf1e4a9044a5981f950e9b9c5625c">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=b68cf1e4a9044a5981f950e9b9c5625c</a>
Geohazards	Groundwater Flooding (Historic)	Water	Regional	Provide information of historic flooding, both surface water and groundwater. [A lack of flooding presented in any specific location of the map only indicates that a flood has not been detected. It does not indicate that a flood cannot occur in that location at present or in the future]	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=848f83c85799436b808652f9c735b1cc">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=848f83c85799436b808652f9c735b1cc</a>
Geohazards	Groundwater Flooding (Predictive)	Water	Regional	Provides information on the probability of future karst groundwater flooding (where available). [The maps do not, and are not intended to, constitute advice. Professional or specialist advice should be sought before taking, or refraining from, any action on the basis of the flood maps]	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=848f83c85799436b808652f9c735b1cc">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=848f83c85799436b808652f9c735b1cc</a>
Geohazards	Radon Map	Land & Soils/Air	National		<a href="http://www.epa.ie/radiation/radonmap/">http://www.epa.ie/radiation/radonmap/</a>
Geohazards	County Geological Sites as adopted by National Heritage Plan and listed in County Development Plans	Land & Soils/Landscape	Regional	All geological heritage sites identified by Geological Survey Ireland are categorised as CGS pending any further NHA designation by NPWS.	<a href="https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=a30af518e87a4c0b2fbd2aaac3c228">https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=a30af518e87a4c0b2fbd2aaac3c228</a>
Geological Mapping	Bedrock geology:	Land & Soils	National	1:100,000 scale and associated memoirs.	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=de7012a99d2748ea9106e7ee1b6ab8d5&amp;scale=0">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=de7012a99d2748ea9106e7ee1b6ab8d5&amp;scale=0</a>
Geological Mapping	Bedrock geology:	Land & Soils	Regional	1:50,000 scale	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=de7012a99d2748ea9106e7ee1b6ab8d5&amp;scale=0">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=de7012a99d2748ea9106e7ee1b6ab8d5&amp;scale=0</a>
Geological Mapping	Quaternary geology: Sediments	Land & Soils	National	1:50,000 scale	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=de7012a99d2748ea9106e7ee1b6ab8d5&amp;scale=0">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=de7012a99d2748ea9106e7ee1b6ab8d5&amp;scale=0</a>
Geological Mapping	Quaternary geology: Geomorphology	Land & Soils	National	1:50,000 scale	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=de7012a99d2748ea9106e7ee1b6ab8d5&amp;scale=0">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=de7012a99d2748ea9106e7ee1b6ab8d5&amp;scale=0</a>
Geological Mapping	Physiographic units:	Land & Soils	National	Broad-scale physical landscape units mapped at 1:100,000 scale in order to be represented as a cartographic digital map at 1:250,000 scale	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=afa76a20fc54877843aca1bc075c62b">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=afa76a20fc54877843aca1bc075c62b</a>
Geological Mapping	GeoUrban: Spatial geological data for the greater Dublin and Cork areas	Land & Soils	Regional	includes 3D models	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=9768f4818b794c16093beb2212a850ce6&amp;scale=0">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=9768f4818b794c16093beb2212a850ce6&amp;scale=0</a>
Geological Mapping	Geotechnical database	Land & Soils	National	Digitised geotechnical and Site Investigation Reports and boreholes which can be accessed through online downloads	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=a2718be1873d47a585a3f0415b4a724c">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=a2718be1873d47a585a3f0415b4a724c</a>
Goldmine	Historical data sets including geological memoirs and 6" to 1 mile geological mapping records	Land & Soils/Water	National	available online	<a href="https://secure.dcaa.gov.ie/goldmine/index.html">https://secure.dcaa.gov.ie/goldmine/index.html</a>
Groundwater & Geothermal	Groundwater resources (aquifers)	Water	National	Data limited to 1:100,000 scale; sites should be investigated at local scale	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef</a>
Groundwater & Geothermal	Groundwater recharge.	Water	National	Data limited to 1:40,000 scale; sites should be investigated at local scale; long term annual average recharge	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef</a>
Groundwater & Geothermal	Groundwater vulnerability.	Water	National	Data limited to 1:40,000 scale; sites should be investigated at local scale	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef</a>
Groundwater & Geothermal	Group scheme and public supply source protection areas.	Water	National	Not all PWS / GWS have SPZ / ZOC. Check with IW / coco / NFGWS for private supplies.	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef</a>
Groundwater & Geothermal	Groundwater Protection Schemes	Water	National	Data is limited to scale of 1:40,000. Data does not include all of the source protection areas	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef</a>
Groundwater & Geothermal	Catchment and WFD management units.	Water	National		<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef</a>
Groundwater & Geothermal	karst specific data layers	water	National	For areas underlain by limestone, includes karst features, tracer test database; turf/rough water levels (gwlevel.ie)	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef</a>
Groundwater & Geothermal	Wells and Springs	Water	National	Not comprehensive, there may be unrecorded wells and springs	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=7e8a202301594687ab14629a10b748ef</a>
Groundwater & Geothermal	Groundwater body Descriptions	Water	National	Not exhaustive; only those in designated SACs; could be other GWDTEs; for more information contact NPWS / EPA / site investigations Also, Roadmap for a Policy and Regulatory Framework for Geothermal Energy, November 2020	<a href="https://www.gsi.ie/en-ie/programmes-and-projects/groundwater-and-geothermal-unit/activities/understanding-ireland-groundwater/Pages/Groundwater-bodies.aspx">https://www.gsi.ie/en-ie/programmes-and-projects/groundwater-and-geothermal-unit/activities/understanding-ireland-groundwater/Pages/Groundwater-bodies.aspx</a>
Groundwater & Geothermal	Geothermal Suitability maps	Land & Soils/Water	National		<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=9eae46bee08de41278b90a9916dc0b9e">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=9eae46bee08de41278b90a9916dc0b9e</a>
Marine & Coastal Unit	INFOMAR - Ireland's national marine mapping programme; providing key baseline data for Ireland's	Water	National		<a href="https://secure.dcaa.gov.ie/GSI/INFOMAR_VIEWER/">https://secure.dcaa.gov.ie/GSI/INFOMAR_VIEWER/</a>
Marine & Coastal Unit	CHERISH - Coastal change project (Climate, Heritage and Environments of Reefs, Islands, and Headlands)	Water	Regional		<a href="http://www.cherishproject.eu/en/">http://www.cherishproject.eu/en/</a>
Marine & Coastal Unit	Coastal Vulnerability Index (CVI).	water / Land & Soils	Regional	Currently the project is being carried out on the east coast and will be rolled out nationally	<a href="https://www.gsi.ie/en-ie/programmes-and-projects/marine-and-coastal-unit/projects/Pages/Coastal-Vulnerability-Index.aspx">https://www.gsi.ie/en-ie/programmes-and-projects/marine-and-coastal-unit/projects/Pages/Coastal-Vulnerability-Index.aspx</a>
Minerals	Aggregate potential	Land & Soils/Material Assets	National	Consideration of mineral resources and potential resources as a material asset which should be explicitly recognised within the environmental assessment process	<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=ee8c4c285a49413aa6f1344416dc9956">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=ee8c4c285a49413aa6f1344416dc9956</a>
Minerals	Active quarries	Land & Soils	National		<a href="https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=ee8c4c285a49413aa6f1344416dc9956">https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=ee8c4c285a49413aa6f1344416dc9956</a>
Minerals	Historic mines	Land & Soils/Cultural Heritage	National	Inventory and Risk Classification 2009. Environmental Protection Agency, Economic Minerals Division and Geological Survey Ireland (DECC).	<a href="https://gis.epa.ie/EPAMaps/default?teasting=7&amp;nothing=7&amp;lid=EPA:LEMA_Facilities_Extractive_Facilities">https://gis.epa.ie/EPAMaps/default?teasting=7&amp;nothing=7&amp;lid=EPA:LEMA_Facilities_Extractive_Facilities</a>
Tellus	Geochemical data: multi-element data for shallow soil, stream sediment and stream water	Land & Soils	Regional	A national mapping programme	<a href="https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=6304e122b733498b99642707f72754">https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=6304e122b733498b99642707f72754</a>
Tellus	Airborne geophysical data including radiometrics, electromagnetics and magnetics	Land & Soils	Regional	A national mapping programme	<a href="https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=6304e122b733498b99642707f72754">https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=6304e122b733498b99642707f72754</a>
Tellus	urban geochemistry mapping (Dublin SURGE project).	Land & Soils	Regional		<a href="https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=6304e122b733498b99642707f72754">https://dcenr.maps.arcgis.com/apps/MapSeries/index.html?appid=6304e122b733498b99642707f72754</a>

**Notes:**

- The maps and data listed above are available on the Geological Survey Ireland map viewer <https://www.gsi.ie/en-ie/data-and-maps/Pages/default.aspx>
- Please read all disclaimers carefully when using Geological Survey Ireland data
- Geological Survey Ireland and Irish Concrete Federation published guidelines for the treatment of geological heritage in the extractive industry in 2008.

**From:** [REDACTED]@hsa.ie>  
**Sent:** Friday 13 October 2023 16:30  
**To:** [REDACTED]  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny.pdf

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Dear [REDACTED],

Please see attached in relation to the proposed development.

If you have any questions do not hesitate to ask.

Kind regards

[REDACTED]  
**Inspector**  
**COMAH, Chemical Production and Storage**

[REDACTED]  
[REDACTED]  
[REDACTED]@hsa.ie  
[www.hsa.ie](http://www.hsa.ie)

Health and Safety Authority,  
Metropolitan Building,  
James Joyce Street,  
Dublin 1,  
D01 KOY8

An tÚdarás Sláinte agus Sábháilteachta,  
An Foirgneamh Uirbeach,  
Sráid James Joyce,  
Baile Átha Cliath 1  
D01 KOY8



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**From:** Contact Us <[contactus@hsa.ie](mailto:contactus@hsa.ie)>  
**Sent:** Friday, September 29, 2023 7:38 AM  
**To:** Land Use Planning <[LandUsePlanning@hsa.ie](mailto:LandUsePlanning@hsa.ie)>  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny



**From:** [REDACTED] >  
**Sent:** Thursday, September 28, 2023 12:53 PM  
**To:** Contact Us <[contactus@hsa.ie](mailto:contactus@hsa.ie)>  
**Cc:** [REDACTED] >  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

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Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

[REDACTED] (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
Galway | Dublin | Castlebar | Limerick  
Telephone: [REDACTED]  
Email: [REDACTED]  
Website: <http://www.tobin.ie>



*2020 Association of Consulting Engineers of Ireland Awards Winner: Project Management*  
*2019 Association of Consulting Engineers of Ireland Awards Winner: Design Excellence (Structures)*  
*2018 Engineers Ireland Excellence Awards Winner: Engineering Project of the Year*  
*2018 Engineers Ireland Excellence Awards Winner: Heritage and Conservation*

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An tÚdarás Sláinte agus Sábháilteachta  
Health and Safety Authority

☎ 0818 289 389 ✉ [landuseplanning@hsa.ie](mailto:landuseplanning@hsa.ie) 🌐 [www.hsa.ie](http://www.hsa.ie)

██████████  
Senior Project Manager  
TOBIN Consulting Engineers  
Block 10-4 Blanchardstown Corporate Park Dublin 15  
D15X98N

Our Ref: 4217

13 October 2023

**Re: Proposed development at Ballyfasy Wind Farm in County Kilkenny by Manogate Ltd. & your email of the 28 September 2023**

Dear ██████████

The Health and Safety Authority (the Authority), acting as the Central Competent Authority under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015) gives technical advice to the Planning Authority when requested, under regulation 24(2) in relation to:

- (a) the siting and development of new establishments;
- (b) modifications to establishments of the type described in Regulation 12(1);
- (c) new developments including transport routes, locations of public use and residential areas in the vicinity of establishments, where the siting, modifications or developments may be the source of, or increase the risk or consequences of, a major accident.

Since the above-referenced application appears to be outside the scope of the Regulations, the Authority has no observations to forward.

If you have any queries please contact the undersigned.

Yours sincerely

██████████  
██████████  
*Inspector,  
COMAH, Chemical Production & Storage (CCPS)*

**From:** [REDACTED]@hse.ie>  
**Sent:** Wednesday 6 December 2023 13:48  
**To:** [REDACTED]  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in Co. Kilkenny

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Dear [REDACTED],

The consultation with the HSE for the EIA scoping for the proposed development at Ballyfasy Wind Farm has been referred to the National Environmental Health Service Environment and Climate Change Network Support Unit.

I am a Senior EHO working in this unit.

If any communication is required with the HSE during the EIA process then it can be made through me at [REDACTED]@hse.ie and I will ensure the correct people receive it. This unit will lead the submission on the planning application with the accompanying EIAR, which will be referred to the HSE by Kilkenny Planning. A submission will be made in consultation with other HSE stakeholders.

I have read the comprehensive scoping report and would not have additional comments at this stage on methodology and evaluation criteria, though I would emphasise the following based on our experience dealing with these types of developments:

- a) The National Environmental Health Service recommends a dedicated website is set up that details the project and includes all the environmental assessment documentation and the outcomes of public consultation. Documents uploaded to planning websites are often difficult to navigate and scroll through text for members of the public so this greatly increases access to documents.
- b) Adoption of the Directive (2014/52/EU) in April 2014 initiated a review of the National Guidance for EIA and the EIAR accompanying a planning application. New guidelines can be seen at: <https://www.epa.ie/publications/monitoring--assessment/assessment/guidelines-on-the-information-to-be-contained-in-environmental-impact-assessment.php>

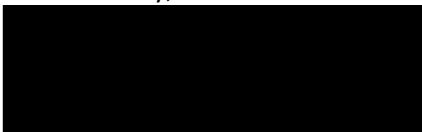
The introduction of the new Guidance is supported by a Webinar produced by the EPA and can be found at: <https://www.youtube.com/embed/ejKVFUztxBY>

- c) The applicant should also consider the findings of the High Court judgement issued in the judicial review of the Derryadd Wind Farm. (2021 IEHC 390 [20202 No. 557 JR] P. Sweetman v An Bord Pleanála)
- d) Directive 2014/52/EU has an enhanced requirement to assess likely significant impacts on Population and Human Health. It is the experience of the National Environmental Health Service (NEHS) that impacts on human health are often inadequately assessed in EIAs in Ireland. It is recommended that the wider determinants of health and wellbeing are considered in a proportionate manner when considering the EIA. Guidance on wider determinants of health can be found at [www.publichealth.ie](http://www.publichealth.ie) Any opportunities for health gain should be considered.
- e) In addition to any likely significant negative impacts from the proposed development, any positive likely significant impacts should also be assessed. For example land use for recreational activities or increased green space.

- f) The HSE will consider the final EIAR accompanying the planning application and will make comments to the Local Planning Authority on the methodology used for assessing the likely significant impacts and the evaluation criteria used in assessing the significance of the impact. This assessment will be against recognised health protection standards.
- g) Public Consultation  
It is recommended that early and meaningful public consultation with the local community is undertaken to ensure all potentially significant impacts of the proposed windfarm development have been adequately addressed.  
All parties affected by the proposed development, including those who may benefit financially from the project, must be fully informed of what the proposal entails especially with regard to potential impacts on surrounding areas.  
Sensitive receptors and other stakeholders should be identified to ensure all necessary and appropriate mitigation measures are put in place to reduce the likelihood of any complaints about the proposed wind farm development in the future.
- h) The NEHS expects that meaningful public consultation, where the local community is fully informed of the proposed development, will be undertaken. Members of the public should be given sufficient opportunity to express their views on the proposed windfarm development. It is the experience of the EHS that consultation is often just consensus building and not effective consultation. The Environmental Impact Assessment Report (EIAR) should therefore clearly demonstrate the link between public consultations and how those consultations have influenced the decision-making process in the EIA.
- i) The Draft Revised Wind Energy Development Guidelines were published in December 2019. Whilst these have yet to be adopted, any proposed wind farm development should have consideration of the draft Guidelines.  
[https://www.housing.gov.ie/sites/default/files/public-consultation/files/draft\\_revised\\_wind\\_energy\\_development\\_guidelines\\_december\\_2019.pdf](https://www.housing.gov.ie/sites/default/files/public-consultation/files/draft_revised_wind_energy_development_guidelines_december_2019.pdf)

You can contact me direct if you wish to discuss the content of this e-mail. This e-mail can be considered confirmation of adequate consultation with the HSE during the scoping of the EIA for the project and can be a public record, if required.

Yours Sincerely,



Senior Environmental Health Officer



Need information and advice on COVID-19? Go to [www.hse.ie/coronavirus](http://www.hse.ie/coronavirus)

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"Tá an fhaisnéis sa ríomhphost seo (ceangaltáin san áireamh) faoi rún. Baineann sé leis an té ar seoladh chuige amháin agus tá sé ar intinn go bhfaighfidh siadsan amháin é agus gurb iadsan amháin a dhéanfaidh breithniú air. Más rud é nach tusa an duine ar leis é, tá cosc iomlán ar aon fhaisnéis atá ann, a úsáid, a chraobhscaoileadh, a scaipeadh, a nochtadh, a fhoilsiú, ná a chóipeáil. Seains gurb iad tuairimí pearsanta an údar atá san ríomhphost agus nach tuairimí FSS iad.

Má fuair tú an ríomhphost seo trí dhearmad, bheadh muid buíoch dá gcuirfeá in iúl don Deasc Seirbhísí ECT ar an nguthán ag [+353 818 300300](tel:+353818300300) nó ar an ríomhphost chuig [service.desk@hse.ie](mailto:service.desk@hse.ie) agus ansin glan an ríomhphost seo ded' chóras."

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[REDACTED]

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**From:** Planning <planning@iaa.ie>  
**Sent:** Friday 6 October 2023 11:45  
**To:** [REDACTED]  
**Cc:** [REDACTED] Planning  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** 11474 - Ballyfasy Wind Farm, Co Kilkenny EIA Scoping Report.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Dear [REDACTED],

Thank you for your scoping letter/report and request for comments in relation to the proposed Ballyfasy Wind Farm, to be located at Ballyfasy, Co. Kilkenny.

The proposed wind farm development appears to be approximately 20km North of Waterford Airport, as such, it is recommended that the developer engage directly with Waterford Airport to make them aware of the proposal and ensure appropriate screening from an aviation safety perspective.

It is likely that the following general observations would be proffered by the Authority during a formal planning process:

In the event of planning consent being granted, the applicant should be conditioned to contact the Irish Aviation Authority to:

- (1) agree an aeronautical obstacle warning light scheme for the wind farm development,
- (2) provide as-constructed coordinates in WGS84 format together with ground and blade tip height elevations at each wind turbine location and
- (3) notify the Authority of intention to commence crane operations with at least 30 days prior notification of their erection.

For information, please forward any future planning related queries to [planning@iaa.ie](mailto:planning@iaa.ie).

Best Regards,

[REDACTED]

---

**From:** [REDACTED] >  
**Sent:** Thursday, September 28, 2023 11:32 AM  
**To:** IAA INFORMATION <[iaainfo@IAA.ie](mailto:iaainfo@IAA.ie)>  
**Cc:** [REDACTED] >  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

**\* This message originated from outside the Irish Aviation Authority. Please treat hyperlinks, attachments and instructions in this email with caution. \***

Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

**[Redacted]** BSc (Hons) MSc  
Assistant Project Manager

**TOBIN Consulting Engineers**  
Galway | Dublin | Castlebar | Limerick  
Telephone: **[Redacted]**  
Email: **[Redacted]**  
Website: <http://www.tobin.ie>



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- 2019 Association of Consulting Engineers of Ireland Awards Winner: Design Excellence (Structures)*
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=====



[REDACTED]

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**From:** [REDACTED]@IAA.ie>  
**Sent:** Tuesday 17 October 2023 15:47  
**To:** Planning; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Dear [REDACTED]  
In relation to my email below dated 6<sup>th</sup> October 2023, The IAA would also recommend engaging directly with the air navigation service provider (ANSP) Air Nav Ireland to undertake a preliminary screening assessment to confirm that the proposed wind farm and the associated cranes that would be utilised during its construction would have no impact on enroute communication, navigation and surveillance equipment.  
Email address for Air Nav Ireland is as follows: [planning@airnav.ie](mailto:planning@airnav.ie)

Kind regards,

[REDACTED]

---

**From:** Planning  
**Sent:** 06 October 2023 11:45  
**To:** [REDACTED]>  
**Cc:** [REDACTED]; Planning <[planning@iaa.ie](mailto:planning@iaa.ie)>  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

Dear [REDACTED],

Thank you for your scoping letter/report and request for comments in relation to the proposed Ballyfasy Wind Farm, to be located at Ballyfasy, Co. Kilkenny.

The proposed wind farm development appears to be approximately 20km North of Waterford Airport, as such, it is recommended that the developer engage directly with Waterford Airport to make them aware of the proposal and ensure appropriate screening from an aviation safety perspective.

It is likely that the following general observations would be proffered by the Authority during a formal planning process:

In the event of planning consent being granted, the applicant should be conditioned to contact the Irish Aviation Authority to:

- (1) agree an aeronautical obstacle warning light scheme for the wind farm development,
- (2) provide as-constructed coordinates in WGS84 format together with ground and blade tip height elevations at each wind turbine location and
- (3) notify the Authority of intention to commence crane operations with at least 30 days prior notification of their erection.

For information, please forward any future planning related queries to [planning@iaa.ie](mailto:planning@iaa.ie).

Best Regards,

**From:** [REDACTED] >  
**Sent:** Thursday, September 28, 2023 11:32 AM  
**To:** IAA INFORMATION <[iaainfo@IAA.ie](mailto:iaainfo@IAA.ie)>  
**Cc:** [REDACTED] >  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

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Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

[REDACTED] BSc (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
Galway | Dublin | Castlebar | Limerick  
Telephone: [REDACTED]  
Email: [REDACTED]  
Website: <http://www.tobin.ie>



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**2019** Association of Consulting Engineers of Ireland Awards Winner: Design Excellence (Structures)  
**2018** Engineers Ireland Excellence Awards Winner: Engineering Project of the Year  
**2018** Engineers Ireland Excellence Awards Winner: Heritage and Conservation

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Place of Registration: Ireland A limited liability company

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**From:** [REDACTED]@fisheriesireland.ie>  
**Sent:** Tuesday 17 October 2023 09:25  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** IFI\_Response\_BallyfasyWF.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Please find attached observations from Inland Fisheries Ireland in response to the request below.

Regards,

**Fisheries Environmental Officer**

[REDACTED]@fisheriesireland.ie • [REDACTED] • [www.fisheriesireland.ie](http://www.fisheriesireland.ie) • E91 RD25



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To read our Privacy Policy and Email Disclaimer Notice, Please visit [www.fisheriesireland.ie](http://www.fisheriesireland.ie)

**From:** [REDACTED]@fisheriesireland.ie>  
**Sent:** Thursday, September 28, 2023 12:10 PM  
**To:** [REDACTED]@fisheriesireland.ie>  
**Subject:** Fw: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

Hi [REDACTED]

Please see below and attached.

Thanks,

**Administrative Assistant**

[REDACTED]@fisheriesireland.ie • [REDACTED] • [www.fisheriesireland.ie](http://www.fisheriesireland.ie) • E91 RD25



Iascach Intíre Éireann  
Inland Fisheries Ireland



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**From:** info <[info@fisheriesireland.ie](mailto:info@fisheriesireland.ie)>  
**Sent:** Thursday, September 28, 2023 12:06  
**To:** Clonmel Info <[Clonmel@fisheriesireland.ie](mailto:Clonmel@fisheriesireland.ie)>  
**Subject:** FW: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

Good afternoon [REDACTED]  
Below email received to Citywest info  
Kind regards  
[REDACTED]

---

**From:** [REDACTED] >  
**Sent:** Thursday, September 28, 2023 11:31 AM  
**To:** info <[info@fisheriesireland.ie](mailto:info@fisheriesireland.ie)>  
**Cc:** [REDACTED] >  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

[REDACTED] BSc (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
Galway | Dublin | Castlebar | Limerick  
Telephone: [REDACTED]  
Email: [REDACTED]  
Website: <http://www.tobin.ie>



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*2019 Association of Consulting Engineers of Ireland Awards Winner: Design Excellence (Structures)*  
*2018 Engineers Ireland Excellence Awards Winner: Engineering Project of the Year*  
*2018 Engineers Ireland Excellence Awards Winner: Heritage and Conservation*

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**Iascach Intíre Éireann  
Inland Fisheries Ireland**

[REDACTED]  
Tobin Consulting Engineers,  
Block 10-4 Blanchardstown Corporate Park,  
Dublin 15,  
D15 X98N

17 October 2023

**Re: EIA Scoping Document for proposed Ballyfasy Wind Farm**  
**Location: Ballyfasy, Ballymartin, Bishopsmountain, Ballywairy etc. Co. Kilkenny**

Via Email to: [REDACTED]

Dear [REDACTED]

Inland Fisheries Ireland (IFI) is the statutory authority tasked under section 7(1) of the Inland Fisheries Act 2010 (No. 10 of 2010) with responsibility for the protection, management, and conservation of the inland fisheries resource. In respect of the statutory ecological surveys proposed by Tobin Consulting, IFI wish to make the following observations:

The proposed development is located predominantly in the catchment areas of the surface water bodies listed below. All have direct hydrological connections with the Barrow – Nore or Lower River Suir SACs.

Surface Water Body	WFD Status	Risk Status
Arrigle_010	Good	Not at Risk
Blackwater (Kilmacow)_020	Moderate	Under Review
Smartscastle Stream_010	Moderate	At Risk

Article 5 of the Surface Water Regulations (SI 272 of 2009) states that there should be no deterioration in Ecological Status. Article 28(2) of the Regulations states that a surface water body whose status is determined to be less than Good shall be restored to at least Good status. The proposed surveys / reports must demonstrate how this project would cause no deterioration to the above surface water bodies and is consistent with their restoration to good ecological status where this is required.

IFI requests that the following assessments be provided:

- Baseline ecological assessments of water courses potentially affected by the proposed development, including fish species as well as other biological and physico-chemical surveys
- Maps of all aquatic habitats potentially affected by the project: all drainage channels (temporary and permanent) should be mapped and where these channels transect the proposed road network.





**Iascach Intíre Éireann  
Inland Fisheries Ireland**

- An assessment of the potential adverse effects of the proposed works on all relevant aquatic receptors, including fish. Assessments should cover the site of the proposed wind development and the proposed grid connection route.
- An assessment of the cumulative effects of the proposed development along with other existing or approved projects
- An assessment of the impact on the conservation objectives of species listed as qualifying interests in the Barrow – Nore and Lower Suir SACs, which includes Lamprey species and Atlantic Salmon
- The proposed mitigation measures to prevent erosion from soil disturbance in excavation areas and areas where there is significant movement of plant and machinery

Sources for fish ecological status and data are available on the Inland Fisheries Ireland and related websites, including <https://www.fisheriesireland.ie>, <http://wfdfish.ie/> and <https://opendata-figis.hub.arcgis.com/>.

During the construction and operational phases, the applicant should adhere to the recommendations and guidelines outlined in IFI's *Guidelines on Protection of Fisheries during Construction Works in and adjacent to Waters* 2016. A copy of this document is available [here](#).

The storage, management and conveyance of materials on site must not permit any deleterious matter to reach surface water systems either directly or indirectly. Any watercourses on or bordering the site must be maintained in their original state, their bankside vegetation preserved, and the existing line of the watercourse left unaltered. IFI recommends that buffer zones of 50m be provided from turbine bases to any waters as defined in Section 1 of the Local Government (Water Pollution) Act, 1977 (as amended).

Instream works may only take place during the period 1 July to 30 September. There should be no interference with the bed, gradient, profile or alignment of watercourses without prior notification and the agreement of Inland Fisheries Ireland. Proposed instream works must be accompanied by a site-specific method statement provided to IFI. The applicant should provide a commitment to provide these at least ten working days before works commence. Written approval from IFI should be obtained before works proceed.

The number of water crossings, whether on-site or for the proposed grid connection route, should be minimised, and existing crossings utilised where possible. Method statements for new water crossings, or for alterations to existing crossings must be provided. Where existing crossings must undergo alteration, IFI request that these are upgraded in the interests of habitat improvement and biodiversity enhancement. Crossings should be designed to meet IFI's *Fisheries Construction Guidelines* referred to above. IFI should be consulted at the design phase to maximise favourable outcomes for fisheries habitats.

SuDS principles should be incorporated into surface water management plans to attenuate any run-off of suspended solids or other deleterious matter. Natural flow paths should not be interrupted or diverted in a manner that would increase the risk of erosion. Drainage infrastructure should be installed during dry ground conditions.





**Iascach Intíre Éireann  
Inland Fisheries Ireland**

Routes of roads and tracks and the location of turning areas should be planned to minimise environmental disturbance. The use of heavy plant and machinery on site should not result in soil erosion or nutrient losses. Mitigation measures for suspended solids must comply with an upper limit of 25mg per litre for Total Suspended Solids (TSS) as specified in the Salmonid Waters Regulations, SI 293 of 1988.

The use of borrow pits as a source of aggregate/hardstanding material should have regard for the sensitivity of the soils/subsoils to erosion and the potential for the generation of suspended solids pollution from excavations linked to a borrow pit.

In addition to environmental assessments (EIAR, NIS etc.), the application for planning should include a Construction Environmental Management Plan (CEMP), and a Surface Water Management Plan (SWMP). Before works commence the applicant or the appointed contractor should provide contact details for the Ecological Clerk of Works to Inland Fisheries Ireland. In the event of any non-compliant discharge or incident which threatens an aquatic zone, IFI must be informed immediately at the contact details below.

At all times the precautionary principle should be applied throughout the development. Records should be kept of biological and chemical monitoring of undertaken before and during the construction phase and after the works, and during the operational phase for the development. Records should also be kept of inspections of surface water mitigation measures. These records should be made available upon request to any authorised person as defined under the Local Government (Water Pollution) Acts.

Future correspondence or any requests for clarification can be sent via email to [redacted]@fisheriesireland.ie or by post to the address below.

Yours sincerely,

[redacted]

[redacted]  
Fisheries Environmental Officer  
South-Eastern River Basin District

**From:** [REDACTED]@kilkennycoco.ie>  
**Sent:** Tuesday 3 October 2023 12:05  
**To:** [REDACTED]  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** 11474 - Ballyfasy Wind Farm, Co Kilkenny EIA Scoping Report.pdf

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Hello [REDACTED]

Further to your email received by Kilkenny County Council on 28/09/2023 requesting an comments relating to an EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

The details of the Proposed Development are outlined in the attached scoping document and cover letter, you are notified that in accordance with Part 10 'Environmental Impact Assessment', Chapter 1, article 95 of the *Planning and Development Regulations 2001-2022* Kilkenny Council has given notice to the prescribed bodies listed below.

A submission or observation in relation to the information to be contained in the EIAR may be made to Kilkenny County Council by these prescribed bodies, within 4 weeks beginning on the date of the notice.

Kilkenny County Council shall, not later than 3 weeks after the expiry of the period for observations from the prescribe bodies, issue a written opinion in relation to the scoping report for the EIA.

#### **Prescribed Bodies**

- the Minister for the Environment, Climate and Communications
- the Minister for Housing, Planning and Local Government,
- the Environmental Protection Agency
- the Minister for Communications, Marine and Natural Resources,
- Inland Fisheries Ireland
- Health and Safety Authority
- An Taisce
- Irish Water
- National Monuments Service
- National Parks and Wildlife Service
- Transport Infrastructure Ireland
- Department of Heritage - Architectural Heritage

#### **Legislation**

*Planning and Development Regulations 2001-2021*

Part 10 – Environmental Impact Assessment, Chapter 1

95.Procedure for scoping requests

(1) A request under section 146CA or 173 of the Act or article 117 for a written opinion on the information to be contained in an EIAR shall state –

(a) the name and address, and telephone number and e-mail address if any, of the person making the request and of the person, if any, acting on behalf of the person making the request, or, in the case of development proposed by a local authority, the name and address, and telephone number and e-mail address, if any, of the authority

(b) the location, townland or postal address of the land or structure to which the request relates (as may be appropriate), and shall include a location map marked so as to clearly identify,

(i) the land or structure to which the application relates and the boundaries thereof in red,

(ii) any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land which is the subject of the application in blue, and

(iii) any wayleaves in yellow,

(c) a description of—

(i) the nature of the proposed development,

(ii) the development's specific characteristics, including its location and technical capacity, and

(iii) the development's likely impact on the environment,

(d) if the proposed development comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact,

(e) if the proposed development relates to the provision of, or modifications to, an establishment, an indication of that fact.

(2) (a) A planning authority or the Board shall, as soon as may be after receiving a request, under section 146CA or 173 of the Act or article 117, for a written opinion –

(i) give notice of having received the request to:

(I) the Minister for the Environment, Heritage and Local Government,

(II) the Environmental Protection Agency

(III) the Minister for Communications, Marine and Natural Resources,

(IV) in the case of the Board, the relevant planning authority,

(V) in the case of a planning authority, the Board, and

(VI) any other body referred to in article 28, as appropriate,

indicating that a submission or observation in relation to the information to be contained in the EIAR may be made to the authority or the Board, as appropriate, within 4 weeks beginning on the date of the notice, and

(ii) notify the person or local authority who made the request of the bodies to whom notice was given under sub-paragraph (i) and advise that a submission or observation in relation to the information to be contained in the EIAR may be made to the authority or the Board, as appropriate, within 4 weeks beginning on the date of the notice.

(b) A notice given under paragraph (a)(i) shall contain the information referred to in sub-article (1) and, where appropriate, any further information provided under sub-article (3).

(c) A notice under paragraphs (a)(i) and (ii) in respect of the same request shall be issued on the same date.

(3) Where a planning authority or the Board considers that it has insufficient information to enable it to give a written opinion pursuant to a request, it shall, by notice in writing, require the person or local authority making the request to provide within a specified period such further information as it considers necessary.

(4) A planning authority or the Board shall, not later than 3 weeks after the expiry of the period referred to in sub-article (2)(a) or any period specified under sub-article (3), whichever is the later, give a written opinion to the person or local authority who made the request.

- (5) A planning authority or the Board shall, in dealing with a request for a written opinion, have regard to—
- (a) article 94,
  - (b) any information or documentation provided under sub-articles (1) and (3), and
  - (c) any submission or observation received in response to a notice under sub-article (2).
- (6) A written opinion shall indicate the extent to which the information in paragraph 2 of Schedule 6 should be contained in the EIAR.

Kind Regards,



Planning Section.

[REDACTED]

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**From:** [REDACTED]@kilkennycoco.ie>  
**Sent:** Wednesday 25 October 2023 15:47  
**To:** [REDACTED]  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** EIA Scoping Response to Tobin Consulting Engineers 25.10.2023.pdf  
  
**Importance:** High

**CAUTION:** This email originated from outside of the organisation. Do not click links, open attachments or scan QR codes unless you recognise the sender and know the content is safe. Forward unusual emails to spam@tobin.ie for verification.

A Chara,

Please find attached EIA Scoping Response from Kilkenny Co. Co. regarding Ballyfasy Wind Farm, Co. Kilkenny.  
Mise le meas,

[REDACTED]  
Acting Staff Officer  
Planning Section  
Kilkenny County Council | County Hall | John Street | Kilkenny | R95 A39T  
T: [REDACTED]  
E: [REDACTED]@kilkennycoco.ie



**Kilkenny County Council**  
Comhairle Cill Chainnigh



## Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh  
R95 A39T

Pobail agus Áiteanna Inbhuanaithe a Chruthú

## Kilkenny County Council

County Hall John Street Kilkenny  
R95 A39T



Creating Sustainable Communities and Places

**Sent by email**

**TOBIN Consulting Engineers**  
Block 10/4  
Blanchardstown Corporate Park  
Dublin 15  
D15 X98N

**Our Ref: IR651**  
**Date: 25/10/2023**

**Re:** Environmental Impact Assessment Report Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny.

A Chara,

The applicant is advised of the opinion of Kilkenny County Council in response to Scoping Document received on 28<sup>th</sup> September 2023 as part of EIAR Scoping process for the proposed Ballfasy Windfarm in County Kilkenny, as follows:

The applicant shall formally consult inter-alia the following bodies:

**External Bodies**

- Irish Water
- TII
- Inland Fisheries
- Bord Gais
- HSA
- An Taisce
- Dept of the Environment, Climate and Communications
- Dept of Housing, Local Government and Heritage
- Dept of Agriculture, Food and the Marine
- Dept of Heritage – Architectural Heritage
- Environmental Protection Agency
- National Monuments Service
- National Parks and Wildlife Service

Kilkenny County Council has contacted the above listed agencies; where responses have been received by the Council the recommendation of these agencies are set out below and shall be taken into consideration by the applicant in the preparation of the EIAR.

**Responses Received**

**Transport Infrastructure Ireland**

Transport Infrastructure Ireland (TII) will endeavour to consider and respond to planning applications referred to it given its status and duties as a statutory consultee under the Planning Acts. The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidelines as outlined in the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012). Regard should also be had to other relevant guidance available at [www.TII.ie](http://www.TII.ie).

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII’s statutory right to make any observations, requests for further information, objections or appeals following the examination of any valid planning application referred.

National Strategic Outcome 2 of the National Planning Framework includes the objective to maintain the strategic capacity and safety of the national road network. In addition, Chapter 7 ‘Enhanced Regional Accessibility’ of the National Development Plan, 2021 – 2030, sets out the key sectoral priority of maintaining Ireland’s existing national road network to a robust and safe standard for users. This requirement is further reflected in the publication of the National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

With respect to EIAR scoping issues, the recommendations indicated below provide only general guidance for the preparation of an EIAR, which may affect the national road network.

The developer/scheme promoter should have regard, inter alia, to the following:

- Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes.
- TII would be specifically concerned as to potential significant impacts the development would have on the national road network (and junctions with national roads) in the proximity of the proposed development, including the potential haul route.
- The developer should assess visual impacts from existing national roads.
- The developer should have regard to any EIAR/EIS and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should in particular have regard to any potential cumulative impacts.
- The developer, in preparing an EIAR, should have regard to TII Publications (formerly DMRB and the Manual of Contract Documents for Road Works).
- The developer, in preparing an EIAR, should have regard to TII’s Environmental Assessment and Construction Guidelines, including the Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes (National Roads Authority, 2006).
- The EIAR/EIS should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see Guidelines for the Treatment of Noise and Vibration in National Road Schemes (1st Rev., National Roads Authority, 2004)).
- It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment (TTA) be carried out in accordance with relevant guidelines, noting traffic volumes attending the site and traffic routes to/from the site with reference to impacts on the national road network and junctions of lower category roads with national roads. In relation to national roads, TII’s Traffic and Transport Assessment Guidelines (2014) should be referred to in relation to proposed development with potential impacts on the national road network; TII acknowledges reference to the TTA Guidelines in Section 16.4 of the EIAR Scoping Report. The scheme promoter is also advised to have regard to Section 2.2 of the NRA/TII TTA Guidelines which addresses requirements for sub-threshold TTA. Any improvements required to facilitate development should be identified. It will be the responsibility of the developer to pay for the costs of any improvements to national roads to facilitate the private development proposed as TII will not be responsible for such costs.

- The designers are asked to consult TII Publications to determine whether a Road Safety Audit is required.
- In the interests of maintaining the safety and standard of the national road network, the EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network.

Section 16.4 of the EIAR Scoping Report considers the impacts of Abnormal Loads. TII recommends that that applicant/developer should clearly identify haul routes proposed and fully assess the network to be traversed. In relation to any proposed haul route, where abnormal 'weight' loads are proposed, separate structure approvals/permits and other licences may be required. All national road structures on the haul route through all the relevant County Council administrative areas should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal 'weight load proposed.

In addition, the haul route should be assessed to confirm capacity to accommodate abnormal 'length' loads and any temporary works required are identified.

The national road network is managed by a combination of PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) and local road authorities in association with TII.

The applicant/developer should also consult with all PPP Companies, MMaRC Contractors and road authorities over which the haul route traverses to ascertain any operational requirements, including delivery timetabling, etc. to ensure that the strategic function of the national road network is safeguarded.

Where temporary works within any MMaRC Contract Boundary are required to facilitate the transport of turbine components to site, the applicant/developer shall contact [thirdpartyworks@tii.ie](mailto:thirdpartyworks@tii.ie) in advance, as a works specific Deed of Indemnity will be needed by TII before the works can take place.

Additionally, any damage caused to the pavement on the existing national road arising from any temporary works due to the turning movement of abnormal loads (e.g., tearing of the surface course, etc.) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.

- It is noted that the grid connection proposals included in the EIAR Scoping Report do not currently impact on the national road network, however should proposals alter, please note any grid connection and cable routing proposals should be developed to safeguard proposed road schemes as TII will not be responsible for costs associated with future relocation of cable routing where proposals are catered for in an area of a proposed national road scheme. In that regard, consideration should be given to routing options, use of existing crossings, depth of cable laying, etc.

In the context of the existing national road network, in accordance with the National Planning Framework National Strategic Outcome no. 2 'Enhanced Regional Accessibility', there is a requirement to maintain the strategic capacity and safety of the network. This requirement is further reflected in the National Development Plan, the National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

There is around 99,000km of roads in Ireland, the national road network which caters for strategic inter-urban travel consists of only approx. 5.4% of this. There is a critical requirement



to ensure the strategic capacity and safety of this national road network is maintained and significant Government investment already made in the national road network is safeguarded.

The provision of cabling along the national road network represents a number of significant implications for TII and road authorities in the management and maintenance of the strategic national road network and TII is of the opinion that grid connection cable routing should reflect the foregoing provisions of official policy and therefore, avoid grid connection routing proposals along national roads.

Other consents or licences may be required from the road authority for any trenching or cabling proposals crossing the national road. TII requests referral of all proposals agreed and licensed between the road authority and the applicant which affect the national road network.

Where grid connection involves proposals to cross a motorway Works Specific Deeds of Indemnities, arrangements for third party access or consent from TII in accordance with Section 53 of the Roads Act, 1993, is required. Arrangements for third party access are also likely to be required. Contact should be made to [thirdpartyworks@tii.ie](mailto:thirdpartyworks@tii.ie) to progress this element when proposals for the crossings have been developed.

General requirements for directional drilling under a motorway include;

- The launch and reception pits for the crossing are located outside the Motorway boundary,
- The cabling will be installed at such depth so as not to conflict with the drainage for the Motorway,
- Neither the Works nor the cable crossing will damage or interfere with the Motorway,
- Any maintenance and/or future planned upgrades of the cabling at the crossing location can be carried out without access to the motorway boundary,
- There are no bolted joints in that part of the crossing within the motorway fence-line,
- A pre and post construction survey shall be required along the length of the crossing over the extents of the motorway boundary,
- Specific requirements may also arise for these proposed works.

Cable routing should avoid all impacts to existing TII infrastructure such as traffic counters, weather stations, etc. and works required to such infrastructure shall only be undertaken in consultation with and subject to the agreement of TII, any costs attributable shall be borne by the applicant/developer. The developer should also be aware that separate approvals may be required for works traversing the national road network.

Notwithstanding, any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practice.

### **Inland Fisheries Ireland**

Inland Fisheries Ireland (IFI) is the statutory authority tasked under section 7(1) of the Inland Fisheries Act 2010 (No. 10 of 2010) with responsibility for the protection, management, and conservation of the inland fisheries resource. In respect of the statutory ecological surveys proposed by Tobin Consulting, IFI wish to make the following observations:

The proposed development is located predominantly in the catchment areas of the surface water bodies listed below. All have direct hydrological connections with the Barrow – Nore or Lower River Suir SACs.

<b>Surface Water Body</b>	<b>WFD Status</b>	<b>Risk Status</b>
Arrigle_010	Good	Not at Risk
Blackwater (Kilmacow)_020	Moderate	Under Review
Smartscastle Stream_010	Moderate	At Risk

Article 5 of the Surface Water Regulations (SI 272 of 2009) states that there should be no deterioration in Ecological Status. Article 28(2) of the Regulations states that a surface water body whose status is determined to be less than Good shall be restored to at least Good status. The proposed surveys / reports must demonstrate how this project would cause no deterioration to the above surface water bodies and is consistent with their restoration to good ecological status where this is required.

IFI requests that the following assessments be provided:

- Baseline ecological assessments of water courses potentially affected by the proposed development, including fish species as well as other biological and physico-chemical surveys
- Maps of all aquatic habitats potentially affected by the project: all drainage channels (temporary and permanent) should be mapped and where these channels transect the proposed road network.
- An assessment of the potential adverse effects of the proposed works on all relevant aquatic receptors, including fish. Assessments should cover the site of the proposed wind development and the proposed grid connection route.
- An assessment of the cumulative effects of the proposed development along with other existing or approved projects
- An assessment of the impact on the conservation objectives of species listed as qualifying interests in the Barrow – Nore and Lower Suir SACs, which includes Lamprey species and Atlantic Salmon
- The proposed mitigation measures to prevent erosion from soil disturbance in excavation areas and areas where there is significant movement of plant and machinery

Sources for fish ecological status and data are available on the Inland Fisheries Ireland and related websites, including <https://www.fisheriesireland.ie>, <http://wfdfish.ie/> and <https://opendata-ificis.hub.arcgis.com/>.

During the construction and operational phases, the applicant should adhere to the recommendations and guidelines outlined in IFI's *Guidelines on Protection of Fisheries during Construction Works in and adjacent to Waters* 2016.

The storage, management and conveyance of materials on site must not permit any deleterious matter to reach surface water systems either directly or indirectly. Any watercourses on or bordering the site must be maintained in their original state, their bankside vegetation preserved, and the existing line of the watercourse left unaltered. IFI recommends that buffer zones of 50m be provided from turbine bases to any waters as defined in Section 1 of the Local Government (Water Pollution) Act, 1977 (as amended).

Instream works may only take place during the period 1 July to 30 September. There should be no interference with the bed, gradient, profile or alignment of watercourses without prior notification and the agreement of Inland Fisheries Ireland. Proposed instream works must be accompanied by a site-specific method statement provided to IFI. The applicant should provide a commitment to provide these at least ten working days before works commence. Written approval from IFI should be obtained before works proceed.

The number of water crossings, whether on-site or for the proposed grid connection route, should be minimised, and existing crossings utilised where possible. Method statements for new water crossings, or for alterations to existing crossings must be provided. Where existing crossings must undergo alteration, IFI request that these are upgraded in the interests of habitat improvement and biodiversity enhancement. Crossings should be designed to meet IFI's *Fisheries Construction Guidelines* referred

to above. IFI should be consulted at the design phase to maximise favourable outcomes for fisheries habitats.

SuDS principles should be incorporated into surface water management plans to attenuate any run-off of suspended solids or other deleterious matter. Natural flow paths should not be interrupted or diverted in a manner that would increase the risk of erosion. Drainage infrastructure should be installed during dry ground conditions.

Routes of roads and tracks and the location of turning areas should be planned to minimise environmental disturbance. The use of heavy plant and machinery on site should not result in soil erosion or nutrient losses. Mitigation measures for suspended solids must comply with an upper limit of 25mg per litre for Total Suspended Solids (TSS) as specified in the Salmonid Waters Regulations, SI 293 of 1988.

The use of borrow pits as a source of aggregate/hardstanding material should have regard for the sensitivity of the soils/subsoils to erosion and the potential for the generation of suspended solids pollution from excavations linked to a borrow pit.

In addition to environmental assessments (EIAR, NIS etc.), the application for planning should include a Construction Environmental Management Plan (CEMP), and a Surface Water Management Plan (SWMP). Before works commence the applicant or the appointed contractor should provide contact details for the Ecological Clerk of Works to Inland Fisheries Ireland. In the event of any non-compliant discharge or incident which threatens an aquatic zone, IFI must be informed immediately.

At all times the precautionary principle should be applied throughout the development. Records should be kept of biological and chemical monitoring of undertaken before and during the construction phase and after the works, and during the operational phase for the development. Records should also be kept of inspections of surface water mitigation measures. These records should be made available upon request to any authorised person as defined under the Local Government (Water Pollution) Acts.

A copy of this correspondence has been sent to Tobin Consulting Engineers. Any requests for clarification can be sent via email to [REDACTED]@fisheriesireland.ie .

### **Uisce Éireann**

At present, Uisce Éireann does not have the capacity to advise on the scoping of individual projects. However, in general the following aspects of Water Services should be considered in the scope of an EIA where relevant;

a) Where the development proposal has the potential to impact an Uisce Éireann Drinking Water Source(s), the applicant shall provide details of measures to be taken to ensure that there will be no negative impact to Uisce Éireann's Drinking Water Source(s) during the construction and operational phases of the development. Hydrological / hydrogeological pathways between the applicant's site and receiving waters should be identified as part of the report.

b) Where the development proposes the backfilling of materials, the applicant is required to include a waste sampling strategy to ensure the material is inert.

c) Mitigations should be proposed for any potential negative impacts on any water source(s) which may be in proximity and included in the environmental management plan and incident response.

d) Any and all potential impacts on the nearby reservoir as public water supply water source(s) are assessed, including any impact on hydrogeology and any groundwater/ surface water interactions.

e) Impacts of the development on the capacity of water services (*i.e. do existing water services have the capacity to cater for the new development*). This is confirmed by Uisce Éireann in the form of a

Confirmation of Feasibility (COF). If a development requires a connection to either a public water supply or sewage collection system, the developer is advised to submit a Pre-Connection Enquiry (PCE) enquiry to Uisce Éireann to determine the feasibility of connection to the Irish Water network. All pre-connection enquiry forms are available from <https://www.water.ie/connections/connection-steps/>.

f) The applicant shall identify any upgrading of water services infrastructure that would be required to accommodate the proposed development.

g) In relation to a development that would discharge trade effluent – any upstream treatment or attenuation of discharges required prior to discharging to an Uisce Éireann collection network.

h) In relation to the management of surface water; the potential impact of surface water discharges to combined sewer networks and potential measures to minimise and or / stop surface waters from combined sewers

i) Any physical impact on Uisce Éireann assets – reservoir, drinking water source, treatment works, pipes, pumping stations, discharges outfalls etc. including any relocation of assets.

j) When considering a development proposal, the applicant is advised to determine the location of public water services assets, possible connection points from the applicant's site / lands to the public network and any drinking water abstraction catchments to ensure these are included and fully assessed in any pre-planning proposals. Details, where known, can be obtained by emailing an Ordnance Survey map identifying the proposed location of the applicant's intended development to [datarequests@water.ie](mailto:datarequests@water.ie)

k) Other indicators or methodologies for identifying infrastructure located within the applicant's lands are the presence of registered wayleave agreements, visible manholes, vent stacks, valve chambers, marker posts etc. within the proposed site.

l) Any potential impacts on the assimilative capacity of receiving waters in relation to Uisce Éireann discharge outfalls including changes in dispersion / circulation characterises. Hydrological / hydrogeological pathways between the applicant's site and receiving waters should be identified within the report.

m) Any potential impact on the contributing catchment of water sources either in terms of water abstraction for the development (*and resultant potential impact on the capacity of the source*) or the potential of the development to influence / present a risk to the quality of the water abstracted by Uisce Éireann for public supply should be identified within the report.

n) Where a development proposes to connect to an Uisce Éireann network and that network either abstracts water from or discharges wastewater to a “protected”/ sensitive area, consideration as to whether the integrity of the site / conservation objectives of the site would be compromised should be identified within the report.

o) Mitigation measures in relation to any of the above ensuring a zero risk to any Irish Water drinking water sources (Surface and Ground water).

*This is not an exhaustive list.*

**Please note;**

- Where connection(s) to the public network is required as part of the development proposal, applicants are advised to complete the Pre-Connection Enquiry process and have received a Confirmation of Feasibility letter from Uisce Éireann ahead of any planning application.

- Uisce Éireann will not accept new surface water discharges to combined sewer networks.

## **Kilkenny County Council**

### **Planning Department:**

Having regards to the prominent location of the proposed development in an upland area, the two watercourses traversing through the study area (Arrigle River and Smartcastle Stream), its location (including potential grid connections) in close proximity of Natura 2000 sites (River Barrow and River Nore SAC), the Derrylackey River, built heritage, and national monuments/archaeology in the surrounding area, the proposed wind farm development will require a thorough assessment of potential impacts on these sensitive receptors. Assessments shall include the cumulative visual and other environmental and human impacts with other existing wind farms in the surrounding area, notably at Ballymartin, Rahora, and Ballinclare, along with the Strategic Infrastructure Development (SID) permitted by An Bord Pleanála, (ABP Ref: 309306-21), for 21no. wind turbines and associated infrastructure and grid connection at Castlebanny, County Kilkenny, close to the proposed site at Ballyfasy.

The applicant is advised to fully comply with the requirements of Directive 2014/52/EU on the effects of certain public and private projects on the Environment (EIA Directive) and any resulting amendments to the Planning and Development Act 2000 as amended and the Planning and Development Regulations 2001, as amended. The applicants should also comply with the requirements of the '*Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*' and any updates subsequent to the above Directive.

### **Road Design Section:**

The main issues arising for any proposed wind farm development from a road perspective will occur during the construction phase of the project for both the wind farm construction itself and the ducting route to the preferred grid connection point.

However, noting this the investigations in respect of both would need to be developed to such a point to ensure and assure the planning authority that the proposals are technically feasible and have the necessary permissions if beyond the public road extents as part of the documentation submitting for planning approval. Such matters cannot be left entirely to any subsequent road opening permission process.

### **Wind Farm Site:**

The applicant will be required to provide a detailed surveyed drawing of the proposed temporary and permanent site access arrangements showing the required sightlines in accordance with the TII Design Manual for Roads and Bridges. In general, where the access off the local road network is proposed a minimum visibility splay/sightline of 90m to the nearside road edge both directions from a point 2.4m back from the proposed entrance will be required as a minimum. In the case of regional roads this should be 145m. It is preferable to minimise the number of permanent accesses onto the road network.

The construction make-up of the entrance area shall be detailed. At a minimum the first 5m off the roadway edge should be a tarmac surface falling away from the public road to avoid ponding on the public road. The drainage arrangements shall also be detailed for both the entrance area and the access roads within the development site. The existing roadside drainage shall remain unaffected and where necessary accommodated for.

The applicant should be requested to provide a photographic & FWD survey of TDR in the case of the local and regional roads network. This would be carried out prior to construction and should be included by way of condition on a successful planning application and it will be part of the considerations in respect of the required road opening licence. The FWD analysis shall determine the structural condition of the road and the residual life of the pavement. The report shall include a design proposal for the

restoration of the pavement to provide a 20-year design life. The surveys shall be repeated on completion of the TDR phase of the development and the extent of any repairs to the road network if any arising from this development shall be determined and agreed with the Municipal District Engineer and the applicant shall cover the costs of any required repairs.

Where temporary works are required to the TDR on third party lands to facilitate the delivery of wind turbine elements, demonstration of landowner consent is required. I note any references to, for example, over-sail requirements on private lands, temporary works on private lands, affecting private roadside boundaries in respect of the delivery of turbine components. It shall be the applicant's responsibility to ensure that permissions are in place at the time of applying for any necessary road openings, etc. Where such works are required proposals shall be designed using a detailed survey for each temporary works area. Depending on the nature, complexity and duration of proposed temporary works a Road Safety Audit may be required. This can be advised upon as proposals are developed.

Identify and structurally assess structures on the route of the TDR, in particular when crossing the regional and local road network. Where structures on National Routes will be impacted consultation and approval from the TII Structures Section will be required. Where structural works are required on the road network these will need to be detailed. To note for example in order to increase depths of cover to increase the structural strength an overlay may be suggested. However, the structural strength of in particular masonry structure may not be adequate for same and alternative proposals may be required. Parapets will also need to be considered if raising of road levels is being considered.

The applicant shall be conditioned to prepare and agree a construction and traffic management plan with the Municipal District Engineer prior to commencement of the development works. (Likely will be included as a condition but the principle of assessing the route would need to be included. This will also form part of the road opening licence.)

Depending on the access route proposed and its suitability it may be necessary for the applicant to submit proposals for the provision of passing bays along the local road for example and provide a drawing indicating the locations and construction detail.

The applicant shall provide details of the proposed development traffic generation for the construction, operational and decommissioning phases in order to assess the potential impact on the road network.

The applicant shall submit a glint and glare assessment of the proposed development on users on the public road network particularly from a road safety perspective. A road safety audit may be required in this regard.

The internal layout of access roads within the wind farm should be detailed. Also, it shall be confirmed how the large ground surface areas under/between the windfarm is to be maintained. i.e. grassed areas etc. It is noted that sheep are sometimes allowed to roam to keep such grasses maintained etc.

Where it is necessary to remove existing road signage to facilitate abnormal loads to the development site careful consideration to the provision and location of temporary signage or retrofitting of existing signage with socketed bases to aid removal/replacement. The precise details of these will be addressed in the context of the road opening permission but reference to what is intended or proposed should be contained in the planning documentation.

Where service diversions are required (ESB, Eircom, etc) the applicant shall liaise with the relevant service providers and reference any changes proposed in the planning documentation.

The expected time period for any TDR phase should be referenced within the context of the overall expected construction period.

Grid connection matters:

It is noted that there had been a tendency based on decisions by An Bord Pleanála that the grid connection routes were not formally applied for planning permission but are dealt with in the context of a subsequent road opening licence application procedure. However, it is understood that noting the potential impacts that this view is changing and that more recent applications are applying for formal planning permission for cable routes. This is desirable. It has always been noted that EIA and AA Screening of the cable connection route normally formed part of wind farm applications and subject to assessment in that regard. The principles of the suitability of the cable route should be detailed in the planning documentation to show it is technically feasible, albeit recognising that the detailed consideration may also be for a different procedure.

I note in this case that the cable connection route has not been determined. I note that the drawing provided identifies a connection to a 110kv substation to the south whilst the northern route appears to terminate at an unidentified point.

It should be noted that Kilkenny County Council considers that where the developer proposes the placement of any cables (or additional cables) in one or more trenches within the extents of the public road network this may have an adverse effect on the Roads Network. Issues that may arise include the following:

- Their presence within the public road could significantly restrict the Road Authority in carrying out its function to construct and maintain the public road and will likely add to the costs of those works.
- Their installation within the lands associated with the public road may affect the stability of the road. In particular where the road is a “legacy road” (where there is no designed road structure and the subgrade may be poor or poorly drained) the design needs to take account of all the variable conditions and not be based on a sample of the general conditions.
- The possible effect on the remaining available road space (noting that there may be need to accommodate other utilities within the road cross-section in the future). It is noted in most applications that developers in the EIAR consider the cumulative effects of other wind or solar farms and sometime their haul routes. From a roads perspective there are significant concerns that multiple wind and solar farms can propose connection to the same ESB substations and proposed cable connection routes may and in all likelihood will coincide. Consideration to co-ordination and amalgamation should be considered as existing roads may and are unlikely to be insufficient to accommodate multiple cable runs.
- The necessity to have the power in the cables switched off where the Road Authority considers this necessary in order to carry out its function to construct and maintain the public road.

It is important that the applicant in applying for planning permission include consideration of the following:

- Examination of options other than the routing of cables along the public road,
- Examination of options for connection to the national grid network at a point closer to the wind farm in order to reduce the adverse impact on public roads.
- Details of where within the road cross section cables are to be placed so as to minimise the effect on the Roads Authority in its role of construction and maintenance,
- Examination of details of any chambers proposed within the public road cross section so as to minimise the effect on the Roads Authority in its role of construction and maintenance,
- Examine the elimination of jointing bays and use of temporary removable jointing bays to protect the integrity of the road structure for the safety of those driving on the public road by eliminating hard spots and also preserve the road width for other utilities and,
- Rationalisation of the number of cables involved (including existing electric or possible future cables) and their diversion into one trench, in order to minimise the impacts on the road network and the environment along the road boundary (hedgerows).

- Where the installation of underground cables as part of the grid connection is proposed, the applicant shall be requested to provide trench reinstatement details for the proposed underground cabling for the various locations where it is to be installed, i.e., roadside verge, carriageway, agricultural and domestic entrances, within or below structures etc.
- All trenching and duct installation works in public roads shall comply with the Guidelines for Managing Openings in Public Roads (DTTAS) and the line & layout shall be agreed with the Municipal District Engineer as a condition of the road opening licence. Existing road drainage needs careful consideration in any proposals so that it is unaffected by the works.
- The applicant shall take into consideration the requirements of the specification for the reinstatement of openings in National Roads as published by TII as required. It will be a requirement that roadways be fully reinstated progressively as the ducting work proceeds.
- Consultation with TII where the duct route crosses the national road network either via an under bridge or over bridge will be required, particularly where this crossing is proposed to coincide with such structures. (It is noted that TII do not generally favour ducting longitudinally between roadside boundaries along the extent of national roads even if located in verges beyond the roadway edges. If such are proposed they will need to be re-considered.)
- Careful consideration shall be given to ESB requirements and cover levels when ducting over/through structures. Raising of road levels to facilitate cover levels will only be considered on a case by case basis as doing so is adding weight to the structure which may not be an acceptable solution. Where structural works are required these will need to be detailed. In general, it would be expected that adding additional weight to the structure would be acceptable in terms of its capacity, but still should be confirmed with a specific design. This review at the structure would also extend to design. Consultation with the Bridge Maintenance Engineers for Kilkenny shall be required.
- Directional drilling under structures is noted as being considered on occasions. The required dimensions under structures can only safely be confirmed by way of a bridge specific design report on how the directional drilling will affect the individual bridge, due to the unique ground conditions under it. This shall be carried out by a Chartered Engineer with Bridge and geotechnical experience. This information shall form part of the original planning information submitted and if absent will be requested as further information.
- Where cable ducting works impact third party properties either directly or indirectly landowner's consent is required in the case of the former and possibly a higher standard of reinstatement works for the latter (i.e. where ducting runs across an existing access re-instatement may include the full extents of the access.) The applicant shall be responsible for agreeing all such reinstatements with the landowners concerned.

Typical conditions that may apply on any planning permission approval:

- A condition requiring the specific approval of the local authority to the detail of the final route of cables through the public road space. If during construction there is a need to deviate from the detailed design then the approval of the local authority would again be sought. This would assist in minimising the impact on the public road.
- A condition requiring the developer to comply with all appropriate standards and, inter alia the Guidelines for Managing Openings in Public Roads, 2017 in order to ensure orderly development.
- A condition requiring that the location of the cables would be recorded as exactly as possible (maybe using BIM type technology) so as to facilitate the further use of road space for utilities and the maintenance/construction of the public road by the Roads authority. This record should be lodged with the local authority and with the ESB Networks for retention on their records.
- A condition to require the elimination of jointing bays and the use of temporary removable jointing bays instead, to protect the integrity of the road structure, thereby improving safety for those driving on the public road by eliminating hard spots and preserving the road width for other utilities.



- A condition requiring the developer to route cables away from bridge structures and specifically preventing the developer from attaching cables to road bridges. This would allow for the future maintenance of bridges without interruption of the electricity supply along the cables.
- A condition requiring the developer to notify the Roads Authority of the owner of the cables (Owner) and the controller (Power Controller) of the power transmitted along the cables. In addition, the condition should require Owner and Power Controller to notify the Roads Authority of any change in ownership of the cables or change of Power Controller transmitting power along the cables. In all instances the Owner and Power Controller should be required to maintain an agreed contacts list with the Roads Authority.
- Before and after bridge inspections shall be completed on all structures to ensure no substantial settlement due to directional drilling has occurred. The applicant shall also be required to provide an indemnity to Kilkenny County Council to ensure that if works have affected the structure, the Local Authority does not foot the bill for any repairs or consequent costs arising.

#### General Observation on cable grid connection routes and associated road opening permission requirements.

As referenced previously all works to/within the public road are subject to a road opening licence and subject to the conditions on any permission which may be granted.

Typical Conditions and considerations on the road opening permission would include the following. Some of the issues considered in the context of the planning permission of the cable route may require review based on new methodologies or changed design etc:

- A bond may be levied as part of the any road opening licence which may be granted to address the potential risk of road damage arising from the construction of the proposed development.
- Road Closures and Diversions shall be applied for through the relevant local Municipal District Office of Kilkenny County Council. This would form part of the conditions of any planning plus any subsequent road opening licence. Costs arising are a matter for the developer.
- Permits are required for the transportation of all abnormal loads to the site. This will be referenced as a requirement in respect of any road opening licence granted.
- The applicant shall be required as part of the road opening licence application for the cable connection to provide a photographic & FWD survey of the grid connection route in addition to the principal traffic diversion route whilst any road used for the cable connection route is subject to a road closure. The diversion route shall be appropriate to the traffic route being diverted. This shall be carried out prior to construction and should be included by way of condition on a successful planning application and it will be part of the considerations in respect of the required road opening licence. Any deficit in the ability of the road network to cater for the loads proposed and any damage arising shall be addressed at the contractors own expense.
- The cable route shall be assessed in the context of the road opening licence application required for the development. In addition, any road closures required shall be assessed in tandem with the consideration of such an application.
- The applicant shall be responsible for assessing the adequacy and safety of proposed diversion routes during any road closures required and the completion of any works required on such diverted routes as may be necessary. All costs arising from any proposed Road closures or traffic management requirements shall be borne by the applicant.
- Where the installation of underground cables as part of the grid connection is proposed, the applicant shall be requested to re-confirm the trench reinstatement details for the proposed underground cabling for the various locations where it is to be installed, i.e., roadside verge, carriageway, agricultural and domestic entrances, within or below structures etc.
- All trenching and duct installation works in public roads shall comply with the Guidelines for Managing Openings in Public Roads (DTTAS) and the line & layout shall be agreed with the

Municipal District Engineer as a condition of the road opening licence. Existing road drainage needs careful consideration in any proposals so that it is unaffected by the works.

- In addition, the applicant shall take into consideration the requirements of the specification for the reinstatement of openings in National Roads as published by TII as required. It will be a requirement that roadways be fully reinstated progressively as the ducting work proceeds.
- Consultation with TII where the duct route crosses the national road network either via an under bridge or over bridge will be required, particularly where this crossing is proposed to coincide with such structures. (It is noted that TII do not generally favour ducting longitudinally between roadside boundaries along the extent of national roads even if located in verges beyond the roadway edges. If such are proposed they will need to be re-considered.)
- Careful consideration shall be given to ESB requirements and cover levels when ducting over/through structures. Raising of road levels to facilitate cover levels will only be considered on a case by case basis as doing so is adding weight to the structure which may not be an acceptable solution. Where structural works are required these will need to be detailed. In general, it would be expected that adding additional weight to the structure would be acceptable in terms of its capacity, but still should be confirmed with a specific design. This review at the structure would also extend to design. Consultation with the Bridge Maintenance Engineers for Kilkenny shall be required.
- Chamber construction details and locations shall be submitted for assessment during the road opening licence application phase.
- Where cable ducting works impact third party properties either directly or indirectly landowner's consent is required in the case of the former and possibly a higher standard of reinstatement works for the latter (i.e. where ducting runs across an existing access reinstatement may include the full extents of the access.) The applicant shall be responsible for agreeing all such reinstatements with the landowners concerned.
- The applicant in their application for a road opening licence shall be required to advise on any wayleaves and the extents of same if required. The applicant shall be responsible for ensuring these are in place.

Other Considerations which are likely to form some of the conditions if granted:

A bond may be required in respect of any potential road damage arising from the construction of the proposed development and the Municipal District Engineer shall determine this requirement as a condition of the road opening licence.

Should this application be the subject of a grant of permission, the applicant is likely to be conditioned to carry out a Falling Weight Deflectometer (FWD) and photographic visual record surveys of the route between the proposed development and the regional/national road network prior to commencement of the proposed development. The surveys shall be repeated on completion of the development and the extent of any repairs to the road network if any arising from this development shall be determined and agreed with the Municipal District Engineer and the applicant shall cover the costs of these repairs. These requirements will be repeated as required as part of any road opening permission.

Road Closures and Diversions shall be applied for through the relevant local Municipal District Office of Kilkenny County Council. This would form part of the conditions of any planning plus any subsequent road opening permission. Costs arising are a matter for the developer.

Permits are required for the transportation of abnormal loads to the site. This will likely be referenced as a requirement in respect of any road opening permission to be granted for works.

The applicant is advised that all works to the public road are subject a road opening and the conditions attached therein.

**Environment Section**

No report received from Environment.

Is mise le meas,



**Administrative Officer**  
**Planning Section**

[REDACTED]

---

**From:** Landuse Planning <LandUsePlanning@tii.ie>  
**Sent:** Thursday 19 October 2023 16:12  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny  
**Attachments:** Ballyfasy Wind Farm County Kilkenny.pdf

**Follow Up Flag:** Follow up  
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**TII ref. TII23-124587**

Dear [REDACTED],

Please find attached a copy of TII's observations on the above EIAR Scoping exercise.

Yours sincerely,

[REDACTED]  
Senior Land Use Planner

---

**From:** [REDACTED] >  
**Sent:** Thursday, September 28, 2023 11:20 AM  
**To:** INFO <Information@tii.ie>; Landuse Planning <LandUsePlanning@tii.ie>  
**Cc:** [REDACTED] >  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

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Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 27<sup>th</sup> of October 2023.

Kind regards,

██████████ BSc (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
Galway | Dublin | Castlebar | Limerick  
Telephone: ██████████  
Email: ██████████  
Website: <http://www.tobin.ie>



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*2019 Association of Consulting Engineers of Ireland Awards Winner: Design Excellence (Structures)*  
*2018 Engineers Ireland Excellence Awards Winner: Engineering Project of the Year*  
*2018 Engineers Ireland Excellence Awards Winner: Heritage and Conservation*

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Próiseálann BIE sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag

<https://scanner.topsec.com/?d=4369&r=auto&u=https%3A%2F%2Fwww.tii.ie%2Fabout%2Fabout-tii%2FData-Protection%2F%3Fset-lang%3Dga&t=1bed96c524b25db2ed35183935ca047dda63171b>

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[REDACTED]  
Tobin Consulting Engineers

by e.mail; [REDACTED]

Dáta | Date  
19 October, 2023

Ár dTag | Our Ref.  
TII23-124587

**Re: EIAR Scoping in relation to the proposed Ballyfasy Wind Farm in County Kilkenny**

Dear [REDACTED]

I acknowledge receipt of your e.mail of 28 September, 2023, relating to the above EIAR Scoping exercise.

TII will endeavour to consider and respond to planning applications referred to it given its status and duties as a statutory consultee under the Planning Acts. The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidelines as outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). Regard should also be had to other relevant guidance available at [www.TII.ie](http://www.TII.ie).

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII's statutory right to make any observations, requests for further information, objections or appeals following the examination of any valid planning application referred.

National Strategic Outcome 2 of the National Planning Framework includes the objective to maintain the strategic capacity and safety of the national roads network. In addition, Chapter 7 'Enhanced Regional Accessibility' of the National Development Plan, 2021 – 2030, sets out the key sectoral priority of maintaining Ireland's existing national road network to a robust and safe standard for users. This requirement is further reflected in the publication of the National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

With respect to EIAR scoping issues, the recommendations indicated below provide only general guidance for the preparation of an EIAR, which may affect the National Roads Network.

The developer/scheme promoter should have regard, *inter alia*, to the following;

- Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to locations of existing and future national road schemes,
- TII would be specifically concerned as to potential significant impacts the development would have on the national road network (and junctions with national roads) in the proximity of the proposed development, including the potential haul route,
- The developer should assess visual impacts from existing national roads,
- The developer should have regard to any EIAR/EIS and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should in particular have regard to any potential cumulative impacts,

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- The developer, in preparing EIAR, should have regard to TII Publications (formerly DMRB and the Manual of Contract Documents for Road Works).
- The developer, in preparing EIAR, should have regard to TII's Environmental Assessment and Construction Guidelines, including the *Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes* (National Roads Authority, 2006),
- The EIAR/EIS should consider the Environmental Noise Regulations 2006 (SI 140 of 2006) and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (1<sup>st</sup> Rev., National Roads Authority, 2004)),
- It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment be carried out in accordance with relevant guidelines, noting traffic volumes attending the site and traffic routes to/from the site with reference to impacts on the national road network and junctions of lower category roads with national roads.

In relation to national roads, the Authority's Traffic and Transport Assessment Guidelines (2014) should be referred to in relation to proposed development with potential impacts on the national road network; TII acknowledges reference to the TTA Guidelines in Section 16.4 of the EIAR Scoping Report.

The scheme promoter is also advised to have regard to Section 2.2 of the NRA/TII TTA Guidelines which addresses requirements for sub-threshold TTA. Any improvements required to facilitate development should be identified. It will be the responsibility of the developer to pay for the costs of any improvements to national roads to facilitate the private development proposed as TII will not be responsible for such costs,

- The designers are asked to consult TII Publications to determine whether a Road Safety Audit is required,
- In the interests of maintaining the safety and standard of the national road network, the EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network,
- Section 16.4 of the EIAR Scoping Report considers the impacts of Abnormal Loads. TII recommends that that applicant/developer should clearly identify haul routes proposed and fully assess the network to be traversed. In relation to any proposed haul route, where abnormal 'weight' loads are proposed, separate structure approvals/permits and other licences may be required. All national road structures on the haul route through all the relevant County Council administrative areas should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal 'weight' load proposed.

In addition, the haul route should be assessed to confirm capacity to accommodate abnormal 'length' loads and any temporary works required are identified.

The national road network is managed by a combination of PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) and local road authorities in association with TII.

The applicant/developer should also consult with all PPP Companies, MMaRC Contractors and road authorities over which the haul route traverses to ascertain any operational requirements, including delivery timetabling, etc. to ensure that the strategic function of the national road network is safeguarded.

Where temporary works within any MMaRC Contract Boundary are required to facilitate the transport of turbine components to site, the applicant/developer shall contact [thirdpartyworks@tii.ie](mailto:thirdpartyworks@tii.ie) in advance, as a works specific Deed of Indemnity will be needed by TII before the works can take place.

Additionally, any damage caused to the pavement on the existing national road arising from any temporary works due to the turning movement of abnormal loads (eg. tearing of the surface course, etc.) shall be rectified in accordance with TII Pavement Standards and details in this regard shall be agreed with the Road Authority prior to the commencement of any development on site.

- It is noted that the grid connection proposals included in the EIAR Scoping Report do not currently impact the national road network, however, should proposals alter, please note, any grid connection and cable routing proposals should be developed to safeguard proposed road schemes as TII will not be responsible for costs associated with future relocation of cable routing where proposals are catered for in an area of a proposed national road scheme. In that regard, consideration should be given to routing options, use of existing crossings, depth of cable laying, etc.

In the context of the existing national roads network, in accordance with the National Planning Framework National Strategic Outcome no. 2 'Enhanced Regional Accessibility', there is a requirement to maintain the strategic capacity and safety of the network. This requirement is further reflected in the National Development Plan, the National Investment Framework for Transport in Ireland and also the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

There is around 99,000km of roads in Ireland, the national road network which caters for strategic inter-urban travel consists of only approx. 5.4% of this. There is a critical requirement to ensure the strategic capacity and safety of this national road network is maintained and significant Government investment already made in the national road network is safeguarded.

The provision of cabling along the national road network represents a number of significant implications for TII and road authorities in the management and maintenance of the strategic national road network and TII is of the opinion that grid connection cable routing should reflect the foregoing provisions of official policy and therefore, avoid grid connection routing proposals along national roads.

Other consents or licences may be required from the road authority for any trenching or cabling proposals crossing the national road. The Authority requests referral of all proposals agreed and licensed between the road authority and the applicant which affect the national road network.

Where grid connection involves proposals to cross a motorway Works Specific Deeds of Indemnities, arrangements for third party access or consent from TII in accordance with Section 53 of the Roads Act, 1993, is required. Arrangements for third party access are also likely to be required. Contact should be made to 'thirdpartyworks@tii.ie' to progress this element when proposals for the crossings have been developed.

General requirements for directional drilling under a motorway include;

- The launch and reception pits for the crossing are located outside the Motorway boundary,
- The cabling will be installed at such depth so as not to conflict with the drainage for the Motorway,
- Neither the Works nor the cable crossing will damage or interfere with the Motorway,
- Any maintenance and/or future planned upgrades of the cabling at the crossing location can be carried out without access to the motorway boundary,
- There are no bolted joints in that part of the crossing within the motorway fence-line,
- A pre and post construction survey shall be required along the length of the crossing over the extents of the motorway boundary,
- Specific requirements may also arise for these proposed works.

Cable routing should avoid all impacts to existing TII infrastructure such as traffic counters, weather stations, etc. and works required to such infrastructure shall only be undertaken in consultation with and subject to the agreement of TII, any costs attributable shall be borne by the applicant/developer. The developer should also be aware that separate approvals may be required for works traversing the national road network.



Notwithstanding, any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practise.

I trust that the above comments are of use in your EIAR preparation.

Yours sincerely,

A black rectangular box redacting the signature of the Senior Land Use Planner.A black rectangular box redacting the name of the Senior Land Use Planner.

Senior Land Use Planner

[REDACTED]

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**From:** [REDACTED]@waterfordairport.ie>  
**Sent:** Tuesday 19 December 2023 10:42  
**To:** [REDACTED]  
**Subject:** RE: EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

**Follow Up Flag:** Follow up  
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Good morning [REDACTED]

Thank you for your email and copy of the Ballyfasy Wind Farm EIA Scoping Report, and apologies for the delayed response.

The location of the proposed wind farm appears to be abutting the northwest section of the current airport air traffic control zone and associated controlled airspace. Waterford Airport would have concerns that the proposed wind turbines will infringe the instrument flight procedures obstacle clearance requirements and effect the ongoing airborne flight checking patterns required to be flown to underpin the integrity of the instrument landing system at Waterford Airport. In addition, Waterford Airport has planning permission for development of its runway and associated areas which will alter the current instrument flights procedures and associated airspace requirements potentially beyond the current control zone.

Kind regards,

[REDACTED]

---

[REDACTED]

Airport Manager  
Waterford Airport

[REDACTED]  
Telephone: [REDACTED]

Mobile: [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Tuesday 14 November 2023 10:48  
**To:** [REDACTED]@waterfordairport.ie  
**Cc:** [REDACTED]  
**Subject:** EIA Scoping Report for the proposed Ballyfasy Wind Farm in County Kilkenny

Dear Sir/Madam,

TOBIN Consulting Engineers are preparing an Environmental Impact Assessment Report (EIAR) on behalf of Manogate Ltd. for the proposed Ballyfasy Wind Farm in County Kilkenny.

As part of the EIA process, we invite you to submit any relevant information that you may hold and/or highlight any issues that you feel should be directed to the project team.

In order to facilitate this, please find attached a scoping letter and the EIA Scoping Report providing details of the proposed development, site location, and the proposed scope of the EIAR.

Views/comments on the proposed development can be submitted by email, letter, or telephone to the contact below no later than the 8<sup>th</sup> of December 2023.

Kind regards,

██████████ BSc (Hons) MSc  
Assistant Project Manager

TOBIN Consulting Engineers  
Galway | Dublin | Castlebar | Limerick  
Telephone: ██████████  
Email: ██████████  
Website: <http://www.tobin.ie>



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*2018 Engineers Ireland Excellence Awards Winner: Engineering Project of the Year*  
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