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The Secretary
An Coimisiún Pleanála
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AN COIMISIÚN PLEANÁLA	
LDG-	_____
ACP-	_____
07 SEP 2026	
Fee: €	_____ Type: _____
Time: 9:15	By: RESCPOST

Re: ACP-324165-26 Maughanaclea Limited Response to Applicant's Response to Observations - Section 4.3.2 Nature Conservation.

3rd September, 2026

A chara,

I refer to the letter from the Commission, dated 14th of August 2026 inviting me to make observations specifically on Section 4.3.2, Nature Conservation, of Maughanaclea Limited's response to observations.

Having considered this further material I remain firmly of the view that it does not resolve the nature conservation and ornithological concerns raised in my original submission. In fact, important admissions, numerical inconsistencies and continuing reliance on assumptions from the developer reinforce my concerns.

1. White-tailed Eagle

The applicant acknowledges that White-tailed Eagles have suffered collisions in Ireland and that the species may be particularly susceptible to collision. They further acknowledge that the Development Applications Unit raised specific concerns regarding casualties along the Kerry/Cork border.

Of great importance to this application, the applicant states that because no flights were recorded within the proposed wind farm site, "it was not possible to calculate a formal estimate of predicted collisions." The Commission should not be satisfied with this response.

This is a significant limitation and not a positive finding of zero risk to our very precious White-tailed Eagle. The developer's response drifts from an

acknowledged inability to calculate collision risk to a conclusion that no significant effects are predicted. I ask the Commission to distinguish carefully between the absence of sufficient recorded flight activity to construct a collision estimate and affirmative evidence that collision risk is insignificant.

This is particularly important because the applicant's own section 4.3.2 later identifies "wind, wave and tidal power, including infrastructure" as a high importance pressure/threat for the White-tailed Eagle.

Current NatureScot collision risk guidance states that an environmental statement should contain a quantitative estimate for bird species present, where the level of collision risk is important and should address the uncertainty surrounding such estimates.

The applicant cannot reasonably rely upon collision modelling where it produces reassuring figures for other species, but treats the inability to produce a collision estimate for this highly protected Eagle as reassurance in itself.

2. Annex 1 habitats

The applicant's response confirms:

- Direct loss of 1.6 hectares of Annex 1 wet heath
- Direct residual loss of 0.2 hectares of blanket bog
- Indirect risks to wet heath and blanket bog from drainage and construction dust.

I ask the Commission to take into account that these are real impactful losses which the applicant themselves has acknowledged.

The applicant seeks to reduce the significance of the wet heath loss by relying on its proposed Biodiversity Management and Enhancement Plan. They also argue that the 0.2 hectares of blanket bog is less significant as it is unmapped and has not been reported under Article 17. I strongly submit that this does not make the habitat any less valuable or important from an ecological point of view.

The Commission is being asked to authorise a development which the applicant accepts will cause direct loss of Annex 1 habitat and which relies upon future habitat management and mitigation to offset or control effects.

This strengthens rather than answers the concerns in my original submission, regarding the extent to which the application relies upon mitigation, restoration and monitoring - all after consent.

3. Chough - applicant's response confirms breeding within the wind farm environment.

The applicants response makes an especially important admission regarding Chough. It states: "The breeding Chough recorded during field surveys were nesting within and in proximity to the proposed wind farm site and foraging close to their nest sites." This confirms the substance of my original submission concerns.

This admission cannot be reduced simply to whether those particular birds originate from a designated Special Protection Area (SPA). The applicant's own evidence demonstrates that a protected Annex 1 species is breeding, nesting and foraging within and in proximity to their proposed development on the Maughanaclea Hills.

I wish to also point out that the applicant calculates cumulative collision mortality of 0.392 Chough per annum, which they say would increase annual mortality of the county population by 1.37%.

A predicted mortality expressed as a fraction of a bird per annum must not be misunderstood as it represents a statistical annual mortality rate which accumulates over decades of the operational lifetime of this wind farm.

Current NatureScot cumulative impact guidance expressly warns that even comparatively small increases regarding annual mortality can be relevant to population decline. I therefore ask the Commission to examine the cumulative consequences over the proposed operational period and not simply accept their label of "Low effect significance."

4. Hen Harrier – errors in the applicant's figures

The Hen Harrier section contains a significant error in the figures provided. The applicant lists collision estimates from other wind farms and states: "Combined with the proposed project, this is a cumulative 0.012 birds per annum."

However, the applicant in their following sentence states: "If 0.392 were to occur per annum, this would increase the annual mortality of the wintering county population (estimated to be three birds) by 2.11%." Those are two completely different figures: 0.012 and 0.392. The figure of 0.392 also appears in the proceeding Chough assessment?

These erroneous figures are particularly serious as the applicant themselves estimate the wintering county Hen Harrier population at only three birds, while my original submission highlighted that up to three wintering Hen Harriers were recorded using the site and were assessed as a population of National Importance.

The Commission should not accept the applicant's conclusion that the impact is "Low" unless the figures used, the population numbers and the final percentage have all been independently checked.

5. Cumulative effects

The applicant's response identifies a substantial number of existing and proposed wind developments across the wider landscape and acknowledges that commercial forestry, agricultural land use and wind farms can all together influence habitat availability and quality. They then repeatedly conclude that there are no remaining combined or interacting effects?

However current NatureScot guidance defines cumulative impacts as the incremental effects of other past, present and reasonably foreseeable actions together with the proposed project. It further states that cumulative assessment should not be restricted merely to other wind farms where other plans or projects could cause habitat loss, mortality, displacement or disturbance.

I ask the Commission to consider the ecological landscape as a whole, rather than looking at each predicted bird collision figure separately.

6. The applicant's own response acknowledges wind farm risks to birds.

Section 4.3.2 identifies the three principal risks from wind farms:

- Direct habit loss
- Disturbance, displacement and barriers to movement
- Death through collision with turbines and associated infrastructure

These are precisely the concerns raised in my original submission.

The applicant's additional material does not remove those concerns. Instead they confirm protected species using the area, confirmed Annex 1 habitat loss, predicted cumulative collision mortality and continuing uncertainty regarding White-tailed Eagle collision risk.

7. Increased human activity and disturbance post construction

The applicant accepts that operational maintenance vehicles and personnel may result in temporary avoidance by birds, but describes such disturbance as minor and short duration.

This must also be considered cumulatively with the permanent presence and operation of 14 turbines each with a height of 169 metres, access roads, substations, habitat alteration and repeated maintenance activity.

The ecological impact of this development cannot be properly assessed by looking at each individual part separately, as the developer has done here.

8. Reliability of the applicant's response

I ask the Commission to scrutinise the technical accuracy of the document.

In addition to the significant Hen Harrier discrepancy identified above, the section headed "Sparrowhawk" contains the statement "Snipe is a habitat generalist" before proceeding with what is presented as the Sparrowhawk assessment.

The applicant repeatedly asks the Commission to accept that its assessment is "complete, comprehensive and robust". However, the errors in the species-specific cumulative assessments justify careful and independent verification of its calculations and conclusions. The points I have set out above demonstrate that their conclusions are not supported by the evidence.

Conclusion

The further response of the applicant does not remove my original concerns. It confirms important issues which the Commission should give serious consideration to. In particular:

- White-tailed Eagle collision risk could not be formally calculated
- Wind energy infrastructure is identified in the response as a high importance pressure/threat for White-tailed Eagle
- Breeding Chough are confirmed as nesting within and in proximity to the proposed Maughanaclea Hills wind farm site
- Cumulative Chough mortality is predicted
- Hen Harrier is subject to an apparent numerical inconsistency
- Annex 1 wet heat will be directly lost
- Blanket bog will suffer residual direct loss
- Disturbance, displacement, habitat loss and collision with turbines all remain acknowledged risks to wildlife.

The repeated conclusion by the developers of "no significant effects" does not erase these underlying facts.

I therefore respectfully request that An Coimisiún Pleanála give serious and substantial consideration to the concerns raised by the Development Applications Unit and in my original submission, independently verify the applicant's

calculations and assumptions and refuse permission for the proposed Maughanaclea Hills wind farm development.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'DAVID ALLER ONTALBA', written over a light blue horizontal line.

David Aller Ontalba