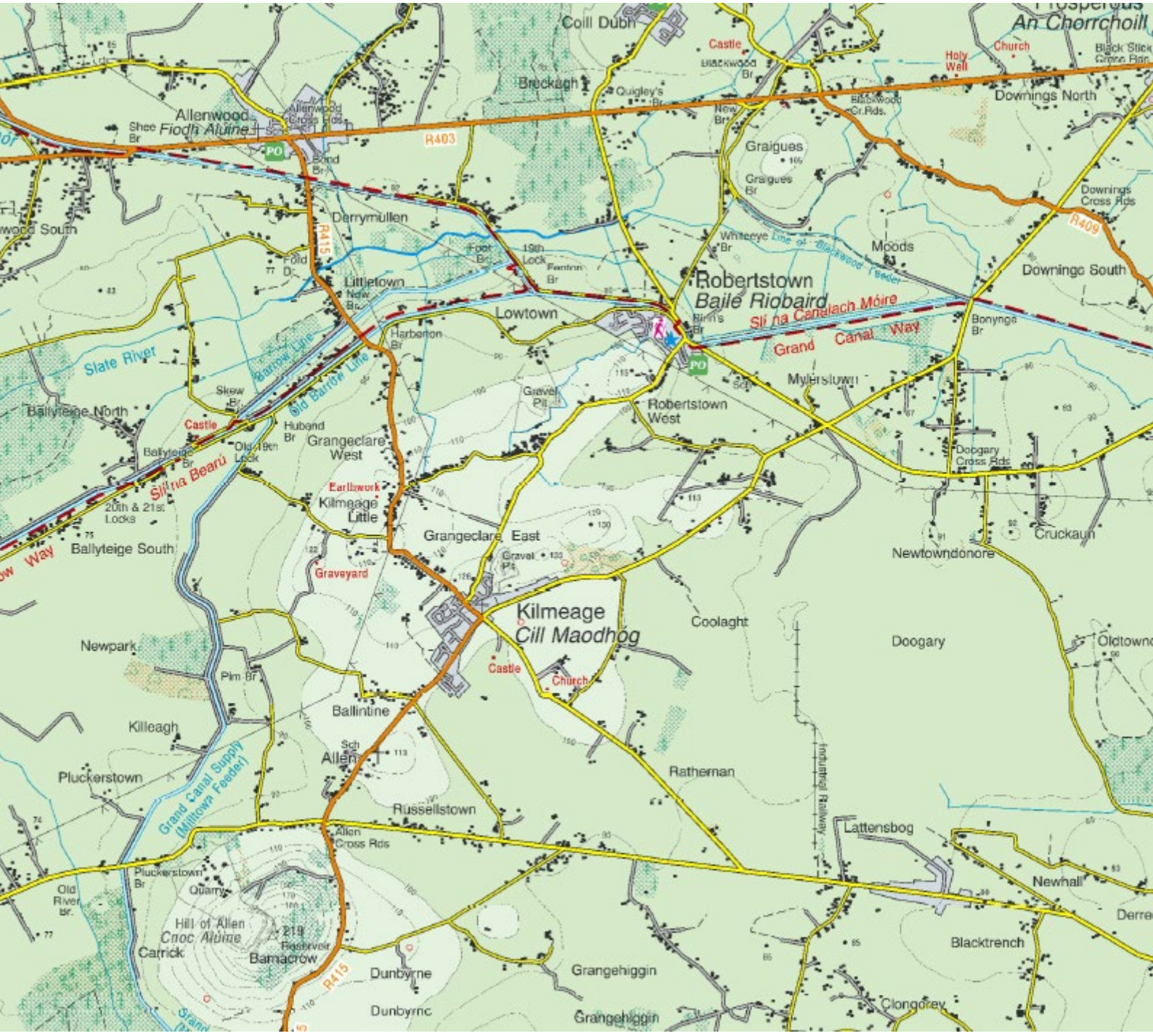
CHAPTER 2

SCOPE AND METHODOLOGY



QUARRY CONSULTING

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CHAPTER 2: SCOPE & METHODOLOGY

Introduction

2.1 This chapter presents an outline of the EIA reporting methodology to be employed for the project. It outlines the methodology for the identification and evaluation of potential likely significant environmental effects and also presents the methodology for the identification and evaluation of potential cumulative and inter-related impacts.

Legislation and Appropriate Guidance

2.2 The European Union Directive 85/337/EC required that certain private and public projects which are likely to have significant resultant environmental impacts are subject to a formalised Environmental Impact Assessment prior to their consent. This Directive was subsequently amended by the EU through three amendments: 97/11/EC, 2003/4/EC and 2009/31/EC, which were then codified in Directive 2011/92/EU and subsequently amended by Directive 2014/52/EU.

2.3 The 2014/52/EU Directive was transposed into Irish law through European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (SI No. 296 of 2018) which amended the Planning and Development Act, 2000, and the Planning and Development Regulations, 2001. This EIAR has been produced in accordance with these relevant legislative requirements and Statutory Instruments.

2.4 The Environmental Impact Assessment of the Proposed Development has been made with regard to the 'Guidelines on the information to be contained in Environmental Impact Assessment Reports', published by the EPA (Environmental Protection Agency, 2022); and the 'Draft Advice Notes for Preparing Environmental Impact Statements', (Environmental Protection Agency, 2003).

2.5 The latter document contains specific guidance on the types of issues to be considered in relation to Quarries (Project Type 18). The classification of effects and their significance has also been carried out in accordance with these guidance; unless this is otherwise stated within the relevant section or chapter.

2.6 The Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Department of Housing, Planning and Local Government, 2018), were also considered in this assessment. Assessments of technical disciplines have been made in accordance with applicable legislation, identified guidance and industry best practice. Relevant European Commission guidance considered as part of this assessment includes: Environmental Impact assessment of Projects – Guidance on Screening (European Commission, 2017b); Environmental Impact assessment of Projects – Guidance on Scoping (European Commission, 2017a); and Environmental Impact Assessment of Projects – Guidance on the Preparation of the Environmental Impact Assessment Report (European Commission, 2017c).

Annex IV of Directive 2014/52/EU

2.7 Information for the EIAR Data and information to be included by the developer in the EIAR is identified in Annex IV of the amended EIA Directive, 2014/52/EU. Table 2.1: Requirements of 2014/52/EU Annex IV and where these have been addressed in this EIAR.

Table 2.1: Requirements of 2014/52/EU Annex IV and where these have been addressed in this EIAR

Item	Requirement of Annex IV item	Reference in EIAR
1	Description of the project, including in particular: (a) a description of the location of the project; (b) a description of the physical characteristics of the whole project, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases; (c) a description of the main characteristics of the operational phase of the project (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used; (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation) and quantities and types of waste produced during the construction and operation phases.	(a) Chapter 1.0 – Introduction & (a) & (b) Chapter 3.0 – Project Description (c) and (d) Chapter 3.0 Project Description, and identified in the relevant technical chapters
2	A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.	Chapter 4.0 - Alternatives
3	A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the project as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.	A 'Baseline Conditions' section has been provided in each technical chapter along with a section which summarises a 'Do-Nothing' scenario without development.
4	A description of the factors specified in Article 3(1) likely to be significantly affected by the project: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage,	Each relevant study area which has been scoped into the EIAR is provided within a dedicated technical chapter. Chapters 5.0 –15.0.

	including architectural and archaeological aspects, and landscape.	
5	A description of the likely significant effects of the project on the environment resulting from, inter alia: (a) the construction and existence of the project, including, where relevant, demolition works; (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources; (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste; (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters); (e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources; (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change; (g) the technologies and the substances used. The description of the likely significant effects on the factors specified in Article 3(1) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project.	(a), (b) and (c) Each technical chapter, as appropriate (d) Chapter 5.0 (Pop and Human Health) (e) Chapter 16.0 (Interactions). (f) Chapter 10.0 (Air Quality) and Chapter 9.0 (Climate) (g) Each technical chapter, as appropriate Descriptions of effects are identified in each technical chapter, as appropriate.
6	A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	Assessment methodology is identified in each technical chapter. Difficulties encountered in compiling the EIAR has been identified where appropriate within the technical chapters.
7	A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse	The identification of mitigation measures is

	effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.	identified in each technical chapter, as appropriate. Chapter 17 provides a summary of all mitigation measures and monitoring proposed.
8	A description of the expected significant adverse effects of the project on the environment deriving from the vulnerability of the project to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies	The identification of risks of major accidents and/or disasters is identified in each technical chapter, as appropriate.

EIA Approach Overview: EPA Guidelines (2022)

2.8 The fundamental principles to be followed when preparing an EIAR are:

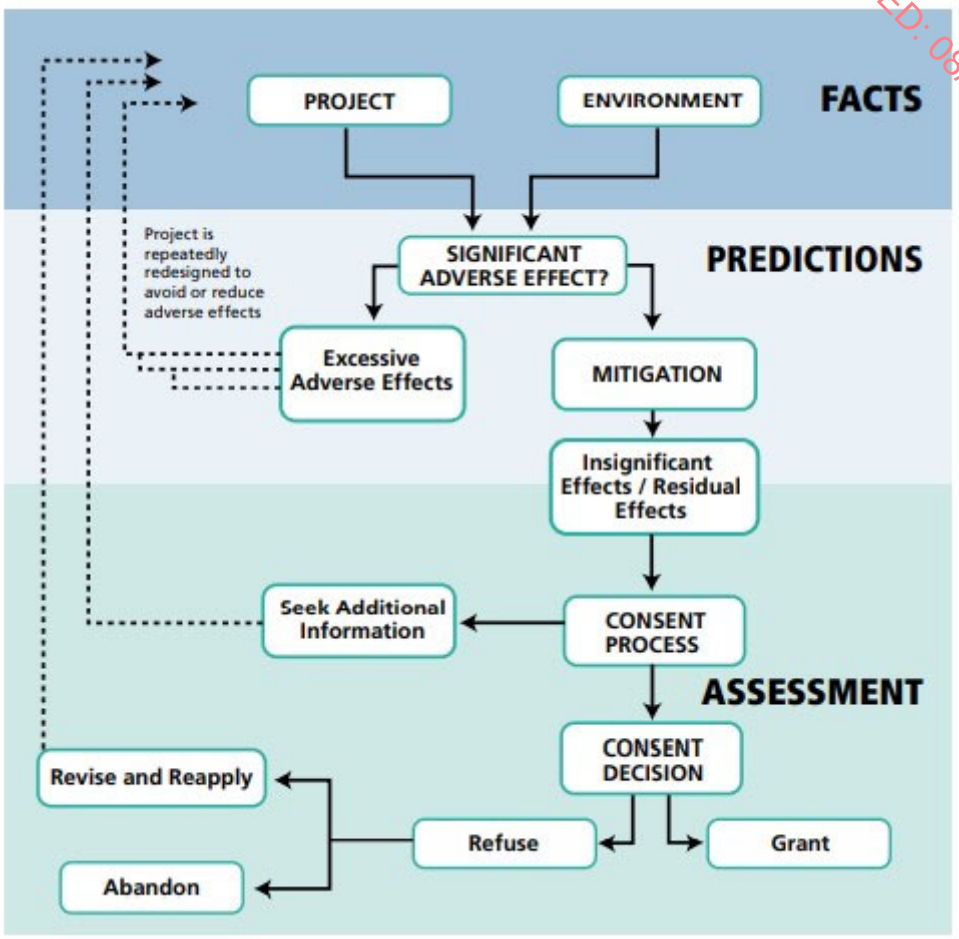
- Anticipating, predicting, avoiding and reducing significant effects;
- Assessing and mitigating effects;
- Maintaining objectivity;
- Ensuring clarity and quality;
- Providing relevant information to decision makers;
- Facilitating better consultation.

2.9 Figure 2.1 below illustrates that the EIA process can be considered as involving three main parts. The first consists of a compilation of facts – i.e. the description of the existing environment and the description of the proposed project.

2.10 The second consists of predictions of likely effects – this may be carried out on an iterative basis as the design is improved to eliminate excessive adverse effects.

2.11 The final part consists of the assessment of the environmental effects as part of a consent process which may decide to grant, condition, refuse or seek additional information.

Figure 2.1: The EIA Process (taken from the EPA Guidelines (2022))



2.12 The EIA process follows three main stages to the point at which the EIA Report (EIAR) is submitted:

1) Screening – to determine whether a proposed development should be subject to EIA;

2) Scoping – to determine which topic areas (environmental factors) should be included in the EIA (scoped in) and which should be excluded (scoped out); and

3) EIAR Preparation – the stage in which the main body of work is undertaken, resulting in the production of an EIAR.

2.13 EIA involves a number of processes, which take place during screening, scoping and the main EIA stages:

1) Identifying and describing relevant features of the proposed development;

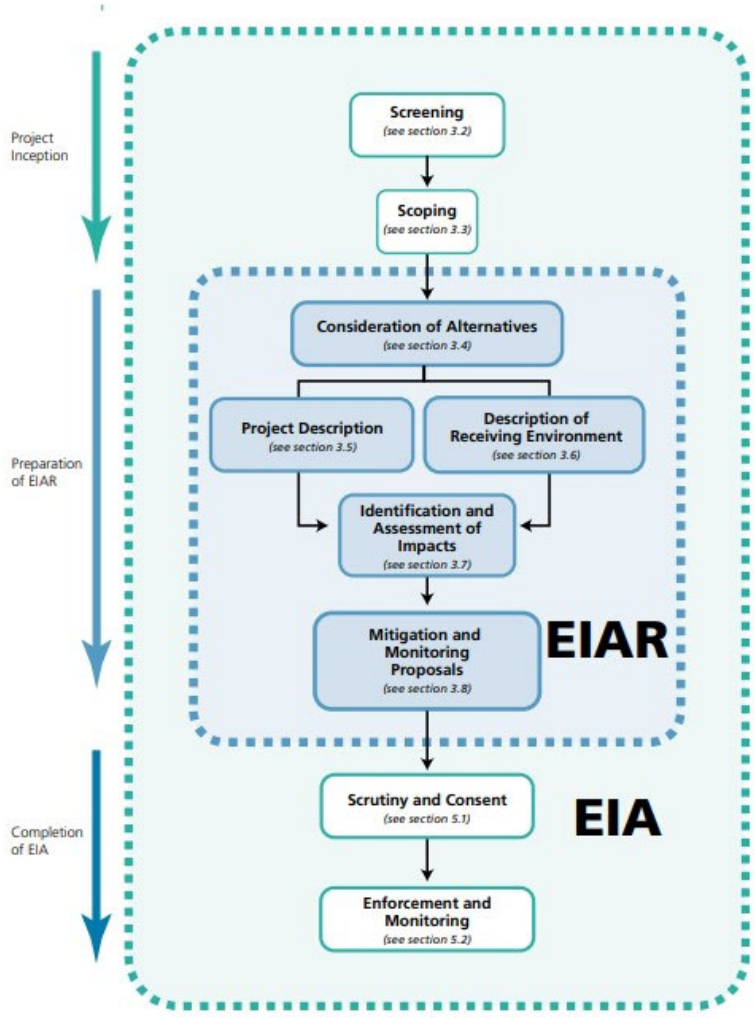
2) Identifying and describing relevant features of the baseline environment;

3) Consultation; and

4) Predicting likely impacts and effects of the proposed development on the baseline environment and developing any required mitigation measures.

2.14 More details of these stages and processes are provided in Figure 2.2 and the sections below.

Figure 2.2: The Position of an EIAR within the EIA Process (taken from the EPA Guidelines (2022))



EIA Process

Screening

2.15 Screening is a procedure used to determine whether a proposed development is likely to have significant effects on the environment. The outcome is a decision on whether EIA needs to be undertaken for the proposed development, in which case the subsequent stages of scoping and EIAR preparation will be followed.

2.16 In order to determine whether an EIA is required for the proposed development, it is necessary to determine whether it is a project listed in one of the Annexes to the Directive 2011/92/EU (as amended by Directive 2014/52/EU). These Annexes have been transposed in to Irish law.

2.17 The prescribed classes of development which require EIA are outlined in Schedule 5 of the Planning and Development Regulations 2001 (S.I. 600 of 2001, as amended).

2.18 Paragraph 19 of Part 1 of Schedule 5 states that the following form of development requires an EIA:

"Quarries and open-cast mining where the surface of the site exceeds 25 hectares."

2.19 Paragraph 22 relates to changes or extensions. It states:

"Any change or extension of projects listed in this Annex where such a change or extension in itself meets the thresholds, if any set out in this Annex."

2.20 Paragraph 2 of Part 2 of Schedule 5 refers to extractive industry and part (b) of that section states that the following requires an EIA

"Extraction of stone, gravel, sand or clay, where the area of extraction would be greater than 5 hectares."

2.21 In addition, paragraph 13(a) of Part 1 requires EIA in respect of:

"Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension refer to in Part 1) which would:-

i. result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule and

ii. result in an increase in size greater than –

25 per cent, or

an amount equal to 50 per cent of the appropriate threshold,

whichever is the greater.

2.22 The proposed development relates to the development of a sand and gravel pit and inert waste facility. The extraction area of the sand pit will be greater than 5 hectares. On this basis the extraction area of the pit exceeds the area stated under Part 2, and an EIAR is therefore required.

2.23 As the planned annual soil waste intake to the planned waste recovery facility at Coolaght Sand and Gravel Pit will exceed the threshold limit of 25,000 tonnes per annum, there is a requirement for EIA and an EIAR under Part 2 of Schedule 5.

Scoping

2.24 The scoping stage involves deciding which environmental topics should be covered by the EIA and therefore what information should be included in the EIAR. This involves considering the nature of the proposed development and the initial, usually desk based, information that has been obtained on the baseline environment. The topic areas where significant effects may potentially arise (and those where significant effects are unlikely to arise) are then identified. Methodologies for filling any information gaps and for undertaking the assessment are then developed for each of the topic areas that have been 'scoped in'.

2.25 When deciding on the scope of an EIAR, there is no statutory requirement to seek a Scoping Opinion from the local planning authority. The Planning and Development Act, (2000) 173, 2(a) states:

"If an applicant or a person intending to apply for permission so requests, the planning authority concerned shall give a written opinion on the information to be contained in an environmental impact statement, subject to any prescribed consultations to be carried out

by the planning authority in relation to such an opinion, before that person submits the application for the grant of planning permission."

2.26 The following topics have been scoped into the EIA, as it was considered that there was potential for significant environmental effects to arise as a result of the Proposed Development:

- Population and Human Health;
- Biodiversity;
- Land, Soils and Geology;
- Water;
- Climate;
- Air Quality;
- Noise and Vibration;
- Landscape and Visual;
- Traffic and Transport;
- Archaeology and Cultural Heritage;
- Material Assets; and
- Interactions.

Consultation

2.27 Consultation is an important part of the EIA process, at both the pre and post application stage. Consultation may take place with the responsible authority, statutory consultees, other relevant bodies, and with the general public. It allows information to be obtained on the local environment and other issues, and for feedback to be provided on the Proposed Development and scope of the EIA.

2.28 A preplanning consultation request was issued to a number of consultees, including Kildare County Council. The list of consultees and a record of consultation is provided in Table 2-2. Ongoing or post-application consultation will be referred to in EIAR chapters, where relevant.

Table 2-2: Consultation Response

Consultee	Response	Comments	Relevant ER Chapters
Department of Housing Local Government and Heritage	Yes	The Department advised that the EIA should consider the following: • Use of a Consultant Archaeologist to carry out the Archaeological Impact Assessment (AIA) as part of an overall Cultural Heritage Impact Assessment (CHIA) of the proposed development. • The CHIA must include an assessment of the possible effects of the proposal on the wider archaeological landscape. • The desk-study and field inspection regime should inform: o Targeted non-intrusive advance geophysical survey or prospection (such as Ground Penetrating Radar Surveys) o Targeted advance archaeological test excavation • Any and all intrusive advance investigations (such as, but not limited to, ground investigations for soils/geology/hydrogeology) carried out as part of any advance assessment or design process should be subject to a programme of archaeological monitoring by a suitably qualified archaeologist. • The CHIA should include the impacts of the proposed development on recorded monument sites: o KD018-005 o KD018-038	Chapter 14

Consultee	Response	Comments	Relevant ER Chapters
		○ KD018-039 ○ KD018-040	
Geological Survey of Ireland **(GSI)**	Yes	• The GSI advised that there is no County Geological Sites (CGS) in the vicinity of the proposed sand and gravel pit. • Proposed developments need to consider any potential impact on specific groundwater abstractions and on groundwater resources in general. • Bedrock which is Generally Moderately Productive' underlie the proposed sand and gravel pit. The Groundwater Vulnerability map indicates the area covered is classed as 'High' Vulnerability. • It should be noted that there is a groundwater drinking water abstraction (Robertstown Public Water Supply (PWS)) with zones of contribution/source protection areas 1.5 km from the proposed sand and gravel pit.	Chapter 7 LSG Chapter 8 Hydrology and Hydrogeology
Kildare Co Co	Preplanning Meeting PP5454 Date: 13th September 2022	**Planning** 1. The need for the development to be justified, and discussed with the Dept. of Agric (re trees on site); 2. The development description should include: a. The quality and quantity of trees on the site; b. The number of trips proposed; c. Timelines; d. Source of water for processing and dust suppression.	EIAR Appendix 2.3 EIAR Appendix 2.1 & 2.2

Consultee	Response	Comments	Relevant ER Chapters
		3. The access route to the site is a scenic route (north road) and preferred to keep the general profile of the hill. 4. Cumulative assessment – other quarries in the area; 5. Climate assessment to include the carbon stored in trees on site.	Chapter 12 Chapter 16 Chapter 9
		Water Services 1. The nearest public sewer is 1.3km away in Kilmeague village so a proprietary site WWTP will be required and this is a matter for our colleagues in Environment department. 2. The prospective applicant shall be advised to make a pre-connection enquiry for water supply to Irish Water for a new connection to the existing 3" main in the public road at https://www.water.ie/connections/pre-connections/ 3. Surface water drainage shall comply with GDSDS and a flood risk assessment commensurate with the flood risk identified from recommended sources shall be submitted with any planning application.	Chapter 8
		Environment Department 1. The EIAR shall identify all surface and groundwater receptors and assess the potential impact of the proposed development on same. If required mitigation measures shall be proposed. 2. If it is proposed to extract groundwater for use in the manufacturing process then it shall be necessary to quantify the volume of water intended to be extracted on a daily basis and to assess the potential impact this may have on surrounding groundwater supplies. 3. The cross sections of the site shall demonstrate clearly that extraction activities will remain at least 1m above the water table at all times. Therefore it shall be	Chapter 8: Para 8.110 – 8.115 Chapter 8: Para 8.198 Para 8.74 – 8.80.

Consultee	Response	Comments	Relevant ER Chapters
		necessary to engage a hydrogeologist to carry out an investigate and to demonstrate the highest possible level the water table rises to across the entire site and the cross sections shall clearly show the lowest level of extraction to be at least 1m above this level.	Refer to Quarry Consulting Drawing No. 6 for cross-section
		Transport Department 1. The applicant will be required to submit a Traffic and Transport Assessment in accordance with the NRA (TII) Traffic and Transport Assessment Guidelines (May 2014). The duration of the proposed quarry activity, the proposed restoration plan (and whether this includes the importation of material) and the overall number of quantities and traffic movements per week are to be indicated on this TTA. 2. In conjunction with item 1, the applicant will be required to provide a map at a suitable scale indicating haul routes to and from the site. Consideration to be had to bridges and weight limits in the area (in particular the road infrastructure to Allenwood). 3. The applicant will be required to submit a Site Layout Plans at scales of 1:500 indicating the following: a. The restoration plan after quarrying has ceased. This drawing is to include cross sections. b. Lines of sight at the vehicular entrance to be in accordance with the TII Geometric Design of Junctions DN-GEO-03060. c. The manner in which surface water runoff will be collected, disposed of within the application site and not discharged onto the public road network. d. Lighting at the proposed entrance and within the application site demonstrating the development will not be a source of light pollution to	Chapter 13 Planning Drawings Chapter 13

Consultee	Response	Comments	Relevant ER Chapters
		adjacent lands, property and the public road network. Calculations are required to be submitted demonstrating that they have satisfied the requirements of ILP Guidance Notes for the Reduction of Obtrusive Light (GN01:2011) in relation to the impact of lighting design on the adjoining lands, properties and the public road network. e. Vehicular parking spaces to be 2.50 by 5.00 metres in dimension marked in 100 mm white lines on a bound surface. f. Electric car charge points to serve the development. Elevation and plan details of these arrangements are to be indicated on these drawings at a scale of 1:25. Consideration to be had in minimizing trip hazards. g. Signage and road markings to be in accordance with the Department of Transport, Tourism and Sport (DTTAS) Traffic Signs Manual. h. Staff bicycle parking arrangements in order to reduce car based journeys to and from the developments. Bicycle parking is to have passive surveillance, secure arrangements, adequate lighting and shelter from the weather. The applicant is also to provide associated staff welfare facilities. i. A critical swept path analysis for the types of haulage vehicles demonstrating access and egress to and from the public road network and the manoeuvrability of these vehicles within the application site. j. The location of the proposed access road, parking layout, offices, wheel wash facilities, weigh bridge, operation arrangements and machinery. 4. The applicant will be required to submit site investigation details to confirm the location of sand and gravel on the site and that there is no rock within the site which may involve blasting and noise issues.	Chapter 7

Consultee	Response	Comments	Relevant ER Chapters

Kildare Co Co	Preplanning Meeting PP5454
	Date: 10th October 2023
		The pre-planning meeting focused on the discussion of the New County Development Plan and its implications on the proposed development. The following points were addressed during the meeting:
		
		Review of New County Development Plan:
		
		• Emphasis on RD042 – RD051 objectives relating to 'Mineral Resources & Extractive Industry'.
		• The development is located in a sensitive landscape, with significant impacts highlighted through a View from North and a Photomontage might be required.
		• Discussion on the magnitude of change the development might introduce to the area.
		• Biodiversity and Environmental Considerations:
		  ○ RD044 and RD051 were mentioned in the context of biodiversity gain, with a request for specific documents to support this claim.
		  ○ The percentage of remediation and the justification for the life of the development were discussed, with a request for recent examples to support the claims.
		  ○ The deforestation phase, including its impacts on traffic and landscape, was discussed. It was agreed that clear-felling in Year 1 should be assessed separately.
		• The meeting addressed the importance of emphasizing biodiversity net gain and outlined guidelines for assessing the duration of impacts.
		• Operational Details:
			Planning Report
			
			Chapter 12
			
			Each EIAR Chapter
			
			Chapter 6

Consultee	Response	Comments	Relevant ER Chapters
		○ A change in opening hours was proposed, from 7 PM to 6 PM. ○ Discussion on planning for the worst-case scenario and the submission of all relevant documents simultaneously. • The need for a conceptual phasing plan was highlighted, along with the emphasis on ash removal and the exploration of justifications and alternatives. • Traffic Management: ○ Discussion on hourly traffic routes for Heavy Goods Vehicles (HGVs), with an emphasis on balancing maximum average traffic with achieving low impact. • Monitoring and Mitigation: ○ The need for a more descriptive monitoring description, including thresholds, was discussed. ○ Clarification on roles and responsibilities regarding mitigation and monitoring was requested to be more definitive. • Documentation and Drawing Requirements: ○ A request was made for a key diagram to be included in the cross-section drawings. ○ The submission of phasing drawings was also requested. The meeting concluded with an agreement on the need for detailed documentation to support the development's impact assessments, including environmental, traffic, and operational considerations. The importance of emphasising biodiversity net gain and providing clear justifications for the development's phases, especially the deforestation	Figures 2.1 – 2.8 Chapter 13 Chapter 17 Planning Drawings

Consultee	Response	Comments	Relevant ER Chapters
		phase, was underscored. Further, the need for definitive roles and responsibilities in monitoring and mitigation efforts was highlighted, along with the importance of comprehensive planning documentation to assess the worst-case scenario impacts accurately.	
Dept. of Agriculture, Food and the Marine - refer to Appendix 2.3 for a copy of correspondence with the Department.		**Felling License Requirement:** Before any trees are felled or removed, the developer must obtain a Felling License from the Department of Agriculture, Food and the Marine. Application forms and information are available at gov.ie - Tree Felling Licences. **Legislative Framework:** A Felling License is authorised under the Forestry Act 2014 and its regulations, which outline the legal requirements for tree felling. The developer should familiarise themselves with these requirements, especially the Forestry Regulations 2017. **Policy Documentation:** Developers should consult the Felling and Reforestation Policy document for guidance on legal and regulatory frameworks, with particular attention to deforestation and the requirement to afforest alternative lands. **Sustainable Forest Management (SFM):** The Forest Service must ensure SFM principles are adhered to, which involves consultations and considerations during Felling Licence application assessments, including environmental impact assessments and possible requirements for further information (e.g., Natura Impact Statement). **Planning Permission and Environmental Assessments:** When applying for planning permission, it's crucial to include assessments of environmental impacts related to tree felling, deforestation, and land-use changes, ensuring consistency between felling licence areas and planning documents.	Chapter 1 & Chapter 2

Consultee	Response	Comments	Relevant ER Chapters
		Inspectors Remarks: Even if planning permission for deforestation is secured, alternative lands for replanting must be provided. The 20-year planning permission duration, with a 14-year extraction phase, poses challenges for issuing a replanting schedule. Concerns include the proposed depth of topsoil fill for restoration and nutrient availability for tree growth. Documentation from local authorities must be provided to the Department as the second authority, and the proposal must align with the Forestry Programme 2023-2027 requirements for alternative land afforestation.	

EIAR Preparation

Difficulties Encountered in Preparing the EIAR

2.29 No particular technical difficulties were encountered in the preparation of the EIAR such that that the prediction of impacts from the Proposed Development has not been possible. Relevant difficulties or survey limitations specific to each study area have been identified in the respective technical chapters, as appropriate.

2.30 Conservative assessments and construction good practice methods/mitigations have been applied where information concerning methodology or program could not be fully determined. Other details of the development may be revised prior to the final planning permission grant of the development, in agreement with the planning authority.

2.31 As appropriate, information from publicly available sources has been used in the course of this assessment. This includes mapping sources such as the Environmental Protection Agency (EPA), Geological Survey of Ireland (GSI), Department of Environment, Climate and Communications and other information including Census returns. Due care has been taken in the review of these data sets; however no responsibility can be taken for inaccuracies which may be present within this public data.

Structure of the EIAR

2.32 The findings of the EIA are set out in this EIAR, comprising the following set of documents:

- Non-Technical Summary (NTS): This document will provide a summary of the key findings of the EIA in non-technical language.
- Environmental Impact Assessment Report (EIAR): This document contains the full text of the EIA. The chapter headings will be as follows:
  - 1.0: Introduction;
  - 2.0: Scope and Methodology;
  - 3.0: Project Description;
  - 4.0: Alternatives;
  - 5.0: Population and Human Health;
  - 6.0: Biodiversity;
  - 7.0: Land, Soils and Geology;
  - 8.0: Water;
  - 9.0: Climate;
  - 10.0: Air Quality;
  - 11.0: Noise & Vibration;
  - 12.0: Landscape and Visual;
  - 13.0 Traffic;
  - 14.0: Archaeology and Cultural Heritage;
  - 15.0 Material Assets;
  - 16.0: Interactions & Cumulative Effects; and

- 17.0 Mitigation and Monitoring.

Structure of the EIAR Chapters

2.33 Each technical chapter will follow a similar structure, covering the following:

- Introduction;
- Legislative and Policy Context;
- Assessment Methodology and Significance Criteria;
- Baseline Conditions;
- Potential Effects;
- Mitigation and Management (and/or Monitoring);
- 'Do-Nothing' Scenario;
- Cumulative Effects;
- Residual Effects;
- Difficulties Encountered; and
- References.

Determining the Key Features of the Proposed Development

2.34 A description of the Proposed Development is provided in Chapter 3.0 'Project Description' including information on the site, design, size and other relevant features of the development.

2.35 A description of the reasonable alternatives, which are relevant to the Proposed Development and its specific characteristics, is provided in Chapter 4.0. Information is provided of the main reasons for the option chosen, taking into account the effects of the development on the environment, economic and social effects.

Determining the Baseline

2.36 The EIA Directive requires the following in terms of baseline description under Annex IX:

"A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the project as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge."

2.37 The EPA's Guidelines on the Information to be Contained in EIARs (EPA, 2022) provides guidance on the methodology used to establish the baseline scenario within an EIAR.

2.38 Establishment of the baseline is a key foundation when carrying out the EIA process as it identifies existing environmental factors which must be considered relating to the Proposed Development and likely impacts from the Proposed Development, and significance of those impacts, on the baseline.

2.39 Within the EIAR, a description is provided within the various topic chapters of the relevant aspects of the current state of the environment (baseline scenario). An outline is also provided of the likely evolution of the baseline environment in the absence of implementation of the Proposed Development (the 'Do-Nothing' scenario). Information on

the baseline environment was obtained through desk top review of existing environmental data and, where necessary, the collection of new data through site surveys.

2.40 The assessments presented in this EIAR are largely based on the comparison of expected impacts compared with current or recent baseline environmental conditions. This is with the exception of topics such as air quality, noise, traffic and transport, landscape and visual assessments which factor in future baseline changes.

2.41 These approaches are explained in further detail in the relevant chapters.

2.42 Establishment of the current and future baseline allowed effects to be assessed and reported by comparing a scenario with the Proposed Development against one without the Proposed Development.

2.43 The baseline description provided in the EIAR:

- Includes a description of the site location and the surrounding area as far as environmental effects are anticipated; and
- Defines existing land-uses and environmental receptors/resources relevant to the environmental topic.

Prediction of Impacts and Effects and Development of Mitigation Measures

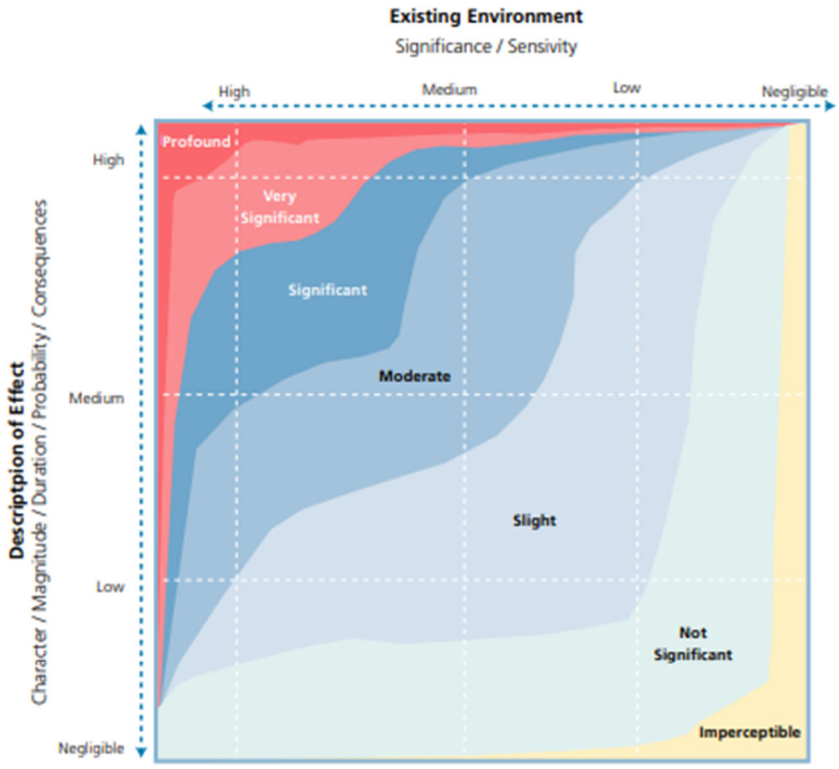
2.44 The environmental impact assessment of the project has been made with regard to the 'Guidelines on the information to be contained in Environmental Impact Assessment Reports', published by the EPA (Environmental Protection Agency, 2022); and the 'Draft Advice Notes for Preparing Environmental Impact Statements' (Environmental Protection Agency, 2015).

2.45 Assessments of technical disciplines have been made in accordance with applicable legislation, identified guidance and industry best practice. For several topic areas, forecasting methods developed by the respective professional bodies have been followed in order for an assessment of significance of impacts to be made. For topics where there is no topic specific guidance available, a common framework of assessment criteria and terminology has been used throughout this EIAR based on the EPA's Guidelines on the Information to be Contained in EIARs (Environmental Protection Agency, 2022).

2.46 This common framework follows a 'matrix approach' to environmental assessment which is based on the value (sensitivity) of the receptor and the characteristics of the impact (magnitude and nature). The terms used in the common framework are described below. Details of how these specifically relate to the individual topic areas are provided within the respective topic chapters. The descriptive terminology identified by the EPA has been reproduced below for the sake of reference for this document. The consistent use of this terminology provides clarity in the method of the assessment and meaning of the conclusions.

2.47 The EPA's method of determining the significance of impacts that is described below and portrayed in Figure 3.4 of the updated Guidance (EPA 2022) has been used in this EIAR. There are seven generalised degrees of impact significance that are commonly used in EIA, which are: Imperceptible, Not Significant, Slight, Moderate, Significant, Very Significant and Profound, the definitions of which are given under Description of Effects below.

Figure 2.3: Chart Showing Typical Classifications of the Significance of Effects (taken from the EPA Guidelines (2022))



There are seven generalised degrees of effect significance that are commonly used in EIA. Imperceptible, Not Significant, Slight, Moderate, Significant, Very Significant and Profound. Generalised definitions of each of these are provided in Table 3.4. When more specific definitions exist within a specialised factor or topic, e.g. biodiversity, these should be used in preference to these generalised definitions. (ref. Advice Notes[68].)

Assessment of Significant Effects

2.48 As stated in the 'Guidelines on the Information to be contained in Environmental Impact Assessment Reports' (EPA, 2022), an assessment of the likely significant effects of a project is a statutory requirement of the EIAR process. The criteria for the presentation of the characteristics of potential significant effects will be described with reference to the magnitude, spatial extent, nature, complexity, probability, duration, frequency, reversibility, cumulative effect and transboundary nature (if applicable) of the effect.

2.49 It may be useful to consider such impacts in light of the criteria listed in Annex III of the amended Directive.

1. magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);

2. nature of the impact;

3. transboundary nature of the impact;

4. intensity and complexity of the impact;

5. probability of the impact;

6. expected onset, duration, frequency and reversibility of the impact;

7. cumulation of the impact with the impact of other existing and/or approved projects; and
8. possibility of effectively reducing the impact.

Descriptions of Effects

2.50 Each effect usually needs to be qualified to provide a comprehensive description of the predicted effect on receptors. The EIAR should focus on the likely, significant effects.

2.51 The extent to which the effects of major accidents and/or disasters are examined in the EIAR should be guided by an assessment of the likelihood of their occurrence (risk). This may be supported by general risk assessment methods or by systematic risk assessments required under other regulations, e.g., a COMAH (Control of Major Accident Hazards involving Dangerous Substances) assessment.

2.52 The potential for a project to cause risks to human health, cultural heritage or the environment due to its vulnerability to external accidents or disasters is considered where such risks are significant, e.g., the potential effects of floods on sites with sensitive facilities. Where such risks are significant then the specific assessment of those risks in the form of a Seveso Assessment (where relevant) or Flood Risk Assessment may be required. The EIAR should refer to those separate assessments while avoiding duplication of their contents.

Figure 2.4: Description of Effects (taken from the EPA Guidelines (2022))

Quality of Effects It is important to inform the non-specialist reader whether an effect is positive, negative or neutral.	**Positive Effects** A change which improves the quality of the environment (for example, by increasing species diversity, or improving the reproductive capacity of an ecosystem, or by removing nuisances or improving amenities).
	Neutral Effects No effects or effects that are imperceptible, within normal bounds of variation or within the margin of forecasting error.
	Negative/Adverse Effects A change which reduces the quality of the environment (for example, lessening species diversity or diminishing the reproductive capacity of an ecosystem, or damaging health or property or by causing nuisance).
Describing the Significance of Effects 'Significance' is a concept that can have different meanings for different topics – in the absence of specific definitions for different topics the following definitions may be useful (also see *Determining Significance*).	**Imperceptible** An effect capable of measurement but without significant consequences.
	Not Significant An effect which causes noticeable changes in the character of the environment but without significant consequences.
	Slight Effects An effect which causes noticeable changes in the character of the environment without affecting its sensitivities.
	Moderate Effects An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends.
	Significant Effects An effect which, by its character, magnitude, duration or intensity, alters a sensitive aspect of the environment.
	Very Significant An effect which, by its character, magnitude, duration or intensity, significantly alters most of a sensitive aspect of the environment.
	Profound Effects An effect which obliterates sensitive characteristics.
Describing the Extent and Context of Effects Context can affect the perception of significance. It is important to establish if the effect is unique or, perhaps, commonly or increasingly experienced.	**Extent** Describe the size of the area, the number of sites and the proportion of a population affected by an effect.
	Context Describe whether the extent, duration or frequency will conform or contrast with established (baseline) conditions (is it the biggest, longest effect ever?)

Describing the Probability of Effects Descriptions of effects should establish how likely it is that the predicted effects will occur so that the CA can take a view of the balance of risk over advantage when making a decision.	**Likely Effects** The effects that can reasonably be expected to occur because of the planned project if all mitigation measures are properly implemented.
	Unlikely Effects The effects that can reasonably be expected not to occur because of the planned project if all mitigation measures are properly implemented.
Describing the Duration and Frequency of Effects 'Duration' is a concept that can have different meanings for different topics – in the absence of specific definitions for different topics the following definitions may be useful.	**Momentary Effects** Effects lasting from seconds to minutes.
	Brief Effects Effects lasting less than a day.
	Temporary Effects Effects lasting less than a year.
	Short-term Effects Effects lasting one to seven years.
	Medium-term Effects Effects lasting seven to fifteen years.
	Long-term Effects Effects lasting fifteen to sixty years.
	Permanent Effects Effects lasting over sixty years.
	Reversible Effects Effects that can be undone, for example through remediation or restoration.
	Frequency of Effects Describe how often the effect will occur (once, rarely, occasionally, frequently, constantly – or hourly, daily, weekly, monthly, annually).

Describing the Types of Effects	**Indirect Effects (a.k.a. Secondary or Off-site Effects)** Effects on the environment, which are not a direct result of the project, often produced away from the project site or because of a complex pathway.
	Cumulative Effects The addition of many minor or insignificant effects, including effects of other projects, to create larger, more significant effects.
	'Do-nothing Effects' The environment as it would be in the future should the subject project not be carried out.
	'Worst-case' Effects The effects arising from a project in the case where mitigation measures substantially fail.
	Indeterminable Effects When the full consequences of a change in the environment cannot be described.
	Irreversible Effects When the character, distinctiveness, diversity or reproductive capacity of an environment is permanently lost.
	Residual Effects The degree of environmental change that will occur after the proposed mitigation measures have taken effect.
	Synergistic Effects Where the resultant effect is of greater significance than the sum of its constituents (e.g. combination of SOx and NOx to produce smog).

2.53 The approach to assigning significance of effect included reasoned argument, the professional judgement of competent experts and using effective consultation to ensure the advice and views of relevant stakeholders were taken into account.

Design and Mitigation

2.54 The environmental assessment and design of the Proposed Development incorporated mitigation measures using a hierarchical system as follows:

1. Avoidance and prevention: design and mitigation measures to prevent the effect (e.g. alternative design options or avoidance of environmentally sensitive sites);
2. Reduction: where avoidance is not possible, then mitigation is used to lessen the magnitude or significance of effects; and
3. Remediation: where it is not possible to avoid or reduce a significant adverse effect, these are measures to offset the effect.

2.55 The following categories of mitigation have been described in the EIAR:

1. Embedded mitigation: project design principles adopted to avoid or prevent adverse environmental effects (as described in the Project Description,

Chapter 3.0), and including fixed procedural commitments such as the development and adoption of a Environmental Management System (EMS)); and

2. Essential mitigation: measures required to reduce and if possible offset likely significant adverse environmental effects, in support of the reported significance of effects in the environmental assessment (as described in the individual topic chapters and in Mitigation and Monitoring, Chapter 17.0).

2.56 Any enhancement measures have also been described (measures that are over and above what is required to mitigate the adverse effects of a project), as well as any requirements for monitoring of mitigation measures associated with any significant environmental effects.

Cumulative Assessment

2.57 Each technical chapter of the EIAR includes a cumulative assessment which considers the impacts arising from the project alone and cumulatively with other relevant plans, projects and activities.

2.58 The cumulative effects were assessed when the conclusions of individual environmental topic assessments had been reached and reported. The assessment of cumulative effects from different projects are discussed within the relevant technical chapters.

Prediction of Residual Impacts and Effects

2.59 Once the embedded mitigation and essential mitigation measures had been developed the assessment process for predicting impacts and effects described above was repeated to determine the residual effects (i.e. the effects remaining after mitigation).

2.60 Monitoring measures are proposed in the EIAR where there is uncertainty regarding the significance of, or the predicted levels of residual effects or where monitoring is necessary to modify control measures on an ongoing basis to control residual effects.

'Do-nothing' Scenario

2.61 Each technical chapter of the EIAR includes an assessment of the situation or environment which would exist if a proposed, development, project or process were not carried out. This scenario takes account of the continuation or change of current management regimes, as well as the continuation or change of trends currently evident in the environment.

APPENDIX 2.1

Tree Survey Report

LAND PLANNING & DESIGN

CUNNANE STRATTON REYNOLDS

TREE REPORT

Proposed Sand & Gravel Extraction Site,
Kilmeage,
Co Kildare.

November 2022

CUNNANE STRATTON REYNOLDS
LAND PLANNING & DESIGN
www.csrlandplan.ie

CONTENTS

1. Introduction

This report informs a planning application for a proposed sand and gravel extraction pit near to Kilmeage in Co. Kildare on a site that currently hosts existing deciduous commercial forestry. It is intended to fell the main existing plantation whilst retaining a buffer of existing woodland around perimeter of site.

CSR undertook a site inspection to review the existing forest plantation. This report provides an overview commentary regarding existing planting - including general assessment of species type as well as physiological and structural condition.

The site tree survey was undertaken on 3rd November 2022 by Cunnane Stratton Reynolds arborist;

Keith Mitchell	Diploma Arboriculture (Level 4) Technician Member Arboricultural Association (UK) Tree Risk Assessment Qualification (International Society of Arboriculture) MA(Hons) Landscape Architecture Member of the Irish Landscape Institute Chartered Member of the Landscape Institute (UK) Diploma EIA Management

2. Context & Proposal

2.1 The site is located northeast of Kilmeage village in County Kildare and is bordered by an adjoining forestry plantation to the southwest and by agricultural land on all other sides.

Figure 1: Low resolution satellite image of approximate tree survey area in red (courtesy of Google Earth).

Site access if from the L7081 road to the south which services a derelict / uninhabited farmhouse and outbuildings.

The forestry plantation adjoins a second existing plantation situated along the southwest boundary.

A large expanse of bogland is situated approximately 1.25km southeast.

A telecommunications mast and ancillary buildings are located at the northern end of the site.

2.2 Description of development proposal

It is proposed to fell the bulk of the existing plantation to facilitate the development of a proposed sand and gravel extraction site, whilst retaining a ‘buffer strip’ of existing woodland and hedgerow around the site perimeter to screen the development.

3. Description of existing trees

3.1 The existing forest covers approximately 16.53 hectares and is a mixed broadleaf forestry plantation. The plantation was planted in two blocks;

Area A 7.71 hectares (planted 2002)
Area B 8.88 hectares (planted 2004)

The plantation is composed predominantly of deciduous broadleaf species with a limited number of evergreen trees planted around margins.

Species breakdown

AREA A

Species	%	Area	Status
Acer pseudoplatanus (Sycamore)	30%	(2.32ha)	Naturalised species
Fraxinus excelsior (Ash)	30%	(2.32ha)	Native species
Pinus sylvestris (Scots Pine)	20%	(1.52ha)	Native species
Oak (Quercus robur)	20%	(1.55ha)	Native species

AREA B

Species	%	Area	Status
Acer pseudoplatanus (Sycamore)	26%	(2.29ha)	Naturalised species
Fagus sylvatica (Beech)	11%	(0.97ha)	Naturalised species
Fraxinus excelsior (Ash)	47%	(4.13ha)	Native species
Larix decidua (European Larch)	05%	(0.44ha)	Non-native species
Larix kaempferi (Japanese Larch)	02%	(0.26ha)	Non-native species
Picea sitchensis (Sitka Spruce)	06%	(0.53ha)	Non-native species
Biodivesity	03%	(0.26ha)	

In addition to the above plantations a belt of native hedgerow with intermittent opportunistic/emergent trees runs along most of the site perimeter.

3.2 Photographic Summary of Trees Surveyed

View towards existing derelict farmhouse / outhouses. Block planting of alternate rows of Beech & Spruce to right of image and Sycamore and Ash to left of image.

Spruce and Beech mixed plantation.

Sycamore and Ash mixed plantation.

Biodiversity area colonized by occasional Silver Birch (Betula pendula)

Spruce edge planting sheltering mixed Sycamore plantation.

Adjoining plantation to southwest (right of image)

3.3 Ash Dieback Disease

'Ash dieback' was detected amongst the Ash tree plantations during the survey.

'Ash dieback' is a disease caused by the *Hymenoscyphus fraxineus* fungi which is developing rapidly across Ireland since its presence was first detected in Ireland in 2012. The disease is spread by windborne spores and once a tree is infected it will lead to its terminal decline within a few years.

At present there is no available remedy and the outlook for the survival of Ash trees in Ireland is poor, with infection rates appearing to accelerate over the past couple of years.

It is hoped that genetic diversity may mean some trees might prove resistant to the disease, however there is still great uncertainty at this time regarding survival rates. The Woodland Trust estimate that at least 80% of Ash trees in the UK will die. (It is likely that within the context of a forestry plantation there will be little or no genetic diversity among the trees planted).

The retention or removal of Ash trees must therefore be viewed in the context of Ash Dieback disease, and the likelihood that at least 80% of Ash trees in a wider landscape setting and more likely 100% of Ash trees in a commercial forestry setting are likely to die over the coming years and will require to be felled and replaced with an alternative species.

3.4 Woodland character

With the exception of the Ash trees, all of the tree planting on site is of good or fair physiological condition.

The trees are still considered to be relatively young at the age of twenty years (Area A) and eighteen years (Area B) in the context of their anticipated potential lifespans.

Structurally the trees are slender with limited canopy beyond the uppermost level, as would be expected given the forestry style plantation method used - where trees are intentionally planted at unnaturally high densities to encourage a phototropic growth

response – i.e. inducing rapid upward growth in competition for light, whilst overshading discourages lateral growth, producing the straight trunks required by the timber industry. (The plantations will require selective thinning soon if they are to be retained as a timber crop).

There is currently little or no woodland understory growth present, due to the artificially high density of planting and consequentially low levels of light reaching the woodland floor.

Though the plantations containing a relatively high percentage of native or naturalized broadleaf tree species, the absence of other plant species that would normally be associated with the trees in a natural woodland are to a large degree missing – consequentially the ecological value of the commercial plantation is likely to be significantly lower than that of a natural broadleaf woodland.

APPENDIX 2.2

Tree Species Map

678000

678500

723500

Forest Species Habitats Map	Remove
Plots 1-5 contain Conifer Commercial Species planted in 2004	Retain
Plot 1: Sitka Spruce 90% Jap Larch 10%	
Plot 2: Sitka Spruce	
Plot 3: Sitka Spruce	
Plot 4: European Larch	
Total Area of : 1.44 Hectares (3.56 acres)	
Plot 6 : 6.24 Hectares of Ash 30%, Sycamore 30%, Oak 20% and Scots Pine 20% Planted in 2002	
Plot 7: 5.10 Hectares of Ash 60% , Sycamore 40% Planted 2004	
Plot 9: 0.61 Hectares contains Beech 95% and European Larch 5% planted in 2004	
Plot 10: 1.26 Hectares, contains an area of semi natural woodlands on the perimeters	

Legend

- Application Area
- Extraction Area
- Forest Species

N

W

E

S

10

6

1

7

3

2

4

9

Extraction Area

Application Area

0 75 150 m

APPENDIX 2.3

Correspondence with the Department of Agriculture, Food and the Marine (Forestry Division)

QUARRY CONSULTING

By Email

forestryinfo@agriculture.gov.ie

14th November 2023

Forestry Division
Department of Agriculture, Food and the Marine
Johnstown Castle Estate
Co. Wexford

Our Ref: 03.03

Dear Sir / Madam

RE: JOSEPH LOGAN., COOLAGHT, KILMEAGUE, CO. KILDARE.

SECTION 34 PLANNING APPLICATION FOR THE DEVELOPMENT OF A SAND AND GRAVEL PIT AND SOIL RECOVERY FACILITY

We act on behalf of Joseph Logan, landowner of lands at Coolaght, Kilmeague, Co. Kildare. A planning application for deforestation of part of these lands was previously refused planning permission (Kildare Co. Co. Plan File Ref. No. 20/1152) on the 20th November 2020. A submission (dated 12th November 2020) was made by the Forestry Division (Felling Unit) of the Department of Agriculture, Food and Marine in relation to the application.

A revised development proposal is being prepared for the lands. Since the refusal of the initial application for deforestation and conversion to agricultural land, extensive investigations have confirmed that the site is underlain by a significant deposit of high-quality sand and gravel. This discovery has guided a revised proposal for development of the lands.

Key aspects of the revised proposal include:

- Deforestation and Replanting: The plan involves deforestation of approximately 12 hectares, predominately comprising ash trees affected by ash dieback, along with areas of sitka spruce, followed by replanting parts of the area. Figure 1 enclosed shows the tree species and the year planted.
- Resource Extraction: Extraction of significant sand and gravel reserves.
- Soil Recovery Facility: The site will also function as a soil recovery facility.

Quarry Mineral Consulting Ltd., Unit 3, Cedar Crescent, Cedar Park, Westport, Co. Mayo, F28 PN47.
Email: pkinghan@QuarryConsulting.ie
Tel: + 353 86 1712218

- **Restoration and Replanting with Broadleaf Forestry**: Ongoing during the sand and gravel extraction activities, the site will be restored to its original ground levels. On completion of infilling operations, the site will be replanted with a suitable broadleaf woodland. The proposed replanting mixture is as follows: Pedunculate oak (40%). Downy birch (20%), hazel (20%) & hawthorn (5%) scattered throughout. Wild cherry (5%), planted in groups of 5 to 10 trees. Minor species (10%) to comprise at least three of the following, positioned alongside planned woodland edges & glades: holly, spindle, rowan, crab apple & (on wetter areas of the plot) alder.

Over the past 24 months, we have carried out a detailed Environmental Impact Assessment, which includes:

- Installation of boreholes for geological analysis, which confirm a high quality sand and gravel deposit.
- Geophysical surveys to assess the extent of the mineral deposits.
- Biodiversity assessments to evaluate the ecological impact.
- An arborist report and a registered forester's assessment to ensure responsible forestry management.

In addition, we have held a number of preplanning meetings with the local authority.

We plan to submit the formal planning application and the Environmental Impact Assessment report within the coming weeks to Kildare Co Co.

Enclosed, please find a draft of the EIA Project Description chapter, along with the detailed development plans for your review. We value any recommendations or requirements you may have.

Yours sincerely

Peter Kinghan
Chartered Mineral Surveyor

pkinghan@quarryconsulting.ie
Mobile: 086 1712218

Enc.

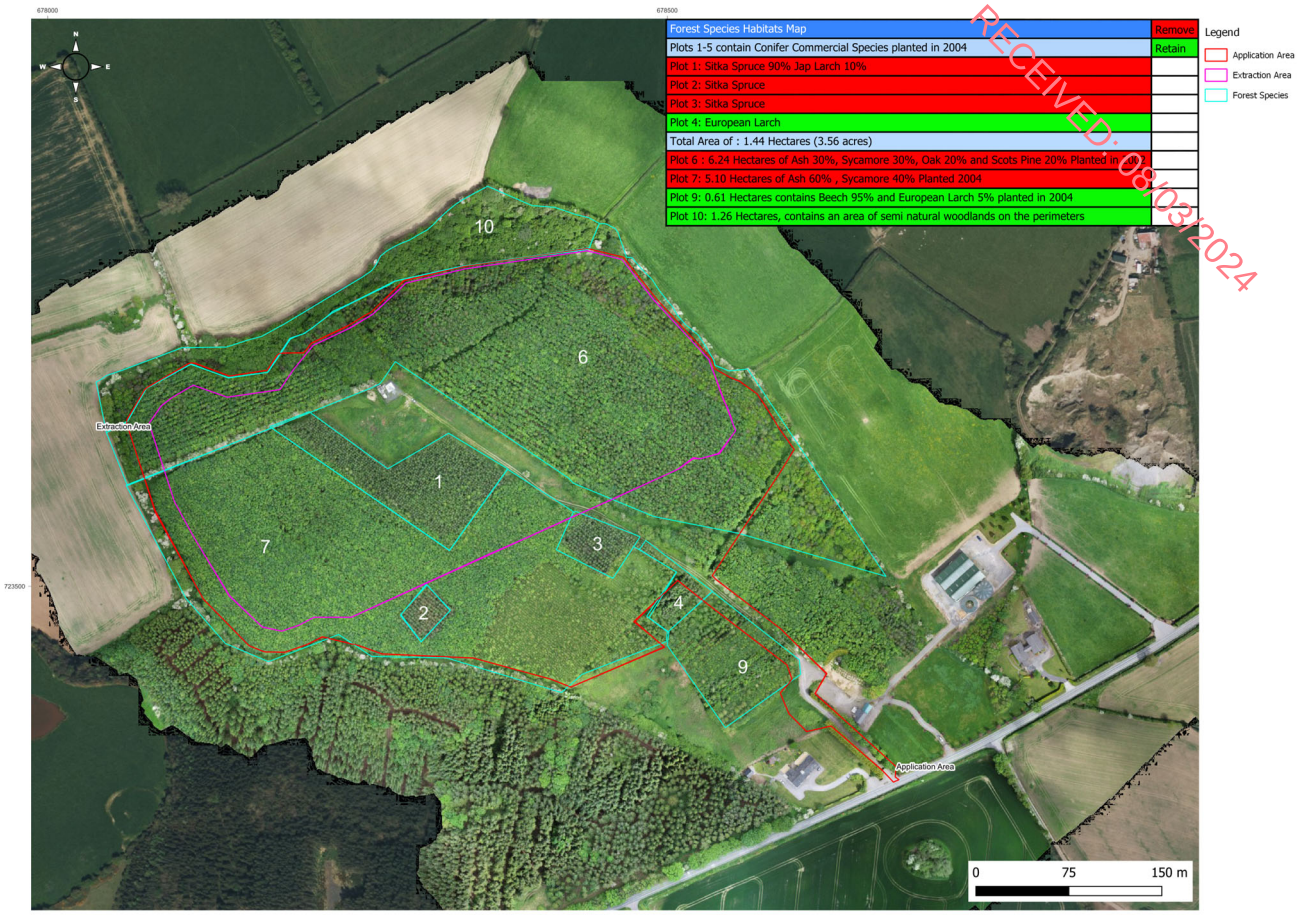


Figure 1: Forestry Plots and Species Mix

Joseph Logan

Coolaght

Kilmeague

Co Kildare

14TH November 2023

Re: **Pre-Planning Consultation For Development Of A Sand And Gravel Pit, Soil Recovery Facility at Kilmeague Co Kildare.**

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 License 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.forestservice@agriculture.gov.ie or Web gov.ie - Tree Felling Licences (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 - Tree Felling Licences (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)

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)

It is important to note that when applying to **a Local Authority**, or **An Bord Pleanàla**, 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 Pleanàla, 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)

Inspectors Remarks:

- *It would be my view that if the quarry group secure planning permission for the deforestation they will still need to provide us with alternative lands for replanting.*
- *The proposed planning permission is for 20 years which includes a 14 year period for extraction followed by restoration phase. It would not be viable for us to issue a schedule 3 replanting on the licence for that time period.*
- *I would have issue with the depth of topsoil fill being proposed at restoration and the availability of nutrients to support tree growth.*

- *Please see section **3.4.1 Environmental Impact Assessment and Planning Permission of the Felling and Restoration Policy Document. (see copy attached)***
- ***5.3.2.1 General requirements** should be highlighted to the applicant, to provide documentation from the local authority for sight by DAFM as the 2nd authority.*
- *Section **5.1 Overview** gives an overview where permanent forest removal is proposed. Although a restoration plan of the area is proposed, this is outside the standard replanting term of 2 years as per a clearfell licence. Therefore, alternative lands must be supplied in line with the requirements of the Forestry Programme 2023-2027 (and types for affor, Environmental requirements etc)*

Yours sincerely,

_____

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