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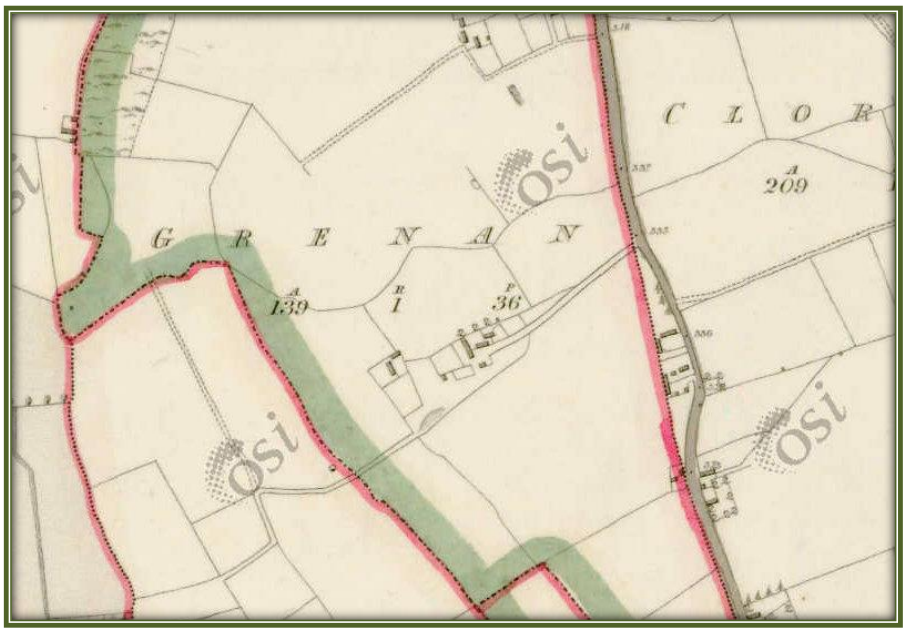
STATEMENT OF SCREENING FOR APPROPRIATE ASSESSMENT OF A DEVELOPMENT AT GRENAN, ATTANAGH, CO LAOIS

IN LINE WITH THE REQUIREMENTS OF ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE



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1 INTRODUCTION

1.1 BACKGROUND

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts on Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether or not a full Appropriate Assessment of the proposed plan or project is necessary.

A comprehensive assessment of the ecological impacts of a development at Grenan, Attanagh, Co. Laois was carried out in February 2019 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. It allowed areas of potential ecological value and potential ecological constraints associated with this development to be identified and it also enabled potential ecological impacts associated with the development to be assessed and mitigated for.

The location of the proposed development is within 10km of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely. This exercise will also determine the appropriateness of the proposed project, in the context of the conservation status of the designated sites.

1.2 REGULATORY CONTEXT

RELEVANT LEGISLATION

The Birds Directive (Council Directive 79/409/EEC) implies that particular protection is given to sites (Special Protection Areas) which support certain bird species listed in Annex I of the Directive and that surveys of development sites should consider the status of such species.

The EU Habitats Directive (92/43/EEC) gives protection to sites (Special Areas of Conservation) which support particular habitats and species listed in annexes to this directive. Articles 6(3) and 6(4) of this Directive call for the undertaking of an Appropriate Assessment for plans and projects likely to have an effect on designated sites. This is explained in greater detail in the following section.

The Wildlife Act 1976 (and its amendment of 2000) provides protection to most wild birds and animals. Interference with such species can only occur under licence. Under the act it is an offence to "wilfully interfere with or destroy the breeding place or resting place of any protected wild animal". The basic designation for wildlife is the Natural Heritage Area

(NHA). This is an area considered important for the habitats present or which holds species of plants and animals whose habitat needs protection. Under the Wildlife Amendment Act (2000) NHAs are legally protected from damage. NHAs are not part of the Natura 2000 network and so the Appropriate Assessment process does not apply to them.

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2021 and that status doesn't deteriorate in any waters.

APPROPRIATE ASSESSMENT AND THE HABITATS DIRECTIVE

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the 'Habitats Directive' - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. Natura 2000 sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment:

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having

ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

Article 6(4) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

"If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

THE APPROPRIATE ASSESSMENT PROCESS

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a site's conservation objectives.

Appropriate Assessment is an assessment of the potential effects of a proposed plan - 'in combination' with other plans and projects - on one or more European sites. The 'Appropriate Assessment' itself is a statement which must be made by the competent authority which says whether the plan affects the integrity of a European site. The actual process of determining whether or not the plan will affect the site is also commonly referred to as 'Appropriate Assessment'.

If adverse impacts on the site cannot be avoided, then mitigation measures should be applied during the Appropriate Assessment process to the point where no adverse impacts on the site remain (European Commission, 2000, 2001).

The conclusions of the appropriate assessment report should enable the competent authority to ascertain whether the proposal would adversely affect the integrity of the site (European Commission, 2000, 2001).

Under the terms of the directive (European Commission, 2000, 2001), consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of the site will not be adversely affected, or (b) where an adverse effect is anticipated, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

2 METHODOLOGY

2.1 APPROPRIATE ASSESSMENT

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2000). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2002). Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
- European Commission (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required". Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

Stage 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: **Assessment where no alternative solutions exist and where adverse impacts remain –** An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects;
- Screening statement with conclusions.

2.2 DESK STUDIES

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service - aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species; conservation objectives, site synopses and standard data forms for relevant designated sites;
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- Sean Lucy and Associates – Information regarding the proposed development including site plans specifications, farm information etc;
- Laois County Council – Information on planning history in the area.

3 SCREENING

3.1 DEVELOPMENT DESCRIPTION

Mr Patrick Lalor has indicated his intention to shortly apply to Laois County Council for planning permission (retention) for an agricultural development on an existing farm site at Grenan, Attanagh, Co. Laois. Planning permission is being sought for the retention and completion as necessary of the following works:

- A slatted tank;
- Animal housing which incorporates a cubicle area;
- Calving boxes;
- A milking parlour'
- A dairy;
- An office;
- A plant room;
- Slatted feeding area;
- A collecting area;
- Steep uprights at slatted feeding area;
- All associated site works.

Planning permission is also being sought for the cutting back of steel uprights at a slatted feeding area along with permission to construct a new crush in the collecting yard.

Figure 1 shows a map of the farm yard in Grenan.

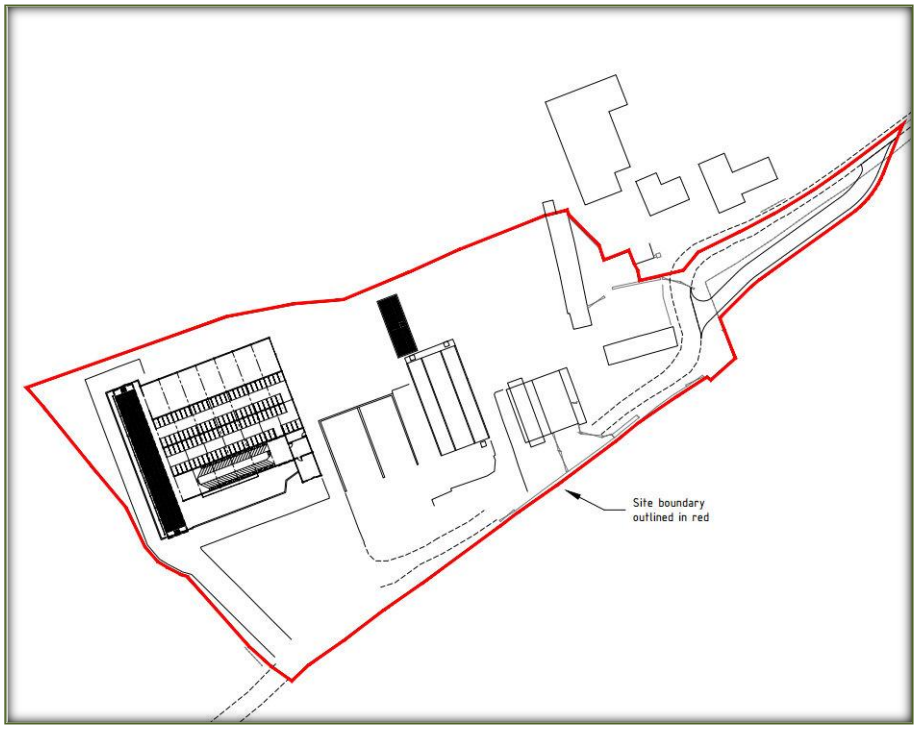


Figure 1 – Map of the Farm Yard in Grenan (as prepared by Barnes Nolan and Associates Ltd)

Construction methods for all new structures proposed for retention were standard and they followed best practice guidelines at all stages. Once complete, all structures will be compliant with the recommendations of the Department of Agriculture, Food and the Marine. The operation of the farm currently and in the future will be done in accordance with S.I. 605 of 2017.

The applicant and his son farmed a total of 181.37 hectares in 2018, between this farmyard at Grenan, a second farmyard at Ironmills and other rented lands. The holding at this yard is 43 hectares. The shed to be retained and other sheds in this farmyard can accommodate approx 200 fully grown animals. A farm plan prepared for the site by Barnes Nolan and Associates, determined that there is adequate slurry storage capacity on the farm for the volume of slurry produced by the animals and that the required 16 weeks storage time can be met.

LAND-SPREADING

The manure produced on the farm will be utilised on lands that are owned or rented by the applicant, and those which have an agronomic requirement for this fertiliser. These lands occur within the townlands of Grenan, Fermoyle, Knockroe, Castlemarket, Ironmills or Kilrush, Sheastown and Jenkinstown. Manure will be spread on the land in accordance with the farm plan and within the confines of S.I. 605 of 2017.

S.I. 605 OF 2017

The European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 provides a basic set of measures to ensure the protection of waters, including drinking water sources, against pollution caused by nitrogen and phosphorus from agricultural sources, with the primary emphasis being on the management of livestock manures and other fertilisers. The purpose of these Regulations is to give effect to Ireland's Nitrates Action Programme. This directive outlines measures that must be followed during the land-spreading of manure. These measures are summarised in the points below.

- The amount of livestock manure applied in any year to land on a holding, together with that deposited to land by livestock, shall not exceed an amount containing 170 kg nitrogen per hectare.
- The spreading of any organic fertiliser during certain times of the year is prohibited (The prohibited spreading period, generally between Mid-October and Mid-January).
- Farmers must keep within the overall maximum fertilisation rates for nitrogen and phosphorus.
- Farmers must have sufficient storage capacity to meet the minimum requirements of the regulations.
- All storage facilities must be kept leak proof and structurally sound.
- Records for the movement of fertilisers must be kept.
- Chemical fertilisers, livestock manure and other organic fertilisers, effluents and soiled water must be spread as accurately and as evenly as possible.
- An upward-facing splash plate or sludge irrigator on a tanker or umbilical system must not be used for the spreading of organic fertiliser or soiled water.
- Chemical fertilisers, livestock manure, soiled water or other organic fertilisers must not be spread when:
    - The land is waterlogged;
    - The land is flooded, or it is likely to flood;
    - The land is frozen, or covered with snow;

- Heavy rain is forecast within 48 hours;
- The ground slopes steeply and there is a risk of water pollution, when factors such as surface run-off pathways, the presence of land drains, the absence of hedgerows to mitigate surface flow, soil condition and ground cover are taken into account.

- Chemical fertilisers must not be spread on land within 2 metres of a surface watercourse.

Table 1 shows the buffer zones for various water bodies (lakes, rivers, wells etc.). Soiled water, effluents, farmyard manures or other organic fertilisers must not be spread inside these buffer zones.

Water Feature	**Buffer Zone**
Any water supply source providing 100m^3 or more of water per day, or serving 500 or more people	200m (or as little as 30m where a local authority allow)
Any water supply source providing 10m3 or more of water per day, or serving 50 people or more	100m (or as little as 30m where a local authority allows)
Any other water supply for human consumption	25m (or as little as 15m where a local authority allows)
Lake shoreline or a turlough likely to flood	20m
Exposed cavernous or karstified limestones features	15m
Any surface watercourse where the slope towards the watercourse exceeds 10%	10m
Any other surface waters	5m

Table 1 – Requirements for the Application of Fertilisers and Soiled Water as set out in S.I. 605 of 2017.

Prior to its implementation, S.I. 605 of 2017 was subjected to Appropriate Assessment (Natura Impact Statement - NIS) and a Strategic Environmental Assessment (SEA) Screening at draft stage (March 2017). At this stage, it was referred to as Ireland's Fourth Nitrates Action Programme (NAP). This draft NAP was assessed in terms of the likely significant effects of the programme and where it would adversely affect the integrity of European sites. The NIS identified that the existing and proposed measures would be predominantly positive for European sites. The measures of the NAP were influenced to avoid, as appropriate, measures that would have an adverse effect upon the integrity of the European sites. Any project falling under the requirements of the NAP will be required to

conform to the mitigation measures contained within the NIS prepared and to any further regulatory provisions aimed at preventing pollution or other environmental effects. The applicant is fully aware of his obligations under S.I. 605 of 2017 and they will meet all the requirements under this Directive with the proposed application.

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The site in question is located in a rural area, within the townland of Grenan. Access to the site is via a private farm access road that is located just off a local, third class road. The site is approximately 1 hectare in area. It is 1.7km north of Attanagh and 2.3km east of Durrow

It is located in an area where agriculture is quite intensive and the dominant habitat is improved agricultural grassland. Other habitats close to the site include hedgerows, treelines and areas of broadleaved woodland. The River Nore and its riparian habitats is 1km west of the site. Site location maps are shown in Figures 2 and 3, whilst an aerial photograph of the site and its surrounding habitats is shown in Figure 4.

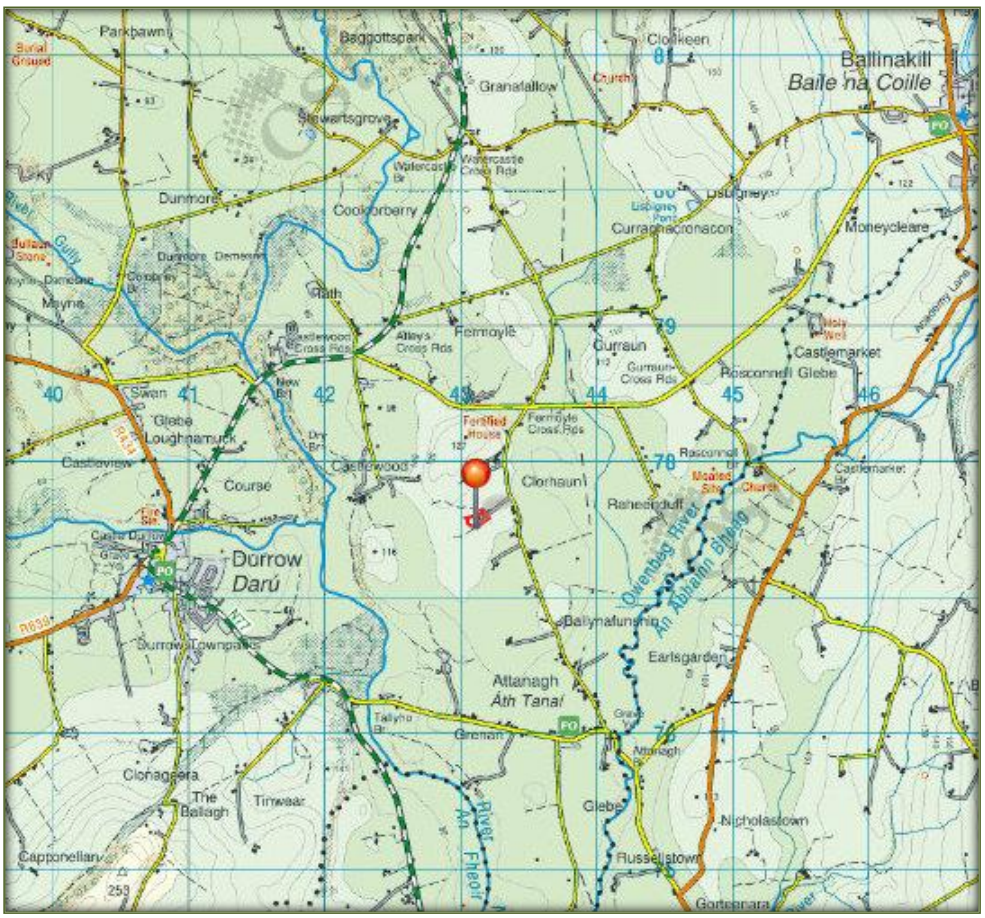


Figure 2 – Site Location Map (Site Pinned)

Figure 3 – Site Location Map (Site Outlined in Red)

HABITATS AND NOTABLE SPECIES

The site itself currently consists of buildings and artificial surfaces (the existing farm buildings and hard core areas proposed for retention). There are also some small areas of improved agricultural grassland in the western section of the site. These are habitats of low biodiversity and conservation value. There are treelines present along part of the northern and southern site boundaries.

An examination of the website of the National Biodiversity Data Centre (Biodiversity Maps application), revealed that there are no records for the presence of any notable plant or mammal species from the relevant 1km squares (S4377) of this proposed development.

WATER FEATURES AND QUALITY

The application site is located within the Nore Hydrometric Area, Catchment and Sub-Catchment and the Owveg Sub-Basin. There are no drains or streams within or adjacent to the application site. There is a stream approximately 447m west of the application site. This stream flows southwards, until it meets the River Nore, at a point approximately 1.1km south-west of the application site. At its closest point, the River Nore is 954m south-west of the application site.

The EPA have defined the ecological status of the River Nore and its tributaries at points close to the application site as good. Under the requirements of the Water Framework Directive, this is satisfactory and this status must be maintained.

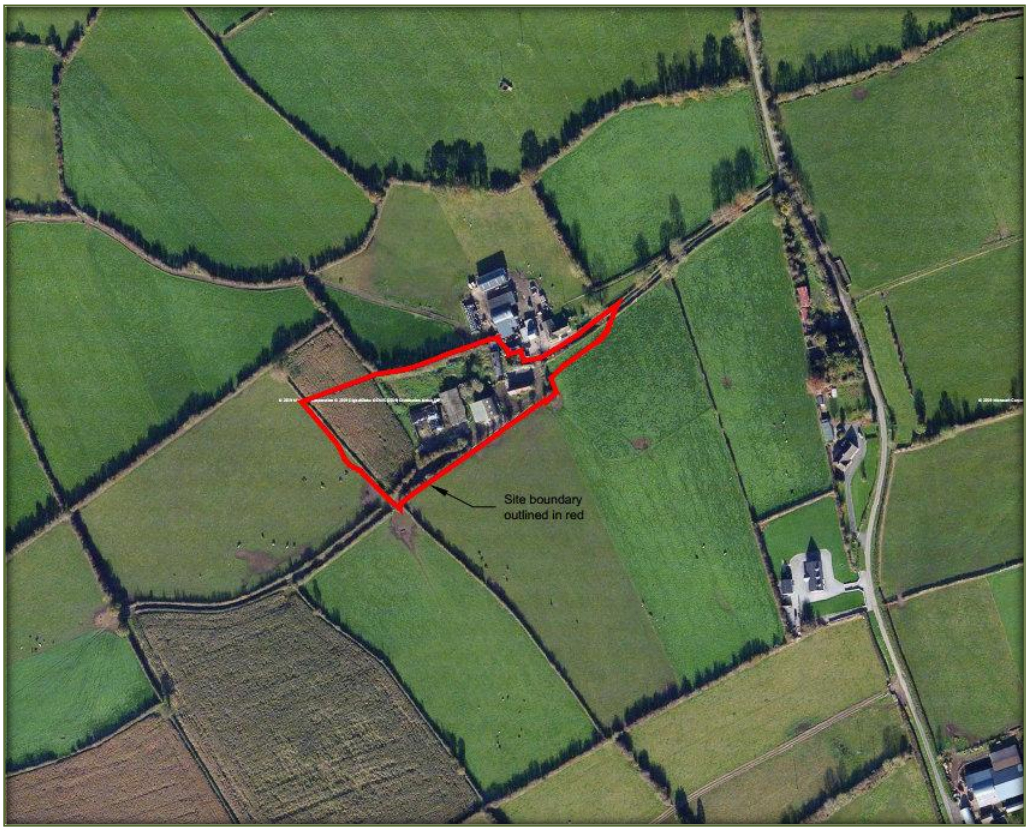


Figure 4 – Aerial Photograph of the Site (Outlined in Red) and its Surrounding Habitats. © Bing Maps.

3.3 NATURA 2000 SITES IDENTIFIED

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 10km of the proposed development has been identified and described according to their site synopses, qualifying interests and conservation objectives.

There are three Natura 2000 sites within 10km of the application site. These designated areas and their closest points to the proposed development site are summarised in Table 2 and a map and aerial photograph showing their locations relative to the application site are shown in Figures 5 and 6. A full description of these sites can be read on the website of the National Parks and Wildlife Service (npws.ie). Lands owned or rented by the applicant and the activities on these lands have also been considered as part of this assessment.

Site Name & Code	Distance from Site	Qualifying Interests
River Barrow and Nore SAC 002162	743m west Spread-Lands Within / Adjacent	• *Vertigo moulinsiana* • Freshwater pearl mussel (*Margaritifera margaritifera*) • White-clawed crayfish (*Austropotamobius pallipes*) • Sea lamprey (Petromyzon marinus) • Brook lamprey (*Lampetra planeri*) • River lamprey *(Lampetra fluviatilis*) • Allis shad (*Alosa alosa*) • Twaite shad (*Alosa fallax fallax*) • Salmon (*Salmo salar*) • Estuaries • Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonizing mud and sand • Spartina swards • Atlantic salt meadows • Otter (*Lutra lutra*) • Mediterranean salt meadows • Killarney fern (*Trichomanes speciosum*) • Pearl mussel (*Margaritifera durrovensis*) • Water courses of plain to montane levels with the Ranunculion

		fluitantis and Callitricho-Batrachion vegetation • European dry heaths • Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels • Petrifying springs with tufa formation (Cratoneurion) • Old sessile oak woods with Ilex and Blechnum in British Isles • Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*
River Nore SPA 004233	1.1km west / Spreadlands Adjacent	• Kingfisher *Alcedo atthis*
Lisbigney Bog SAC 000869	1.9km north-east	• Calcareous fens with *Cladium mariscus* and species of the Caricion davallianae • Desmoulin's Whorl Snail *Vertigo moulinsiana*

Table 2 – Natura 2000 Sites Within 10km of the Proposed Site

The conservation objective (generic) of these sites are:

To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

The favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing and the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future;
- The conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- The population dynamics data on the species concerned indicate that it is maintaining itself on a long -term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;

- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The NPWS have not prepared any Site Specific Conservation Objectives (SSCOs) for Lisbigney Bog SAC or the River Nore SPA. SSCOs have been prepared for the River Barrow and Nore SAC (NPWS, 2011). These have been consulted as part of this assessment.

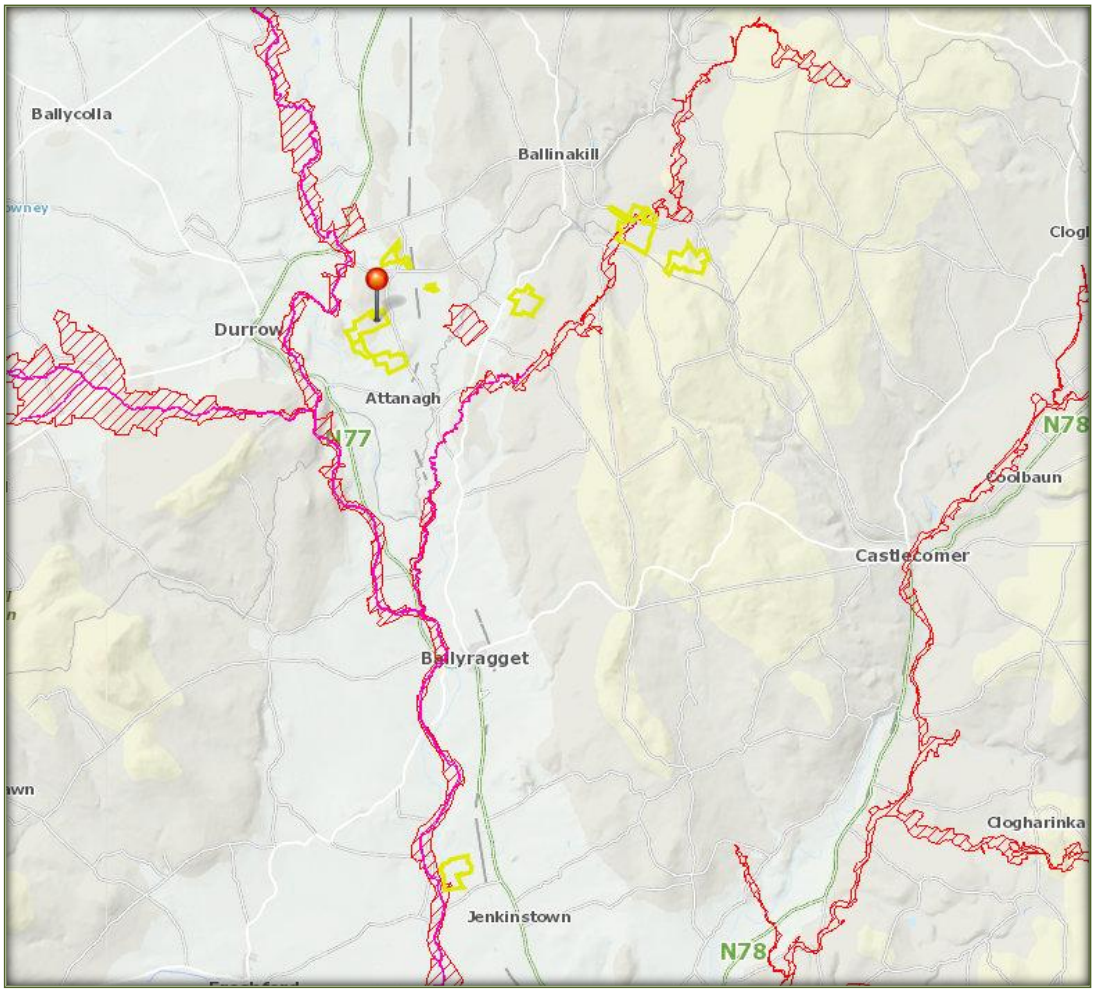


Figure 5 – The Application Site (Pinned) in relation to the River Barrow and Nore SAC (Red Hatched Areas), The River Nore SPA (Pink Hatching) and Lisbigney Bog SAC. Lands Being Owned / Rented are Highlighted in Yellow.

RIVER BARROW AND RIVER NORE (SAC SITE CODE 0002162)

This site consists of most of the freshwater stretches of the Barrow/Nore River catchments. The Barrow is tidal as far upriver as Graiguenamanagh, whilst the Nore is tidal as far upriver as Inishtioge. The site also includes the extreme lower reaches of the River Suir and the entire estuarine component of Waterford Harbour extending to Creadan Head. The larger of the many tributaries include the Lerr, Fushoge, Mountain, Aughavaud, Owenass, Boherbaun and Stradbally Rivers of the Barrow and the Delour, Dinin, Erkina, Owveg, Munster, Arrigle and King's Rivers on the Nore. Both rivers rise in the Old Red Sandstone of the Slieve Bloom Mountains. They traverse limestone bedrock for a good proportion of their routes, though the middle reaches of the Barrow and many of the eastern tributaries run through Leinster Granite. A wide range of habitats associated with the rivers are included within the site, including substantial areas of woodland (deciduous, mixed), dry heath, wet grassland, swamp and marsh vegetation, salt marshes, a small dune system and intertidal sand and mud flats. Areas of improved grassland, arable land and coniferous plantations are included in the site for water quality reasons.

The site supports many Annexed habitats including the priority habitats of alluvial woodland and petrifying springs. The quality of habitat is generally good. The site also supports a number of Annex II animal species - *Salmo salar, Margaritifera margaritifera, M.m. durrovensis, Alosa fallax fallax, Austropotamobius pallipes, Petromyzon marinus, Lutra lutra, Lampetra fluviatilis and L. planeri.* Annex I Bird species include *Anser albifrons flavirostris, Falco peregrinus, Cygnus cygnus, Cygnus columbianus bewickii, Limosa lapponica, Pluvialis apricaria* and *Alcedo atthis*. A range of rare plants and invertebrates are found in the woods along these rivers and rare plants are also associated with the saltmarsh.

Figure 6 – The Application Site (Outlined) in relation to the River Barrow and Nore SAC (Red Hatched Areas) and The River Nore SPA (Pink Hatching).

3.4 IMPACT ASSESSMENT

The potential impacts of the proposed development on the Natura 2000 sites identified above are described below.

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:
The retention and completion of the farm development at Grenan will have no impacts upon the integrity or the site structure of the designated sites identified, i.e., the River Barrow and River Nore SAC, the River Nore SPA or Lisbigney Bog SAC. There were no source – pathway – receptor linkages between the area where construction works took place and any SAC or SPA. Therefore, there are no pollution pathways between the application site and any designated area. When fully completed, the farm structures will adhere to the Department of Agriculture's Farm Building and Structures Specifications. They will be inspected regularly for deficiencies. The land-spreading of the manure produced at the proposed facility has also been considered carefully as part of this assessment. Inappropriate land-spreading of manure can lead to serious impacts upon the receiving waters in local catchments (including groundwater) and it can result in eutrophication, algal blooms, fish kills and loss of biodiversity. Designated habitats and species can be impacted upon and it can take years for the eco-system to recover. All land-spreading within the applicant's lands will be only be done in accordance with S.I. 605 of 2017. Any projects falling under the requirements of this legislation are required to conform to the mitigation measures outlined in the Natura Impact Statement for the Nitrates Action Programme. These measures were designed to ensure full protection of water qualify from agricultural activities. The timing of spreading and the required buffer zones from watercourses will ensure that the land-spreading activities will have no impacts upon any designated area, specifically the River Nore and Barrow SAC and the River Nore SPA.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:
Size and scale: Given the small size and scale of the development in relation to the overall size of the Natura 2000 sites identified, then the likelihood of any direct, indirect or cumulative impacts on this designated site is low. **Land-take:** There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site. **Distance from Natura 2000 site or key features of the site:** At its closest point, the proposed development is situated 754m east of the River Barrow and Nore SAC, 1.1.km west of the River Nore

SPA and 1.9km south-west of Lisbigney Bog SAC. These distances are sufficient to ensure that no impacts will arise.

Resource requirements (water abstraction etc.): No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon any Natura 2000 site.

Emissions The completion of construction of the proposed development and operations within the farm yard will not result in any emissions to the River Nore. There has not been nor will there be any emissions into any water course arising from the construction activities on the site.

In addition, upon completion of all, the following measures will be undertaken:

- There will be no discharges of contaminated waters to ground or surface waters from this development. Post construction surface water run-off from hardcore / concreted / tarmacadum areas will be directed into a soak-pit or it will be treated via serviced sediment and oil interceptor traps, prior to discharge into any local watercourse.
- All silt drains and farm yard discharge will be in accordance with the specifications within the Department of Agriculture's "*Minimum specification for Farmyard Drainage, Concrete Yards and Roads".* This will reduce potential emissions to any surface water or ground water body.
- The proposed farm structures will adhere to the Department of Agriculture's Farm Building and Structures Specifications;
- Manure, slurry and soiled water storage facilities will be constructed to Department of Agriculture, Food and The Marine specifications;
- The operation of the proposed farm will comply with the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2017 (S.I. 305 of 2017);
- Guidelines within the Department of Agriculture's Explanatory Handbook for Good Agricultural Practice Regulations will be followed;
- The storage and handling of all wastes and fertilisers on site will be in accordance with S.I. 305 of 2017);
- The land-spreading of all manure from this development will be done in accordance with S.I. 605 of 2017.

Excavation requirements: Excavated material from the construction will be used on site. Any remaining will be disposed of in a responsible manner in a licensed facility away from any designated sites.

Transportation requirements: There will be no additional transportation requirements resulting from the proposed development and associated works that will have any impact upon the Natura 2000 sites identified.

In-Combination / Cumulative Impacts: The proposed application was considered in combination with other developments or proposed developments in the Grenan / Attanagh area and potential cumulative impacts were considered. A number of domestic / agricultural developments have been granted permission in this time. Where necessary these were Screened for Appropriate Assessment or a full AA (Natura Impact Statement) was carried out. Any future individual application that has the

potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. The current application will have no cumulative impacts upon any designated site when considered in-combination with projects that have been adequately screened for AA or where an NIS has been completed.

There are other agricultural activities ongoing close to the current application site, therefore cumulative impacts arsing from the operation of these farms together were considered. All farms, regardless of whether licensed by the EPA or not, are required to operate within the legalisation defined in S.I. 305 of 2017 regarding manure storage, minimisation of soiled water and general good agricultural practice, etc. Therefore cumulative impacts arising from the combined operation of these activities with the proposed operation of the farm at Grenan will be negligible.

Duration of construction, operation, decommissioning etc: Structures will be complete within one month. The operation of the farm will be ongoing.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: The proposed development site lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area within any SAC or SPA. There will be no impacts upon the habitat qualifying interests of the River Barrow and Nore SAC. There will be no interference with the boundaries of any SAC or SPC. There will be no loss of any undesignated habitats of biodiversity value.

Disturbance to key species: There will be no impacts on or disturbance to any of the species listed as qualifying interests of the River Barrow and Nore SAC or the River Nore SPA. There species are largely dependent on high water quality and pollution with hydrocarbons, eutrophication and siltation all have the potential to impact upon these water dependent species. The River Nore will not be impacted upon by the construction or operational emissions from the application site. There are no potential pollution pathways between the application site and any designated area. There will be no impacts on water quality therefore the impacts upon these listed species will be avoided. Land-spreading on lands owned / rented by the applicant will be done in accordance with S.I. 605 of 2017, thus protecting local surface water and ground water resources.

Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the proposed site and any SAC / SPA will be damaged or destroyed.

Reduction in species density: There will be no reduction in species density within any SAC and SPA. There will be no loss of habitat used by any protected species.

Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within the River Barrow and Nore SAC or the River Nore

SPA. There will be no negative impacts upon the water quality in any designated site. All land-spreading will be done on accordance with S.I. 605 of 2017 to ensure protection of local water resources.
Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:
Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.
Provide indicators of significance as a result of the identification of effects set out above in terms of:
Loss - **Estimated percentage of lost area of habitat**: None **Fragmentation**: None **Disruption & disturbance**: None **Change to key elements of the site** (e.g. water quality etc.): None

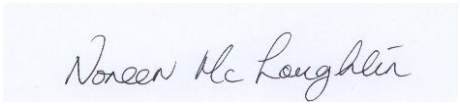
3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name of project	Retention of Farm Structures at Grenan, Attanagh, Co. Laois.
Name and location of Natura 2000 site	The proposed development is situated 754m east of the River Barrow and Nore SAC, 1.1.km west of the River Nore SPA and 1.9km south-west of Lisbigney Bog SAC.
Description of project	A small scale agricultural development
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Laois County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

4 APPROPRIATE ASSESSMENT CONCLUSION

In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 10km of the application site. This report has analysed the potential impacts and effects of the proposed project on the Special Conservation Interests of these designated sites. It has evaluated the significance of these potential impacts and effects in view of these sites' conservation objectives.

In view of best scientific knowledge and on the basis of objective information, it can be concluded that this application, whether individually or in combination with other plans and projects, will have no impacts upon the Natura 2000 sites. The integrity of these sites will be maintained and the habitats and species associated with these sites will not be adversely affected. It is of the opinion of this author that this application does not need to proceed to Stage II of the Appropriate Assessment process.



Noreen McLoughlin, MSc, MCIEEM.
Ecologist.

(PI Insurance details available on request)