

Appropriate Assessment Screening Report



Ecological Report which includes a Screening Report for Appropriate Assessment

Ecological Report which includes a Stage 1 Screening Report for Appropriate Assessment relating to a Quarry development in the townland of Drumbeagh, Mountcharles, Co. Donegal.

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Table of Contents

| | |
|---|-----------|
| List of Figures | 4 |
| List of Photographs | 4 |
| List of Tables | 4 |
| 1 INTRODUCTION..... | 5 |
| 1.1 Background..... | 5 |
| 1.2 Legislative Context | 5 |
| 1.3 Stages of the Appropriate Assessment Process | 6 |
| 2 METHODOLOGY | 7 |
| 2.1 Approach | 7 |
| 2.2 Guidance Documents | 7 |
| 2.3 Statement of Authority | 8 |
| 2.4 Desk Study | 8 |
| 2.5 Field Study | 8 |
| 3 DESCRIPTION OF THE PROJECT..... | 8 |
| 3.1 Project Description | 8 |
| 3.1.1 Substitute Consent | 8 |
| 3.1.2 Site Description | 8 |
| 3.1.3 Quarrying Description | 9 |
| 3.1.4 Water and Dust Management..... | 9 |
| 4 THE RECEIVING ENVIRONMENT | 11 |
| 4.1 General Location | 11 |
| 4.2 Site Description and Biodiversity | 11 |
| 4.3 Hydrology | 14 |
| 4.3.1 Flood Risk | 15 |
| 5 NATURA 2000 SITES | 15 |
| 5.1 Identification of Natura 2000 Sites | 15 |
| 5.2 Conservation Status | 17 |
| 6 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS | 18 |
| 6.1 Cumulative Effects..... | 23 |
| 7 CONCLUSION AND SCREENING STATEMENT | 23 |

List of Figures

| | |
|---|----|
| Figure 1.1: Stages of Screening | 6 |
| Figure 3.1 Site location map | 10 |
| Figure 3.2: Site layout..... | 10 |
| Figure 4.1: Subject Site..... | 11 |
| Figure 4.2. Habitat Map..... | 14 |
| Figure 4.3: Hydrological connection from site to St Johns Point SAC & Donegal Bay SPA | 15 |
| Figure 5.1: Proximal Natura 2000 sites | 17 |

List of Photographs

| | |
|---|----|
| Photograph 4.1: Elevated view of the site (looking west) | 12 |
| Photograph 4.2: Typical quarry face | 12 |
| Photograph 4.3: Extent of Himalayan Knotweed along northern boundary | 13 |
| Photograph 4.4: Wooded area and scrub along southern boundary of site | 13 |

List of Tables

| | |
|--|----|
| Table 5.1: Screening of Natura 2000 Sites within Zone of Influence | 16 |
| Table 6.1: Impact Determination of Proposed Development on Natura 2000 sites. | 19 |

1 INTRODUCTION

1.1 Background

Greentrack Consultants have been instructed by Gabriel Murray of Murray Stone to undertake this remedial Ecological Report which includes a Screening Report for Appropriate Assessment under Article 6 of the EU Habitats Directive, examining their quarrying activity at Drumbeagh, Mountcharles, Co. Donegal.

This Ecological Report has been prepared by Greentrack Consultants with all reasonable care, due diligence, professional application, and best scientific knowledge available to Greentrack at the time of writing. Information contained within this report is based on the interpretation of data collected and has been accepted by Greentrack in good faith. Greentrack accept no responsibility to any third party to whom this report is made known or available. Any such third parties rely on the findings of this report at their own risk. The aim of this Ecological Report is to aid the Competent Authority in determining whether or not an "Appropriate Assessment" is, or was, required for the existing quarry site. This report will assess any likely significant effects or impacts (if any) caused by the existing on any Natura 2000 sites within the zone of influence of this development, both independently and in conjunction with other plans and projects.

1.2 Legislative Context

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as "*The Habitats Directive*", provides legal protection for habitats and species of European importance. Articles 3 to 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. These 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/ECC) as codified by Directive 2009/147/EC.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA):

Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In 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) states:

If, in spite of a negative assessment of the implications for the [Natura 2000] 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, 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.

1.3 Stages of the Appropriate Assessment Process

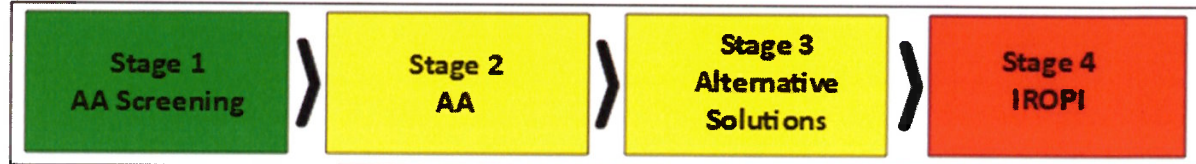


Figure 1.1: Stages of Screening

Stage 1 - Screening for any likely significant impacts. Screening involves an initial assessment of the project or plan's effect on a Natura 2000 site(s). If it cannot be concluded that there will be no significant effect upon a Natura 2000 site, an Appropriate Assessment is required. The process addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

- I. whether a plan or project is directly connected to or necessary for the management of the site, and
- II. whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). Screening should be undertaken without the inclusion of mitigation. The greatest level of evidence and justification will be needed in circumstances when the process ends at screening stage on grounds of no impact. This report provides the information necessary to enable the appropriate authority to screen the proposed development for the requirement to prepare an Appropriate Assessment.

Stage 2 - Appropriate Assessment (Natura Impact Statement or NIS): The consideration of the impact on the integrity of the Natura 2000 site(s) from 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 the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site. The process must return to Stage 2, as alternatives will require appropriate assessment in order to proceed. Demonstrating that all reasonable alternatives have been considered and assessed, and that the least damaging option has been selected, is necessary to progress to Stage 4.

Stage 4 – Assessment where no alternative solutions exist and where adverse impacts remain: Stage 4 is the main derogation process of Article 6(4), which examines whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project that will have adverse effects on the integrity of a Natura 2000 site to proceed in cases where it has been established that no less damaging alternative solution exists. Compensatory measures must be proposed and assessed. The Commission must be informed of the compensatory measures. Compensatory measures must be practical, implementable, likely to succeed, proportionate and enforceable, and they must be approved by the Minister. Each listed stage determines whether a further stage in the process is necessary. If, for example, the conclusions at the end of Stage One are that there will be no significant impacts on the Natura 2000 site(s), there is no requirement to proceed further.

Following on from Article 6(3) of the Habitats Directive the objective of this report is to screen for “Any Likely Significant Effects” and to conclude whether or not an Appropriate Assessment is necessary for the proposed development. This report will screen the proposed development against the qualifying interests of Natura 2000 sites within its zone of influence and will examine any likely significant effects that the proposed activity may have on these sites.

2 METHODOLOGY

2.1 Approach

The methodology used for this screening report is undertaken in the following stages:

- Define the project and determine whether it is necessary for the conservation management of Natura 2000 sites.
- Identify Natura 2000 sites likely to be influenced by this development.
- Review the project to determine if it has the potential to affect the Natura 2000 sites and determine whether the Natura 2000 sites are vulnerable to the effect.
- Identify other plans or project that, in combination with this project, have the potential to affect Natura 2000 sites.
- If potential significant effects on Natura 2000 sites cannot be excluded at this stage, Stage 2 appropriate assessment is required.
- If potential significant effects on Natura 2000 sites can be excluded at this stage, Stage 2 appropriate assessment is not required.

2.2 Guidance Documents

This report was carried out in accordance with relevant guidance, in particular:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. Department of Environment, Heritage and Local Government, 2010.
- European Commission. Managing Natura 2000 Sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. Office for Official Publications of the European Communities, Luxembourg, 2018.
- 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, 2002.
- Guidance Document on Article 6 (4) of the 'Habitats Directive' 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence. Opinion of the European Commission. European Commission, 2007 / 2012.
- Habitats Directive and environmental assessment of plans and projects. García Ureta, A. Journal for European Environmental and Planning Law 2, 8496, 2007.
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPW 1/10 & PSSP 2/10.
- Compliance Conditions in respect of Developments requiring (1) Environmental Impact Assessment (EIA); or (2) having potential impacts on Natura 2000 sites. Circular letter PD 2/07, NPWS 1/07.
- Compliance of Existing Land Use Plans with the EU Habitats Directive. Department of Environment, Heritage and Local Government (2011) Circular Letter PSSP 5/2011.
- Communication from the Commission on the precautionary principle (European Commission, 2000).
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (European Commission, 2019).
- Assessment of plans and projects in relation to Natura 2000 Sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC Brussels, 28.9.2021 C (European Commission, 2021); and,
- Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021.

2.3 Statement of Authority

This report has been prepared by Shannen McEwen, Ecologist with Greentrack. Shannen holds a B.Sc. (Hons) Environmental Science with a Diploma in Professional Practice from the University of Ulster. She has been involved in all aspects of Appropriate Assessment, Natura Impact Statement and Environmental Impact Assessment preparation since 2017. Shannen is an Associate Member of the Institution of Environmental Sciences.

2.4 Desk Study

A desk-based analysis was conducted to obtain information on Natura 2000 sites within the zone of influence of the quarry site and to identify potential source-pathway-receptor avenues to the European Sites from the quarry site. Furthermore, available records of plans / projects were accessed to obtain information on potential cumulative impacts. The following data sources were used during desk-based analysis:

- Latest boundary data for Natura 2000 sites. Last updated 17/07/2023 for both SACs & SPAs. Available from www.npws.ie/maps-and-data/designated-site-data/download-boundary-data
- NPWS Site Synopsis and Conservation Objectives, available at www.npws.ie
- Hydrological data from the EPA available from www.gis.epa.ie/GetData/Download.
- The EIA portal at www.Housinggov.ie/maps.arcgis.com,
- Donegal County Council Planning Portal, available at www.donegal.maps.arcgis.com/apps/webappviewer, and www.eplanning.ie/DonegalCC/SearchTypes

2.5 Field Study

A multidisciplinary site walkover took place in August 2023. Surface water drainage characteristics were analysed. A phase 1 habitat survey was conducted, and a thematic habitat map was produced. Site characteristics and observation of species were noted during visits.

3 DESCRIPTION OF THE PROJECT

3.1 Project Description

3.1.1 Substitute Consent

The proposal is for Substitute Consent for quarry activity at Drumbeagh, Mountcharles, Co. Donegal. Substitute Consent is a process in Ireland that allows developer to apply to An Bord Pleanála for permission for certain developments that are found or considered to be non-compliant with provisions of EU law. It is provided for in Section 177 of the Planning and Development Act, 2000, as amended in 2012. The process allows applicants 'in exceptional circumstances' to make a retrospective application for a project that should have had an environmental impact assessment carried out before planning but did not. Substitute Consent is a retrospective process and the considerations within this report relate to whether the proposal is likely to or has had a significant effect of the Natura 200 Network.

3.1.2 Site Description

The development consists of a quarry located on a 3.45-hectare site in the rural townland of Drumbeagh. The site is located immediately north of the N56 between the villages of Mountcharles and Inver. The quarry features an access track that leads to a levelled area in the central portion of the quarry. Worked and working faces are to the east and a guillotine/sawing processing area lies in the west of the quarry.

There is an excavator, telehandler and small tractor in use at the site. Most of the product is transported in tonne bags by customers collecting directly from the site. There are some stockpiles of cut and uncut material on site and a small area of loaded tonne bags ready for shipment. Murray Stone do not deliver product and there are no delivery lorries.

Structures at the quarry include small shelter structures around the guillotine, cutting saw and generator which powers the guillotine and a mobile home which serves as an office located to the east of the central levelled area. There are also several abandoned vehicles and redundant pieces of quarry equipment/plant which are mainly located in the northern part of the quarry.

3.1.3 Quarrying Description

There has been a quarry recorded on the site since the mid 1800's. The primary product from the quarry is cut sandstone for decorative cladding or garden stone.

Rock is extracted by mechanical means using an excavator with a ripping claw. Larger boulders are then further broken down into manageable sizes using a hydraulic breaker attachment on the excavator. Manageable pieces are then guillotined cleaving the rock along natural bedding planes into decorative stone or cut with a circular saw to size. The quarry produces a beige/light brown cut stone and a blue cut stone from the available lithology.

There have been some blasts in the past to assist with rock extraction, but this practice is no longer employed as the effects of the blasting were detrimental to the natural fracture lines within the rock. There are no plans to blast in the future.

3.1.4 Water and Dust Management

Dust management requirements are minimal within the quarry as most of the product is large in size and dust production is minimal compared with other quarry enterprises. No traditional crushing or screening takes place at Murray Stone. In periods of exceptionally dry weather haul roads and working areas are dampened down with a sprinkler operated from a mobile bowser utilising water from the settlement ponds.

Water management has been addressed with the use of settlement ponds. A large settlement pond has formed naturally in the southern part of the quarry and most of the runoff from the working areas are directed into this pond. There are many inputs into this pond, and these are further explored in Section 4.3 below.

A second settlement pond was created some time ago outside the footprint of extraction in the northern portion of the site and has now almost silted up. This pond served the northern part of the site. As extraction has progressed over the years, the northern portion of the site has been lowered and the catchment of this second pond has diminished with most of the runoff from within the quarry flowing naturally now to the pond within the quarry void.

Discharge from the pond within the quarry void is mixed with the unnamed watercourse flowing along the southern boundary of the site (Section 4.3) and emptying into the Eany Water stream approximately 100 m from the quarry entrance.

Discharge from the northern settlement pond is directly to a tributary of the Eany Water (EPA code: IE_NW_37E03050) stream flowing along the northern boundary of the site.

The main processing area is situated on concrete which is graded towards a sump. All runoff in this area is directed to the sump. There is no outflow from the sump and water is recycled for use in the circular saw.

The site location is shown below in Figure 3.1.

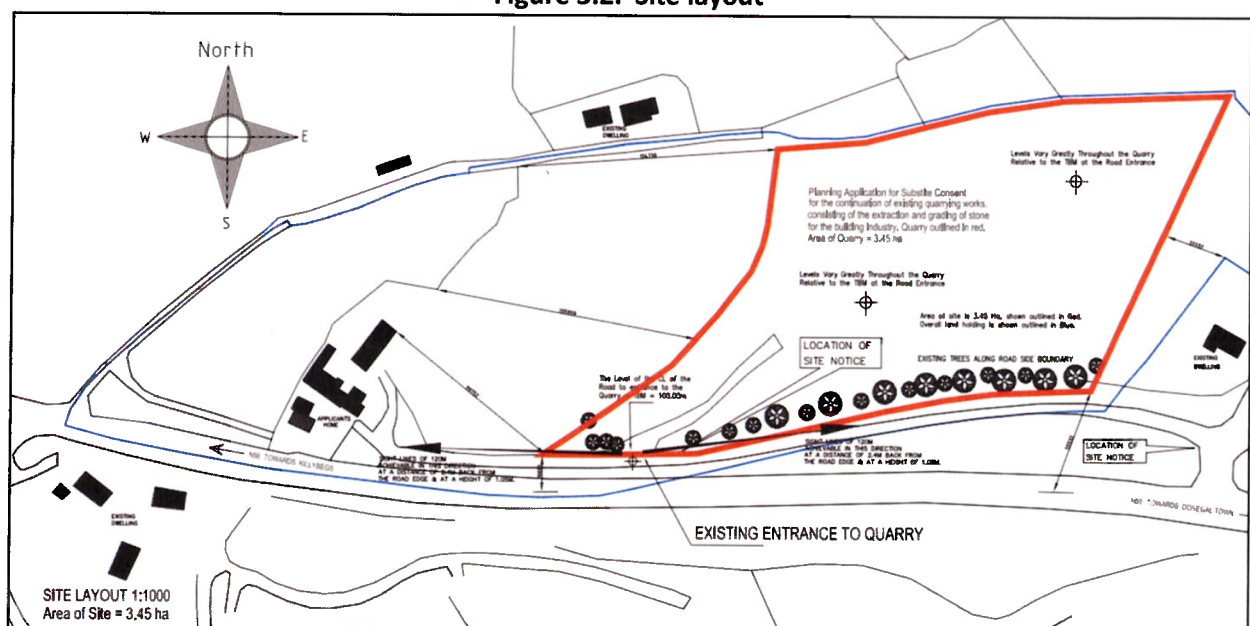
Figure 3.1 Site location map



CYAL50313729 © Ordnance Survey Ireland/Government of Ireland

The layout drawing for the subject site is shown in Figure 3.2 below

Figure 3.2: Site layout



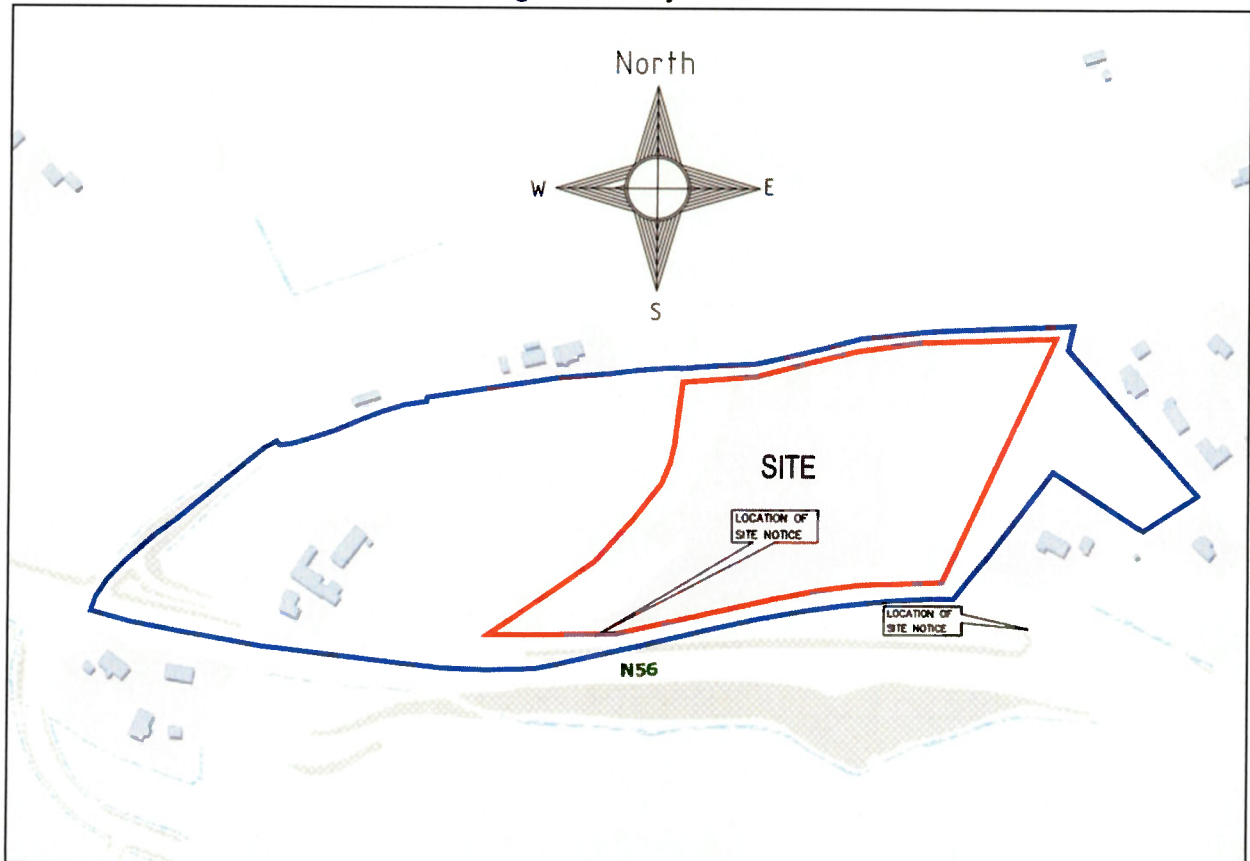
(Extract form drawing provided by McMullin Associates – not to scale)

4 THE RECEIVING ENVIRONMENT

4.1 General Location

The proposed development is located in the rural townland of Drumbeagh, Mountcharles, Co. Donegal, (Figure 3.1). Access to the site is provided by the local slip road off the N56 which also serves the applicant's home and one other dwelling. The quarry site is part of a larger landholding. Figure 4.1 shows the extent of the site (in red) in relation to the overall landholding (shown in blue).

Figure 4.1: Subject Site



Extract from Drawing provided by McMullin Associates

4.2 Site Description and Biodiversity

Greentrack conducted a site walkover on 01/08/2023. A phase 1 habitat survey was conducted during the initial site walkover using guidelines produced by the JNCC in conjunction with Fossitt's Guide to Habitats in Ireland. The site is largely comprised of a mosaic of active quarries and mines (ED4) with recolonising bare ground (ED3). There are several artificially created ponds (FL8) on site. There are mixed broadleaf and conifer wooded areas (WD2) onsite which grades into scrub. These areas are mainly found along the boundaries. To the east of the active quarry there is an area of improved agricultural grassland (GA1).

Tree species on site is dominated by Willow (*Salix spp.*) but there is also a significant proportion of Alder (*Alnus glutinosa*), Ash (*Fraxinus excelsior*) and Lodgepole Pine (*Pinus contorta*). Scrub areas are dominated by Gorse (*Ulex europea*) and Willow (*Salix spp.*) There are significant stands of the invasive species Himalayan Knotweed (*Persicaria wallichii*) which appears to have colonised the disturbed ground in the north and west of the site.

Photograph 4.1 is an elevated view of the subject site looking west. The wooded and scrub areas can be seen on the left of the image (southern boundary) while the Himalayan Knotweed is identified as the bright green patches on the right of the image (northwest). Photograph 4.2 shows a typical face within the quarry. Photograph 4.3 shows the extent of the Himalayan Knotweed along the northern boundary of the site. Photograph 4.4 shows the wooded area and scrub along the southern boundary of the site.

Photograph 4.1: Elevated view of the site (looking west)



Photograph 4.2: Typical quarry face



Photograph 4.3: Extent of Himalyan Knotweed along northern boundary

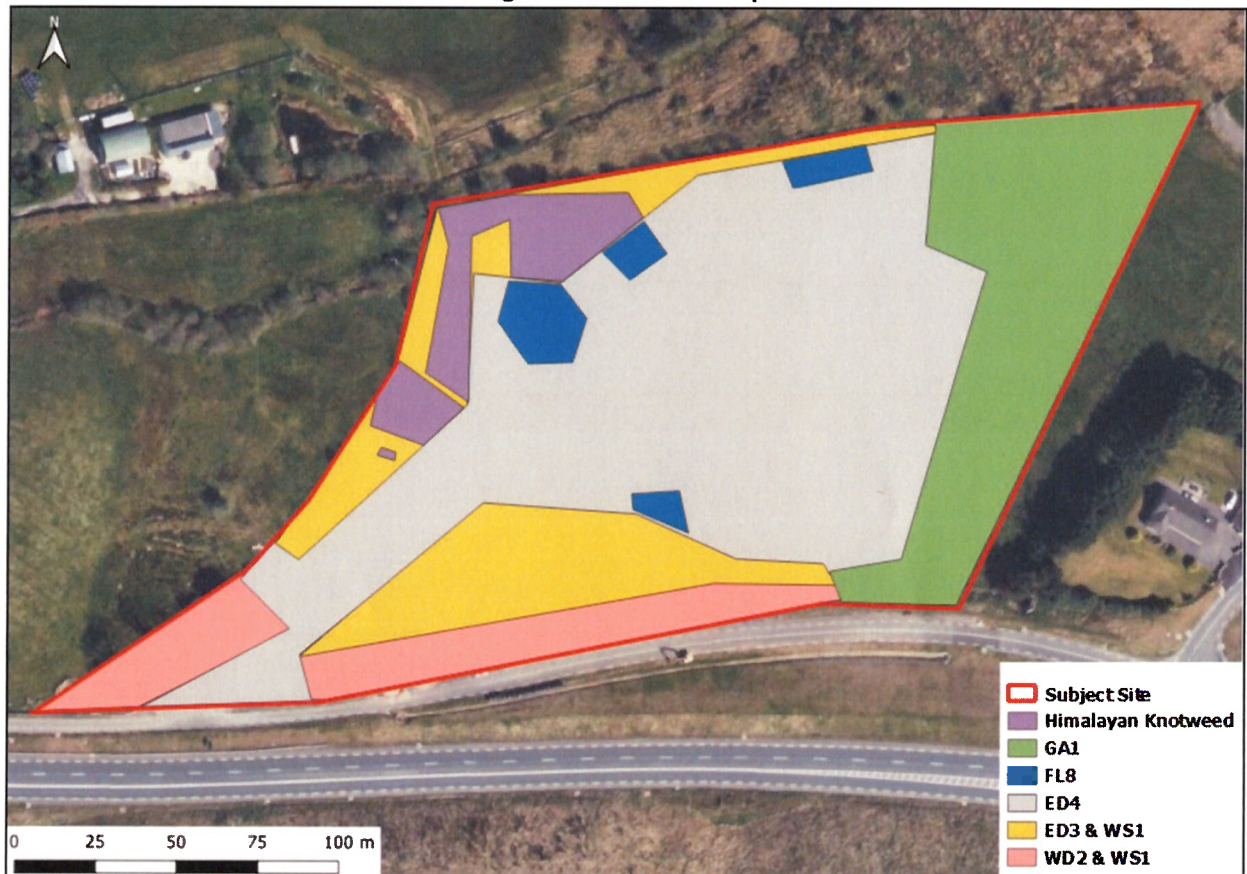


Photograph 4.4: Wooded area and scrub along southern boundary of site



Habitat classification data was used to produce the habitat map presented as Figure 4.2. Guidelines from the Heritage Council¹ were used to form the basis of the mapping exercise. A survey area was delineated in the immediate vicinity of the subject site with a view to representing adjacent or proximal habitats. Data gathered was used to produce a thematic habitat map (Figure 4.2) illustrating the relative position and scale of habitats in the study area. However, position and scale of habitats shown are approximate and should be considered as a broad representation of the study area. Many defined habitat units grade into each other such as the woodland.

Figure 4.2. Habitat Map



(Created using QGIS software)

4.3 Hydrology

The subject site is located within the Water Framework Directive (WFD) Catchment 37 Donegal Bay North (GBNIIENW) and the WFD sub catchment Eany (Water)_SC_010. A tributary of the Eany Water River flows (EPA code: IE_NW_37E030350) flows along the northern boundary of the site and the site is located in the Eany Water sub basin catchment. The Eany Water River flows into the sea at Inver Bay approximately 3 km southwest of the subject site. The hydrological distance from the site to Inver Bay is approximately 4.67 km. The nearest hydrologically connected Natura 2000 sites are St Johns Point SAC at 13.67 km hydrological distance and Donegal Bay SPA at 9.17 km hydrological distance. The hydrological connection is demonstrated in Figure 4.3 below.

¹ Smith, G. F., O'Donoghue, P., O'Hara, K., Delaney, E (2011) Best Practice and Guidance for Habitat Surveying and Mapping. Heritage Council

Figure 4.3: Hydrological connection from site to St Johns Point SAC & Donegal Bay SPA

(Created using QGIS software and dataset from NPWS)

4.3.1 Flood Risk

An examination of the flood risk maps produced by the OPW was carried out with regard to the subject site. It is noted that the nearest flood risk area (0.1% AEP for fluvial flood events) is over 2 km to the west and in a separate catchment to the subject site. There have been no historical flood events at or near the site. The nearest recorded historical flood event was in Inver village approximately 4 km west of the subject site.

5 NATURA 2000 SITES

5.1 Identification of Natura 2000 Sites

In terms of the identification of relevant Natura 2000 sites, the zone of impact (also known as the area of influence) is determined based on their potential connectivity (*source-pathway-receptor* model) to the proposed project in terms of, for example:

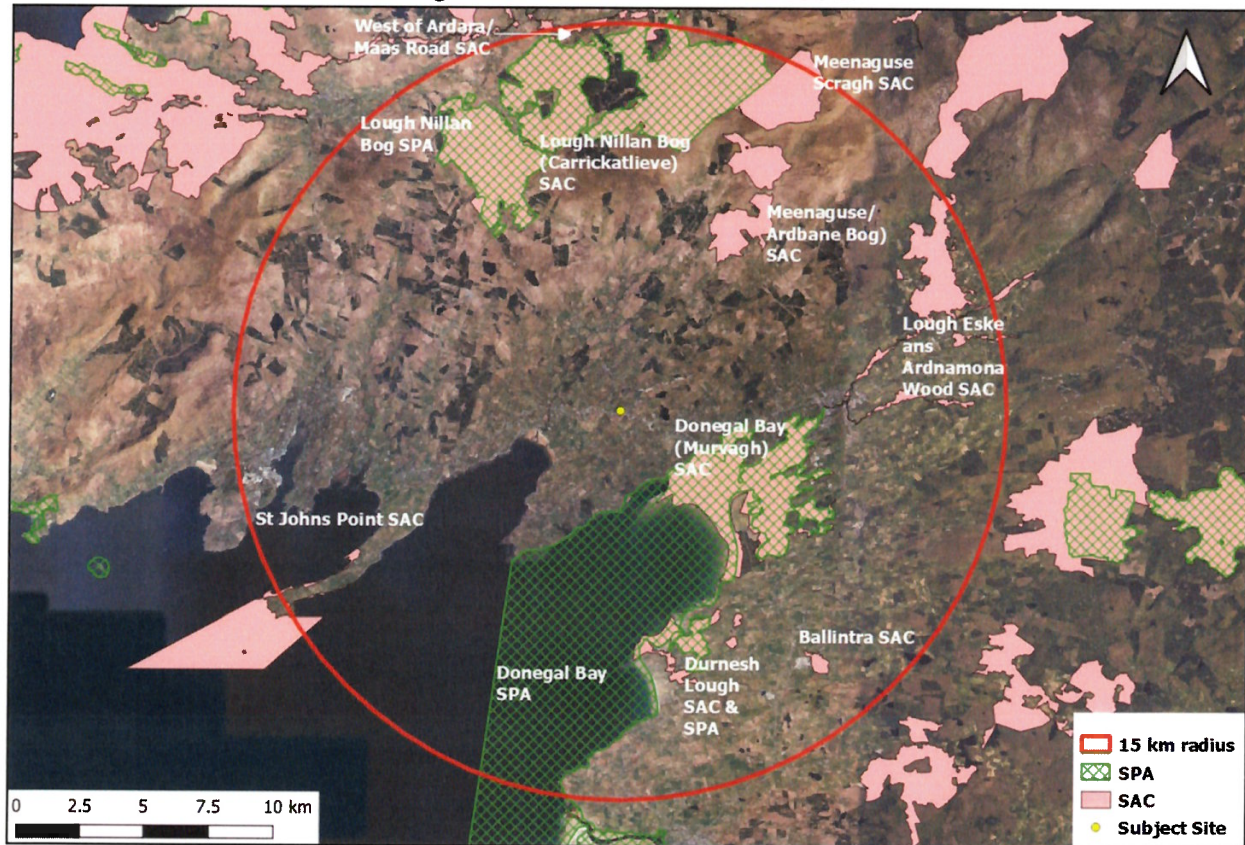
- Nature, scale, timing, and duration of works and possible impacts.
- Distance and nature of pathways (dilution and dispersion; intervening 'buffer' lands, roads *etc.*); and
- Sensitivity and location of ecological features.

The 'zone of influence' (Zoi) is essentially the effect area over which alterations may have potential ecological impact. The Zoi over which the proposed development may impact upon Natura 2000 Sites and their Qualifying Interests will vary for different ecological receptors, depending on the pathway for potential impacts, as well as the specific nature of the habitats/species (e.g., some species have ability to move/disperse, and some habitats have better ability than others to absorb impacts). Having considered the potential ecological impacts through source-receptor-pathway connectivity (e.g., hydrological link) and given the nature of the proposed project, it was deemed that the zone of influence for such projects would be limited to a radius of 15 km as recommended by NPWS. The Natura 2000 sites occurring within

15 Km of the subject site are listed in Table 5.1 and are screened for possible threats from the proposed development. Figure 5.1 indicates the relative locations of all listed Natura 2000 sites in relation to the subject site.

Table 5.1: Screening of Natura 2000 Sites within Zone of Influence

| Site Name | Site Code | Distance from Subject Site (km) | Avenue of Connectivity to Subject Site | Further Screening Required (Y/N) |
|--|-----------|---------------------------------|---|----------------------------------|
| Donegal Bay SPA | 004151 | 2.96 km SE | Indirect hydrological link to the SPA in the form of runoff. Hydrological distance from subject site to SPA is 9.17 km | Y |
| Lough Nillan Bog SPA | 004110 | 8.03 km NW | No direct hydrological link to subject site, no avenue of connectivity | N |
| Durnesh Lough SPA | 004145 | 8.43 km SE | No direct hydrological link to subject site, no avenue of connectivity | N |
| St. John's Point SAC | 000191 | 12 km SW | Indirect hydrological link to the SAC in the form of runoff. Hydrological distance from subject site to SAC is 13.67 km | Y |
| Ballintra SAC | 000115 | 11.65 km SE | No direct hydrological link to subject site, no avenue of connectivity | N |
| Lough Eske and Ardnamona Wood SAC | 000163 | 7.99 km W | No direct hydrological link to subject site, no avenue of connectivity | N |
| Meenaguse/Ardbane Bog SAC | 000172 | 6.75 km NE | No direct hydrological link to subject site, no avenue of connectivity | N |
| Meenaguse Scragh SAC | 001880 | 12.25 km NE | No direct hydrological link to subject site, no avenue of connectivity | N |
| Donegal Bay (Murvagh) SAC | 000133 | 2.93 km SE | Indirect hydrological link to the SAC in the form of runoff. Hydrological distance from subject site to SAC is 15.43 km | Y |
| West of Ardara/Maas Road SAC | 000197 | 14.64 km N | No direct hydrological link to subject site, no avenue of connectivity | N |
| Durnesh Lough SAC | 000138 | 8.2 km S | Indirect hydrological link to the SAC in the form of runoff. Hydrological distance from subject site to SAC is 15.43 km | Y |
| Lough Nillan Bog (Carrickatlieve) SAC | 000165 | 8.02 km NW | No direct hydrological link to subject site, no avenue of connectivity | N |

Figure 5.1: Proximal Natura 2000 sites

(Created using QGIS software and datasets from the NPWS)

Table 5.1 has identified potential source-pathway-receptor links to the following Natura 2000 sites:

- Donegal Bay SPA
- St Johns Point SAC
- Donegal Bay (Murvagh) SAC
- Durnesh Lough SAC

5.2 Conservation Status

The overall aim of the Habitats Directive is to maintain or restore the favorable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network. European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites. The maintenance of habitats and species within Natura 2000 sites at favorable conservation condition will contribute to the overall maintenance of favorable conservation status of those habitats and species at a national level.

The favorable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, is stable or increasing,
- and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future,
- and the conservation status of its typical species is favorable.

The favorable conservation status of a species is achieved when:

- population data on the species concerned indicate that it is maintaining itself,

- and the natural range of the species is neither being reduced or likely to be reduced for the foreseeable future,
- and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

6 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

The criteria adopted for this assessment are based on a detailed field and desk assessment of the influence the development may have or have had on the Natura 2000 sites within the zone of influence and what, if any, impact this development will have on the Natura 2000 network. Table 6.1 further examines possible impacts to the Natura 2000 sites identified in Table 5.1. The impact determination is informed by the characteristics of the proposed development and the likelihood of deleterious effects on the Natura 2000 network through identified pathways for pollution/ habitat degradation / habitat removal/ species disruption/ species loss.

Table 6.1: Impact Determination of Proposed Development on Natura 2000 sites.

| Natura 2000 site | Qualifying Interests for which the site was selected/ Special Conservation Interest | Conservation Objectives (Accessed via NPWS website August 2023) | Impact determination |
|--------------------------------------|---|---|---|
| Special Areas of Conservation | | | |
| Donegal Bay SPA | <ul style="list-style-type: none"> • [A003] Great Northern Diver (<i>Gavia immer</i>) • [A046] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) • [A065] Common Scoter (<i>Melanitta nigra</i>) • [A144] Sanderling (<i>Calidris alba</i>) • [A999] Wetland and Waterbirds | <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.¹</p> <p>To maintain the favourable conservation condition of the wetland habitat in Donegal Bay SPA as a resource for the regularly occurring migratory waterbirds that utilise it.</p> | <p>A source-receptor pathway exists to qualifying interests of this SPA in the form of the surface water pathway from the site to the Eany Water River which discharges into Inver Bay. The closest boundary of this SPA is located 2.96 km SE of the subject site. There is an indirect hydrological link to the SPA in the form of runoff.</p> <p>The Eany Water River system provides an impeded pathway to the SPA as it is heavily vegetated with grasses and rushes, providing natural filtration for runoff from the site before this reaches the SPA boundary. The hydrological distance from subject site to the SPA is 9.17 km. No negative effects on water resource quality in the SPA are envisaged due to the distance and presence of the impeded pathway as stated above.</p> <p>Noise levels from quarry activities (see accompanying noise survey) are at an estimated 47-55 dBA which is within recommended levels. Due to the distance from the subject site to the SPA, noise from quarrying activities would not be audible at the nearest boundary of the SPA and would not have caused any disturbance to the protected species within the SPA.</p> <p>Due to the separation of the quarry site from the SPA and the extent of the drainage pathway that comprises the avenue of connectivity to the SPA, no impact to designated species, habitat loss or degradation in the SPA have occurred or are likely to occur as a result of the quarrying activities. Potential significant negative effects as a result of the quarrying activities can be excluded at this stage.</p> |

| Natura 2000 site <i>Donegal Bay (Murvagh) SAC</i> | Qualifying Interests for which the site was selected/ Special Conservation Interest | Conservation Objectives (Accessed via NPWS website August 2023) | Impact determination |
|--|--|--|--|
| | <ul style="list-style-type: none"> [1140] Mudflats and sandflats not covered by seawater at low tide [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2170] Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>) [2190] Humid dune slacks [1365] Harbour Seal (<i>Phoca vitulina</i>) | <p>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 for.²</p> | <p>A source-receptor pathway exists to qualifying interests of this SAC in the form of the surface water pathway from the site to the Eany Water River which discharges into Inver Bay. The closest boundary of this SAC is located 2.93km SE of the subject site. There is an indirect hydrological link to the SAC in the form of runoff.</p> <p>The Eany Water River system provides an impeded pathway to the SPA as it is heavily vegetated with grasses and rushes, providing natural filtration for runoff from the site before this reaches the SAC boundary. The hydrological distance from subject site to the SAC is 15.4km. No negative effects on water resource quality in the SAC are envisaged to have occurred or to occur in future due to the distance and presence of the impeded pathway as stated above.</p> <p>Due to the separation of the quarry site from the SAC and the extent of the drainage pathway that comprises the avenue of connectivity to the SAC, there is no potential for direct effects on this SAC such as fragmentation, habitat loss or ex situ habitat loss. No noise or dust emissions are predicted to impact species within the SAC.</p> <p>Potential significant negative effects as a result of the quarrying activities can be excluded at this stage.</p> |

| Natura 2000 site | Qualifying Interests for which the site was selected/ Special Conservation Interest | Conservation Objectives (Accessed via NPWS website August 2023) | Impact determination |
|---------------------------|--|--|---|
| St Johns Point SAC | <ul style="list-style-type: none"> [1160] Large shallow inlets and bays [1170] Reefs [1230] Vegetated sea cliffs of the Atlantic and Baltic coasts [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6410] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [7230] Alkaline fens [8240] Limestone pavements [8330] Submerged or partially submerged sea caves [1065] Euphydrys aurinia (Marsh Fritillary) | <p>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 for.³</p> | <p>A source-receptor pathway exists to qualifying interests of this SAC in the form of the surface water pathway from the site to the Eany Water River which discharges into Inver Bay. The closest boundary of this SAC is located 12 km SW of the subject site. There is an indirect hydrological link to the SAC in the form of runoff.</p> <p>The Eany Water River system provides an impeded pathway to the SPA as it is heavily vegetated with grasses and rushes, providing natural filtration for runoff from the site before this reaches the SAC boundary. The hydrological distance from subject site to the SAC is 13.7km. No negative effects on water resource quality in the SAC are envisaged to have occurred or to occur in future due to the distance and presence of the impeded pathway as stated above.</p> <p>Due to the separation of the quarry site from the SAC and the extent of the drainage pathway that comprises the avenue of connectivity to the SAC, there is no potential for direct effects on this SAC such as fragmentation, habitat loss or ex situ habitat loss. No noise or dust emissions are predicted to impact species within the SAC.</p> <p>Potential significant negative effects as a result of the quarrying activities can be excluded at this stage.</p> |
| Durnesh Lough SAC | <ul style="list-style-type: none"> [1150] Coastal lagoons [6410] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) | <p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected for.⁴</p> | <p>A source-receptor pathway exists to qualifying interests of this SAC in the form of the surface water pathway from the site to the Eany Water River which discharges into Inver Bay. The closest boundary of this SAC is located 8.2km SE of the subject site. There is an indirect hydrological link to the SAC in the form of runoff.</p> |

³ NPWS (2015) Conservation Objectives: St. John's Point SAC 000191. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

⁴ NPWS (2015) Conservation Objectives: St. John's Point SAC 000191. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

| Natura 2000 site | Qualifying Interests for which the site was selected/ Special Conservation Interest | Conservation Objectives (Accessed via NPWS website August 2023) | Impact determination |
|------------------|---|--|---|
| | | | <p>The Eany Water River system provides an impeded pathway to the SPA as it is heavily vegetated with grasses and rushes, providing natural filtration for runoff from the site before this reaches the SAC boundary. The hydrological distance from subject site to the SAC is 15.43km. No negative effects on water resource quality in the SAC are envisaged to have occurred or to occur in future due to the distance and presence of the impeded pathway as stated above.</p> <p>Due to the separation of the quarry site from the SAC and the extent of the drainage pathway that comprises the avenue of connectivity to the SAC, there is no potential for direct effects on this SAC such as fragmentation, habitat loss or ex situ habitat loss. No noise or dust emissions are predicted to impact species within the SAC.</p> <p>Potential significant negative effects as a result of the quarrying activities can be excluded at this stage.</p> |

¹ NPWS (2012) Conservation Objectives: Donegal Bay SPA 004151. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

² NPWS (2012) Conservation Objectives: Donegal Bay (Murlagh) SAC 000133. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

⁴ NPWS (2016) Conservation Objectives: Durnesh Lough SAC 000138. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs

Having established the assessment criteria, the impacts associated with the quarry development and associated works on the identified Natura 2000 sites, the development has been assessed with regard to all the qualifying interests/Special Conservation Interest. The impact determination table found no significant adverse effects have occurred, or are likely to occur, as a result of the quarry development on the Natura 2000 network.

6.1 Cumulative Effects

Recent planning applications within the vicinity of the subject site (available on Donegal County Council GIS map viewer) and The Donegal County Development Plan 2018-2024 were reviewed to cumulatively assess any impact on European Sites in combination with the quarry development.

- Planning ref. 21/50516 (365m W) was granted permission in November 2021 for the erection of an agricultural shed and increasing of ground levels around the proposed shed and all associated site development works. The Planning Authority deemed that an appropriate assessment was not required for this project as it either individually or in combination with other plans/projects was not likely to have a significant effect on any Natura 2000 site.
- Planning ref. 22/51910 (470m SW) was granted permission in February 2023 for the (1) demolition of existing single storey domestic garage (2) construction of a single storey extension to existing storey and half type dwelling house including changes to existing elevations and all ancillary site development works. The Planning Authority deemed that an appropriate assessment was not required for this project as it either individually or in combination with other plans/projects was not likely to have a significant effect on any Natura 2000 site.

It can therefore be concluded that no recent or historical planning approvals are predicted to combine with the quarry development to culminate in a negative effect on any Natura 2000 site. No aspects of the Donegal County Development Plan 2018-2024 are likely to combine with the quarry development to culminate in a negative effect on any European Site.

7 CONCLUSION AND SCREENING STATEMENT

Following the assessment as detailed in this Ecological Report and screening determination in section 6, it is concluded based on the examination, analysis, and evaluation of relevant information that the possibility that the existing quarry development had or will have a significant effect on Natura 2000 sites may be excluded. Therefore Stage 2 Appropriate Assessment is/was not required. This conclusion was reached based on objective information and in view of best scientific knowledge.

Date: 18/09/2023

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