

Gweebarra Conservation Group,  
Cloghercor, Doochary,  
County Donegal F94E5X6

**Observation on File 319466 for Substitute Consent for deviations to Meenbog wind farm**

Planning permission was granted under the Strategic Infrastructure Development (SID) process by An Bord Pleanála (ABP Ref: PA05E.300460) on 25th June 2018, for a 19 turbine wind farm development in Meenbog (and surrounding townlands), Co. Donegal, subject to 20 no. conditions.

However this decision was a disastrous one which ignored local and expert opinion on the site's slope stability resulting in a bog slide of some 86,240m<sup>3</sup> cubic metres of peat which polluted rivers on both sides of the Irish Border.

The applicants admit that a nesting pair of Hen Harriers, an endangered species, were present in the works area in the vicinity of a number of the substitute consent deviations, requiring that mitigation was put in place to protect them.

This is a fallacy as you cannot mitigate for wild birds or for nature. What would happen to the Hen Harriers were the wind farm be completed?

Hen Harriers obviously hunt over the area as well as nesting. To permit substitute consent within the range of breeding Hen Harriers would be contrary to Irish and European law.

Claiming to mitigate for Hen Harriers the applicants then go on to write: *"Having commenced outside the breeding bird season, construction activities were then ongoing by the time the next bird breeding season came around and continued throughout subsequent bird breeding seasons"*.

In other words they ignored the presence of Hen Harriers once construction was underway!

The EIAR makes no mention of Merlin save a reference to Lough Nillan Bog SPA 14.2m away yet I observed Merlin adjacent the site on several occasions since the bog slide as have others yet this substitute consent application makes no mention of Merlin in the vicinity at all.

As such these deviations cannot beyond scientific doubt have no impact on Annex I bird species in the Habitats Directive.

To grant substitute consent would likewise be contrary to the following clauses in the County Development Plan 2018-2024.

NH-O-1: To protect, sustainably manage and enhance the rich biodiversity of County Donegal for present and future generations.

NH-O-2: To comply with Article 6 of the Habitats Directive (92/43/EEC) and have regard to the relevant conservation objectives.

NH-O-3: To maintain the conservation value of all existing and/or proposed SACs, SPAs, NHAs and RAMSAR sites including those plant and animal species that have been identified for protection under the EU Habitats.

Directive (92/43/EEC), EU Birds Directive (79/409/EEC as amended by 2009/147/EC), the Wildlife Acts (1976-2014) and the Flora Protection Order (2015).

NH-O-4: To ensure the protection and management of the landscape in accordance with current legislation, ministerial and regional guidelines and having regard to the European Landscape Convention 2000.

NH-O-5: To protect, manage and conserve the character, quality and value of the landscape having regard to the proper planning and development of the area, including consideration of the scenic amenity designations of this plan, the preservation of views and prospects and the amenities of places and features of natural, cultural, social, or historic interest.

NH-O-7: To protect the areas of Especially High Scenic Amenity from intrusive and/or unsympathetic developments.

NH-O-10: To maintain and restore ecosystems and to conserve valuable or threatened habitats and species in order to prevent further loss of biodiversity and to meet the EU's target to halt biodiversity loss by 2020 through the implementation of the EU Biodiversity Strategy (2011) or as updated.

NH-O-11: To ensure the conservation and management of Peatlands in the county.

NH-O-10: To maintain and restore ecosystems and to conserve valuable or threatened habitats and species in order to prevent further loss of

biodiversity and to meet the EU's target to halt biodiversity loss by 2020 through the implementation of the EU Biodiversity Strategy (2011) or as updated.

NH-O-11: To ensure the conservation and management of Peatlands in the County.

NH-P-1: It is a policy of the Council to ensure that development proposals do not damage or destroy any sites of international or national importance, designated for their wildlife/habitat significance in accordance with European and National legislation including SACs, Special SPAs, NHAs, Ramsar Sites and Statutory Nature Reserves.

EX-O-3: To protect and preserve the quality of the environment so as to ensure no significant adverse effects including the prevention, limitation, elimination, abatement or reduction of environmental pollution and the protection of waters, groundwater, the seashore and the atmosphere.

Key Policies and Objectives directly related to European Sites and Biodiversity in the Zone of Influence Assessment of Potential Impact on European Sites

EAO18: Support the achievement of favourable conservation status of Annex I habitats, Annex II species, Annex I bird species and other regularly occurring migratory bird species and their habitats in the region.

EAO18: Support the achievement of favourable conservation status of Annex I habitats, Annex II species, Annex I bird species and other regularly occurring migratory bird species and their habitats in the region.

We filmed the site by aerial survey shortly after the bog slide. It makes disturbing viewing. It is available on Vimeo at <http://www.vimeo.com/863331005>

We trust An Bord Pleanála will make the right decision and refuse permission for substitute consent.

Regards, Patricia Sharkey

For Gweebarra Conservation Group

Coiste Timpeallacht Ghaoth Beara

