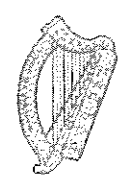


An Roinn Turasóireachta, Cultúir,
Ealaíon, Gaeltachta, Spóirt agus Meán
Department of Tourism, Culture,
Arts, Gaeltacht, Sport and Media



Environmental Impact Assessment Section,
Department of Agriculture, Food and the Marine,
Johnstown Castle Estate,
Wexford,
Co. Wexford

Registered Post

01st February 2021

NPWS Ref: NA0515

(Please quote the above reference in all relevant correspondence)

RE:

A Chara,

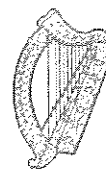
Please find attached, an application received by this Department on 27th January 2021 from _____ seeking the consent of the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, under Regulation 30 of the European Communities (Birds and Natural Habitats) Regulations 2011, to carry out the flattening of two mounds, ploughing and re-seeding, in an area identified on a map accompanying the application, at _____

This Department has reviewed the application and, for the following reasons, is of the opinion that the proposed work is an activity that comes under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011:

The proposed activity falls within the Regulation 3(1)(b) project category, “commencing to use uncultivated land or semi-natural areas for intensive agriculture”, and the activity is likely to have a significant effect on a European Site (River Barrow and River Nore Special Area of Conservation (SAC) (Site Code: 002162)), alone or in combination with other plans or projects. [Note that the activity is regarded as the whole project, including in particular land reclamation works carried out in the plot in late 2020, and that no consent was issued by the Minister for these works.]

The activity is deemed likely to have a significant effect on a European Site due to its location within the River Barrow and River Nore SAC, alone or in combination with other plans or projects, and because;

NPWS, Bóthar an Bhaile Nua, Loch Garman, Y35 AP90
NPWS, Newtown Road, Wexford, Y35 AP90
designated.bogs@chg.gov.ie
www.gov.ie



Elements of the project which may impact the SAC include redistribution of soil from berms, ploughing/re-seeding, increased land drainage and increased volumes of nutrient input to re-seeded grasslands. The exact scale of impacts is unknown but discharges of silt and nutrient run-off to water are likely to be significant, in combination with other discharges locally and in the wider catchment. Loss of flood plain connectivity and changes to hydrological flow through drainage may also have significant effects alone or in combination. Likely significant effects cannot be ruled out in relation to “floating river vegetation”, white-clawed crayfish, sea lamprey, brook lamprey, river lamprey, salmon, twaite shad and otter.

Under Regulation 32 (1) of the EU (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011), where the Minister is considering an application for consent under those Regulations, and he forms the opinion that the application relates to an activity which may require the consent of the Minister for Agriculture, Food and the Marine under the EC (Environmental Impact Assessment) (Amendment) Regulations 2011, because it would be likely, individually or in combination with other plans or projects, to have a significant effect on a European Site, he shall, if the applicant wishes to pursue the application, refer the matter to the Minister for Agriculture, Food and the Marine, for a determination on the matter.

This Department has contacted the applicant in relation to the above, and the applicant has expressed a wish for this Department to refer the application to the Department of Agriculture, Food and the Marine. The applicant has been advised that your Department may require further information.

The application is referred for your determination. In the event that your Department reaches a determination that the activity does not fall under your legislation, please advise the undersigned at your earliest convenience.

Please contact the local Regional Manager of the National Parks and Wildlife Service of the Department, Ciara O'Mahony, by email at Ciara.O'Mahony@chg.gov.ie if you have any queries regarding this matter.

Yours sincerely,

Brian Lucas

Brian Lucas
Principal Officer
Peatland Issues and Land Designation Section
National Parks and Wildlife Service
Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
Newtown Road
Wexford, Y35 AP90
Email: designated.bogs@chg.gov.ie