

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

**By Registered Post**

24<sup>th</sup> February 2021

**NPWS Ref: NA0484**

*(Please quote the above reference in all relevant correspondence)*

**RE:**

A Chara,

Please find attached, an application received by this Department on 02<sup>nd</sup> June 2020 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 reclamation of lands for agriculture and reseeding an area of lakeshore 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 (Lady’s Island Lake Special Area of Conservation (SAC) (Site Code:00 0704)), alone or in combination with other plans or projects.

The activity is deemed likely to have a significant effect on a European Site due to its location within the Lady’s Island Lake SAC, alone or in combination with other plans or projects, and because;

Water quality impacts, in combination with other water quality pressures, are likely to be significant. Loss of lagoon habitat is likely to be significant. Conclusion; likely significant effects cannot be ruled out in relation to lagoon habitat in the Lady’s Island Lake Special Area of Conservation.

**NPWS, Bóthar an Bhaile Nua, Loch Garman, Y35 AP90**

NPWS, Newtown Road, Wexford, Y35 AP90

designated.bogs@chg.gov.ie

[www.gov.ie](http://www.gov.ie)



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 she 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, she 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](mailto: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](mailto:designated.bogs@chg.gov.ie)