



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

For official use only: 2023 EIA/PS/11

Date stamp:



Application for an EIA Screening Decision

Under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations S.I. No. 456 of 2011 (as amended)

Please refer to the EIA Guide for Farmers prior to completing this application form.

SECTION A – Personal Details

Name (s): Herd / Flock No:

Address:

COUNTY:

Phone No: Previous GLAS Participant (tick): Y N

Mobile: ACRES Participant (tick): Y N

Please confirm Yes "Y" or No "N":

OWNERSHIP: Are you the owner of the land where proposed works are to be carried out? Y N

If you are not the owner, please ensure that the owner completes Section D Declaration at the end of this form.

SECTION B – Details of proposed works

Please indicate which works you propose to carry out: Please tick: (✓)

(a) Restructuring of rural land holdings

(b) Commencing to use uncultivated land or semi-natural areas for intensive agriculture

(c) Land drainage works on land used for agriculture

Declaration of Lands affected by proposed works – a map of this land must be submitted as part of your application

Please insert FOLIO Number(s) of land(s) affected by proposed works here →

Land Parcel Identification System (LPIS) No:	Townland(s):	District Electoral Division (DED):	Area (hectares) or linear measurement (metres) of proposed works (clearly specify which)
1.	ClonMARILLADUFF	kilbarron Terry glalas	96 METRES
2.	Lisquillibeau	" "	112 METRES (A+B)
3.	"	" "	29 METRES (C)
4.	"	" "	4.7 METRES (D)
5.			

SECTION B (cont.)

PROTECTED AREAS

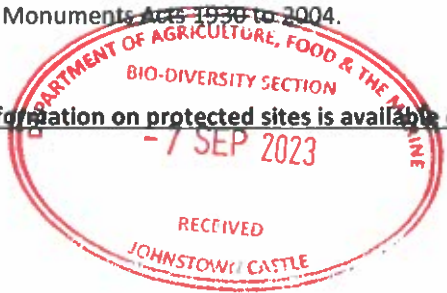
NB: The onus is on you, as landowner, to establish whether or not the project location of proposed works is in or near an environmentally sensitive area (as listed below). You should consult with your local National Parks and Wildlife Service Conservation Ranger if necessary.

A. Please tick (✓) if the project location of your proposed works is **NOT** in a sensitive area: **OR**

B. Please tick (✓) the relevant box(es) below if the project location is in, or in close proximity to any of the following categories of sensitive areas (please specify which):

	<i>Is project location <u>in</u> a sensitive area?</i>	<i>Is project location <u>near</u> a sensitive area?</i>
	Tick (✓)	Tick (✓)
1. in an area designated as a "European site", which means-		
(a) A candidate site of Community importance,	<input type="checkbox"/>	<input type="checkbox"/>
(b) A site of Community importance,	<input type="checkbox"/>	<input type="checkbox"/>
(c) A candidate special area of conservation,	<input type="checkbox"/>	<input type="checkbox"/>
(d) A special area of conservation,	<input type="checkbox"/>	<input type="checkbox"/>
(e) A candidate special protection area, or	<input type="checkbox"/>	<input type="checkbox"/>
(f) A special protection area	<input type="checkbox"/>	<input type="checkbox"/>
2. In a Natural Heritage Area (NHA), which means lands subject to a natural heritage area order under section 18 of the Wildlife (Amendment) Act 2000 (No. 38 of 2000):	<input type="checkbox"/>	<input type="checkbox"/>
3. In a "nature area", which means lands -		
(a) Subject to an order under section 15(2) of the Wildlife Act 1976, as amended by section 26 of the Wildlife (Amendment) Act 2000 (<i>reserves and refuges</i>);	<input type="checkbox"/>	<input type="checkbox"/>
(b) Subject to an order under section 16(1) of the Wildlife Act 1976, as amended by section 27 of the Wildlife (Amendment) Act (<i>nature reserves on land other than land to which section 15 applies</i>)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Subject to an order under section 17(9) of the Wildlife Act 1976, as amended by section 28 of the Wildlife (Amendment) Act (<i>refuges for fauna</i>);	<input type="checkbox"/>	<input type="checkbox"/>
(d) Subject to a notice under section 16(2) of the Wildlife (Amendment) Act 2000 – (<i>proposed NHAs</i>)	<input type="checkbox"/>	<input type="checkbox"/>
4. in the vicinity of a recorded monument, which means historic monuments or archaeological areas (within the meaning of section 1(1) of the National Monuments (Amendment) Act 1987 (No 7 of 1987) recorded on the Register of Historic Monuments or a monument recorded under section 12(1) of the National Monuments (Amendment) Act 1994 (no. 17 of 1994) or a national monument in the ownership or guardianship of the Minister for Housing, Local Government and Heritage or a local authority under the National Monuments Acts 1930 to 2004.		<input checked="" type="checkbox"/>

Further information on protected sites is available on the National Parks & Wildlife Service website www.npws.ie



PROTECTED AREAS (cont.)

If the project location of your proposed works is in or near a sensitive area or a recorded National Monument, please provide relevant reference number:



Special Area of Conservation (SAC) Site Code: _____

Special Protected Area (SPA) Site Code: _____

Natural Heritage Area (NHA) Site Code: _____

Monument Record No: Not available @ date of application.

Description of Monument: Ruins of castle @ parcel NO XXXXXXXXXX

Nature and extent of the proposed works including the anticipated outcomes (please provide details):

(What exactly are you proposing to do and why do you want to do it. For example, taking out a hedgerow to make bigger fields is not the answer here. In this example, you should give the reasons why you want bigger fields).

- Removal of stone wall (96m) with parcel XXXXXXXXX.
- Removal of the remains of a stone wall which is beyond repair (29m) @ parcel XXXXXXXXX - marked "C" on map.
- Removal of a mix of hedgerows / stone wall (52m) and (60m) with parcel - marked "A" and "B".
- Retain native trees but remove brash / scrub / stumps from between the trees @ (47m) @ east parcel - marked "D".

Outcome:

Locations of stone wall / hedgerows with east parcels have a sloped incline. Plan is to maximize the existing internal farm roadways and for health and safety reasons, removal of some will facilitate a more safer working environment for machinery - especially the application of organic fertilizer with a trailer sled.

Details of who will carry out the proposed works (if other than you)

Name: _____

Company name: _____

Address: _____

DATA PROTECTION NOTICE

Information specific to the personal data being collected in relation to Environmental Impact Assessment Screening & Consent Applications

The following data is specific information in relation to the personal data processed for the purpose of processing Environmental Impact Assessment Screening & Consent Applications. The Department of Agriculture, Food & the Marine's general data protection policy should be read in conjunction with this document and can be viewed here: [gov.ie - Data Protection \(www.gov.ie\)](http://gov.ie - Data Protection (www.gov.ie))

Specified purpose:

The personal data sought from you, or previously furnished by you, is required for the purpose of processing Environmental Impact Assessment Screening & Consent Applications

Also personal information may be released under the terms of the relevant Data Protection legislation in force and the Freedom of Information Act 2014. Failure to provide all the personal data required to facilitate the processing of the application; including data testing, under the scheme will result in DAFM being unable to further process the application. Failure to provide certain information which you are required to provide will result in DAFM being unable to further process the application.

The Department may also use data provided for the purposes of facilitating the processing of an application for participation in other related schemes operated by the Department of Agriculture, Food and the Marine or for the purposes of updating information on the relevant databases held by the Department in connection with these schemes. Each scheme has its own legal basis as outlined under their own Terms and Conditions.

Legal basis:

S.I. No 456 of 2011, European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011; S.I. No 142 of 2013, European Communities (Environmental Impact Assessment)(Agriculture)(Amendment) Regulations 2013; S.I. No 407 of 2017, European Communities (Environmental Impact Assessment) (Agriculture) (Amendment) Regulations 2017; Directive No 2011/92/EU of the European Parliament and of the Council of 13 December 2011 as amended by Directive 2014/52/EU of the Parliament and of the Council of 16 April 2014.

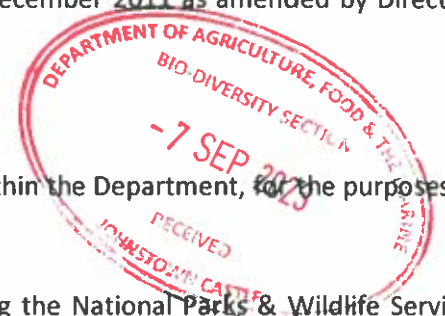
Recipients:

Information provided for these applications will be shared, with other divisions within the Department, for the purposes of processing other related scheme applications in a timely and efficient manner.

The information provided may also be shared with other organisations, including the National Parks & Wildlife Service, National Monuments Service, Department of Housing, Local Government and Heritage, Department of the Environment, Climate and Communications, where necessary for the processing of the application.

When you submit information, some of your personal data will be made available to other Government Departments/Agencies/Local Authorities, but only where there is a valid legal basis to do so. Also, personal information may be released under the terms of the relevant Data Protection legislation in force and the Freedom of Information Act 2014 and EU Directive 2003/4/EC 'Access to information on the Environment' and SI 133/2007 European Communities (Access to Information on the Environment) Regulations 2007-2017 as amended.

Personal data may be used for statistical, research and analysis purposes in some circumstances, but will only be done so in compliance with the Data Protection legislation in force. Data used for such purposes will be pseudonymised (masked)



FORM EIA1

or anonymised, as appropriate, to protect the security and confidentiality of the data. The use of the data in this way may facilitate the Department in informing policy decisions into the future, which would benefit the Irish farmer and the Agriculture Sector.

The Department is also currently obliged by law to provide information concerning applicants in response to requests received from the Office of the Revenue Commissioners, An Garda Síochana, and other bodies, in accordance with Section 8 of the Data Protection Acts 1988 and 2003. The introduction of the General Data Protection Regulation on 25 May 2018, and any further national Data Protection legislation, may change the requirements and the legislative basis for such requests.

Publication:

There is a statutory obligation on the Department to publish information on all screening and consent applications received; this is carried out by publishing details periodically on the Department website and can be found at the following link: [gov.ie - Environmental Impact Assessment \(Agriculture\) Regulations \(www.gov.ie\)](http://www.gov.ie). Personal data is removed to protect the security and confidentiality of the data. Section 12 of S.I. 456 of 2011 requires that more details are published when an Application for Consent is received and that application must be made available for viewing by interested parties. Consent applications can be viewed at the same link [gov.ie - Environmental Impact Assessment \(Agriculture\) Regulations \(www.gov.ie\)](http://www.gov.ie).

Transferred outside the EU:

Information provided in relation to the Environmental Impact Assessment Regulations is not currently transmitted outside of the EU.

Retention Period:

The data submitted in support of the application by the data subject will be retained by DAFM only as long as there is a business need to do so in line with the purposes for which it was collected. After this time, it will be marked for destruction and will be destroyed in line with internal guidelines or guidelines for destruction received from the National Archives Office or associated permissions received from them.

Data provision being statutory or contractual obligation:

The data provided for this purpose is being requested on a statutory basis under the Environmental Impact Assessment Regulations.

Automated Decision Making:

Personal data provided may be processed automatically for the purpose of the efficient running of the scheme.

Information from Third Party:

Your personal data in relation to the application may be obtained from another party that submits information in relation to an application. In circumstances where this Department did not gather your personal data you are still entitled to exercise your rights in relation to this personal data and the details on how to exercise individuals rights are detailed [gov.ie - Data Protection \(www.gov.ie\)](http://www.gov.ie).

Technical information on data collected:

Technical information on the cookies used on our Department's website is available [here](#).

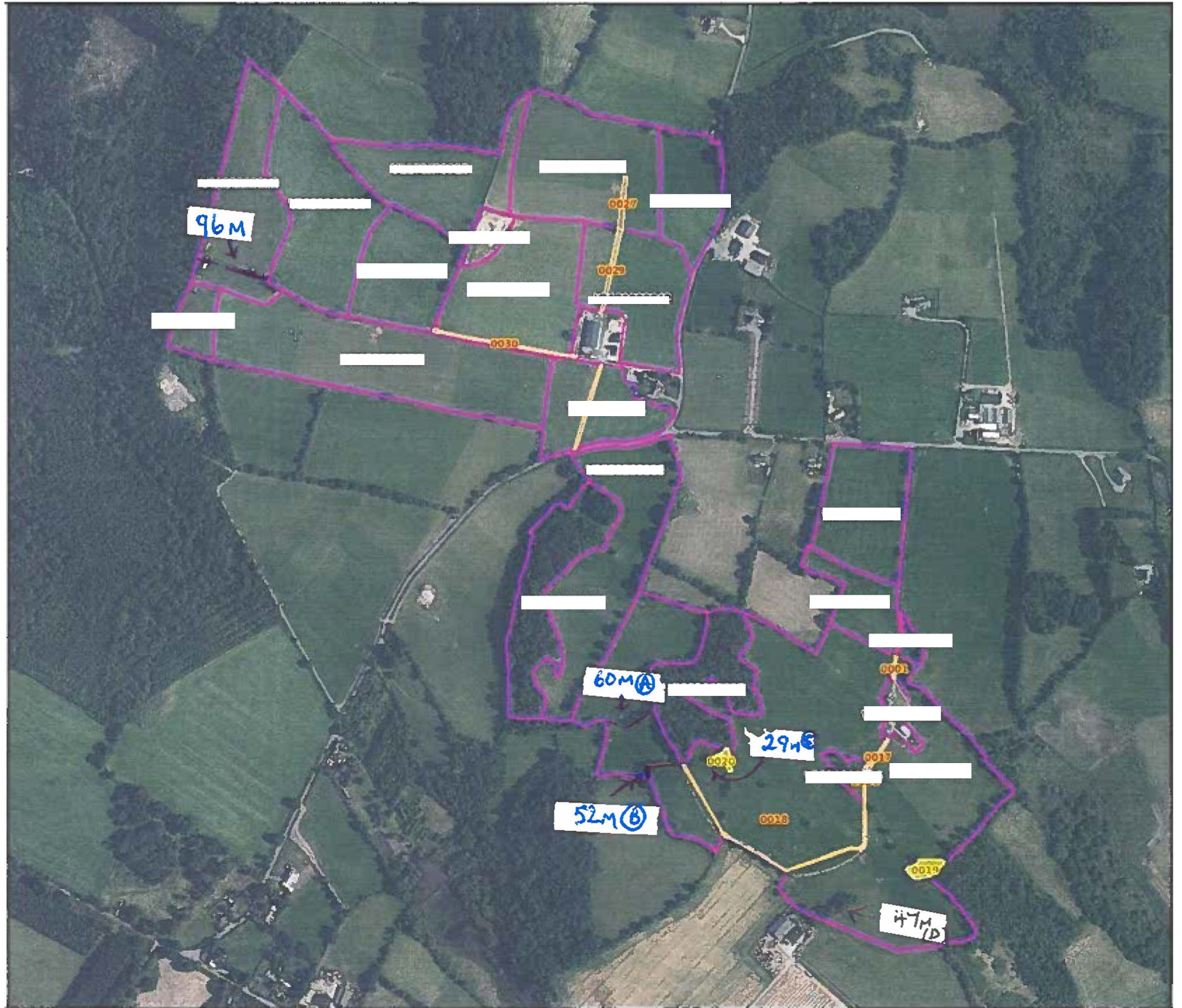




An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Townland Name: CLONMAKILLADUFF

Townland Name: LISQUILLIBEEEN





An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Our Ref: 2023-EIA-S-11

Department ID: xxxxxxxx

Date: 12/09/2023

Re: Application for an EIA Screening Decision

European Communities (Environmental Impact Assessment) (Agriculture) Regulations S.I. No 456 of 2011

Dear xxxxxxxx

I refer to your recent application for an EIA Screening Decision to this Department received on **07/09/2023**.

Land located in/near a sensitive area: Referral to (NPWS or Monuments)

As you have indicated that your land is in (or near) a SAC (and or the vicinity of a national monument), it has been necessary for us to seek the views of the Department of Arts, Heritage and the Gaeltacht (National Parks and Wildlife Service (NPWS) and or National Monuments) on your application.

I wish to let you know that a decision in your case may therefore take some extra time to process.

Yours sincerely

Edel Doyle
EIA Section
Department of Agriculture, Food & the Marine
Johnstown Castle Est
Wexford
0761 064451

Application for an EIA Screening Decision - Checklist

Name:

XXXXXX

EIA Ref No:

2023 -EIA-S- 11

Client Registration: Sections A – B

	Y	N	Date info. requested
1. Date stamp form EIA1 application, Environment Section	✓		
2. Is map attached to application?	✓		
3. Enter details on EIA Screening Tracker, having checked for possible previous application.	✓		
4. Scan application form and map(s) separately <u>in colour</u> and save to file	✓		
5. Check that proposed works (a), (b) or (c) is selected.	✓		
6. Is the location of works clearly identified on map supplied?	✓		
7. LPIS number(s) provided?	✓		
8. Is project location <u>in</u> a sensitive area? SAC/SPA/NHA (circle) Code:		✓	
9. Is project location <u>near</u> a sensitive area? SAC/SPA/NHA (circle) Code:		✓	
10. Is project location in vicinity of a recorded monument? Code:	✓		
<i>If project location is declared as being <u>in</u> or <u>near</u> a sensitive area, refer to NPWS/Monuments/LA as appropriate</i>			
11. Is section "nature and extent of proposed works" completed?	✓		
12. Details of who will carry out proposed works completed?	✓		
13. Is declaration signed and dated by applicant?	✓		
14. Issue Letter of acknowledgement to client Record status on database.	✓		
15. Further information required?			12/09/23 NPWS Ref

Referral to Agricultural Inspector

16. Issue application and map(s) to AI for report. Record status on database.			
17. When AI obs are received, note on file and database.			

Referral to NPWS/Monuments/LA

18. REFERRAL to NPWS / Monuments / Local Authority (circle): NPWS/Monuments: Refer to DAHG data manager Manager.dau@ahg.ie . Note DAHG ref.			
19. Local Authority: Refer to relevant LA requesting obs on application. Record Status			
20. Report from NPWS/Monuments/LA (as appropriate) received?			

Comments:

Signed:

Edd Duff

EO /HEO CO

Date:

21/09/23

Decision

21. Issue Decision letter to client based on AI and, as appropriate (NPWS/Monuments/LA) recommendations			
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Signed:

EO/HEO

Date:



XXXXXXX

XXXXXXX

XXXXXX

Our Ref: 2023/EIA/S/11
Department ID: xxxxxxxx
Date: 30/01/2024

Application for an EIA Screening Decision

under European Communities (Environmental Impact Assessment) (Agriculture) Regulations S.I. No 456 of 2011, as amended by S.I. 142 of 2013 and S.I. 407 of 2017.

Dear Herdowner,

I refer to your application outlined above received on **07/09/2024**. Having considered all the relevant material, including the criteria set out in Schedule 2 of Statutory Instrument No. 456 of 2011, as amended S.I. 142 of 2013 and S.I. 407 of 2017, which included an on-site visit, I am pleased to inform you that the activities as outlined in your application are **part approved** with Areas A, B, D and E being approved and Area C being rejected. The activity approved is for removal of 290 metres of stone wall and hedgerow (135m of hedgerow) on **LPIS Parcel No(s) xxxxxxxxx and xxxxxxxxx** on lands at Clonmakilladuff, xxxxxx, xxxxxx, xxxxxx as shown on the map supplied with your application and shown in Appendix 1.

The approval is for works at areas A, B, D and E subject to compliance with the following:

Condition 1: The applicant is to be advised of Felling Licence requirements for any mature trees present within the location of the proposed hedgerow removal (see map in Appendix). The applicant is advised to refer to DAFM Forestry Division tree felling requirements should they wish to include mature trees in this removal process.

Condition 2: Works should be cognisant of the requirements under SECTION 40 of the WILDLIFE ACT 1976 as amended by the WILDLIFE (AMENDMENT) ACT 2000 and the HERITAGE ACT 2018, with regard to the restriction of vegetation removal between 1st March and 31st August according to the aforementioned legislation.

The works at area C are rejected as follows:

The works at area C are within 20 metres of a recorded monument (Castle- tower house, Code: TN009-007), and notice must be given in writing to the National Monuments Service two months before commencing such works. The applicant must acquire consent from the Minister responsible for the National Monuments Service, as required under Section 14 of the National Monuments Act 1930 (as amended).

Please be aware that this approval is on the basis that a replacement hedgerow of 270 metres is planted prior to removal and please be advised of other relevant DAFM requirements as set out on page 2 of this approval notice.

This approval will be valid until **29/01/2027**. If the proposed activities are not carried out before this date, and you intend to carry them out at a later date, you must re-apply for an EIA Screening Decision.

Please note that this approval is granted to you and can be transferred to your spouse, son or daughter if the ownership of the lands in question is transferred to them within the period of the validity of the approval. The approval is not valid for transfer to anyone else under any circumstances.

It is also your responsibility to ensure that you remain fully compliant with all other relevant Department of Agriculture, Food and the Marine scheme requirements and regulations (see reverse), and any other statutory requirements that may be applicable.

Please Note:

- Under Article 15 of the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 (as amended), a permission of the Minister for Agriculture, Food and the Marine made under these regulations can be challenged by way of Judicial Review within three months of the permission being granted. Any decision to implement or act on a permission before the expiration of this three month period is at your own risk. This does not affect any of your legal obligations in respect of the proposed works. The Minister for Agriculture, Food and the Marine will not be responsible for any loss, damage, or expense incurred in the event that a permission is impugned by the courts.
- The Department of Agriculture, Food and the Marine is subject to the provisions of Data Protection legislation including the Freedom of Information Act (FOI) and EU Directive 2003/4/EC 'Access to information on the Environment' and SI 133/2007 European Communities (Access to Information on the Environment) Regulations 2007-2017 as amended. This application and the Department of Agriculture, Food and the Marine's assessment of this application will be published on the DAFM website.

Yours sincerely,

EIA Screening & Consent
Nature and Land Use Division

Please be aware of the following other Department of Agriculture, Food & Marine requirements:
Basic Income Support for Sustainability (Conditionality) under CAP Strategic Plan 2023 - 2027

Hedgerows and drains/ditches

Hedgerows and drains/ditches have been designated as landscape features under Good Agricultural and Environmental Condition. This means that it is not necessary to make deductions to parcel areas to account for these features but they

must be retained. Also, as of 1st January 2023, they cannot be removed apart from certain limited exceptional circumstances; these being for building work associated with farmyard expansion and widening gaps to facilitate larger machinery, road safety issues and defined farm safety circumstances that can be demonstrated to cause an unacceptable level of risk to current farming practice.

Failure to abide with this rule will result in a conditionality penalty. Hedgerows cannot be removed on land designated as SAC or SPA without the prior approval of the National Parks and Wildlife Service.

Where removal is required and in line with these exceptional circumstances hedgerows must be replaced with twice the proposed removal length prior to removal. This must be planted in the vicinity of the removal. The replacement hedgerow must comprise of traditional hedgerow species and cannot include amenity species such as laurel or conifers.

Forestry (Felling of trees)

If the hedgerow/ditch being removed contains any trees, the applicant must hold a valid felling licence before the trees can be removed. To apply for a felling licence the applicant must complete a Tree Felling Licence Application. Forms are available to download from <https://www.gov.ie/en/collection/c04fb-forestry-grants-and-premium-schemes-2014-2020-circulars/> or by phone request on 076 1064459. The application form must be accompanied by a 6 inch ordnance survey map with the trees clearly marked, and a discovery location map. Felling licences typically take 16 weeks from the date received and will issue to the applicant in due course. Where relevant, a tree volume calculator is available at the following link: <https://www.gov.ie/en/publication/ea3cf-forest-management-tools/>

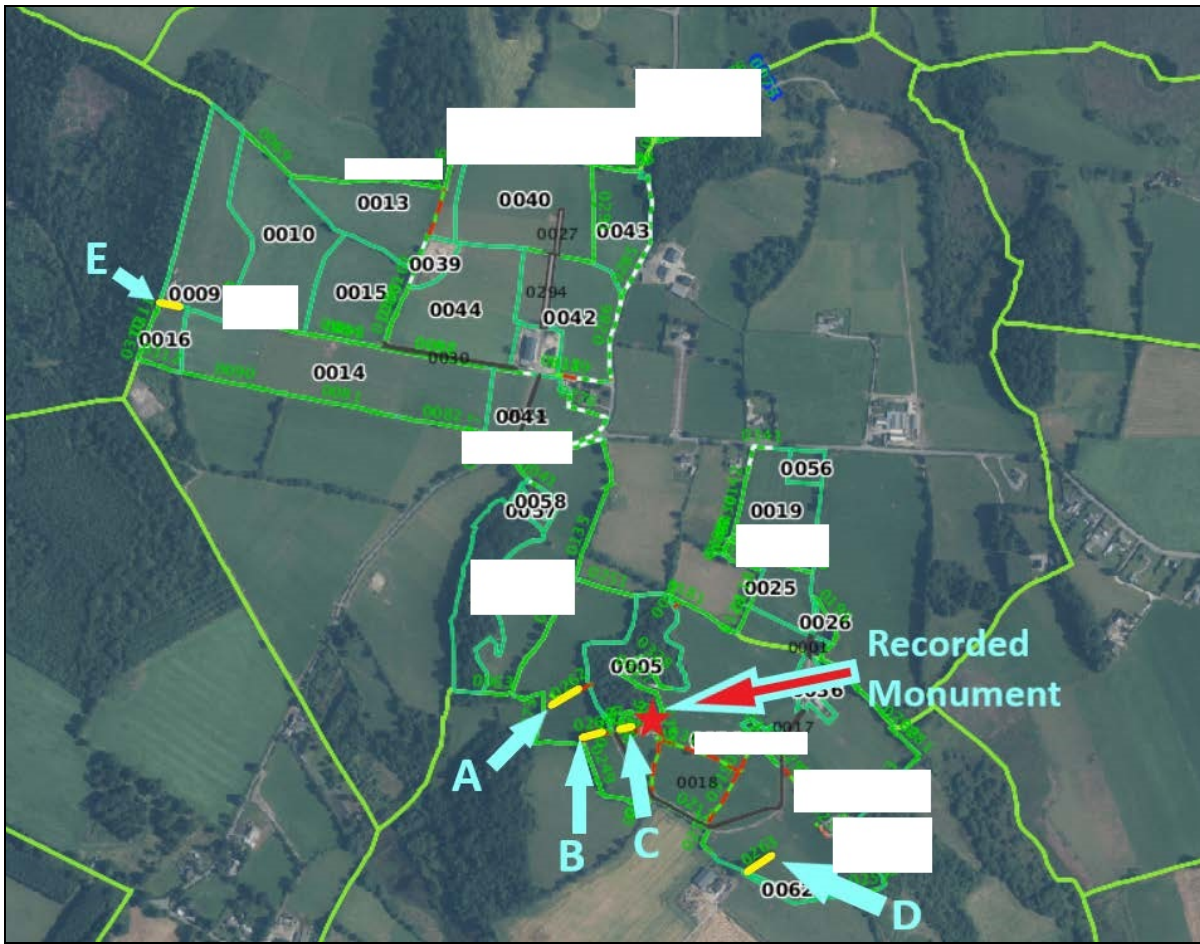
Agri-Climate Rural Environment Scheme (ACRES)

Where any restructuring, land drainage or intensification of use of agricultural land impacts on commitments under the Agri-Climate Rural Environment Scheme (ACRES), this may result in a reduction of payment under the scheme and a recoupment of all or part aid already paid. Screening by DAFM or the existence of an Environmental Impact Assessment under the Environmental Impact Assessment (Agriculture) Regulations 2011 will not exempt farmers from their obligations to deliver all voluntary undertakings under ACRES or any other DAFM scheme.

Wildlife Acts

The applicant must be cognisant of requirements under the Wildlife Act 1976 and the Wildlife (Amendment) Act 2000. Including, but not limited to Section 40 of the Wildlife Act 1976, as amended by Section 46 of the Wildlife (Amendment) Act 2000, restricts the cutting, grubbing, burning or destruction by other means of vegetation growing on uncultivated land or in hedges or ditches during the nesting and breeding season for birds and wildlife, from 1 March to 31 August.

Appendix 1 – Locations for approved works



Location of proposed works at Clonmakilladuff, xxxxx, from EIA Screening Application dated 07/09/2023). Note: Yellow line showing location of proposed field boundary removal.

Walsh, JoeT

From: Housing Manager DAU <Manager.DAU@npws.gov.ie>
Sent: Wednesday 4 October 2023 17:14
To: EIA Screening
Cc: Roche, Leanne; Chapman, Michael
Subject: RE: 2023-EIA-S-11

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A Chara,

The Department is not in a position to make specific comment on this particular referral at this time. No inference should be drawn from this that the Department is satisfied or otherwise with the proposed activity.

Le meas
Diarmuid

Diarmuid Buttimer
Executive Officer

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90

—
Diarmuid.Buttimer@npws.gov.ie
Manager.DAU@npws.gov.ie

From: EIA Screening <EIAScreening@agriculture.gov.ie>
Sent: Tuesday 12 September 2023 12:16
To: Housing Manager DAU <Manager.DAU@npws.gov.ie>
Cc: Roche, Leanne <leanne.roche@agriculture.gov.ie>; Chapman, Michael <Michael.Chapman@agriculture.gov.ie>
Subject: 2023-EIA-S-11

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NPWS

Please find attached an application for EIA screening decision. We would be grateful for your views and considerations.

EIA and Biodiversity

Disclaimer:

Department of Agriculture, Food and the Marine

The information contained in this email and in any attachments is confidential and is designated solely for the attention and use of the intended recipient(s). This information may be subject to legal and professional privilege. If you are not an intended recipient of this email, you must not use, disclose, copy, distribute or retain this message or any part of it. If you have received this email in error, please notify the sender immediately and delete all copies of this email from your computer system(s).

An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolas sa ríomhphost seo, agus in aon cheangaltáin leis, faoi rún agus tá sé dírithe ar an bhfaighteoir/na faighteoirí beartaithe amháin agus níor cheart ach dóibh siúd é a úsáid. D'fhéadfadh an t-eolas seo a bheith faoi réir pribhléid dhlíthiúil agus ghairmiúil. Mura tusa faighteoir beartaithe an ríomhphost seo, níor cheart duit an teachtaireacht seo, nó aon chuid di, a úsáid, a nochtadh, a chóipeáil, a dháileadh nó a choinneáil. Má fuair tú an ríomhphost seo go hearráideach, cuir an seoltóir ar an eolas láithreach agus scríos gach cóip den ríomhphost seo ó chóra(i)s do ríomhaire, le do thoil.



To: Department of Housing, Local Government and Heritage (Manager.DAU@housing.gov.ie)

Our Ref 2023-EIA-S-11
Date: 12/09/23

NOTICE OF REFERRAL

Application for an EIA Screening Decision to the Department of Agriculture, Food & the Marine
Under Article 11 of European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 (S.I. No. 456 of 2011)

With regard to the attached Application for an EIA Screening Decision under the above Regulations, the Department of Agriculture, Food and the Marine hereby seek the views of:

Applicable <input type="checkbox"/>	NPWS: [Natural Heritage Area or nature reserve (nature conservation)] as the proposed activity is within, <u>is near</u> , or may affect a proposed Natural Heritage Area or nature reserve.
<input type="checkbox"/>	NPWS: [European Site (nature conservation)] as the proposed activity is identified as "requiring consent" or is a "notifiable action" in a European site (SAC or SPA).
<input checked="" type="checkbox"/>	National Monuments Service: [Archaeology] as the proposed activity may impact on an archaeological monument in the vicinity of proposed works.

The main issue to be adjudicated upon by this Department, following consultation, is whether or not the proposed works are likely to have a significant effect (or in the context of an SPA or SAC, uncertain effect) on the environment and/or a national monument.

The EIA Guide for Farmers, summary leaflet and other information can be obtained from the DAFM website, www.agriculture.gov.ie under the links Rural Environment/ Environmental Impact Assessment. Schedule 2 of S.I. No 456 of 2011 (overleaf) outlines criteria for determining whether a development would or would not be likely to have significant effects on the environment.

The views of NPWS/the National Monuments Service (as appropriate) would be appreciated in this context.

Kind regards,

EIA Section

Department of Agriculture, Food and the Marine
Johnstown Castle Estate
Wexford
Co Wexford

Tel: 053 9163425

**European Communities (Environmental Impact
Assessment) (Agriculture) Regulations SI No. 456 of 2011**
**Application to the Minister of Agriculture,
Food and Marine under Section 7**
Assessment for an EIA Screening Decision

Inspection Type:	EIA
Business Identifier:	xxxxxxx
Business Name:	xxxxxx xxxxx
Business Address:	CLONMAKILLADUFF,xxxxxxx xxxxx
Reference No:	768954
Inspecting Officer:	James Trehy
Date Signed Off:	05/12/2023

Criteria for determining if proposed activities are likely to have significant effects on the environment

Project Description

1 Project Description

The description and characteristics of the activity outlined in the above application form have been examined? **Yes**

All details submitted on Form EIA1, associated maps and all correspondence and consultations in relation to this file must be examined before this question can be ticked 'yes'

Size of the proposed activity

2 Size of the proposed activity

Does the extent of the proposed activity exceed the thresholds for mandatory EIA? **No**

See Annex 2 of EIA Inspectorate Procedures Manual for thresholds

Cumulative effect

3 Cumulative effect

Is the cumulative effect of this application likely to have a significant environmental impact? **No**

Is the amount and type of the proposed activity in this locality known to be a significant issue? **No**

*If 'yes' to either of both questions describe in Inspectors comments box below.
See Section 4.2.13 of EIA Inspectorate Procedures Manual for accumulation.*

Inspectors comments **n/a**

Pollution and nuisance

4 Pollution and nuisance

Will the activity generate pollution or nuisance? **No**

If 'yes' to this question describe in Inspectors comments box below

Where it is thought that the activity will generate water, air or soil pollution or cause a nuisance to people living in the surrounding area then this question should be ticked 'yes'

Inspectors comments

n/a

Rarity of Landscape Feature

5 Rarity of Landscape Feature

Will the proposed works remove a rare landscape feature?

No

*If 'yes' to this question describe in Inspectors comments box below
See Section 4.2.5*

Inspectors comments

n/a

Proximity of Proposed Works to High Value Environmental Sites

6 Proximity of Proposed Works to High Value Environmental Sites

Are the proposed works close to areas of high environmental quality?

No

*If 'yes' to this question describe in Inspectors comments box below
See Section 4.2.6*

Inspectors comments

n/a

Habitats

7 Habitats

Is there an abundance of the habitat in the area?

Yes

*If 'no' to this question describe in Inspectors comments box below
See Section 4.2.7*

Inspectors comments

n/a

Existing land use

8 Existing land use

Has the existing land use been examined? Yes

The SPS system must be consulted before answering 'yes' to this question

Water

9 Are the proposed works within an area that are likely to cause:

A. Siltation No

B. Pollution from pesticides/fertilisers No

C. Land drainage issues No

D. Flooding No

E. Leachates (from reclamation of land) No

If 'yes' to any of these question describe in Inspectors comments box below

A. Siltation is the pollution of water by fine silt or clay particles. If it is thought that the activity will cause siltation to water then this question must be answered 'yes'. Siltation is of particular importance where the activity is near or discharging into a salmon or trout spawning river.

B. If it is thought that the proposed works will cause pollution from pesticides/fertilisers then this question must be answered 'yes'.

C. If the activities are likely to damage an area of high environmental importance, e.g. drain a bog in the vicinity, then this question must be answered 'yes'.

D. Where it is thought that the activity will cause flooding downstream then this question must be answered 'yes'.

E. Leachate is the movement of solids in water and can occur during or following land reclamation. If it is thought that the activity will cause the occurrence of leachate then this question must be answered 'yes'.

Inspectors comments n/a

Soil

10 Are the proposed works within an area that are likely to cause:

- | | |
|---|----|
| A. Soil erosion | No |
| B. Stability/settlement issues | No |
| C. Drainage problems | No |
| D. Flooding | No |
| E. Alteration of soil structure/fertility | No |

If 'yes' to any of these question describe in Inspectors comments box below

A. Where it is thought that the activity will cause significant soil erosion then this question must be answered 'yes'.

B. If the activity will lead to soil stability and or settlement issues then this question must be answered 'yes'.

C. Where it is thought that the activity will impede on drainage then this question must be answered 'yes'.

D. Where the inspector believes that the activity may cause flooding issues downstream this question must be answered 'yes'.

E. If the activity alters existing soil structure and/or fertility then this question must be answered 'yes'.

Inspectors comments n/a

Flora

11 Are the proposed works within an area of high nature value that are likely to cause:

- | | |
|----------------------------------|----|
| Loss of indigenous vegetation | No |
| Introduction of invasive species | No |

If 'yes' to any of these question describe in Inspectors comments box below

A. If the proposed works will result in the loss of indigenous vegetation to an area then this question must be answered 'yes'.

B. Where it is thought that the proposed works are likely to introduce invasive species then this question must be answered 'yes'.

Inspectors comments

n/a

Fauna

12 Are the proposed works within an area of high nature value that are likely to cause:

A. Changes to extent/diversity of habitat

No

B. Introduction of invasive species

No

C. Shift in species mix/abundance

No

If 'yes' to any of these question describe in Inspectors comments box below

A. Where it is thought that the activity will cause changes to the extent and/or diversity of the habitat this question must be answered 'yes'.

B. If the activity is likely to introduce invasive species then this question must be answered 'yes'.

C. If the inspector believes that the activity will cause a shift in the mix and/or abundance of the activity then this question must be answered 'yes'.

Inspectors comments

n/a

Protection of Fresh Water Pearl Mussel (FPM)

13 Protection of Fresh Water Pearl Mussel (FPM)

Are there populations of the Fresh Water Pearl Mussel likely to be affected by the proposed works? No

If 'yes' describe in Inspectors comments box below

The iFORIS system will identify the catchments for the FPM. Where the inspector believes that the activity will affect the populations of FPM then this question must be answered 'yes'.

Inspectors comments

n/a

Archaeology

14 Archaeology

Does the area contain or adjoin a listed archaeological site or monument, archaeological area, zones of archaeological amenity or World Heritage Sites? Yes

If 'yes' describe in Inspectors comments box below

The record of Monuments and Places (RMP) and iFORIS system will identify archaeological features in the area of the proposed activity.

Inspectors comments

Works in area C (see attached map) are in close proximity to a National monument. This part of the works should be referred to the National Monuments Service.

15 Referral to the National Monuments Service comments were received containing recommendations:

- | | |
|---|-----|
| 1. Specific conditions regarding buffer zones etc | n/a |
| 2. Archaeological Monitoring during ground preparation drainage works | n/a |
| 3. Archaeological Assessment | n/a |
| 4. Agree with proposal | n/a |

Landscape

16 Are the proposed works within an area that are likely to cause major changes in landscape character such as:

- | | |
|-----------------------------------|----|
| - Obstruction of views | No |
| - Changes in elevation | No |
| - Changes in landcover/vegetation | No |
| - Creation of ditches/dykes | No |
| - Changes in coastal defences | No |

If 'yes' to any of these question describe in Inspectors comments box below

Where it is thought that the activity will cause one or more of the above then the answer to this question must be 'yes'

Inspectors comments n/a

17

Is this site within a prime scenic area in the County Development Plan or within an area listed in the Inventory of Outstanding Natural Landscapes or in a Landscape Conservation Area? No

If 'yes' describe in Inspectors comments box below

County Development Plans are available on each of the County Council's websites.

Inspectors comments n/a

18

Were comments from the Local Authority requested? No

If 'yes' describe in Inspectors comments box below

Inspectors comments n/a

19

Were comments from the Local Authority received and examined? No

If 'yes' describe in Inspectors comments box below

Inspectors comments n/a

20

Designated Habitats: Nature reserves and national parks, special protection areas and areas of conservation designated pursuant to Directive 79/409/EEC and 92/43/EEC, SACs, etc Candidate, indicative and proposed sites are also included

Is this proposed area within a European or national designation, including; SAC, cSAC SPA, iSPA, NHA, pNHA Nature Reserves or National Parks? No

Is this proposed area within 3km upstream of a European or national designation including; SAC, cSAC, SPA, iSPA, NHA, pNHA, Nature Reserves or National Parks? No

If 'yes' describe in Inspectors comments box below

Inspectors comments n/a

22 Following referral to NPWS the following comments were received:

1. Agree with part of the proposal n/a

2. EIA recommended n/a

3. Agree with proposal n/a

Social

23

Do the proposed works impact on an area commonly used by the general public for recreation? No

If 'yes' describe in Inspectors comments box below

Inspectors comments n/a

24

Do the proposed works impact on a densely populated area? No

If 'yes' describe in Inspectors comments box below

Densely populated areas are the Cities: Dublin, Cork, Limerick, Galway, Waterford and Kilkenny

Inspectors comments n/a

Transfrontier

25 Transfrontier

Is the proposed application within 3km upstream of the border with Northern Ireland? No

Is the proposed application within 500m of the border with Northern Ireland? No

Will the proposed project be likely to have a significant transfrontier impact? No

If 'yes' describe in Inspectors comments box below

Inspectors comments n/a

Accidents

28

1. Is there a significant risk of accidents, having regard in particular to substances or technologies used? No

If 'yes' describe in Inspectors comments box below

Inspectors comments n/a

Comments

Comments n/a

Any significant potential effects identified above must be considered having regard in particular to:

- the extent of the impact (geographical area and size of the affected population)
- the transfrontier nature of the impact
- the magnitude and complexity of the impact
- the probability of the impact
- the duration, frequency and reversibility of the impact the combined impacts and interactions

Decision

2. The project may proceed n/a

3. The project exceeds the threshold for mandatory EIA and may not proceed without consent n/a

4. The project is likely to have a significant effects on the environment and may not proceed without consent n/a

5. The project is likely to damage a monument and may not proceed n/a

6. The project as constituted is likely to damage a monument but may proceed with modifications as listed: Yes

There is potential for damage to a National Monument in area C and therefore should be referred to the National Monuments Service.