



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

For official use only: 2023 EIA / S / 15

Date stamp:



Application for an EIA Screening Decision

Under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations S.I. No. 456 of 2021 (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: (Y)

(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 → UNREGISTERED LAND

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.	BORRIS	BORRIS	550 metres
3.			
4.			
5.			

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):

	Is project location <u>in</u> a sensitive area? Tick (✓)	Is project location <u>near</u> a sensitive area? 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 checked="" 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 type="checkbox"/>



300 meters from Sdc

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

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: 002162

Special Protected Area (SPA) Site Code: _____

Natural Heritage Area (NHA) Site Code: _____

Monument Record No: _____

Description of Monument: _____

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).

The Fields are used for Poulk-to
Poulk Racing by Carlow Farmers Hunt
and the ditches are a serious safety
issue to horses and participants



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

Name: _____

Company name: _____

Address: _____



FORM EIA1

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](#).



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://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) 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.





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

xxxxxx

xxxxxx

Our Ref: 2023-EIA-S-15

Department ID: xxxxxxxx

Date: 27/09/2023

Re: Application for an EIA Screening Decision

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

Dear Herdowner

I wish to acknowledge receipt on **26/09/2023** of your Application for an EIA Screening Decision in relation to proposed works on your land.

The following additional information is required:

- **A map which clearly identifies the land parcel(s) in question, and which shows the exact location where proposed hedgerows are to be removed and their lengths shown – please highlight the area in question in marker or heavy line(s).**

Under conditionality any hedgerow removed requires double the length of hedgerow to be planted prior to any removal so these replacement hedgerows should also be shown on the map.

The description is a little unclear, can this please be made clearer with more information regarding the proposed hedgerow removal.

Yours sincerely

Edel Doyle

EIA Section

Department of Agriculture, Food & the Marine

Johnstown Castle Est

Wexford

053 91 63425

Walsh, JoeT

From: EIA Screening
Sent: Thursday 25 January 2024 15:40
To: 'OCAE Support'
Cc: Environmental Impact Assessment
Subject: RE: 2023-EIA-S-15

Hi Shauna

We acknowledge receipt of your email and we have forwarded onto inspectorate team for there attention .

Regards

David

From: xxxxxxxxxxxx
Sent: Thursday, January 25, 2024 2:27 PM
To: EIA Screening <EIAScreening@agriculture.gov.ie>
Cc: xxxxxxxxxxxxxxxx
Subject: 2023-EIA-S-15

CAUTION: This Email originated from Outside of this department. Do not click links or open attachments unless you recognise the sender and know the content is safe. Otherwise Please Forward any suspicious Emails to Notify.Cyber@agriculture.gov.ie .

Dear Sir/Madam,

I would like to amend EIA Screening **2023-EIA-S-15** for xxxxx xxxxxxx

The screening allows for **632 m** of hedgerow removal from a field that is regularly used by Carlow Farmers Hunt for Point-to-Point racing. The ditches prove to be a serious safety hazard for horses and participants involved. Prior to removal, xxxxxx. xxxxxx had previously proposed to plant 1,543 m of replacement hedgerow, however, following up from a visit with an ecologist sent out through DAFM, the location of some of the new proposed hedgerows have changed. The total length of hedgerow that will be planted is now **1,748 m**.

Please see attached maps which clearly show the location and the length of the proposed new hedgerows and the hedgerows to be removed. The maps also include land parcel numbers, as requested.

Should there be any issues please let me know.

Kind Regards,

xxxxxxx
xxxxxx
xxxxx
xxxxxxxxx



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

Provision of Information for
Appropriate Assessment Screening:
Removal of hedgerow
on lands at Borris, Co. Carlow.

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1. Introduction

The following report details the information that was used to provide the information necessary to allow the competent authority, Department of Agriculture Food and the Marine (DAFM), to complete an Article 6(3) Screening for Appropriate Assessment (AA) for the removal of field boundaries on lands at Borris, Co. Carlow, 2023/EIA/S/15.

It is noted that under the Environmental Impact Assessment (Agriculture) Regulations (2011), the proposed works description, See Section 2.1, do exceed the established thresholds for EIA Screening (length of field boundary to be removed). Therefore, the proposed works are required to be considered for EIA, subject to screening validation following a site inspection by DAFM Inspectorate.

This report will only assess for potential impacts risks with regards to Article 6(3) of the Habitats Directive with regards to Appropriate Assessment of the proposed works. The assessment in this report is based initially on a desk assessment and further informed by a subsequent site walkover survey by DAFM Inspectorate Staff. It specifically assesses the potential for the proposed works to impact on European Sites (Special Areas of Conservation and Special Protection Areas). This report conclusion is to be considered in conjunction with the EIA inspectorate reporting conclusions as mentioned above.

This Report has been prepared in accordance with, and in consideration of, the following:

- European Commission 2021. Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC.
- European Commission. 2018. Commission notice: Managing Natura 2000 sites The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. Available at: www.ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm
- European Commission. Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.
- DEHLG. 2010. Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of Environment, Heritage & Local Government. Available at: www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf

1.1. Appropriate Assessment

1.1.1. Screening for Appropriate Assessment

Screening for Appropriate Assessment is the process for determining whether a Stage 2 Appropriate Assessment (Natura Impact Statement) is required for a plan or project by assessing the potential for likely significant impacts to the European Site network. Under Part XAB of the Planning and Development Act, 2000, as amended, screening must be carried out by the Competent Authority to assess, in view of best scientific knowledge, if a land-use plan or proposed development, individually or in combination with another plan or project, is likely to have a significant effect on a European Site. The Competent Authority's, DAFM, determination as to whether an Appropriate Assessment is required must be made on the basis of objective information and should be recorded and made publicly available. The competent authority may request relevant information to be supplied to enable it to carry out screening effectively.

Consultants or project proponents may undertake a form of screening (Stage 1) to establish if an Appropriate Assessment is required and provide advice or may submit the information necessary to allow the Competent Authority to conduct a screening with an application for consent.

Where it cannot be excluded, on the basis of objective information, if a plan or project, individually or in combination with other plans or projects will have a significant effect on a European Site, a Stage 2 (Natura Impact Statement) Appropriate Assessment of the plan or project is required. The screening for Appropriate Assessment, and Natura Impact Statement (if required) must be completed in view of best scientific knowledge available.

1.1.2. Appropriate Assessment (Natura Impact Statement)

Should the Screening for AA findings conclude that as a result of the proposed project, likely significant effects to the European Site network cannot be excluded, a Natura Impact Statement (NIS) is required. This is the second stage of the Appropriate Assessment process used to determine likely effects of plan or project defined in legislation, European Communities (Birds and Natural Habitats) Regulations 2011. An NIS, where required, should present the data, information and analysis necessary to reach a definitive determination as to 1) the implications of the plan or project, alone or in combination with other plans and projects, for potential significant impacts to a European Site in view of its conservation objectives, and 2) whether there will be adverse effects on the integrity of a European Site. The NIS should be underpinned by best scientific knowledge, objective information and by the precautionary principle.

2. Description of the Proposed Development

2.1. Site Location & Characteristics of the Proposed Works

Proposed works involve the removal of ca 614m of field boundaries on lands at Borris, Co. Carlow (see Application for EIA Screening dated 15/09/2023). Note that this application was submitted by xxxxxx xxxxx, under Herd Number xxxxxxx. The field was inspected by the Agricultural Inspectors on 08/12/2023 and a report is on file. The location of the works is shown in Figure 1.

The proposed works are sited on lands comprising grasslands, bordered by stone wall and hedgerow. The landscape is dominated by agricultural grasslands, whilst Borris Village is located to the north and the River Barrow and River Nore SAC (Site code: 002162) ca 240m south-west. The field boundaries proposed for removal are situated on the eastern boundaries of LPIS parcels xxxxxx and xxxxxxx. The other field boundary is located between LPIS parcels xxxxx, xxxxxx, xxxxxx and xxxxxxxx.

The linear field boundaries proposed for removal consist of dry vegetated drains, stone wall and hedgerow. The field boundary parallel to the farm track had some mature trees along its length. Frequently encountered hedgerow species included hawthorn, bramble and european gorse. Sheep were grazing the parcels at inspection. The soil type is coarse loamy drift with igneous and metamorphic stones¹.

The site hosts point-to-point horse racing. The applicant proposes to remove these linear features as they pose a serious safety issue to horses and participants. They also intend to replant double the linear length of hedgerow in alternate locations within the farm holding.

¹ SIS National Soils layer- [EPA Maps](#)

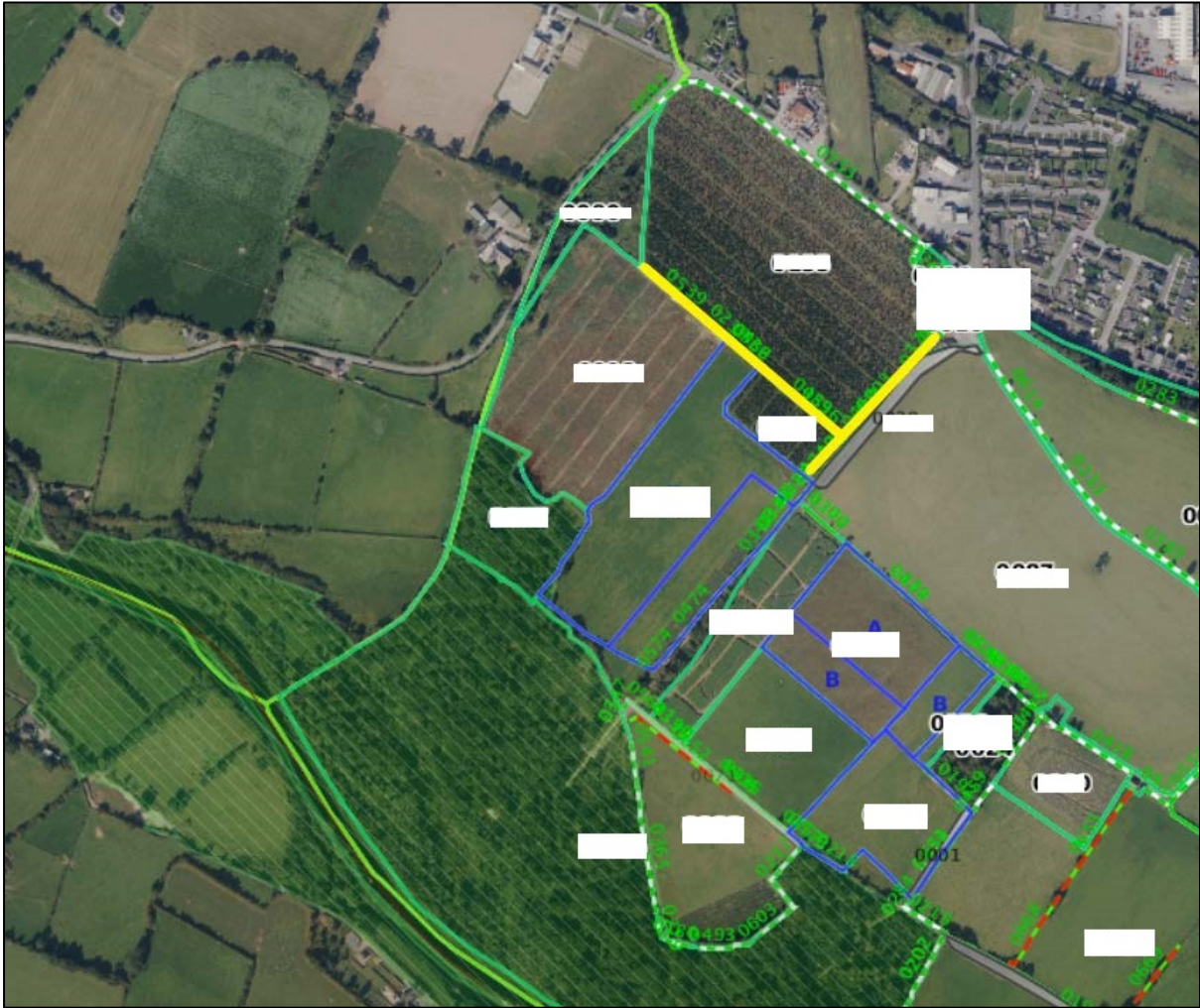


Figure 1. Location of proposed works at Borris, Borris, Co. Carlow from EIA Screening Application dated 15/09/2023). *Note: Yellow line showing location of proposed field boundary removal. Green hatch area displaying River Barrow and River Nore SAC.*

3. Identification of relevant European Sites

3.1. Background to European Sites

The Habitats Directive (92/43/EEC) (together with the Birds Directive (2009/147/EC)) forms the cornerstone of Europe's nature conservation policy. It is built around two pillars: the Natura 2000 network of protected sites ("European Sites") and the strict system of species protection associated with those sites. All in all the directive protects over 1,000 animal and plant species and over 200 "habitat types" (e.g. special types of forests, meadows, wetlands, etc.), which are of European Importance, and consequently of the highest priority level of conservation protection measures. With the introduction of the EU Habitats Directive and Birds Directive which were transposed into Irish law as S.I. No. 94/1997 *European Communities (Birds and Natural Habitats) Regulations 1997*, the European Union formally recognized the significance of protecting rare and endangered species of flora and fauna, and also, more importantly, their habitats. The 1997 regulations and the amendments were subsequently revised and consolidated on S.I. No. 477/2011 *European Communities (Birds and Natural Habitats) regulations 2011*. This legislation requires the establishment and conservation of a network of sites of particular conservation value that are to be termed "European Sites".

Habitats Directive/Special Areas of Conservation

Articles 3 – 9 of the EU Habitats Directive (92/43/EEC) provide the EU legislative framework of protecting rare and endangered species of flora and fauna, and habitats. Annex I of the Directive lists habitat types whose conservation requires the designation of Special Areas of Conservation (SAC). Priority habitats, such as Turloughs, which are in danger of disappearing within the EU territory are also listed in Annex I. Annex II of the Directive lists animal and plant species (e.g. Marsh Fritillary butterfly (*Euphydryas aurinia*), Atlantic Salmon (*Salmo salar*) and Killarney Fern (*Trichomanes speciosum*) whose conservation status and presence within an area also fits criteria for the designation of SAC status. Annex IV lists animal and plant species in need of the same degree of strict conservation protection, though they can occur outside of European Sites boundaries, such as Lesser Horseshoe Bat (*Rhinolophus hipposideros*) and Otter (*Lutra lutra*), and Annex V lists animal and plant species whose taking in the wild and exploitation may be subject to maintaining their population's favourable conservation status, under certain management measures. In Ireland, species listed under Annex V include Irish Hare (*Lepus timidus hibernicus*), Common Frog (*Rana temporaria*) and Pine Marten (*Martes martes*).

Species can be listed on more than one Annex, as is the case with Otter and Lesser Horseshoe Bat which are listed on both Annex II and Annex IV.

Birds Directive/Special Protection Areas

Council Directive 74/409/EEC of 2 April 1979 on the conservation of wild birds (Birds Directive) has been substantially amended several times. In the interests of clarity and rationality the said Directive was codified in 2009 and is now cited as Directive 2009/147/EC. The Directive instructs Member States to take measures to maintain populations of all bird species naturally occurring in the wild state in the EU (Article 2). Such measures may include the maintenance and/or re-establishment of habitats in order to sustain these bird populations (Article 3).

A subset of bird species has been identified in the directive and listed in Annex I as requiring special conservation measures in relation to their habitats. These species have been listed on account of inter

alia: their risk of extinction, vulnerability to specific changes in their habitat, and/or due to their relatively small population size or restricted distribution. Special Protection Areas (SPAs) are to be identified and classified for these Annex II listed species and for regularly occurring migratory species, paying particular attention to the protection of wetlands (Article 4).

3.2. Identification of the Designated Sites within the Likely Zone of Influence.

The most up to date GIS datasets for European designated sites were consulted from the NPWS website (www.npws.ie), and EPA Appropriate Assessment Tool² and the following rationale was used to assess which sites occur within the likely zone of influence of the proposed works.

Initially, sites within a 15km radius of the proposed works were identified (following the DEHLG Guidance, 2010³). In addition, using the precautionary principle, European Sites outside the 15km buffer zone were also taken into account and assessed where potential pathways for impact were identified and particularly where hydrological connectivity could be established. In this case, no potential effects on sites located outside the 15km zone were identified.

Any likely direct or indirect impacts of the proposed development, both alone and/or in combination with other plans and projects, on European Sites by virtue of the following criteria: size and scale, land take, distance from European Site or key features of the site, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction/operation have been considered in this Screening Assessment.

Table 3.1 provides the Screening Assessment and identification of the European Sites located within the likely zone of influence. The site synopsis and conservation objectives of these sites, as per the NPWS website, were considered at time of preparation of this report.

² <https://gis.epa.ie/EPAMaps/AAGeoTool>

³ DEHLG. 2010. Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of Environment, Heritage & Local Government. Available at: www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf

Table 3.1: Designated sites within the Likely Zone of Influence, with screening recommendation⁴ for proposed works involving the proposed removal of filed boundaries on lands at Borris, Co. Carlow, application for EIA Screening dated 15/09/2023.

European Site, Site Code and Distance from Proposed Works	Qualifying Interests (QIs)/Special Conservation Interests (SCIs) for which the European Site has been designated (* Priority Habitat)	Conservation Objectives	Screening (in/out) and rationale
River Barrow and River Nore SAC 002162 ca 240m SW of project	<p>Habitats</p> 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1170 Reefs 1310 <i>Salicornia</i> and other annuals colonising mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and the <i>Callitricho-Batrachion</i> vegetation 4030 European dry heaths 6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels 7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>) 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padoin</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) <p>Species</p> 1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) 1029 Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) 1092 White-clawed Crayfish (<i>Austropotamobius pallipes</i>)	Detailed conservation objectives for this site were reviewed as part of the assessment and are available at: Site specific cons obj (npws.ie)	<p>Screen out.</p> <p>The SAC is located partially in the same WFD catchment (Barrow 14) and sub-catchment (Barrow_SC_140) as the project. There are no surface hydrological features or flooding risk on or adjoining the project site, so there is no possibility of significant effects on the European site through a surface hydrology pathway.</p> <p>The project site is partially located within the Mountain <i>Margarifera</i> SAC Catchment, however there is no hydrological connectivity between site and watercourses. Therefore, no negative impacts on this QI are foreseen.</p> <p>Due to the nature of the Qualifying Interests and the lack of source-receptor pathways, there is no likelihood of effects on the Conservation Objectives of this SAC.</p>

⁴ Based on potential sources & pathways, the nature of the receptor, & excluding any mitigation measure, is there a possibility of the project itself (i.e. 'alone') having a significant effect, on this European Site(s)?

European Site, Site Code and Distance from Proposed Works	Qualifying Interests (QIs)/Special Conservation Interests (SCIs) for which the European Site has been designated (* Priority Habitat)	Conservation Objectives	Screening (in/out) and rationale
	1095 Sea Lamprey (<i>Petromyzon marinus</i>) 1096 Brook Lamprey (<i>Lampetra planeri</i>) 1099 River Lamprey (<i>Lampetra fluviatilis</i>) 1103 Twaite Shad (<i>Alosa fallax fallax</i>) 1106 Salmon (<i>Salmo salar</i>) 1355 Otter (<i>Lutra lutra</i>) 1421 Killarney Fern (<i>Trichomanes speciosum</i>) 190 Nore Pearl Mussel (<i>Margaritifera durrovensis</i>)		
Blackstairs Mountains SAC 000770 ca 9.0km SE of project	Habitats 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> 4030 European dry heaths	Detailed conservation objectives for this site were reviewed as part of the assessment and are available at: Blackstairs Mountains SAC National Parks & Wildlife Service (npws.ie)	Screen out. The SAC is located partially in the same WFD catchment (Barrow 14) and sub-catchment (Barrow_SC_140) as the project. There are no surface hydrological features or flooding risk on or adjoining the project site, so there is no possibility of significant effects on the European site through a surface hydrology pathway. Due to the nature of the Qualifying Interests and the lack of source-receptor pathways, there is no likelihood of effects on the Conservation Objectives of this SAC.
Slaney River Valley SAC 000781 ca 14.4km NE of project	Habitats 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide	Detailed conservation objectives for this site were reviewed as part of the assessment and are available at: Site specific cons obj (npws.ie)	Screen out. The SAC is located in a different WFD catchment and sub-catchment as the project. There are no surface

European Site, Site Code and Distance from Proposed Works	Qualifying Interests (QIs)/Special Conservation Interests (SCIs) for which the European Site has been designated (* Priority Habitat)	Conservation Objectives	Screening (in/out) and rationale
	<p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and the <i>Callitriche-Batrachion</i> vegetation</p> <p>91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padoin</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p> <p>Species</p> <p>1029 Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>)</p> <p>1095 Sea Lamprey (<i>Petromyzon marinus</i>)</p> <p>1096 Brook Lamprey (<i>Lampetra planeri</i>)</p> <p>1099 River Lamprey (<i>Lampetra fluviatilis</i>)</p> <p>1103 Twaite Shad (<i>Alosa fallax fallax</i>)</p> <p>1106 Salmon (<i>Salmo salar</i>)</p> <p>1355 Otter (<i>Lutra lutra</i>)</p> <p>1365 Harbour Seal (<i>Phoca vitulina</i>)</p>		<p>hydrological features or flooding risk on or adjoining the project site, so there is no possibility of significant effects on the European site through a surface hydrology pathway.</p> <p>The project site is partially located within the Mountain <i>Margaritifera</i> SAC Catchment, however there is no hydrological connectivity between site and watercourses. Therefore, no negative impacts on this QI are foreseen.</p> <p>Due to the nature of the Qualifying Interests and the lack of source-receptor pathways, there is no likelihood of effects on the Conservation Objectives of this SAC.</p>

4. Identification and Description of Effects

Ecological receptors of the potentially affected European Sites that are sensitive to potential impacts from the proposed development are species/habitats for which the sites are designated. The characteristics, location and scale of the proposed works together with the ecological requirements of the conservation interests of the European Sites potentially affected have been taken into consideration in identifying potential impacts.

4.1. Elements of the proposed works with potential to give rise to significant effects

The proposed works involve the removal of ca 614m of stone wall and hedgerow that form field boundaries on lands at Borrris, Co. Carlow. Details of works outlined in Section 2, above.

Given the nature and scale of the works, no potential exists for direct or indirect impacts to the European Site Network as a result of the proposed works (See Section 3, above)

4.2. In-combination/ Cumulative Impacts

It is a requirement of Appropriate Assessment that the combined effects of the proposed works together with other plans and projects⁵ in the area be considered. A search of the local planning applications online planning search tool found there were no relevant planning applications in proximity to the works that would contribute to any in-combination impact risk to European Sites. Desktop studies found no other applications or potential projects that are proposed within the vicinity of the proposed works area. Based on the absence of potential impacts due to the proposed works in isolation, it is concluded that there is no potential for cumulative or in-combination impacts to occur.

⁵ [ePlan::Find a planning application \(eplanning.ie\)](http://ePlan::Find a planning application (eplanning.ie))

5. Article 6(3) Screening Statement and Conclusions

The findings of the Screening Assessment are presented following:

- European Commission 2021. Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC.
- DEHLG. 2010. Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of Environment, Heritage & Local Government. Available at: www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf

5.1. Assessment of Significance of Effects

Are the works directly connected with or necessary to the management of any European Site?

The project site is not directly located within the boundaries of identified European Sites:

- River Barrow and River Nore SAC 002162
- Blackstairs Mountains SAC 000770
- Slaney River Valley SAC 000781

The nature of the works will not alter the nature or characteristics of the European Sites in question, the land use and characteristics of the European Sites will not change and there is no significant risk likely to the Conservation Objectives of these European Sites. Therefore, there is no risk of significant negative direct or indirect effects on the European Sites identified within this report.

Are there any other projects or plans that together with the proposed works being assessed could affect any European Site?

No, there are no active plans or projects that would contribute to in-combination or cumulative effects with the proposed works resulting in potential negative impacts to the identified European Sites. Therefore, cumulative or in-combination impacts are not anticipated to the Natura 2000/European Site Network as a result of the proposed works.

Describe how the works are likely to affect the European Sites

The proposed works will not have any significant effects on any European Sites. Complete impact source-pathway-receptor chains for direct or indirect effects were not identified.

Explain why these effects are not considered significant

- There will be no negative direct or indirect effects or reduction in any habitat area within any European Site.
- There will be no reduction in key habitats supporting populations of Annex I (Birds Directive) bird species and no reduction in the populations of any Annex II (Habitats Directive) species.
- The works themselves will not involve disruption or disturbance above routine agricultural activity as is typical in the region during the completion of the proposed works.

5.2. Data Reviewed during the Assessment

In preparation of the report, the following sources were used to gather information and inform the assessment findings:


- Review of NPWS Site Synopses, Conservation Objectives for the European Sites.

- Review of online web-mappers: National Parks and Wildlife Service (NPWS), Teagasc, EPA, Water Framework Directive (WFD), Geological Survey of Ireland (GSI) and Irish Wetland Bird Survey (I-WeBS).
- Review of Prime 2 Water datasets from OSI.
- Review of Bird Atlases (Sharrock; 1976, Lack, 1986; Gibbons et al 1993; Balmer et al, 2013).
- Review of Birds of Conservation Concern in Ireland 2020 – 2026 (Gilbert, Stanbury and Lewis (2021).
- Review of OS maps and aerial photographs of the site of the proposed works.
- Review of relevant natural environment databases including National Biodiversity Data Centre.
- Review of plans and projects in the area.

5.3. Concluding Statement

In view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European Sites, it is concluded that the proposed works, whether individually or in combination with other plans or projects, beyond reasonable scientific doubt will not have significant effects on any European Sites.

There is no requirement for Stage 2 Appropriate Assessment.

 <p>An Roinn Talmhaíochta, Bia agus Mara Department of Agriculture, Food and the Marine</p>	<p>Prepared by Michael Chapman Department of Agriculture, Food & the Marine 21/12/2023</p>
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APPENDIX: Locations for Approved works.



Figure 1. Location of proposed works at Borris, Co. Carlow (from EIA Screening Application dated 15/09/2023). Note: Yellow line showing location of proposed field boundary removal. Green hatch area displaying River Barrow and River Nore SAC.



Dr Leanne Roche,
Agricultural Inspector,
Nitrates and Biodiversity Division,
DAFM,
Johnstown Castle,
Co. Wexford.

05/01/2024

Re: 2023-EIA-S-15

Herd number: xxxxxx

Dear Leanne,

This application was for the proposed removal of ca 614m of stone wall and hedgerow (field boundaries on parcels xxxxx, xxxxx, xxxxxxxx and xxxxx) on lands at Borris, Co. Carlow (see Appendix).

I have reviewed the above application and carried out a desk-based assessment which was also informed from the AES inspectors site visit report to inform Screening for Appropriate Assessment and EIA Screening. The following is my recommendation:

I recommend that the application for screening is approved 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.

Yours sincerely,

Michael Chapman
DAFM Ecologist



An Roinn
**Talmhaíochta,
Bia agus Mara**

Department of
**Agriculture,
Food and the Marine**

**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:	XXXXXXXXXX
Business Name:	XXXXXX XXXXXXXX
Business Address:	XXXXXXXXXXXXXX
Reference No:	XXXXXXXXXX
Inspecting Officer:	Martina Walsh
Date Signed Off:	08/12/2023

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? **Yes**

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

No previous applications applied for.

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

Abundance of hedgerows, woodland and forestry present on the estate.

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? Yes

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

See Section 4.2.6

Inspectors comments

Part of parcels within the FWP Catchment (6km zone) however proposed works should have no effect on this catchment area.

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

Abundance of hedgerows, woodland and forestry present on the estate.

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

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

Part of parcels within the FWP Catchment (6km zone) however proposed works should have no effect on this catchment area.

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

Listed monument (CW022-004 (NMS)) is within 70-80m of the proposed works; these works should have no impact on this site. Applicant stated that his father sought to have this site listed many years ago and he believes that it is incorrectly listed. Described on NMS as concentration of stones and larger boulders that are probably formed part of the landscape design associated with Borris House and the area was heavily overgrown at the time of their inspection.

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

Borris is within the Barrow River Valley on the Carlow Council Landscape Character Areas and are described as farmed lowlands area of decreasing landscape sensitivity.

18

Were comments from the Local Authority requested? n/a

If 'yes' describe in Inspectors comments box below

Inspectors comments n/a

19

Were comments from the Local Authority received and examined? n/a

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? Yes

If 'yes' describe in Inspectors comments box below

Inspectors comments

River Barrow & River Nore SAC (002162) is 240m west of the proposed works. The intended works will have no direct connectivity to this SAC area.

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

xxxx. xxxxxx intends to remove approximately 614m of field boundaries. These field boundaries contain a base of stonewalls with hedgerows which have developed naturally. The hedgerows consist of whitethorn, furse and bramble with some tree species dispersed along both lengths identified for removing. Maintenance work has been carried out the field boundary close to the monument where the applicant has carried out coppicing of the hedge. There is a dry drainage ditch at one side of both lengths of hedgerow which is fully vegetated. The proposed works will not pose any risk of sediment flowing down stream or to the River Barrow and River Nore SAC. The listed archaeological monument is c. 70-80m outside the proposed works and should have no impact on this site. There are no badger setts present (both sides of the two lengths of hedgerows inspected) and verified from WAU database prior to the inspection.

xxxxx. xxxxxx intends to plant the replacement hedge in parcels xxxxxx, xxxxx, xxxxx, xxxxxxx, xxxxx, xxxxxx and xxxxxx. He has changed the location of hedge to be planted in these parcels and was asked to forward a revised map to identify the updated location of the proposed hedges. There are no issues found on the ground to impede the works from being carried out. In my opinion, the proposal should be allowed to proceed, subject to the applicant meeting all requirements of the replacement hedgerow.

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 | Yes |
| 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: n/a

It is recommended that the proposal should be allowed to proceed, subject to the applicant meeting conditionality requirements.



XXXXXX

XXXXXX

XXXX

Our Ref: 2023/EIA/S/15

Department ID: XXXXXX

Date: 12/01/2024

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 **26/09/2023**. 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 may proceed. The activity approved is for removal of 614 metres of stone wall and hedgerow (field boundaries on **LPIS parcels XXXXXX, XXXXXX, XXXXXX and XXXXXX**) on lands at Borris, Co. Carlow (see map in Appendix).

Please be aware that this approval is on the basis that a replacement hedgerow of 1228 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 **11/01/2027**. 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 Marines 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



Length :247.641 m
Length :249.530 m

 MEASURE DISTANCE

 MEASURE AREA

 GET COORDINATES

CLEAR MEASURES



COPY URL TO CLIPBOARD



hedge
Removal

Barrow
+
Nore
SAC



CLEAR MEASURES

Placeholder text for a URL or description, rendered as blurred content.

COPY URL TO CLIPBOARD

This is a computer Generated Map

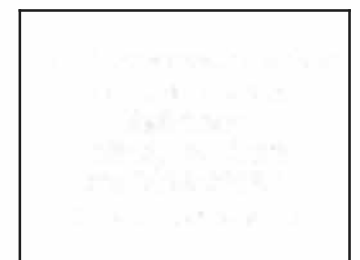
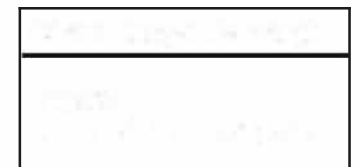
County: Carlow



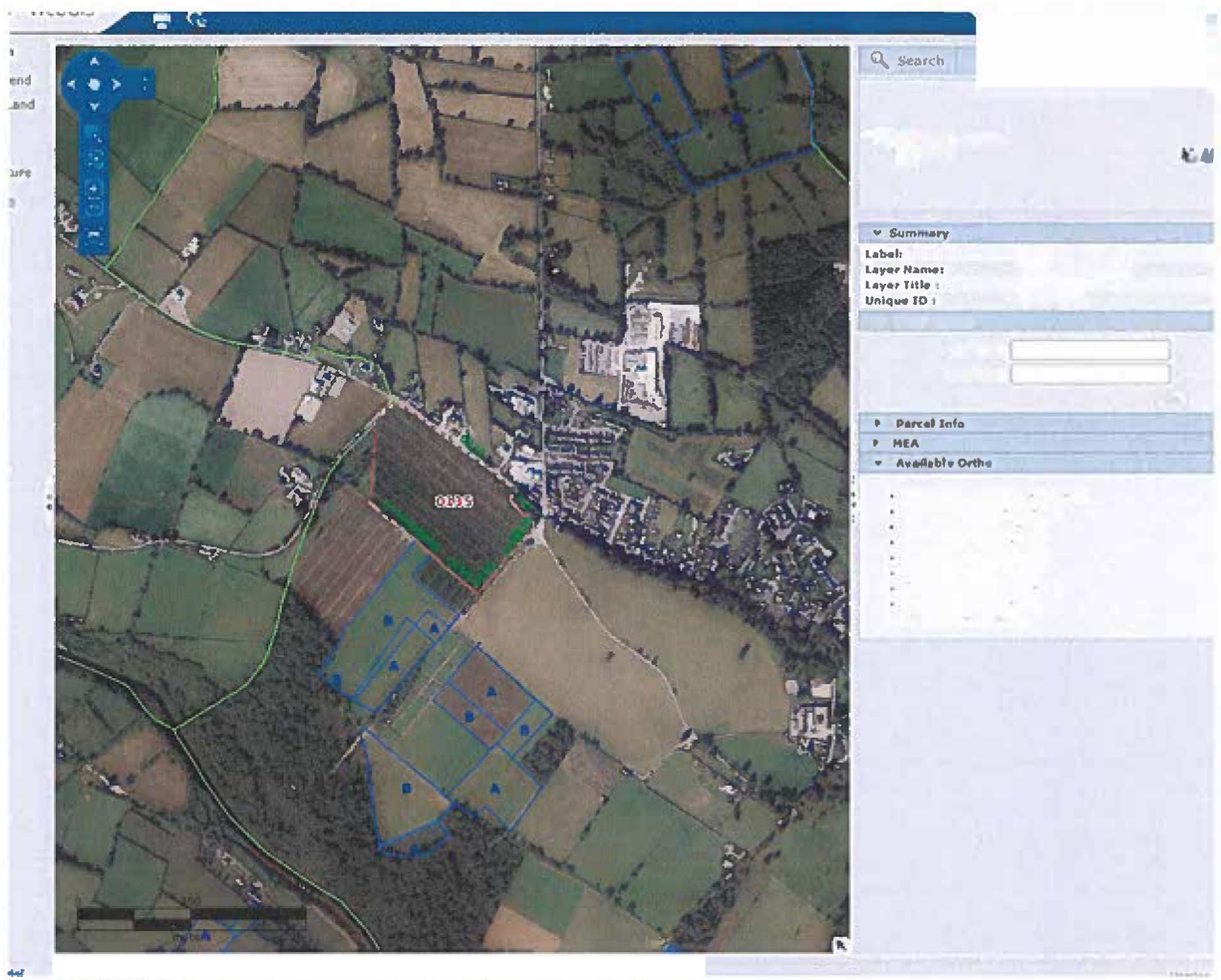
— New Hedgerows

Google Satellite

New Hedges	Length (m)
1	374
2	633
3	536



Date:	2023-10-16
Ref No:	
Figure No:	



Parcel is now

Claimants Details 1

Scheme year: 2022

	Digitised Area	Ref. Area	Max. Eligible Area	Claimed Area	Comm FR.	Comm Ev.	Parcel Use
A1D/03RZ	8.20		8.20	8.20			Grass Year 3
Total Digitised Area 0 ha		Total MEA Area 0 ha		Total Declared area 8.20 ha			

Parcel Search:

Parcel Id:

Close

Parland	County	Digitised Area	Reference Area	MEA	Start Active	End Active
---------	--------	----------------	----------------	-----	--------------	------------

DRRS	CARLOW	8.23	8.18	8.18	05-07-2023	
------	--------	------	------	------	------------	--

Parcel History

DRRS	CARLOW	8.20	8.20	8.20	11-09-2020	05-07-2023
------	--------	------	------	------	------------	------------

View Claimants Parcel History

This is a computer Generated Map

County: Carlow

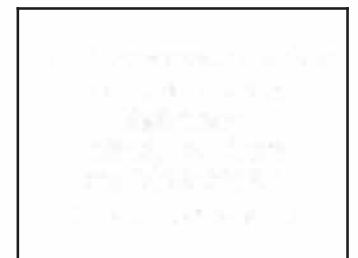
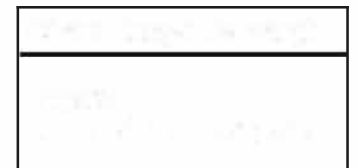


Legend

 New Hedgerows

Google Satellite

New Hedges	Length (m)
1	374
2	633
3	536



Date:	2023-10-16
Ref No:	
Figure No:	



Length :298.687 m

Length :224.972 m

This is a computer Generated Map

County: Carlow



 Hedgerow Removal
Google Satellite

Hedgerow	Length (m)
1	346
2	286



Date: 2023-10-16
Ref No:
Figure No:

Walsh, JoeT

From: Murphy, DavidN
Sent: Friday 26 January 2024 09:56
To: Roche, Leanne; EIA Screening; Doyle, Edel
Cc: Environmental Impact Assessment
Subject: RE: 2023-EIA-S-15

Thanks Leanne

David

From: Roche, Leanne <leanne.roche@agriculture.gov.ie>
Sent: Friday, January 26, 2024 9:50 AM
To: EIA Screening <EIAScreening@agriculture.gov.ie>; Doyle, Edel <Edel.Doyle@agriculture.gov.ie>
Cc: Environmental Impact Assessment <xEIAScreening@agriculture.gov.ie>
Subject: RE: 2023-EIA-S-15

Hi David,

No this is not a proposal for amended works. It is only an amendment to where the replacement hedgerow will go. Just acknowledge receipt please,

Thanks,

Leanne

From: EIA Screening <EIAScreening@agriculture.gov.ie>
Sent: Friday, January 26, 2024 9:27 AM
To: Roche, Leanne <leanne.roche@agriculture.gov.ie>; Doyle, Edel <Edel.Doyle@agriculture.gov.ie>
Cc: Environmental Impact Assessment <xEIAScreening@agriculture.gov.ie>
Subject: FW: 2023-EIA-S-15

Hi Leanne

Do we need to reply to applicant and give the all clear to proceed with amended works ?.

Thanks

David

From: Murphy, DavidN <DavidN.Murphy@agriculture.gov.ie>
Sent: Friday, January 26, 2024 9:16 AM
To: Roche, Leanne <leanne.roche@agriculture.gov.ie>; EIA Screening <EIAScreening@agriculture.gov.ie>; McEvoy, Oliver <Oliver.McEvoy@agriculture.gov.ie>; Chapman, Michael <Michael.Chapman@agriculture.gov.ie>; Doyle, Edel <Edel.Doyle@agriculture.gov.ie>
Cc: Environmental Impact Assessment <xEIAScreening@agriculture.gov.ie>
Subject: RE: 2023-EIA-S-15

Thanks for quick reply Leanne .

Edel would you add all correspondence and maps from EIA inbox onto file please

Thanks

David

From: Roche, Leanne <leanne.roche@agriculture.gov.ie>
Sent: Thursday, January 25, 2024 4:49 PM
To: EIA Screening <EIAScreening@agriculture.gov.ie>; McEvoy, Oliver <Oliver.McEvoy@agriculture.gov.ie>; Chapman, Michael <Michael.Chapman@agriculture.gov.ie>
Cc: Environmental Impact Assessment <xEIAScreening@agriculture.gov.ie>
Subject: RE: 2023-EIA-S-15

As this is only a change to where the replacement hedgerow will go its fine to add to existing file as doesn't change anything for proposed works or assessment.

In a case where an applicant is amending the proposed works it will then need to be considered a new application and new assessments would need to be completed.

Thanks,

Leanne

From: EIA Screening <EIAScreening@agriculture.gov.ie>
Sent: Thursday, January 25, 2024 3:38 PM
To: Roche, Leanne <leanne.roche@agriculture.gov.ie>; McEvoy, Oliver <Oliver.McEvoy@agriculture.gov.ie>; Chapman, Michael <Michael.Chapman@agriculture.gov.ie>
Cc: Environmental Impact Assessment <xEIAScreening@agriculture.gov.ie>
Subject: FW: 2023-EIA-S-15

Hi ALL

Please find attached requested amendment for 2023-EIA-S-15 .Does this need to be put up as a new application or can a amendment be made .

Regards

David

From: xxxxxxxx
Sent: Thursday, January 25, 2024 2:27 PM
To: EIA Screening <EIAScreening@agriculture.gov.ie>
Cc: xxxxxxxxxxxx
> **Subject:** 2023-EIA-S-15

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Dear Sir/Madam,

I would like to amend EIA Screening **2023-EIA-S-15** for xxxx. xxxxxx xxxx.

The screening allows for **632 m** of hedgerow removal from a field that is regularly used by Carlow Farmers Hunt for Point-to-Point racing. The ditches prove to be a serious safety hazard for horses and participants involved. Prior to removal, xx. xxxxxx had previously proposed to plant 1,543 m of replacement hedgerow, however, following up from a visit with an ecologist sent out through DAFM, the location of some of the new proposed hedgerows have changed. The total length of hedgerow that will be planted is now **1,748 m**.

Please see attached maps which clearly show the location and the length of the proposed new hedgerows and the hedgerows to be removed. The maps also include land parcel numbers, as requested.

Should there be any issues please let me know.

Kind Regards,

xxxxxxx
xxxxxx
xxxxxxx

Walsh, JoeT

From: xxxxxxxxxxxx
Sent: Monday 23 October 2023 12:04
To: EIA Screening
Cc:
Subject: EIA Screening Application (REF; 2023-EIA-S-15)
Attachments: New Purposed Hedgerows, fig;1.1.jpeg; New Purposed Hedgerows, fig;1.2.jpeg; Purposed Hedgerow removal, fig;1.3.jpeg

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Dear Sir/Madam,

I am following up on an application for an EIA Screening Decision made by xxxxx. xxxxx xxxxx (**REF: 2023-EIA-S-15**).

xxxx. xxxxxxxx sent in a screening application as he wishes to remove 632 m of hedgerow from a field that is regularly used by Carlow Farmers Hunt for Point-to-Point racing. The ditches prove to be a serious safety hazard for horses and participants involved. Prior to removal, xxxxx. xxxxx has proposed to plant 1,543 m of replacement hedgerow.

Please see attached maps which clearly show the location and the length of the proposed new hedgerows and the hedgerows to be removed. The maps also include land parcel numbers, as requested.

Should there be any other issues please let me know.

Kind Regards,

xxxxxxx
xxxxx

xxxxxxx
xxxxx

Walsh, JoeT

From: EIA Screening
Sent: Thursday 25 January 2024 15:38
To: Roche, Leanne; McEvoy, Oliver; Chapman, Michael
Cc: Environmental Impact Assessment
Subject: FW: 2023-EIA-S-15
Attachments: 1.1 New Proposed Hedgerow.pdf; 1.2 New Purposed Hedgerows.pdf; 1.3 Purposed Hedgerow removal.pdf

Hi ALL

Please find attached requested amendment for 2023-EIA-S-15 .Does this need to be put up as a new application or can a amendment be made .

Regards

David

From: xxxxxxxxxxxx
Sent: Thursday, January 25, 2024 2:27 PM
To: EIA Screening <EIAScreening@agriculture.gov.ie>
Cc: xxxxxxxxxxxx
Subject: 2023-EIA-S-15

CAUTION: This Email originated from Outside of this department. Do not click links or open attachments unless you recognise the sender and know the content is safe. Otherwise Please Forward any suspicious Emails to Notify.Cyber@agriculture.gov.ie .

Dear Sir/Madam,

I would like to amend EIA Screening **2023-EIA-S-15** for xxxxxxxxxxxx

The screening allows for **632 m** of hedgerow removal from a field that is regularly used by Carlow Farmers Hunt for Point-to-Point racing. The ditches prove to be a serious safety hazard for horses and participants involved. Prior to removal, xxxxxxxx had previously proposed to plant 1,543 m of replacement hedgerow, however, following up from a visit with an ecologist sent out through DAFM, the location of some of the new proposed hedgerows have changed. The total length of hedgerow that will be planted is now **1,748 m**.

Please see attached maps which clearly show the location and the length of the proposed new hedgerows and the hedgerows to be removed. The maps also include land parcel numbers, as requested.

Should there be any issues please let me know.

Kind Regards,

xxxxxxxxxx

xxxxxx

xxxxxx

Walsh, JoeT

From: Roche, Leanne
Sent: Tuesday 26 September 2023 16:16
To: Doyle, Edel
Cc: Chapman, Michael
Subject: RE: 2023 EIA-S-15

Hi Edel,

Ive just reworded slightly but this can be put in letter:

Can clearer maps please be provided which clearly show the parcels with proposed hedgerows to be removed and their lengths shown. Under conditionality any hedgerow removed requires double the length of hedgerow to be planted prior to any removal so these replacement hedgerows should also be shown on the map. The description is a little unclear, can this please be made clearer with more information regarding the proposed hedgerow removal.

I would wait for the clearer maps and then submit to NPWS for views,

Thanks,

Leanne

From: Doyle, Edel <Edel.Doyle@agriculture.gov.ie>
Sent: 26 September 2023 15:29
To: Roche, Leanne <leanne.roche@agriculture.gov.ie>
Cc: Chapman, Michael <Michael.Chapman@agriculture.gov.ie>
Subject: RE: 2023 EIA-S-15

Thanks Leanne. Is it ok to say what you have listed below to the applicant in a letter and will I forward it to NPWS or wait until we receive the clearer maps and more info before we do this.

Thanks
Edel

From: Roche, Leanne <leanne.roche@agriculture.gov.ie>
Sent: Tuesday, September 26, 2023 3:15 PM
To: Doyle, Edel <Edel.Doyle@agriculture.gov.ie>
Cc: Chapman, Michael <Michael.Chapman@agriculture.gov.ie>
Subject: RE: 2023 EIA-S-15

Hi Edel,

Thanks for this. Yes can you please request clearer maps which clearly show the parcel with the proposed hedgerows to be removed and their lengths shown. Under conditionality any hedgerow removed requires double the length of hedgerow to be planted prior to any removal so these replacement hedgerows should also be shown on the map. Also the description is not clear to me so if this could be submitted clearer and with further information that would be great,

Thanks,

Leanne

From: Doyle, Edel <Edel.Doyle@agriculture.gov.ie>

Sent: 26 September 2023 14:42

To: Environmental Impact Assessment <xEIAScreening@agriculture.gov.ie>

Cc: Roche, Leanne <leanne.roche@agriculture.gov.ie>; Chapman, Michael <Michael.Chapman@agriculture.gov.ie>

Subject: 2023 EIA-S-15

Hi Folks,

Please find attached for your attention a new EIA Screening Application. If you require any further information please let me know.

Leanne,

Can you please advise if I need to request clearer maps from this applicant and also if it needs to be referred to NPWS as it is in a special area of conservation.

Kind Regards,

Edel Doyle

EIA and Biodiversity