



An Roinn
Ealaíon, Oidhreacht agus Gaeltachta
Department of
Arts, Heritage and the Gaeltacht

23rd March 2012

Josephine Kennedy,
 Office of Climate, Licensing & Resource Use,
 Environmental Protection Agency,
 Regional Inspectorate,
 McCumiskey House,
 Richview,
 Clonskeagh Road,
 Dublin 14.



Our Ref: E00071/2012

Your Ref: P0830-02

Re: Whitegate power station IPPC licence (Co. Cork)

A chara,

I refer to your correspondence of 2 March 2012 re the above IPPCL application. Outlined below are the observations of the Department of Arts, Heritage and the Gaeltacht relating to nature conservation.

The surface water discharge point (to bay) is within 1km of the boundary of the Whitegate Bay part of Cork Harbour Special Protection Area (4030), a European site designated for a range of wintering bird species and for waterfowl and wetlands (see www.npws.ie for site conservation objectives and site synopsis), and a site listed in the EPA Register of Protected sites.

Under Regulation 42(1) of the European Communities (Birds and Natural Habitats Regulations 2011) (S.I. No. 477 of 2011), a public authority shall carry out a screening for a Habitats Directive Appropriate Assessment of a proposed project, "which is not directly connected with or necessary to the [conservation] management of the site as a European site", and "in view of the best scientific knowledge and in view of the conservation objectives of the site" to determine if the project "is likely to have a significant effect on the European site." Guidance on screening for Appropriate Assessment is given in DEHLG (2009) *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Local Authorities*¹.

Also, under Regulation 61(1) of the above Regulations, a public authority "shall retain all records of ... the conclusions of any screening for Appropriate Assessment pursuant to the Habitats Directive and the reasons therefore ... for a period of at least 12 years, or such longer period as the Minister may ... specify."

The assessment, and especially the cumulative (in-combination) part, should take into account the analyses and results of the Screening for Appropriate Assessment (December 2011) for licence application P0266-02.

Kindly forward any further information to the following address (NB change of address for your records & for future written communications):

¹ www.npws.ie/media/npws/publications/codesofpractice/AA%20Guidance%2010-12-09.pdf

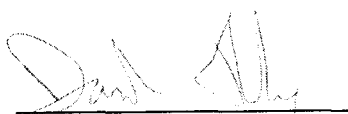
The Manager,
Development Applications Unit,
Department of Arts, Heritage and the Gaeltacht,
Newtown Road,
Wexford.

Alternatively, documentation associated with the above can be referred electronically to the DAU at the following address:

manager.dau@ahg.gov.ie

In addition, please acknowledge receipt of these observations by return to the above email address, entering **E00071/2012** in the 'Subject' cell.

Mise le meas,



David Tuohy,
Development Applications Unit
Department of Arts, Heritage and the Gaeltacht
Newtown Road
Wexford
Tel: (053) 911 7380

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Josephine Kennedy


From: David Tuohy - (DAHG) <David.Tuohy@ahg.gov.ie>
Sent: 23 March 2012 12:06
To: Josephine Kennedy
Subject: Whitegate Power Station - IPPC Licence - Nature conservation obs
Attachments: E00071-2012 23.3.12.pdf; ATT00001..txt; ATT00002..htm

Josephine,

Further to your letter of 2nd March re: the above IPPC licence application, please find attached the nature conservation observations of the Department of Arts, Heritage and the Gaeltacht.
Please acknowledge receipt of same.

Kind Regards,

David Tuohy
Development Applications Unit,
Heritage Policy and Architectural Protection,
Phone: +353 53 9117380

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Department of
Arts, Heritage and the Gaeltacht

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