PROPOSED GAS TERMINAL AT BELLANABOY BRIDGE, BELLANAGELLY SOUTH, CO. MAYO & ASSOCIATED PEAT DEPOSITION SITE AT SRAHMORE AND ATTAVALLY, BANGOR, CO. MAYO.

PLANNING REGISTER REFERENCE P03/3343

PLANNING REPORT & RECOMMENDATION.

Iain Douglas
Senior Planner
29th April 2004

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1. INTRODUCTION.

This planning application, submitted by Shell E&P Ltd., is for the construction of a Gas Terminal for the processing of natural gas for distribution to the national gas grid.

The processes to be undertaken in the Gas Terminal remain the same as the previous Planning Application P01/900 (Refused on Appeal by An Bord Pleanala Ref.Pl 16.126073). The development now proposed is principally the same as the previous with the exception of the engineering approach to the disposal of peat excavated for the construction of the terminal platform and changes to the development consequential to that difference of approach.

The proposed development now consists of two separate elements, firstly, the site for the gas terminal located at Bellanaboy and secondly a site at Srahmore/Attavally for the reception and deposition of peat excavated from the terminal footprint.

To facilitate the transportation of the peat between the two sites Local Roads L-1204 running from (Bellanaboy Bridge to Srahmore) and L-1244 will be designated haul routes. Improvement and strengthening of the road will be required and Mayo County Council, as Roads Authority, will carry out the road upgrade works.

I inspected both sites on 14th January 2004, 2nd April 2004 and 21st April 2004.

I visited an in-land gas terminal at Anjum in The Netherlands, on 29th March 2004. The gas terminal at Anjum is similar in size (output) to that proposed in Bellanaboy but is different in two aspects, firstly the gas wells are located on site as the gas field is inland and secondly the slug-catcher was not in place although the gantry to support it was. The actual slug-catcher is not required at Anjum at the present time, unlike Bellanaboy where the slug-catcher will be operational from the start.

2. LOCATION & DESCRIPTION OF THE SITES.

The Terminal Site.

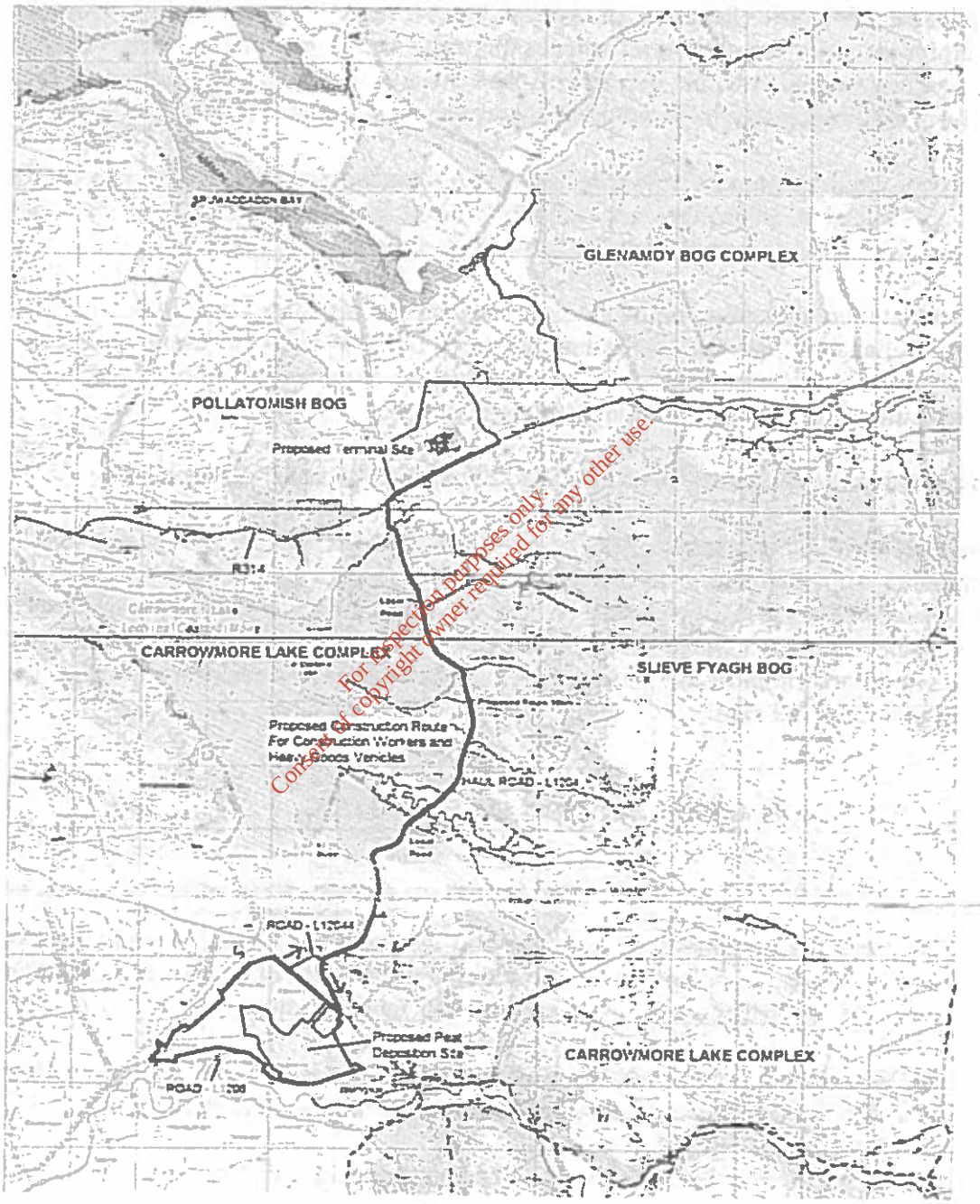
The proposed Gas Terminal site lies in the north-western part of Co. Mayo in the townland of Bellanagelly South, 11 miles east of Belmullet, 8 miles north of Bangor Erris, 2 miles west of Glenamoy, and a third of a mile north east of Bellanaboy Bridge.

The site is bounded to the south by Regional Road No. R-314 that runs from Belmullet to Ballina and to the west by Local Road L 1244 linking the R-314 to Pollatomish.

The site at Bellanaboy has a total area of approximately 160 Ha. within which an area of which about 13 Ha. will be developed as the terminal complex.

The site consists of blanket bog, wet grassland and coniferous plantations of varying ages. There is a small field of improved pastureland close to the centre of the site's southern boundary.

The site for the Terminal is only on part of the lands subject of the application. The Terminal site is located on the south aspect of a rise located roughly in the centre of the overall site. The height of the hill is shown at 44.8m and slopes south to the R-314 to a level of 24m at the SW corner of the Terminal site. The Terminal site is located below the summit peak of the rise.



The existing ground level at the northern boundary of the terminal footprint is 42m AOD[1] sloping SW to a height of 30m AOD. The finished ground level of terminal platform (an area of 11Ha.) is proposed at 33.4m AOD (except buildings and flare which will be founded on existing grade level). The principal buildings on the site will be up to 13m high although other

[1] AOD = Above Ordnance Datum, where Ordnance Datum is taken to be Malin Head

structures area higher. The highest element of the development (the flare stack) will be 40m high. The flare stack will be founded at 35.08m AOD, which is the current grade level.

The area surrounding the site comprises a mixture of isolated residential properties, land in agricultural use and forestry.

The lands to the east, southeast and northeast of the site are all coniferous plantations. Some areas of blanket bog to the west, on both sides of the Bellanaboy River, have been planted. Lands to the south of the site consist primarily of partially modified blanket bog with active cut peat faces. There is a small portion of reclaimed blanket bog in pasture.

The general landscape in which the site is located comprises a mixture of coastal scenery, blanket bog, upland terrain and lakes with small individual farmsteads scattered throughout the area. The landscape in the wider area could be characterised as scenic however the landscape in the vicinity of the site could be characterised as rural having been modified by forestry and agriculture.

The Peat Deposition Site.

The peat deposition site at Srahmore/Attavally is situated approximately 0.6 miles northwest of the village Bangor-Erris and 11km south from the terminal site located at the junction of the Bangor-Belmullet Road R-313 and the Bangor-Glenamoy L 1204.

The site comprises 117 Ha. most of which is cutover peatland. Within this overall area a section of approximately 63 Ha. will be used for final deposition of the peat

The site is part of a larger area of cutover peatland in the Oweninny bog complex and is surrounded by (a) a fringe of Atlantic blanket bog, (b) Bord na Móna railway lines and (c) deepened drainage channels installed for the drainage of the area in peat production. These drainage channels drain into the Owenmore and Munhin Rivers.

Lands adjacent to the Bord na Móna bog comprise a combination of fringes of Atlantic blanket bog and discrete parcels of bog improved for agriculture. There are some small isolated stands of forestry in the locality of the site.

The predominant character of the site is typical of industrial peat production. The area is devoid of vegetation apart from isolated patches of rush and bog cotton located in drainage channels and patches of heather established along the edges of high fields The peat off-loading area is undulating with areas of the underlying glacial till emerging through the bog reflecting the variable glacial topography of the site, The deposition site itself is saucer-shaped and compartmentalised north to south by the "high fields" remaining from the peat production. The high fields are up to 2m higher than adjacent low-lying peat bays and separated by up to 10 low-lying production fields (up to 150m wide between high fields). The overflow facility is basin shaped with a gradual westward fall.

The land slopes gently at c.1.8 degrees from east to west falling from 20.5m AOD to 14m AOD.

Residential Development in the vicinity.

The EIS indicates that there are 20 houses in the wider area of the site. There is a small cluster of five houses opposite the southwestern frontage of the site which could be characterised as being in the immediate vicinity and a number of other single houses immediately to the south of the site.

There are small pockets of ribbon development in remote locations, notably along the approaches to Sruwaddacon Bay and to the northwest of Carrowmore Lake.

Designated Natural Heritage Sites.

Designated areas of natural heritage value in the vicinity of the terminal Site include Carrowmore Lake Complex a candidate Special Area of Conservation/Special Protection Area (cSAC No. 000476), Pollatomish Bog to the west a proposed Natural Heritage Area (pNHA 01548), Glenamoy Bog Complex a candidate Special Area of Conservation (cSAC No 000500) to the east and north, and Broadhaven Bay a proposed Natural Heritage Area and Special Protection Area (SPA No. 004037).

The Srahmore site is not covered by any conservation designation. The Srahmore site drains into the Munhin and Owenmore rivers, designated salmonid rivers, which converge and flow into Tullaghan Bay proposed Natural Heritage Area (pNHA) No. 001567, and Blacksod/Broadhaven Bay Special Protection Area (SPA) No. 004037. The development site is approximately 2.5km northeast of the designated areas at the nearest point.

3. DESCRIPTION OF THE DEVELOPMENT.

Overview.

Natural gas from the Corrib gas field located 80km off the coast of County Mayo will be collected in wells, which in turn are connected to a wellhead manifold located on the seabed close to the wells. The natural gas is then transported by a pipeline from the manifold to the Terminal. The landfall for the pipeline is at Dooncarton in Broadhaven Bay. The gas is then treated at the Terminal to meet the Bord Gais Eireann specification for sales gas. The sales gas is then exported from the Terminal via a Bord Gais Eireann owned and operated pipeline to a tie-in to the national gas network at Craughwell, Co. Galway.

The Terminal is designed to handle a throughput of up to 10 million m^3 /day (350 mmscfd (Million Standard Cubic Feet per Day)).

Apart from the gas treatment other elements integral to the terminal are (i) the incoming gas pipeline, (ii) the control umbilical system and (iii) a water outfall pipe for treated water from the terminal.

(i) The proposed incoming gas pipeline from the wellhead manifold to the Terminal is 20 inches in diameter and 1 inch thick, made of high grade carbon steel. The pipeline will be buried to 1.3 m deep minimum below ground level from the landfall to the Terminal.

(ii) The control umbilical (an undersea cable) runs from the Terminal to the offshore subsea production system that enables management of the wells and manifold on-shore from the terminal. The control umbilical is 6 in. diameter and will contain power and signal cables, a hydraulic fluid line and five 1-inch methanol lines.

(iii) The outfall pipeline for treated water (arising from both contaminated surface drainage and water produced during the gas processing) will be 10 in. diameter made of high-density polyethylene. It will be buried in the same trench as the gas pipeline from the Terminal to the landfall. It will have a diffuser element on the end, to assist in the mixing of the discharged water as it enters the sea offshore.

The terminal has a design life of approximately 30 years.

It is proposed to transport peat excavated during construction of the terminal platform from Bellanaboy to a separate site, in the townlands of Srahmore & Attavally outside Bangor Erris. This site is cut-over peatland owned and operated by Bord na Mona, some 450,000 m^3 of excavated peat will be spread over an area of 63 Ha. from a total site area of some 117 Ha.

The Terminal Site.

The terminal site at Bellanaboy has a total area of approximately 160 Ha. within which an area of which about 13 Ha. will be developed as the terminal complex. A further 1ha will be used to accommodate temporary construction facilities.

A detailed description of the Gas Terminal is set out in section 2.5 of Volume 1 of the EIS.

Summary of the process at the Terminal Site

The natural gas fluids arriving at the Terminal will consist of (a) gas (b) a small amount of condensate[2] & water from the gas reservoir (c) methanol which has been injected into the pipeline and (d) small quantities of corrosion and scale inhibitor.

The incoming gas is separated from the condensate, water and methanol. The methanol is recovered, stored and pumped back via the control umbilical to the seabed installation for re-use.

The recovered condensate is stabilised and used as fuel.

The water fraction of the natural gas is treated and discharged to sea via the proposed water outfall pipe.

As the gas reservoir becomes depleted the gas will require chilling by mechanical refrigeration.

[2] **Condensate** is Hydrocarbons which are in the gaseous state under reservoir conditions and which become liquid when the pressure or temperature is reduced. A mixture of pentanes and up.

Individual components of the gas terminal processes.

Gas separation

- a slug catcher, to remove the main bulk of the liquids from the incoming gas
- inlet separation, to remove the remaining liquid, corrosion and scale inhibitor from the gas.

Export Gas Conditioning

- conditioning of the gas to ensure the export sales gas meets proper specification
- compression of the gas to maintain a constant pressure of gas leaving the terminal and entering the gas distribution network;
- odourisation of the export gas to assist leak detection,
- metering of the gas, to monitor the volume of gas leaving the Terminal and sold into the gas grid.

On-Site Recycling.

- methanol recovery, to remove methanol from the incoming gas and recycle it for use as an "anti-freeze" in the incoming pipeline.
- condensate stabilisation, to cool and store the condensate (light oil) recovered from the incoming gas to be used as fuel in the on-site heating system for gas processing
- supporting systems in the gas production process:
    - gas and liquid fuels for power generation;
    - hydrate inhibitor (recycled methanol) injection
    - chemical injection of anti-corrosion and anti-scale chemicals into the incoming gas pipeline
    - water treatment to purify (a) the water received with the incoming gas and (b) any runoff from areas where water contamination could occur, prior to discharge off shore.
    - runoff from areas where contamination will not occur channelled to silt/settlement ponds prior to discharge to watercourses.

Power Supply

- Power supply for the development be from on-site gas fired generators. The emergency generator and firewater pumps will be driven by diesel engines.

Manning

- The Terminal will be manned 24 hours a day on a four-shift system. The total complement of staff will be approximately 50 people.

Form and Layout of the Proposal

- The terminal will be constructed on a level platform, constructed at 33.4 AOD in three zones:
    - hydrocarbon areas,

- utility areas,
- offices, laboratories

the site is laid out to provide the maximum separation between hazardous and safe areas.

- The administration and warehouse are located at the southeast corner of the terminal site. The control building, utilities area, power generation and electrical switch room building are located northeast of the administration area. The sales gas compressor building and LP gas compressor and methanol column are located at the northeastern end of the complex. The main buildings on the site are up to 13m high. The flare stack, located between the warehouse and the heating medium storage tank is the highest feature on the site at 40m high.

  Other tall structures include the gas turbine exhausts (20m), the heating medium heater exhaust stack (20m), the methanol still vessel (33m), and the radio mast adjoining the maintenance building (21m), sales gas compressor/turbine stack (22m), telecommunications mast (22m) over above finished platform level.

- Approximately 10% of the site will be paved whilst the remainder will be covered by gravel.

- A stock proof fence will be installed around the perimeter of the terminal land holding. The terminal itself will be enclosed within a security fence.

- The development will require some lighting of the site at night. Proposals to minimise lighting are detailed in the EIS.

Landscaping

- The landscape strategy proposed is that of long term retention of the maximum possible area of existing coniferous plantations, not only around the immediate boundaries of the terminal, but on all land within the developer's control outside the terminal boundary. This will ensure that a continuous effective screen around the whole of the terminal site can be maintained throughout the lifespan of the development.

- To screen the terminal from the most open views from the south-west the existing remnant coniferous tree belt to the west of the terminal site will be supplemented and reinforced by an additional belt of predominately coniferous trees up to 100 metres wide in the open wet grassland to the west of the terminal boundary.

- Throughout the rest of the site, frequent groupings of low deciduous tree and shrub species will be planted on the margins of the plantations.

- Imported plant stock will be supplemented, where possible, by the translocation of some of the existing willow scrub removed to facilitate the construction works, together with hard wood cuttings taken from existing deciduous trees.

Access, Car Parking and Loading

- Access to the site is from the Belmullet-Ballina regional road (R-314). There is a second access for emergency vehicles from the L-1244 Pollatomish Road to the west. There is a site perimeter road and internal roads allow access to all main process operations. A new entrance and road on to the R-314 is proposed to access the clean surface water settlement ponds.

- The car park adjoining the administration building will accommodate 38 cars.

- A liquid loading and unloading facility will be provided for road tankers adjacent to the methanol still and condensate storage tanks to allow delivery of methanol, diesel and other liquids to the terminal.

Land Drainage

- perimeter drain will be constructed around the site to collect all uncontaminated site surface water and groundwater. The perimeter drains will combine and will feed into settlement ponds located at the southwest corner of the site. Interceptors will be installed upstream of the silt ponds to remove oil contamination. The system of land drains that exists over the site will be re-directed into the perimeter drainage ditches.

Design Life

- The life of the gas field is estimated at 15 to 20 years. The Terminal has a design life of 30 years. In addition to its primary function for reception of natural gas the terminal is also the control centre for all the offshore (subsea) facilities in the Corrib Field.

Decommissioning

- Decommissioning of the terminal will include:
    - decontamination of the items of equipment used in the process;
    - analysis & removal of potentially contaminated and toxic materials;
    - demolition of the items of equipment used in the process;
    - removal of underground pipework and pipelines to the boundary fence;
    - the import pipeline and open drain systems will be stabilised and left in situ, or in accordance with local authority and national requirements;
    - removal of facilities to grade level.

The full scope and details of the decommissioning plan will require the approval of Mayo County Council and will be outlined approximately 5 years prior to the predicted date of decommissioning.

Construction

- The construction and commissioning is estimated at between 27–30 months. The peat removal activity is expected to take 6 months. All on-site activities associated with the construction will be the responsibility of the developer.

- A temporary construction facility of 1 Ha on the east of the Terminal plot will provide offices, canteen and washroom facilities for construction staff as well as material storage and parking.

- The development as proposed will require the excavation of up to 450,000m^3 of peat and 219,000 m^3 of mineral soil & rock (85% of which, 186,000 m^3 , will be re-used on site to create the terminal platform and landscaping and 33,000 m^3 15% will be taken off site for disposal). The 450,000 m^3 of peat will be transported by road to a cutover bog at Srahmore that is owned and operated by Bord na Mona.

- The construction will involve the significant importation of materials, circa 100,000 m^3 of stone/gravel fill, 17,500 m^3 of concrete and 36,500 m^3 of cement/lime binder.

Peat Deposition Site.

The peat deposition site is at Srahmore/Attavally and comprises 117 Ha. most of which is cutover peatland. Within this overall area a section of approximately 63 Ha. known as Area 6, will be used for final deposition of the peat. A detailed description of the peat deposition site and process is set out in Volume 2 of the EIS.

Summary of the process at the Peat Deposition Site.

The excavated peat is pre-treated at the Terminal site then loaded on to trucks and transported to the peat deposition site. At the deposition site it is off-loaded on to a hard standing for short-term storage and handling onto specialised trailers and spread over the existing cutover peatland.

Pre-treatment of the peat at the Terminal Site

- Pre-treatment of the peat (in effect de-watering) at Terminal site is necessary to order to reduce moisture content and to shed free water from the peat prior to road transport. Typically this technique can reduce moisture content in peat from 95-93% to 82-87% by weight. Additionally reduction of the moisture content will have the significant benefit of reducing the volume of peat and impact of road transportation of the peat.

- The peat pre-treatment at the Terminal Site will be a two-stage process involving re-opening existing site drainage as early as possible followed by the implementation of a 'windrowing' regime for the excavated peat.

Individual components of the peat deposition process.

Peat Reception.

- The peat from Bellanaboy is transported by road truck to the peat reception area for the transfer from haulage vehicles to low ground bearing pressure trailers for dispersal on the cutover bog.

- The peat reception area will consist of a concrete hard-standing of 5,112m^2 and a temporary administration building including offices, canteen and toilets.

- This reception/transfer facility will be accessed via a new entrance and access road from the R-313

- At the peat reception area the road trucks will unload the peat onto a concrete hardstand area. The peat will then be loaded using two front-end industrial loaders into low ground bearing pressure trailers (Haku trailers) These trailers will transport the peat to the high fields in Area 6 of the peatland.

Transportation within the site.

- The Haku trailers will travel along internal roadways that will be constructed on the existing high fields in Area 6 and empty the peat by tipping to the side.

Peat Deposition.

- Excavators will remove the peat from the high fields and stockpile it on the adjacent low fields. The peat will then be bulldozed towards the centre of the area between the two high fields creating a cambered surface with the highest point in the centre sloping towards drains close to the high fields.

- The height of deposited peat will generally be 1.4 to 1.8m above the existing ground levels at the highest point in the centre, with a fall of approx. 1:200 towards the high fields. The edge of the peat deposition area will be offset from the bottom toe of each of the high fields, thereby allowing for the construction of drainage ditches.

- Each of the separate peat deposition areas in Area 6 will be referred to as a "Bay" and numbered 1 to 7. Peat deposition on the low fields in Area 6 will take place with a number of bays being filled, in parallel in a phased manner. Four phases of filling are proposed, with Phase 1 filled first, then Phase 2, Phase 3, and finally Phase 4.

- The phasing can be adjusted to take account of site conditions. Each phase will be filled from the high fields running adjacent to the particular bay. This allows for ease of passage of the Haku trailers along the high fields and also provides for more efficient operation of the bulldozers in the bays.

Drainage & Overflow.

- In order to accommodate the reception area and spreading of the peat throughout Area 6, the existing drainage system will be modified by (a) the construction of a surface water swale along the southern and western boundaries of the site, (b) the provision of surface water settlement ponds and (c) the provision a controlled overflow area of 12 Ha. adjoining Area 6.

- The drainage scheme will eliminate any water build-up and remove excessive water from the site, particularly during periods of high rainfall. This drainage system will convey water to the Munhin River via two proposed new settlement ponds.

- The new drainage system will ensure that surface water runoff from Areas 5 and 6 will be effectively treated before reaching the Munhin River and Owenmore River and to prevent excessive suspended sediment from entering the rivers.

Post Construction.

- Following completion of peat deposition these areas will then be allowed to revegetate and stabilise. It will result in a habitat consistent with that described in the Rehabilitation Plan for the Oweninny Works approve under IPC Licence 505.

Decommissioning

- The decommissioning strategy for the Srahmore site outlines options for the decommissioning of the site and will be reviewed after the 5-year stabilisation process. The options will be further discussed with various regulatory bodies and interested parties at that stage.

Area 6

Decommissioning will involve the removal of the Internal haul roads and the reuse or disposal of the materials, this will occur at the end of the peat stabilisation process. These roads may not be decommissioned if they are required as part of the afteruse of the peat deposition area. As this site is subject to an EPA approved Rehabilitation Plan any changes will require the agreement of the EPA at the end of the stabilisation phase. The internal road network will be required for access of plant during the stabilisation period.

Area 5

Decommissioning will involve either the removal of the entrance road from R-313 and the link road to Area 6 and the reuse or disposal of the materials or the roadways being covered over with peat stored in Area 5 during construction. Decommissioning of these roads will occur at the end of the stabilisation process, these roads will be required for access of plant during the stabilisation period.

Peat reception area.

Decommissioning will involve either the removal of the concrete structures and the reuse or disposal of the materials or the area being covered with peat stored in Area 5 during construction. Decommissioning will occur at the end of the stabilisation process. The peat reception area will be required for parking and fuelling of plant during the stabilisation period.

Temporary buildings, equipment and services.

Decommissioning will involve removing these items off the site. This is planned to take place at the end of the deposition process. These items will not be required when the deposition process is complete.

Decommissioning materials

The material that will be removed during decommissioning will go to one or other of the following in order of preference:

- To be used as construction material at the proposed wind farm development at Bord na Móna's Oweninny site.
- To be used as construction material at an alternative site
- To be disposed of at an appropriate landfill site

The full scope and details of the decommissioning plan will require the approval of Mayo County Council prior to the predicted date of decommissioning.

4. PLANNING HISTORY.

P00/2934
An application was lodged 17/11/2000, for permission for a gas terminal development in the southern portion of the current terminal site. No decision issued.

P01/900
A revised planning application for a gas terminal was lodged on 30/04/2001. The application was Refused on appeal to An Bord Pleanala for the following reason:

" The proposed development involves the excavation of approximately 650,000 cubic metres of peat and other unsuitable materials from the site of the gas processing terminal and the removal of the peat and other materials to adjoining repositories and overlaying them on an existing blanket bog of variable thickness on a sloping site above the R-314 Regional Road.

Having regard to –

the contours of the area of the repositories,
the amount and pattern of rainfall in the area,
the characteristics of the disaggregated peat
the method proposed for the moving of material to and within the repositories,
the details of the system for retaining the deposited materials,

the Board considers that the proposed surface drainage system would be ineffective in ensuring the integrity of the peat repositories as permanent structures for the retention of peat and other unsuitable materials.

Consequently, the Board considers that both of proposed repositories have a high probability of failure and that the proposed development would constitute an unacceptable risk to the health and safety of the local community and of the general public on the public road in the vicinity of the site, would constitute an unacceptable risk of pollution of salmonid waters in Glenamoy River, Sruwaddacon Bay and Carrowmore Lake, and would seriously injure the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and development of the area."

5. CHANGE IN PLANNING CIRCUMSTANCES.

Normal planning practice and indeed case law dictate that if a subsequent planning application identical in all respects to the first is submitted, and the same planning

circumstances pertain, it is inevitable that the same conclusion and decision must be arrived at. However, if the application is materially different or if the planning considerations are different then the previous decision is not binding. In the case of this current application, P03/3343, change has occurred both in the overall planning context and in the development proposals contained in the application.

Since An Bord Pleanala's decision on P01/900 the overall planning context has changed in two important respects:

- The Planning Context has changed with the adoption of the Mayo County Development Plan 2003-2009.
- The introduction of the Planning & Development Act 2000, in particular section 256 of that Act which links the EPA Act to that Act.

The development as now proposed, while being the same in principle (ie. the provision of a gas terminal), significant different because of the way in which the excavated peat is dealt with, together amendments to the design of the terminal consequent to that change. These change are sufficient to allow reconsideration of the previous decision.

6. MAYO COUNTY DEVELOPMENT PLAN 2003-2009.

Since the last planning application a new county development plan has been adopted by Mayo County Council, the Mayo County Development Plan 2003-2009. The Plan contains both specific references to the development of natural gas and indirect references to the development of the gas network. The Plan also contains other policies and objectives, particularly, Landscape Character, Seveso II sites, Natural Heritage etc. which apply generally to all developments, including this development.

KEY ISSUES.

Natural Resources.

Key Issue:

To ensure that wind-energy and other renewable energy sources, aggregate material and other valuable natural resources including gas, forestry, fishing, aquaculture, fisheries etc are developed to their full potential but in a manner that has due regard to environmental protection, bio-diversity conservation and the preservation of visual, scenic and residential amenities.

Infrastructure Deficiencies.

Key Issue:

The provision of a sound infrastructure base is of fundamental importance to the future development of the county.

Nature Conservation

Key Issue:

How to provide for new development without compromising the conservation value of designated sites.

Landscape

Key Issue:

How to reinforce and enhance the traditional landscape character of the countryside.

How to accommodate new development without compromising one of Mayo's major economic resources, its landscape.

THE DEVELOPMENT FRAMEWORK

Development Framework Objective DF-1.1.

To promote and facilitate the growth of the combined towns of Ballina, Castlebar as a linked sub-regional development hub in accordance with the National Spatial Strategy, building on their individual and complementary strengths and potential development roles and to ensure that the necessary physical and social infrastructure supports and linkages are developed.

Development Framework Objective DF-4.

To maintain and promote vibrant rural communities and sustainable patterns of development whilst ensuring that the environmental, natural and cultural heritage resources of the county are uncompromised and the character and amenities of the rural areas are retained.

DEVELOPMENT OBJECTIVES.

The Development Framework.

Ballina/Castlebar/Westport Development Hub.

DF-DH 4 It is an objective of the Council to prioritise transport, energy, and major public infrastructure projects that will give effect to the development of Ballina/Castlebar/Westport as a development hub as indicated in the Development Framework.

RURAL AREAS

DF-RA 6 It is an objective to ensure that the use and appearance of all development in rural areas respects the character, quality, environment and amenity of the countryside and its vernacular traditions and their

ability to be absorbed into the surrounding landscape without generating an adverse visual impact.

TRANSPORT & INFRASTRUCTURE.

ENERGY

TI-E 5 It is an objective of the Council to have a gas powered generating station built in North Mayo

GAS.

TI-G 1 It is an objective of the Council that it fully supports the realisation of the Corrib Gas Field find and any other gas find in the County either on or off-shore. It also supports the provision of an on-shore gas terminal in North Mayo and the related pipe network through the County to maximise the benefits for the County.

MAJOR EMERGENCY PLAN.

HC-ME 1 It is an objective of the Council to ensure that the Major Emergency Plan is implemented efficiently and effectively in order to limit the detrimental effects of a major accident on the people and the environment of County Mayo.

SEVESO II SITES.

HC-SS 1 It shall be an objective of the Council to ensure that proposed new establishments or modification of existing establishments classified under the Seveso II Directive shall not present an unacceptable risk to the health and safety of existing populations.

HC-SS 2 It shall be an objective of the Council to ensure that development in the vicinity of a Seveso II site shall be assessed having regard to the Major Accidents Directive, the potential risks to health and safety and the need to maintain suitable separation distance between such sites and new developments.

HC-SS 3 It shall be an objective of the Council to reduce the risk and to limit the consequence of major accidents involving hazardous substances by consulting with the Health and Safety Authority in respect of all proposals for development involving Dangerous Substances or for development in the vicinity of such establishments.

NATURAL HERITAGE

EH-NH 1 It is an objective to protect, enhance and conserve areas designated as candidate Special Areas of Conservation listed in Appendix V of the

Plan or any additional such areas that may be so designated during the lifetime of the plan.

EH-NH 2 It is an objective to protect, enhance and conserve the natural habitats and plant and animal species identified under the Habitats Directive, Birds Directive, Wildlife Act and the Flora Protection Order or any other relevant legislation that may be implemented during the lifetime of the plan.

EH-NH 11 It shall be an objective to protect and enhance surface waters, aquatic and wetland habitats and freshwater species through the implementation of the EU Water Framework Directive.

LANDSCAPE CHARACTER

EH-LC-1 It is an objective, through the Landscape Appraisal of County Mayo, to recognise and facilitate appropriate development in a manner that has regard to the character and sensitivity of the landscape, to ensure that development that will not have a disproportionate effect on the existing or future character of a landscape in terms of location, design and visual prominence, that development will have regard to the effects of developments on views from the public realm towards sensitive or vulnerable features and areas.

EH-LC 2 It is an objective of the Council that all development in the shall comply with the policies set out for the Principal Policy Areas for the county, defined in the Landscape Appraisal of County Mayo, provided such policies do not conflict with the specific objectives of this County Development Plan. These areas are described as Montaine Coastal, Lowland Coastal, Uplands, moors heath or bogs, drumlins, Lowlands and Lakelands sub areas.

VIEWS AND PROSPECTS.

EH-VP 1 It is an objective of the Council to ensure that development does not interfere with views and prospects and the amenities of places and features of natural beauty or interest when viewed from the public realm. Views and prospects worthy of preservation and protection are indicated on the Map 12 below.

Map 12 of the County Development Plan indicates that

- the R-314 from Glenamoy to Barnatra is a designated scenic route and is the only scenic route adjoining the site.
- that there are scenic views to either side of the Barnatra - Dooncarton - Pollatomish – Aghoos road. The plan indicates that the 'Highly Scenic Views' on this road are out to sea and that the 'Scenic Views' are inland. *(in reality the scenic vies inland are often severely restricted by topography)*

- that 'Highly Scenic Views' and 'Scenic Views' are available along the western shoreline of Carrowmore Lake, some distance from the site to the south west of the site.
- that the Barnatra-Pollatomish road has 'Highly Scenic Views' and 'Scenic Views'

LANDSCAPE APPRAISAL

The Development Plan contains a Landscape Appraisal (Appendix X) that classifies the county into five policy areas, each with guiding principles to be used to evaluate the appropriateness of development proposals.

The proposed terminal site is within Policy Area 1 – Montaine Coastal. The policies relating to this area are:

Policy 1
Recognise the substantial residential development existing in some locations and the further pressures for residential development in this policy area.

Policy 2
Facilitate appropriate tourism and amenity development in a progressive and clustered manner, where feasible, that reflects the scale, character and sensitivities of the landscape (Ref. to Housing Policy).

Policy 3
Encourage development that will not have a disproportionate effect on the existing character of the coastal environment in terms of location, design, and visual prominence.

Policy 4
Consider development that does not significantly interfere or detract from scenic coastal vistas, as identified in the Development Plan, when viewed from areas of the public realm.

Policy 5
Encourage development that will not interrupt or penetrate distinct linear sections of primary ridgelines and coastlines when viewed from areas of the public realm.

Policy 6
Preserve any areas that have not been subject to recent or prior development and have retained a dominantly undisturbed coastal character.

Policy 7
Consider development on steep slopes, ensuring that it will not have a disproportionate or dominating visual impact on the surrounding environment as seen from areas of the public realm.

The Peat Deposition Site lies within Policy Area 2 – Lowland Coastal. The policies relating to this area are:

Policy 8
Recognise the substantial pockets of residential and rural landuses in some locations and the emerging pressures for differing landuses of industry, wind energy and residential development in this policy area.

Policy 9
Continue to facilitate appropriate development in a progressive and clustered manner that respects the scale character and sensitivities of the landscape.

Policy 10
Recognise that in this low lying open environment, tall and bulky development can have a disproportionate impact against the landscape when viewed from the predominantly low lying areas of the public realm.

Policy 11
Encourage development that will not have a disproportionate effect on the existing character of the landscape in terms of location, design, and visual prominence.

Apply policies 3, 4, 5, 6 and 7 under "Montaine Coastal Zone" above, as appropriate.

The Landscape Appraisal also identifies designated Vulnerable Areas and sensitive Areas.

Vulnerable Areas

The Owenmore, Munhin and Bellanaboy Rivers are classified as Vulnerable, together with the shore and tributaries of Carrowmore Lake. To be considered for planning permission, development in the environs must be shown not to impinge in any significant way upon the area's character, integrity or uniformity when viewed from the surroundings.

Sensitive Areas

The greater part of the Bellanaboy site has no classification. However two small areas of peat bog to the south and a larger area of natural grassland north of the terminal are classified as sensitive.

The Srahmore site is classified as sensitive because being low-lying and flat development in this area has the potential to create impacts on the appearance and character of an extensive part of the landscape.

Scenic Routes and Protected Views.

The Landscape Appraisal also identifies Scenic Routes and Protected Views they are the same as Map 12 in the main body of the Development Plan.

In considering a planning application on scenic routes or in protected views the onus is on an applicant, when applying for permission to develop in the environs of a scenic route, to

demonstrate that there will be no obstruction or degradation of the views towards visually vulnerable features or significant alterations to the appearance or character of sensitive areas.

7. THE PLANNING & DEVELOPMENT ACT 2000 SECTION 256.

Since the decision on the last planning application P01/900 section 256 of the Planning and Development Act has come into force which amends the Environmental Protection Agency Act, 1992. This section of the Planning & Development Act provides that a planning authority may now refuse permission for an EPA licensable activity if it considers the development unacceptable on environmental grounds (having regard to the proper planning and sustainable development of the area)

Before making a decision on an EPA licensable activity the planning authority may request the EPA to make observations on the application and must have regard to those observations in making it's decision.

A planning authority may not impose conditions relating to the control of emissions from an EPA licensable activity.

8. DIFFERENCES BETWEEN P03/3343 AND THE PREVIOUS APPLICATION P01/900.

The current planning application P03/3343 differs from P01/900 in a number of ways, particularly in relation to the method of dealing with the peat arising from the construction works. The changes in the development arise from the developer's response to An Bord Pleanala's reason for refusal. The EIS outlines physical changes to P01/900 however it is my view that about half of the changes are more significant than the others although even those other changes are of sufficient character to make P03/3343 different to P01/900.

Significant Changes

Peat Management & Minimisation of Peat Removal

- Removal of peat off-site
- Reduction in extent of peat removal footprint from 15 Ha to 11 Ha
- Flare stack will be founded at existing ground level, supported on piles.
- Piled Foundations to control building and administration block
- Re-use on site the materials not suitable for engineering fill.

Reduction of Visual Impact

- changes in construction platform level from 32.0m to 33.4m AOD Malin.
- Heating medium exhausts to be horizontal.
- Landscaping strategy provides for additional screening

Footprint minimisation

- Waste storage area.
- Relocation of some facilities

Operational Changes

- Firewater retention pond.

Other changes

- Construction methodology
- Tanker loading station moved.
- Water treatment plant details.
- Changes in buildings / architectural philosophy.
- Changes to Exit/entry roads.
- Fencing changed.
- Colour scheme changes
- Road widening at entrance
- Outfall pipeline extended.

9. IMPLICATIONS OF THE DECISION ON P01/900 BY AN BORD PLEANALA.

In considering this application, as with any other, the Council should have regard to previous decisions on the site. It is all the more important to examine the previous decision in this instance given the complex considerations that the Board made reference to in reaching it's conclusion.

In reaching it's decision An Bord Pleanala indicated that it did not agree with 5 of the 6 Reasons for Refusal advanced by the Planning Inspector. The full text of the Board's Direction is contained Appendix 2.

Inspector's Reason for Refusal 1. Contrary to NDP & Balanced Regional Development

The Board held that national policy in relation to the provision of gas infrastructure and the timing and terms of the development of natural gas resources is the responsibility of the Minister for Communications, the Marine and Natural Resources. Board agreed with the that the terminal as proposed development may not be the best way of facilitating the provision of gas infrastructure to towns in Mayo and the North-West of the country but the Board did not consider that this alone would be a reason to refuse a development that was acceptable in terms of its land use and environmental impacts.

The Board was also of the view that the proposed terminal development would not necessarily be incompatible with the development strategies of the Mayo County Development Plan and the strategies for the BMW Region within the National Spatial Strategy.

Inspector's Reason for Refusal 2. Not the optimum solution for the Corrib Field and limited examination of alternatives.

The Board noted that alternatives are available for the development of the Corrib Gas Field.

Inspector's Reason for Refusal 3 & 6 *Visual Impact of the development and the Development Plan Policy to protect views*

The Board took into account

(a) the fact that there was no landscape designation in the Development Plan for the area
(b) the existing vegetation and plantations on the site,
(c) whatever adverse visual impact the terminal would have, such impact would not be so serious as to justify refusing the development given the strategic nature of the proposed development.

Inspector's Reason for Refusal 4. *Unacceptable risk due to the proximity of residential properties and areas of public use.*

The Board had regard to fact that the HSA did not recommend against the granting of planning permission, subject to a number of conditions, and the fact that the terminal would be treated as an upper tier establishment even although it was strictly speaking a lower tier development.

Inspector's Reason for Refusal. 5 *Safety of Peat Repositories*

The Board in effect used this reason by the Inspectors, although in an expanded form to refused permission on the grounds that the peat repositories posed an unacceptable risk to the health and safety and that there would be an unacceptable risk of pollution of salmonid waters in the area

As previously stated it is incumbent on Mayo County Council to consider previous decisions on the same site and must therefore evaluate this current application in the light of the Board's Direction and assess whether the Board's rationale in reaching it's Decision is relevant to this new application. This is discussed in Section 16 below.

10. ADEQUACY OF EIS.

The proposed development requires an Environmental Impact Statement by virtue of exceeding the threshold for such development set down in Schedule 5 Part 1 Class 14 of the Planning and Development Regulations 2001.

The EIS meets the requirements for information to be contained in an EIS as specified in Schedule 6 Planning and Development Regulations, 2001 in compliance with Article 94 of the same Regulations.

The structure of the EIS follows the "Grouped Format" outlined in the "Guidelines on the information to be contained in Environmental Impact Statements" published by the EPA in 2002.

The EIS is in two volumes, the first dealing with the terminal site and the second with the peat deposition site. As part of the development involves the upgrading of a public road for which Mayo County Council is responsible the Further Information requested an examination of the cumulative effects of all three elements.

The EIS (taken to be the EIS submitted 23/12/03, the Further Information submitted 11/01/04 and the technical advice from the HSA submitted 13/04/4) was evaluated using the Guidance on EIA - EIS Review published by the EU Commission in 2001. (Appendix 1)

Having regard to all of the above the EIS is considered to be adequate to enable Mayo County Council to make a decision on this planning application.

11. REPORTS.

In order to maintain consistency between this and the previous planning application, reports were requested, amongst others, from the same sections of Mayo County Council and Prescribed Bodies as the previous application. Technical Advice on the application was sought from the Health & Safety Authority. Mayo County Council commissioned an additional report into the geotechnical aspects of the development (as outlined in the EIS) both at the Bellanaboy and the Srahmore sites.

Westport Region of Mayo County Council.
The report from the Westport Region Area Senior Engineer requests a fully developed Traffic Management Plan.

Environment.
The report from the Environment section requests Further Information including:

- Phosphate "hot-spots"
- Drainage Calculations
- Drainage Details
- Hydrological data
- Waste Management Plan

Sanitary Services.
The report from the Sanitary Services section indicates that the developer should pay the marginal cost of upgrading the water pipeline from Carrowmore to Glenamoy.

Chief Fire Officer.
The CFO reported on the application following the submission of Further Information.

Geotechnical Consultant.
Mayo County Council commissioned a report on the geotechnical aspects of the EIS, with particular reference to issues relating to the influence of the proposed works on the general stability of the extensive peat deposits surrounding the terminal and which are in the immediate vicinity of the proposed works.

The report concludes that:

> *"that reasonable care has been taken in assessing the geotechnical characteristics of the site and in proposing a workable strategy for construction which will minimise any impact on the in-situ peat surrounding the site."*

Heritage Officer.
The report from the County Heritage Officer requests Further Information on

- The Habitats map Fig.6.1
- The establishment of baseline water quality conditions
- De-watering of peat in high rainfall conditions
- A wider range of water quality samples at Srahmore
- Proposals for terminal site run-off in high rainfall conditions.
- Technical information & assessment of the cement/binder.

Architects Section.
The report from the Senior Executive Architect indicates architecture & design is sensitive to location and setting and that the proposals are acceptable.

Horticulturalist.
The report from the Council horticulturalist indicates acceptance of Landscape Strategy in the EIS. It is recommended that a condition requiring landscape maintenance over the first 5 years if permission is granted.

Department of the Environment, Heritage & Local Government.
The report from the DoEHLG requests Further Information including :-

(1) Bellanaboy

- That site drainage details during the peat extraction stages be clarified
- That baseline water quality condition established
- That possible impacts of free water from peat on water quality be examined
- That the sensitive periods for wildlife mentioned in the EIS be specified
- Technical information & assessment to support the view that there will be no adverse impacts from the cement/binder
- Outfall discharge to be at ambient salinity
- Water modelling to extended outfall pipe

(2) Srahmore

- More samples to establish baseline physico-chemical composition as the Water quality samples may not be representative
- Reconcile differing total solids data
- Will imported peat increase the already high levels of ammonical nitrogen & what is the effect on cSACs

(3) Haul Route

- Full details of improvements to the public road.

The report also identifies matters that can be dealt with by way of planning condition.

Department of Communications, the Marine & Natural Resources.
The report from the Department of Department of Communications, the Marine & Natural Resources states that they have no comment to make.

North-Western Regional Fisheries Board.
The report from the North-Western Regional Fisheries Board requests Further Information inter alia:-

- Proposals for collection & disposal of pumped water containing deleterious material including concrete & cement
- Location of septic tank/puraflo in relation to Bellanaboy river, Leenamore and tributary of the Glenamoy river
- Analysis of phosphorous results from the Bellanaboy site, comparison with background levels & levels from construction & existing use.

The report also suggests planning conditions.

Environmental Protection Agency.
The report from the EPA states that Environmental matters will be dealt with at IPPC licence stage and that they had already received an application for a Waste Licence for the Peat Deposition site which was under consideration.

Health and Safety Authority.
The report from the HSA states that its report will not cover issues of land stability & pipelines since they are outside and that it's proposes only to deal with terminal site in accordance with the definition of "establishment" under the Seveso Directive. The operations at Srahmore do not come within the HSA remit. Additionally the HSA is seeking risk assessment from Shell.

Irish Aviation Authority.
The report from the Irish Aviation Authority stated that they have No Objection to the proposed development.

An Taisce.
The report from the An Taisce recommends refusal of the application because the site is unsuitable, the development would have significant negative effects on the environment, the traffic assessment is inadequate and cumulative effects of the pipeline, terminal and haul road are not assessed in EIS.

12. THIRD PARTY SUBMISSIONS.

71 valid third party submissions were received on this planning application all of which were considered in the preparation of this report. Of those 71 submission 41 are broadly in support of the development and 30 are broadly objecting to the development.

The grounds for supporting the development are summarised as:

Bringing the benefit of Employment
Contributing to the Economy
Improving the social fabric of Erris by helping reduce emigration
Contribution to Balanced Regional Development
Improvement of Infrastructure in Mayo

The grounds of objection to the development are summarised as:

- Project splitting
- Need for the project
- EIS Deficient
- Material Contravention of Mayo County Development Plan
- Waste
- Traffic
- IPPC Licence
- Full extent of Bord na Mona lands not outlined
- Traffic Volumes and Safety
- Risk of water pollution & eutrophication
- Health & Safety
- Landslides
- Peat extraction
- Environmental/Landscape impact
- Air quality
- Visual Impact
- Noise
- Legal Issues/Breach of EU law
- Contrary to national policy on Sustainable Development
- Site selection
- Detrimental effects on fishing grounds
- Extension of offshore pipeline
- Pipeline location & safety
- cSAC's
- Infrastructure damage – road network

13. FURTHER INFORMATION.

As a result of the formal reports submitted and taking the 3rd Party submissions into account Further Information was requested by Mayo County Council on the 17th February 2004. Shell E&P Ltd. submitted a response to that request on 11th March 2004. (see Appendix 4)

14. REPORTS ON FURTHER INFORMATION

The Further Information was referred to the following for reports:

Westport Region of Mayo County Council.
The report from the Westport Region Area Senior Engineer attaches a schedule of conditions in the event of a grant of permission.

Environment.
The report from the Environment section recommends Grant Permission subject to conditions.

Chief Fire Officer.
The report from the Mayo CFO indicates that the development should comply with a number of requirements.

Heritage Officer.
The report for the County Heritage Officer states that the concerns of the previous report had been adequately addressed in the Further Information and recommends two conditions.

Geotechnical Consultant.
The report from the geotechnical consultant indicates that:

- the reinforced overlay to the haul road part of Item 1 will improve the road in the long term.
- the response to Item 2 does not provide the written confirmation requested
- the response to Item 11 of the FI is comprehensive.

Department of the Environment, Heritage & Local Government.
The report from the Heritage and Planning Division of Department of the Environment, Heritage & Local Government states that the Council may wish to clarify several points or deal with them by Condition and suggests a number of conditions on other issues.

The points that the Heritage and Planning Division of Department of the Environment, Heritage & Local Government suggest that Mayo County Council mat wish to clarify are:

Volume 1 Bellanaboy

1. *Which is the correct location of the percolation area for the wastewater treatment shown in drawings COR-AR-SD-RFI-001 (scale 1:10,560) and COR-AR-SD-RFI-002 (scale 1:500), which show the percolation area 10m from, ditch D99 and COR-AR-SD-RFI-005 (construction phase drainage layout) – showing the percolation area 34m from drainage channel D99.*

Having examined all of the documentation I am of the opinion that this matter can be dealt with by way of a condition requiring the percolation area to be located in accordance with COR-AR-SD-RFI-005 (being 34m, the farther distance from the drain).

2. *The directions of water flow in watercourses remain unclear in some key peripheral locations, including along the southern boundary of the development site and the R-314. and the points where drains from the site enter nearby river systems are not identified.*

Having examined all of the documentation in particular EIS, Volume 1, section 3.5.4 (Drains for Access Roads, Administration Building Area and Temporary Construction Facility), and Technical Appendix 3, Site Drainage, section 1 to 5. It would appear that during construction, the surface water from the areas where construction runoff will arise will be diverted through the settlement ponds in the southwest corner of the site. The drainage ditches referred to in the EIS are existing drainage ditches, and the flow of these ditches follows the natural fall of the land. Along the southern boundary of the site to the point of the entrance road from R-314, the flow in the roadside ditch follows a westerly direction. During the construction period, drainage from the terminal site area and the temporary construction area will be collected and directed into D99 and to the silt ponds in the southwest. This is shown on COR-AR-SD-RFI-005. Roadside drainage arising along the entrance road south of the connection point with D99 will also be collected and directed westwards via the roadside ditch between the site and the R-314 mentioned above.

3. *The locations and physical characteristics of drains 16, 22 and 62, and the Location of the outlet point to the river from the main channel that drains the terminal site and sampling to establish baseline conditions.*

Having examined section 8 of Volume 1 of the response to the Request for Further Information in particular Table 1 and Figure 1, the location of the drains are cross-referenced and the location of the different drains are identifiable. The direction of flow are for each of the three drains D16, D62 and D22, is outward from the site following the natural fall of the land, i.e. westwards for drain D 16 (as evidenced at sample point 6), northwards for drain D62 (as evidenced at sample point 9) and south-eastwards drain D22 (as evidenced at sample point 8).

Information on the drainage outlet from the settlement ponds is given in the EIS, Volume 1, Technical Appendix 3, Site Drainage. The water that passes through the settlement ponds, is discharged over open land and then to an existing land drain via an open roadside channel and a culvert under the R-314, i.e. it does not connect directly to the river system within the site boundaries. This land drain eventually discharges into the Bellanaboy River upstream of Bellanaboy Bridge.

Extensive information on the water quality of the receiving environment has been submitted in the EIS and the response to the request for further information. Standard monitoring practice is described in section 9.7 of Volume 1 of the EIS.

This matter can be dealt with by a condition requiring an agreed monitoring plan.

4. *Possible impacts of free waters from the windrowed peat on water quality (pH, humic acid and other acids, and phosphate).*

This is addressed in section 9 of Volume 1 of the response to the Request for Further Information. There is no quantification of the volumes of water released from this peat but it is expected to be small. Humic acid content in the free water is not anticipated to be any more concentrated or elevated than which is presently in the in-situ peat and which is already draining off site. In any event section 9.7.1 of Volume 1 of the EIS states the intention to monitor water quality as part of the construction environmental monitoring programme.

This matter can be dealt with by a condition requiring the implementation of an agreed monitoring plan together with mitigation measures.

5. *The ability of the silt ponds to treat runoff and contaminated waters from excavated peat and construction activities.*

The function of the settlement ponds is described in Volume 1, sections 3, 9 and Technical Appendix 3, Site Drainage of the EIS. The primary purpose of the settlement ponds is to retard the flow of water off site to allow suspended solids fall out of suspension and to regulate the flow of water leaving the site. The ponds will have a balancing function in that these large volumes of water (2000m^3 in each pond) will act as a buffer to any waters entering the ponds (low pH values, humic acids concentrations, suspended humus, nutrients, etc.) and so maintain a relatively constant discharge water quality equilibrium.

Concerns about the water quality at the outlet from the settlement ponds can be dealt with by a condition requiring an agreed monitoring plan for the settlement ponds and silt traps.

Volume 2 Srahmore.

6. *Water quality baseline should be taken from points upstream and downstream of the key points where watercourses draining the site enter river systems. It is not possible to establish impacts on the surface waters on designated conservation areas downstream of the peat deposition site at Srahmore.*

Baseline water quality information is contained section 9, Volume 2 of the EIS and in Item 1 Volume 2 of the response to the Request for Further Information. An assessment of the proposed development and mitigation measures has enabled prediction of likely significant impacts arising from the development. Water quality monitoring during the development is proposed in section 9.9 of Volume 2 of the EIS in order to determine any possible impact on surface water quality. Since this site is subject to a Waste Licence, surface water quality monitoring after construction will be the remit of the EPA. In any event, as far as the planning code is concerned a condition requiring an agreed monitoring plan for the surface waters on the site can be imposed.

Having examined the letter requesting clarification and the documentation and the fact that the issues can be addressed by way of condition if required I do not consider a formal request for clarification is necessary.

Department of the Communications, Marine and Natural Resources.
The report from the Department of the Communications, Marine and Natural Resources states that the Minister has no comments or observations to make.

North-Western Regional Fisheries Board.
The report from the North-West Regional Fisheries Board states that the additional information addresses their concerns and recommends that the suggested conditions in their original report be attached if permission is granted.

Environmental Protection Agency.
The report from the EPA states that the conclusions reached in it's earlier report have not changed and that the EIS appears to comply with the regulations as far as the risk of environmental pollution is concerned.

Health and Safety Authority.
The report from the HSA states that it "does not advise against" the development and recommends a number of conditions in the event of panning permission being granted.

An Taisce
The report from the An Taisce states that the further information is inadequate in a number of respects:

- Project Splitting
- Response to FI inadequate
- Traffic Management Plan inadequate
- Ministerial letter re construction traffic insufficient

- Impact on Carrowmore Lake of the haul route
- Impact of vibration on house near haul route

15. THIRD PARTY SUBMISSIONS ON THE FURTHER INFORMATION.

14 valid submissions, all objecting to the proposed development, were received in response to the further information submitted. 13 of the third party submissions came from objectors who had submitted objections at the initial stages and 1 submission was a new objection.

The grounds of objection to the development in relation to the Further Information are summarised as:

Pipeline instability
Traffic Management Plan
Noise
Cumulative Impact
Project Splitting
Water Quality
Above ground structures required for pipeline
Bord na Mona report inadequate
Percolation test for puraflo
Health & Safety
Distance of pipeline from residences
Blasting
Response to FI inadequate
Disagreement with some of the responses
TENORM not addressed
No benefit of gas to Mayo

Most of these issues highlighted in the third party submissions on the FI. are elaboration on previous matters re-addressed in the context of Shell's response to the Further Information.

16. ASSESSMENT.

THE APPLICABILITY OF THE AN BORD PLEANALA'S REASONS FOR NOT ACCEPTING THE INSPECTOR'S RECOMMENDATION ON P01/900

NATIONAL & REGIONAL POLICY.

National and Regional policy with regard to the development of the Corrib gas field is set out in a number of documents:

- *Sustainable Development – A Strategy for Ireland*
- *The Green Paper on Sustainable Energy*
- *The National Development Plan 2000-2006*
- *The Border, Midlands and Western NUTS II Region – Development Strategy 2000-2006*
- *Operational Programme for the Border, Midland and Western Region 2000-2006*
- *The State of the West*
- *The National Spatial Strategy for Ireland 2002-2020*

National policy has not changed since the previous decision of An Bord Pleanala in April 2003 and in fact it has been strengthened with the issuance of a Ministerial Statement of National Policy June of that year.

The Minister for the Marine, Energy & Natural Resources stated on 15/7/2003 that it was vital to our national interests that we produced as much energy from indigenous resources as possible and that

> *"It has been Government policy since the start of offshore exploration in the early 1970s that Ireland should become self sufficient to the greatest extent possible in supplying its own energy. This policy has been vindicated since that time by the occasional uncertainties in the energy markets including the oil crises of 1973 and 1979"*
> and
> *" It is vital, therefore, that Ireland continues to progress the exploration of its offshore petroleum resources and the development of commercial discoveries. Ireland needs to develop its indigenous petroleum resources to counteract its present security of supply exposure"*

Earlier, in June 2003 the Minister stated that

> *"In Ireland we are committed to regional development, much as the Governments of Scandanavia are. As a Government we want to promote the Border Midland and West Region.*
>
> *The availability of indigenous competitively priced gas should facilitate an improvement in the regions energy infrastructure and supply position and thereby help stimulate further investment in Mayo and the Northwest.*

The development of the gas field would contribute to the potential economic and social regeneration of Mayo and the North-west region and to the sustainable development of the area, in that it would have:

- *Acted as a catalyst for the extension of the natural gas network to the west of Ireland:*
- *Facilitated the improvement of the regions infrastructure, particularly its electricity supply and distribution network, thereby removing a barrier to inward investment;*
- *Significantly increased local employment, especially in the construction phase, and the long term by way of terminal jobs.*

It is clear that national policy is to develop the Corrib offshore natural gas resource; the development of a terminal is an essential component in realising the national policy in this context therefore development subject of this application will advance stated government policy.

With regard to the achievement of Balanced Regional Development ie the extension of the Bord Gais network into Mayo and the North-West of the country in general, it is stated government policy to extend the gas network to Sligo, at least when the Corrib field is opened up. Given the need for a terminal to develop that resource, this development can be seen to contribute to Balanced Regional Development. The terminal in itself will not guarantee the extension of the network to the towns in County Mayo, that is a political matter for government and outside the remit of this planning application but what can be said is, without the presence of a gas terminal somewhere in or close to the county, the case for extension of the gas network to towns in county Mayo is severely weakened and with it the opportunity to redress the imbalance in regional and sub-regional development to the benefit of Mayo.

The question that Mayo County Council must consider is "Does this planning application contribute to, or further stated national policy with regard to development of the Corrib Natural gas field? It is my view that it will.

Therefore the reasoning of An Bord Pleanala with regard to development of a gas terminal on this site is in compliance with national policy on development of gas resources and the contribution that it can make to balanced regional development is relevant to this planning application.

AVAILABLE ALTERNATIVES

An Bord Pleanala noted that alternatives are available for the development of the Corrib Gas Field and these alternatives remain. However An Bord Pleanala considered that national policy for the provision of gas infrastructure and the timing and terms of the development of natural gas resources is the responsibility of the Minister for Communications, the Marine and Natural Resources.

The Board considered that although alternative strategies for the Corrib Gas field are available, that of itself would not justify a refusal of permission for the development that is otherwise acceptable in terms of its land use and environmental impacts.

This consideration applies equally to the current application and so the Board's reasoning is still valid.

COUNTY DEVELOPMENT PLAN

The new County Development Plan a Landscape Appraisal that identifies visually sensitive areas. The site of the proposed terminal site is now part of a Landscape Policy Area, Policy Area 1. Montaine Coastal. The indicative policies for each Policy Area relate to the landscape attributes, robustness, and sensitivities policies within each area. Given the exact nature and location of the terminal not all policies apply to the site. In dealing with the scenic evaluation the terminal site is largely unclassified ie not sensitive. There are however two parts of the site classified as sensitive, a small area of peat bog along the R-314 and an area of natural grassland north of the site.

Policy with regard to sensitive areas in the Scenic Evaluation does not exclude development.

The Development Impact - Landscape Sensitivity Matrix indicates that in Policy Area 1 Industrial/Commercial development would have a Medium-Low potential to create an adverse impacts on the existing landscape character.

The other two considerations of An Bord Pleanala relate to the existing vegetation and plantation on the site and the fact that whatever visual impact the terminal may have it not serious enough to warrant refusal given the strategic nature of the proposed development.

The changes to the original development insofar as visual impact is concerned will, in my view improve the development and in fact will result in less visual impact than the original proposal, I consider that the reasoning of An Bord Pleanala is still valid in these regards.

HEALTH & SAFETY.

In P01/900 An Bord Pleanala had regard to the report of the National Authority for Occupational Safety and Health, (HSA) which did not recommend against the granting of planning permission subject to a number of conditions concerning bunding and monitoring.

I consider that the reasoning of An Bord Pleanala is still valid in respect of Health & Safety Authorities report.

THE APPLICABILITY OF THE AN BORD PLEANALA'S REASON FOR REFUSAL ON P01/900

PEAT REMOVAL

In their reason for refusal (set out in Appendix 2) An Bord Pleanala considered that there was a high probability that the proposed peat repositories would fail and therefore the peat repositories would pose an unacceptable risk to the health and safety of the local community, public using the road in the vicinity of the site, pollution of salmonid waters and injure the amenities of property in the vicinity.

The current proposal is now to minimise the amount of peat to be extracted and to remove that peat off–site to be spread on an existing cutover bog. There will be no peat repositories on this site or at the Shramore site in the case of this current application and consequently no risk to the health and safety of people, road users or pollution of salmonid rivers.

It is my opinion that the revise proposals as evidenced by the site design philosophy and the construction methodology overcome the stated considerations of AnBord Pleanala's reason for refusal.

Conclusion.

In conclusion it is my opinion that the rationale advanced by An Bord Pleanala in it's Direction of 29th April 2003 for not using the Inspector's recommendations are still valid for this application and furthermore the board's reason for refusal in that Direction is no longer applicable to this development.

EPA & PLANNING.

The enactment of section 256 of the Planning & Development Act 2000 now provides for interaction between the Planning Authority and the EPA on licensable activities. Under section 256, having sought observations on the EIS submitted, Mayo County Council must have regard to those observations.

The EPA have indicated that, having examined the EIS they are satisfied that the EIS meets the EIA Regulations in so far as risk to the environment is concerned and that it will consider the environmental emissions arising from the development as detailed in the EIS if and when they receive an application for an IPPC Licence.

There is nothing contained in the observations from the EPA, in the matter of environmental emissions, that would lead Mayo County Council to conclude that the development is unacceptable on environmental grounds.

RESPONSE TO SUBMISSIONS IN SUPPORT OF THE DEVELOPMENT.

The broad statements in support of the proposed development centre on the benefits the development would bring to the area in terms of employment and social & economic development. Section 5 of the EIS deals with the socio-economic aspects of the development.

Medium to long-term employment arising from the development will be in the region of 50 jobs created during the operational phase. Over the construction period of approximately 30 months construction employment will rise steadily to a peak of about 500.

In the context of an area that is characterised as among the 10% most disadvantaged areas in the country the proposed development would:

- provide an economic alternative to the declining agricultural sector through the provision of sustainable employment, reducing out-migration from this rural area and consolidating the local community;

- during the construction phase, have a positive impact on the local economy.

While acknowledging that the spread of the natural gas network into the towns of Mayo is by no means certain, the fact remains that the development of the Corrib Field is explicit in the National Spatial Strategy.

> *"The Government also decided in 2001 that in principle, and subject to more detailed analysis, the gas network should be extended to Letterkenny from Derry and to Sligo via a spur from the Mayo/Galway pipeline, which is planned to connect the Corrib field to the gas network."*

The development of the terminal will therefore facilitate this policy objective and in doing so will

- Act as a catalyst for the extension of the natural gas network to the west of Ireland:
- Facilitate the improvement of the regions infrastructure, a gas powered elctricity station would support the development of the electricity supply and distribution network, thereby removing a barrier to inward investment;
- Allow Mayo to connect to the global gas network in to the future
- Significantly increase local employment, especially in the construction phase, and the long term by way of terminal jobs.

RESPONSE TO SUBMISSIONS OBJECTING TO THE PROPOSED DEVELOPMENT.

The reasons for objecting to the development are wide ranging and varied however I have excluded from consideration in this report those objections that have no direct bearing on planning matters contained within the EIS or planning application documents. The objections I consider relevant, as they relate to development applied for, fall into a number of themes as follows:

Project Splitting.

The objection to the development on the grounds of project splitting ie. that in this case in dealing with Environmental Impact Assessment one cannot divorce the pipeline(s) from the terminal or the terminal from the haul road and peat deposition site. This objection is rooted in the European Reasoned Opinion addressing Ireland's failure to fulfil obligations under Council Directive 85/337/EEC, as amended by Council Directive 97/11/EC.

This objection is unsustainable for two reasons; firstly the Reasoned Opinion specifically deals with the relationship between IPPC Licensing and planning, (since amended by section 256 of the Planning & Development Act) and not on the interaction between physical projects. Secondly Article 1(3) of Council Directive 85/337/EEC, as amended by Council Directive 97/11/EC specifically states that:

"The competent authority or authorities shall be that or those which the Member States designate as responsible for performing the duties arising from this Directive".

In Ireland there are several "competent authorities" each having been given responsibility by legislation.

- The competent authority for land use planning and for considering this application is Mayo County Council only after having considered that the development is not "unacceptable on environmental grounds".

- The competent authority for determining an Integrated Pollution and Prevention Control Licence for the operation of the terminal and the issuing of a Waste Licence for the Srahmore site is the Environmental Protection Agency under the Environmental Protection Agency Acts 1992 & 2003 and the Waste Management Acts 1996-2003 respectively.

- The competent authority for the issuing of a Pipeline Consent regarding the pipeline from the gas field to the terminal is the Minister for Communications, the Marine and Natural Resources under the Gas Act 1976 (as amended).

- The competent authority for determining an application for a licence to occupy the foreshore to construct the subsea pipeline, outfall and umbilical system under the is the Minister for Communications, the Marine and Natural Resources under the Foreshore Acts 1933 to 1998.

- The competent authority for determining an application for approval for the construction of pipeline from the terminal to Craughwell, Co. Galway is the Minister for Public Enterprise under the Gas Act 1976 (as amended).

- The competent authority for the carrying out of works for the upgrading of the public road to be used, as the primary haul route is Mayo County Council. It is the intention of Mayo County Council to proceed with a scheme of upgrading of Local Roads L-12044 and L-1204 for use as a haul route between the two sites. The upgrading will require an assessment of the implications for the Carrowmore Lake Complex (cSAC No. 000476) site in view of the site's conservation objectives. The upgrade of the Local Roads L-12044 and L-1204 for use as a haul route will be subject to the requirements of Part 8 of the Planning and Development Regulations 2001.

The objection based on the premise that the EIA for this terminal should include and encompass the EIA for several other projects under the responsibility of different organisations is not tenable in the light of current legislation.

Need for the project.

This objection is based on the view that there is no need for this project in view of the supply of gas from the inter-connector to Scotland and that the Corrib gas reserves should be retained for the future. The applicant sets out the need for the terminal in section 4 of the EIS based on

the need for Ireland to put measures in place to ensure there is a sustained gas supply for the future.

The need to develop the Corrib Gas Field and in consequence this gas terminal, is identified as a national priority for the following reasons as:

- the exploitation of the gas resource would constitute sustainable development, contributing towards meeting Ireland's Kyoto objectives.
- aiding the development of a secure and reliable indigenous gas resource.
- limiting dependence upon gas sourced from outside of the country, thus reducing the net import of gas.
- acting as a controlling mechanism for the cost of this form of energy to the country.

There is a need for gas supply at Regional Level:

- to act as a catalyst for the extension of the Bord Gais transmission system to the west and north-west.
- to facilitate the region's infrastructure.
- to increase local employment in Erris by the addition of up to 50 permanent jobs as well as temporary employment at the construction stage of the development.

The need for the development of the gas terminal is clearly established. It is essential if the stated government policy, as expressed by both the relevant Minister and published policy documents, is to develop the Corrib gas field in order to retain some security of gas supply and to develop alternative, native supplies of energy. Under section 69 of the Local Government Act 2001 Mayo County Council are bound to have regard to the policies and objectives of the Government or any Minister. Furthermore, An Bord Pleanala has established that policy issues in relation to the development of gas infrastructure are a matter for the Minister for Communications, Marine and Natural Resources.

Alternative strategies for development of the Corrib field & Site selection.

These objections focus on the view that there are other strategies available for the development of the Corrib gas field. section 4 of the EIS deals comprehensively with the examination of alternatives. in particular sections 4.2 and 4.3 deal with alternative development strategies. An Bord Pleanala noted there were alternative gas field development options available but decided that it was a matter for the Minister for Communications, Marine and Natural Resources to decide policy issues relating to the development of gas infrastructure. As stated earlier this reasoning is still pertinent in considering this application which it is before Mayo County Council.

Section 4.4 deals in some depth with the selection of an onshore site in Mayo. Having inspected the general locality of the alternative sites given in section 4.4.2 I would concur with the findings of the EIS that this site offers less visual intrusion and less interference with designated nature sites than the alternative sites identified.

Adequacy of the Environmental Impact Statement.

The objection relates to the inadequacy and inaccuracies contained in the EIS. Having examined the EIS in the context of "Guidance on EIA - *EIS Review* " published by the European Commission, I consider that the EIS submitted with the planning application

contains the information specified in Schedule 6 of the Planning & Development Regulations 2001 and therefore complies with Article 94 of the Planning and Development Regulations 2001.

The deficiencies identified in the EIS relate to minor matters that do not affect findings of the EIS.

Material Contravention of Mayo County Development Plan.

This objection asserts that the proposed development generally is a material contravention of the Mayo County Development Plan 2003-2009.

The only specific ground advanced is that the development contravenes Objective EH-NH 1 which states:

> *"It is an objective of the Council to protect and conserve areas designated as candidate Special Areas of Conservation, Special Protection Areas and proposed National Heritage Areas listed in Appendix V or any additional such areas that may be so designated during the lifetime of the plan."*

It is clear from the EIS and planning application documents that neither the terminal nor the deposition site is located in a designated area. The objection makes reference to the proposed upgrading of the L-1204 and L-12044 as the haul road between the Bellanaboy and Srahmore sites part of which runs through the Carrowmore Lake Complex, a candidate Special Area of Conservation/Special Protection Area (cSAC No. 000476) for a short distance. Mayo County Council Drawing No. 3225/04/01 shows the extent and nature of the road upgrading. It is clear that with the exception of one small stretch the road upgrading takes place outside the cSAC boundaries. Where the upgrading actually crosses through the cSAC, improvements will take place on the existing road between the existing fences, thus that part of the cSAC will not be affected in any way since the roadway is fenced off from the undeveloped lands.

Waste.

This objection is on the basis that disposal of excavated material from the construction of the terminal that cannot be reused on the site and materials from decommissioning of Srahmore will be used in either (i) the construction of Bellacorrick windfarm (ii) used in construction of another site (iii) disposed of the landfill and the lack of data. The EIS in Section 3 and to some extent in Section 16 set out proposals for construction waste. Supplementary data is given in Volume 1 section 17 of the further information submitted. In any event the deposition of construction waste either at Bellacorrick or some other location will require a Waste Permit under the Waste Management Acts 1996-2003 and as such will be controlled by the EPA and not Mayo County Council.

IPPC Licence.

There are two objections in relation to IPPC Licence issues.Firstly that the development at Srahmore will require an alteration of IPPC Licence No. 505. this is a fact and will be subject to statutory procedures under the control of the EPA. Additionally the deposition of the peat from Bellanaboy at Srahmore will require a Waste Licence. The EPA in their report of 11/4/02 indicate that they have a current application before them for a Waste Licence for the

Srahmore Site. Secondly, that there is no IPPC licence for the Bellanaboy site. There is no onus on any applicant to run the Planning Permission and IPPC Licence applications concurrently.

Full extent of Bord na Mona lands not outlined in Blue.

This objection relates to Article 23(1)(a) of the Planning & Development Regulations 2001 where

> *"land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land which is the subject of the application shall be outlined in blue..."*

In the drawings submitted for the planning application TES Drawing No. 1169/01/401 clearly shows the site outlined in red and the lands adjoining the site in blue.

Roads & Traffic.

The impact of traffic, particularly construction traffic, on the road network and residential amenity of people in the area elicited a large number of objections.

It is obvious that the proposal to haul 450,000m³ of peat form Bellanaboy to Srahmore will have an impact on roads and people, as well as the traffic bringing construction materials to the sites. The matter to be considered by Mayo County Council is the impact of such magnitude and duration as to justify a refusal of the application?

The number of trips generated by the development of the terminal and deposition site is in the region of 66,000 (Heavy Commercial Vehicles) HCV trips over a 30-month construction period. The bulk of the journeys will involve the transport of the peat, some 45,000 HCV movements, spread over two summer seasons of 112 days. The transport of the construction materials will involve 21,000 HCV movements.

In dealing with the haulage of such an amount of material two factors would minimise physical and human impact. By confining haulage to specified haul routes damage to the overall road network would be reduced. By condensing the haulage period of the peat to two "short, sharp haul periods" prolonged inconvenience can be avoided.

Designated Haulage Route.

The carrying out of such a haulage programme on the existing unimproved road network in the vicinity of the proposed development would lead to a rapid degradation and ultimate breakdown of the road structure. However by identifying the haul routes, in this case L-1204, L-1244 and parts of the R-313 and R-134 in advance of construction an appropriate strengthening programme can be put in place prior to the movement of any materials.

The upgrading will consist of widening and strengthening of the carriageway throughout its length between both sites to a minimum width of 5.5m. This 5.5m width is identified in RT180 (Geometric Guidelines for Roads, issued by the Dept. of Environment) as a desirable pavement width for Local Roads). The proposed works will adequately cater for the levels of

transport associated with the development. It will also be possible to exceed the 5.5m width for a least 50% of the haul route between Bellanaboy and Srahmore.

The development of the terminal does not involve the use of the Dooncarton-Glengad route for the haulage of materials. Development at Bellanaboy will be confined to the specified roads.

The upgrading of the L-1204 and L1244 will require Mayo County Council to initiate procedures under Part 8 of the Planning & Development Regulations 2001 as required by section 179 of Planning and Development Act 2000. The existing road bisects Carrowmore Lake cSAC and an assessment of the likely impacts of the work on the cSAC has been carried out. The assessment included discussions with the Heritage and Planning Division of Department of the Environment, Heritage & Local Government and the indications are that the proposed upgrading of the designated haulage route will have no adverse impact on the cSAC.

At the end of the construction period the standard of the L-1204 will be substantially improved, at no cost to Mayo County Council, this represents a planning gain for the benefit of the local community.

Minimising disturbance.

The Developer proposes to transport the peat in volumes of 10m³ on trucks using a fleet of 40 vehicles, this will give rise to 400 round trips per day.Individual locations along the route will therefore experience 800 traffic movements per day generated by the transport of the peat. On average one traffic movement occurring at an individual point every 40 seconds over a total of 112 working days (broken into two seasons).

Recognising that this level of movement will have a significant impact on local residents and other road users Mayo County Council devised 3 alternative options for the transport of the peat.

Option 1 - *The trucks to move in fleets of 4 vehicles thereby increasing the intervals between vehicular movements to an average of 160 seconds. (2 minutes and 40 seconds)*

Option 2 - *The trucks to carry a larger payload (say 20m³) which would reduce the fleet level required to carry out the haulage operation to 20 – 22 vehicles.*

Option 3 - *The trucks to carry the 10m³payload but the haulage operation duration to be extended to 225 working days. This would increase the interval between single vehicular movements to an average of 80 seconds.*

In assessing these three other options Mayo County Council concluded that; Option 1, moving the peat in convoys of 4 vehicles each carrying 10m³ of peat, would create an unacceptable traffic hazard to other road users. Option 2, using vehicles carrying a 20m³ payload, would require articulated vehicles. The free and safe movement of these vehicles would necessitate significant realignment of the haul route over and above the level identified on the Drawing No.3225/04/01 and would add considerably to the cost and time required to upgrade the haul route and would interfere with Carrowmore cSAC. Option 3, increasing the duration of the haulage operation to 225 working days, would prolong the adverse impact on local residents and road users.

Mayo County Council, having analysed alternative transport strategies are of the view that the proposal indicated by the developer of 400 round trips per day (800 traffic movements) is a reasonable approach to the issue of transporting 450,000m³ of peat from Bellanaboy to Srahmore.

The Transport Management Plan submitted as Further Information sets out in detail, taking into account the concerns of local residents and road users, the Gardai and Mayo County Council how the traffic on the L-1204 in particular can be organised to mitigate against serious delays. Some disruption will be inevitable due to the increased level of traffic movements on this route.

A Project Monitoring Group will oversee the implementation of the Transport Management Plan.

Health & Safety.

This objection to the proposed terminal concerns possible effects on the health and safety of the local population in the event of a major accident. Section 2.7 of the EIS addresses this issue. The risk of a major accident was assessed in detail in the technical advice prepared by the HSA (as the competent authority under the Seveso II Directive) including a Quantified Risk Assessment (QRA). The conclusion of the HSA is that the risk of receiving a dangerous dose[3] at the nearest residence is less than 1:1 million per year and that the risk level is such that the HSA does not advise against the development.

Peat extraction &Peat Stabilisation.

The concerns expressed with regard to the extraction of peat relate to practicalities involved in the peat extraction stage of the construction phase, such as the ability of the windrowed, extracted peat to dewater sufficiently to allow transportation, contingency plans for windrowed peat in poor weather conditions etc.

The second concern related to peat is the fact that the proposed method of stabilising the peat is a relatively new technology untested in Irish peat conditions.

The EIS indicates that Bord na Mona will monitor the loading for transportation to ensure that loaded peat meets BnM specification. The Further Information indicates that the peat at Bellanaboy is already well drained and that windrowing is a standard procedure used by Bord na Mona for dewatering peat. Drainage from the windrowed peat is directed to settlement ponds. The settlement ponds and silt traps will be monitored.

The use of peat binder in other locations and research is set out in Section 11 of Volume 1 of the Further Information. The technical advice to the Council indicates that there is no cause for concern regarding the use of peat binder.

Risk of water pollution / Eutrophication of Carrowmore Lake.

One of the concerns most frequently expressed was the danger of pollution of watercourses in general but Carrowmore Lake in particular (especially in view of recent algal blooms in the

[3] Defined as severe distress to almost everyone, a substantial fraction requires medical attention, highly susceptible people might be killed.

lake). Protection of the lake (and watercourses feeding into it) is critical given its importance for angling and as a source of potable water. At the Srahmore site the Heritage and Planning Division of Department of the Environment, Heritage & Local Government has highlighted the need to protect the Owenmore and Munhin rivers from pollution as they feed into the proposed Natural Heritage Area (pNHA) No. 001567 of Tullaghan Bay.

Site drainage on both sites is dealt with comprehensively in the EIS and is less complicated than in the previous application. The approach taken to site drainage is described as cautious by Mayo County Council's geotechnical (meaning designed to anticipate and minimise all possible risks of water pollution). The research into the lime/cement binder indicates that no leaching of the binder will occur.

The North-West Regional Fisheries Board, the Heritage and Planning Division of Department of the Environment, Heritage & Local Government and Mayo County Council who together are the main agencies responsible for the protection of watercourses are satisfied that providing the stated mitigation measures are put in place to avoid pollution are carried out and that a proper monitoring regime is put in place the risk of pollution is minimised.

The Habitats Regulations & Damage to Nature Conservation sites (cSACs, NHAs and SPAs).

This objection is on the basis that the proposed development will damage or is likely to damage the "European Sites" in the area. By virtue of the European Communities (Natural Habitats) Regulations, 1997, a local authority in considering an application for development that is not directly connected with, or necessary to the management of, a European site but is likely to have a significant effect it either individually or in combination with other developments must ensure that an appropriate assessment of the implications for the site, in view of the site's conservation objectives, is undertaken. In this case the Environmental Impact Statement (both volumes) as submitted is taken to be the appropriate assessment in this case.

The local authority can grant permission **only** after having ascertained that it will not adversely affect the integrity of the European site concerned. The Habitats Regulations allow the imposition of conditions or restrictions.

The reports from the competent agencies responsible for the protection of the European sites, in this case the Heritage and Planning Division of Department of the Environment, Heritage & Local Government and the North-West Regional Fisheries Board (in the case of salmonid rivers) indicate that, in accepting the mitigation measures presented in the EIS and subject to certain conditions the proposed development will not adversely affect the integrity of any of the European sites in the vicinity of the development.

Air quality.

The objection is that the emissions to air from the proposed development will result in a decline in air quality in the vicinity of the site both at construction and operational stage.

The mitigation measures proposed during construction and the fact that it is proposed to monitor for dust levels will ensure air quality can be maintained to proper standards. The setting of limits of environmental emissions to air from the terminal facility is the

responsibility of the EPA who have indicated that emissions to the atmosphere will be dealt with by way of IPPC Licence and the fact that the EPA are satisfied that the EIS contains all the necessary information, including mitigation measures Mayo County Council is satisfied, that the development will be constructed and operated in an environmentally acceptable manner.

Landscape Designation & Adverse Visual Impact.

This objection argues that the proposed development at the terminal site will have an adverse impact on the landscape and will result in a decline in the quality of the landscape in the area.

The terminal development is located in Policy Area 1 "Montaine Coastal" (identified in the Landscape Appraisal contained in the Mayo County Development Plan 2003-2009. However it is my opinion that this site is atypical of the "Montaine Coastal" classification since it is located some 5km from the coast therefore has no visual connection to it, furthermore the site is on the southern slope of a hill facing away from the coastline. In this context only 3 of the 7 policy considerations of Policy Area 1 are relevant to the proposed development, a point made in section 13 of the EIS.

The Development Impact - Landscape Sensitivity Matrix in the Landscape Appraisal indicates that in Policy Area 1 Industrial/Commercial development constitutes a Medium to Low potential to create an adverse impact on the existing landscape character.

I would view the case of the gas terminal as Medium rather than Low. Medium potential is defined as:

> *"Such developments are likely to be clearly discernible and distinctive, however, by careful siting and good design, the significance and extent of impacts can be minimized to an acceptable level"*

The photomontages submitted in the EIS give a good indication of the visual impact of the development in the landscape and it is quite obvious that the development will be visible to some extent over a wide area and the visual impact at some locations will be greater than at others.

The Srahmore site is in Policy Area 3 and is identified as a visually sensitive because of the low-lying, flat topography has little ability to absorb structures. However in the case of the Shramore site the proposed development is spreading peat which, in my opinion will differ very little from the current landscape character and so will have little impact on the visual amenity of the area. I would consider the spreading of peat as having a low potential to create an adverse impact on the existing landscape character. Low potential being defined as :

> *"Such development is likely to be widely conceived as normal and appropriate unless siting and design are poor"*

It is an objective of the Mayo County Development Plan 2003-2009 that development does not adversely affect scenic views and prospects:

EH-VP 1 *It is an objective of the Council to ensure that development does not interfere with views and prospects and the amenities of places and*

features of natural beauty or interest when viewed from the public realm. Views and prospects worthy of preservation and protection are indicated on Map 12.

Map 12 identifies three scenic routes in the locality of the site. The road from Pollatomish-Barnatra and the Pollatomish–Bellanaboy road looking north to Broadhaven Bay. From these routes the terminal is either totally screened by intervening topography or the direction of the scenic coastal vista is in the opposite direction to the terminal site itself. Consequently there will have no negative impact on scenic coastal vistas. The third scenic route is Regional Road R-314. While travelling from the east the development will be screened by the roadside shrubs/trees from the west the development will largely be screened by the plantations on the site although the higher elements of the development will be visible. The architectural treatment of those elements will reduce the impact.

The platform on which the terminal will be constructed will be 33.4 AOD approximately 1.4 m higher than the previous application. From the EIS it seems that the rise in platform level is the result of a "trade-off" between the benefits (in terms of reduced impact on the environment, traffic, no visual impact of repositories, together with reduced number of high structures etc) of minimising peat excavation/footprint and the cost, in visual terms of 1.4 m rise in height. In the context of the overall development the 1.4m rise in platform level is negligible and is far outweighed by the other benefits accruing.

From information in the EIS regarding the examination of the optimum location of the development within the site, the minimisation of the footprint and elimination of some high structures from the previous application, together with the additional planting and landscape strategy set out in Section 13 of the EIS, the fact that much of the development will be screened by utilisation of the existing vegetation and the architectural design and treatment of the structures within the complex it is my opinion that visual impact on the surrounding landscape is minimal and that while agreeing that the terminal will have an visual impact on the area, such impact, given the mitigation measures proposed would not justify refusing the development given it's strategic nature.

Noise.

The concerns about noise arise from (i) construction onsite (iii) construction traffic along the haul route and (iii) noise from the operation of the gas terminal. The issue of noise is dealt with in section 3 of the EIS.

Most people notice noise when an event (single & separate occurrence) or process (continuous noise) causes the noise levels to rise above the background noise.
The noise increase due to construction and construction traffic noise will be for a limited duration and if the mitigation measures proposed are carried out it will be minimised.

The EIS establishes background noise levels at 50 dB in proximity to the R-314 during the day. The predicted noise at the operational stage should not result in increased noise levels over the existing background noise at the nearest dwellings.

A monitoring regime can control noise levels to the proper standard at construction stage.

At the operational stage, because the terminal will be subject to and IPPC licence noise levels will be controlled by the EPA.

Legal Issues / Breach of EU law.

Having examined the documentation submitted I am satisfied that the plans and particulars :

- Meet the requirements of the Planning and Development Regulations 2001 with regard to Articles 17-19,22,23,33,35.
- Meet the requirements of the Planning and Development Regulations 2001 with regard to Schedule 6 and Article 94.

That there has been no breach of EU Law, this refers to the European Reasoned Opinion which is not binding on government and that Mayo County Council has had regard to the Planning & Development Acts 2000-2002 as it currently stands.

Risk of Landslides.

The concern that the risk of landslide caused by the development and to the development is prompted by the recent events at Dooncarton Hill to the NW of the site.

According to the EIS rainfall event at Dooncarton was 40mm/hr and the design rainfall for the site drainage is 45mm/hr. The geotechnical report prepared for the Council confirmed that the design of the site drainage is "conservative " ie. designed in excess of the worst known event.

Pipeline Location & Safety.

The objections concerning the location and safety of the pipeline relate to two issues. Firstly, proximity of the proposed pipeline to residences and secondly, the stability of the proposed pipeline in deep peat from the site boundary to the terminal. The proximity of the pipeline to dwellings is determined by the Consent issued by the Minister for Communications, Marine & Natural Resources. Condition 2 of the Consent states the minimum distance to be 70 metres. The pipeline from the site boundary to the terminal meets this requirement. The pipeline from the terminal boundary to the manifold is under the control of the Department of Communications, Marine and Natural Resources and not relevant to this planning application.

The second issue arises from the Health and Safety Authority informing Mayo County Council that the definition of establishment in this case did not include the pipelines into or out of the terminal plant and that they would not be examining those pipelines in their advice.

Item 2 of the Further Information requested:

> *Written confirmation from the relevant regulatory authority that the design of the proposed gas pipelines from the terminal compound to the site boundary is suitable to ensure the structural stability of the pipelines constructed in deep peat soil.*

The applicant's response was that both the pipelines were subject of separate consents, the Department of Communications, Marine & Natural Resources in the case of the in-coming pipe and the Department of Public Enterprise in the case of the out-going pipe. The applicant

states that the application for those consents included pipeline design details and the consents were issued on that basis.

The purpose of the request was that the Council, while recognising that the pipelines were the subject of separate consent processes to planning permission, sought confirmation that the issue of the structural stability of the pipelines constructed in deep peat soil had been addressed by the competent authority in response to issues raised in submissions. The Council accepts the applicant's response.

Contrary to National Policy on Sustainable Development.

The assertion that the development is contrary to national policy on Sustainable Development is difficult to reconcile with the policy as expressed in "Sustainable Development – A Strategy for Ireland" 1997.

> *"It is vital that Ireland vigorously promote its offshore oil and gas exploration programme"*

It also notes that *'it will be some decades'* before other sources, such as wind, hydro, wave/tidal, biomass etc. *'can offer a substantial alternative to current sources'*. Furthermore the Green Paper on Sustainable Energy states that

> *"Given the trends in GHG emissions and the expected growth in CO_2 from energy between now and 2010, fuel switching to gas is attractive if security of supply considerations are ignored. Any policy which encourages extensive fuel switching to natural gas must address the security of supply implications."*

In these terms the proposed development does comply with national policy on sustainable development.

Detrimental effects on fishing grounds.

All emissions related to the outfall pipe are the subject of an EPA licence and as such discharges from the development to Broadhaven Bay are the controlled by the Environmental Protection Agency who have indicated that all emission s to air and water will be the subject of an IPPC Licence.

Extension of offshore pipeline.

The Erris Inshore Fishermen's Association are seeking to have the outfall pipe extended to 18 Km from the landfall. The outfall pipe is subject to the consent of the Minister for the Communications, Marine and Natural Resources. The location of the outfall pipeline was conditioned by the Minister's Consent for the construction of the pipeline to be 12Km from the landfall and outside the Broadhaven cSAC.

Above-ground structures for the pipeline.

Pipeline from the landfall to the terminal has been the subject of a consent from the Minister for Communications, Marine and Natural Resources.

TENORM.

TENORM (Technologically Enhanced Naturally Occurring Radioactive Material) there is no reference to this in the EIS. However there is reference to the NORM (Naturally Occurring Radioactive Material) in Section 16 of the EIS. If NORM does occur the disposal of such is carried out under a solid waste licence issued by the Radiological Protection Institute of Ireland (RPII), as required by the Radiological Protection Act, 1991 (Ionising Radiation) Order, 2000, S.I. No. 125 of 2000.

Lighting at night

Section 2 of the EIS indicates the approach to be taken for lighting the terminal at night. The EIS states that some lighting will be necessary at night however under normal circumstances extensive lighting will not be required as no outside work takes place at night. Light levels on the site will be minimised by restricting the number and height of lights, extensive use of downlighting in the plant and maintenance areas, low level bollard lighting along paths and site roads. It is proposed that where possible lighting on the operating plant will only be activated when personnel access an area

In my opinion the proposals for the night-time lighting of the terminal are reasonable.

17. CONCLUSION AND RECOMMENDATION.

The Local Government (Planning and Development) Act, 2000, compels Mayo County Council to have regard to the" proper planning and sustainable development" of an area. The definition of sustainability is subject to a wide range of interpretation although in general people understand the concept. The issue of sustainability arose out of concern for the environment and because environmental; parameters are easily measured the sustainability has remained largely rooted in environmental concerns. However "sustainability" also encompasses social and economic concerns reflecting the integrated nature of man and his environment. The Council in reaching a decision is faced with balancing the sustainability equation which encompasses, environment, society, and economy and which is fundamental to the County Development Plan 2003-2009.

It is government policy that the Corrib Gas field should be developed, the government's position on this is set out in a number of documents. An Bord Pleanala made it clear that in the last decision that strategic, policy matters with regard to the nature, timing and terms of the development of the gas resource is the responsibility of the Minister for Communications, Marine and Natural Resources. Mayo County Council is statute bound to have regard to national policy. The development of the gas terminal subject of this application will significantly contribute to the implementation of government policy.

Much has been made of the fact that there is no provision for the development of a gas network in Mayo and that the gas processed in the terminal will be exported into the national network and out of the West and North-West Regions. While this is true as things stand, the government in the statement given by the Minister for Communications, Marine and Natural Resources on June 5th 2003 clearly indicates that it sees the availability of indigenous gas as

facilitating an improvement in the regions energy infrastructure and supply and will act as a catalyst for the extension of the natural gas network to the west of Ireland and therefore contribute to the economic and social regeneration of Mayo and the north-west region and the sustainable development of the area.

While it would be preferable that there was certainty that the gas network would be extended to the towns in Mayo that decision is in the remit of the Minister for Communications, Marine and Natural Resources. The spread of the gas network within the county is unlikely without the momentum generated by the gas terminal.

While acknowledging the wider context with which the proposed development is bound, the Council is also faced with deciding whether this development is acceptable on this particular site and whether it is accordance with the County Development Plan and the sustainable development of the area.

The proposed development is unequivocally in accordance with the Development Plan objectives as they relate to the need to address the infrastructure deficit in the County, the provision of a gas terminal in north Mayo.

The mechanism in the development plan for assessing the visual impact of any development is the Landscape Appraisal. The Landscape Appraisal begins from the standpoint that every landscape is affected to some degree by new development and for the purpose of development control, it is important to determine the degree of impact of the proposed development. The underlying determinant in visual impact is whether the impact has been kept to a reasonable minimum or whether impact is so great that it alters the character of the area to an unacceptable degree.

The Development Impact - Landscape Sensitivity Matrix is the broad guide to assessing the visual impact and it is stressed in the Matrix that given the fact that all developments are unique in appearance and that landscapes often vary at a micro level, (as is the case with the Terminal Site) the Development Impact - Landscape Sensitivity Matrix is a tool for guiding and supporting decision making rather than a decision making instrument in itself.

The landscape strategy, the design approach taken to the buildings and structures the elimination of the previous peat repositories all reduce the visual impact from the previous proposal and I am satisfied that any adverse visual impact is minimised and the degree of impact is acceptable.

As far as the responsibilities of Mayo County Council permit, the development as it affects the environment has been examined and found to be acceptable providing the mitigation measures (and any amendments thereto) are carried out and properly monitored.

The EPA will deal with the effect on the environment of emissions as the development will be subject to an IPPC Licence.

The Health and Safety Authority do not advise against the development.

Having considered the Planning Application, the EIS, Further Information, the Technical Advice of the EPA and Health & Safety Authority, Reports and Submissions/Observations submitted I am satisfied that the proposed development is in accordance with the proper planning and sustainable development of the area. Accordingly I Recommend that Permission be granted for the reason set out in the First Schedule and subject to the conditions specified in the Second Schedule below.

P03/3343 FIRST SCHEDULE.

Having regard to:

(a) the National policy with regard to the development of energy and natural gas resources in particular;

(d) the compatibility of the proposed development with the development strategies for the Border, Midlands and Western Region within the National Spatial Strategy;

(e) the Mayo County Development Plan 2003-2009;

(d) the character of the landscape of the site;

(e) the report of the National Authority for Occupational Safety and Health, being the competent authority in relation to land use planning under Article 12 of the Council Directive 96/82EC (Seveso II),

it is considered that, subject to compliance with conditions set out in the Second Schedule, the proposed development would not seriously injure the visual amenities or landscape character of the area, would not seriously injure the amenities or property values of residential properties or farms in the vicinity, would not be prejudicial to public health, would not endanger public safety or be otherwise contrary to the proper planning and sustainable development of the area.

P03/3343 SECOND SCHEDULE.

SCHEDULE OF CONDITIONS

GENERAL.

1. The development shall be carried out in accordance with plans and documentation submitted to Mayo County Council on 17th December 2003, 23rd December 2003 and additional information submitted to Mayo County Council on 11th March 2004, except where amended by the conditions set out hereunder.
   Reason: *In the interest of clarity and proper planning and development.*

2. The development shall be constructed in accordance with undertakings for measures to mitigate its impacts as set out in the Environmental Impact Statement lodged with Mayo County Council on 23rd December 2003 and in the additional information received by Mayo County Council on 11th March 2004 except where amended by the conditions hereunder.

Reason: *To mitigate against any adverse environmental impacts resulting from the construction and operation of the development.*

3. Prior to the commencement of development the owners/developers (and their successors in title) shall enter into legally binding agreements and covenants with Mayo County Council pursuant to Section 47 of the Planning and Development Acts 2000 – 2002. These agreements and covenants shall provide inter alia for the following:

(i) To give effect to all undertakings given by the applicant and the requirements of Mayo County Council in relation to the landscaping of the site, to the maintenance and/or replacement of existing trees and provision of new planting to provide a permanent visual screen as shown on the Landscape Strategy (Shell Drawing No.'s COR-RS-LA-001, 002 and 003) submitted to Mayo County Council on 23rd December 2003.

(ii) The payment to Mayo County Council of all costs incurred by the Council on the repair, maintenance and rehabilitation of the road network arising from construction of the development and as determined by the road and bridge survey carried out prior to and post construction.

(viii) To ensure that all plant shall be disassembled and removed and that the site shall be restored to the satisfaction of Mayo County Council following the cessation of operations at the plant.

(ix) To ensure that the Transport Management Plan submitted on the 11th March 2004 and any amendments required by Mayo County Council is implemented.

(x) The acceptance by the developer of the composition, terms of reference and functions of the Project Monitoring Committee subject of Condition No. 16.

Reason: *To ensure the satisfactory completion of development authorised by the permission.*

ROADS & TRAFFIC MANAGEMENT.

Road Improvements.

4. Prior to the commencement of peat haulage operations and the importing of construction materials into the Bellanaboy site the developer shall, at its own expense, realign Regional Road R-314 in accordance with Mayo County Council Drawing No. 3225/04/02. The realignment shall be carried out under the supervision of Mayo County Council to an agreed design and specification.

Reason: *In the interest of traffic safety.*

5. The existing road side boundary along Regional Road R-314 at the proposed entrance to settlement ponds at the Bellanaboy site shall be set back in accordance with Mayo County Council Drawing No. 3225/04/03. The area between the edge of the carriageway and the new set back boundary shall be made level with the existing carriageway.

Reason: *In the interest of traffic safety.*

7. The maintenance, repair and upkeep of the strengthened haul routes Regional Road R-313, Local Roads L-12044, L-1204 and Regional Road R-314 from Bellanaboy Bridge to the main terminal entrance and all other roads in the region which are affected directly or indirectly by the proposed development throughout the construction period, shall be carried out by Mayo County Council and any costs incurred shall be paid by the Developer.

Reason: *To ensure the proper maintenance and upkeep of roads and bridges during construction.*

7. A road and bridge condition survey of the road network in the Erris region shall be undertaken by Mayo County Council, before and after the construction period. This survey shall determine the level of damage to the road network, if any, which would be attributable to the proposed development. The developer shall bear the cost of the survey and the cost of repairing any damage attributable to the proposed development.

Reason: *To ensure the proper maintenance and reinstatement of roads and bridges following construction.*

Traffic Management.

8. The developer shall comply with the provisions set out in the Traffic Management Plan submitted on the 11th March 2004 with regard to all aspects of transport generated by the proposed development. In particular the stated maximum number of 800 Heavy Commercial Vehicle (HCV) traffic movements per day along the primary haul route shall not be exceeded.

Reason: *In the interests of proper and efficient traffic management and residential amenity.*

9. The location of all road signs, advance warning signs, information signs according to the schedule set out in the Traffic Management Plan submitted on the 11th March 2004 shall be agreed with Mayo County Council prior to the commencement of haulage of any materials.

Reason: *In the interests of proper and efficient traffic management and traffic safety.*

Haul Routes.

10. Haulage of all materials required for the construction of the development at the Bellanaboy site shall be via Local Roads L-1204 and L-12044 and the section of the Regional Road R-314 from Bellanaboy Bridge to the main entrance to the terminal.

(ii) Materials transported via Bangor shall use Regional Road R-313, the Local Road L-1204, the Local Road L-12044 and Regional Road R-314 as the haul route to the site.

(ii) Materials transported from Belmullet shall use the Regional Road R-313 the Local Road L-12044, the Local Road L-1204 and Regional Road R-314 as the haul route to the site.

Reason: *In the interests of proper and efficient traffic management and traffic safety during construction and to minimise damage to the public road system in the area.*

11. Haulage of all materials required for the construction of the development at the Srahmore site shall be via Regional Road R-313.
Reason: *In the interests of proper and efficient traffic management and traffic safety during construction and to minimise damage to the public road system in the area.*

12. The haul route and schedule of haulage for the construction phase of the development shall be clearly documented and published in a manner to be agreed with Mayo County Council. All vehicles hauling materials to the Bellanaboy or Srahmore sites shall have a clear notice visible to the public identifying that they are involved with the development.
Reason: *In the interests of proper and efficient traffic management and traffic safety during construction and to minimise damage to the public road system in the area.*

13. All vehicles leaving the construction area of the site shall pass through a wheel wash.
Reason: *In the interest of proper planning and sustainable development of the area.*

14. Vehicles transporting waste from the site shall operate under a Waste Collection Permit.
Reason: *In the interest of proper planning and sustainable development of the area.*

15. The developer shall ensure that no material shall leak or fall from vehicles while in transit transporting waste from the terminal site.
Reason: *In the interest of proper planning and sustainable development of the area.*

ENVIRONMENT

16. Prior to the commencement of development a Project Monitoring Committee (PMC) shall be established to monitor earthworks, surface-water run-off, drainage control, traffic management and road maintenance, implementation of the landscape plan and other environmental issues. The Project Monitoring Committee shall comprise of two representatives of the developer, two officials from Mayo County Council, one official from each of the North West Regional Fisheries Board, the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government and the Environmental Protection Agency. The Committee shall be chaired by the Mayo County Manager (or his nominee) and the Committee may co-opt other members as required.
Reason: *To ensure effective monitoring during construction.*

Protection of Water Resources.

17. Prior to the commencement of development a maintenance programme for the silt traps and settling ponds shall be submitted to Mayo County Council for agreement. Any subsequent amendments arising from the construction phase or the requirements of Mayo County Council (following consultation with the Project Monitoring Committee) shall be agreed in writing. A record of all maintenance works shall be

kept and made available to Mayo County Council and the Project Monitoring Committee. The developer or its contractors shall nominate the person responsible for the operation of the silt traps and settlement ponds.
Reason: *To prevent water pollution.*

18. All surface water discharges from the disturbed area of the site shall be through the regime of settling ponds and silt traps as set out in the plans and particulars submitted on 17th December 2003, the accompanying Environmental Impact Statement submitted 23rd December 2003 and Further Information submitted on the11th March 2004.
Reason: *To prevent water pollution.*

19. No lime/cement binder to be used for peat stabilisation or other deleterious matter as defined in the Fisheries (Consolidation) Act 1959 shall be allowed to discharge to surface waters.
Reason: *To prevent water pollution.*

20. All fuel storage areas and cleaning areas, particularly cleaning areas for concrete trucks shall be rendered impervious to the materials stored therein or substances cleaned there-from and shall be constructed to ensure that no substance shall discharge from the area. In addition, tank and drum storage areas shall as a minimum be bunded, either locally or remotely, to a volume not less than the greater of the following:

(iii) 100% of the capacity of the largest tank or drum within the bunded area; or
(iv) 25% of the total volume of substance which could be stored within the bunded area.

Reason: *To avoid the pollution of surface or ground waters.*

21. The developer shall maintain on site for the duration of the construction period an oil pollution abatement kit comprising of booms and absorbent materials. The nature and extent of the kit shall be agreed with Mayo County Council prior to the commencement of development.
Reason: *In order to prevent water pollution.*

22. The percolation area for the wastewater treatment system shall be located in position shown on Drawing No. COR-AR-SD-RF1-005 submitted on the 11th March 2004.
Reason: *In the interest of clarity and for the protection of public health.*

Rock Blasting.

23. Blasting of rock on the site shall be designed and operated so that

(i) Ground vibration arising from any blast carried out on the site shall not exceed a peak particle velocity of 12 mm/s in any one of three mutually orthogonal planes at the threshold of any house in the vicinity of the site.
(ii) The air over pressure arising from any blast carried out on the site shall not exceed 125 dB (linear) max peak level when measured outside the nearest house to the blast.
(iii) Blasting shall be confined to between the hours of 11.00am and 5.00pm, Monday to Friday

Reason: *In the interest of public health & safety.*

24. Arrangements for the advance notice of blasting shall be agreed with Mayo County Council, the details of which shall be made available to the general public by way of public advertisement.
Reason: *In the interest of public health & safety.*

Noise & Dust.

25. During the construction stage noise levels shall be kept to a minimum. Any activity which will elevate the pre-construction ambient noise levels by 5dB Leq shall be notified to the Project Monitoring Committee in advance. Any mitigation measures shall be put in place at least one week in advance before the scheduled activity. Advance notice of the schedule of planned activity which will elevate the pre-construction ambient noise levels by 5dB Leq shall be made available to the general public by way of public advertisement.
Reason: **In the interest of public health and residential amenity.**

26. Dust levels shall not exceed 130 mg/m^2 per day averaged over thirty days when measured at the site boundaries. Any activity which can reasonably be expected to exceed that dust level shall be notified to the Project Monitoring Committee in advance. Any mitigation measures shall be put in place at least one week in advance before the scheduled activity. Advance notice of the schedule of planned activity which will exceed the specified dust level shall be made available to the general public by way of public advertisement.
Reason: **In the interest of public health and residential amenity.**

Waste Disposal

27. No waste material, with the exception of waste material being transferred to a licensed waste facility, generated on site during the construction stage shall be removed off site without the prior agreement of Mayo County Council.
Reason: *In the interest of proper planning and sustainable development of the area.*

28. Adequate sanitary arrangements to the satisfaction of Mayo County Council shall be installed for the duration of the construction period. All wastes generated from such arrangements shall be tankered off site.
Reason: *In the interest of public health.*

Natural Heritage.

29. The development shall be carried out so as to avoid disturbance to birds and their nesting habitat during the breeding season.
Reason: *For the protection of avian species in the area of the development.*

30. Prior to the commencement of development the developer shall carry out a baseline study of salmonid habitats in the area of the proposed development. The scope, nature and amount of monitoring of the baseline study shall be agreed with the North

Western Regional Fisheries Board, the Marine Institute and Mayo County Council together with a schedule of follow-up surveys during the construction and immediate post-completion phases of the development.

Reason: *In order to provide comprehensive baseline data to permit monitoring and protection on salmonid habitats in the area.*

31. Within 6 months of the date of this decision the developer shall submit a report, including a survey (carried out at the appropriate time of year) into the presence or otherwise in the area of breeding hen harriers together with mitigation measures to minimise disturbance during the breeding season, if breeding is recorded.

Reason: *In order to establish if hen harriers are breeding in the area and to determine the nature and extent of any mitigation measures required.*

32. Removal of vegetation within the site to be carried out outside of the breeding season.

Reason: *To ensure the protection of avian wildlife.*

Health & Safety.

33. No development shall take place on the terminal site until an adequate water supply is installed.

Reason: **In the interest of the health of persons employed on the site.**

34. All relevant paved areas shall be extended to the proposed bund walls and arranged so that any accidental releases over the bund wall are diverted to the open drains sump.

Reason: *To ensure proper environmental control in the event of accidental spillage of hazardous material.*

35. The impermeable areas around the slug-catcher shall be extended so that any potential release of hazardous material can be contained.

Reason: *To ensure proper environmental control in the event of accidental spillage of hazardous material.*

36. Online Total Organic Carbon monitoring shall be installed at the proposed silt ponds with provision for automatic re-routing of flow to the contaminated firewater pond in the event of accidental discharge to the system.

Reason: *To ensure proper environmental control in the event of accidental spillage of hazardous material.*

Fire Safety.

37. A Fire Safety Certificate is required in respect of each building in accordance with the requirements of Part III of the Building Control Regulations, 1997. Application for a Fire Safety Certificate shall be made to the Building Control Authority. A Commencement Notice is also required in respect of each building. The Commencement Notice shall be submitted to the Building Control Authority in accordance with the requirements of Part II of the Building Control Regulations, 1997, S.I. No. 496 of 1997.

Reason: *In the interests of fire safety.*

38. Suitable and adequate provision for vehicle access to the terminal and all installations therein shall be provided to assist the Fire Service in the protection of life and property. Vehicular access for the Fire Service to each building shall be provided in accordance with Table 5.2 of Technical Guidance Document B of the Building Control Regulations 1991-2000.
Reason: *In the interests of fire safety.*

39 Fire and gas detection equipment complete with alarm systems shall be installed throughout the terminal and buildings to provide early warning of hazardous or potentially hazardous situations. The systems shall be installed in accordance with current best standards.
Reason: *In the interests of fire safety.*

40. Suitable Fire Fighting and Suppression Systems shall be installed appropriate to the various risks within the terminal in accordance with current best standards.
Reason: *In the interests of fire safety.*

41. All installations within the terminal shall be designed and installed to current acceptable standards and to be certified accordingly. Certification shall be made available for inspection by the Fire Authority upon request.
Reason: *In the interests of fire safety.*

42. A minimum of 6 hours water supply shall be provided on the site of the Terminal for fire fighting and cooling purposes in accordance with the requirements of the Fire Authority.
Reason: *In the interests of fire safety.*

43. The on site Emergency Plan and the Fire Safety Certificate Application will address the issue of forest proximity to the control building and plant. Active monitoring and active fire precautions shall be implemented as required.
Reason: *In the interests of fire safety.*

44. Management of the Terminal shall liase with the Fire Authority in the preparation of on-site emergency plans and general safety provisions.
Reason: *In the interests of fire safety.*

45. Prior to commissioning of the Terminal, management of the Terminal shall confirm in writing that all of the Fire Authority's requirements have been fully implemented.
Reason: *In the interests of fire safety.*

FINANCIAL

46. The developer shall pay an initial sum of €4,325,125 to Mayo County Council as a Special Development Contribution towards the expenditure that is proposed to be incurred by Mayo County Council in respect of road improvement works in the area facilitating the proposed development. The particular works to be carried out are;
(i) Widening and Strengthening of the Local Roads L-1204 and L-12044 along their entire length. *Estimated cost €3,500,125*
(ii) Strengthening of Regional Road R313 Bangor-Muinhin and Glencastle. *Estimated cost €675,000*

(iii) The provision of a right turning lane at the junction of Regional Road R313 and Local Road L-12044 in accordance with Mayo County Council Drawing No. 3225/04/04. *Estimated cost €150,000.*

Reason: *To help defray the cost of road improvement works in the area which will facilitate the proposed development.*

47. The developer shall pay the sum of €1.394.361 as a Special Development Contribution towards the cost of upgrading the proposed extension of the Erris Regional Water Supply to facilitate the development.

Reason: *To help defray the cost of providing a public water supply to the development*

48. The developer shall pay to Mayo County Council a sum of €30,000 as a Special Development Contribution towards specialist infrastructure required by Mayo County Fire Service with respect to the development.

Reason: *In the interests of fire safety.*

49. The developer shall provide artwork to a maximum value of €64,000 in a location and form to be agreed with Mayo County Council.

Reason: *In the interests of visual amenity.*

Aviation Safety.

50. Prior to the commencement of development the developer shall submit confirmation, in writing that the Irish Aviation Authority is satisfied that the development will not interfere with the radar, communications or navigation systems at Dooncarton radar station.

Reason: *In the interest of public safety and to ensure the development does not interfere with air navigation safety.*

MONITORING

51. The Developer shall maintain a record of all complaints made in writing relating to any aspect of the construction stage of the project. Each such record shall give details of the following

(i) Date and time of the complaint
(ii) The name of the complainant
(iii) Details of the nature of the complaint
(iv) Actions taken on foot of the complaint and results of such actions
(v) The response made to each complainant

Reason: *In the interest of proper planning and sustainable development of the area.*

Environment

52. The Project Monitoring Committee group shall meet at least monthly during the earthworks stage and as appropriate during the construction stage of the development to monitor progress. Any member of the monitoring group may request the Chairman of the Project Monitoring Committee to convene an urgent meeting at any time if they consider environmental damage has occurred or is likely to occur.

Reason: *To ensure adequate protection of the environment during construction*

53. Mayo County Council may, at the request of the Project Monitoring Committee and by notification in writing, require the developer to provide additional environmental controls where necessary to prevent environmental damage.
Reason: *To ensure adequate protection of the environment during construction.*

54. Mayo County Council may require the developer to cease certain activities during the construction stage if it is established that the activities are giving rise to environmental pollution.
Reason: *To ensure adequate protection of the environment during construction.*

55. Prior to the commencement of development the developer shall submit an accredited Environmental Management System (EMS), specific to the construction stage of the development including all subcontractors, to Mayo County Council for agreement in writing. The Environmental Management System shall contain as a minimum:
(i) A Schedule of environmental objectives and targets.
(ii) An Environmental Management Programme.
(iii) Corrective Action Procedures.
(iv) Awareness and Training Programme.
(v) A Management Structure.
(vi) A Communications Programme.

and shall contain a requirement for continuous improvement to the satisfaction of Mayo County Council
Reason: *To ensure adequate protection of the environment during construction.*

56. The developer shall implement the agreed Environmental Management System for the duration of the construction stage of the project.
Reason: *To ensure adequate protection of the environment during construction.*

57. The developer shall, during the construction stage and/or at the written request of Mayo County Council.
(iv) amend the structure and makeup of the Environmental Management System,
(v) submit a report on any environmental matter,
(vi) submit an environmental audit
Reason: *To ensure adequate protection of the environment during construction.*

58. Prior to commencement of development the developer shall submit a monitoring plan for surface water, ground water, dust and continuous noise. Such monitoring shall be carried out by the developer throughout the construction phase of the project and the monitoring regime shall be agreed with Mayo County Council. The monitoring plan shall, as a minimum, include:
(x) A list of monitoring locations.
(xi) The equipment to be used.

(xii) The identity and qualifications of those carrying out the monitoring.
(xiii) The parameters to be used.
(xiv) Monitoring intervals.
(xv) Averaging times.
(xvi) A proposal on how data observed is to be presented.
(xvii) The codes of practice to be used.
(xviii) The completion date of all monitoring up to the date of commissioning

Reason: *To ensure adequate protection of the environment during construction*

59. The developer shall permit Mayo County Council access to the site to carry out environmental monitoring checks on surface water (including the silt traps and settlement ponds), ground water, dust and noise as required or as specified by the Project Monitoring Committee.

Reason: *To ensure adequate protection of the environment during construction.*

60. Prior to the commencement of development the developer shall submit a monitoring plan for the settlement ponds and discharges from the settlement ponds, to Mayo County Council for approval in writing. The parameters to be monitored shall be:
(i) temperature
(ii) turbidity
(iii) dissolved oxygen
(iv) electrical conductivity
(v) phosphate
(xi) nitrate
(xii) suspended solids

and any additional parameter required by the North West Regional Fisheries Board.

Reason: *To ensure adequate protection of the environment during construction*

61. A data management system shall be implemented by the developer to collect and process data during the course of the construction stage. The system shall consist of a computerised database to allow ease of access and interpretation of all monitoring data collected. Final details shall be submitted to Mayo County Council for agreement prior to commencement of development.

Reason: *To facilitate ease of interpretation of all monitoring data collected and recorded.*

62. The developer shall appoint a suitably qualified and experienced Environmental Officer during the construction stage of the project. The Environmental Officer shall contact the Chairperson of the Project Monitoring Committee in the event of
(i) any malfunction of any environmental system
(ii) any occurrence with the potential for environmental pollution
(iii) any emergency

and in addition to the Chairman, in the case of any malfunction, accident or other occurrence which could give rise to pollution of waters, shall contact a designated officer of the North West Regional Fisheries Board.

Reason: *To ensure proper environmental control during construction.*

63. The developer shall maintain a record of any occurrence specified in Condition No. 62 the record shall be made available to Mayo County Council at any time.
Reason: *To ensure proper environmental control during construction.*

Traffic.

64. The developer shall keep a record of all traffic movements into/out of the site and shall make the record available for inspection to the Project Monitoring Committee at any time and Mayo County Council during normal working hours.
Reason: *In the interests of proper and efficient traffic management.*

65. The Developer shall maintain a written record of all wastes leaving the site. Each record shall give details of the following
(i) The name of the carrier
(ii) The Waste Permit number
(iii) Name of the waste collector
(iv) Description of the waste
Reason: *In the interest of proper planning and development of the area.*

66. The developer shall reimburse Mayo County Council for all costs incurred in the carrying out of any monitoring, monitoring checks, inspections and environmental audits carried out by or for Mayo County Council in connection with the proposed development either inside or outside the site
Reason: *To help defray the cost of Mayo County Council in providing an independent monitoring service.*

67. The developer shall pay the sum of €80,000 per annum to Mayo County Council for the employment of environmental personnel to monitor the implementation of the Environmental Management System subject of Condition No.56 and shall provide office accommodation and telecommunications on site for this position for the duration of the proposed construction period.
Reason: *To help defray the cost of Mayo County Council in providing an independent monitoring service.*

68. The developer shall pay the sum of €120,000 per annum to Mayo County Council for the employment of transportation personnel to monitor the implementation of the Transportation Plan submitted on the 11th March 2004 and shall provide office accommodation and telecommunications on site for this position for the duration of the proposed construction period.
Reason: *To help defray the cost of Mayo County Council in providing an independent monitoring service.*

Landscape.

69. Prior to the commencement of development the developer shall submit to Mayo County Council for approval in writing, a monitoring plan to ensure that the detailed implementation of the proposed 5-year maintenance plan for the landscape and planting strategy is carried out.
Reason: *To ensure proper implementation of the landscape strategy*

Natural Heritage.

70. Prior to the commencement of development the developer shall submit to Mayo County Council for approval in writing, a monitoring plan to ensure that all mitigation measures proposed in the Environmental Impact Statement submitted on 23rd December 2003 relating to the protection of habitats, flora and fauna during the construction and operation phase are carried out. The monitoring shall be carried out by a suitably qualified ecologist, and the scale and level of detail of the monitoring shall be agreed with Mayo County Council, the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government, and the North West Regional Fisheries Board prior to the submission of the monitoring plan.
Reason: *To ensure proper ecological monitoring is carried out.*

Archaeology

71. The developer shall, at its own expense, employ a suitably qualified archaeologist with relevant experience in Peatland Archaeology to carry out, under licence, monitoring of all groundworks (including enabling works and peat excavation) associated with the development at Bellagelly South, Bellanaboy Bridge, Co. Mayo and associated peat deposition site at Srahmore and Attavally, Bangor-Erris, Co. Mayo. No groundworks shall take place in the absence of the archaeologist.
Reason: *To ensure proper archaeological monitoring is carried out.*

72. In the event of archaeological material being found during the course of monitoring, work shall be suspended in the affected area pending a decision by the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government on how to deal with the archaeology. The developer shall be prepared to be advised by the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government with regard to any necessary mitigating action (e.g. preservation *in situ*, or excavation) and should facilitate the archaeologist in recording any material found.
Reason: *To ensure adequate protection of any archaeological material that may exist on site.*

73. The developer shall submit to Mayo County Council and the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government, in writing, a report describing the results of the monitoring.
Reason: *To ensure proper archaeological records are kept.*

74. The decommissioning of the development shall be carried out generally in accordance with the plans and particulars in the Environmental Impact Statement submitted on 23rd December 2003 and a final detailed reinstatement programme shall be submitted to and agreed in writing with Mayo County Council. All decommissioned structures shall be removed within six months of decommissioning.
Reason: *To ensure the satisfactory reinstatement of the site.*

75. Prior to the commencement of development, the developer shall lodge with Mayo County Council a cash deposit, a bond from an insurance company, or other security to secure the satisfactory reinstatement of the site, upon the cessation of the project, coupled with an agreement empowering Mayo County Council to apply such security

or part thereof to the satisfactory reinstatement of the site. The form and amount of the security shall be as agreed between Mayo County Council and the developer or, in default of agreement, shall be determined by An Bord Pleanala.

Reason: *To ensure the satisfactory reinstatement of the site.*

END OF SCHEDULE 2

APPENDIX 1

EIS EVALUATION.

THE REVIEW CHECKLIST

SECTION 1 DESCRIPTION OF THE PROJECT				
No	Review Question	Relevant	Adequately addressed	What further information is needed? Or any other comment
The Objectives and Physical Characteristics of the Project				
1.1	Are the need for and objectives of the project explained?	Y	Y	
1.2	Is the programme for implementation of the Project described, detailing the estimated length of time and start and Finish dates for construction, operation and decommissioning? (this should include any phases of different activity within the main phases of the Project, for example extraction phases for mining operations)	Y	Y	Exact dates not possible until planning process finalised
1.3	Are all the main components of the project described (for assistance see the Checklist of Project Activities in Part C of the Scoping Guide in this series)	Y	Y	
1.4	Is the location of each Project component identified, using maps, plans and diagrams as necessary?	Y	Y	
1.5	Is the layout of the site (or sites) occupied by the project described? (including ground levels, buildings, other physical structures, underground works, coastal works, storage facilities, water features, planting, access corridors, boundaries)	Y	Y	
1.6	For linear projects, are the route corridor, the vertical and horizontal alignment and any tunnelling and earthworks described?			Not relevant
1.7	Are the activities involved in construction of the project all described?	Y	Y	
1.8	Are the activities involved in operation of the project all described?	Y	Y	
1.9	Are the activities involved in decommissioning the project all described? (e.g. closure, dismantling, demolition, clearance, site restoration, site re-use etc)	Y	Y	
1.10	Are any additional services required for the project all described? (e.g. transport access, water, sewerage, waste disposal, electricity, telecoms) or developments (e.g. roads, harbours, powerlines, pipelines)	Y	Y	
1.11	Are any developments likely to occur as a consequence of the Project identified? (e.g. new housing, roads, water or sewerage infrastructure, aggregate extraction)	Y	Y	
1.12	Are any existing activities which will alter or cease as a consequence of the Project identified?	Y	Y	
1.13	Are any other existing or planned developments with which the Project could have cumulative effects identified?	Y	Y	

The Size of the Project				
1.14	Is the area of land occupied by each of the permanent project components quantified and shown on a scaled map? (including any associated access arrangements, landscaping and ancillary facilities)	Y	Y	

SECTION 1 DESCRIPTION OF THE PROJECT				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
1.15	Is the area of land required temporarily for construction quantified and mapped?	Y	Y	
1.16	Is the reinstatement and after use of land occupied temporarily for operation of the Project described? (e.g. land used for mining or quarrying)	N	N	Not relevant
1.17	Is the size of any structures or other works developed as part of the Project identified? (e.g. the floor area and height of buildings, the size of excavations, the area or height of planting, the height of structures such as embankments, bridges of chimneys, the flow or depth of water)	Y	Y	
1.18	Is the form and appearance of any structures or other works developed as part of the Project described? (e.g. the type, finish and colour of materials, the architectural design of buildings and structures, plant species, ground surfaces, etc)	Y	Y	
1.19	For urban or similar development projects, are the numbers and other characteristics of new populations or business communities described?	N	N	Not relevant
1.20	For projects involving the displacement of people or businesses, are the numbers and other characteristics of those displaced described?	N	N	Not relevant
1.21	For new transport infrastructure or projects generating substantial traffic flows, is the type, volume, temporal pattern and geographical distribution of new traffic generated or diverted as a consequence of the Project described?	N	N	Not relevant
Production Processes and Resources Used				
1.22	Are all the processes involved in operating the Project described? (e.g. manufacturing or engineering processes, primary raw material production, agricultural or forestry production methods, extraction processes)	Y	Y	
1.23	Are the types and quantities of outputs produced by the Project described? (these could be primary or manufactured products, goods such as power or water or services such as homes, transport, retailing, recreation,	Y	Y	

1.24	Are the types and quantities of raw materials and energy needed for construction and operation discussed?	Y	Y	
1.25	Are the environmental implications of the sourcing of raw materials discussed?	N	N	Not relevant
1.26	Is efficiency in use of energy and raw materials discussed?	Y	Y	

SECTION 1 DESCRIPTION OF THE PROJECT				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
1.27	Are any hazardous materials used, stored, handled or produced by the Project identified and quantified? • during construction • during operation • during decommissioning	Y	Y	
1.28	Are the transport of raw materials to the Project and the number of traffic movements involved discussed? (including road, rail and sea transport) • during construction • during operation • during decommissioning	Y/N	Y/N	Construction covered in detail Operation covered broadly Detail of decommissioning not discussed strategy only at this point in time.
1.29	Is employment created or lost as a result of the Project discussed? • during construction • during operation • during decommissioning	Y	Y	
1.30	Are the access arrangements and the number of traffic movements involved in bringing workers and visitors to the Project estimated? • during construction • during operation • during decommissioning	Y	Y	
1.32	Is the housing and provision of services for any temporary or permanent employees for the Project discussed? (relevant for Projects requiring migration of a substantial new workforce into the area for either construction or the long term)	Y	Y	
Residues and Emissions				
1.33	Are the types and quantities of solid waste generated by the Project identified? (including construction or demolition wastes, surplus spoil, process wastes, by-products, surplus or reject products, hazardous wastes, household or commercial wastes, agricultural or forestry wastes, site clean-up wastes, mining wastes, decommissioning wastes) • during construction • during operation • during decommissioning	Y	Y	

1.34	Are the composition and toxicity or other hazards of all solid wastes produced by the Project discussed?	Y	Y	
1.35	Are the methods for collecting, storing, treating, transporting and finally disposing of these solid wastes described?	Y	Y	
1.36	Are the locations for final disposal of all solid wastes discussed?	N	N	Broad statement of intent
1.37	Are the types and quantities of liquid effluents generated by the Project identified? (including site drainage and run-off, process wastes, cooling water, treated effluents, sewage) • during construction • during operation • during decommissioning	Y	Y	

SECTION 1 DESCRIPTION OF THE PROJECT				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
1.38	Are the composition and toxicity or other hazards of all liquid effluents produced by the Project discussed?	Y	Y	
1.39	Are the methods for collecting, storing, treating, transporting and finally disposing of these liquid effluents described?	Y	Y	
1.40	Are the locations for final disposal of all liquid effluents discussed?			
1.41	Are the types and quantities of gaseous and particulate emissions generated by the Project identified? (including process emissions, fugitive emissions, emissions from combustion of fossil fuels in stationary and mobile plant, emissions from traffic, dust from materials handling, odours) • during construction • during operation • during decommissioning	Y	Y	Broadly discussed as they will be subject to separate detailed assessment under IPPC Licence application
1.42	Are the composition and toxicity or other hazards of all emissions to air produced by the Project discussed?	Y	Y	Broadly discussed as they will be subject to separate detailed assessment under IPPC Licence application
1.43	Are the methods for collecting, treating and finally discharging these emissions to air described?	Y	Y	Broadly discussed as they will be subject to separate detailed assessment under IPPC Licence application
1.44	Are the locations for discharge of all emissions to air identified and the characteristics of the discharges identified? (e.g. height of stack, velocity and temperature of release)	N	N	Will be subject to detailed assessment under IPPC Licence application
1.45	Is the potential for resource recovery from wastes and residues discussed? (including re-use, recycling or energy recovery from solid waste and liquid effluents)	Y	Y	

1.46	Are any sources of noise, heat, light or electromagnetic radiation from the Project identified and quantified? (including equipment, processes, construction works, traffic, lighting, etc)	Y	Y	Noise discussed in detail not others
1.47	Are the methods for estimating the quantities and composition of all residues and emissions identified and any difficulties discussed?	N	N	
1.48	Is the uncertainty attached to estimates of residues and emissions discussed?	N	N	Broad statement No technical difficulties Will be subject to IPPC Licence
Risks of Accidents and Hazards				
1.49	Are any risks associated with the Project discussed? • risks from handling of hazardous materials • risks from spills fire, explosion • risks of traffic accidents • risks from breakdown or failure of processes or facilities • risks from exposure of the Project to natural disasters (earthquake, flood, landslip, etc)	Y	Y	EIS supplemented by Technical Advice from HSA
1.50	Are measures to prevent and respond to accidents and abnormal events described? (preventive measures, training, contingency plans, emergency plans, etc)	Y	Y	Reference to MAPP, QRA
Other Questions on Description of the Project				

SECTION 2 CONSIDERATION OF ALTERNATIVES				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
2.1	Is the process by which the Project was developed described and are alternatives considered during this process described? (for assistance, see the guidance on types of alternatives which may be relevant in Part B3 of the Scoping Guide in this series)	Y	Y	
2.2	Is the baseline situation in the No Project situation described?	Y	Y	
2.3	Are the alternatives realistic and genuine alternatives to the Project?	Y	Y	
2.4	Are the main reasons for choice of the proposed Project explained, including any environmental reasons for the choice?	Y	Y	
2.5	Are the main environmental effects of the alternatives compared with those of the proposed Project?	Y/N	Y/N	Yes broadly in the case of alternative sites No in the case of alternative ethodologies
Other Questions on Consideration of Alternatives				

SECTION 3 DESCRIPTION OF ENVIRONMENT LIKELY TO BE AFFECTED BY THE PROJECT				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
Aspects of the Environment				
3.1	Are the existing land uses of the land to be occupied by the Project and the surrounding area described and are any people living on or using the land identified? (including residential, commercial, industrial, agricultural, recreational and amenity land uses and any buildings, structures or other property)	Y	Y	
3.2	Are the topography, geology and soils of the land to be occupied by the Project and the surrounding area described?	Y	Y	
3.3	Are any significant features of the topography or geology of the area described and are the conditions and use of soils described? (including soil quality stability and erosion, agricultural use and agricultural land quality)	Y	Y	

3.4	Are the fauna and flora and habitats of the land to be occupied by the Project and the surrounding area described and illustrated on appropriate maps?	Y	Y	
3.5	Are species populations and characteristics of habitats that may be affected by the Project described and are any designated or protected species or areas defined?	Y	Y	
3.6	Is the water environment of the area described? (including running and static surface waters, groundwaters, estuaries, coastal wasters and the sea and including run off and drainage. NB not relevant if water environment will not be affected by the Project)	Y	Y	
3.7	Are the hydrology, water quality and use of any water resources that may be affected by the Project described? (including use for water supply, fisheries, angling, bathing, amenity, navigation, effluent disposal)	Y	Y	
3.8	Are local climatic and meteorological conditions and existing air quality in the area described? (NB not relevant if the atmospheric environment will not be affected by the project)	Y	Y	
3.9	Is the existing noise climate described? (NB not relevant if acoustic environment will not be affected by the Project)	Y	Y	
3.10	Is the existing situation regarding light, heat and electromagnetic radiation described? (NB not relevant if these characteristics of the environment will not be affected by the Project)	N	N	
3.11	Are any material assets in the area that may be affected by the Project described? (including buildings, other structures, mineral resources, water resources)	Y	Y	
3.12	Are any locations or features of archaeological, historic, architectural or other community or cultural importance in the area that may be bisected the Project described, including any designated or protected sites?	Y	Y	
3.13	Is the landscape or townscape of the area that may be affected by the Project described, including any designated or protected landscapes and any important views or viewpoints?	Y	Y	

SECTION 3	DESCRIPTION OF ENVIRONMENT LIKELY TO BE AFFECTED BY THE PROJECT			
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
3.14	Are demographic, social and socio-economic conditions (e.g. employment) in the area described?	Y	Y	
3.15	Are any future changes in any of the above aspects of the environment, that may occur in the absence of the project, described? (the so-called Moving Baseline or No Project situation)	Y	Y	

Data Collection and Survey Methods				
3.16	Has the study area been defined widely enough to include all the area likely to be significantly affected by the Project?	Y	Y	
3.17	Have all relevant national and local agencies been contacted to collect information on the baseline environment?	Y	Y	
3.18	Have sources of data and information on the existing environment been adequately referenced?	Y	Y	
3.19	Where surveys have been undertaken as part of the Environmental Studies to characterise the baseline environment are the methods used, any difficulties encountered and any uncertainties in the data described?	Y	Y	
3.20	Were the methods used appropriate for the purpose?	Y	Y	
3.21	Are any important gaps in the data on the existing environment identified and the means used to deal with these gaps during the assessment explained?	N	N	Not relevant
3.22	If surveys would be required to adequately characterise the baseline environment but they have not been practicable for any reason, are the reasons explained and proposals set out for the surveys to be undertaken at a later stage?	N	N	Not relevant
OTHER QUESTIONS ON THE DESCRIPTION OF THE ENVIRONMENT				

No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
Scoping of Effects				
4.1	Is the process by which the scope of the Environmental Studies was defined described? (for assistance, see the Scoping Guide in this series)	Y	Y	
4.2	Is it evident that a systematic approach to scoping was adopted?	Y	Y	
4.3	Is it evident that full consultation was carried out during scoping?	Y	Y	
4.4	Are the comments and views of consultees presented?	N	N	
Prediction of Direct effects				

4.5	Are direct, primary effects on land uses, people and property described and where appropriate quantified?	Y	Y	
4.6	Are direct, primary effects on geological features and characteristics of soils described and where appropriate quantified?	Y	Y	
4.7	Are direct, primary effects on fauna and flora and habitats described and where appropriate quantified?	Y	Y	
4.8	Are direct, primary effects on the hydrology and water quality of water features described and where appropriate quantified?	Y	Y	
4.9	Are direct, primary effects on uses of the water environment described and where appropriate quantified?	Y	Y	
4.10	Are direct, primary effects on air quality and climatic conditions described and where appropriate quantified?	Y	Y	
4.11	Are direct, primary effects on the acoustic environment (noise or vibration) described and where appropriate quantified?	Y	Y	
4.12	Are direct, primary effects on heat, light or electromagnetic radiation described and where appropriate quantified?	N	N	
4.13	Are direct, primary effects on material assets and depletion of non-renewable natural resources (e.g. fossil fuels, minerals) described?	Y	Y	
4.14	Are direct, primary effects on locations or features of cultural importance described?	Y	Y	
4.15	Are direct, primary effects on the quality of the landscape and on views and viewpoints described and where appropriate illustrated?	Y	Y	
4.16	Are direct, primary effects on demography, social and socio-economic condition in the area described and where appropriate quantified?	Y	Y	
Prediction of Secondary, Temporary, Short Term, Permanent, Long Tern, Accidental, Indirect, Cumulative Effects				

SECTION 4 DESCRIPTION OF THE LIKELY SIGNFICANT EFFECTS OF THE PROJECT				
No	**Review Question**	**Relevant**	**Adequately addressed**	**What further information is needed? *Or any other comment***
4.17	Are secondary effects on any of the above aspects of the environment caused by primary effects on other aspects described and where appropriate quantified? (e.g. effects on fauna, flora or habitats caused by soil, air or water pollution or noise; effects on uses of water caused by changes in hydrology or water quality; effects on archaeological remains caused by desiccation of soils)	N	N	

4.18	Are temporary, short term effects caused during construction or during time limited phases of project operation or decommissioning described?	Y	Y	
4.19	Are permanent effects on the environment caused by construction, operation or decommissioning of the Project described?	Y	Y	
4.20	Are long term effects on the environment caused over the lifetime of Project operations or caused by build up of pollutants in the environment described?	N	N	Not relevant
4.21	Are effects which could result from accidents, abnormal events or exposure of the Project to natural or man-made disasters described and where appropriate quantified?	Y	Y	
4.22	Are effects on the environment caused by activities ancillary to the main project described? (ancillary activities are part of the project but usually take place distant from the main Project location e.g. construction of access routes and infrastructure, traffic movements, sourcing of aggregates or other raw materials, generation and supply of power, disposal of effluents or wastes	Y	Y	For the proposed haul route Other projects subject of other statutory procedure
4.23	Are indirect effects on the environment caused by consequential development described? (consequential development is other projects, not part of the main Project, stimulated to take place by implementation of the Project e.g. to provide new goods or services needed for the Project, to house new populations or businesses stimulated by the Project)	Y	Y	
4.24	Are cumulative effects on the environment of the Project together with other existing or planned developments in the locality described? (different future scenarios including a worst case scenario should be described). For further guidance on assessment of cumulative impacts see	Y	Y	Broadly
4.25	Are the geographic extent, duration, frequency, reversibility and probability of occurrence of each effect identified as appropriate?	Y	Y	As appropriate
Prediction of Effects on Human Health and Sustainable Development Issues				
4.26	Are primary and secondary effects on human health and welfare described and where appropriate quantified? (e.g. health effects caused by release of toxic substances to the environment, health risks arising from major hazards associated with the Project, effects caused by changes in disease vectors caused by the project, changes in living conditions, effects on vulnerable groups)	Y	Y	
4.27	Are impacts on issues such as biodiversity, global climate change and sustainable development discussed where appropriate?	Y	Y	
Evaluation of the Significance of Effects				

SECTION 4 DESCRIPTION OF THE LIKELY SIGNFICANT EFFECTS OF THE PROJECT				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
4.28	Is the significance or importance of each predicted effect discussed in terms of its compliance with legal requirement and the number, importance and sensitivity of people, resources or other receptors affected?	Y	Y	
4.29	Where effects are evaluated against legal standards or requirements are appropriate local, national or international standards used and relevant guidance followed?	Y	Y	
4.30	Are positive effects on the environment described as well as negative effects?	Y	Y	
4.31	Is the significance of each effect clearly explained?			
IMPACT ASSESSMENT METHODS				
4.32	Are methods used to predict effects described and are the reasons for their choice, any difficulties encountered and uncertainties in the results discussed?	N	N	
4.33	Where there is uncertainty about the precise details of the Project and its impact on the environment are worst case predictions described?	N	N	
4.34	Where there have been difficulties in compiling the data needed to predict or evaluate effects are these difficulties acknowledged and their implications for the results discussed?	N	N	
4.35	Is the basis for evaluating the significance or importance of impacts clearly described?	Y	Y	
4.36	Are impacts described on the basis that all proposed mitigation has been implemented i.e. are residual impacts described?	Y	Y	
4.37	Is the level of treatment of each effect appropriate to its importance for the development consent decision? Does the discussion focus on the key issues and avoid irrelevant or unnecessary information?	N	N	Same approach to all
4.38	Is appropriate emphasis given to the most severe, adverse effects of the Project with lesser emphasis given to less significant effects	N	N	Same approach to all
OTHER QUESTIONS RELEVANT TO DESCRIPTION OF EFFECTS				

SECTION 5 DESCRIPTION OF MITIGATION				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
5.1	Where there are significant adverse effects on any aspect of the environment is the potential for mitigation of these effects discussed?	Y	Y	
5.2	Are any measures which the developer proposes to implement to mitigate effects clearly described and their effect on the magnitude and significance of impacts clearly explained?	Y	Y	
5.3	If the effect of mitigation measures on the magnitude and significance of impacts is uncertain is this explained?	N	N	
5.4	Is it clear whether the Developer has made a binding commitment to implement the proposed mitigation or that the mitigation measures are just suggestions or recommendations?	Y	Y	
5.5	Are the Developer's reasons for choosing the proposed mitigation explained?	Y	Y	
5.6	Are responsibilities for implementation of mitigation including funding clearly defined?	Y	Y	
5.7	Where mitigation of significant adverse effects is not practicable or the developer has chosen not to propose any mitigation are the reasons for this clearly explained?	N	N	Not relevant
5.8	Is it evident that the EIA Team and the Developer have considered the full range of possible approaches to mitigation including measures to reduce or avoid impacts by alternative strategies or locations, changes to the project design and layout, changes to methods and processes, "end of pipe" treatment, changes to implementation plans and management practices, measures to repair or remedy impacts and measures to compensate impacts?	Y	Y	
5.9	Are arrangements proposed to monitor and manage residual impacts?	Y	Y	
5.10	Are any negative effects of the proposed mitigation described?	N	N	Not applicable
OTHER QUESTIONS ON MITIGATION				

SECTION 6 NON TECHNICAL SUMMARY				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
6.1	Does the Environmental information include a Non-Technical Summary?	Y	Y	
6.2	Does the Summary provide a concise but comprehensive description of the Project, its environment, the effects of the Project on the environment and the proposed mitigation?	Y	Y	
6.3	Does the Summary highlight any significant uncertainties about the Project and its environmental effects?	N	N	
6.4	Does the Summary explain the development consent process for the Project and the role of EIA in this process?	N	N	
6.5	Does the Summary provide an overview of the approach to the assessment?	N	N	
6.6	Is the Summary written in non-technical language, avoiding technical terms, detailed data and scientific discussion?	Y	Y	
6.7	Would it be comprehensible to a lay member of the public?	Y	Y	
OTHER QUESTIONS ON NON TECHNICAL SUMMARY				

SECTION 7 QUALITY OF PRESENTATION				
No	Review Question	Relevant	Adequately addressed	What further information is needed? *Or any other comment*
8.1	Is the Environmental Information available in one or more clearly defined documents?	Y	Y	
8.2	Is the document(s) logically organised and clearly structured so that the reader can locate information easily?	Y	Y	
8.3	Is there a table of contents at the beginning of the document(s)	Y	Y	
8.4	Is there a clear description of the process which has been followed?	Y	Y	
8.5	Is the presentation comprehensive but concise, avoiding irrelevant data and information?	Y	Y	
8.6	Does the presentation make effective use of tables, figures, maps, photographs and other graphics?	Y	Y	

8 7	Does the presentation make effective use of annexes or appendices to present detailed data not essential to understanding the main text?	Y	Y	
8 8	Are all analyses and conclusions adequately supported with data and evidence?	Y	Y	
8 9	Are all sources of data properly referenced?	Y	Y	
8.10	Is consistent terminology used throughout the document(s)?			
8.11	Does it read as a single document with cross referencing between sections used to help the reader navigate through the document(s)?	Y	Y	
8.12	Is the presentation demonstrably fair and as far as possible impartial and objective?	Y	Y	
OTHER QUESTIONS ON QUALITY OF PRESENTATION				

OVERALL APPRAISAL OF THE EIS

If the reviewer wishes to use the Review Checklist to make an overall appraisal of the quality of Environmental Information, this can be done using the table below.

No.	Review Topic	Grade	Comment
1	CHARACTERISTICS OF THE PROJECT	A	
2	ALTERNATIVES CONSIDERED	B	
3	LOCATION OF THE PROJECT	B	
4	MITIGATION	A	
5	CHARACTERISTICS OF THE POTENTIAL IMPACTS	A	
6	PRESENTATIONAL ISSUES	A	

Overall Assessment:

Summary: EIS is well presented. Well documented information. Major issues addressed. Meets the required standard

APPENDIX 2

DIRECTION OF AN BORD PLEANALA ON PLANNING APPLICATION P01/900.

An Bord Pleanála

Board Direction

Ref: 16.126073

The submissions on this file and the Inspector's reports were further considered at Board meetings held on 28th and 29th April 2003.

Having visited the site and having considered all of the submissions on the file and the Inspector's and consultant's reports the Board decided, unanimously, to refuse permission in accordance with the recommendations generally, the reason for refusal being as set out in the draft Schedule below.

SCHEDULE

The proposed development involves the excavation of approximately 650,000 cubic metres of peat and other unsuitable materials from the site of the gas processing terminal and the removal of the peat and other materials to adjoining repositories and overlaying them on an existing blanket bog of variable thickness on a sloping site above the R-314 Regional Road.

Having regard to –

- the contours of the area of the repositories,
- the amount and pattern of rainfall in the area,
- the characteristics of the disaggregated peat,
- the method proposed for the moving of material to and within the repositories,
- the details of the system for retaining the deposited materials,

the Board considers that the proposed surface drainage system would be ineffective in ensuring the integrity of the peat repositories as permanent structures for the retention of peat and other unsuitable materials.

Consequently, the Board considers that both of proposed repositories have a high probability of failure and that the proposed development would constitute an unacceptable risk to the health and safety of the local community and of the general public on the public road in the vicinity of the site, would constitute an unacceptable risk of pollution of salmonid waters in Glenamoy River, Sruwaddacon Bay and Carrowmore Lake, and would seriously injure the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and development of the area.

Notes:

A. In deciding not to use the Inspector's recommended first reason for refusal the Board, in relation to visual impact, had particular regard to the lack of any landscape designation in the Development Plan for this area and to the existing vegetation and plantation on the site, and while accepting that the terminal would have an adverse visual impact in the area, such impact would not be so serious as to warrant a refusal of permission in this case having regard to the strategic nature of the proposed development.

In relation to the issue of alternatives, the Board considered that, at a national level, policy in relation to the provision of gas infrastructure and the timing and terms of the development of natural gas resources is a matter for the Department of Communications, Marine and Natural Resources. While the Board agreed with the Inspector that the proposed development may not constitute the optimum solution to the development of the Corrib Gas Field in terms of facilitating the provision of gas infrastructure to serve population and industrial centres in County Mayo and the North-West of the country, it does not consider that this would warrant a refusal of permission of a development that was otherwise acceptable in terms of its land use and environmental impacts. The Board considers that the proposed development would not necessarily be incompatible with the development strategies of the Mayo County Development Plan and the strategies for the BMW Region within the National Spatial Strategy.

B. In deciding not to use the Inspector's third recommended reason for refusal, the Board had particular regard to the report of the National Authority for Occupational Safety and Health, the competent authority in relation to land use planning under Article 12 of the Council Directive 96/82EC (Seveso II), which did not recommend against the granting of planning permission subject to a number of conditions. While the conditions relating to the provision of a contaminated firewater pond and separation of tree growth from the terminal may have implications with regard to visual impact these matters were considered in assessing the visual impact of the terminal. The Board noted the applicant's proposal and the NAOSH requirement that the facility be treated as an upper tier establishment in the interests of operational safety although it strictly constitutes a lower tier facility in terms of the directive.

Finally, the Board noted that alternatives are available for the development of the Corrib Gas Field.

Board Member _____ Date 29th April 2003.
Brian Hunt

APPENDIX 3

THIRD PARTY SUBMISSIONS.

Erris Tourism
Summary of Observation.
- The proposed development will bring the benefits of
- Improved infrastructure
- Employment in downstream industries
- Help reduce population decline

Hill & Valley Private Gun and Sporting Club
Summary of Observation.
- EIS deficient in examination of birds

Monica Muller
Summary of Observation 1.
- Material Contravention of Mayo County Development Plan
- EIS inaccurate & flawed
- Waste not adequately addressed
- Traffic
- Alteration of IPPC Licence Srahmore Site
- No IPPC licence Bellanaboy Site

Summary of Observation 2.
- Application should be rejected:
    1. Conflict between draft Transport Plan & EIS
    2. Inaccuracies in EIS
    3. Haul road is prejudging EIS
    4. Invalid because full extent of BnM not outlined in blue

James & Kathleen Healy
Summary of Observation.
- General statement

David Dendy
Summary of Observation.
- Refers to previous objections
- Traffic movements resulting from peat removal

Thomas Philbin
Summary of Observation.
- General statement

Glenalt Fishing Syndicate
Summary of observation.
- Concerns on potential for pollution of Carrowmore Lake, Owenmore & Munhin rivers

Brian Coyle
Summary of observation.
- Health & safety risk
- Stability of landscape at risk from explosion
- Traffic safety
- Excavation of peat
- Traffic management
- Pipeline location
- Water quality

Pro Erris Gas Group
Summary of observation.
- Improved infrastructure, employment

Bangor Angling Club
Summary of observation.
- Want concerns from EIS addressed

Irish Offshore Operators Association
Summary of observation.
- Indigenous gas supply
- Improved employment
- Benefits to region
- Further exploration

Gerard McDonnell
Summary of observation.
- Application does not show how developer will be partner in area
- How project will benefit wider social & economic environment of Erris

Bangor District Development Association
Summary of observation.
- General statement

Kennedy Motors
Summary of observation.
- Benefit development generally in the area

Erris Players
Summary of observation.
- Area needs industry
- Emigration & opportunity to maintain population
- Need to protect landscape

Council for the West
Summary of observation.
- Access to gas energy will reduce infrastructure deficit in the west will help to achieve balanced regional development

John & Ellen McAndrew
Summary of observation.
- Object generally
- Health & safety
- Water quality
- Fear of pollution
- Damage to infrastructure & environment

Anthony Irwin
Summary of observation.
- EIS deficient – no cetacean survey
- Outfall pipe
- Landfall pipe & route

Innealtori Cumhachta
Summary of observation.
- Gas power station will improve electricity infrastructure

Sean McDonnell & 8 others
Summary of observation.
- Visual impact
- Health & safety
- Air quality

Sizzlers Restaurant
Summary of observation.
- Will benefit economy of the area

Martin McManamon
Summary of observation.
- Traffic impact of peat removal

Ballinaboy/Leenamore Residents
Summary of observation.
- Peat removal
- Visual impact
- Noise / odour/air emissions

Brid & Teresa McGarry
Summary of observation.
- Effect on Carrowmore lake & Munhin river
- Noise
- Traffic
- Eutrophication & water quality issues

Micheal O'seighin & 5 others
Summary of observation.
- Damage to environment, fishing
- cSACs
- Road network
- Noise
- Visual impact
- Untried technologies
- Air emissions
- Water quality

- Health & safety.

NW Mayo Development Group
Summary of observation.
- Will benefit employment in the area

IBEC
Summary of observation.
- Indigenous gas supply
- Improved infrastructure, employment
- Help population decline
- Negligible visual impact

Roderic O'Connor Associates
Summary of observation.
- Legal issues
- Traffic
- EIS deficiencies (cumulative impacts, lack of data on alternative sites)
- Breach of EU law
- cSACs

Vincent Naughton
Summary of observation.
- Will benefit economy of the area

Cumman Trachtala Iorras
Summary of observation.
- Employment creation both construction & permanent
- Economic confidence in the area

Belcross Enterprises
Summary of observation.
- Will benefit economy of the area

Business Supplies
Summary of observation.
- Will benefit economy of the area

Lennon Quarries
Summary of observation.
- Will benefit economy of the area

Desmond Kane
Summary of observation.
- Will benefit economy of the area

Aesthetic services
Summary of observation.
- General statement

Frank Brogan
Summary of observation.
- General statement

Ardnaree Tool& Plant
Summary of observation.
- Will benefit development/economy/infrastructure of the area

Tom O'Connor
Summary of observation.
- Will benefit development/economy/infrastructure of the area

FEASTA
Summary of observation.
- Contrary to national policy on sustainable development
- Need to safeguard gas reserve for future use
- Develop more renewable energy

Jamal Developments
Summary of observation.
- Help skilled emigrants to return

Barrett's Quarry
Summary of observation.
- General statement

Mark Garavan
Summary of observation.
- Inadequacy of road network
- Peat removal only conceptual
- Development not sustainable
- Wrong site selection

Sean Barrett Haulage
Summary of observation.
- General statement

M&J Carrabine
Summary of observation.
- General statement

OSSL
Summary of observation.
- General statement

Bernard Grimes
Summary of observation.
- Contrary to Mayo County Development Plan 2003

Bord Gais Eireann
Summary of observation.
- Reduce dependence on gas imports/security of supply

Ballina Chamber of Commerce
Summary of observation.
- Will benefit economy of the area

Westport Chamber of Commerce
Summary of observation.
- Reduction in industrial energy costs

Eamon Ryan TD.
Summary of observation.
- Safety of upstream pipeline water quality issues re transfer of peat
- Failure to consider alternative sites
- Discharge to marine SAC

Erris Inshore Fishermen's Association
Summary of observation.

- Detrimental effect on fishing grounds & environment
- Want off-shore pipeline extended

Glenamoy Community Anglers Association
Summary of observation.
- General statement

Carrowtigue/Rossport Development Association
Summary of observation.
- General statement

James Deane Transport
Summary of observation.
- Aid in economic development of the area

Maureen & Philip McGrath
Summary of observation.
- Traffic/health & safety/air quality

Brendan Philbin
Summary of observation.
- Traffic
- Health & safety
- Water quality

Glenmore Syndicate
Summary of observation.
- Water quality & effect on angling

Connacht Gold
Summary of observation.
- Reduction in industrial energy costs will help to achieve balanced regional development

Ontrac Engineering
Summary of observation.
- General statement subject to environmental protection

Teach Iorras
Summary of observation.
- General statement subject to environmental protection

Maire nic Carthaigh
Summary of observation.
- Detrimental effect on water supply from Carrowmore Lake
- EIS deficient as no emergency response plan included.

Bernard Moran
Summary of observation.
- Project splitting
- Safety of pipeline
- No independent evaluation of EIS

Mary Corduff
Summary of observation.
- Traffic safety
- Destruction of road
- Safety of pipeline
- Noise
- Visual impact
- Pollution of Carrowmore lake, pollution of Sruwaddcon Bay Broadhaven Bay
- Impact on birds

Edward Moran & Imelda Moran
Summary of observation.
- Gas of no benefit to County Mayo as no networks proposed
- Project splitting
- Pipeline safety & residences
- Pipeline stability in peat

Mayo Industries Group
Summary of observation.
- Access to gas energy will reduce infrastructure deficit in the west will help to achieve balanced regional development

IPPC
Summary of observation.
- Concerned with potential impact on Carrowmore Lake from traffic & pollution
- Potential effects on Owenmore river
- Technical problems with overlaying peat onto existing bog

Martin Harrington
Summary of observation.
- Adequacy/inaccuracy/wrong assumptions of EIS
- Potential negative impact on environment & economy of the area.

Maura Harrington
Summary of observation.
- Adequacy / accuracy of EIS

Councillor Gerry Coyle
Summary of observation.
- Will benefit development of the area

Kiltane GAA
Summary of observation.
- Will benefit development / economy / infrastructure of the area

IBEC West

Summary of observation.

- Access to gas energy will reduce infrastructure deficit in the west will help to achieve balanced regional development.

APPENDIX 4

FI. REQUEST AND RESPONSE SUBMITTED.

The Further Information request comprised the following:

VOLUME 1.

Item 1. A fully detailed traffic management plan.
Response *Submitted as Appendix 1*

Item 2. Written confirmation from the relevant regulatory authority that the design of the proposed gas pipelines from the terminal compound to the site boundary is suitable to ensure the structural stability of the pipelines constructed in deep peat soil.
Response *Submission of pipeline consents.*

Item 3. Proposals for system of collection and storage of any pumped water containing deleterious substances, including concrete, separate from the surface drainage network and settlement ponds, and to provide for its safe disposal.
Response *Refers to Report under Item 11 & sections of EIS*

Item 4. A map showing the location of the septic tank, the puraflo unit and the percolation area, in relation to the Bellanaboy River, the Leenamore Stream and any tributary of the Glenamoy River.
Response *Map submitted.*

Item 5. Full details of the proposed sewage disposal system, including any water-table and percolation tests and the design of a suitably sized percolation area.
Response *Details submitted.*

Item 6. Submit a map outlining phosphate hot-spots, quantities of contaminated material, details of the analysis of the occasional occurrence of high levels of phosphorous detected in peat samples on the site and proposals to deal with the same including disposal. The format of the response shall include a comparison between the total concentrations (above background levels), that may theoretically, result from the development works and other land use activities that regularly occur in the area e.g. afforestation, clearfelling etc
Response *Map & details submitted.*

Item 7. Details of site drainage of terminal and silt control measures proposed at the various stages of construction and peat excavation. A clear and detailed map of the existing site drainage, and of the site drainage works and silt ponds proposed at the various stages of construction and peat excavation, should be provided.
Response *Drawings submitted & refers to sections of EIS*

Item 8. Baseline physico-chemical data on water quality conditions in and around the site.
Response *Details submitted.*

Item 9. Information and proposals to address the possible impacts of free water from excavated peat on water quality, including pH and loading of humic and other acids.
Response *Details submitted.*

Item 10. A schedule of sensitive periods for wildlife when construction works on the terminal should cease or be curtailed (these are referred to in the EIS but are not specified).
Response *Details submitted.*

Item 11. Information on the possible impacts on water quality, aquatic ecology and surrounding peatlands arising from the use of the highly alkaline lime/cement binder to comparatively small parts of the site. The information should include technical information and assessments to support the use and appropriateness of this method of peat improvement in this location.
Response *Report submitted.*

Item 12. The basis for all assumptions used in relation to the drainage calculations provided and the design of the settlement ponds.
Response *Details submitted & refers to sections of EIS.*

Item 13. Investigation of the feasibility of only allowing surface water which is actively pumped from the site entering the settlement ponds and ensuring that site drainage during construction is a totally pro-active hydrometric process rather than a semi passive one. (Parameters would involve setting a maximum allowable output flow rate from the site and in the event that this flow rate is exceeded, flooding of the **site is the end result, rather than dealing with the risk of overloading of the settlement ponds).**
Response *Refers to sections of EIS.*

Item 14. Examine the practicability of relocating the settlement ponds further to the north of the site allowing a greater distance for any surcharge of the ponds to flow over ground and examine how this would affect the stability of the underlying peat.
Response *Explanation submitted*

Item 15. A data history setting out the hydrological dynamics of the site to date. In particular the relationships between rainfall events, flows in perimeter drains and levels of phosphates and suspended solids.
Response *Details submitted & refers to sections of EIS.*

Item 16. Proposals to deal with the storage of peat on site in the event of adverse weather conditions **preventing sufficient de-watering of the peat to allow transportation to the deposition site.**
Response *Explanation submitted*

Item 17. A detailed waste management plan setting out all wastes expected to be generated by the project both during construction and operation. The expected quantities of each waste type and their probable disposal routes.
Response *Details submitted & refers to sections of EIS.*

Item 18. Figures 12.1 to 12.4 at a size sufficient to show all noise sensitive receptors and to allow their individual numbering.
Response *Submitted.*
Item 19. Figure 11.3 Concentration Contour at a size sufficient to allow the individual numbering of the nearby houses.
Response *Submitted.*

Item 20. Plates 13.1 and 13.2 reproduced at improved resolution on A4 size photographic paper.
Response *Submitted.*

VOLUME 2.

Item 1. Additional water quality samples including physico-chemical analyses of these water samples as a baseline for establishing existing water quality, (please note that three of the six water quality samples at Srahmore were taken as drainage maintenance works were being carried out on the main watercourse through the site and would not be representative of baseline conditions).
Response *Submitted.*

Item 2. Reconcile the fact that the EIS states that settlement pond S5-2 is operating efficiently in lowering the sediment loading of run-off at that location, a total solids figure of 475mg/l, (this figure itself appears high) when the level of total solids recorded in water samples taken from the main drain when drainage maintenance work was being carried out (249-632mg/l).
Response *Submitted.*

Item 3. Indicate whether the level of Total ammoniacal Nitrogen (which already appears high in the water samples taken) will increase with the introduction of peat from Bellanagelly South and whether it will impact on marine waters in Tullaghan Bay pNHA and Blacksod Bay/ Broadhaven SPA downstream of the proposed development. Details shall include proposals to mitigate any adverse effect.
Response *Submitted.*

Item 4. A map showing noise sensitive receptors and indicating existing and predicted noise levels at those sites by means of noise contours.
Response *Submitted.*

Item 5. Figure 6.1 Habitats Map
Response *Submitted.*

Item 6. Proposals to deal with excess water seepage from stockpiled peat
Response *Details submitted & refers to sections of EIS.*

Item 7. An assessment of the impact of mineral soil being overlain on the existing peat soil.
Response *Details submitted & refers to sections of EIS.*
Other Matters.

Item 1. Please submit an assessment of the cumulative effects of (a) the gas terminal (b) the deposition site and (c) the haul route.
Response *Submitted.*

APPENDIX 5.

THIRD PARTY SUBMISSIONS ON FI.

Monica Muller
Summary of Observation.
- Non-compliance with Pipeline stability aspect of FI Request
- Conflict between Pipeline Consent & Traffic Management Plan
- No HGV noise/vibration test
- Not addressing cumulative impact of terminal/road/pipeline/repository
- Project splitting

Ballinaboy/Leenamore Residents
Summary of observation.
- Non-compliance with Pipeline stability aspect of FI Request
- Detailed concerns with the Traffic Management Plan.

Glenalt Fishing Syndicate.
Summary of observation.
- Concerns on protection of water quality on Carrowmore Lake
- Monitoring of water quality.

Mark Garavan
Summary of observation.
- No reference to above ground structures required for pipeline
- BnM Report inadequate & only conceptual

Brian Coyle
Summary of observation.
- Detailed concerns on the TMP, Non-compliance with Pipeline stability aspect of FI Request
- High risk of water pollution
- Percolation test for puraflo
- Risk to water from orthophospahte
- BnM Report questioned
- Insufficient response several other aspect of the FI request.

Brendan Philbin
Summary of observation.
- Traffic
- Health & safety

- Water quality
- 70m separation distance pipeline & residences
- Blasting

Cornelius King
Summary of observation.

sections 1 & 2 of this submission contains observations on the EIS, section 3 contains a submission on the Further Information. Mr. King did not make any submission or observation originally therefore in accordance with the Article 35(1)(c)(v) Planning & Development Regulations 2001 I propose to deal only with section 3 of this submission.

- Disagrees with the methodology and findings of the FI on Peat Stabilisation

Maura Harrington
Summary of observation.
- Response to FI inadequate
- Disagrees with some of the responses

Micheal O'seighin & 5 others
Summary of observation.
- Response to FI inadequate
- Disagrees with some of the responses

Brid & Teresa McGarry
Summary of observation.
- Response to FI inadequate

Mary Corduff
Summary of observation.
- TMP does not take account of the pipeline construction
- BnM proposal to windrow Bellanaboy peat is not realistic
- Pipeline stability not adequately addressed

Martin Harrington
Summary of observation.
- TENORM not addressed
- TMP inadequate& conflicts with DPA Consent

John McGarry
Summary of observation.
- Health & Safety, Devaluation of property

Edward & Imelda Moran
Summary of observation.
- Does not agree with TMP, inadequate response to pipeline stability& safety
- Gas of no benefit to County Mayo as no networks proposed
- Project splitting, pipeline safety & residences
- pipeline stability in peat