

Objection No. 2

Noeleen Keavey

Subject: FW: New Third Party objection entered for Reg no: W0272-01. (Reference Number: W0272-01-150209061127)
Attachments: epaobject.docx
Importance: High

From: Lisa Farrell [mailto:lisa.farrell84@gmail.com]

Sent: 09 February 2015 18:12

To: Licensing Staff

Subject: New Third Party objection entered for Reg no: W0272-01. (Reference Number: W0272-01-150209061127)

Importance: High

Objection submitted on: 09/02/2015 18:11

Title: Ms

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SurName: Farrell

Organisation Name:

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Objector Type: Third Party

Oral Hearing: No

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Lisa Farrell
The Coast,
Baldoye,
Dublin 13

9th February 2015

Dear Sirs,

I am writing to you to object to the proposed granting of a licence for a waste permit to Roadstone Limited for Milverton quarry. This site is unsuitable for such a licence for reasons I will list below.

Flora and Fauna

Flora: While the company reported back in Roadstone Limited's EIS that there are no rare or protected species in the quarry, the survey was done in May. There are plants appearing above ground or flowering after this time and as such, would not have been taken into account. For example Narrow-leaved bittercress (*Cardamine impatiens*), Narrow-leaved Helleborine (*Cephalanthera longifolia*) and Green-veined orchid (*Pseudorchis*) may not come into flower until June or July.

The company Heidelberg Cement has produced its own publication on biodiversity in quarries, *Orchids in Quarries and Gravel Pits*.

It states the following:

"No flowers visible? There still may be orchids!

If you are a mushroom hunter you know that in some years your basket is full within minutes, whereas in other years you scramble through the woods for hours without finding a single mushroom. With orchids, it's the same story: There are good and bad "orchid years". Some orchid species do not flower every year but pause for one or even several years. The reasons for this are not completely known; damages to the roots during the winter by animals or frost may play a role.

In years when an orchid does not flower it can be easily overlooked. Therefore, several survey years are always necessary in order to achieve a reasonable overview of the orchid populations of an area."

The company has not carried out several surveys, therefore it cannot be ruled that there are no orchids or other rare species there as the surveying done was not adequate to prove that.

Many quarries are known to have rare orchids and other species – I refer to Beaumont quarry in Cork - http://corkbranch.weebly.com/uploads/1/9/9/4/19945505/beaumont_quarry_leaflet.pdf and Whitemountain quarries in Derry - http://www.qpani.org/bio_case02.htm.

Quarries can act as replacements for flood plains that have long since disappeared due to development and agriculture. *Orchids in Quarries and Gravel Pits* states:

"Today, such primary habitats have become extremely rare, and many orchid species depend on secondary habitats in quarries and gravel pits.

Steep faces, reed zones, and inundated zones. All these are habitats of floodplains that have become rare. In some mineral extraction sites they are created anew.

Today, almost all rivers and streams in Europe are straightened and regulated; shoreline stabilisation, water-retaining structures, and barrages reduce dynamic processes almost to zero. Important orchid habitats of flood plains such as temporary waters, gravel islands, and steep slopes were reduced greatly. Such sites and their inhabitants are threatened severely and need to be protected...

In modern times, highly dynamic conditions comparable to natural floodplains are found exclusively within extraction sites. Gravel pits, especially, with vast gravel plains that are permeable to water, resemble natural floodplains. Following exploitation, exposed mineral surfaces that serve as important pioneer sites for specialist plants are left behind. In addition, small water bodies are created which are important habitats for dragonflies, amphibians, and many other organisms depending on water."

Given the chance, this site could develop into a biodiversity hotspot for Skerries, due to the unique mini ecosystem that has sprung up, offering protection to many species.

"Mineral extraction sites heat up during the day and stay relatively warm at night because of their wind protected shape and the high heat storage capacity of the unconsolidated material. This makes them attractive for thermophile, often Mediterranean plants and animals. In the neighbourhood of these warm and dry sites there can be shady, north exposed steep faces or humid areas. This small-scale micro climatic variety also contributes to species richness in mineral extraction sites.

Calcareous grasslands are some of the most diverse and species-rich plant communities in Europe!"

Fauna: According to the EIS from the company, the site houses 20 bird species, 4 mammal species, 4 butterfly species and 2 insect species. Since the site has only been in disuse for seven years, that is a remarkable recovery for a site that once would have been inhospitable for many while in active use. If it were allowed to remain, I believe it possible to diversify further.

The EIS states "No protected, endangered or rare species, other than Peregrine Falcon (*Falco peregrinu*), were found on the site."

However, **this is not true**, the song thrush (*Turdus philomelos*), noted in the inventory of flora and fauna is protected under the Birds Directive Annex II, of which Ireland is not a country where hunting of the bird is permitted.

Also noted, was the presence of the Irish hare (*Lepus timidus*) The Irish hare is legally protected since 1930 in the Republic of Ireland, initially under the Game Preservation Act (1930), then by the Wildlife Act (1976) and Wildlife (Amendment) Act 2000. It is listed on Appendix III of the Berne Convention, Annex V(a) of the EC Habitats Directive (92/43/EEC) and as an internationally important species in the Irish Red Data Book.

There is also noted the presence of Common-tailed damsonfly (*Enallagma cyathigerum*) and Blue-tailed damsonfly (*Ischura elegans*). An article from Berkeley University on dragonflies and damsonflies states "The presence of dragonflies and damselflies may be taken as an indication of

good ecosystem quality." This shows that there is a healthy and diverse system that has sprung up in the area.

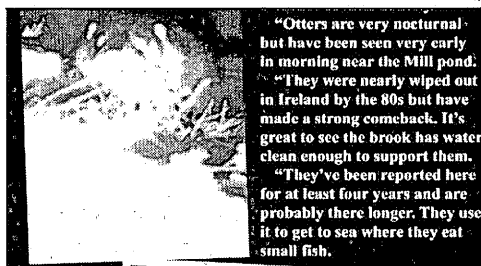
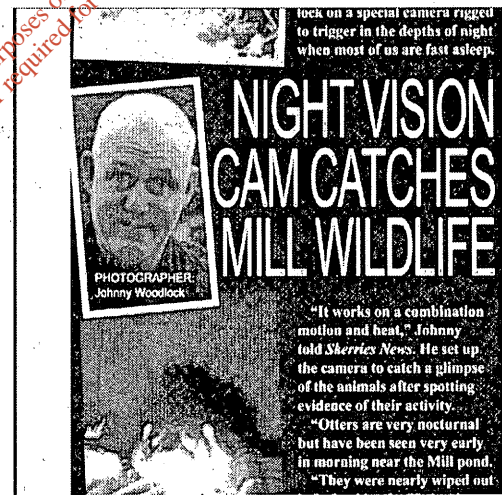
Unfortunately, the survey does not take into account other animals in the surrounding area. After contacting a local wildlife expert from Skerries, he feels there is a good chance that there may be bats in and around the quarry. These were not surveyed for in any meaningful way that I could discern from the report.

For example, Bat Conservation Ireland, in connection with the NPWS, conducted surveys using broadband bat detectors. "broadband bat detector which picks up a range of ultrasound which can be recorded in the field and analysed post-survey. This method therefore allows survey work to be carried out by individuals with little or no experience in bat identification since identification is completed post survey work."

The company did not complete any survey at night, nor was any bat detection methods used, therefore it cannot be said conclusively that there are no bats there, until such work has been done.

Irish bats are protected under domestic and EU legislation. Under the Republic of Ireland's Wildlife Act (1976) and Wildlife (Amendment) Act (2000) it is an offence to intentionally harm a bat or disturb its resting place.

It is also known that there are otters in very close proximity to the quarry. In this issue of Skerries New, they were caught on camera in a nearby location:



I spoke to the person who filmed the above footage and he told me that otters are downstream and have also been seen upstream of the quarry. They have been seen near the bridge and since the stream splits at the bridge and half goes past the quarry, there is no reason not to suspect that they may be there.

Otters are included in Annex IV of the Habitats Directive which states that "It should be noted that any action resulting in the deterioration or destruction of the breeding sites or resting places of species in Annex IV and of the Habitats Directive is an offence of strict liability. i.e **even if unintentional, it is an offence.**"

Roadstone Limited stated in its EIS that it plans to release the existing groundwater into the Mill Stream. The water is extremely hard, contains high levels of nitrites and nitrates and yet the company state that they have no particular plans to treat it before it is released. This is also not accounting for thermal pollution, which can occur when very cold water is released and can "can dramatically change the fish and macroinvertebrate fauna of rivers, and reduce river productivity."

This would absolutely affect the otters breeding in that stream and has not been accounted for.

We are also entering the breeding season for birds and mammals, which would further disturb them, when a mini-ecosystem is in peril.

It was concluded in the EIS that there was no evidence for smooth newt presence, however the Smooth Newt survey states "Surveys for smooth newts are seasonally constrained within specific periods. To survey for breeding newts within water bodies, up to four visits should be undertaken."

Historically they have been found close to the railway bridge nearby the quarry.

Human Beings:

This site being used as a waste facility would have no positive effects on the environment, on the locality or for the people living in the area.

By Roadstone Limited's own estimations of 250,000 tonnes of soil importation to the site per annum, will result in 8 HGVs entering the site and 8 HGVs leaving the site per-hour for a total of sixteen movements per hour every hour for 11 hours per day, 5 days per week, with a half day on Saturdays. They estimate the life of the site from 7.5 – 10 years. 176 HGV movements per day on a road which is neither designed nor built for such activity will have a massively negative impact on the road conditions, the locality and the local population and that is not taking in account the site operating at a maximum capacity of 400,000 tonnes.

There are a number of houses within 250 metres of the site and approximately 70 within 500 metres. This will absolutely affect quality of life for those in the vicinity, through noise and air pollution. I would like to remind the EPA that diesel emissions have recently been classed as **carcinogenic**. Those most affected will be children, the sick and the elderly. For Roadstone Limited to qualify that "there will be no significant impact on air quality" is dismissive, disingenuous and does not take externalities into account.

For walkers, cyclists and horse riders, there will be a huge barrier to using the road since there is no footpath and it will become very dangerous unless you are in a car. Granting this licence will take away people's freedoms to pass this road if not in a vehicle.

The EIS also states "Groundwater vulnerability maps published on the EPA website indicate that the site is located in an area with **high to extreme** Groundwater Vulnerability status"

Since the company plan to do a certain amount of diesel refuelling on a concrete court, of which rainfall runs into the ground, all it takes is one accident for the groundwater to become unusable. This is a risk that cannot be worth taking. It would affect water both for humans and animals in the area, especially aquatic life and mammals such as the otters in the area.

The Company

Roadstone Limited, a subsidiary of CRH, is a company with a past history of disrespect for the environment. In 2004, they were found to have three illegal dumps in the Blessington area. Reports into them assessed that it may be decades before risks to the locality may become apparent.

In 2009, CRH in Poland was fined €26 million for alleged price fixing and anti-competitive behaviour.

In 2014, CRH in China was fined €8 million for alleged price fixing.

In 2014, CRH in Switzerland was facing a fine of €98 million for alleged price fixing.

In 2015, CRH in USA is being sued for alleged patent infringement, fraud, conspiracy, misappropriation of trade secrets and unjust enrichment.

The company is a huge multinational with immense power to get what it wants, but it does not have a past history of ethical behaviour or concern for the environment.

The Site

As it stands, the quarry is a site of biodiversity within Skerries. I put it to you that this site is a candidate as a Site of Community Importance, which is defined as

"Site of Community importance means a site which, in the biogeographical region or regions to which it belongs, contributes significantly to the maintenance or restoration at a favourable conservation status of a natural habitat type in Annex I or of a species in Annex II and may also contribute significantly to the coherence of Natura 2000 referred to in Article 3, and/or contributes significantly to the maintenance of biological diversity within the biogeographic region or regions concerned. For animal species ranging over wide areas, sites of Community importance shall correspond to the places within the natural range of such species which present the physical or biological factors essential to their life and reproduction. [definition source: Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora"]

This is due to the presence of peregrine falcons in the area, otters and the possibility of bats amongst others.

The Habitat's Directive, Decision No 1600/2002/EC of the European Parliament and of the council of 22nd July 2002 laying down the 6th Community Environment Action Programme states:

"Acting in accordance with the procedure laid down in Article 251 of the Treaty (4) in the light of the joint text approved by the Conciliation Committee on 1st May 2002 whereas
(5) Greater focus on prevention and the implementation of the precautionary principle is required in developing an approach to protect human health and the environment.

(21) There is considerable pressure from human activity on nature and biodiversity. Action is necessary to counteract pressure from human activity on nature and biodiversity. Action is necessary to counteract pressures arising notably from pollution...and the way in which land and sea are exploited."

The intention to replace a site of biodiversity by refilling and turn over to possible agriculture i.e. monoculture, would be a blow for the area. Roadstone Limited's EIS states "The loss of each individual habitat-type is not likely to be of significance but in terms of the whole site, the loss would be **significant** at a local (higher) value."

There is no benefit to this for the environment, there would be a direct loss of all habitats within this unique mini eco-system. There is no benefit to the local population – the EIS states it would have a "moderate negative" effect while in operation.

I ask you for the reasons stated above to reject permission for this waste licence. The purpose of the EPA, must be as its name states and have the interests of the environment at heart. This wilful destruction is of no benefit and there is strong feeling from the people of Skerries on this matter:

This site should be conserved and protected. It could be made into a conservation site and would be a great asset to the local community and to wildlife. Fingal county council also recommended the site as a County Geological Site and said that "there are opportunities here to create safe viewing places", therefore it would be completely wrong, for the reasons given, to destroy it.

Yours sincerely,

Lisa Farrell