

Maire Buckley

Subject: FW: E.P.A. I.P.P.C. license Reg. No: P0914-01 by Westland Horticulture
Attachments: P0914-01.pdf; ATT00001.txt; ATT00002.htm

From: Manager Dau [<mailto:Manager.Dau@ahg.gov.ie>]
Sent: 10 September 2013 16:00
To: Wexford Receptionist
Subject: E.P.A. I.P.P.C. license Reg. No: P0914-01 by Westland Horticulture

FAO: Sonja Smith

A Chara

I refer to the EPA notification in relation to the above IPPC License application. Attached are the nature conservation recommendations of the Department of the Arts, Heritage and the Gaeltacht.

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

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Ao Roinn
Ealaíon, Oidhreachta agus Gaeltachta
Department of
Arts, Heritage and the Gaeltacht

Planning Ref No: P0914-01 – Westmeath

10 September 2013

Sonja Smith,
Programme Officer,
Office of Climate, Licencing & Resource Use,
E.P.A.,
Regional Inspectorate,
Inniscarra,
Co.Cork.

Re: Notification to the Minister for Arts, Heritage and the Gaeltacht under Article 28 of the Planning and Development Regulations, 2001

Development:: *E.P.A. I.P.P.C. license Reg. No. P0914-01 by Westland Horticulture for Class 1.4: Extraction of peat in the course of business which involves an area exceeding 50 hectares at Lower Coole & Fineagh, County Westmeath.*

A Chara

I refer to the EPA notification in relation to the above IPPC License application. Outlined below are the nature conservation recommendations of the Department of the Arts, Heritage and the Gaeltacht.

It is noted that the location of the proposed activity is situated in a location likely to impact on Lough Derravaragh Special Protection Area for Birds (SPA) (site code: 004047, Natural Heritage Area (NHA, site code 000684) and Lough Bane proposed Natural Heritage Area (NHA) (site code: 001721). Please see the attached site synopsis for a description of the sites.

This Department is of the view that this development

- has a potential to damage a significant area of the Annexed habitat transition mire, which is listed under Annex I of the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora).
- has a potential to damage a significant population of white clawed crayfish and lamprey which are listed under Annex II of the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora).
- has a potential to damage the habitat of otter, white clawed crayfish and lamprey which are listed under Annex II of the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora).
- has a potential to damage an area of the habitat of a significant population of kingfisher and which is listed under Annex 1 of the EU Birds Directive (Council Directive 79/409/EEC).

- has a potential to damage the habitat of a significant population of common frog and Irish hare which are protected under the Wildlife Acts 1976 to 2010.
- has a potential to destroy a significant area of a mesotrophic lake and birch scrub woodland which are an important component of the nature conservation value of the (p)NHA site.
- has a potential to destroy a significant area of raised bog and dystrophic lake habitats which are important components of the nature conservation value of the proposed site

This Department would question some of the content of the EIS, as follows:

- the EIS report concludes that there is no drainage connection and no runoff from drains from the extraction area to Lough Bane pNHA. We believe this is incorrect. NPWS has noted evidence over the years of direct discharge into the pNHA and resulting siltation. The siltation was again noted on the 12th of July 2013 at the western side of Lough Bane pNHA.
- The EIS report concludes that the peat extraction activities will not have an impact on the dystrophic lake on the western side of Clonsura bog as it is stated this bog has its own catchment area. The nearest drain and extraction area is only 10 metres from this lake. NPWS have noted that water flows through some cracks in the peat into the adjacent drain at the extraction area. Therefore, we believe that peat extraction activities which will result in lowering of the level lake due to peat shrinkage and deepening of the adjacent drain over time. There is also a potential risk that the narrow bog buffer zone will collapse resulting in dewatering of the small lake.
- The EIS states that the peat extraction activities will be confined to the existing worked area and that the remnant raised bog at Mayne and Ballinealoe will not be impacted by peat extraction. This is not what is happening in reality. Over the last 8 years or so a series of drains have been excavated within the Ballinealoe section of the raised bog habitat, while in the last year or two, stripping of the natural bog vegetation has begun on the northern section of this habitat.
- Two dust gauges are proposed, one for Coole and one for Clonsura. The proposed location of the gauge at Coole is adjacent to the Inny River just north of Float Bridge. The location of the proposed gauge is sheltered by mature trees and is away from the extraction site. We suggest that the proposed location will not adequately record the dust arising from peat extraction activities at this site.
- We question the finding of no cumulative impacts with regard to the extraction activities. We ask the EPA to strictly review this finding especially with regard to the other activities in the area including other peat extraction, municipal and domestic wastewater treatment plants, agricultural runoff, nutrient input from conifer plantations.
- EIS states that stockpiling of peat is away from sensitive habitats and drainage features. However, at Clonsura Bog one of the stockpiles is located close to Lough Bane pNHA and adjacent to the Clonsura stream which flows into the Inny River. In the past, clouds of suspended peat have been noted during times of loading of peat and from the extraction area in general. Also, evidence of escape of loose peat particles into a watercourse has been noted from the area where peat is stockpiled adjacent to the Clonsura stream and from travel areas/ bridging points e.g. at bridge connecting the north and south section of the Clonsura bog.

The Department of the Arts, Heritage and the Gaeltacht ask the EPA to address the following:

- The proposed "Habitat Enhancement and Management Plan" and the "Rehabilitation / Closure Plan" should be completed prior to granting the IPPC licence. EIS states that the aim of the Closure Plan will be to try to reestablish peat bog and carbon sequestration. Such an aspiration is contingent on retaining a suitable depth of acid peat at both sites. This should be borne in mind when drawing up the plan. This Department should be consulted as part of the process of drawing up the aforementioned plans.

- A buffer zone should be installed around the remnant raised bog habitat and dystrophic lake at Clonsura bog in order to safeguard water levels for the future. Rehabilitation measures should be put in place in regard to recent damage to the the remnant raised bog at Ballinealoe.
- As per EIS, the sedimentation lagoon proposed for the northern section of Clonsura bog should be installed as soon as possible. Current direct discharge to the Clonsura stream and the Inny River is unacceptable. The current intermittent discharge to Lough Bane pNHA should also be addressed immediately and flow in the drain should be directed away from the pNHA and to the proposed sedimentation lagoon.
- The EPA should be satisfied that the monitoring regimes proposed are adequate and that the water quality monitoring programme be developed in consultation with the IFI, as specified in the EIS.
- Further improvements are required to address siltation and dust suspension at the site including: stockpiling of peat close to the Clonsura stream, River Glore, Mayne stream or Inny River should not be permitted. Provision of a planted buffer zone along the Mayne and Clonsura streams and the Inny River. Mitigation measures should be proposed to address the issue where loose peat can escape into watercourses from bridging and trafficking areas.
- Siting of dust gauges should be reviewed. The Department of the Arts, Heritage and the Gaeltacht recommends that a dust gauge be placed to the west or southwest of Lough Bane between the extraction area and the pNHA in an open location. In order to be effective, the Coole bog site dust gauge should be re-sited in an open location between the peat extraction area and the Inny River.

The acknowledgement to this letter, any further information and/or the planning authority's decision should ideally be sent to manager.dau@ahg.gov.ie; if this is not possible, correspondence may alternatively be sent to:

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

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Emmet Deegan,
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