



## 3.2 FLORA AND FAUNA

### 3.2.1 Introduction

This section of the EIS deals with flora and fauna (i.e ecology of the area) and has been compiled and prepared by the following specialist:

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The purpose of this section of the EIS is to access the flora and fauna within and surrounding the subject site.

In January 2009, Tobin Consulting Engineers conducted a thorough Ecological Assessment report for the soil recovery facility. This was done as part of the Waste Licence Application to the EPA. It was prepared at a time that the site was still operating under the Waste Permit issued by Mayo County Council. This report also makes reference to an earlier ecological report for this site carried out in June 2005 by C.A. Farrell as part of the Waste Permit Application.

This report is submitted as **Appendix 3.2** and is the same report as submitted with the review of Waste Licence W0256-01. This report covers all matters relating to Flora and Fauna and ecological impacts and is still relevant to the review of Waste Licence W0256-01. In the Tobin Ecological Assessment Report the necessary EIS topics to address noise and potential impacts of noise upon the environment are discussed including:

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Potential impacts on flora and fauna are identified together with appropriate mitigation measures to limit or eliminate any impact on flora and fauna.

### 3.2.2 Existing Environment

The existing soil recovery facility is located in a sparsely populated rural area with surrounding land uses comprising of sheep farming; peat extraction; GAA pitch; former Mushroom Farm and dispersed one-off housing developments and old farmsteads. There nearest densely populated area close to the site is Belmullet some 2 ½ km to the south. The site is far removed from the public road.

A baseline ecological assessment of the site took place in June 2005 and January 2009 as set out in **Appendix 3.2**. A summary of this report relating to the existing ecological status is outlined below:

With the exception of the depositing / lowland rivers habitat which forms the northern site boundary, the site can be considered to have a low ecological value. This category includes highly modified habitats with a low species diversity with water bodies of no current fisheries value and no significant potential fisheries value. This assignment is justified for the following reasons:

1. There are no records for any rare or protected flora for this site or surrounding area.
2. No protected mammals were noted to be using the site.
3. The proposed site and immediate surrounding area are not designated for nature conservation or likely to be for their ecological value.
4. Previous land uses such as turf production and shooting are evident within the degraded habitats. The site continues to be intensively sheep grazed.
5. The greater part of the site comprises of degraded cutover bog habitat, which is not of conservation importance either at a national, regional or local context.
6. The cut over bog habitat has been well drained and is unlikely to revert to peat forming habitat without restoration measures. It is likely to remain degraded peatland habitat and with continued grazing it will convert to acid grassland.

However, the river forming the northern site boundary is of note as it drains to the Moyrahan Bay which is within the catchment area of the Broadhaven Bay complex (pNHA & SAC). The location and importance of this river must be taken into consideration when assessing the potential impacts of future works at the site.

#### 3.2.2.1 Appropriate Assessment Screening

As part of a Review of Waste Licence (W0256-01) that was made to the EPA in August 2012 (Current Reference - W0256-02), the EPA requested further information under Article 12(2)(b)(ii) of the Waste Management (Licensing) Regulations.

Lennon Quarries Ltd. were requested by the Environmental Protection Agency (EPA) to Screen for Appropriate Assessment, for proposed waste management activities at Tallagh, Belmullet, County Mayo, on land under the control of Lennon Quarries Ltd.

In July 2013, Tobin Consulting Engineers on behalf of Lennon Quarries Ltd., carried out a Screening Statement and is included as **Appendix 1.14** in this EIS.



With the introduction of the Birds Directive in 1979 and the Habitats Directive in 1992 came the obligation to establish the Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU. In Ireland, the Natura 2000 network of European sites comprises Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's).

Appropriate Assessment (AA) involves a case-by-case examination of the implications of a development for the Natura 2000 site and its conservation objectives. This may be presented in the form of a Natura Impact Statement. In general terms, implicit in Article 6(3) of the Habitats Directive is an obligation to put concern for potential effects on Natura 2000 sites at the forefront of every decision made in relation to plans and projects at all stages.

Screening for Appropriate Assessment is the first stage and critical test of Appropriate Assessment and the question is asked whether the development is considered to have a significant impact on the designated Natura 2000 site. The purpose of screening is to determine, on the basis of a preliminary assessment and objective criteria, whether:

- i) a plan or project is directly connected to or necessary for the management of the site, and
- ii) whether a plan or project, alone and in combination with other plans or projects, could have significant effects on a Natura 2000 site in view of the site's conservation objectives.

As most projects will not be related to point (i) above, this will virtually always be irrelevant but with regards to point (ii) if the answer is no then the process is complete and full appropriate assessment is not required. Screening therefore is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3) of the Habitats Directive.

### 3.2.2.2 Findings of Appropriate Assessment Screening

Lennon Quarries Ltd. operates an existing inert material recovery facility on lands at Tallagh, Bemullet, Co. Mayo. They wish to increase the total tonnage of material accepted per annum from 24,900 TPA to 90,000 TPA and are requesting that the current Waste Licence be reviewed and amended accordingly.

To that end, the Appropriate Assessment Screening Report considers whether any activity or proposed increase in activity on the lands, either individually or in combination with other plans or projects is likely to have a significant effect on Natura 2000 sites, in view of best scientific knowledge and the conservation objectives of the site(s).

The Appropriate Assessment Screening Report included as **Appendix 1.14** finds that:

*“The proposed development is not located in a Natura 2000 site. The river draining the site is the only possible linkage of site activities to Natura 2000 sites as Broadhaven Bay SAC is linked by this river which receives the treated water from the site. The only identifiable potential impact is indirect low risk water quality affects from onsite activities to downstream Natura 2000 sites.*



and:

*“The assessment of significance determines that localised impacts are negligible in the immediate vicinity of the development and hence beyond the immediate works area i.e. downstream SAC. No significant impact is expected to arise to the Broadhaven SAC and specifically the key qualifying habitats requiring consideration as a result of the proposed increase in inert natural material accepted at this location. The key monitoring and precautionary mitigation requirements of the Waste Licence are relevant to minimising risk to water quality and are recommended”.*

The Appropriate Assessment Screening Report included as **Appendix 1.14** concludes that:

*“It is considered that no significant adverse effects are expected to arise to Natura 2000 sites from the proposed development and the project can be screened out of further stages of Appropriate Assessment”.*

### **3.2.3 Potential Environmental Impacts**

If one were considering this existing soil recovery facility as a new “Greenfield” site with no previous authorisations; ecological assessments; or consideration of potential impacts upon flora and fauna and ecology, then one would potentially identify two main potential impacts:

The inert soil and stone recovered at the site could have the potential to increase the 'Total Suspended Solids' concentration of the surface water draining from the site (through open surface water drains) into the Clooneen River and potentially have impacts upon the ecology the fresh water environment.

The reclamation of the site could have the potential to impact upon existing habitats and species of flora and fauna.

However, as set out in the Ecological Assessment in **Appendix 3.2**, potential impacts upon flora and fauna were fully assessed prior to the granting of any site authorisations. Having proven to both Mayo County Council and the EPA that there would be no significant impacts, the site was duly authorised allowing the reclamation of these lands with the importation of inert soil and stone for the consequential benefit to agriculture. Therefore, all potential impacts were considered and appropriate mitigation measures were incorporated into the authorised site activities to ensure there are no impacts upon flora and fauna.

The inert nature of the material being recovered/reclaimed should not result in other chemical contaminants having a potential impact to surface water.

It is not proposed to store any fuel onsite. A fuel tanker will visit the site, when required and fill the onsite plant (Hitachi 200 excavator). Refuelling takes place on the hardstanding area of the site access road, adjacent to the site office. Booms and spill kits are kept adjacent to this.



The potential impacts from the proposal to increase the annual tonnage from 24,900 tonnes to 90,000 tonnes poses no change in the scope of the activity, the nature of the activity or potential emissions from the activity (as presently licensed).

- The development sequence will still be to fill the site progressively (as presently licensed).
- The lands are presently marginal agricultural land and will be restored using imported soil and stones to more productive agricultural land thereby having a consequential benefit to agriculture (as presently licensed).
- The exact same proposed activity will occur as licensed i.e. a total of 265,000 tonnes of soil and stones but over a shorter time span (i.e. ca. 2.5 – 3 years). The activity will just take a shorter time span to complete and fully restore to beneficial agricultural use.
- The site survey drawings submitted with the Waste Licence Review remain unaltered as there will be no change whatsoever in the proposed topographical levels based on the reclamation of the site occurring over a shorter time period. Therefore there is no change to finished site survey drawings.
- Therefore the proposed review of the Waste Licence creates no proposed change to the content, nature, composition or volume of materials intended for recovery by deposition at the site, and the overall tonnage of 265,000 tonnes for which the existing license was issued remains unaffected.

The site has been up and running for the past ca. 2 years without any complaints or enforcement issues relating to water or water pollution or impacts upon ecology as proven by Agency records. Furthermore, the compliance monitoring is all up to date and is all compliant with the license requirements. All in all it is considered that Lennon Quarries Ltd. operate an extremely well run and well-monitored licensed soil recovery facility

### 3.2.4 Mitigation Measures

The Ecological Assessment in **Appendix 3.2** has set out all necessary mitigation measures associated with the existing and proposed activities on site to ensure that any potential impacts identified are mitigated against.

One key mitigating measure was that 5 no. 'Settlement Ponds' have been put in place on the drainage channels, prior to their emission to the main surface water body as shown. The purpose of these Settlement Ponds is to allow suspended solids drop out of solution, prior to the surface water discharging from the site, into the Clooneen River.

Surface water monitoring of the Clooneen River continues on a quarterly basis, per the existing licence requirements, in order to identify any possible contamination to the river.

With regards to potential impacts relating to Surface Water and dust, the proposed proposals in the licence review to increase the annual tonnage from 24,900 to 90,000 tonnes provides **an environmental gain**.



The phasing and restoration of the site will occur over a much shorter time period thereby speeding up the process by which the lands are seeded; stabilised and put back into productive agriculture. This obviously minimises the potential for sedimentation of surface waters (not withstanding the control measures already in place) and it provides even greater compliance with Condition 6.11.3: *Developed areas shall be seeded as soon as practicable after placement of cover soils, in a manner appropriate to the surrounding area and in any event in accordance with condition 10.2.2.*

Lennon Quarries Ltd. have consulted with and have received a letter of support from the Fisheries Board for the review of their Waste Licence with mitigation measures outlined in this EIS and the review of Waste Licence W0256-01 (see **Figure 3.2.4.1**).

### 3.2.5 Conclusions

The Ecological Assessment Report carried out in January 2009 and included in **Appendix 3.2**, concluded that:

In conclusion the habitats on site are considered to be of low ecological value. Mitigation measures have been suggested to avoid impacts on the Broadhaven Bay complex (pNHA & SAC) which is the nearest designated site located at a distance of 0.2km from the site. Suggested mitigation measures will also minimise any impacts on local fauna, particularly as a number of Birds of Conservation Concern in Ireland including snipe, skylark and stonechat have been recorded utilising the site.

The Appropriate Assessment Screening Report included as **Appendix 1.14** concludes that:

*"It is considered that no significant adverse effects are expected to arise to Natura 2000 sites from the proposed development and the project can be screened out of further stages of Appropriate Assessment".*

The proposal to increase the annual tonnage from 24,900 tonnes to 90,000 tonnes poses no change in the scope of the activity, the nature of the activity or potential emissions from the activity (as presently licensed). There will therefore be no negative impact upon ecology and flora and fauna in granting the review of Waste Licence W0256-01.



**Figure 3.2.4.1: Letter of Consultation from Inland Fisheries Ireland Concerning the Technical Review of Waste Licence W0256-01**



3 July 2012

Mr. T.J. Lennon  
Lennon Quarries Ltd.,  
Glencastle  
Bunnahowen  
Ballina  
Co. Mayo

**RE: Amendment request for Lennon Quarries Ltd. Soil/Stones Recovery Facility Waste Licence W0256-01 at Tallagh, Belmullet, Co. Mayo**

Dear Mr. Lennon,

On the 28<sup>th</sup> June 2012 the above site was inspected by IFI staff and a meeting was held with you at your offices to discuss a proposed amendment to the above licence. It is proposed to increase the annual quantity of deposited material from 27,400tonne to 90,000tonne. IFI have no objections to the amendment provided there are no negative impacts on water quality in the Clooneen River or Moyrahan Bay and the following conditions are retained.

- The five on site settlement ponds must be monitored and maintained as per the waste licence.
- The Clooneen River buffer zone must be retained and each cell must be capped and seeded as it is filled.

Yours sincerely

  
John Conneely  
Director

jlennon-0612



**Appendix 3.2: Ecological Assessment Report – January 2009 and June 2005.**

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