

Drehid Mechanical Biological Treatment (MBT) Facility

Screening Statement

In accordance with
Article 6 of EU Habitats Directive 92/43/EEC

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June 2012

TOBIN CONSULTING ENGINEERS



Screening Statement

PROJECT: **Drehid Mechanical Biological Treatment Facility**

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TABLE OF CONTENTS

1	INTRODUCTION	1
2	LEGISLATIVE CONTEXT & GUIDANCE	4
3	STAGE 1 – SCREENING	8
3.1	INTRODUCTION.....	8
3.2	DESCRIPTION OF SITE LOCATION AND PROJECT	8
3.3	RELEVANT NATURA 2000 SITES	8
3.4	CONSULTATION	9
3.5	POTENTIAL FOR IMPACTS.....	10
3.6	ASSESSMENT OF LIKELY EFFECTS	10
4	SCREENING STATEMENT	11

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TABLES

Table 1: Natura 2000 Sites within 15km of the proposed MBT development site boundary 9

FIGURES

Figure 1-1 Natura 2000 Sites

Figure 2-1 Flowchart Outlining the Appropriate Assessment Process

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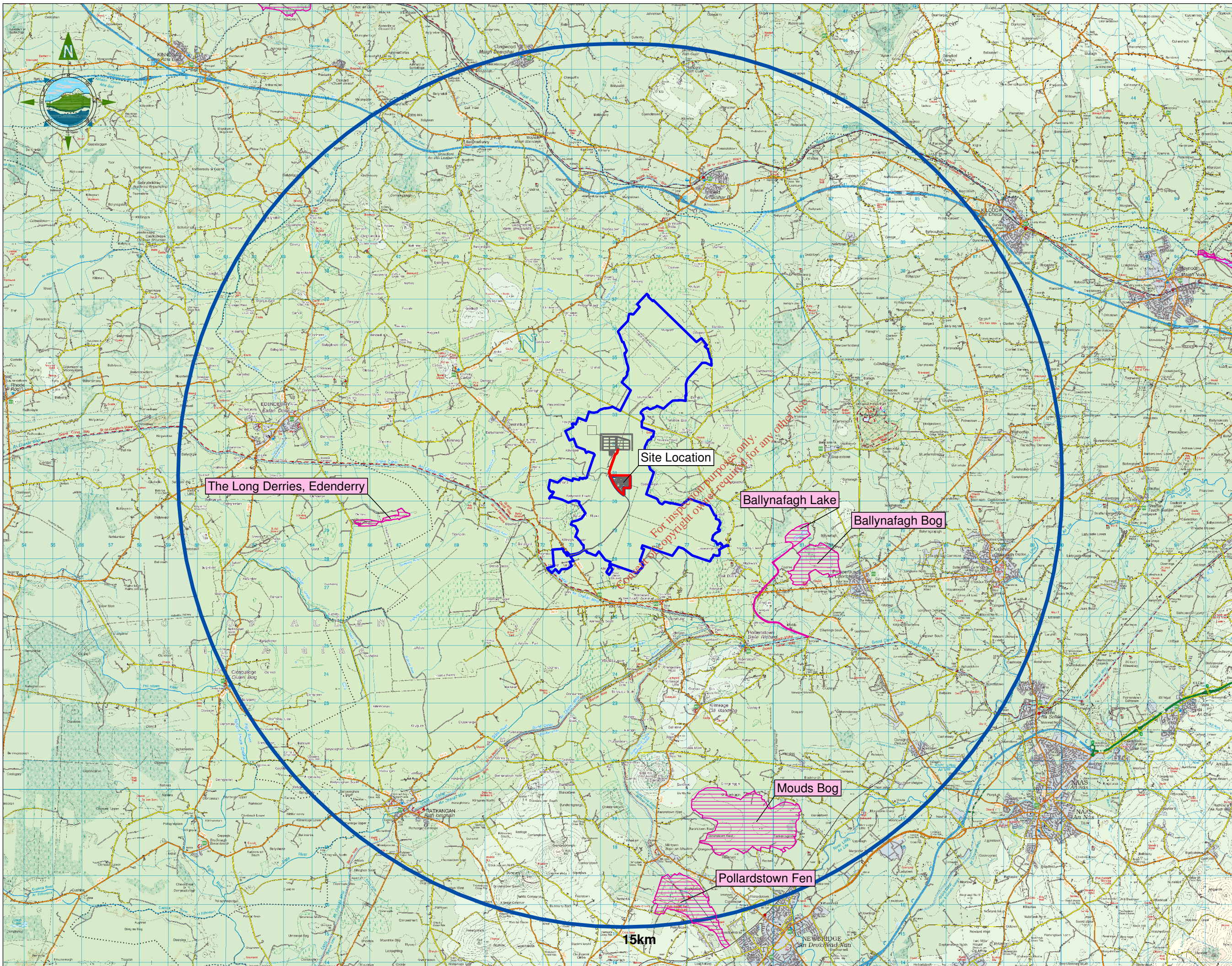
1 INTRODUCTION

Bord na Móna propose to develop a Mechanical Biological Treatment (MBT) Facility to be located in the townlands of Coolcarrigan, Drummond and Kilkeaskin within the confines of Bord na Móna's landholding at Carbury, County Kildare. The proposed Drehid MBT Facility will occupy a 29ha site within an overall 2,544ha landholding. This Screening for Appropriate Assessment Report is to assess whether or not the proposed development will impact on sites designated as Natura 2000 Sites under the EU Habitat Directive. This Screening Report is an Appendix Report (Appendix 4.1) to the Environmental Impact Statement (EIS) for this proposed development.

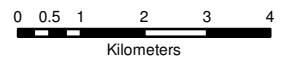
Department of Environment, Heritage and Local Government (DOEHLG) guidelines (December 2009) clarified the requirement for Appropriate Assessment reporting to consider the possible nature conservation implications of any plan or project which may possibly impact a European Designated (NATURA 2000) Site which include candidate Special Areas of Conservation (cSAC) and/or Special Protection Areas (SPA).

The aim of this screening process is to determine if key sensitive ecological receptors are possibly impacted in designated sites as a result of the proposed MBT development. Where impacts may arise or "uncertainty" as to impacts is determined, then a stage 2 Appropriate Assessment may be required. Figure 1.1 overleaf presents the Natura 2000 Sites within 15km of the proposed MBT Facility development site boundary.

This Screening Assessment was carried out by an experienced Ecologist with input from Hydrologists from TOBIN Consulting Engineers.



- Legend**
- Site Location
 - Landownership Boundary
 - Special Area of Conservation
 - Special Protection Areas
 - 15km Buffer



- NOTES**
1. FIGURED DIMENSIONS ONLY TO BE TAKEN FROM THIS DRAWING
 2. ALL DRAWINGS TO BE CHECKED BY THE CONTRACTOR ON SITE
 3. ENGINEER TO BE INFORMED OF ANY DISCREPANCIES BEFORE ANY WORK COMMENCES
 4. ALL LEVELS RELATE TO ORDNANCE SURVEY DATUM AT MALIN HEAD

Issue	Date	Description	By	Chkd.
A	05.06.12	Issued	G.F.	S.T.

Client:
BORD NA MÓNA

Project:
 DREHID
 MECHANICAL BIOLOGICAL
 TREATMENT (MBT) FACILITY

Title:
 NATURA 2000 SITES

Scale @ A3: 1:120,000

Prepared by: G.Fill
 Checked: S.Tinnelly
 Date: May 2012

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Figure 1.1

2 LEGISLATIVE CONTEXT & GUIDANCE

Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora - '*The Habitats Directive*', has been transposed into Irish law by The European Community (Natural Habitats) Regulations 1997 (S.I. No. 94/1997). The 1997 Regulations were updated in 1998 by The European Communities (Natural Habitats) (Amendment) Regulations 1998 (S.I. No. 233/1998) to include Council Directive 97/62/EC which served to update Council Directive 92/43/EEC, adapting it to technical and scientific progress made in the intervening years.

The 1997 Regulations were again updated in 2005, by The European Communities (Natural Habitats) (Amendment) Regulations 2005 (S.I. No. 378/2005). This amendment served to consolidate the main nature conservation legislation enacted in Ireland, meaning The Wildlife Act 1976, The Wildlife (Amendment) Act 2000, The European Communities (Natural Habitats) Regulations 1997, The European Communities (Natural Habitats) (Amendment) Regulations 1998, and to draw direct reference upon Council Directive 79/409/EC on the conservation of wild birds - '*The Birds Directive*'.

The Birds Directive seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs) whereas the Habitats Directive does the same for habitats and other species groups with Special Areas of Conservation (SACs). It lists certain rare habitats (Annex I) and species (Annex II) whose conservation is of community interest. It is the responsibility of each member state to designate SPAs and SACs, both of which will form part of Natura 2000, a network of protected areas throughout the European Community.

The legislation detailing the requirement for an Appropriate Assessment is detailed in Article 6, paragraphs 3 and 4 of the Habitats Directive which states that:

"6(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform

the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

This screening statement has been carried out using the following guidance:

- “Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities, Environment, Heritage and Local Government (December 2009)”;
- EPA Ireland guidelines “Waste Water Licensing Appropriate Assessment Guidance Notes” (2009)¹;
- “Guidance document on Article 6(4) of the ‘Habitats Directive’ 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg (EC 2007)”;
- “Assessing Development Plans in Terms of the Need for Appropriate Assessment: Interim Guidance. Scottish Executive and Scottish Natural Heritage (2006) ²”;
- “Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg (EC 2001)” ;and
- “Managing Natura 2000 Sites: the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg (EC 2000)”.

Based on these documents, the overall Appropriate Assessment (AA) procedure as detailed in the guidelines is a four stage approach consisting of the following stages:

¹ <http://www.epa.ie/downloads/forms/lic/wwda>

² <http://www.scotland.gov.uk/Publications/2006/06/02093425/0>

Stage One: Screening / Test of Significance - the process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.

This Report details stage 1 of the process only. The conclusion of this Screening Report (see below) determines if there is a requirement or not for further stages.

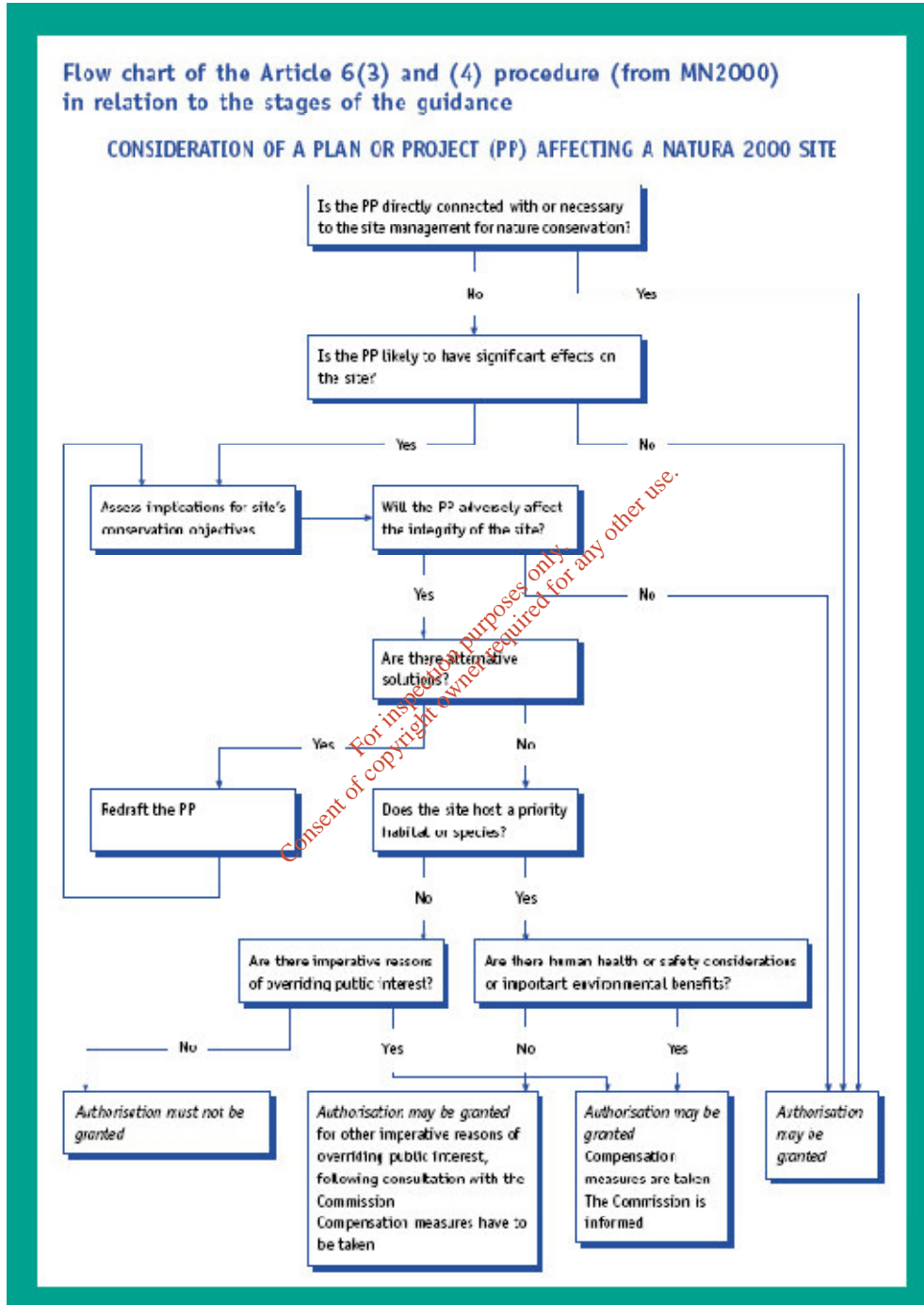
Stage Two: Appropriate Assessment - the consideration of the impact of the project or plan on the integrity of the Natura 2000 site, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts is detailed. If adverse impacts can be satisfactorily avoided at this stage then the process is complete.

Stage Three: Assessment of Alternative Solutions – the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site.

Stage Four: Assessment Where Adverse Impacts Remain - an assessment of compensatory measures where, in the light of an assessment of Imperative Reasons of Overriding Public Interest (IROPI), it is deemed that the project or plan should proceed.

These four stages are summarised in Figure 2-1 overleaf.

Figure 2-1 Flowchart Outlining the Appropriate Assessment Process (Extracted from Assessment of Plans and Projects – EC 2001)



3 STAGE 1 – SCREENING

3.1 INTRODUCTION

This stage of the process identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.

3.2 DESCRIPTION OF SITE LOCATION AND PROJECT

The proposed Drehid MBT Facility development will be located in the townlands of Coolcarrigan, Drummond and Kilkeaskin within the confines of Bord na Móna's landholding at Carbury, County Kildare. The site will occupy 29ha within an overall 2,544ha landholding. The site currently comprises re-vegetating cutover bog beside an existing access road to the Drehid Waste Management Facility which is located approximately 1km north of the proposed MBT Facility site. The entire landholding, including the site, was previously used by Bord na Móna up to approximately twenty two years ago for production of sod peat for energy generation. In general, the habitats present on site are typical of re-vegetating cutover bog, with bare peat areas now mostly overgrown with scrub, woodland, heath and grassland communities.

The project description is detailed in Chapter 2 of the main EIS. The proposed MBT Facility will primarily accept and process municipal solid waste and will provide for an overall capacity of 250,000 tonnes per annum (TPA). Mechanical Biological Treatment through a combination of mechanical processing and biological treatment reduces the volume of waste which requires treatment by disposal in landfill or incineration.

3.3 RELEVANT NATURA 2000 SITES

The site is not located within a Natura 2000 site. No Special Protection Areas (SPA) for birds exist within 15km of the proposed MBT development. Candidate Special Areas of Conservation (cSAC) within 15km of the proposed development are detailed in Table 1 below.

Table 1: Natura 2000 Sites within 15km of the proposed MBT development site boundary

Name	Site Code	Designation	Approximate distance from site/activity boundary
Ballynafagh Bog	000391	cSAC	6.4 km,
Ballynafagh Lake	001387	cSAC	5.8 km,
Long Derries, Edenderry	000925	cSAC	7.2 km,
Mouds Bog	000395	cSAC	11 km
Pollardstown Fen	000396	cSAC	13.2km

None of the sites listed in Table 1 will be impacted by the development of the proposed MBT Facility.

An important consideration is that while there is the potential for localised silt or sediment run-off created by the construction of the proposed development to enter watercourses through drains on site, potential impact to downstream aquatic receptors will be insignificant including in the River Barrow cSAC (not listed) located approximately 20km from here. Precautionary pollution controls will be implemented during the site clearance phase to prevent significant silt and sediment entering the surface water drains. During the operational phase controls as per an EPA waste license will be implemented and monitored by site environmental technicians to ensure waste license compliance and to avoid significant discharges to water and air.

3.4 CONSULTATION

As part of the EIS for this project, consultation letters describing the proposed development were sent to relevant authorities including Department of the Arts, Heritage and the Gaeltacht, National Parks and Wildlife Services, BirdWatch Ireland, Inland Fisheries Ireland (IFI), Kildare County Council Conservation Officer, Irish Wildlife Trust, Irish Forestry Board (Coillte Teoranta), Irish Native Woodland Trust, and Irish Peatland Conservation Council) on the 24th January 2012.

All responses received are detailed in Chapter 1 of this EIS and all responses received are presented in Appendix 1.5. All relevant consultation responses and recommendations are fully considered in this Report.

3.5 POTENTIAL FOR IMPACTS

3.5.1 Alone

The possibility exists for localised sediment and contaminant discharges to enter watercourses during the construction phase of the proposed development particularly when peat excavation is required. During the operational phase of the development there is the possibility of accidental emissions, in the form of oil, petrol, diesel, or leachate which could cause contamination of local surface water channels and/or the underlying groundwater. These discharges will not significantly impact any designated site.

3.5.2 In-combination

The proposed development will be located approximately 1km south of the Bord na Móna permitted landfill facility and composting facility. This development will be subject to a waste licence from the EPA to control any significant potential for impacts to local watercourses and air quality. It is considered that no significant in-combination impacts will arise which may impact Natura 2000 sites.

3.6 ASSESSMENT OF LIKELY EFFECTS

No detectable significant impacts are likely to affect the Natura 2000 Sites listed in Table 1 as project design and controls detailed below will prevent significant localised sediment and contaminant discharges entering any undesignated watercourses which drain the site. In order to ensure no impacts occur as a result of this proposed MBT development, best practice works to be undertaken will include:

- A buffer zone of at least 5m will be retained between any works area and drainage ditches on site;
- Appropriately placed silt traps will be used to prevent increased silt deposition in the watercourses that exist on site;
- Soil storage will be in a manner which avoids impacts to surface waters and instability issues;
- Any hydrocarbons will be stored in appropriate containers, either double skinned or bunded;
- Fuelling of machinery will be carried out away from the watercourses to prevent pollution;
- Extensive site works such as site excavation will not take place during extended periods of heavy rain in order to minimise soil and silt water run off to silt traps;
- Spill kits will be retained on site during the construction phase. These kits will be equipped with suitable materials for the appropriate cleanup and storage of any contaminants which are accidentally released into the environment; and
- Pollution control measures will be implemented at work areas within 50m of drains which drain into the site. These will include an environmental and earthworks management plan, which will have the objective of avoiding significant negative impacts such as excess silt runoff entering local water features. Suitable reference for best practice is detailed in National Roads Authority (NRA) (2005)³ and Masters-Williams *et al.*, (2001)⁴.

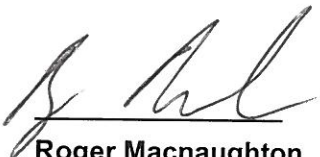
³ NRA 2005. Guidelines for the crossing of watercourses during the construction of national road schemes. National Roads Authority (NRA), Dublin.

Refer to Chapters 4 “Ecology” and 6 “Water” of the EIS for further details on proposed work practices and mitigation measures to prevent any impacts to the ecological environment which may also be relevant to Natura 2000 sites within 15km of here.

4 SCREENING STATEMENT

No significant impacts will arise to Natura 2000 sites from the proposed MBT development. Hence there is no requirement for further stages (Stage 2, 3 and 4) of the appropriate assessment process.

Signed off by:



Roger Macnaughton
Senior Ecologist

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⁴ Masters-Williams et al (2001). Control of water pollution from construction sites. Guidance for consultants and contractors (C532). CIRIA.

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