

# Appendix 3

## Appropriate Assessment




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**STAGE ONE SCREENING REPORT FOR A PROPOSED  
WASTE TRANSFER & PROCESSING FACILITY AT  
KYLETALESHA, CO. LAOIS**

**BORD NA MÓNA PLC**

**SEPTEMBER 2012**



**BORD NA MÓNA**   
PLC



# STAGE ONE SCREENING REPORT FOR A PROPOSED WASTE TRANSFER & PROCESSING FACILITY AT KYLETALESHA, CO. LAOIS

## BORD NA MÓNA PLC

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**Abstract:** This document comprises the Stage One Screening Report for a proposed waste transfer & processing facility at Kyletalesha, Co. Laois. Stage One is the first stage in the four stage Appropriate Assessment process. Appropriate Assessment is required under Article 6 (3) and (4) of the Habitats Directive for any project or plan that may give rise to significant effects on a Natura 2000 site. This assessment follows the methodological guidelines set out in the document 'Assessment of Plans and Projects Significantly Affecting Nature 2000 Sites' (2001) and published guidelines from the Department of Environment, Heritage and Local Government (2009).

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## 1. INTRODUCTION

Fehily Timoney and Company (FTC) was commissioned by Bord na Móna PLC to prepare an Appropriate Assessment Screening Report, in support of a planning application to Laois County Council, for a proposed waste transfer and processing facility at Kyletalesha, Co Laois. The proposed facility will accept 40,000 tonnes per annum of mixed dry recyclables, mixed municipal wastes, construction and demolition (C&D) wastes, commercial and industrial (C&I) wastes and brown bin organic wastes, primarily collected by AES Ireland Ltd.

An Appropriate Assessment (AA) is an assessment of the potential effects of a proposed plan or project, on its own or in combination with other plans or projects, on one or more Natura 2000 sites (Special Protection Areas (SPA) for birds, Special Areas of Conservation (SAC) for habitats and species). Stage One Screening is the first step in the Appropriate Assessment process (see Section 2 - Methodology). Screening examines the likely effects of a project/plan, either alone or in combination with other projects, upon a Natura 2000 Site, and considers whether it can be objectively concluded that these effects will not be significant. The findings of the assessment must be taken into account by the competent authority, in this case Laois County Council.

There are four Natura 2000 sites within 10 km of the proposed development site. The River Barrow and River Nore SAC (002162) is located north of the proposed development site, or 3.6 km north west at its closest point. Mountmellick SAC (002141) is 6.7 km north east. The Slieve Bloom Mountains SAC (000412) is 8.8 km to the west and the Slieve Bloom Mountains SPA (004160) is 6.3 km to the west. Figure 1.1 shows the Natura 2000 sites within 10 km of the proposed development site. To establish whether the operation of the proposed waste facility will potentially impact these Natura 2000 sites, a Stage One Screening report, as required until Article 6 of the EU Habitats Directive, has been prepared for submission to Laois County Council.

### 1.1 Legislative Requirements

Appropriate Assessment is a requirement of Articles 6(3) and 6(4) of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, also known as the Habitats Directive which states:

*6(3) Any plan or project not directly connected with or necessary to the management of the site (Natura 2000 sites) but likely to have 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 sites 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.*

*6(4) 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 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.*

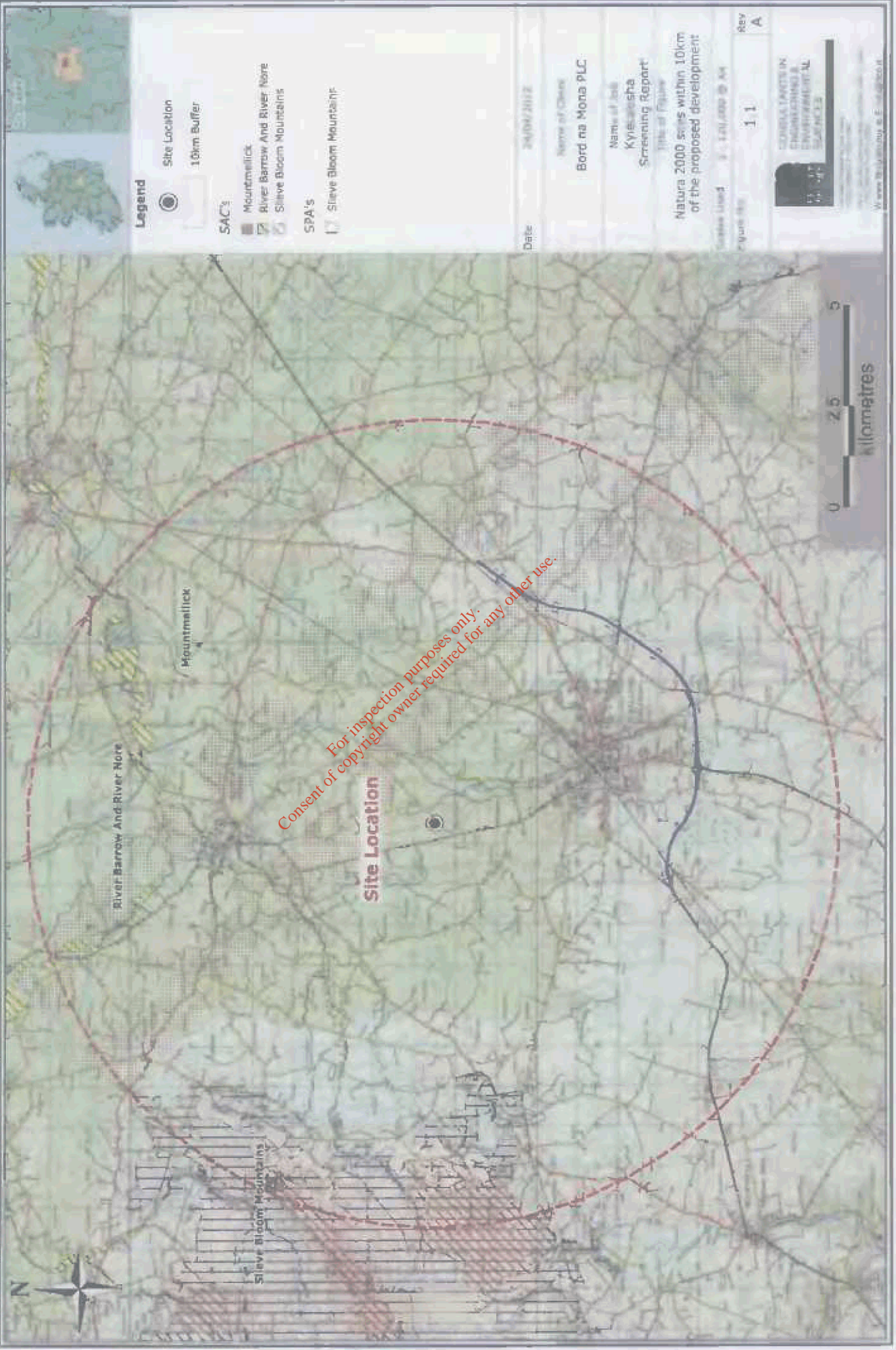
The statutory agency responsible for Natura 2000 sites is the National Parks and Wildlife Service of the Department of Arts, Heritage and the Gaeltacht (DAHG). The European Court of Justice, on December 13 2007, issued a judgment in a legal case against Ireland that found Ireland had failed in its statutory duty to confer adequate protection on designated areas. In December 2009 "Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government" was published. This guidance document was prepared jointly by the NPWS and Planning Divisions of DoEHLG (now DAHG), with input from local authorities.

### 1.2 Regulatory Context

The Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora) formed a basis for the designation of Special Areas of Conservation (SACs). Similarly, Special Protection Areas are legislated for under the Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds). Collectively, SACs and SPAs are referred to as Natura 2000 sites. In general terms, they are considered to be of exceptional importance in terms of rare, endangered or vulnerable habitats and species within the European Community. Under Article 6(3) of the Habitats Directive an Appropriate Assessment must be undertaken for any plan or program that is likely to have a significant effect on the conservation objectives of a Natura 2000 site. An Appropriate Assessment is an evaluation of the potential impacts of a plan on the conservation objectives of a Natura 2000 site, and the development, where necessary, of mitigation or avoidance measures to preclude negative effects.

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## 2. METHODOLOGY

There are four stages in an Appropriate Assessment as outlined in the European Commission Guidance document (2001). The following is a brief summary of these steps.

**Stage 1 - Screening:** This stage examines the likely effects of a project/plan either alone or in combination with other projects upon a Natura 2000 Site and considers whether it can be objectively concluded that these effects will not be significant.

**Stage 2 - Appropriate Assessment:** In this stage, the impact of the project/plan on the integrity of the Natura 2000 site is considered with respect to the conservation objectives of the site and to its structure and function. A Natura Impact Statement is the report produced as part of the Appropriate Assessment process.

**Stage 3 - Assessment of Alternative Solutions:** Should the Appropriate Assessment determine that adverse impacts are likely upon a Natura 2000 site, this stage examines alternative ways of implementing the project that, where possible, avoid these adverse impacts.

**Stage 4 - Assessment where no alternative solutions exist and where adverse impacts remain:** Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the Natura site will be necessary.

In the preparation of this assessment, regard has been given to the Habitats Directive and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. no. 477 of 2011), and with reference to the relevant guidance, in particular:

- *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*, European Commission 2001.
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats Directive' 92/43/EEC*, European Commission, 2000.
- *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin 2009.

### 2.1 Consultation

A consultation letter was sent to the Development Applications Unit, National Parks & Wildlife Service (NPWS) as part of the AA process.

They NPWS stated that screening should be carried out to assess any impacts of the development on the conservation objectives of the Natura 2000 sites, and that the relevant guidance documents should be consulted.



### 3. STAGE ONE SCREENING

#### 3.1 Introduction

Screening requires a review of all Natura 2000 sites that are likely to be significantly impacted due to a proposed plan or project, and identifies if further assessment is required under the second stage of the AA. There are four Natura 2000 sites within 10 km of the proposed development, and these are assessed within this report as they are within the likely zone of impact of the proposed waste management facility.

Each Natura 2000 site has been reviewed to establish whether or not the project is likely to have a significant effect on the integrity of the site, as defined by its structure and function, and its conservation objectives. The qualifying interests of each Natura 2000 site were identified and are set out in Section 3.3 below. The potential threats are summarised into the following categories for the screening process, and described within the screening matrix.

Direct impacts refer to habitat loss or fragmentation arising from land-take requirements for development or agricultural purposes. Direct impacts can be as a result of a change in land use or management, such as the removal of agricultural practices that prevent scrub encroachment.

Indirect and secondary impacts do not have a straight-line route between cause and effect, and it is potentially more challenging to ensure that all the possible indirect impacts of the plan – in combination with other plans and projects – have been established. These can arise when a development alters the hydrology of a catchment area, which in turn affects the movement of groundwater to a site, and the qualifying interests that rely on the maintenance of water levels. Deterioration in water quality can occur as an indirect consequence of development, which in turn changes the aquatic environment and reduces its capacity to support certain plants and animals. The introduction of invasive species can also be defined as an indirect impact, which results in increased movement of vectors (humans, fauna, surface water), and consequently the transfer of alien species from one area to another.

Disturbance to fauna can arise directly through the loss of habitat (e.g. bat roosts) or indirectly through noise, vibration and increased activity associated with construction and operation.

#### 3.2 Brief Description of the Project

The proposed development is a waste transfer and processing facility at an existing site at Kyletalesha, Co Laois. The site is located on the local L21170 road, approximately 600 m off the N80 national road and approximately 3.5 km north of Carralesse town, as shown on Figure 1.1. The proposed development location is approximately 400 m east of the entrance to the Kyletalesha landfill facility, operated by Laois County Council (LCC), with the north western boundary of the development site bordering the landfill facility boundary for approximately 75 m. In addition, 2 no. knackery facilities are located directly west of the proposed development site.

The proposed development will utilise an existing building for the reception and processing of waste material accepted. Access will be via an existing weighbridge system and existing portacabin structures will be utilised as office buildings and staff accommodation. A marshalling area will be located outside of the waste reception and processing building with dedicated areas for skip, container and trailer storage and parking.

The proposed facility will accept 40,000 tonnes per annum of mixed dry recyclables, mixed municipal wastes, construction and demolition (C&D) wastes, commercial and industrial (C&I) wastes and brown bin organic wastes, primarily collected by AES Ireland Ltd.

The majority of material accepted at the facility will be bulked up and transported off site, for further processing. 'Bulking up' refers to the process of accepting smaller volumes of waste from refuse collection vehicles (RCV's), skips etc. and transferring this material to larger volume trailers for more efficient and economic transportation of the waste material.

The proposed facility will operate under a waste licence from the Environmental Protection Agency (EPA). Waste licence number W0192-02 currently applies to the site.

### 3.3 Brief Description of the Natura 2000 Site

There are four Natura 2000 sites within 10 km of the proposed development site. The River Barrow and River Nore SAC is to the north of the proposed development, or 3.6 km to the north west at its closest point. Mountmellick SAC is 6.7 km north east. The Slieve Bloom Mountains SAC (000412) is 8.8 km to the west and the Slieve Bloom Mountains SPA is 6.3 km to the west. Figure 1.1 shows the Natura 2000 sites within 10 km of the proposed development site. A brief summary of the Natura 2000 sites, their conservation objectives, and distance to the proposed development site are presented in Table 3.1 below. The full NPWS site synopses for these Natura 2000 sites are available on [www.npws.ie](http://www.npws.ie).

**Table 3.1: Features of the Natura 2000 sites within 10 km of the proposed development**

Site Name	Site Code	Summary	Distance from Site
River Barrow and River Nore SAC	002162	<p><b>Summary:</b></p> <p>The site is selected for alluvial wet woodlands and petrifying springs, priority habitats on Annex I of the E.U. Habitats Directive. The site is also selected as a candidate SAC for old oak woodlands, floating river vegetation, estuary, tidal mudflats, <i>Salicornia</i> mudflats, Atlantic salt meadows, Mediterranean salt meadows, dry heath and eutrophic tall herbs, and habitats listed on Annex I of the E.U. Habitats Directive. The site is also selected for the following species listed on Annex II of the same directive - Sea lamprey, River Lamprey, Brook Lamprey, Freshwater Pearl Mussel, Nore Freshwater Pearl Mussel, Crayfish, Twaite Shad, Atlantic Salmon, Otter, Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i> and the Killarney Fern.</p> <p><b>Conservation Objectives:</b></p> <p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:</p> <p>1016 Desmoulin's whorl snail <i>Vertigo moulinsiana</i>  1029 Freshwater pearl mussel <i>Margaritifera margaritifera</i>  1092 White-clawed crayfish <i>Austropotamobius pallipes</i>  1095 Sea lamprey <i>Petromyzon marinus</i>  1096 Brook lamprey <i>Lampetra planeri</i>  1099 River lamprey <i>Lampetra fluviatilis</i>  1103 Twaite shad <i>Alosa fallax</i>  1106 Atlantic salmon (<i>Salmo salar</i>) (only in fresh water)  1130 Estuaries  1140 Mudflats and sandflats not covered by seawater at low tide  1310 <i>Salicornia</i> and other annuals colonizing mud and sand  1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)  1355 Otter <i>Lutra lutra</i>  1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)  1421 Killarney fern <i>Trichomanes speciosum</i>  1990 Nore freshwater pearl mussel <i>Margaritifera durrovensis</i></p>	3.6 km

		<p>3260 Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p> <p>4030 European dry heaths</p> <p>6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels</p> <p>7220 * Petrifying springs with tufa formation (<i>Cratoneurion</i>)</p> <p>91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>91E0 * Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p>	
Mountmellick SAC	002141	<p><b>Summary:</b></p> <p>This site comprises a disused stretch of the Grand Canal between Dangan's Bridge and Skeagh Bridge, approximately 3 km east of Mountmellick in Co. Laois. The habitat is fen type vegetation, including Bulrush (<i>Typha latifolia</i>), Reed Sweetgrass (<i>Glyceria maxima</i>) and Yellow Flag (<i>Iris pseudacorus</i>). The area west of the bridge has been drained extensively and is now grassland. The Mountmellick site is important as it provides useful habitat for a relict population of <i>Vertigo moulinsiana</i>.</p> <p><b>Conservation Objectives:</b></p> <p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:</p> <p>1016 <i>Vertigo moulinsiana</i></p>	6.7 km
Slieve Bloom Mountains SAC	000412	<p><b>Summary:</b></p> <p>This site is remarkable for its mountain blanket bog habitat. Blanket bogs are an increasingly rare habitat in Europe, and in Ireland are continually under threat. The Slieve Bloom Mountains are an important link in the east-to-west gradient of bogs in Ireland, and are floristically linked to the midland raised bogs north of the site. The intactness of the blanket bog here is remarkable and is echoed in few other areas in the Republic of Ireland, making this site of unique conservation value.</p> <p><b>Conservation Objectives:</b></p> <p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:</p> <p>4010 Northern Atlantic wet heaths with <i>Erica tetralix</i></p> <p>7130 Blanket bogs (* if active only)</p> <p>91E0 * Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p>	6.8 km

<p><b>Slieve Bloom Mountains SPA</b></p>	<p><b>004160</b></p>	<p><b>Summary:</b></p> <p>The site provides excellent nesting and foraging habitat for breeding Hen Harrier and is among the top five sites in the country for the species. It is also likely to be of national importance for breeding Merlin.</p> <p><b>Conservation Objectives:</b></p> <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>6.3 km</p>
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## 4. ASSESSMENT CRITERIA

### 4.1 Description of the Elements of the Project likely to give rise to Impact on Natura 2000 Site

*Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 site.*

The main elements of the proposed development that could potentially impact on the Natura 2000 sites are:

- deterioration in water quality from the site, affecting water quality in the Natura 2000 sites and thus their qualifying features,
- disturbance and displacement to qualifying features of the Slieve Bloom Mountains SPA caused by noise during construction and operation of the facility.

There is a freshwater drainage stream within the northern part of the site, which flows through the site from the west to the east. This stream joins another freshwater drainage stream flowing outside the eastern boundary of the site, in a southerly direction. This stream flows under the local road to the south of the site, the L21170, where it meets another freshwater drainage stream flowing south. This stream joins the Triogue River to the south. The Triogue River drains in a northerly direction where it eventually meets the River Barrow and River Nore SAC about 10 km downstream of the proposed development. There is no drainage to the Mountmellick SAC or to the Slieve Bloom Mountains SAC, or the Slieve Bloom Mountains SPA from the site, hence they will not be impacted by the proposed development.

In order to identify potential In Combination Effects, other proposed plans and projects within the surrounding area were considered.

- Laois County Development Plan 2006–2012.
- Laois County Council Online Planning Query System

### 4.2 Description of the Likely Impact of the Project on the Natura 2000 sites

*Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites by virtue of:*

#### Size and Scale/Land Take/Distance from key features

The proposed development will take place within the existing site boundary, therefore the size and scale of the Natura 2000 sites within 10 km of the site will not be affected. Similarly, there will be no land take from the Natura 2000 sites. The River Barrow and River Nore SAC is 3.6 km north west of the proposed development site, Mountmellick SAC is 6.7 km north east, the Slieve Bloom Mountains SAC is 8.8 km to the west, and the Slieve Bloom Mountains SPA is 6.3 km to the west.

#### Excavation and Resource requirements (water abstraction etc.)

There will be no excavation or water extraction from the Natura 2000 sites as a result of the proposed development.

#### Emission (disposal to land, water or air)

Drainage streams from the proposed development site flow into the Triogue River to the south of the site. The Triogue River flows in a northerly direction, where it meets to the River Barrow and River Nore SAC approximately 10 km downstream of the proposed development.

The water quality of the freshwater drainage streams on, and adjacent to the site is poor, and the water is heavily silted. There is a landfill site and 2 no. knacker facilities to the west of the site, which may be impacting on the water quality of these streams. Clean surface water from the site will be discharged to the drainage stream.

All surface waters will pass through Class 1 full retention oil interceptors prior to discharge.

Discharge will be via a penstock such that surface water discharge can be shut off in the unlikely event of an uncontrolled discharge making its way into the surface water management system.

Therefore, based on the proposed surfacewater management measures, the proposed development will not cause any deterioration in the water quality of the existing drainage ditches beyond their current levels.

As the River Barrow and River Nore SAC is 10 km downstream of the site, and as there will be no emissions from the site to the adjacent drainage ditches, this SAC will not be impacted by the proposed development. There is no drainage to the Mountmellick SAC or to the Slieve Bloom Mountains SAC, or the Slieve Bloom Mountains SPA from the site, hence they will not be impacted by the proposed development.

#### Disturbance & displacement impacts

The proposed development site is 6.3 km to the east of the Slieve Bloom Mountains SPA which is a protected site for Hen Harrier. The proposed development will not cause any disturbance or displacement to Hen Harrier or other birds in the SPA due, due to its distance apart. In addition, the proposed development site is located in an industrial area, with a landfill and 2 no. knackery facilities nearby. Hence, there is an existing level of noise and human activity in the general area and the proposed development will not significantly add to this.

#### Cumulative and In-Combination Effects

In order to identify potential In Combination Effects, other proposed plans and projects within the surrounding area were considered.

- Laois County Development Plan 2011–2017
- Laois County Council Online Planning Query System

The area of Kyltalesha is likely to be further developed as there has been planning permission granted for dwelling houses in the area.

In addition the landfill site is likely to be developed further. According to the Laois County Development Plan 2006–2012, it is the objective of the Laois County Council to 'maintain and develop its landfill site at Kyltalesha in accordance with E.U. Directives and Irish Legislation'.

The proposed development site will not cause a deterioration in water quality to the streams on site, and any siltation caused by surface water runoff will be prevented. Thus there will be no cumulative or in-combination effects to the water quality of the streams and rivers in the area, and to the River Barrow and River Nore SAC as a result of the proposed development.

#### 4.3 Description of the likely Changes to the Site

Describe any likely changes to the site arising as a result of:

- reduction of habitat area
- disturbance to key species
- habitat or species fragmentation
- reduction in species density
- changes in key indicators of conservation value (water quality, etc.)

**Reduction in habitat area**

There will be no reduction in the habitat area of the River Barrow and River Nore SAC, Mountmellick SAC, the Slieve Bloom Mountains SAC or the Slieve Bloom Mountains SPA associated with the proposed development, as it is outside the SAC and SPA boundaries.

**Disturbance to key species**

The key species for which the River Barrow and River Nore SAC are designated are largely aquatic in nature, and will not be impacted by the proposed development, due to separation distance apart and given that surface water management measures will be implemented. None of the other Natura 2000 sites receive drainage from the site, thus there will be no disturbance to their key species. There will be no disturbance to Hen Harrier in the Slieve Bloom Mountains SPA as a result of the proposed development due to its distance apart.

**Habitat or species fragmentation**

There will be no fragmentation of key habitats or species in the Natura 2000 sites as a result of the proposed development, due to their distance apart.

**Reduction in species density**

There will be no reduction in species density as a result of the proposed development.

**Changes in key indicators of conservation value**

There will be no changes in key indicators of conservation value in the Natura 2000 sites as a result of the proposed development.

**4.3 The Likely Impacts on the Natura 2000 site as a whole**

Describe any likely impacts on the Natura 2000 site as a whole in terms of:

- *interference with the key relationships that define the structure of the site*
- *interference with key relationships that define the function of the site*

There will be no impacts on the key relationships that define the structure or function of the River Barrow and River Nore SAC, Mountmellick SAC, the Slieve Bloom Mountains SAC or the Slieve Bloom Mountains SPA due to the proposed development.

**4.4 Indicators of Significance of these Impacts**

Provide indicators of significance as a result of the identification of effects set out above in terms of:

- *loss*
- *fragmentation*
- *disruption*
- *disturbance;*
- *change to key elements of the site (e.g., water quality etc.)*

The main indicators of significance for any potential impacts on the Natura 2000 sites would be a reduction in the numbers of key aquatic species in the River Barrow and River Nore SAC caused by deterioration in water quality. However, there will be no impact on the water quality of the River Barrow and River Nore SAC as a result of the proposed development, due to its separation distance and as surfacewater management measures, including Class 1 full retention interceptors, will be utilised, thus preventing any deterioration in water quality from surface water runoff to the adjacent streams.

**4.5 Likely Significance of the Potential Impacts**

*Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts are not known.*

There will be no impacts to the Natura 2000 sites within 10 km of the proposed development. A finding of no significant effects report has been completed for this site. This is presented in Appendix 1 of this document.

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## 5. REFERENCES

DoEHLG, 2009, *Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities.* Department of the Environment, Heritage and Local Government, Dublin

European Commission, 2000, *Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.* Office for Official Publication of the European Communities, Luxembourg

European Commission Directorate-General, 2001, *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 Publication of the European Communities, Luxembourg

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# Appendix 1

## Finding of No Significant Effects Report

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## Finding of No Significant Effects Report

<p>Name and location of the Natura 2000 sites</p>	<ul style="list-style-type: none"> <li>• The River Barrow and River Nore SAC (002162) is located north of the proposed development site, or 3.6 km north west at its closest point.</li> <li>• Mountmellick SAC (002141) is 6.7 km north east.</li> <li>• The Slieve Bloom Mountains SAC (000412) is 8.8 km to the west</li> <li>• The Slieve Bloom Mountains SPA (004160) is 6.3 km to the west</li> </ul>
<p>Description of the project or plan</p>	<p>Bord na Móna PLC proposes to develop a waste transfer and processing facility at Kyletalesha, Co Laois. The proposed facility will accept 40,000 tonnes per annum of mixed dry recyclables, mixed municipal wastes, construction and demolition (C&amp;D) wastes, commercial and industrial (C&amp;I) wastes and brown bin organic wastes, primarily collected by AES Ireland Ltd.</p>
<p>Is the Project or Plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No.</p>
<p>Are there other projects or plans that together with the project of plan being assessed could affect the site (provide details)?</p>	<p>No.</p>
<h3>The Assessment of Significant Effects</h3>	
<p>Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site</p>	<p>The proposed development will not affect the Natura 2000 sites listed above.</p>
<p>Explain why these effects are not considered significant</p>	<p>The proposed development will not result in any significant impacts to the Natura 2000 sites due to their distance apart and because any deterioration in water quality from surface water runoff to on-site streams will be prevented through appropriate surfacewater management i.e. use of Class 1 full retention interceptors</p>

Name of Agency or Body Consulted	Summary of Response
<p>NPWS</p>	<p>The NPWS requested a survey of the habitats and species be carried out by a suitably qualified person, and that existing records of the NPWS and the National Biodiversity Data Centre be checked. These were completed by FTC for the EIS. The NPWS also requested an Appropriate Assessment Screening Report be completed.</p>

<b>Data Collected to Carry out the Assessment</b>			
<i>Who carried out the assessment</i>	<i>Sources of Data</i>	<i>Level of assessment completed</i>	<i>Where can the full results of the assessment be accessed and viewed</i>
This assessment was completed by Fehily Timoney and Company	Existing records and planning documentation, desktop study.	Appropriate Assessment Screening	Laois County Council Planning Department.

### **Overall Conclusions**

There will be no significant impacts on the River Barrow and River Nore SAC, Mountmellick SAC, the Slieve Bloom Mountains SAC or the Slieve Bloom Mountains SPA as a result of the proposed waste transfer and processing facility at Kyletalesha, Co Laois.

Therefore a Stage Two Appropriate Assessment and production of a Natura Impact Statement is not required for this project.

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