

Electronic copy

Mr. Paraic Fay
On behalf of Mr. Killian Smith



17/08/2022

Reg. No. P1176-01

Re: Appropriate Assessment in respect of a licence application from Mr. Killian Smith in respect of the installation located at Clonloaghan, Kilcogy, Cavan

Dear Sir or Madam,

I refer to your application for a licence application in respect of the installation located at Clonloaghan, Kilcogy, Cavan.

I am to advise you in accordance with Regulation 42(8)(a) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, that the EPA has made a determination that an Appropriate Assessment is required as the project, individually or in combination with other plans or projects, is likely to have a significant effect on European sites. Notification of this determination is attached for your reference. The EPA acknowledges receipt of a Natura Impact Statement, submitted on 29 March 2022.

In carrying out an Appropriate Assessment the EPA shall take into account each of the matters specified in Regulation 42(12) of the European Communities (Birds and Habitats) Regulations 2011 as amended, where applicable.

The EPA shall publish a Notice for Public Consultation on Appropriate Assessment under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended.

Submissions or observations on a licence application can be made to the Agency in relation to Appropriate Assessment as set out in the notice for public consultation.

The application and all associated correspondence including the notice for public consultation are available to view on the EPA website at www.epa.ie. You are advised to refer to the website for information on the progress of the application.

If you have any further queries, please contact licensing@epa.ie.

Yours faithfully,

Environmental Licensing Programme
Office of Environmental Sustainability
Tel: 053 – 9160600

Appropriate Assessment Screening Determination

In accordance with Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the Agency has undertaken Appropriate Assessment screening to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on European Sites. In this context, particular attention was paid to the European Sites listed below.

Consent Details:

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| Reg. No. | P1176-01 |
| Applicant Name: | Mr. Killian Smith |
| Type of Consent Sought: | Industrial Emissions Licence |
| Location of installation: | Clonloaghan, Kilcogy, Cavan. |
| Licence Application Date: | 25 March 2022 |
| European Site(s) assessed: | Moneybeg and Clareisland Bogs SAC (Site Code: 002340) |
| | Derragh Bog SAC (Site Code: 002201) |
| | Ardagullion Bog SAC (Site Code: 002341) |
| | Lough Oughter and Associated Loughs SAC (Site Code: 000007) |
| | Lough Sheelin SPA (Site Code: 004065) |
| | Lough Kinale and Derragh Lough SPA (Site Code: 004061) |
| | Lough Oughter Complex SPA (Site Code: 004049) |
| Date of AA Screening Determination: | 17/08/2022 |

AA Screening Determination:

That the activity is not directly connected with or necessary to the management of any European site and that it cannot be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects, will have a significant effect on any European site and accordingly determined that an Appropriate Assessment of the activity is required.

This determination has been made in light of the following reasons:

- Air emissions of ammonia (and associated nitrogen deposition) from the installation have the potential for effects on qualifying interest habitats and species in the European Sites listed above due to their proximity to the installation.
- The closest European site, Lough Sheelin SPA, is less than 4km from the installation boundary.
- Moneybeg and Clareisland Bogs SAC and Derragh Bog SAC are approximately 7km from the installation boundary. Active raised bogs [7110] which are particularly sensitive to ammonia are listed as qualifying interests in the Conservation Objectives documents for both of these European Sites. Information in relation to European Sites is available on www.npws.ie.
- Regard has been had to the EPA's Licence Application Guidance (Assessment of the Impact of Ammonia and Nitrogen on Natura 2000 Sites from Intensive Agriculture Installations, Version 1, May 2021) and the online screening tool SCAIL Agriculture (<http://www.scail.ceh.ac.uk>) as part of this Appropriate Assessment Screening Determination.
- Taking all of the foregoing into account it is considered that significant effects on European Sites and their qualifying interests due to emissions to air from the installation cannot be ruled out at the screening stage and based on the precautionary principle this determination is that a Stage 2 Appropriate Assessment is required.

Documents relating to the licence application are available on the Agency's website at www.epa.ie



Date: 17/08/2022

Rachel Neeson

Office of Environmental Sustainability