



AN ROINN COMHSHAOIL, OIÐHREACHTA AGUS RIALTAIS ÁITIÚIL
DEPARTMENT OF THE ENVIRONMENT, HERITAGE
AND LOCAL GOVERNMENT

19th June 2008

Our Ref: G2008/388

Mr. Bill Quirke,
Conservation Services,
Tullaha,
Co. Kerry

Re: Aquatic survey pre EIS scoping for ESB E-W Interconnector

A Chara,

We refer to your recent notification in relation to the above-proposed development. Outlined below are the nature conservation recommendations of the Department of the Environment, Heritage and Local Government.

We note that some of the rivers that may be impacted on enter various Natura 2000 sites downstream. Therefore, in accordance with article 6.3 of the Habitats Directive this plan or project should be screened to establish if it will have an impact on a Natura 2000 site and if it does then an appropriate assessment is required of the implications for the site in view of the sites conservation objectives. If the assessment shows a negative impact on the site then the plan could only be carried out for reasons of overriding public interest as detailed in article 6.4.

Rivers and their associated riparian zones and floodplains are very important habitats for biodiversity and especially so in the urban environment where they provide a refuge for flora and fauna. They can contain protected plants and animals including kingfishers (*Alcedo atthis*) which are listed on annex I of the Birds Directive (Council Directive 79/409 EEC) and protected under the Wildlife Acts of 1976 and 2000, Otters (*Lutra lutra*), bat species which are protected under the Wildlife Acts and listed for strict protection on Annex IV of the Habitats Directive (Council Directive 92/43/EEC) and Badgers (*Meles meles*) protected under the Wildlife Acts of 1976 and 2000. They function as important linear features and wildlife corridors as envisaged under article 10 of the Habitats Directive.



Regarding protected animals we would like to remind you of the necessity of obtaining the necessary licenses and derogations in advance of any works being carried out or any permission for any works being given. In particular bats and otters are strictly protected under annex IV of the Habitats Directive and we enclose a copy of Circular Letter NPWS 2/07 for your information on this matter. In addition licenses will be required if there are any impacts on badger setts or birds nests including kingfisher nests. In order to apply for any such licenses or derogations a detailed survey of badger setts, bat roots, otter holts and birds nests should be submitted which should have been carried out by appropriately qualified persons. We recognise however that such species may be covered by the terrestrial as opposed to the aquatic survey.

Finally, this recommendation is based on the papers submitted to this Department on a pre-planning basis and is made without prejudice to any future decision the Minister may take upon sight of a formal planning application or the submission of an Environmental Impact Statement.

Mise le meas,


Orla Hennessy
Developments Applications Unit