

# Glenmore Quarry Refurbishment

## Screening for Appropriate Assessment



Report for Monaghan County Council

May 2023



Main works area at Glenmore Quarry

### **Note**

Works, plans, methodologies, materials, and infrastructural requirements are based on the client's brief, draft plans, and drawings provided to Flynn Furney Environmental Consultants as of May 2023.

### **Statement of Authority**

This Natura Impact Statement has been carried out by suitably qualified and experienced professionals of Flynn Furney Environmental Consultants. These were Louise Mac Elwain BSc, MSc, Jennifer McAree BSc, MSc, MIEnvSci, and Billy Flynn BSc, MSc, MCIEEM, CEnv.

## **TABLE OF CONTENTS**

1. INTRODUCTION
2. DESIGNATED SITES: ECOLOGICAL ASSESSMENT
3. ARTICLE 6 (3) SCREENING ASSESSMENT
4. REFERENCES AND GUIDANCE DOCUMENTS

## **APPENDIX A: SITE LOCATION & NEAREST NATURA 2000 SITE**

# 1 Introduction

Flynn Furney has been commissioned by Monaghan County Council to carry out a Stage 1 Appropriate Assessment (AA) Screening Report for the redevelopment of a disused quarry site at Carrickroe, Co. Monaghan. The purpose of this project is to repurpose the quarry to allow for the storage of road-construction materials here. The works will include the construction of a concrete hard-standing area, the provision of weighbridge and wheel wash facilities for the reception, storage and transfer of inert waste at Glenmore Quarry, Carrickroe, Co. Monaghan

This screening exercise aims to determine whether the proposed construction and operation of the facility may have the potential to impact the conservation objectives and overall integrity of any Natura 2000 sites significantly or indeterminately. This assessment is based upon desk research and fieldwork carried out by suitably qualified ecologists.

This report has been completed to provide information regarding the ecological status of the proposed site of works. This report has also been completed to provide the information necessary to allow the competent authority to conduct an Article 6[3] Appropriate Assessment (AA) Screening of the proposed development. The legislation and methodology for this are detailed in the following sections.

## 1.1 Relevant Legislation and Overall Screening Methodology

The methodology for this screening statement is set out in a document prepared for the Environment DG of the European Commission entitled 'Assessment of plans and projects significantly affecting Natura2000 sites: Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC' (European Commission, 2019). This report and any contributory fieldwork were carried out in accordance with guidelines given by the Department of Environment, Heritage and Local Government (2009, amended 2010).

The process is given in Articles 6(3) and 6(4) of the Habitats Directive and is commonly referred to as 'Appropriate Assessments' (which in fact refers to Stage 2 in the sequence under the Habitats Directive Article 6 assessment). Article 6 of the Habitats Directive sets out provisions which govern the conservation and management of Natura 2000 sites. Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment:

*“Any plan or project not directly connected with or necessary to the management of the (Natura2000) site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In light of the conclusions of the assessment of the implication 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.”*

Article 6(4) of the same directive states:

*“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 the 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.”*

It is the responsibility of the proponent of the plan or project to provide the relevant information (ecological surveys, research, analysis etc.) for submission to the ‘competent national authority’. Having satisfied itself that the information is complete and objective, the competent authority will use this information to screen the project, i.e. to determine if an AA is required and to carry out the AA, if one is deemed necessary. The competent authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned. The appropriate assessment process has four stages. Each stage determines whether a further stage in the process is required. If, for example, the conclusions at the end of Stage One are that there will be no significant impacts on the Natura 2000 site, there is no requirement to proceed further. The four stages are:

1. Screening to determine if an appropriate assessment is required.
2. Appropriate assessment
3. Consideration of alternative solutions
4. Imperative Reasons of Overriding Public Interest/Derogation

#### **Stage 1: Screening**

This is to determine if an appropriate assessment is required. Screening is the technique applied to determine whether a particular plan would be likely to have significant effects on a Natura 2000 site

and would thus warrant an Appropriate Assessment. The key indicator that will determine if an Appropriate Assessment is required is the determination of whether the development is likely to have significant environmental effects on a Natura 2000 site or not.

### **Stage 2. Appropriate Assessment**

This step is required if the screening report indicates that the development is likely to have a significant impact on a Natura 2000 site. Stage 2 assesses the impact of a plan or project on the integrity of the Natura 2000 site, either alone or in combination with other plans or projects, with respect to the site's structure, function and conservation objectives. Where there are adverse impacts, an assessment of the potential mitigation of these impacts is also required.

### **Stage 3. Assessment of Alternative Solutions**

If it is concluded that, subsequent to the implementation of measures, a plan or project will have an adverse impact on the integrity of a Natura 2000 site, it must be objectively concluded that no alternative solutions exist before the plan or project can proceed.

### **Stage 4. Imperative Reasons of Overriding Public Interest/Derogation**

Where no alternative solutions exist and where adverse impacts remain but imperative reasons of overriding public interest (IROPI) exist for the implementation of a plan or project, an assessment of compensatory measures that will effectively offset the damage to the Natura 2000 site will be necessary.

## **1.2 Case Law**

The European Court of Justice has made a number of relevant rulings in relation to when an Appropriate Assessment is required and its purpose: *“Any plan or project not directly connected with or necessary to the management of the site is to be subject to an appropriate assessment of its implications for the site in view of the site's conservation objectives if it cannot be excluded, on the basis of objective information, that it will have a significant effect on that site, either individually or in combination with other plans or projects”* and that the plan or project may only be authorised *“where no reasonable scientific doubt remains as to the absence of such effects”*.

A list of relevant rulings is provided below:

**Table 1: Case law relevant to the AA Screening for the Proposed Development**

Case	Ruling
People Over Wind and Sweetman v Coillte Teoranta (C-323/17)	The ruling of the CJEU in this case requires that any conclusion of 'no Likely Significant Effect' on a European site must be made prior to any consideration of measures to avoid or reduce harm to the European site. The determination of Likely Significant Effects should not, in the opinion of the CJEU, constitute an attempt at detailed technical analyses. This should be conducted as part of the AA.
Waddenzee (C-127/02)	The ruling in this case clarified that AA must be conducted using best scientific knowledge, and that there must be no reasonable scientific doubt in the conclusions drawn.  The Waddenzee ruling also provided clarity on the definition of 'significant effect', which would be any effect from a plan or project which is likely to undermine the conservation objectives of any European site.
Holohan and Others v An Bord Pleanála (C-461/17)	The conclusions of the Court in this case was that consideration must be given during AA to:  effects on qualifying habitats and/or species of a SAC or SPA, even when occurring outside of the boundary of a European site, if these are relevant to the site meeting its conservation objectives; and,  effects on non-qualifying habitats and/or species on which the qualifying habitats and/or species depend and which could result in adverse effects on the integrity of the European site.
T.C Briels and Others v Minister van Infrastructuur en Milieu (C-521/12)	The ruling of the CJEU in this case determined that compensatory measures cannot be used to support a conclusion of no adverse effect on site integrity.

### 1.3 Guidance Documents

This report has been prepared with regard to the following guidance documents on Appropriate Assessment, where relevant:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2010 revision);
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10;
- 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 Environment Directorate-General, 2001 and updates April 2015 and September 2021). The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive;
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC (EC Environment Directorate-General, 2018); and
- Communication from the Commission on the precautionary principle. European Commission (2000). · OPR (2021) Appropriate Assessment Screening for Development Management. Practice Note PN01. Office of the Planning Regulator. March 2021.

### 1.4 Statement of Authority

Flynn Furney Environmental Consultants have over 20 years of experience in ecological surveying and management. We have detailed knowledge on the principles and implementation of both Irish and European environmental legislation. We have worked closely with statutory bodies including the National Parks and Wildlife Service and Waterways Ireland on habitat management and protection projects. Other expertise includes Ecological Impact Assessment, Habitat and Floral Surveys, Bird Surveying, Bat Surveying, Fish and Waterways surveys.

### 1.5 The Proposed Site of Project

The proposed site of works is a disused quarry in the townland of Glenmore, Carrickroe, Co. Monaghan at 54.363429, -7.067964. The site is immediately adjacent and to the north of the L1135 local road. The site is approximately 3km to the northwest of the village of Carrickroe and approximately 2km to the south-east of the border with Northern Ireland. The quarry is set amid agricultural lands which are extensively grazed.



## 1.6 Project Objectives and Description of Works

### Project Context

Monaghan County Council will be seeking Part 8 Planning Permission to construct a hard-standing area, weighbridge and welfare facilities for reception, storage and transfer of inert bituminous materials at Glenmore Quarry. The primary inert materials will be in the form of road planings which will be required to be stored annually in a central location. On an annual basis, these stockpiled materials will be processed into a cold-mix reclaimed asphalt pavement material for the structurally rehabilitating the regional and local road network. Refer also to drawings in Appendix A.

### Scope of Works

Monaghan County Council intends to seek permission for:

- The construction of a concrete hard-standing area
- The installation of a weighbridge
- Wheel wash facilities
- Site Office (portacabin)
- Welfare facilities for staff

## 1.7 Methodologies

This screening report was informed by a desk study of all relevant environmental information and also included a review of the ecological field survey data recorded during survey in October 2022. The screening then incorporated the following steps (broadly based on EC [2000]) to:

- Determine if the proposed works are directly connected with or necessary to the management of the site;
- Describe the proposed works;
- Describe the baseline environment;
- List 'Relevant' European sites which are those sites potentially connected to the proposed works by source-pathway-receptor linkages; and
- Conclude if linkages to 'Relevant' sites have the potential to give rise to Likely Significant Effects (LSE).

## 1.8 The Source-Pathway-Receptor Model

The standard 'source-pathway-receptor' conceptual model is a standard tool in environmental assessment. In order for an effect to occur, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism means there is no likelihood for the effect to occur. An example of this model is provided below:

- Source (s); – e.g. Piling;
- Pathway (s); e.g. Vibration; and
- Receptor (s); e.g. Underground otter resting site at risk of collapse

The model evaluates the receptors as the qualifying interests (QIs) for which individual European sites are designated, with reference to the latest conservation objectives from the National Parks and Wildlife Service (NPWS) website, or substitute detailed objectives from other European sites where only generic objectives are available.

European sites are at risk of significant effects as a result of the proposed works where a source-pathway-receptor link exists between any elements of the proposed works and the European site. In order for an impact to occur there must be a risk enabled by having a 'source' (e.g. proposed works), a 'receptor' (e.g. a SAC/SPA or their QI habitats/species), and a pathway between the source and the receptor (e.g. a watercourse which connects the impact source at a site of proposed works to a SAC/SPA). The risk of the impact does not automatically mean it will occur, nor that it will be significant. However, identification of the risk does mean that there is a possibility of ecological or environmental impact occurring, with the level and significance of the impact depending upon the nature and exposure to the risk, and the characteristics of the receptor.

## 1.9 The Precautionary Principle

The Precautionary Principle has been defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2005) as: "When human activities may lead to morally unacceptable harm [to the environment] that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. The judgement of plausibility should be grounded in scientific analysis". Reasoned application of the 'Precautionary Principle' is fundamental to the Screening Stage (and AA). The precautionary principle is referenced in Article 191 of the Treaty on the Functioning of the European Union (TFEU). It relates to an approach to risk management whereby if there is the possibility that a given policy or action might cause harm to the public or the environment and if there is still no scientific consensus on the issue, the policy or action in question should not be pursued.

The precautionary principle prevails where ‘reasonable scientific doubt’ cannot be ruled out. Known threats to QIs of relevant sites are analysed to avoid overlooking subtle or far-field effect pathways. The duration of potential effects is a key consideration, in particular because the European Court of Justice has recently ruled—albeit in specific reference to priority habitats—those effects to site integrity must be “lasting”.

### 1.10 Zones of Influence and Potential Impacts or Effects

The proposed works have the potential to result in a number of direct and indirect effects. These are set out in Table 2, which identifies the “zones of influence” for each effect (i.e. the area over which effects may occur).

**Table 2:** Potential impacts, effects and their zone of influence

Potential Impact and Effect	Description	Zone of Influence
Land-take resulting in habitat loss or degradation.	The permanent loss of the habitat present in the footprint of the development and access routes.	Lands within the proposed footprint of works and access routes.
Changes in water quality and quantity/distribution resulting in habitat loss or degradation.	Reduction in the quality of retained habitat or loss of habitat from surrounding areas as a result of surface water pollution.	Changes in surface water quality, as a result of works, associated with the proposed development within water courses, water bodies and or wetlands adjacent to or hydrologically connected with the of the proposed development site.
Noise & vibration resulting in disturbance to species during construction and operation of the facility.	Direct impact on feature species reducing their ability to forage or breed.	Generally assessed within 500m of the proposed works (e.g. for wintering birds), but can be significantly lower (e.g. 150 m for Otter underground sites, or further.

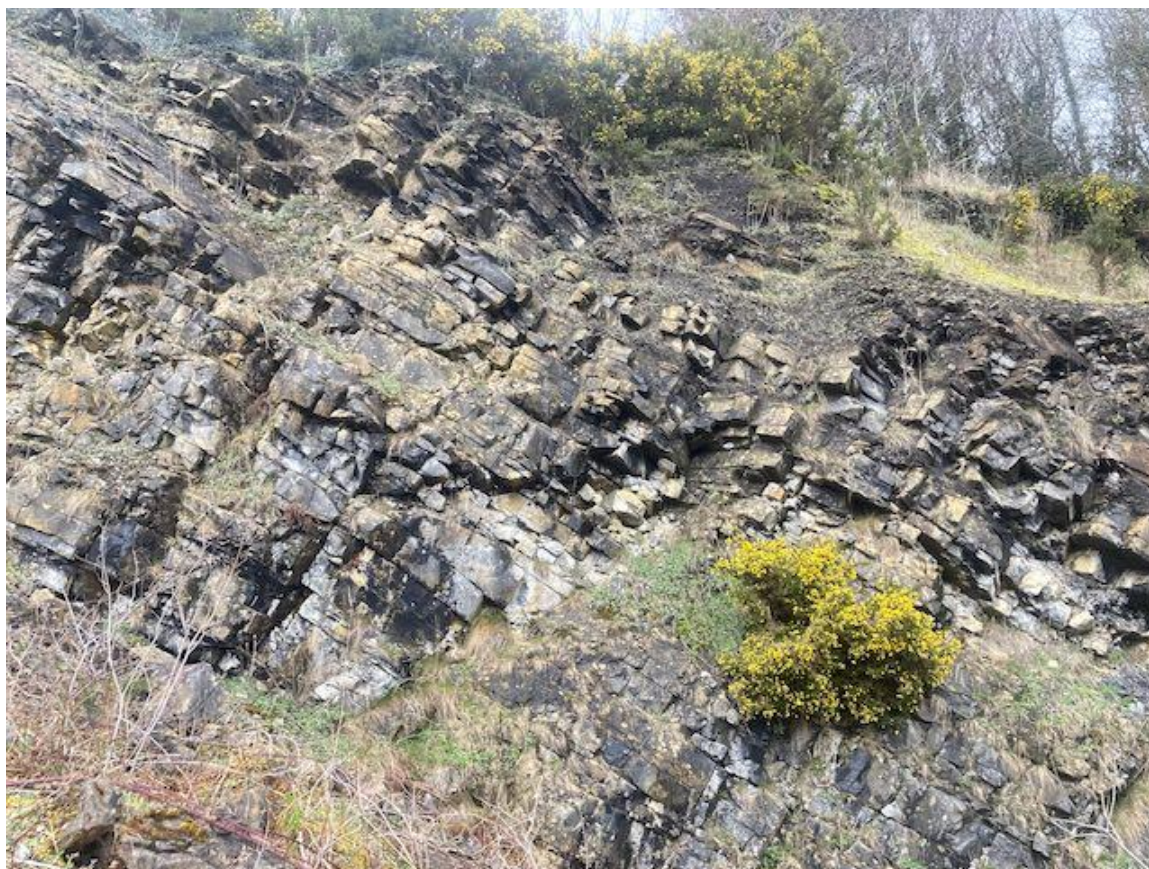
### 1.11 Ecological Survey and Habitats

An ecological field survey of the proposed development site was carried out on the 24<sup>th</sup> October 2022. Habitat survey and mapping followed the Heritage Council’s Best Practice Guidance (Smith et al. 2011). Habitats were classified according to the Heritage Councils Scheme (Fossitt, 2000). These are described below and shown graphically in Appendix B:

### 1.11.1 Exposed Siliceous Rock (ER1)

Rock surfaces on site have been exposed through excavation of quarry material. Plant communities of the rocky ledges and crevices feature a wide range of herbs, ferns, mosses and lichens in patches.

Herbs include abundant patches of Mouse-ear Hawkweed *Pilosella officinarum*. Speedwells *Veronica spp.*, Coltsfoot *Tussilago farfara*, Thale cress *Arabidopsis Thaliana*, Hairy Bittercress *Cardamine Hirsuta*, Common Whitlow grass *Erophilia verna*, Barren Strawberry *Potentilla sterilis*, Wild Strawberry *Fragaria vesca* and some Vetch *Vicia spp.*. Hart's-tongue *Asplenium scolopendrum*, Hard Fern *Blechnum spicant*, Polypody *Polypodium agg.* and Soft Shield-fern *Polystichum setiferum* were all present. Mosses included *Fissidens bryoides*, *Homalothecium sericeum*, *Calliergonella cuspidata* and *Grimmia pulvinata*. Escaped garden plant London Pride *Saxifraga cuneifolia* was locally abundant in one damper section. Maidenhair spleenwort *Asplenium trichomanes* was common on rock surfaces.



### 1.11.2 Improved Agricultural Grassland (GA1)

This habitat type occurs within the areas surrounding the quarry. It tends to be species-poor and dominated by a small number of agricultural grasses such as Perennial Rye-grass *Lolium perenne* and Cock's-Foot *Dactylis glomerata*.



### 1.11.3 Wet Grassland (GS4)

Immediately to the north of the quarry are some limited areas that would conform to this habitat type, being on heavier soils with flushes where Soft Rush *Juncus effusus* is frequent. Species such as Cuckoo Flower *Cardamine pratensis* and Common Sorrel *Rumex acetosa* with Devil's-bit Scabious *Succisa pratensis* occasional.

### 1.11.4 Oak-Ash-Hazel Woodland (WN2)

Some limited areas of this woodland type fringe the northern and north-western boundaries of the quarry as well as colonising some disused quarried areas to the north. Oak does not occur but Ash *Fraxinus excelsior* and Hazel *Corylus avellana* persists. Ivy *Hedera helix* and Bramble *Rubus fruticosus* agg. were frequent throughout the woodland on site. Occasional herbs included Barren Strawberry *Potentilla sterilis* and Wild Strawberry *Fragaria vesca*. Hart's-tongue *Asplenium scolopendrum*, Primrose *Primula vulgaris*, Enchanter's-nightshade *Circaea lutetiana*, Golden-saxifrage *Chrysosplenium oppositifolium*, , Early Dog-violet *Viola reichenbachiana*, Lords and Ladies *Arum maculatum*, Lesser celandine *Ficaria verna ssp verna* and Wood Speedwell *Veronica montana*.



#### 1.11.5 Recolonising Rock/Bare ground and Spoil Heaps (ED3/ED2)

This habitat type is found throughout most of the survey area. Colt's Foot *Tussilago farfara* and Dandelion *Taraxacum spp.* were abundant. Shepherd's-purse *Capsella bursa-pastoris*, Thale cress *Arabidopsis thaliana* and Common Whitlow grass *Erophila verna* were occasional.

#### 1.11.6 Pools and Aquatic Flora & Fauna

A number of pools exist within the quarried area. These are artificial in that they have been created by quarrying activity here. Tadpoles of the Common Frog *Rana temporaria* were found here. Sparse vegetation of Broad-leaf pondweed *Potamogeton natans*, and sedges *Carex spp.* Water Figwort *Scrophularia auriculata* and Purple-loosestrife *Lythrum salicaria* were identified but rare.



#### 1.11.7 Eroding Upland Stream (FW2)

An unnamed stream flows in an approximately north-south direction through the site. This appears to arise from a spring in the north-western corner of the previously quarried area. There were few macrophytes within this. The stream may be of fisheries significance.



**Significance of Habitats and Flora**

There are no Annex I habitats which occur within or surrounding the proposed study area. No rare, threatened, or protected species of plants as per the Red Data List (Wyse Jackson et al., 2016) were found. No species listed in the Flora Protection Order (2022) were found to be growing within the site. No such species were recorded within the area of works.

**1.12 Stakeholders and Consultation**

**Table 3: Summary of Consultations**

Stakeholder	Nature of Consultation	Outcome
Monaghan County Council (the client)	Telephone and email consultation: Scope and scale of project discussed. Necessity for an Appropriate Assessment Screening Report agreed.	This report generated and submitted to Monaghan County Council.
National Parks and Wildlife Service	Pre-consultation not possible due to lack of NPWS staff in county and unavailability of staff in region.	This report to be supplied to NPWS if requested.

## 2 Designated Sites Ecological Assessment

### 2.1 Desktop Study

A desktop study was carried out as part of the screening process. This included a review of available literature on the site and its immediate environs. Sources of information included the National Parks and Wildlife Service and National Biodiversity Data Centre databases on protected sites and species.

### 2.2 Designated Sites

Sites designated for the conservation of nature in Ireland include:

- Special Areas of Conservation (SAC)
- Special Protection Areas (SPA)
- Natural Heritage Areas (NHA); and
- proposed Natural Heritage Areas (pNHA).

SPAs and SACs form the Natura 2000 network of sites. It is these sites that are of relevance to the screening process for Appropriate Assessment.

SPAs and SACs are prime wildlife conservation areas in the country, considered to be important on a European as well as Irish level. SPAs and SACs are designated under EU Habitats Directive, transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended.

All Natura 2000 designated sites within 15km of the proposed development site or otherwise relevant were considered during the desktop study stage of this screening assessment in order to assess the potential for significant effects upon their Qualifying Interests / Special Conservation Interests and Conservation Objectives. This stage of the process is used to determine whether any of the designated sites may be 'screened out'. That is, that they can be regarded as not being relevant to the process, having no potential to be significantly affected or impacted upon.



### 2.3 Natura Designated Sites Relevant to the Proposed Works

Designated sites as described above were considered during the screening process for their potential to have significant effects upon their qualifying interests, special qualifying interests or conservation objectives. The site synopses and conservation objectives of the sites were also examined during this stage of the survey. These sites are given in summary in the table below. Table 2 also gives distances from the site of works and the outcome of this initial screening.

**Table 4: Distances from the proposed development site to the nearest designated sites and screening criteria**

Site Code	Site Name	Distance To (km)	Screening Criteria
Special Areas of Conservation (SACs)			
UK0016622	Slieve Beagh SAC	2.8	No potential pathways for impacts. No hydrological connections exist between the Natura 2000 site and the proposed work location.
UK0016621	Magharaveely Marl Loughs SAC	20.8	No potential pathways for impacts. No hydrological connections exist between the Natura 2000 site and the proposed work location. Distance between site and proposed work location contribute to the lack of likely impact.
001786	Kilrooskey Lough Cluster	21.8	No potential pathways for impacts. No hydrological connections exist between the Natura 2000 site and the proposed work location. Distance between site and proposed work location contribute to the lack of likely impact.
Special Protection Areas (SPAs)			
004167	Slieve Beagh SPA	0.84	Potential pathways for impacts. Proposed works are within 1km of the Natura 2000 site and <b>further screening assessment is required.</b>

Site Code	Site Name	Distance To (km)	Screening Criteria
UK9020302	Slieve Beagh-Mullaghfad-Lisnakea SPA	3.2	No potential pathways for impacts. No hydrological connections exist between the Natura 2000 site and the proposed work location. Distance between site and proposed work location contribute to the lack of likely impact.

**Figure xx. Natura Designated Sites and the Proposed Site of Works at Glenmore**

Sliabh Beagh SPA is within 1km of the proposed site of works. This proximity would suggest that there is potential for impacts upon this Natura 2000 site. This site is therefore considered further in this assessment.

The next nearest site is Slieve Beagh SAC (UK). This site comprises the area of the Special Area of Conservation that is within Northern Ireland. However, there is no hydrological or other connection to this designated site from the proposed site of works. There is thus no pathway for impacts and therefore this site may be screened out of this assessment.

There is no connectivity between the other identified Natura 2000 sites and the proposed site of works. There is thus no pathway for impacts and therefore these sites may be screened out of this assessment. These sites are not considered further in this assessment.

No risk to the conservation objectives of any other Natura 2000 designated sites (i.e. beyond 22 km buffer) is considered likely due to one or more of the following:

- Distance between the designated areas and the works area and/or;
- Lack of connectivity between the works areas and the designated areas and,
- No significant change to chemical or physiological condition of any designated site as a result of the proposed development

These other sites are therefore not considered further in this screening exercise. The following section solely examines potential impacts on Slieve Beagh SPA.

**2.1.3 Slieve Beagh SPA**

### Site Description

The Slieve Beagh SPA comprises much of the eastern and south-eastern sectors of the Slieve Beagh upland area that extends from County Monaghan into Northern Ireland. Mountain blanket bog is well developed at the higher altitudes and especially at Eshbrack (peak of 365 m). The vegetation is largely dominated by Deergrass (*Scirpus cespitosus*), Ling Heather (*Calluna vulgaris*), Cross-leaved Heath (*Erica tetralix*), Harestail Cottongrass (*Eriophorum vaginatum*), Common Cottongrass (*E. angustifolium*), Crowberry (*Empetrum nigrum*) and a range of mosses such as *Sphagnum capillifolium*, *S. papillosum*, *S. tenellum* and *Hypnum cupressiforme*. In places, Cranberry (*Vaccinium oxycoccos*) is an abundant component of the vegetation. Elsewhere the bog is mostly cutover and there are also wet and dry heaths present. In total, bog and heath occupy 43% of the site. The mid-slopes are afforested (40% of site), with plantations of various ages (open canopy, closed canopy, clear-fell). The remainder of the site is rough or marginal grassland (16%).

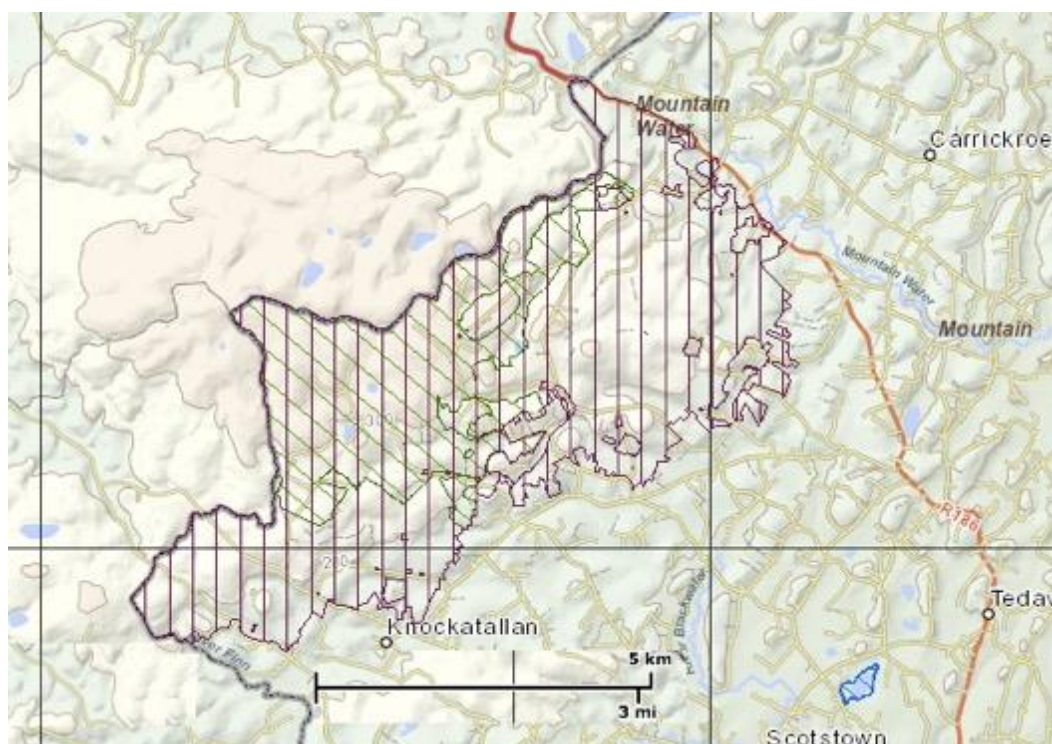


Fig. xx

Some of the old field systems support species-rich wet grassland vegetation dominated by Soft Rush (*Juncus effusus*). Several small dystrophic lakes are present within the site. The site is one of the strongholds for Hen Harrier in the country. A survey in 2005 recorded four pairs, representing over 1.9% of the all-Ireland total. However, when the Northern Ireland sector of Slieve Beagh is considered, there was a total of 10 breeding pairs in 2005. The mix of forestry

and open areas provides optimum habitat conditions for this rare bird, which is listed on Annex I of the E.U. Birds Directive. The early stages of new and second-rotation conifer plantations are the most frequently used nesting sites, though some pairs may still nest in tall heather of unplanted bogs and heath. Hen Harriers will forage up to c. 5 km from the nest site, utilising open bog and moorland, young conifer plantations and hill farmland that is not too rank. Birds will often forage in openings and gaps within forests. In Ireland, small birds and small mammals appear to be the most frequently taken prey. The site also supports breeding Merlin, a species that is also listed on Annex I of the E.U. Birds Directive. Two probable pairs were recorded in 2002-03 during survey work for a wind farm but further survey is required to determine the exact status of this small falcon. Red Grouse is found in unplanted areas of bog and heath, this is a species that has declined in Ireland and is now Red-listed. Peregrine, another E.U. Birds Directive Annex I species, nests in the Northern Ireland sector of Slieve Beagh and can be seen over the site at times. The main threat to the long-term survival of Hen Harriers within the site is further afforestation, which would reduce and fragment the area of foraging habitat, resulting in possible reductions in breeding density and productivity. Overall, the site provides excellent nesting and foraging habitat for breeding Hen Harrier and is one of the top sites in the country for the species. It may also be of national importance for breeding Merlin.

#### **Conservation Objectives for Slieve Beagh SPA**

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network.

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

### **Conservation Objectives for the Hen Harrier**

A site-specific conservation objective aims to define the favourable conservation condition of a habitat or species at site level. The maintenance of habitats and species within sites at favourable condition will contribute to the maintenance of favourable conservation status of those habitats and species at a national level.

Conservation objectives are defined using attributes and targets that are based on parameters set out in the Habitats Directive<sup>4</sup> for defining favourable status, namely population, range and habitat for the species. Attributes should not be considered in isolation from the others listed. Attributes and targets may change and become more refined as further information becomes available.

The conservation objective for breeding hen harrier is framed by attributes with targets that are necessary for the restoration of the species within the SPA network. This, in turn, informs the setting of targets for each of the six SPAs. It is important to acknowledge that, despite the significant progress made in recent years in understanding hen harrier ecology, the knowledge-base is not yet complete and the species' interactions with the landscape are complex. As such, it has not been possible, when setting these Conservation Objectives, to always provide precise numerical targets that must be met in order to achieve the restoration of the species to favourable conservation condition (at the site level) or status (at the network level). In those cases where scientific uncertainty or knowledge gaps remain, target ranges are employed and explained to assist the user in their application. Efforts will continue, primarily through the mechanism of the Threat Response Plan, to address the outstanding questions concerning hen harrier ecology and to inform the future

refinement of these Conservation Objectives and the conservation measures necessary to support its restoration.

The Conservation Objectives and Targets of Slieve Beagh may thus be summarised as:

Habitat/Feature	Extent	Target
Low Intensity grasslands and associated habitats	106 ha	Maintain the extent and quality of this resource to support the targets relating to population size, productivity rate and spatial utilisation.
Hedgerows	64,284m	Maintain the length and quality of this resource to support the targets relating to population size, productivity rate and spatial utilisation.
Suitable semi-natural open habitats used by hen harrier	45.1ha	Maintain the extent and quality of this resource to support the targets relating to population size.
Heath, Bog and Associated Habitats	1380 ha	Maintain the extent and quality of this resource to support the targets relating to population size.
Spatial Utilisation of Breeding Pairs	5 pairs (2020)	Maintain the spatial utilisation of the SPA by breeding pairs at 100%
Productivity Rate	2 pairs (2021)	Maintain at least 1.0 – 1.4 fledged young per confirmed pair.

Potential for impacts on the Conservation Objectives arising from the proposed works is assessed in the following table:

**Table 3.** Qualifying Interests and Potential Impacts

Qualifying Conservation Objective	Interest	Relevant to Proposed Works	Potential for Impacts	Rationale
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Low Intensity grasslands and associated habitats	No	Nil	None of these habitat types will be affected by the proposed works.
Hedgerows	No	Nil	None of these habitat types will be affected by the proposed works.
Suitable semi-natural open habitats used by hen harrier	No	Nil	None of these habitat types will be affected by the proposed works.
Heath, Bog and Associated Habitats	No	Nil	None of these habitat types will be affected by the proposed works.
Spatial Utilisation of Breeding Pairs	No	Nil	No suitable habitat types will be affected by the proposed works. No works will be taking place within or within zone of influence of breeding pairs.
Productivity Rate	No	Nil	No suitable habitat types will be affected by the proposed works. No works will be taking place within or within zone of influence of breeding pairs.

## 2.4 Proposed Works & Potential Impact to Natura Site

The principal risks posed from the project relate to loss of suitable habitat during construction phase and noise disturbance during operational phase.

**Table 4.** Potential Impacts and zone of influence

Potential Impact and Effect	Description	Zone of Influence
Loss of suitable feeding, hunting or breeding habitat.	Reduction in the quality of retained habitat or loss of habitat from surrounding areas as a result of habitat loss within quarry.	Within area proposed for development.
Disturbance to breeding pairs within breeding season (April-Sept)	Temporary disturbance to the species arising from the operational phase of the project.	Lands within the proposed footprint of works and access routes to these developments.

**Table 5.** Source-pathway-receptor review of potential impacts

Potential Impact and Effect (Source)	Pathway	Conclusion
Loss of suitable feeding, hunting or breeding habitat.	No suitable feeding, hunting or breeding habitat exists within quarry	No complete source-pathway-receptor chain exists. No impacts may therefore be predicted.
Disturbance to breeding pairs within breeding season (April-Sept)	No suitable breeding habitat exists within the zone of influence of the quarry.	No complete source-pathway-receptor chain exists. No impacts may therefore be predicted.

It may be concluded from the above that there is no possibility for impacts on Kilroosky Lough Cluster SAC arising from the proposed works. This is described further in the following section.

### 3 Article 6(3) Screening Assessment

This section of the report focuses solely on the potential for the proposed works to impact on any Natura 2000 sites and their conservation objectives. The potential for effects to these Natura 2000 sites is considered further below.

#### 3.1 Article 6(3) Assessment Criteria

Description of the individual elements of the project likely to give rise to impacts on the Natura 2000 site.

None of the individual elements of the proposed development as planned are likely to give rise to significant impacts on the Natura 2000 site, given: the absence of any qualifying interests of the SAC within the zone of influence of the works, the small scale of works and the nature of same.

Description of any Likely Direct, Indirect or Secondary Impacts of the Project on the Natura 2000 Site.

Any likely direct, indirect or secondary impacts of the proposed development, both alone and in combination with other plans or projects, on any Natura 2000 sites by virtue of the following criteria: size and scale, land take, distance from the Natura 2000 site or key feature thereof, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction, operational and decommissioning phases of the works are detailed in the table below.

**Table 6: Assessment of Likely Impacts**

<b>ASSESSMENT OF LIKELY IMPACTS</b>
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Size and scale	The proposed works will be carried out within a total area comprising some only c. 05 hectares. As such, there will be no impact on any Natura 2000 sites owing to the size or scale of the proposed works.
Land-take	No work will take place within the boundary of any Natura 2000 site. As such land-take is nil.
Distance from the Natura 2000 site or key features of the site;	The nearest Natura 2000 site is Slieve Beagh SPA. It is within 1km of the proposed site of works.
Resource requirements (water abstraction etc.);	No materials for construction will be sourced from within any Natura 2000 site. No water will be abstracted from any designated site.
Emissions (disposal to land, water or air);	There will be no additional emissions to land, air or water beyond those typical of a small scale construction project. Some enhanced emissions of dust are predicted. These will not be significant. The existing surface water regime will be maintained. No additional flows of surface water will be created. No emissions are likely to have any likely significant effects upon the conservation objectives of the SPA.
Excavation requirements;	No excavation or extraction requirement exists within the boundary of the designated site or in areas with hydrological connectivity to any designated site.
Transportation requirements;	Site has existing access via a the local road. No other means of access will be required during any phase of the project that would impact upon any Natura 2000 site. The works area will not extend into the SPA.
Duration of construction, operation, decommissioning, etc.;	Duration of works are not known at time of writing. Owing to the size and scale of the project it is unlikely to take more than 6 weeks
Timing of works	Not known at time of writing. However given the scale and nature of the proposed development, no impacts on any species or habitats are predicted as a result of the proposed timing of works.
Cumulative or In-combination Impacts with other Projects and Plans	A desktop planning application search, using publicly available data from Monaghan County Council's ePlan database and MyPlan.ie's National Planning Application database was undertaken. No relevant planning applications for the adjacent townlands were found within the last 5 years.  No projects that could have cumulative or in combination impacts with the proposed works at Glenmore were found.

### 3.2 Description of any Likely Changes to the Natura 2000 Sites

Any likely changes to the Natura 2000 site are described in the table below with reference to the following criteria: reduction of habitat area, disturbance to key species, habitat or species fragmentation, reduction in species density, changes in key indicators of conservation value and climate change.

**Table 7: Likely changes to the Nature 2000 site**

Likely Changes to the Natura 2000 Site	
Reduction of habitat area	Works will not change the overall size of the Natura 2000 site.
Disturbance to key species	Works do not have the potential to lead to the disturbance of any protected species for which either designated site has received its designation.
Habitat or species fragmentation	Works do not have the potential to lead to habitat or species fragmentation within the Natura 2000 site.
Reduction in species density	Works do not have the potential to lead to a reduction in species density in any Natura 2000 site.
Changes in key indicators of conservation value (water quality etc.);	Works will not lead to changes in any key indicators of conservation value (water quality etc.) which the Natura 2000 site must maintain to uphold good conversation status.
Climate change	No negative effects to any sites as a result of or in combination with climate change are predicted as a consequence of the proposed works.

#### 3.2.1 Likelihood of Interference with the key relationships that define the structure and function of the Natura 2000 Site as a whole:

It is considered that there will be no impacts of any scale, significance or duration arising from these works or from the **development** or **operation** of this facility, upon the key relationships that define the structure and function of the Natura 2000 site.

#### 3.2.2 Indicators of Significance as a Result of the Identification of Effects

Indicators of significance as a result of the identification of effects as set out below in terms of loss, fragmentation, disruption, disturbance and changes to the key elements of site.

**Table 8. Indicators of significance**

Indicators of Significance	
Loss	None predicted
Fragmentation	No habitat fragmentation to the Natura 2000 site is predicted.

Disruption	No significant risk of disruption to the Natura 2000 site is predicted
Disturbance	Works do not have the potential to cause disturbance to the Natura 2000 site.
Change to key elements of the site (e.g. water quality etc.)	No long-term changes to any key elements of the Natura 2000 site are predicted.

**Description of any Likely Significant Impacts or Indeterminate Impacts of the Project on the Natura 2000 Site**

Based on a consideration of the likely impacts arising from the proposed development as described above no likely significant or indeterminate impacts or effects have been identified to Killoosky Lough Cluster SAC as a result of the proposed development.

**3.3 Findings of Article 6(3) Screening Assessment**

**Name of project or plan:** Disused Quarry Facility Redevelopment

**Name and location of Natura 2000 Site:** Nearest Natura 2000 site is Slieve Beagh SPA (Site Code 004167).

**Description of project or plan:** The purpose of this project is to provide a storage and processing facility for road materials in the townland of Glenmore. This is to allow a central location for this facility for Monaghan County Council.

**Is the project or plan directly connected with or necessary to the management of the site?:** The project is not directly connected with or necessary to the management of any Natura 2000 site.

**Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?** On the basis that the proposed project will have no impacts on any Natura 2000 sites and no other project or plan that could have significant effects has been identified, no cumulative or in-combination impacts are predicted.

**3.3.1 Assessment of Significance of Effects**

**Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site:**

The proposed project will not significantly affect any Natura 2000 sites. Works and operation of the completed footpath will not impact the conservation objectives of any Natura 2000 site the reasons outlined below:

**Explain why these effects are not considered significant.**

There will be no direct significant impacts upon the Natura 2000 sites as:

- The size and scale of the works are small
- None of the qualifying interest habitats or species of the SPA are within close proximity, adjacent to or with hydrological connectivity to the proposed development. Hence there is no source-pathway-receptor chain for impacts.
- No significant operational impacts of the completed facility may reasonably be expected

**Indirect impacts upon the Natura 2000 Site:**

No indirect impact to the Natura 2000 site are predicted for the reasons outlined below:

**Explain why these effects are not considered significant.**

- As there is no source-pathway-receptor chain, no significant changes to the integrity and function of the SPA are likely as a result of the construction or operation of the proposed development.
- No significant impacts to habitats or species upon which any of the qualifying interests and Conservation Objectives of the SPA rely upon will be impacted upon as a result of the proposed development.

**Cumulative or in-combination impacts**

As no direct or indirect impacts have been identified, no cumulative or in-combination impacts are therefore possible.

**Consultation with Agencies**

- As detailed previously in report

### 3.4 Data collected to carry out the assessment.

The following sources of data were employed:

- Environmental Protection Agency mapping database
- National Biodiversity Data Centre database
- NPWS protected sites and species database and online mapping
- Monaghan County Council Planning Database (ePlan)

**Level of assessment completed.**

- Desk Study
- Site visit & Survey in March 2023
- Fossitt Level III Habitat Recording

**Overall Conclusions**

In view of the best and objective scientific knowledge and in view of the conservation objectives of the European sites reviewed in the screening exercise, the proposed development as described here, individually/in combination with other plans and projects (either directly or indirectly) is not likely to have any significant effects on any European sites. Therefore, it is recommended to Monaghan County Council that Appropriate Assessment is not required.

## 4 References and Guidance Documents

DoEHLG. (2009). *Appropriate Assessment of Plans and Project in Ireland – Guidance for Planning Authorities*, Department of the Environment, Heritage & Local Government.

DoEHLG. (2010). *Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities*. Revision: February 2010. Department of the Environment, Heritage and Local Government.

EC. (2001). *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC*.

EC. (2002). *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. European Commission.

EC. (2006). *Nature and biodiversity cases: Ruling of the European Court of Justice*. Office for Official Publications of the European Communities, Luxembourg.

EC. (2007a). *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. European Commission.

European Commission. (2001). *Assessment of plans and projects significantly affecting Natura 2000 sites*.

Fossitt, J.A. (2000) *A Guide to Habitats in Ireland*. The Heritage Council, Kilkenny.

JNCC. (2007). *Handbook for Phase 1 Habitat Survey*. Joint Nature Conservation Committee, Peterborough, UK.

NPWS (2022). *Conservation Objectives Supporting Document: Breeding Hen Harrier*. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

Smith, G.F., O'Donoghue, P., O'Hora, K. and Delaney, E. (2011). *Best practice guidance for habitat survey and mapping. The Heritage Council: Ireland*.

Parnell, J. & Curtis, T. (2012). *Webb's An Irish Flora*. Cork University Press, Cork.

**Appendix A:** Site Location and Natura 2000 site

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**Fig. 1.** Quarry and surrounding lands at Glenmore. Base mapping from [www.gis.epa.ie](http://www.gis.epa.ie)



**Fig. 2.** Location of works in relation to Slieve Beagh Special Protection Area (pink hatched area) Base orthophotography from [dahg.maps.arcgis.com](http://dahg.maps.arcgis.com)

