

CUNNANE STRATTON REYNOLDS

CSR Ref: 1639/LTR/003

An Bord Pleanala Ref: 06S.JA0040

Kieran Somers
Executive Officer
An Bord Pleanala
64 Marlborough Street
Dublin
D01 V902

23rd December 2019

Re: Dublin Mountains Visitors Centre and All Associated Works in the Townland of Mountpelier, Killakee and Jamestown in South Dublin.

Dear Mr Somers,

We refer to your letter dated 6th February 2019. We act on behalf of the applicant South Dublin County Council.

Your letter requests a response by 7th February 2020 and we have pleasure in providing our response incorporating 3 hard copies and one electronic copy of this submission. This introduction should be read in conjunction with the following attachments:

- Natura Impact Statement undertaken by Roughan O Donovan; and
- Amended Environmental Impact Assessment Report (EIAR) incorporating amendments to the Biodiversity Chapter (Chapter 6), the associated appendices and relevant sections of the remainder of the EIAR that are biodiversity related and reflective of changes to the chapters in line with the 2014 EIA Directive (2014/52/EU) and the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018.
- Updated Operational Management and Monitoring Commitments compiled from the updated EIAR and NIS. This updates the document previously submitted to the oral hearing.

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We understand that your letter requires that three general tasks be carried out by the applicant namely:

- Undertake additional bird surveys in optimal conditions to ensure that, having regard to the precautionary principle, the potential impact on Merlin as a Qualifying Interest of the Wicklow Mountains Special Protection Area (Site Code 004040) has been fully addressed;
- Prepare and submit a Natura Impact Statement including mitigation proposals to address any potential adverse effects of the proposed development either individually or in combination with other plans or projects, on European sites in view of the sites' Conservation Objectives, with particular reference to the increased visitor numbers and Merlin; and,
- In relation specifically to biodiversity undertake any additional surveys/monitoring during recognised optimal conditions and update the relevant sections of the EIAR to incorporate the results of these surveys.

(1) Impact on Protected Birds and Merlin in Particular

An extensive period of Merlin Surveys was undertaken from the beginning of April to the end of July 2019 in addition to the previous survey.

The Merlin survey most recently conducted was undertaken by five fieldworkers each with prior experience of Merlin Surveys. The survey project manager was Alan Lauder, who also acted as fieldworker. Alan is a professional ornithologist and natural conservation specialist with over 30 years' experience across the State and in governmental wildlife and conservation organisations in the UK and in Ireland. He has extensive experience in conducting and managing large scale ornithological research and survey programmes and has extensive raptor and Merlin experience in particular. He was organiser of the 2001-2002 UK National Peregrine Survey, Steering Group Member of the 2017 Irish National Peregrine Survey, Steering Group Member and local organiser for Wicklow for the Irish National Merlin Survey 2018 and been involved in raptor surveying and research. He continues active field involvement with raptor studies, particularly Peregrines, Ravens and Merlin in County Wicklow.

Alan Lauder was assisted by John Lusby, an experienced raptor ecologist and a Merlin specialist with an extensive publishing record on Irish Merlin. He was lead organiser of the National Merlin Survey 2018 and has been Birdwatch Ireland's lead officer on Merlin studies.

Patrick O'Shea, Hannah Keogh and Mike Bailey undertook field surveys. All three have previous experience of Merlin surveys..

As described in the attached reports, surveys were conducted over an extensive area and over an extended period of time. The areas covered were selected on the basis of national guidance from the National Merlin Study of 2018. The previous 2018 Merlin survey undertaken by the applicant was carried out from 6 vantage points on Montpellier Hill and the conifer plantations surrounding it. The 2019 survey covered some 15 vantage points over a wider area including Montpellier Hill, Annamount Spink, Glendoo Mountain, Kilakee Mountain and Tibradden Mountain and totalled 372 hours of fieldwork across suitable Merlin breeding habitat. Only one Merlin sighting was recorded. The bird seen in the single sighting was likely to have originated from a nest likely some distance away, and potentially up to 10km away from the study area.

(2) Impact of Increased Visitor Numbers on Designated Sites and the Requirement for a Natura Impact Statement

A Natura Impact Statement (NIS) is attached with this covered letter. It was compiled by Patrick O'Shea of Roughan & O'Donovan and peer reviewed by Paul Murphy of EirEco Environmental Consultants. The NIS with regard to Merlin was peer reviewed by Alan Lauder. A competency and experience statement for Patrick, Paul and Alan is contained within the NIS.

The Board's letter, under this item, seeks to identify how the additional visitors to the enhanced facility will impact on adjacent or proximate Natura 2000 sites. The walkers survey undertaken and included as Appendix B to the NIS identifies the existing pattern of usage and the potential changes in the patterns of usage that may occur as a result of increased visitor numbers using the proposed facility. The recent walker surveys carried out by Traffinomics at 12 locations over 3 months in Summer 2019 sought to estimate the level of visitor use on Montpellier Hill, Massy's Wood, Cruagh Wood and on the interconnecting paths leading from the proposed development towards the Natura 2000 sites on Cruagh Mountain.

Whilst the 2017 walker surveys showed that few walkers stray beyond the limits of the recreational forest along the Dublin Mountain Way, those 2017 surveys did not cover the trails leading from Cruagh Wood out onto the open mountain and into the SPA south of the forest. These most recent walker surveys, from the Summer of this year, are more extensive and address that information gap.

The key facts established by the Summer (June, July and August) 2019 walking survey, are set out in Section 3 of that report, Appendix B to the NIS.

(3) Undertake additional biodiversity surveys and monitoring and update the biodiversity related sections of the previously submitted EIAR.

In response to the Board's queries on this item the applicant has updated and undertaken additional surveys, updated the Biodiversity Chapter of the EIAR, and updated other sections where necessary within the same document.

Finally, we have updated the EIAR not only in the context of the amended Chapter 6 on biodiversity as requested, but have also amended the EIAR, where necessary, in the context of the 2014 EIA Directive (2014/52/EU) and the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018. Please note that updates to the EIAR are colour coded – green for biodiversity related changes and red for 2014 Directive and 2018 Regulations based alignment.

Please note that it is our view that the updates in respect of the Directive and Regulations as indicated above are considered relatively minor and do not change the conclusions reached in the original EIAR.

We understand that there may be a requirement to advertise this further information under Section 175(5)b(i) of the Planning and Development Act, as amended, and we await your direction in this regard.

We would be grateful if, in the meantime, you would please acknowledge safe receipt of this submission.

Yours sincerely,



CUNNANE STRATTON REYNOLDS

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